

Licensing Sub-Committee

Thursday 3 December 2020

10.00 am

Online/Virtual: please contact andrew.weir@southwark.gov.uk for a link to the meeting and the instructions for joining the online meeting

Membership

Councillor Renata Hamvas (Chair)
Councillor Maria Linforth-Hall
Councillor Margy Newens

Reserves

Councillor Sunil Chopra

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

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Access

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Contact

Andrew Weir by email: andrew.weir@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 25 November 2020



Licensing Sub-Committee

Thursday 3 December 2020
10.00 am

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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: FOUR QUARTERS, 20 ASH AVENUE, LONDON SE17 1GQ	1 - 57

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|----|---------------------------------------------------------------------------------------------------------------|----------|
| 6. | LICENSING ACT 2003: CHAQUENO GRILL, GROUND FLOOR, ARCH 145, EAGLE YARD, HAMPTON STREET, LONDON SE1 6SP | 58 - 111 |
|----|---------------------------------------------------------------------------------------------------------------|----------|

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: 25 November 2020

Item No. 5.	Classification: Open	Date: 3 December 2020	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Four Quarters, 20 Ash Avenue, London SE17 1GQ	
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 Barcade Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Four Quarters, 20 Ash Avenue, London SE17 1GQ.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from responsible authorities and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 12 of this report provides a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 13 to 15 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted by the Responsible Authorities are attached to this report in Appendix B. A map showing the location of the premises is attached to this report as Appendix D.
 - d) A copy of the Council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

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

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

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 13 August 2020 Barcade Limited applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Four Quarters, 20 Ash Avenue, London SE17 1GQ.
9. The premises is described in the application as follows:

“Unit H5.R4 is the far corner unit on the new al fresco eating and drinking destination Ash Avenue, which is a pedestrianised road running across the new Elephant Park regeneration area.

The unit is around 3300 sq ft and will be Four Quarters' 3rd site, providing top quality food, drinks and retro video gaming entertainment.”

10. The hours applied for are summarised as follows:

- The sale by retail of alcohol (both on and off sales only):
 - Sunday to Thursday from 11:00 to 23:45
 - Friday and Saturday from 11:00 to 00:45
- The provision of late night refreshment (both indoors and outdoors):
 - Sunday to Thursday from 23:00 to 00:00
 - Friday and Saturday from 23:00 to 01:00
- The provision of regulated entertainment in the form of recorded music (indoors):
 - Sunday to Thursday from 11:00 to 00:00
 - Friday and Saturday from 11:00 to 01:00
- Opening hours:
 - Sunday to Thursday from 11:00 to 00:00
 - Friday and Saturday from 11:00 to 01:00
- Non-standard timings :
 - New Year's Eve until 04:00 the next day
 - Bank holiday Sundays and the Thursday before good Friday until 01:00.

11. The designated premises supervisor (DPS) is to be Joseph Julian, the licence applicant, who has a personal licence with London Borough of Southwark.

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

Representations from Responsible Authorities

13. A representation has been submitted by the licensing department in their role as a responsible authority. The representation states that the application hours are significantly beyond the hours recommended in the Southwark statement of licensing policy 2019-21. The licensing responsible authority

have also requested additional conditions. The representation can be found at Appendix B.

Representations from other persons

14. No representations have been received from other persons.

Conciliation

15. The representation was sent to the applicant, to which he has responded. That response is in Appendix C. The applicant has since sought support form counsel, who will be representing the applicant at the hearing.

Premises history

16. This is a new application, with no licensing history or complaints. The premises will be situated within the new Elephant Park Development.

Deregulation of entertainment

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

Business and Planning Act

20. The provisions in the Act temporarily modify the Licensing Act 2003 to provide an automatic extension to the terms of most premises licences which only permit the sale of alcohol for consumption on the premises to allow the sale of alcohol for consumption off the premises. This will make it easier for licensed premises to sell alcohol to customers for consumption off the premises in England and Wales, which will allow businesses to trade and maintain social distancing.

Map

21. A map of the local area is attached as Appendix D. The exact location of the premises may not be clear as the council's mapping system has not been updated with the full development layout.
22. There are no current licensed premises within the immediate 100 metre radius of the premise, though it is understood that further applications will be forthcoming for the row of premises under the residential accommodation.

Policy implications

Southwark council statement of licensing policy

23. 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. To be read in conjunction with Appendix B to the policy.
 - Section 8 – The Prevention of Crime and Disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public Safety. This provides general guidance on the promotion of the second licensing objective.

- Section 10 – The Prevention of Nuisance. This provides general guidance on the promotion of the third licensing objective.
- Section 11 – The Protection of Children from Harm. This provides general guidance on the promotion of the fourth licensing objective.

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

25. Within Southwark's statement of licensing policy 2019 - 2021, the premises is situated in the Elephant and Castle major town centre area and outside of a cumulative impact area. Under the Southwark statement of licensing policy 2019-21 the following closing times are recommended as appropriate within this area for this categories of premises indicated:

- Restaurants and cafes:
 - Sunday to Thursday: 00:00
 - Friday and Saturday: 01:00
- Public houses, wine bars or other drinking establishments :
 - Sunday to Thursday: 23:00
 - Friday and Saturday 00:00,

Community Impact Statement

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

Resource implications

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

Consultation

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

Community impact statement

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

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

Principles for making the determination

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

Principles for making the determination

34. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
35. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an interested party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
36. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- To grant the licence subject to:
 - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
 - Any condition which must under section 19, 20 or 21 be included in the licence.

- To exclude from the scope of the licence any of the licensable activities to which the application relates.
- To refuse to specify a person in the licence as the premises supervisor.
- To reject the application.

Conditions

37. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
38. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
39. 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.
40. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
41. 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

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

Hearing procedures

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

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

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

45. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
46. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.

47. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
48. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
49. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
50. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
51. 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.
52. 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

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

Strategic Director of Finance and Governance

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

BACKGROUND DOCUMENTS

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

APPENDICES

No.	Title
Appendix A	Application for the premises licence and associated plans
Appendix B	Representations submitted by the licensing responsible authority
Appendix C	Applicant's response to the licensing responsible authority
Appendix D	Map of the locality

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director of Environment and Leisure		
Report Author	Andrew Heron, Principal Licensing Officer		
Version	Final		
Dated	19 November 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		20 November 2020	

13/10/2020

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

Ref No. 1535794

Name of Applicant

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

	Barcade Ltd
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Notes for Guidance

1. 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.
2. 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 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.

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. For example the 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.

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

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

7. 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.

8. 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'.

9. 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.

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

11. The application form must be signed.

12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.

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

15. Entitlement to work/immigration status for individual applicants and applications

from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a

European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - o evidence of the applicant's own identity – such as a passport,
 - o evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - o evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;

(iv) any page containing the date of expiry; and

(v) any page containing information indicating the holder has permission to enter or remain in

the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Premises Details

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

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

£	0
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises

Premises trading name

	Four Quarters
--	---------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	16 ASH AVENUE
Address Line 2	
Town	LONDON
Post code	SE17 1GQ
Ordnance survey map reference	
Description of the location	ADDRESS IS 20 ASH AVENUE - NOT 16
Telephone number	

Applicant Details

Please select whether you are applying for a premises licence as

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

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

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

Other Applicants

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

Personal Details - First Entry

Name	Barcade Limited
------	-----------------

Address - First Entry

Street number or building name	The Stables, Goblands Farm Business Centre
Street Description	Cemetery Lane
Town	Hadlow
County	Kent
Post code	TN110LT
Registered number (where applicable)	08274474

Description of applicant (for example, partnership, company, unincorporated association etc)	Limited Company
------------------------------------------------------------------------------------------------	-----------------

Contact Details - First Entry

Telephone number	
Email address	

Operating Schedule

When do you want the premises licence to start?

--	--

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

--	--

General description of premises (see guidance note 1)

	<p>Unit H5.R4 is the far corner unit on the new al fresco eating and drinking destination Ash Avenue, which is a pedestrianised road running across the new Elephant Park regeneration area.</p> <p>The unit is around 3300 sq ft and will be Four Quarters' 3rd site, providing top quality food, drinks and retro video gaming entertainment.</p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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

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

Note 1

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.

Operating Schedule part 2

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

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

Provision of regulated entertainment (Please read guidance note 2)

	b) films
	f) recorded music

Provision of late night refreshment

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

Supply of alcohol

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

In all cases please complete boxes K, L and M.

B- Films

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

	Both
--	------

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

	Our shopfront will have outside facing screens for entertainment purposes so we may occasionally show films to outside customers
--	----------------------------------------------------------------------------------------------------------------------------------

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

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

Sat	11:00	01:00
Sun	11:00	00:00

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

--	--

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

	New Year's Eve until 04:00 the next day Bank holiday Sundays & the Thursday before good Friday until 01:00
--	---------------------------------------------------------------------------------------------------------------

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.

F - Recorded Music

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

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

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

	Our speakers for recorded music will be located internally.
--	-------------------------------------------------------------

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

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

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

--	--

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

	New Year's Eve until 04:00 the next day Bank holiday Sundays & the Thursday before good Friday until 01:00
--	---------------------------------------------------------------------------------------------------------------

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.

I - Late Night Refreshment

Will the provision of late night refreshment take place indoors or outdoors or both? (Please read guidance note 3)

	Both
--	------

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

	The unit will have a fully fitted out kitchen serving high quality food to customers seated inside and outside. Food will only be prepared in the internal kitchen area
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 7)

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

State any seasonal variations for the provision of late night refreshment (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed. Please list, (Please read guidance note 6)

	New Year's Eve until 04:00 the next day Bank holiday Sundays & the Thursday before good Friday until 01:00
--	---------------------------------------------------------------------------------------------------------------

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 23:00) and only give details for the days of the week when you intend the premises to be used for the activity. Start time begins from 23:00

J - Supply of Alcohol

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

	Both
--	------

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

Day	Start	Finish
Mon	11:00	23:45
Tues	11:00	23:45
Wed	11:00	23:45
Thur	11:00	23:45
Fri	11:00	00:45
Sat	11:00	00:45
Sun	11:00	23:45

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

--	--

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

	New Year's Eve until 03:30 the next day Bank holiday Sundays & the Thursday before good Friday until 00:45
--	---------------------------------------------------------------------------------------------------------------

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

	Schedule-15-6-3-17-Consent-of-individual-to-being-specified-as-premise-SIGNED.pdf
--	---------------------------------------------------------------------------------------------------

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.
8. 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'.

Premises Supervisor

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

Full name of proposed designated premises supervisor

First names	JOSEPH JULIAN
Surname	DOWLING

DOB

Date Of Birth	
---------------	--

Address of proposed designated premises supervisor

Street number or Building name	
Street Description	
Town	
County	
Post code	

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

Personal licence number (if known)	
Issuing authority (if known)	SOUTHWARK

K

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

	NO GAMBLING MACHINES WILL BE ON SITE. OUR MACHINES ARE ALL RETRO ARCADE MACHINES AND VIDEO GAME CONSOLES FOR ENTERTAINMENT PURPOSES ONLY
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9. 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.

L - Hours premises are open to public

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

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

7. 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.

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

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

State any seasonal variations (Please read guidance note 5)

--	--

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

	New Year's Eve until 04:00 the next day Bank holiday Sundays & the Thursday before good Friday until 01:00
--	---------------------------------------------------------------------------------------------------------------

M - Steps to promote four licencing objectives

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

	1) The premises will be the 3rd Four Quarters location but unlike the other two this site
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	<p>will have more of an emphasis on food with a substantial and high quality food offer.</p> <p>2) Whilst no SIA requirement is proposed, the venue management have easy access to the site security team in the event of any incidents and site security is available 24/7, but the venue is aware that it is responsible for policing its own customers and does not rely on site security. The venue owners have very solid experience with this type of operation (Four Quarters East on the private 'Here East' development in E20). The operators are pro-active with regards to their licensing obligations and training of staff to adhere to compliance with licencing conditions and policy</p> <p>3) The premises does not fall within a Cumulative Impact Area and the proposed premises licence is in line with licencing policy regarding hours of operation in a town centre.</p> <p>4) The operation will offer something different within the district contributing to the wide-range of leisure and culture which the borough already offers. It will be one of the main anchor operators for the new Elephant Park destination and will support the regeneration of the area. The development will help make Elephant & Castle an exciting and vibrant area, contributing to tourism, providing employment and contributing to the local economy.</p> <p>5) The misuse of alcohol will not be encouraged. The hours and nature of the conditions which we are offering within the operating plan address any concerns and with proper management will not negatively impact on the amenity of local residents.</p>
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b) the prevention of crime and disorder

	<p>1) The Premises Licence Holder shall ensure that the premises are equipped with a digital closed circuit television system. All entry and exit points will be covered to enable frontal identification of every person entering the premises in any light condition. The CCTV system shall continually record inside and in the outside areas whilst the premises is open for licensable activities and during times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping.</p> <p>2) Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.</p> <p>3) A staff member from the premises who is knowledgeable with the operation of the CCTV system shall be available when the premises are open to the public. This staff member must be able to show a Police or authorised office recent data or footage with absolute minimum of delay when requested.</p> <p>4) An incident log book shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:-</p> <ol style="list-style-type: none"> Any incidents of disorder Any seizures of drugs or offensive weapons Any ejections of patrons Details of any refused sales of alcohol <p>5) The management and premises will have an absolute zero tolerance policy towards drug misuse.</p> <p>6) There will be regular and effective staff training to ensure staff are aware of their responsibilities</p> <p>7) Substantial food will be available until at least 22:00</p>
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c) public safety

	<p>1) The Premises Licence Holder will ensure that all staff involved in the sale of alcohol are trained and are conversant with the licensing objectives, and Premises Licence conditions. They will be fully trained to avoid underage sales or serving to intoxicated persons. Individual training records will be kept for all staff and made available to the Licensing Police or Council Licensing Officer on request.</p>
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	<p>2) The capacity of the venue will be set in accordance with our Fire Risk Assessment and the management will ensure that accurate control of numbers/capacity is undertaken so this figure is not exceeded.</p> <p>3) Glassware will be cleared regularly and the venue will consider use of polycarbonate vessels at peak trading times</p> <p>4) Any customers taking drinks away from the premises will be given a polycarbonate or other non-glass vessel.</p> <p>5) Off sales of open containers will only be offered to customers who are staying within the Elephant Park development and will cease at 22:00, after which time off sales will be made in closed containers only</p>
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d) the prevention of public nuisance

	<p>1) All speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or mats</p> <p>2) Volumes from recorded music played within the premises will not exceed an overall level of 101DB LEQ5mins. This level has been deemed appropriate to avoid loss of amenity to local residents living in the flats above in an independent acoustic report by Sandy Brown, which is available on request.</p> <p>3) Noise from the plant, patrons and activities at the premises shall be managed to ensure that public nuisance shall not be caused in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive premises.</p> <p>4) Clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that customers should respect neighbors and leave the area quietly.</p> <p>5) The premises shall maintain a written dispersal and outside area management policy, which shall be made available to the Police or an authorised officer of the Council upon request.</p> <p>6) The Premises Management shall ensure that their staff are trained on and comply with their Policies.</p> <p>7) Ash Avenue is designed as an al fresco eating and drinking location. It is a private road facing the park. The outside area will be closed by 23:00 Mon-Sun, after which time only smokers will be allowed outside.</p> <p>8) Staff will monitor outside areas regularly from 23:00 to ensure customers are not causing a nuisance. Smokers are encouraged to return inside the venue once they have finished their cigarette and not loiter outside.</p> <p>9) There will be an effective staff presence at closing time to ensure patrons disperse from the area quietly.</p> <p>9) External waste handling, collections and deliveries shall only occur between the hours of 08:00 hours and 22:00 hours.</p> <p>10) Windows and doors will be kept shut after 23:00 and the venue will be adequately ventilated to ensure this is possible.</p> <p>11) The venue management can be contacted by any local residents who wish to make a complaint or provide feedback.</p>
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e) the protection of children from harm

	<p>1) A strict Challenge 25 policy will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.</p>
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	<p>2) The venue will continue to operate a strict policy that anyone under the age of 18 is not allowed to be on the premises unless accompanied by a responsible adult.</p> <p>3) There will be regular staff training to ensure staff are aware of their responsibilities.</p> <p>4) No gambling machines will be allowed, machines are for amusement purposes only.</p>
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Guidance note 10

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

Please upload a plan of the premises

	087-SK013-B-Plan-Option-B1-.pdf
--	-------------------------------------------------

Please upload any additional information i.e. risk assessments

	18039-R02-A-Elephant-Park-retail-acoustic-requirements-and-guidance.pdf
--	-----------------------------------------------------------------------------------------

Checklist

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

Home Office Declaration

Please tick to indicate agreement

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

Declaration

[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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work.

I/We hereby declare the information provided is true and accurate.

I agree to the above statement

	Yes
PaymentDescription	
PaymentAmountInMinorUnits	
AuthCode	
LicenceReference	
PaymentContactEmail	

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

Full name	JOSEPH JULIAN DOWLING
Date (DD/MM/YYYY)	13/10/2020
Capacity	Operations Manager

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

Full name	
Date (DD/MM/YYYY)	13/10/2020
Capacity	

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

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

GUIDANCE NOTES

12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.

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

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT

WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

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.

SANDY BROWN

Consultants in Acoustics, Noise & Vibration

18039-R02-A

31 October 2019

Elephant Park retail

*Acoustics requirements and guidance for commercial/
retail tenants*

London, Manchester, Edinburgh, Birmingham, Belfast

Sandy Brown Associates LLP

Registered in England & Wales

No. OC 307504

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www.sandybrown.com

Registered Office: 55 Charterhouse Street, London EC1M 6HA

SANDY BROWN

Consultants in Acoustics, Noise & Vibration

Version	Date	Comments	Author	Reviewer
A	31 Oct 19		Jason Swan	

SANDY BROWN

Consultants in Acoustics, Noise & Vibration

Summary

Sandy Brown has been commissioned by Lendlease to provide acoustic advice to the tenants occupying the commercial and retail spaces at Elephant Park, located in Elephant and Castle, London SE17 within the administrative boundary of Southwark Council. This includes detailing the acoustic requirements specific to the site and providing relevant information and guidance on achieving these requirements and other acoustic related objectives.

While licenced A3 premises and D2 gym premises operate in ground floor spaces with residences directly above in many locations in London, it is always a difficult pairing that requires excellent management on the part of the retail establishment and building management as well as the reasonableness of the residents above.

At Elephant Park, it is desired for there to be many licenced premises and gyms with essentially nothing but residential above them. Care will be taken in choosing tenants that are serious about eliminating nuisance, are committed to being good neighbours, are willing to construct any necessary improvements to their spaces, and will limit the output of their sound systems.

The key acoustics issues include:

- Airborne sound insulation to the residences and other noise sensitive spaces above
- Airborne sound insulation to the retail and other spaces to the side
- Impact sound insulation to the residences and other noise sensitive spaces above
- Impact sound insulation to the retail and other spaces to the side
- Plant noise and vibration egress to the nearest noise sensitive receptors
- Sound system noise egress through the facade to the public areas
- Patron noise in units and in external seating areas to the residences above.
- Tenant management of noise

Guidance is given herein for each of the above, which shall form part of the lease covenants for Elephant Park. Tenants must assess whether their operation will exceed any of the limits and provide elements in their fit-out design to bring the levels within the criteria.

- Smaller tenants may simply need to follow this guidance to avoid complaints.
- Those adding plant will need to show Lendlease (and potentially Southwark) how their installation will achieve the required noise limits.
- Noisier tenants such as restaurants and gyms will need to provide an acoustic design that shows the requirements of this document will be achieved.

The help of an acoustic consultant will be necessary for some tenants, including those providing new mechanical services plant that requires planning permission, licenced A3 tenants, tenants providing outdoor seating areas, and D2 gym tenants.

SANDY BROWN

Consultants in Acoustics, Noise & Vibration

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1 Introduction

Sandy Brown has been commissioned by Lendlease to provide acoustic advice in relation to the proposed development of retail areas at Elephant Park. The site location is in Elephant and Castle, London SE17 and within the administrative boundary of Southwark Council.

This report relays the project specific acoustic criteria required for the retails and commercial spaces and gives guidance to assess the impact of noise levels from retail and commercial spaces on the noise sensitive receptors directly above and nearby. It is understood this information will form part of the retail tenancy agreements.

For information, a non-technical summary of the relevant acoustic terminology can be found in Appendix A.

2 Key acoustic elements

The objective of this document is to ensure the following key acoustic elements can be handled in such a way as to minimise complaints from residents and neighbours:

- Airborne sound insulation to the residences and other noise sensitive spaces above
- Airborne sound insulation to the retail and other spaces to the side
- Impact sound insulation to the residences and other noise sensitive spaces above
- Impact sound insulation to the retail and other spaces to the side
- Plant noise and vibration egress to the nearest noise sensitive receptors
- Sound system noise egress through the facade to the public areas
- Patron noise in units and in external seating areas to the residences above.
- Tenant management of noise

Each of these elements is covered in subsequent sections.

3 The project

Elephant Park is part of the Heygate regeneration and is a residential development scheme in Elephant and Castle, SE17.

The site is located to the southeast of the central area of Elephant and Castle, within the administrative boundary of Southwark Council (SC). The A201 (New Kent Road) runs to the north of the site. The National Rail railway line runs north/south to the west of the site.

A plan showing the Elephant Park site and the location of the ground floor units is provided in Figure 1.

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Figure 1 Elephant Park retail leasing plan (Lendlease A-MP-SK171, 07.11.2017)

Sandy Brown has been involved in the acoustic planning for the projects undertaken to date, beginning with Trafalgar Place and continuing with MP1 (H6, H10, H13, Energy Centre), MP2 (H2, H3), MP3 (H4, H5) and MP4 (H11a/b).

Retail spaces are planned primarily for the ground level of most plots on the site with a mixture of A1, A3 and D2 uses including licenced premises.

As part of the acoustic design for the base buildings, limits have been set for noise and a reasonable internal sound insulation has been provided for the retail spaces such that Southwark Planning Conditions can be achieved. A typical retail outlet should be able to occupy the units with little additional acoustic provision.

However, there are residents directly above these spaces with a single concrete slab between them. Most have balconies overlooking the areas in front of the retail units. Retail tenants that will be somewhat noisier (eg, have sound systems), have new plant (eg, kitchen extract fans), have external seating (eg, restaurants), or provide gym facilities will need to undertake careful acoustic assessments and upgraded constructions to ensure their fit out will achieve the building's acoustic limits and not disturb the neighbours.

4 Acoustic criteria and requirements

To reduce the potential for complaint, and to comply with Southwark planning conditions, it is necessary to control both the sound insulation between retail space and the residences as well as the noise within the retail spaces and in any external seating area.

The sound insulation provided by the base building in terms of walls, ceiling, floor, and shop front is adequate and reasonable for the majority of retail uses as long as they fall within the limits in the following sections. Any retail use that will make more noise than provided for shall be required as part of their fit-out to upgrade the existing constructions to ensure the requirements for noise in the adjacent and neighbouring spaces are met.

The acoustic criteria and requirements for the retail spaces is provided herein. Tenants must assess whether their operation will exceed any of the limits and provide elements in their fit-out design to bring the levels within the criteria.

- Smaller tenants may simply need to follow this guidance to avoid complaints.
- Those adding plant will need to show Lendlease (and potentially Southwark) how their installation will achieve the required noise limits.
- Noisier tenants such as restaurants and gyms will need to provide an acoustic design that shows the requirements of this document will be achieved.

The specific criteria and requirements are as follows:

4.1 Sound insulation to the residences

There are residences located directly above the concrete ceiling of most of the commercial/retail units at Elephant Park. Noise from the tenant's activities needs to be assessed to ensure the design of the tenant fit-out will be sufficient to keep noise from disturbing these residents.

4.1.1 REQUIREMENT: *The noise levels within the tenant's unit shall not cause the resulting noise level in any adjacent residence to exceed NR25.*

This is to ensure compliance with Southwark Council's Planning Condition 41 for the development.

Concrete slabs above the retail areas across the site vary with thickness but are never thinner than 225 mm of standard weight concrete (2400 kg/m³). They have been tested as part of the commissioning for the base building to be no less than $D_{nT,w} + C_{tr}$ 57 dB.

Based on these results, the sound level in the retail units must not exceed the levels found in Table 1.

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Table 1 Maximum internal noise levels allowed in a retail unit with no additional sound insulation treatment

	Octave-band centre frequency (Hz)								Overall (dBA)
	63	125	250	500	1000	2000	4000	8000	
Maximum allowable noise level (dB, $L_{eq,5min}$) within retail space	95	87	89	95	96	95	93	91	101

If the noise levels in the tenant space are at or below those in Table 1, the noise level in the residential units above will be NR 25 or lower, thereby complying with planning condition 41. This assumes windows and doors to both residential units and commercial unit are closed.

These levels are generous for most retail uses, and it should be possible for many retailers to operate well within these limits.

However, retailers with louder amplified music, performances/events, exercise classes and larger numbers of patrons might exceed these levels, thus breaching the planning condition. These retailers shall provide additional sound insulation to ensure the planning condition is met. Sound insulating ceilings would be expected as a minimum. Particularly noisy uses by require isolated walls linings and secondary facade glazing.

Sound insulating ceilings would generally consist of multiple layers of sound rated plasterboard resiliently hung on springs at least 100 mm below the slab with mineral wool insulation in the ceiling void created. Noisier activities might require a more robust ceiling.

Particularly noisy uses may require the walls to be independently lined in addition creating a box in box (see Figure 2). A typical construction would be multiple layers of dense plasterboard on studs held independent of the concrete block wall with mineral wool insulation in the stud cavities.

Sound systems, if any, should be properly designed to minimise disturbance. Loudspeakers should not be mounted at the ceilings. It can be preferable to provide more speakers at a lower noise level closer to patrons than just a few powerful ones located farther away. Install sound regulatory devices (noise limiters) connected to all permanent music and public address equipment to ensure staff cannot turn the sound level up excessively such that noise limits are breached. These can be adjusted so that specific problem frequencies are reduced allowing the less problematic ones to remain higher.

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4.1.2 TO SUBMIT

Where noise levels are expected to be within the limits in Table 1, provide the following for approval:

- A statement that noise levels shall be kept within the levels of Table 1.
- Details of any background sound system or the like showing how it will not be able to play sound above the levels in Table 1, such as with limited speaker size or an electronic sound limiter.

Where the tenant may make noise louder than the limits in Table 1, such as busy restaurants, retailers with louder sound systems, licenced activity, exercise classes and the like, provide the following for approval:

- Details of the realistic noise levels expected in the space
- Determination of an appropriate level of sound insulation
- Details of any construction enhancements provided to increase the sound insulation of the space (eg, contiguous barrier ceilings, independent wall/column linings, secondary facade glazing, floating floor slabs).
- An assessment/calculation of the resulting noise levels in the apartments above undertaken by a qualified acoustician.

4.2 Wall sound insulation to adjoining commercial/retail units

The walls between and around the commercial/ retail spaces are designed to provide a sound insulation of approximately R_w 50 dB, usually constructed of concrete block. Noisier tenants' activities may be a disturbance to the adjacent commercial/ retail spaces, which need to be addressed as part of the design.

4.2.1 REQUIREMENT: *The noise levels from the tenant's unit shall not disturb the neighbouring commercial/retail units.*

Noise from the retail tenant space in the adjacent retail/commercial units is not to exceed L_{Aeq} 40 dB.

Tenants whose internal noise levels are likely to exceed L_{Aeq} 80 dB will need to upgrade the wall accordingly, such as through independent linings and, in more extreme cases, barrier ceilings and floating floors.

A typical wall lining construction would include multiple layers of dense plasterboard on studs held independent of the concrete block wall with mineral wool insulation in the stud cavities.

Note that mounting board layers directly on to the concrete block with thin cavities (such as, with dabs or furring channels) will reduce the low frequency sound insulation performance of the concrete block, so should be avoided. Instead, provide deeper cavities or independently supported linings with mineral wool insulation with the advice of an acoustic consultant.

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Particularly noisy uses may require the walls to be independently lined in addition creating a box in box (see Figure 2).

4.2.2 TO SUBMIT

Where noise levels in the tenant's space are expected to be within L_{Aeq} 80 dB, provide the following for approval:

- A statement that noise levels shall be kept within L_{Aeq} 80 dB.
- Details of any background sound system or the like showing how it will not be able to play sound levels above L_{Aeq} 80 dB, such as with limited speaker size or an electronic sound limiter.

Where the tenant's internal noise will be louder than L_{Aeq} 80 dB, such as busy restaurants, retailers with louder sound systems, licenced activity, exercise classes and the like, provide the following for approval:

- Details of the realistic noise levels expected in the tenant's space
- Determination of an appropriate level of sound insulation
- Details of any construction enhancements provided to increase the sound insulation of the space (eg, independent wall/column linings, contiguous barrier ceilings, floating floor slabs, secondary facade glazing).
- An assessment/calculation of the resulting noise levels in the adjacent commercial/ retail spaces undertaken by a qualified acoustician.

4.3 Impact sound insulation

Even though the commercial/ retail spaces are primarily at ground level and located on ground bearing slabs consisting of reinforced concrete, impact sound traveling through the building structure can still be an issue in residences above the units, particularly in the case of gyms, but also with chair-scraping or cooking activities (eg, chopping, tapping out coffee grounds) in restaurants.

Impact noise control must be considered as part of the tenant fit-out design.

4.3.1 REQUIREMENT: *The impact sound levels in the residences from activities in the retail/ commercial unit shall not be higher than L_{Amax} 30 dB.*

At the very least, install an appropriate impact control layer under all hard-surface flooring with appropriate edge detailing to ensure the isolation is not bridged. This applies to mezzanines as well.

Isolate countertops and other work surfaces from walls such as with neoprene pads as appropriate.

Gyms will require an acoustic specialist to inform the fit-out to ensure these impact criteria can be achieved. (See Section 4.10.)

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4.3.2 TO SUBMIT

Where the tenant is unlikely to generate atypical impact noise levels, provide the following for approval:

- Details of all impact control layers provided under the hard-surface floor finishes throughout the space.

Where the tenant will generate atypical impact noise levels (eg, all gyms, sports activity centres, climbing facilities), provide the following for approval:

- Details of the realistic impact noise generating activities in the tenant's space
- Details of any construction enhancements provided to increase the impact sound insulation of the space (eg, floating floors, specialist gym floors, exercise machine modifications and isolation).
- An assessment/calculation of the resulting impact noise levels in the residences above undertaken by a qualified acoustician.

4.4 Facade sound insulation

The facade sound insulation provided by the base building is designed to achieve at least $R_w + C_{tr}$ 26 dB.

This should be adequate to protect the tenant from external noise such as traffic breaking in through the facade, keeping background noise levels below L_{Aeq} 40 dB.

It should also be adequate to keep typical commercial/ retail noise breaking out of the facade from disturbing the neighbours above and nearby. Noisier tenants may need to upgrade this facade provision.

Note, noise transfer will increase when the door is opened or if the glazing is reconfigured as part of the fit-out to be openable, which must be addressed as part of the fit-out design.

4.4.1 REQUIREMENT: *The noise levels breaking out of the tenant's space through the facade shall not cause disturbance to the neighbours above or nearby.*

With the commercial/ retail facade closed and the windows of the residences above closed, it is a requirement that noise levels from the tenant space are not higher than NR 25 when measured inside the residence (Southwark planning condition requirement).

The existing facade sound insulation will be adequate for commercial/ retail noise levels up to those in Table 1.

If the commercial/ retail noise will be higher than this, an assessment will be required to determine what additional measures are necessary so that noise will not disturb the above residents.

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Typical measure might include entry door lobbies and independent facade linings with secondary glazing. Adequate ventilation must be provided by alternative means to allow the facade to remain sealed.

Of the individual elements that make up the facade the door is often the weakest element and therefore the easiest transmission path for noise.

- Consider lobbied doors to avoid noise break out, placing them far enough apart that one will close before the other opens.
- Where this is not possible install a specialist door with an automatic door closer.
- Manage the front door to reduce the effects of noise when it is periodically opened.
- Ensure all doors including emergency doors are well sealed.
- *Install visual alarms which alert staff that doors or windows that should be kept closed are open.*

Where the facade is proposed to be reconfigured such that it can be opened, an assessment of the noise to the residences above and nearby must be undertaken to determine what measures are required to reduce disturbance. Any sound system in the commercial/retail unit should no longer be allowed to play.

Note external seating areas are covered in a later section, but the noise of both the external seating and noise through the open facade from the inside should be assessed together.

4.4.2 TO SUBMIT

Where noise levels in the tenant's space are expected to be within the limits in Table 1, provide the following for approval:

- A statement that noise levels shall be kept within the levels of Table 1.
- Details of any background sound system or the like showing how it will not be able to play sound above the levels in Table 1, such as with limited speaker size or an electronic sound limiter.

Where the tenant's internal noise will be louder than those in Table 1, such as busy restaurants, retailers with louder sound systems, licenced activity, exercise classes and the like, provide the following for approval:

- Details of the realistic noise levels expected in the tenant's space
- Determination of an appropriate level of sound insulation
- Details of any construction enhancements provided to increase the sound insulation of the space (eg, secondary facade glazing, lobbied entry doors, contiguous barrier ceilings, independent facade/ column linings).
- An assessment/calculation of the resulting noise levels in the adjacent commercial/ retail spaces undertaken by a qualified acoustician.
- If not lobbying the entry doors, a management plan detailing how the doors will be managed and monitored to ensure nuisance to the neighbours is reduced.

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Where the facade is to be reconfigured to be openable, provide the following for approval:

- Details of the realistic noise levels expected in the tenant's space while the facade is in its open configuration.
- Details of any construction enhancements provided to reduce the potential nuisance to the residences above (eg, limited seating numbers, awnings).
- An assessment/calculation of the resulting noise levels inside the residence above undertaken by a qualified acoustician. This shall be in conjunction with the potential noise from external seating (see Section 4.5).

4.5 External seating areas

Where a restaurant will have external seating out the front of their unit, great care must be taken to keep from creating a nuisance to the residents above.

Possible noise sources associated with external seating areas include:

- Music breaking out from internal speakers/spaces (external speakers are not allowed)
- Speech from people seated outside of the retail/ commercial space
- Staff clearing away plates / glasses and other items from external seating areas
- Speech from people leaving and arriving at premises

4.5.1 REQUIREMENT: *Configure and manage external commercial spaces such that the noise level within any residential apartment does not exceed the NR 25 Southwark requirement.*

Calculations of noise levels arising from a typical restaurant external area indicate that the internal requirement of NR 25 can be met with up to 12 people speaking at normal level (60 dB at 1m) simultaneously. From this it is predicted up to 24 people could be seated outside, without exceeding the Southwark requirement of NR 25 in the closest residential apartment.

With 24 people seated outside the restaurant, the predicted ambient noise level at 1 m from the facade of the nearest residential receptor or on their balcony would be L_{Aeq} 59 dB. This would exceed the typical ambient noise levels in the area and on residential balconies but is unlikely to be considered a nuisance if external areas are supervised well.

If additional people will be allowed, and/or if the facade is to be reconfigured to allow it to open during certain times of the day, a separate assessment must be undertaken for approval by the landlord (and potentially Southwark).

A management plan for the external seating area must be implemented to reduce the likelihood of complaint.

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4.5.2 TO SUBMIT

If an external seating area is planned, provide the following to the landlord for approval:

- Details of the external seating area: layouts, number of seats, configuration
- Management plan and how it will be implemented to include at least:
 - Hours of operation, closing earlier than 22:00
 - Plan to avoid queues of patrons awaiting admission
 - Supervision arrangements of external area to prevent nuisance/disturbance
 - No sound system or live performances
 - Suitable restrictions on smoking
 - Methods of delineating and restricting the size of the area
 - Arrangements with local taxi companies to prohibit honking
 - 'Leave quietly' signage
- Assessment of noise to the neighbouring residents, to include break-out from the restaurant where facades are reconfigured to open.

4.6 Building services – external noise egress limits

Environmental noise limits for building services plant have been set to protect the amenity of nearby noise sensitive premises in accordance with BS 4142: 1997 '*Rating industrial noise affecting mixed residential and industrial areas*' (established at Masterplan stage, before this standard was updated).

In line with BS 4142 guidance, Southwark Council, requires the cumulative noise level resulting from the operation of new building services plant, the rating level, to be at a level 10 dB(A) or more below the representative existing background noise level, when assessed at a distance of one meter from the facade of the nearest sensitive premises.

4.6.1 REQUIREMENT: All new externally located and externally connected plant must be attenuated such that the project noise egress limits are kept.

Plant that connects through louvres in the facade of the space must not exceed

- L_{Aeq} 37 dB at 1 m from the residential windows directly above during the day, and
- L_{Aeq} 32 dB at night.

Plant located within areas open to outside (eg, loading bays) must also achieve these levels at the residential windows directly above the opening.

These limits are cumulative and apply with all plant operating under normal conditions. Individual items of plant will need to achieve values lower than the collective limits above depending on how many plant items affect the residential window in a given situation.

Even if all limits are achieved above, noise from plant must not exceed a limit of L_{Aeq} 55 dB when measured at ear level on a pavement or other accessible public area no closer than 1 m from a plant item or facade opening.

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4.6.2 TO SUBMIT

For all externally located or externally connected mechanical and electrical service plant, provide the following for approval:

- Details of the plant, including make, model, operating points, and 1/1-octave sound power level data
- Plans and elevations showing locations of each item.
- Details of attenuation measures provided.
- Assessment of noise to the nearest noise sensitive window undertaken by a qualified acoustician.

4.7 Building services – Internal mechanical plant noise

Control of the noise of new plant and machinery added inside the tenant's commercial/ retail unit is a matter for the tenant. However, noise from the plant and machinery must not disturb the residences above the unit.

4.7.1 REQUIREMENT: *All new internally located plant and machinery must be attenuated such that the resulting noise levels in any adjacent residence does not exceed NR25.*

All plant and machinery shall be carefully selected and installed so that the resulting noise level in the residences above shall not exceed NR 25.

The resulting plant noise in the residence shall not contain any distinguishable, discrete, continuous notes (whine, hiss, screech, hum etc) or distinct impulses (bangs, clicks, clatters or thumps) and shall not be irregular enough to attract attention. Where this is not possible, the total noise level shall be at least 5 dB lower than the criteria specified.

As with activity noise (see Section 4.1), building services plant and other machinery that is louder than the levels in Table 1 must be attenuated such as through enclosures, lagging, attenuators and such. It is noted that many times the noise from such plant will disturb the tenant's patrons first.

Note that vibration must also be controlled to ensure structure-borne re-radiated noise from the plant does not exceed NR 25 in the residence above. Anti-vibration mounts will likely be necessary. (See Section 4.8.)

4.7.2 TO SUBMIT

For all internally located mechanical and electrical service plant and other machinery, provide the following for approval:

- Details of the plant/machinery including make, model, operating points, and 1/1-octave sound power level data
- Plans/elevations showing locations of each item.

- Details of attenuation measures provided.
- Assessment of noise to the residence above undertaken by a qualified acoustician.

4.8 Internal vibration limits

Vibration from building services plant, machinery, sound systems and activities (eg, exercise, weight training) must be controlled to ensure there is not a disturbance to the residences above.

4.8.1 REQUIREMENT: *Control vibration from building services plant, sound systems and activities such that it does not exceed Vibration Dose Values (VDV) as given in BS 6472 Part 1: 2008 in the residences.*

Maximum permissible vibration amplitudes must not exceed Vibration Dose Value (VDV) of $0.2 \text{ m/s}^{1.75}$ during the day ($0.1 \text{ m/s}^{1.75}$ at night) as given in BS 6472 Part 1: 2008 'Guide to evaluation of human exposure to vibration in buildings: Part 1 Vibration sources other than blasting' in the residences.

Plant shall be placed on appropriate anti-vibration mounts, such as to achieve 95% efficiency, with resilient duct and pipe work hangers and flexible connections as appropriate.

4.8.2 TO SUBMIT

For all new plant and machinery, provide the following for approval:

- Details of the plant/machinery including make, model, operating points
- Plans/elevations showing locations of each item.
- Details of anti-vibration measures provided.
- Assessment of vibration to the residence above undertaken by a qualified acoustician.

4.9 Soil and rainwater pipes

Pipework for rainwater runoff, toilet connections, soil and vent pipes and wastes from residential units above may pass through the commercial/retail unit at high level and through to external column position to ground level.

The tenant must assess whether noise from these pipes will disturb their activities and take appropriate action. They must also assess whether these pipes will provide a flanking path for the tenant's noise to pass into the residences above.

4.9.1 REQUIREMENT: *Rainwater and soil pipes shall be wrapped and/or boxed in as appropriate to keep commercial/ retail unit noise from disturbing the residences above.*

For typical retail uses, we recommend soil and rainwater pipes are wrapped in specialist lagging (eg, Tap Mufti-Lag or CMS SuperLag), to reduce noise transfer to residences above.

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Noisier tenants will want to wrap the pipes in 25 mm unfaced mineral wool insulation and box them in independently supported plasterboard (ie, two layers 15 mm sound-rated plasterboard), or more as appropriate.

The enclosures must still provide access for maintenance by the landlord.

4.9.2 TO SUBMIT

For rainwater and soil pipes, provide the following for approval:

- Details of the proposed treatment, boxing or lagging or both

4.10 Reverberation

There are no landlord requirements for control of acoustic reverberation in the commercial/retail space. Note, however, that reducing reverberation (eg, adding sound absorbing finishes) can sometimes be of help in reducing overall noise levels within the space, reducing somewhat the level of provision potentially needed for sound insulation to the spaces above and to the side of the unit.

5 Specific guidance: Gyms, sports activities, exercise (D2 use)

Spaces used for sports activities, exercise and gyms require special attention to ensure they can operate in a residential building without creating a nuisance.

Although ground floor gyms with apartments directly above is becoming more common in London, it is a difficult adjacency that requires specialist design and implementation to work. As well as particularly high sound insulation to mitigate the risk of noise transfer, vibration isolation is needed to mitigate the risk of structure borne noise transferring to the residences.

Operators must be committed to providing a suitable fit-out that allows their activities to take place without nuisance and be committed to managing the premise responsibly.

The suitability of the ground floor commercial unit must be assessed in more detail before it is leased, which is the responsibility of the commercial gym tenant.

An acoustic specialist will be required to assist with design of the space. A full noise and vibration assessment and analysis will be needed to determine what activities can take place in the space without exceeding Southwark Council's requirements.

The recommendations outlined in this section are general and provided as a basis for the degree of isolation and attenuation of noise and vibration likely to be required.

5.1 Requirements

The limits for noise are as set in Section 4 of this document.

5.2 Sound insulation recommendations

The sound insulation performance of the shell space provided by Lendlease must be improved by the tenant if it is to be used as a gym as follows:

5.2.1 Ceiling

With floor and ceiling slabs understood to be at least 225 mm of normal weight concrete, provide a sound insulation plasterboard ceiling within each gym and community room consisting of two layers of 15 mm sound-rated plasterboard (25 kg/m²) hung ≥ 100 mm below the slab with ≥ 100 mm mineral wall insulation in the ceiling void created. Note that noisier spaces within the gym such as aerobics studios may require a more robust construction.

No speakers can be mounted at the ceiling, not even if isolated.

Recessed lighting will require a separate “dummy” ceiling void.

5.2.2 Floor

Provide a sand/cement floating screen (ie, 65 mm screed on a suitably resilient layer such as 50 mm specialist crumb rubber gym underlays) above the concrete base slab.

Then each exercise machine or weight rack shall be individually isolated:

- Isolate treadmills using specialist isolation mats such as available from Pliteq
- Locate free weights on a padded area with minimum additional 25 mm thickness. Supervise patrons to keep them from dropping dumbbells from height
- Mount exercise machines and similar on rubber pads or turret mounts, or have their weight stacks isolated according to the manufacturer’s recommendations.

Vibration isolate any floor mounted loudspeakers.

5.2.3 Walls – independent linings

A typical construction would be two layers of 12.5 mm dense plasterboard (≥ 10 kg/m²) with no connection to existing wall (fixed with independent metal stud or similar) 50 mm cavity with 25 mm mineral wool insulation in the void. Note that noisier spaces within the gym such as aerobics studios may require a more robust construction.

5.2.4 Box in box constructions

A box in box type construction may be necessary to provide localised noise and vibration isolation for noisier spaces like aerobics studios. The internal floors, walls and ceiling are all independent of the main structure. The walls of the box are formed off of the internal floor. A typical box in box design is presented in Figure 2.

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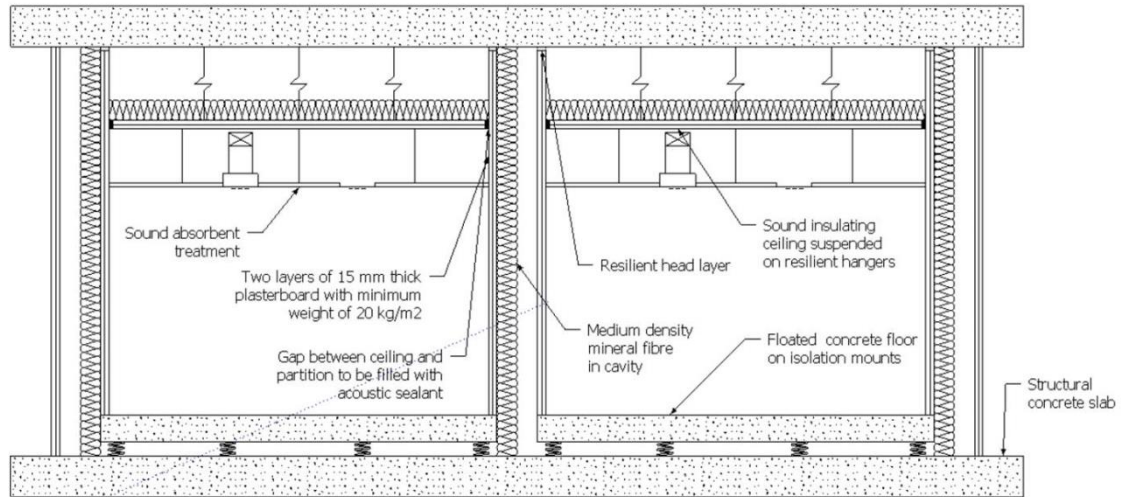


Figure 2 Box in Box principle

6 Additional relevant guidance

6.1 Southwark Statement of Licencing Policy 2016-2020

Licensed premises must comply with Southwark policies and guidance for such premises

6.2 IOA *Good Practice Guide on the Control of Noise from Pubs and Clubs*, March 2003

Provides useful guidance that can be applied to noisier restaurants.

Appendix A – References and acoustic parameters

Codes and standards – references

- (1) BS 8233 – British Standard 8233: 2014 ‘Sound insulation and noise reduction for buildings – code of practice
- (2) BS 4142 – British Standard 4142: 2014 ‘Methods for rating and assessing industrial and commercial sound’
- (3) ADE2003* - Approved Document E (2003 Edition including 2004 and 2015 amendments) to the Building Regulations 2000 ‘Resistance to the passage of sound’
- (4) CfSH – Code for sustainable homes ‘A step change in sustainable home building practice’ (December 2006)
- (8) HQM – Home Quality Mark, technical manual, SD232, issue 1.0 (August 2016)
- (9) BREEAM – BREEAM UK New Construction 2014

Acoustic parameters

L_{Aeq} – the ‘average’ noise level over a particular time period.

L_{AFmax} – the ‘maximum’ noise level over a particular time period. The L_{ASmax} is essentially the same thing, but is measured with a ‘slow’ time response.

$D_{nT,w}+C_{tr}$ – an on-site measure of airborne sound insulation. The C_{tr} correction is a spectrum adaptation term which ‘penalises’ low frequency noise.

R_w – a laboratory measure of airborne sound insulation.

$L'_{nT,w}$ – this is a measure of on-site impact sound. It is used to represent the protection a floor provides against impact sound transmission.

Both the $D_{nT,w}+C_{tr}$ and R_w parameters are measures of noise reduction across an element, and as such, the higher the figure, the better the element is performing.

The $L'_{nT,w}$ parameter is a measure of how much noise is heard in the room below, and as such, the lower the figure, the better the element is performing.

MEMO: Licensing Unit

To Licensing Unit Date 10 November
2020

From Jayne Tear

Email jayne.tear@southwark.gov.uk

Subject Re: Four Quarters, 16 Ash Avenue, London, SE17 1GQ
– Application for a premises licence

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

- Films (indoors and outdoors) on Sunday to Thursday from 11:00 to 00:00 and on Friday and Saturday from 11:00 to 01:00 the following day
- Recorded Music (indoors) on Sunday to Thursday from 11:00 to 00:00 and on Friday and Saturday from 11:00 to 01:00 the following day
- Late night refreshment (indoors and outdoors) on Sunday to Thursday from 23:00 to 00:00 and on Friday and Saturday from 23:00 to 01:00 the following day
- Supply of Alcohol (on and off the premises) on Sunday to Thursday from 11:00 to 23:45 and on Friday and Saturday from 11:00 to 00:45 the following day
- The opening hours will be on Sunday to Thursday from 23:00 to 00:00 and on Friday and Saturday from 23:00 to 01:00 the following day

Non Standard Timings requested

- Films, late night refreshment and recorded music - On New Years Eve until 4:00 the next day, Bank Holiday Sundays & The Thursday before good Friday until 01:00
- Supply of Alcohol (on and off the premises) - On New Years Eve until 03:30 the next day, Bank Holiday Sundays & The Thursday before good Friday until 00:45
- Opening hours - On New Years Eve these hours are to be extended from the end of permitted hours to 02:00 on New Years Day

The premises is described as 'Unit H5.R4 is the far corner unit on the new al fresco eating and drinking destination Ash Avenue, which is a pedestrianised road running across the new Elephant Park regeneration area. The unit is around 3300 sq ft and will be Four Quarters' 3rd site, providing top quality food, drinks and retro video gaming entertainment'.

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

The premises is situated in The Elephant and Castle Major Town Centre Area and under the Southwark Statement of Licensing policy 2019 - 2021 the appropriate closing times for public houses, wine bars or other drinking establishments on Sunday to Thursday is 23:00 hours and on Friday and Saturday 00:00 hours. Closing times for restaurants and cafes on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours. Closing

times for take-away establishment on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours.

This application is seeking opening hours in excess of that which is recommended in the licensing policy for public houses, wine bars or other drinking establishments in this area, but is within the recommended times for a restaurant or takeaway establishment within the policy in this area. The application states '*substantial food will be available until at least 22:00*' and to avoid any ambiguity as to whether the premises shall operate solely as a bar with games machines I would ask the applicant to add the following condition to the premises licence

- Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial meal and by consumption of such persons as an ancillary to their meal

If this condition is not acceptable to the applicant then I would request that the operating hours and as such the licensable activities are brought in line with those recommended for a bar for this area within the policy as follows to promote the licensing objectives:

- The opening hours to cease on Sunday to Thursday at 23:00 and on Friday and Saturday to cease at 00:00
- Films on Sunday to Thursday to cease at 23:00 and on Friday and Saturday to cease at 00:00
- Recorded Music on Sunday to Thursday to cease at 23:00 and on Friday and Saturday to cease at 00:00
- Late night refreshment to be removed for Sunday to Thursday (as not required if the premises is to close at 23:00) and to cease at 00:00 on Friday and Saturday
- Supply of Alcohol (on the premises) on Sunday to Thursday to cease at 22:30 and on Friday and Saturday from 11:00 to 23:30 (this will allow for half an hour drinking up time)
- Supply of Alcohol (off the premises) on Sunday to Thursday from 23:00 and on Friday and Saturday from 11:00 to 00:00

Although the premises falls within The Elephant and Castle Major Town Centre Area, the area is also residential and local residents could be disturbed by the licensable activities that take place outside. The licensing policy recommends that outside areas should close to patrons at 22:00 hours.

Furthermore due to the limited information in the operating schedule and to promote the licensing objectives I also ask the applicant to provide the following information:

- An accommodation limit for the premises (to be conditioned)
- To provide a written dispersal policy for the premises as not provided with the application (although a condition about it has been offered).

And consider adding the following conditions to the operating schedule to promote the licensing objectives:

- All 'off sales' of alcohol shall be provided in sealed containers and taken away from the premises.

- That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that 'off sales' of alcohol are not be opened and consumed in the vicinity of the premises
- 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.
- 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. A record of such training shall be kept / be accessible at all times and be made immediately available for inspection to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times
- That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept/ be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.

I may submit further comments once all the information has been provided.

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

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

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

From: Four Quarters [mailto:]
Sent: Wednesday, November 11, 2020 10:25 AM
To: Tear, Jayne
Cc: Regen, Licensing; Heron, Andrew
Subject: Re: REPRESENTATION RE FOUR QUARTERS SE17

Dear Jayne

Thank you for the email and I hope you and your team are well in these immensely challenging times. Unfortunately we would not be able to accept the proposed condition - *• Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial meal and by consumption of such persons as an ancillary to their meal*, as it would not be compatible with our business model for the site.

Nor could we accept a reduction in opening hours to 23:00 weekdays and 00:00 weekends. Four Quarters will be the night-time anchor for this exciting new regeneration scheme, which will bring numerous jobs and visitors to the area. It's the largest site we have yet taken on and we are making a significant investment into this site, far in excess of our existing sites. As such we must have a viable late night offer in order to make the site financially viable.

However, I would be happy to roll back the requested hours for sale of alcohol by 15 mins to allow 30 mins drinking up time, so that would cease **at 23:30 Sun-Thurs and 00:30 Fri-Sat**.

I would also be willing to **close the outside area at 22:00** as requested, and to include the condition requiring **off sales to be in sealed containers**. I can also offer an extension of the condition offered *substantial food will be available until at least 22:00 - to 22:30 Sun-Thurs and 23:00 Fri Sat*

Regards the following;

- *An accommodation limit for the premises (to be conditioned)* - This is to be finalised on completion of our Fire Risk Assessment, and is not certain at this time as the unit is still a shell. I would suggest that it is conditioned that we submit this risk assessment and accommodation limit prior to commencing trade.

- *To provide a written dispersal policy for the premises as not provided with the application (although a condition about it has been offered)*. - We can provide a provisional dispersal policy but it should be noted that there will be some elements which will need refinement and consideration once operation has begun.

The following suggested conditions have all been addressed in our operating schedule but I am happy for these to be included as worded below

That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that 'off sales' of alcohol are not be opened and consumed in the vicinity of the premises

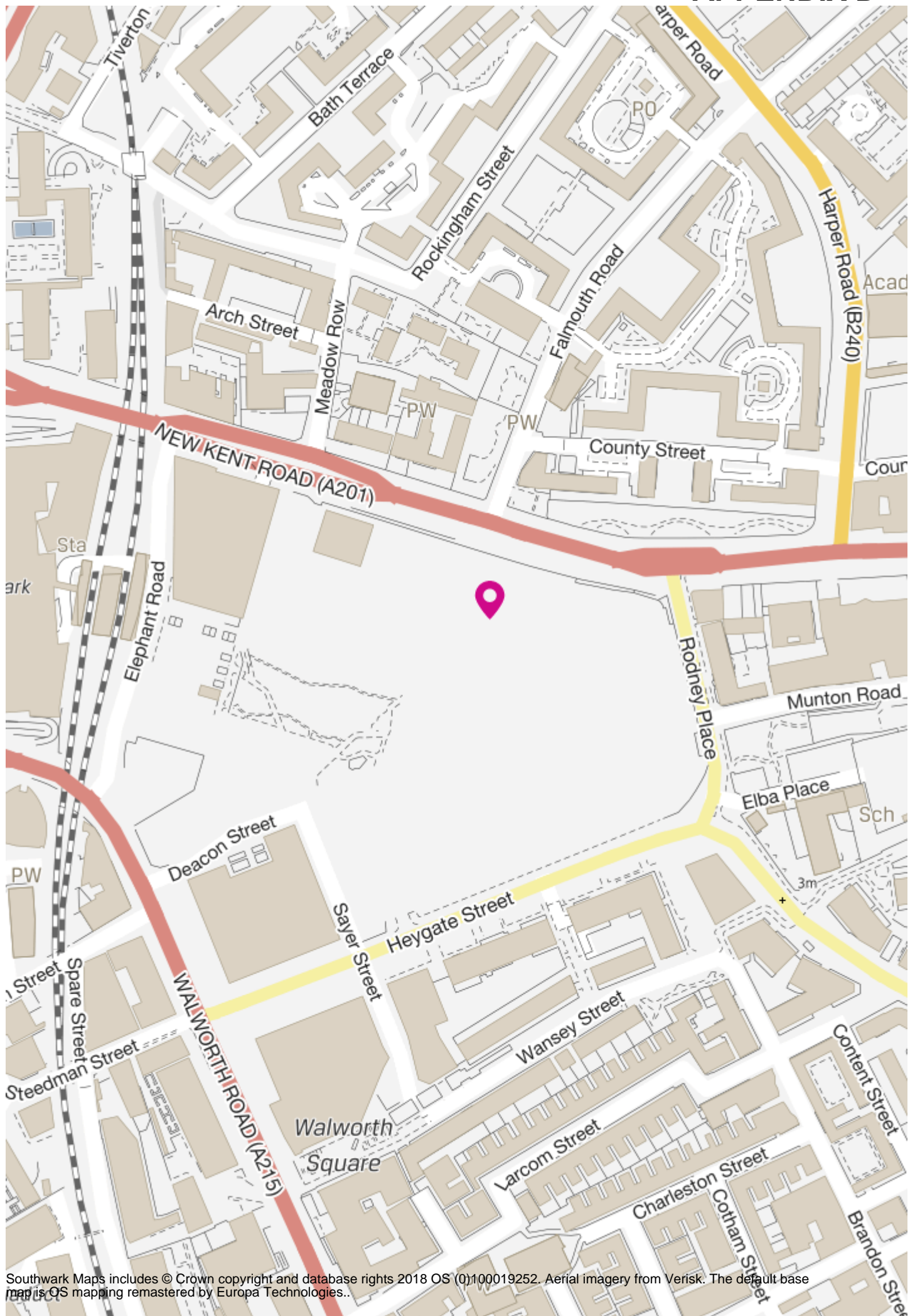
- *That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid 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.

- 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. A record of such training shall be kept / be accessible at all times and be made immediately available for inspection to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.*
- That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times*
- That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept/ be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.*

Finally, regarding any nuisance to local residents, the landlord Lendlease is fully aware and supportive of our application for these hours. There are already robust measures in place to mitigate any potential nuisance and it is a condition of our lease that we adhere to the attached acoustic report. The Elephant Park scheme is already proving to be a great success and Four Quarters will be a major draw for the scheme as it's main night time anchor. As such the hours within our application are integral to the business model. I do hope we can reach a mutually agreeable position and I would welcome any chance to discuss the matter further on the phone or via email and I can be reached on 07833758368.

Many thanks
Joe Dowling
Operations Manager



Item No. 6.	Classification: Open	Date: 3 December 2020	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Chaqueno Grill, Ground Floor, Arch 145, Eagle Yard, Hampton Street, London SE1 6SP	
Ward(s) of group(s) affected		North Walworth	
From		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Lisseth Magda Aguilera Rojas for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Chaqueno Grill, Ground Floor, Arch 145, Eagle Yard, Hampton Street, London SE1 6SP.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from responsible authorities and is therefore referred to the Sub Committee for determination.
 - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 12 to 17 of this report deal with the representations submitted in respect of the application. Copies of the representation submitted by the responsible authorities and attached to this report in Appendix B and copies of representations from other persons attached in Appendix C. A map showing the location of the premises is attached to this report as Appendix D.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

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

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

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 12 October 2020 Lisseth Magda Aguilera Rojas applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Chaqueno Grill, Ground Floor, Arch 145, Eagle Yard, Hampton Street, London SE1 6SP. The premises are described in the application as simply being:

“Restaurant on the ground floor at Arch 145...”
9. The hours applied for are summarised as follows:
 - The sale by retail of alcohol (on sales only)
 - Sunday to Thursday: 09:30 to 22:00
 - Friday and Saturday: 09:30 to 23:00

- The provision of live music (indoors) – which the applicant states will be unamplified:
 - Monday to Thursday: 18:30 to 21:30
 - Friday and Saturday: 17:00 to 21:30
 - Sunday: 17:00 to 19:30
 - The provision of recorded music (indoors):
 - Monday to Thursday: 08:00 to 23:00
 - Friday and Saturday: 08:00 to 00:00
 - Sunday: 08:30 to 23:00
 - Opening hours
 - Monday to Thursday: 08:00 to 23:00
 - Friday and Saturday: 08:00 to 00:00
 - Sunday: 08:30 to 23:00.
10. The designated premises supervisor (DPS) is to be Jayesh Patel, who holds a personal licence with the London Borough of Southwark.
11. The premises licence application form provides the applicant's operating schedule. Parts A, B, C, E, F, G, H, I, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application and premises plan is attached to this report in Appendix A.

Representations from responsible authorities

12. Representations have been received from two responsible authorities, the Metropolitan Police Service and the licensing authority.
13. The representation from the Metropolitan Police Service requested additional conditions, which the applicant has agreed to. The police have therefore withdrawn their representation.
14. The representation submitted by the licensing authority in their role as responsible authority also asks for additional conditions.
15. The representations are all available in Appendix B.

Representations from other persons

16. Representations have been received from nine other persons. These are all residents in the immediate vicinity who provide details of how their lives are already negatively impacted by similarly licensed premises on the same parade and that they believe that the granting of another premises will only add to the problems of antisocial behaviour in the locality.

17. Redacted versions of the representations are available in Appendix C.

Conciliation

18. All representations were sent to the applicant and at the point of publication of the report, only the police representation had been conciliated. An offer has been made for the applicant to send mediatory correspondence to all parties.

Premises history

19. Arch 145 has not had a premises licence previously and there is no history of Temporary Events Notices or recent complaints.

Deregulation of entertainment

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

Business and Planning Act

23. The provisions in the Act temporarily modify the Licensing Act 2003 to provide an automatic extension to the terms of most premises licences which only permit the sale of alcohol for consumption on the premises to allow the sale of alcohol for consumption off the premises. This will make it easier for licensed premises to sell alcohol to customers for consumption off the premises in England and Wales, which will allow businesses to trade and maintain social distancing.

Map

24. A map showing the location of the premises is attached to this report as Appendix D. The following are a list of licensed premises in the immediate vicinity of the application:

Dragon Castle, 100 Walworth Road, London SE17 1JL:

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

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

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

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

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

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

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

Mamuska, 16 Elephant and Castle, London SE1 6TH:

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

- The provision of late night refreshment (both indoors and outdoors):
 - Monday to Saturday from 23:00 to 02:30 (the following day)
 - Sunday from 23:00 to 23:30
- The provision of regulated entertainment in the form of live music, recorded music, and performances of dance:
 - Monday to Saturday from 09:00 to 02:00 (the following day)
 - Sunday from 09:00 to 23:00

Chatkhara Restaurant, 84 Walworth Road, London SE1 6SQ:

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

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

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

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

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

Policy implications

Southwark Council statement of licensing policy

25. 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. To be read in conjunction with Appendix B to the policy.
 - Section 8 – The Prevention of Crime and Disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public Safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 – The Prevention of Nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 – The Protection of Children from Harm. This provides general guidance on the promotion of the fourth licensing objective.
26. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
27. Within Southwark's statement of licensing policy 2019 - 2021, the premises is situated in the Elephant and Castle major town centre area and outside of a cumulative impact area. Under the Southwark statement of licensing policy 2019-21 the following closing times are recommended as appropriate within this area for this categories of premises indicated:
- Restaurants and cafes:
 - Sunday to Thursday: 00:00
 - Friday and Saturday: 01:00
 - Public houses, wine bars or other drinking establishments :
 - Sunday to Thursday: 23:00
 - Friday and Saturday 00:00,

Resource implications

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

Consultation

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

Community impact statement

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

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

Principles for making the determination

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

Principles for making the determination

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

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

Conditions

38. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
39. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
40. 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.
41. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
42. 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

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

Hearing procedures

44. 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.
45. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

46. 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.
47. 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.
48. 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.

49. 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.
50. 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.
51. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
52. 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.
53. 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

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

Strategic Director of Finance and Governance

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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title
Appendix A	Application for a premises licence and plans
Appendix B	Representations submitted by responsible authorities
Appendix C	Representations submitted by other persons
Appendix D	Map of the locality

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director of Environment and Leisure		
Report Author	Andrew Heron, Principal Licensing Officer		
Version	Final		
Dated	23 November 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			23 November 2020

12/10/2020

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

Ref No. 1534439

Name of Applicant

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

Lisseth Magda Aguilera Rojas

Notes for Guidance

1. 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.
2. 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 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.

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. For example the 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.

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

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

7. 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.

8. 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'.

9. 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.

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

11. The application form must be signed.

12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.

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

15. Entitlement to work/immigration status for individual applicants and applications

from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a

European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - o evidence of the applicant's own identity – such as a passport,
 - o evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - o evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;

- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Premises Details

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

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

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

Premises trading name

	CHAQUENO GRILL
--	----------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	ARCH 145
Address Line 2	EAGLE YARD HAMPTON STREET
Town	LONDON
Post code	SE1 6SP
Ordnance survey map reference	
Description of the location	railway arch. ground floor
Telephone number	

Applicant Details

Please select whether you are applying for a premises licence as

	An individual or individuals
--	------------------------------

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

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

Details of Individual Applicant

Personal Details

Title	Mrs
If other, please specify	
Surname	ROJAS
Forenames	LISSETH MAGDA AGUILERA
Date of birth	
I am 18 years old or over	Yes
Nationality	BRITISH

Current Address

Street number or Building name	
Street Description	
Town	

County	
Post code	

Contact Details

Daytime contact telephone number	
Email Address	

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see guidance below)

Please enter	
--------------	--

Guidance notes

Do you wish to add a second individual applicant?

	No
--	----

Operating Schedule

When do you want the premises licence to start?

	01/10/2020
--	------------

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

--	--

General description of premises (see guidance note 1)

	RESTRAUNT ON THE GROUND FLOOR AT ARCH 145 MANOLDO WALK SE1 6SP
--	----------------------------------------------------------------

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

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

Note 1

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.

Operating Schedule part 2

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

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

Provision of regulated entertainment (Please read guidance note 2)

	e) live music
	f) recorded music

Provision of late night refreshment

--	--

Supply of alcohol

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

In all cases please complete boxes K, L and M.

E - Live Music

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

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

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

	MUSIC PLAYED BY 1 OR 2 PERSON WITH instruments (folk music) NO mics , NO speaker NO amps
--	----------------------------------------------------------------------------------------------

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

Day	Start	Finish
Mon	18:00	21:30
Tues	18:00	21:30
Wed	18:00	21:30
Thur	18:00	21:30
Fri	17:00	21:30
Sat	17:00	21:30
Sun	17:00	19:30

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

	none
--	------

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

	none
--	------

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.

F - Recorded Music

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

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

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

	play back ground sound
--	------------------------

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

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	08.30	23.00

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

	none
--	------

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

	none
--	------

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.

J - Supply of Alcohol

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

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

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

Day	Start	Finish
Mon	09:30	22:00
Tues	09:30	22:00
Wed	09:30	22:00
Thur	09:30	22:00
Fri	09:30	23:00
Sat	09:30	23:00
Sun	09:30	22:00

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

	none
--	------

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

	none
--	------

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

--	--

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

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

7. 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.

8. 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'.

Premises Supervisor

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

Full name of proposed designated premises supervisor

First names	jayesh
Surname	patel

DOB

Date Of Birth	
---------------	--

Address of proposed designated premises supervisor

Street number or Building name	
Street Description	
Town	
County	
Post code	

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

Personal licence number (if known)	■■■■
Issuing authority (if known)	southwark council

K

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

	none
--	------

9. 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.

L - Hours premises are open to public

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

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

7. 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.

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

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	08:30	23:00

State any seasonal variations (Please read guidance note 5)

	none
--	------

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

	no
--	----

M - Steps to promote four licencing objectives

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

	<p>The prevention of crime and disorder. Public safety. The prevention of public nuisance. The protection of children from harm.</p>
--	--------------------------------------------------------------------------------------------------------------------------------------------------

b) the prevention of crime and disorder

	<p>CCTV with one month recording storage. Install an alarm system. Emergency exists will be alarmed while open public. Staff and private areas will be secured and locked while open to public. All staff will be given formal training for security purpose.</p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

c) public safety

	<p>CCTV with one month recording storage. All staff will be provided with risk assessment measures and precautionary measures therein. First aid should be available at the premises and maintain sufficient stock. A maximum occupancy of will be ensured. We will ensure that drinks are available for consumption from plastic vessels or toughened glass. Where glass bottles are used, they will be retained or disposed off on the premises. Fire Exits will be properly marked and notices will be clearly displayed. Access to emergency services will be kept clear all time. I will make sure that I have valid public liability insurance in force and that a copy of the schedule is available for inspection by an authorized officer on request. I will make sure that when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency, and that patrons are made aware of these arrangements.</p>
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

d) the prevention of public nuisance

	<p>CCTV with one month recording storage. A maximum capacity of will be observed. Alcohol consumption will only be allowed in designated areas. The British Beer and pub Associations guidelines on trade promotions code will be adopted. Notices about crime and disorder issues will be displayed at the request of council (ie code of conduct). Adherence to proper disposal of waste and litter will be complied. I will install and use a noise limiters on amplification equipment in accordance with guidance from the Council's Environmental Health Officers. I will ensure that no amplified sound (including public announcements) in connection with the event continues beyond the permitted hours of the entertainment. (Note: this may be more relevant at an outdoor event).</p>
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

e) the protection of children from harm

	<p>Any restriction on admittance of individuals according to age (ie children) will be displayed. Condition of entry to the premises will be displayed. A policy as agreed by police and local authority will be implemented. I will ensure that any person selling or supplying alcoholic drink</p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	under the authority of a personal license holder asks for a photo ID proof of age where they have reason to suspect that the individual may be under 18 years of age.
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------

Guidance note 10

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

Please upload a plan of the premises

	165-Unit-5-Lease-Plan-Layout.pdf
--	----------------------------------

Please upload any additional information i.e. risk assessments

	FRA-2020-21-Santa-Cruz-Mall-45-Hampton-Street-London-SE1-6SP.pdf
--	------------------------------------------------------------------

Checklist

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

Home Office Declaration

Please tick to indicate agreement

	I am not a company or limited liability partnership
--	-----------------------------------------------------

Proof of Entitlement to work in the UK

Please upload your proof of entitlement to work in the UK or share code issued by the Home Office online right to work checking service. (Please see guidance below)

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

Guidance notes

Declaration

[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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work.

I/We hereby declare the information provided is true and accurate.

I agree to the above statement

	Yes
PaymentDescription	
PaymentAmountInMinorUnits	
AuthCode	
LicenceReference	
PaymentContactEmail	

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

Full name	Lisbeth Magda Aguilera Rojas
Date (DD/MM/YYYY)	
Capacity	owner

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

Full name	
Date (DD/MM/YYYY)	12/10/2020
Capacity	

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

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

GUIDANCE NOTES

12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.

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

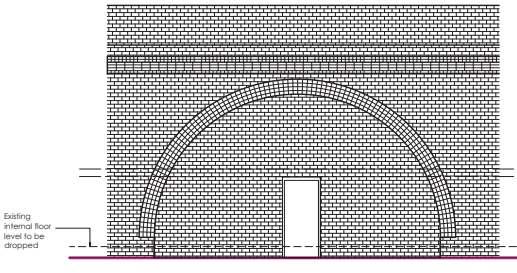
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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

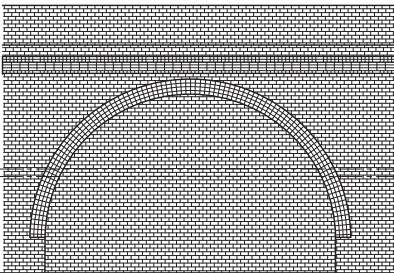
The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE. ANY DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT FOR VERIFICATION PRIOR TO COMMENCEMENT OF THE EFFECTED WORKS. IF IN DOUBT ASK. THIS DRAWING IS COPYRIGHT.

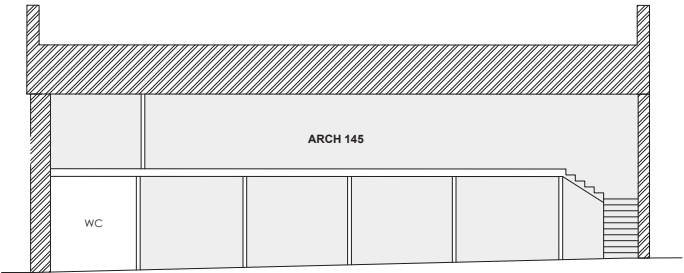
Date	RevNo	Revision note
24th Aug '20	P1	Preliminary Issue
25th Aug '20	P2	Lease plan amended
30th Sep '20	P3	Lease plan amended



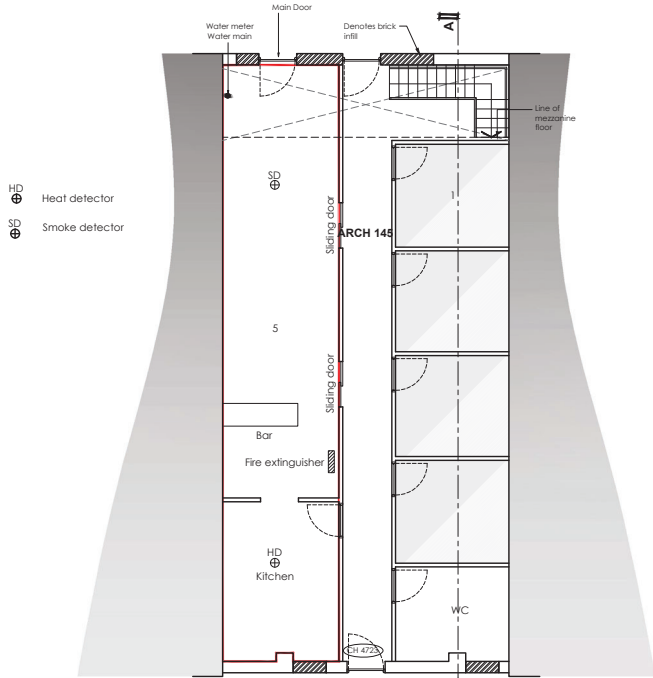
PROPOSED FRONT ELEVATION (ARCH 145)



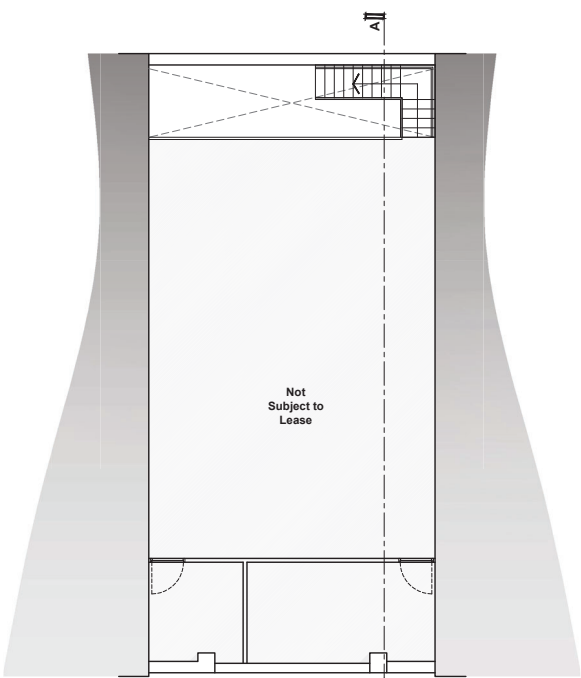
PROPOSED REAR ELEVATION (ARCH 145)



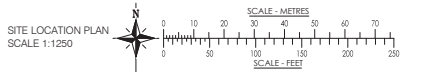
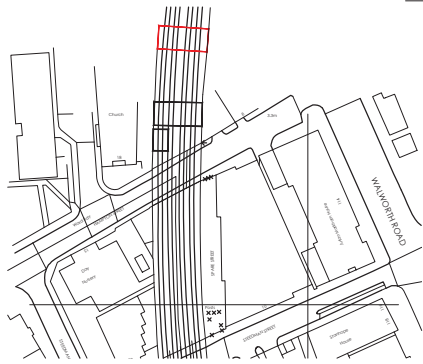
PROPOSED SECTION A-A (ARCH 145)



PROPOSED GROUND FLOOR PLAN (ARCH 145)



PROPOSED MEZZANINE FLOOR PLAN (ARCH 145)



ipb
architects

JOB TITLE
RAILWAY ARCH 145
EAGLE YARD
LONDON
SE1 6SP

DRG TITLE

UNIT 5, LEASE PLAN LAYOUT

SCALE
1:100, 1:1250 @ A2

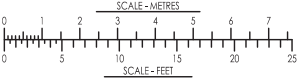
JOB NO.
11036

DRG NO.
165

REV
P3

DATE
Aug 20

TEL: (01895) 272 446
FAX: (01895) 272 483
EMAIL: admin@ipbarchitects.co.uk



LICENSING

MEMO: Licensing Unit

To Licensing Unit **Date** 5 November 2020

From Jayne Tear

Email jayne.tear@southwark.gov.uk

Subject Re: Chaqueno Grill, Arch 145 Eagle Yard, Hampton Street, London, SE1 6SP
 – Application for a premises licence

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

- Live Music (indoors) on Monday to Thursday from 18:00 to 21:30, Friday and Saturday from 17:00 to 21:30 and on Sunday from 17:00 to 19:30
- Recorded Music (indoors) on Monday to Thursday from 08:00 to 23:00, Friday and Saturday from 08:00 to 00:00 and on Sunday from 08:30 to 23:00
- Supply of alcohol (on the premises) on Sunday to Thursday from 09:30 to 22:00 and on Friday and Saturday from 09:30 to 23:00
- Opening times shall on Sunday to Thursday from 08:00 to 23:00 and on Friday and Saturday from 08:00 to 00:00

The premises is described within the application as a *‘Restaurant on the ground floor at Arch 145 Manoldo Walk SE1 6SP’*.

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

This premise is situated within the Elephant and Castle Major Town Centre Area and close to residential properties.

The operating schedule does not address the dispersal of patrons. Therefore due to the limited information provided and to promote the licensing objectives I ask the applicant to provide the following:

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

Furthermore, to ensure that the premises retains its nature as a restaurant I ask the applicant to consider adding the following conditions to the operating schedule to promote the licensing objectives

- Intoxicating liquor shall not be sold or supplied *‘on’* the premises otherwise than to persons taking a substantial table meal and by consumption of such persons as an ancillary to their meal

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

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

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



**POLICE
WITHDRAWN**

The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756

Email:

SouthwarkLicensing@met.police.uk

**Our
reference:**

MD/21/166/20

Date:

9th November 2020

Dear Sir/Madam

**Re:- Lisseth Magda Aguilera Rojas CHAQUENO GRILL ARCH 145 EAGLE YARD
HAMPTON STREET SE1 6SP**

Police are in possession of an application from the above for a new premises licence for the sale of alcohol on the premises.

Hours premises are open to the public

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 08:30 23:00

Standard days and timings for Supply of alcohol

Day Start Finish

Mon 09:30 22:00

Tues 09:30 22:00

Wed 09:30 22:00

Thur 09:30 22:00

Fri 09:30 23:00

Sat 09:30 23:00

Sun 09:30 22:00

The premises is described as a restaurant on the ground floor railway arch, however the applicant has not offered any conditions to restrict the use of the premises to that of a restaurant. The premises is situated in the Elephant & Castle major town centre as detailed in Southwark's statement of licensing policy. The hours applied for are within those recommended for restaurants within the policy.

The applicant has provided some detail with regard to the control measures for the promotion of the licensing objectives, in particular the prevention of crime and disorder.

To fully promote the prevention of crime and disorder licensing objective I ask the applicant to consider the following.

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises
2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.
3. A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.
4. That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
5. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such person as an ancillary to their meal.

The Following is submitted for your consideration.
Yours Sincerely

PC Ian Clements 2362AS
Southwark Police Licensing Unit
Tel: 0207 232 6756

From: [REDACTED]
Sent: Thursday, November 12, 2020 11:00 AM
To: SouthwarkLicensing@met.police.uk; Heron, Andrew
Subject: Chaqueno Grill 145 Eagle Yard MD /21/166/20

To,
PC IAN Clements 2362AS
Southwark Police Licensing Unit,

Dear Sir,
I acknowledge your letter referenced MD/21/166/20 dated 9th November 2020.
Please find our attached representation.
Please also find a copy of my personal license as I recently qualified.

Kind regards

Thank you
Ms Lisseth Magda Aguilera Rojas

Date: 12/11/2020

To,

PC Ian Clements 2362AS

Southwark Police Licensing Unit

Dear Sir,

My representation for the reference number **MD21/166/20**

Dispersal policy

Chaqueno Grill Arch 145 Eagle Yard, Hampton Street, London, SE1 6SP

- On dispersal our staff actively encourage customers not to congregate outside the venue, direct customers to the nearest taxi ranks or other transportation away from the area; and ensure the removal of all bottles and glasses from departing customers.
- Our manager will not hesitate to speak to any groups that congregate in the vicinity of the premises after closing time and ask them to move on.
- We generally request that a minimum of 30 minutes drinking-up time is incorporated in the premises licence as an aid to the gradual dispersal of all customers in the premises at the end of the evening.
- We ensure that there is strong management and staff presence in the customer area and at all exit points during the dispersal period.
- We routinely place signage at exit doors asking customers to respect the rights of our neighbours to the quiet enjoyment of their homes.
- Where it is deemed appropriate, we can provide customers with site-specific information on how they can get home safely. Where customers require individual assistance in obtaining safe transport from our premises, we do whatever is reasonably possible to help, for example by providing details of bus routes or contacting taxi and private hire operators on their behalf.

I am happy to include the following in my license.

- Intoxicating liquor shall not be sold or supplied 'on' the premises otherwise than to person taking a table meal and by consumption of such persons as an ancillary to their meal.
- 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 (this has already been installed).
- 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.
- 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.
- 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.

Thank you

Ms Lisseth Magda Aguilera Rojas

London Borough of Southwark
Regulatory Services
Licensing Service, Hub 1, Floor 3
PO Box 64529
London SE1P 5LX

Lic Ref No: [REDACTED]

LICENSING ACT 2003 ***Personal Licence (Part 2)***

This Licence authorises: **Lisseth Magda Aguilera Rojas**

of:

[REDACTED]
[REDACTED]
[REDACTED]

to sell or supply alcohol or to authorise the sale or supply of alcohol in accordance with the requirements of the Licensing Act 2003.

This licence becomes effective on 10/11/2020, unless surrendered, forfeited or revoked.

This licence does not have any effect during any period when it is suspended under the provision of the Licensing Act 2003, s129.

Signed:

[REDACTED]

Head of Regulatory Services

The holder of this licence had been convicted of the following relevant offences or foreign offences:

Detail of Conviction	Domestic / Foreign	Date of Conviction	Sentence Imposed
----------------------	-----------------------	-----------------------	------------------

None

Licensing Act 2003

116. Surrender of personal licence

- (1) Where the holder of a personal licence wishes to surrender his licence he may give the relevant licensing authority a notice to that effect.
- (2) The notice must be accompanied by the personal licence or, if that is not practicable, by a statement of the reasons for the failure to provide the licence.
- (3) Where a notice of surrender is given in accordance with this section, the personal licence lapses on receipt of the notice by the authority.

126. Theft, loss, etc. of personal licence

- (1) Where a personal licence is lost, stolen, damaged or destroyed, the holder of the licence may apply to the relevant licensing authority for a copy of the licence
- (2) Subsection (1) is subject to regulations under section 133(2) (power to prescribe fee to accompany application).
- (3) Where the relevant licensing authority receives an application under this section, it must issue the licence holder with a copy of the licence (certified by the authority to be a true copy) if it is satisfied that-
 - (a) the licence has been lost, stolen, damaged or destroyed, and
 - (b) where it has been lost or stolen, the holder of the licence has reported the loss or theft to the police.
- (4) The copy issued under this section must be a copy of the licence in the form in which it existed immediately before it was lost, stolen, damaged or destroyed.
- (5) This Act applies in relation to a copy issued under this section as it applies in relation to an original licence.

127. Duty to notify change of name or address

- (1) The holder of a personal licence must, as soon as reasonably practicable, notify the relevant licensing authority of any change in his name or address as stated in the personal licence.
- (2) Subsection (1) is subject to regulations under section 133(2) (power to prescribe fee to accompany notice).
- (3) A notice under subsection (1) must also be accompanied by the personal licence or, if that is not practicable, by a statement of the reasons for the failure to provide the licence.
- (4) A person commits an offence if he fails, without reasonable excuse, to comply with this section.
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

128. Duty to notify court of personal licence

- (1) Where the holder of a personal licence is charged with a relevant offence, he must, no later than the time he makes his first appearance in a magistrates' court in connection with that offence-
 - (a) produce to the court the personal licence, or
 - (b) if that is not practicable, notify the court of the existence of the personal licence and the identity of the relevant licensing authority and of the reasons why he cannot produce the licence.

129. Forfeiture or suspension of Licence on conviction for relevant offence

- (1) This section applies where the holder of a personal licence is convicted of a relevant offence by or before a court in England and Wales.
- (2) The court may-
 - (a) order the forfeiture of the licence, or
 - (b) order its suspension for a period not exceeding six months.
- (3) In determining whether to make an order under subsection (2), the court may take account of any previous conviction of the holder for a relevant offence.
- (4) Where a court makes an order under this section it may suspend the order pending an appeal against it.
- (5) Subject to subsection (4) and section 130, an order under this section takes effect immediately after it is made.

132 Licence holder's duty to notify licensing authority of convictions

- (1) Subsection (2) applies where the holder of a personal licence-
 - (a) is convicted of a relevant offence, in a case where section 131(1) does not apply, or
 - (b) is convicted of a foreign offence.
- (2) The holder must-
 - (a) as soon as reasonably practicable after the conviction, give the relevant licensing authority a notice containing details of the nature and date of the conviction, and any sentence imposed on him in respect of it, and
 - (b) as soon as reasonably practicable after the determination of any appeal against the conviction or sentence, or of any reference under section 36 of the Criminal Justice Act 1988 (c.33) in respect of the case, give the relevant licensing authority a notice containing details of the determination.
- (3) A notice under subsection (2) must be accompanied by the personal licence or, if that is not practicable, a statement of the reasons for the failure to provide the licence.
- (4) A person commits an offence if he fails, without reasonable excuse, to comply with this section.
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

135 Licence holder's duty to produce licence

- (1) This section applies where the holder of a personal licence is on premises to make or authorise the supply of alcohol, and such supplies-
 - (a) are authorised by a premises licence in respect of those premises, or
 - (b) are a permitted temporary activity on the premises by virtue of a temporary event notice given under Part 5 in respect of which he is the premises user
- (2) Any constable or authorised officer may require the holder of the personal licence to produce that licence for examination.
- (3) An authorised officer exercising the power conferred by subsection (2) must, if so requested, produce evidence of his authority to exercise the power.
- (4) A person who fails, without reasonable excuse, to comply with a requirement under subsection (2) is guilty of an offence.
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (6) In this section "authorised officer" means an officer of a licensing authority authorised by the authority for the purposes of this Act.



Liseth Magda Aguilera Rojas

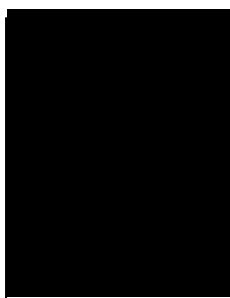
[REDACTED]
[REDACTED]
[REDACTED]

Licensing Unit
Direct Dial - 020 7525 5748
Facsimile - 020 7525 5705

10 November 2020

Dear Sir/Madam,

PERSONAL LICENCE APPLICATION – Liseth Magda Aguilera Rojas



I write with regard to your application for a grant of your personal licence.

I am pleased to inform you that your application is approved and part 2 of the licence with conditions on the reverse side is enclosed. Your personal licence badge will follow at later date as due to COVID-19, we are currently working from home so we are unable to print and post your badge at this present moment.

If the authority you are applying to needs further proof, please direct them to our website and they will be able to find you - <http://app.southwark.gov.uk/licensing/licencepersonal.asp>

Please do not hesitate to contact this office if you want any further clarification on the document.

Yours faithfully,

Kirby Read
Processing Manager
Licensing@southwark.gov.uk

From: [REDACTED]
Sent: Saturday, November 7, 2020 4:29 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Licensing Register - Applications for Premises Licences, Club Registrations, and Reviews Details for Licence Number: 873611

Dear Sir or Madam,

I am a resident of [REDACTED] and my dwelling overlooks Maldonado Way.

With this communication, on Nov 7th, 2020, I wish to register my objection to the application for Premises Licences, Club Registrations, and Reviews Details for Licence Number: 873611.

These are my reasons:

The 100m pedestrian walk has already 5 premises licensed to sell alcohol and/or for late night entertainment with live and/or recorded music.

Similar premises next to the applicant's have been attracting a considerable amount of people, causing nuisance, incidents and police interventions every weekend in the past months also on adjacent private properties (specifically private parking bays for 8 Walworth Rd).

Several reports have been filed by nearby residents to both the police and Southwark council noise team and both have been recording incidents. These gatherings happen even after closing hours, with the knowledge of premises management and despite conditions that should prevent this from happening.

Vandalism has been noted in the immediate area of existing adjacent licensed premises, including to the Crossways Church.

Widespread littering and food waste along with inadequate waste storage facilities and public urination constitute a public health hazard which will only be worsened by additional licensed premises.

Extremely lax conditions have been put in place so far for this license applicant, in contrast to what has been demanded to other premises, although equally unattended, including but not limited to the following:

Unlike similar licensed premises in the same street, and despite the application being filed for a restaurant, no condition has been put limiting the amount of people in the premises. According to the submitted Plan, no more than 30 people should be allowed in the premises at any time since the seating area does not allow for more than 30 people while keeping social distancing in place: see Condition 307 imposed on License 869755.

Unlike similar licensed premises in the same street, no condition is set requiring alcohol to be consumed exclusively inside the premises and exclusively to

accompany a meal: see Conditions 844, 845 imposed on Licence 869693.

Unlike similar licensed premises in the same street, no condition has been put limiting the amount of people allowed to smoke outside the premises: see Conditions 312 imposed on License 869755, 347 on License 864230, 343 on License 857301.

Unlike similar licensed premises in the same street, no condition has been put limiting the noise and sound emanating from the premise: see Conditions 340 to 346 imposed on License 864230.

Unlike similar licensed premises in the same street, no condition has been put forcing the premise to keep a complaints and incidents book: see Condition 349 imposed on License 869693.

The application makes no mention of a provision for a licensed Door Supervisor, who would ensure the legal number of permitted patron is adhered to, and to also ensure that patrons outside the premises follow rules of behaviour aimed at minimising noise and other anti-social behaviour.

It is in the interest of all the residents to live in an area that is free of nuisance, free of disorder, safe and hygienic.

The numerous complaints of noise and public order already lodged reflect the issues with existing alcohol licenses.

This application, if granted, would further worsen the intolerable conditions residents whose dwelling overlook Maldonado Way (this is the actual name of the street: not Eagle Yard nor Hampton St) have to endure in what is a high density residential area.

We have existing noise and anti-social behaviour issues with drinking venues located under those arches that are making the life of many hundreds of residents a misery: I urge you to do the right thing and deny this application.

In faith,

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

OTHER PERSON B

From: [REDACTED]
Sent: Monday, November 2, 2020 10:48 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Representation - Application Licence Number: 873611

To whom it may concern.

With the present, on 2 November 2020, I, [REDACTED]

Email: [REDACTED]

Phone #: [REDACTED]

Formally oppose the Applications for Premises Licences, Club Registrations, and Reviews Details for Licence Number: 873611 - CHAQUENO GRILL (Arch 145, Eagle Yard Hampton Street, SE1 6SP) for the following reasons:

- The 100m pedestrian walk has already 5 premises licensed to sell alcohol and/or for late night entertainment with live and/or recorded music.
- Similar premises next to the applicant's have been attracting considerable amounts of people, causing nuisance, incidents and police interventions every weekend in the past months also on adjacent private properties (specifically private parking bays for 8 Walworth Rd). Several reports have been filed by nearby residents to both the police and Southwark council noise team and both have been recording incidents. These gatherings happen even after closing hours, with the knowledge of premises management and despite conditions that should prevent this from happening.
- Vandalism has been noted in the immediate area of existing adjacent licensed premises, including to the Crossways Church.
- Widespread littering and food waste along with inadequate waste storage facilities and public urination constitute a public health hazard which will only be worsened by additional licensed premises.
- Extremely lax conditions have been put in place so far for this license applicant, in contrast to what has been demanded to other premises, although equally unattended, including but not limited to the following:
 - Unlike similar licensed premises in the same street, and despite the application being filed for a restaurant, no condition has been put limiting the amount of people in the premises. According to the submitted Plan, no more than 30 people should be allowed in the premises at any time since the seating area does not allow for more than 30 people while keeping social distancing in place: see **Condition 307 imposed on License 869755**
 - Unlike similar licensed premises in the same street, no condition is set requiring alcohol to be consumed exclusively inside the premises and exclusively to accompany a meal: see **Conditions 844, 845 imposed on Licence 869693**
 - Unlike similar licensed premises in the same street, no condition has been put limiting the amount of people allowed to smoke outside the premises: see **Conditions 312 imposed on License 869755, 347 on License 864230, 343 on License 857301**
 - Unlike similar licensed premises in the same street, no condition has been put limiting the noise and sound emanating from the premise: see **Conditions 340 to 346 imposed on License 864230**

- Unlike similar licensed premises in the same street, no condition has been put forcing the premise to keep a complaints and incidents book: see **Condition 349 imposed on License 869693**

It is in the interest of all the residents to live in an area that is free of nuisance, free of disorder, safe and hygienic. The high numbers of noise and public order complains on record already reflect the issues with existing alcohol licenses. Additional licenses further worsen intolerable conditions in what is a largely residential area.

With my best regards,

██████████

OTHER PERSON C

From: [REDACTED]
Sent: Monday, November 9, 2020 11:23 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Fwd: Representation - Application Licence Number: 873611

To whom it may concern.

With the present, on 2 November 2020, I, [REDACTED]

Email: [REDACTED]

Phone [REDACTED]

Formally oppose the Applications for Premises Licences, Club Registrations, and Reviews Details for Licence Number: 873611 - CHAQUENO GRILL (Arch 145, Eagle Yard Hampton Street, SE1 6SP) for the following reasons:

- The 100m pedestrian walk has already 5 premises licensed to sell alcohol and/or for late night entertainment with live and/or recorded music.
- Similar premises next to the applicant's have been attracting considerable amounts of people, causing nuisance, incidents and police interventions every weekend in the past months also on adjacent private properties (specifically private parking bays for 8 Walworth Rd). Several reports have been filed by nearby residents to both the police and Southwark council noise team and both have been recording incidents. These gatherings happen even after closing hours, with the knowledge of premises management and despite conditions that should prevent this from happening.
- Vandalism has been noted in the immediate area of existing adjacent licensed premises, including to the Crossways Church.
- Widespread littering and food waste along with inadequate waste storage facilities and public urination constitute a public health hazard which will only be worsened by additional licensed premises.
- Extremely lax conditions have been put in place so far for this license applicant, in contrast to what has been demanded to other premises, although equally unattended, including but not limited to the following:
 - Unlike similar licensed premises in the same street, and despite the application being filed for a restaurant, no condition has been put limiting the amount of people in the premises. No more than 30 people should be allowed in the premises at any time since the seating area does not allow for more than 30 people while keeping social distancing in place: see **Condition 307 imposed on License 869755**
 - Unlike similar licensed premises in the same street, no condition is set requiring alcohol to be consumed exclusively inside the premises and exclusively to accompany a meal: see **Conditions 844, 845 imposed on Licence 869693**
 - Unlike similar licensed premises in the same street, no condition has been put limiting the amount of people allowed to smoke outside the premises: see **Conditions 312 imposed on License 869755, 347 on License 864230, 343 on License 857301**
 - Unlike similar licensed premises in the same street, no condition has been put limiting the noise and sound emanating from the premise: see **Conditions 340 to 346 imposed on License 864230**

- Unlike similar licensed premises in the same street, no condition has been put forcing the premise to keep a complaints and incidents book: see **Condition 349 imposed on License 869693**

It is in the interest of all the residents to live in an area that is free of nuisance, free of disorder, safe and hygienic. The high numbers of noise and public order complains on record already reflect the issues with existing alcohol licenses. Additional licenses further worsen intolerable conditions in what is a largely residential area.

With my best regards,

██████████

OTHER PERSON D

From: [REDACTED]
Sent: Tuesday, October 20, 2020 11:57 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Objection to application 873611

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

Hi,

I'd like to object to this application on the below grounds:

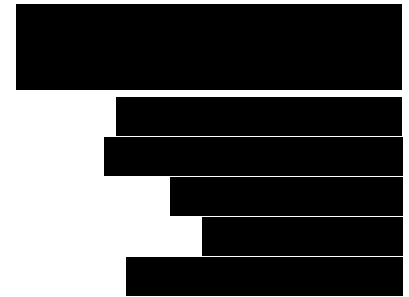
- The venue has already shown a disregard for the residential makeup of the area by having a live band outside the premises on their 'launch party' for 2-3 hours on a Sunday afternoon - the volume of which necessitated me leaving my property for the duration. (The police and Southwark council were called.)
- The area is rapidly becoming a hub for 'nightclubs' with increasing anti-social behaviour from customers of the properties. (Numerous complaints have been submitted.)
- The venue has already been warned regarding a breach in their current (non)licensing terms with alcohol drank on the premises. Which does not bode well for them following the rules of any granted license.
- The license refers to recorded and live music with no noise mitigation measures - as the premises were not built according to the planning application made (they are currently in breach), I have doubts that any adequate insulation will be in place.
- No mitigation plan has been submitted as to how the venue will handle smokers outside, an exit plan etc. The outside car park that smokers would loiter in is directly by the residential properties.
- In relation, no security plan has been submitted. Considering the issues we have with other venues (that do have security) and their exiting patrons this is a concern.

As there are significant concerns about resident's wellbeing in this area in relation to the venues on Eagle Yard, I strenuously object to the granting of this license.

Bw,

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]



Saturday 7 November 2020

Dear Sir/Madam

Re: licence application 873611 - Chaqueño Grill

I write in connection with the application for a new premises licence for Chaqueño Grill - in a street known to Royal Mail as Eagle Yard, but also known as Maldonado Walk on the street signs - London SE1.

I hope that this restaurant can be a good neighbour to those of us living on the Draper Estate and in the Strata tower. During the limited time it has been open so far, its operation has been uneventful, but this has coincided with the COVID-19 restrictions and the venue has not had a licence, so the circumstances cannot be said to be 'normal'.

I am hesitant about objecting to this application but I feel I must make representations to safeguard the amenity of nearby residents, primarily in connection with the third licensing objective: namely, the prevention of public nuisance.

I live in [REDACTED] My flat is on the first floor and one side overlooks the servicing yard at the rear of the Strata SE1 tower. Maldonado Walk is on the far side of the yard.

I have lived at this address for more than five years.

For the past two summers I have been disturbed on multiple occasions by noise associated with late night activity at the existing premises on Maldonado Walk (most notably Corporación Ponce, adjacent to the applicant's arch).

I have been in contact twice (in 2019 and 2020) with the North Walworth councillors regarding the problems with noise from venues under the railway arches.

More recently, residents from the Draper Estate and Strata have been cooperating to respond to the problems caused by customers at the Maldonado Walk venues.

I am concerned that this restaurant could add to the existing problems with antisocial behaviour from customers dispersing (or rather, not dispersing) from the venues under the arches.

People spill out into the service yard and argue, shout, wait for minicabs, urinate, take drugs etc - very close to homes on the Draper Estate (Draper House and Wollaston Close) and Strata SE1.

Even when customers are standing directly next to the railway arches, the noise travels across the yard.

Sunday evenings are particularly problematic, as my neighbours can confirm.

Some specific points:

- The restaurant's doors open directly to the open air, but live music is proposed. How is it envisaged that noise be controlled to prevent nuisance?
- Licensing officers and members should be aware that the restaurant in arch 145 has not been constructed in accordance with planning permission (20/AP/0697) - this is currently the subject of a planning enforcement case (20/EN/0364).
- The proposed morning opening times in this licence application (8am / 8.30am) are outside the hours permitted under the consented planning application (which sets 9am as the start time for restaurant/cafe use on all days of the week).
- Corporación Ponce's licence (at least in theory!) limits the supply of alcohol to those taking a table meal. Could a similar condition be imposed here?

I would ask the council to:

- Limit the hours of the proposed restaurant to protect the amenity of residential neighbours.
- Impose other suitable conditions to prevent further nuisance arising to residents.

I am aware that there are other applications to follow for further venues under the arches here. I am concerned that without careful application of planning and licensing policy, the venues on Maldonado Walk will cause similar problems for residents as those seen elsewhere in Southwark such as at Isabella Street and Old Union Yard arches.

Yours sincerely



From: [REDACTED]
 Sent: Sunday, November 8, 2020 9:25 AM
 To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
 Subject: Objection: Licence Number: 873611

OTHER PERSON F

Sent this:

Dear Sir or Madam,

I am a resident of [REDACTED] and my dwelling overlooks Maldonado Way.

With this communication, on Nov 7th, 2020, I wish to register my objection to the application for Premises Licences, Club Registrations, and Reviews Details for Licence Number: 873611.

These are my reasons:

The 100m pedestrian walk has already 5 premises licensed to sell alcohol and/or for late night entertainment with live and/or recorded music.

Similar premises next to the applicant's have been attracting a considerable amount of people, causing nuisance, incidents and police interventions every weekend in the past months also on adjacent private properties (specifically private parking bays for 8 Walworth Rd).

Several reports have been filed by nearby residents to both the police and Southwark council noise team and both have been recording incidents. These gatherings happen even after closing hours, with the knowledge of premises management and despite conditions that should prevent this from happening.

Vandalism has been noted in the immediate area of existing adjacent licensed premises, including to the Crossways Church.

Widespread littering and food waste along with inadequate waste storage facilities and public urination constitute a public health hazard which will only be worsened by additional licensed premises.

Extremely lax conditions have been put in place so far for this license applicant, in contrast to what has been demanded to other premises, although equally unattended, including but not limited to the following:

Unlike similar licensed premises in the same street, and despite the application being filed for a restaurant, no condition has been put limiting the amount of people in the premises. According to the submitted Plan, no more than 30 people should be allowed in the premises at any time since the seating area does not allow for more than 30 people while keeping social distancing in place: see Condition 307 imposed on License 869755.

Unlike similar licensed premises in the same street, no condition is set requiring alcohol to be consumed exclusively inside the premises and exclusively to accompany a meal: see Conditions 844, 845 imposed on Licence 869693.

Unlike similar licensed premises in the same street, no condition has been put limiting the amount of people allowed to smoke outside the premises: see Conditions 312 imposed on License 869755, 347 on License 864230, 343 on License 857301.

Unlike similar licensed premises in the same street, no condition has been put limiting the noise and sound emanating from the premise: see Conditions 340 to 346 imposed on License 864230.

Unlike similar licensed premises in the same street, no condition has been put forcing the premise to keep a complaints and incidents book: see Condition 349 imposed on License 869693.

The application makes no mention of a provision for a licensed Door Supervisor, who would ensure the legal number of permitted patron is adhered to, and to also ensure that patrons outside the premises follow rules of behaviour aimed at minimising noise and other anti-social behaviour.

It is in the interest of all the residents to live in an area that is free of nuisance, free of disorder, safe and hygienic.

The numerous complaints of noise and public order already lodged reflect the issues with existing alcohol licenses.

This application, if granted, would further worsen the intolerable conditions residents whose dwelling overlook Maldonado Way (this is the actual name of the street: not Eagle Yard nor Hampton St) have to endure in what is a high density residential area.

We have existing noise and anti-social behaviour issues with drinking venues located under those arches that are making the life of many hundreds of residents a misery: I urge you to do the right thing and deny this application.

In faith,

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Thursday, November 5, 2020 4:10 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: objection to licence 873611

Thursday 5th November 2020

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

To whom it may concern,

I am writing to object to the current licence application for the following:

CHAQUENO GRILL
Arch 145, Eagle Yard Hampton Street
SE1 6SP
Licence number: 873611

The reasons are as follows:

prevention of crime and disorder and public safety

At present, the 100m pedestrian walk has already five premises licensed to sell alcohol with live and or recorded music. Similar premises next to the applicant's venue have been attracting considerable amount of people, causing nuisance (for example shouting outside my window, and having illegal gathering outside the venue of more than six people during lockdown, for instance.) These gatherings often happen after closing hours, with the knowledge of the premises' management and despite conditions that should prevent this from happening. Several reports have been filed by local residents to the noise team as well as the police and anti-social behaviour team.

Punters are also regularly allowed to leave premises with drinks in cups (I have several videos and photographs documenting this), further encouraging anti-social behaviour.

prevention of public nuisance

Vandalism has been noted in the immediate adjacent area, including the Crossway Church; I often witness people freely urinating outside my window. There is now widespread of littering and food waste along Maldonado Walk and often see broken bottles on the ground in the morning.

Furthermore, lax conditions have been put in place so far for this licence, for instance, no condition set requiring alcohol to be consumed exclusively inside the premises and with a meal. No condition limiting the amount of people smoking outside; no condition on limiting the amount of people on the premises (not good, especially during a pandemic), no condition limiting the amount of noise emanating

from the premises, no condition asking the premises to keep a record of complaints and incidents.

The local residents are already suffering due to the nuisance caused by current venues. Additional licences further worsen the frankly current intolerable conditions in what is largely a residential area.

Your sincerely,

██████████

OTHER PERSON H

From: [REDACTED]
Sent: Monday, November 2, 2020 9:41 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Objection to licence 873611

Hello

I live in [REDACTED] which overlooks the premises in question.

I would like to object to this application on the grounds that there are no conditions relating to food in this proposed licence. All other licences in the vicinity have conditions which restrict the sale of alcohol as accompaniment to a meal or similar. This would be expected for a restaurant.

The proposed licence is also silent on the use of outside space, for example limiting the number of smokers and/or total number of people outside at one time. This would be important in the prevention of public nuisance.

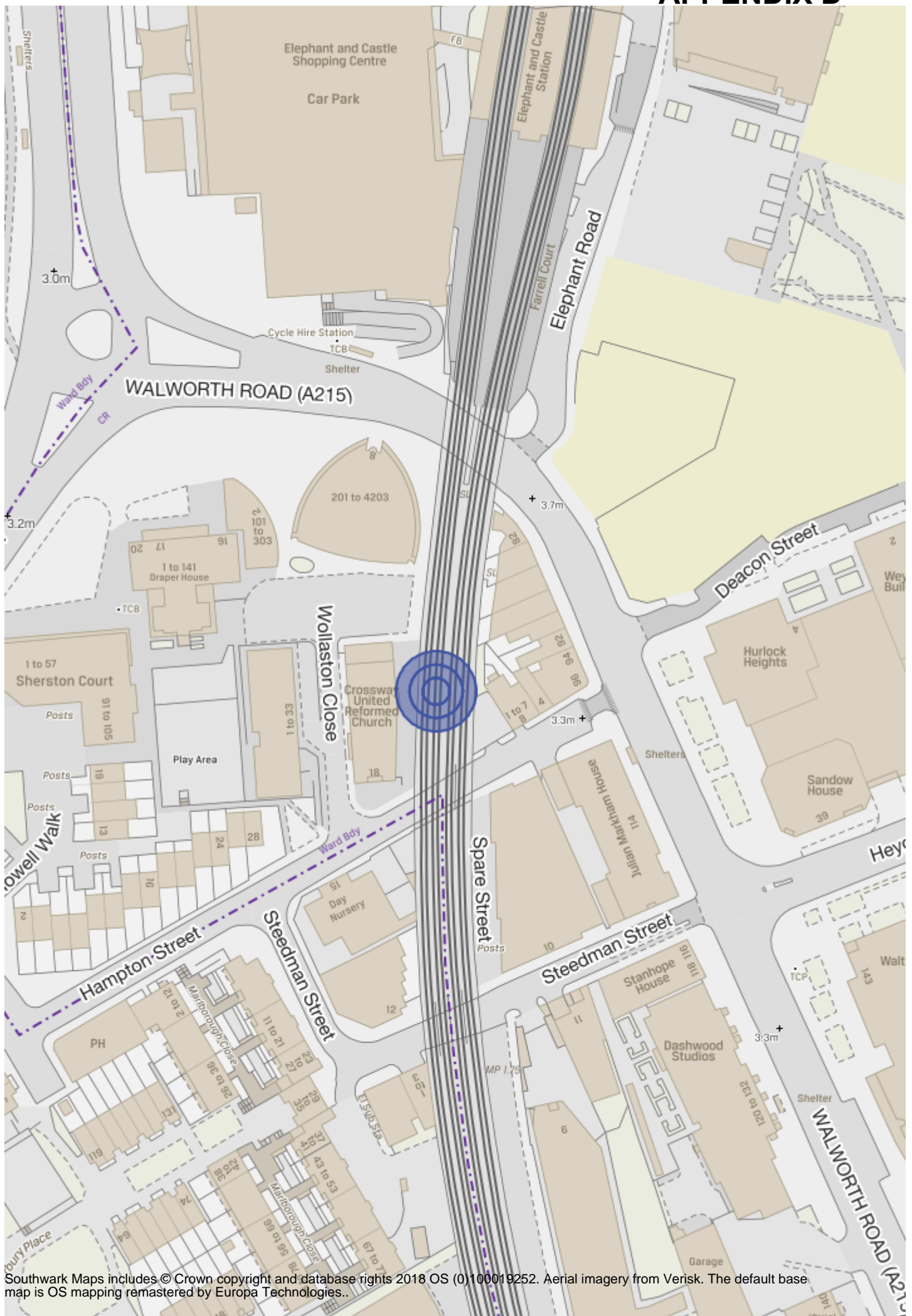
There is no condition to restrict the consumption of alcohol to the inside of the premises. This may encourage patrons to bring their alcohol outside as they leave and finish outside, again creating noise and disturbance at midnight on any night.

The application is also for live and recorded music. There is no mention of any noise mitigating measures. It is not clear that the building has any existing within its structure, especially given that what has been built is not the consented scheme. The upstairs area is only accessible through an external door. The upstairs area appears to be an event space without its own kitchen or bar. This would render any measure to ensure doors and windows are closed meaningless (see condition 342 of licence 864230). The hours for recorded music is also from 8am throughout the week which would appear excessive.

Please do not hesitate to get in touch if you request any further information.

Many thanks

[REDACTED]



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LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2020-21

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Andrew Weir - Tel: 020 7525 7222

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