

## Licensing Sub-Committee

Thursday 16 November 2023

10.00 am

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

### Membership

Councillor Barrie Hargrove  
Councillor Sunny Lambe  
Councillor Ian Wingfield

### Reserves

Councillor Charlie Smith

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## INFORMATION FOR MEMBERS OF THE PUBLIC

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### Access to information

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### Contact

Andrew Weir by email: [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Althea Loderick**

Chief Executive

Date: 7 November 2023



## Licensing Sub-Committee

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### Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
1.	<b>ELECTION OF THE CHAIR</b>	
	To elect the chair for this meeting.	
2.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
3.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
4.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
5.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
6.	<b>LICENSING ACT 2003: MAMBO 190 BAR &amp; LOUNGE, 190-192 OLD KENT ROAD, LONDON SE1 5TY</b>	1 - 61

7. **LICENSING ACT 2003: THE AXIS, 141 ORMSIDE STREET, LONDON SE15 1TF** 62 - 113

**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: 7 November 2023

# Agenda Item 6

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 16 November 2023	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: Mambo 190 Bar & Lounge, 190-192 Old Kent Road, London SE1 5TY	
<b>Ward(s) of group(s) affected</b>		Faraday	
<b>From</b>		Strategic Director of Environment, Neighbourhoods and Growth	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by Diego Eduardo Zambrano Fernández to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Mambo 190 Bar & Lounge, 190-192 Old Kent Road, London SE1 5TY.
2. Notes:
  - a) The application seeks to vary the premises licence held in respect of the premises known as Mambo 190 Bar & Lounge, 190-192 Old Kent Road, London SE1 5TY under section 34 of the Licensing Act 2003. Existing permitted licensable activities are not under consideration at this meeting. The variation application is subject to representations originally being submitted by two responsible authorities (one now conciliated) and three residential objectors.
  - b) Paragraphs 8 to 10 of this report provides a summary of the current premises licence issued in respect of the premises and a copy of this is attached to this report as Appendix A.
  - c) Paragraphs 11 and 12 of this report provide a summary of the application and a copy of this is attached as Appendix B.
  - d) Paragraphs 13 to 20 of this report deal with the representations submitted in respect of the application and copies of this are shown in Appendixes C to E. A map showing the location of the premises is attached to this report as Appendix F.
  - e) 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 procedure, 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 current premises licence**

8. A premises licence was first issued in respect of the premises known as Mambo 190 Bar & Lounge, 190-192 Old Kent Road, London SE1 5TY on 10 January 2022. This was as a result of the transfer of a previous licence held under the name 'Costa Azul Mexican Bar & Grill' which had previously operated from 6 August 2007 to 9 January 2022.
9. As mentioned further in Paragraph 21 (below), Costa Azul Mexican Bar & Grill underwent multiple transfer applications from 6 August 2007 to 9 January 2022 before the business was finally transferred to Diego Fernández trading as Mambo 190 Bar & Lounge. Despite these multiple changes, the premises licence in place remains the same as originally granted on 6 August 2007 to Costa Azul Mexican Bar & Grill and currently allows for the following:
  - **The opening hours of the premises:**
    - Sunday to Wednesday: 07:00 to 01:30
    - Thursday: 07:00 to 02:00
    - Friday and Saturday: 07:00 to 04:00

- **Live music – indoors:**
  - Monday to Thursday: 11:00 to 00:00
  - Friday and Saturday: 11:00 to 03:30
  - Sunday: 11:00 to 02:00
- **Recorded music – indoors:**
  - Monday to Thursday: 11:00 to 00:00
  - Friday and Saturday: 11:00 to 03:00
  - Sunday: 11:00 to 02:00
- **Entertainment similar to live/recorded music – indoors:**
  - Monday to Thursday: 17:00 to 00:00
  - Friday to Saturday: 17:00 to 03:00.
  - Sunday: 12:00 to 01:00
- **Performance of dance – indoors:**
  - Monday to Thursday: 18:00 to 00:00
  - Friday: 17:00 to 01:00
  - Saturday: 17:00 to 02:00
  - Sunday: 17:00 to 00:00
- **Facilities for dancing – indoors:**
  - Monday to Thursday: 17:00 to 00:00
  - Friday to Saturday: 17:00 to 03:00
  - Sunday: 12:00 to 01:00
- **Late night refreshment – indoors:**
  - Sunday to Thursday: 23:00 to 01:00
  - Friday and Saturday: 23:00 to 02:00
- **Sale by retail of alcohol to be consumed (on the premises):**
  - Monday to Wednesday: 11:00 to 00:00
  - Thursday: 11:00 to 01:00
  - Friday and Saturday: 10:00 to 03:00
  - Sunday: 10:00 to 01:00.

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

### **The variation application**

11. On 8 August 2023, Diego Eduardo Zambrano Fernández initially applied to this council to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Mambo 190 Bar & Lounge, 190-192 Old Kent Road, London SE1 5TY.

12. The variation application, which can be found at Appendix B, can be summarized as follows:

- **To change the opening hours of the premises to read as follows:**
  - Monday to Wednesday: 07:00 to 01:30
  - Thursday: 07:00 to 02:30
  - Friday and Saturday: 07:00 to 04:30
  - Sunday: 07:00 to 02:30
- **To change the hours for recorded music – indoors to read as follows:**
  - Monday to Wednesday: 11:00 to 01:00
  - Thursday: 11:00 to 02:00
  - Friday and Saturday: 11:00 to 04:00
  - Sunday: 11:00 to 02:00
- **To change the hours for performances of dance – indoors to read as follows:**
  - Monday to Wednesday: 11:00 to 01:00
  - Thursday: 11:00 to 02:00
  - Friday and Saturday: 11:00 to 04:00
  - Sunday: 11:00 to 02:00
- **To change the hours for live and recorded music – indoors to read as follows:**
  - Monday to Wednesday: 11:00 to 01:00
  - Thursday: 11:00 to 02:00
  - Friday and Saturday: 11:00 to 04:00
  - Sunday: 11:00 to 02:00
- **To change the hours for late night refreshment – indoors to read as follows:**
  - Monday to Wednesday: 23:00 to 01:00
  - Thursday: 23:00 to 02:00
  - Friday and Saturday: 23:00 to 03:00
  - Sunday: 23:00 to 02:00
- **To apply for supply of alcohol (for consumption on the premises) as follows:**
  - Monday to Wednesday: 11:00 to 01:00
  - Thursday: 11:00 to 02:00
  - Friday and Saturday: 11:00 to 04:00
  - Sunday: 11:00 to 02:00.

### **Representations from responsible authorities**

13. Representations were received from the Metropolitan Police Service and the environmental protection team.
14. The representation from the police states that the application did not address the licensing objectives, offered no real specific proposed conditions that could be meaningfully enforced and had the potential to impact on crime and disorder in the immediate area around the premises. However, both the applicant and the police have been able to reach an agreement over these concerns by way of additional agreed conditions.
15. The police representation and the subsequent conciliation can be found at Appendix C.
16. The representation from the environmental protection team echoed the comments from the police about conditions not being readily offered to address any concerns the variation might present, that the existing conditions on the licence are quite minimal and that there were significant numbers of residential properties in close proximity to the premises. The submission from the environmental protection team also mentioned complaints referred to them
17. The representation from the environmental protection tea can be found at Appendix D.

### **Representations from other persons**

18. Three residential objections were received in respect of this application. These mainly related to the prevention of crime and disorder and prevention of public nuisance licensing objectives. It was remarked that there had previously been drunken and anti-social behaviour, as well as crime and disorder, outside the premises. It was also mentioned that the noise from the premises was currently excessive and that patrons frequently urinate in the immediate areas around the premises too. Consequently, all objectors have raised concerns with extending hours of operation and activities.
19. Copies of the residential objections can be found at Appendix E.

### **Conciliation**

20. As mentioned, matters have since been resolved between the applicant and the police. However, we have yet to receive notification that the environmental protection team or the residents have withdrawn their representations, thus triggering the need for a sub-committee hearing to consider the application.

### **Premises licensing history**

21. As mentioned in Paragraph 7 to 8 (above), the premises licence currently in place has not materially changed since it was originally granted by the authority on 6 August 2007. However, the premises licence has been subject to the following events and changes:



Date	Event
6 August 2007	Wilson Delgado trading as Costa Azul Mexican Bar & Grill first granted premises licence
4 December 2014	DPS Variation granted
21 April 2016	DPS Variation granted
13 September 2016	Premises Licence transferred to Alejandro Mendez trading as Costa Azul Mexican Bar & Grill
28 July 2017	Premises Licence transferred to Edison Cruz trading as Costa Azul Mexican Bar & Grill
26 February 2020	Expedited Review applied for by the Metropolitan Police, but this was subsequently rescinded
11 March 2020	Premises Licence transferred to Elvis Valarezo trading as Costa Azul Mexican Bar & Grill
	DPS Variation granted
5 June 2020	Minor Variation (to change conditions) refused
24 May 2021	Premises Licence transferred to Kattarina Osorio trading as Costa Azul Mexican Bar & Grill
27 December 2021	Variation Application (to extend licensable activities Thursday to Saturday) but this was subsequently withdrawn
10 January 2022	Premises Licence transferred to Diego Fernández trading as Mambo 190 Bar & Lounge
11 January 2022	DPS Variation granted

### Temporary event notices (TENs)

22. Since the transfer of the premises licence on 10 January 2022, the following TENs have been granted in relation to the premises by the applicant:

**TENs granted for Costa Azul Mexican Bar & Grill:**

<b>Received</b>	<b>Start/End Date</b>	<b>Times</b>	<b>Maximum Number of People</b>	<b>Sale of Alcohol</b>	<b>Regulated Entertainment</b>	<b>Late Night Refreshment</b>
28/07/21	07/08/21	03:00 until 06:00	150	Yes	Yes	Yes
13/08/21	22/08/21	03:00 until 06:00	150	Yes	Yes	Yes
19/08/21	30/08/21	01:00 until 06:00	150	Yes	Yes	Yes
03/09/21	12/09/21	03:00 until 06:00	150	Yes	Yes	Yes
10/09/21	19/09/21	03:00 until 06:00	150	Yes	Yes	Yes
17/09/21	25/09/21	03:00 until 06:00	150	Yes	Yes	Yes
17/09/21	27/09/21	01:00 until 05:00	150	Yes	Yes	Yes
24/09/21	03/10/21	03:00 until 06:00	150	Yes	Yes	Yes
01/10/21	10/10/21	03:00 until 06:00	150	Yes - on premises	Yes	Yes
08/10/21	17/10/21	03:00 until 06:00	150	Yes	Yes	Yes
15/10/21	24/10/21	03:00 until 06:00	150	Yes	Yes	Yes
22/10/21	31/10/21	03:00 until 07:00	150	Yes	Yes	Yes
27/10/21	07/11/21	03:00 until 07:00	150	Yes	Yes	Yes

Received	Start/End Date	Times	Maximum Number of People	Sale of Alcohol	Regulated Entertainment	Late Night Refreshment
03/11/21	12/11/21	01:00 until 05:00	150	Yes	Yes	Yes

**TENs granted for Mambo 190 Bar & Lounge:**

Received	Start/End Date	Times	Maximum Number of People	Sale of Alcohol	Regulated Entertainment	Late Night Refreshment
21/01/22	30/01/22	03:00 until 07:00	150	Yes	Yes	Yes
30/03/22	17/04/22 to 18/04/22	03:00 until 06:00 on 17/04 0100 until 0600 on 18/04	150	Yes	Yes	Yes
21/04/22	30/04/22 to 02/05/22	03:00 until 06:00 on 30/04 01:00 until 06:00 on 02/05	150	Yes	Yes	Yes
16/05/22	03/06/22 to 05/06/22	01:00 until 06:00 on 03/06 03:00 until 06:00 on 04/06 and 05/06	150	Yes	Yes	Yes

Received	Start/End Date	Times	Maximum Number of People	Sale of Alcohol	Regulated Entertainment	Late Night Refreshment
30/07/22	13/08/22 to 15/08/22	03:00 until 06:00 on 13/08 and 14/08 01:00 until 06:00 on 15/08	150	Yes	Yes	Yes
02/08/22	20/08/22 to 22/08/22	03:00 until 06:00 on 20/08 and 21/08 01:00 until 06:00 on 22/08	150	Yes	Yes	Yes
10/08/22	25/08/22 to 28/08/22	01:00 until 06:00 daily	150	Yes	Yes	Yes
09/09/22	17/09/22	03:00 until 07:00	150	Yes	Yes	Yes
17/10/22	29/10/22 to 02/10/22	03:00 until 07:00 daily	150	Yes	Yes	Yes
14/11/22	27/11/22	03:00 until 07:00	150	Yes	Yes	Yes
14/11/22	04/12/22	03:00 until 07:00	150	Yes	Yes	Yes
28/11/22	10/12/22	03:00 until 07:00	150	Yes	Yes	Yes

Received	Start/End Date	Times	Maximum Number of People	Sale of Alcohol	Regulated Entertainment	Late Night Refreshment
11/12/22	24/12/22	03:00 until 07:00	150	Yes	Yes	Yes
14/12/22	01/01/23	03:00 until 07:00	150	Yes	Yes	Yes
03/01/23	14/01/23	03:00 until 07:00	150	Yes	Yes	Yes
16/01/23	29/01/23	03:00 until 07:00	150	Yes	Yes	Yes
09/02/23	19/02/23	03:00 until 07:00	150	Yes	Yes	Yes
16/03/23	26/03/23	03:00 until 07:00	150	Yes	Yes	Yes
17/04/23	01/05/23	01:00 until 07:00	150	Yes	Yes	Yes
21/04/23	30/04/23 to 01/05/23	01:00 until 07:00	150	Yes	Yes	Yes
24/04/23	08/05/23	01:00 until 07:00	150	Yes	Yes	Yes
16/05/23	28/05/23 to 29/05/23	03:00 until 07:00	150	Yes	Yes	Yes
24/05/23	03/06/23 to 05/06/23	03:00 until 07:00 on 03/06 and 04/06 01:00 until 07:00 on 05/06	150	Yes	Yes	Yes

Received	Start/End Date	Times	Maximum Number of People	Sale of Alcohol	Regulated Entertainment	Late Night Refreshment
26/05/23	10/06/23 to 12/06/23	03:00 until 07:00 on 10/06 and 11/06 01:00 Until 07:00 On 12/06	150	Yes	Yes	Yes
31/05/23	17/06/23 to 18/06/23	03:00u niti 07:00 daily	150	Yes	Yes	Yes
13/06/23	01/07/23	03:00 until 07:00	150	Yes	Yes	Yes
23/06/23	02/07/23	03:00 until 07:00	150	Yes	Yes	Yes
23/06/23	01/07/23 to 02/07/23	03:00 until 07:00	150	Yes	Yes	Yes
16/08/23	27/08/23 to 28/08/23	03:00 until 06:00 daily	100	Yes	Yes	Yes
07/09/23	16/09/23	03:00 until 06:00 daily	150	Yes	Yes	Yes
18/10/23	28/10/23 to 29/10/23	03:00 until 06:00 daily	150	Yes	Yes	Yes

### Complaints

23. Since the transfer of the licence to Diego Fernández trading as Mambo 190 Bar & Lounge, the licensing unit has only received complaint in respect of the premises. This complaint, which was received following receipt of the variation application, is as follows:

Date	Complainant	Complaint	Outcome
11/09/23	Local Resident	<p>The following issues have been observed:</p> <ol style="list-style-type: none"> <li>1. Noise pollution</li> <li>2. Public nuisance</li> <li>3. Violence.</li> </ol> <p>I understand that the nightclub Mambo 190 is required to adhere to certain regulations and guidelines to operate lawfully.</p> <p>However, it appears that these guidelines are constantly being breached resulting in the aforementioned issues, we the residents believe the following actions need to be taken:</p> <ol style="list-style-type: none"> <li>1. Increased monitoring</li> <li>2. Noise control measures</li> <li>3. Increase in security and policing</li> <li>4. Regular reviews and communication.</li> </ol>	<p>Visit made to the premises at 8.58pm on 15 September 2023 to relay resident's concerns. The variation was discussed, as well as the applicant indicating that they would be adding sound-proofing to the premises and to add a sound-proofed lobby (to be completed).</p> <p>Conversation followed up in writing to licence holder on 18 September 2023.</p>

### Map

24. A map showing the location of the premises is attached to this report as Appendix F and the following premises are also within the immediate vicinity:

#### **Presidential Restaurant, 162-164 Old Kent Road, London SE1 5TY:**

- **Late night refreshment - indoors:**
  - Monday to Sunday: 23:00 to 02:00
- **Sale by retail of alcohol (to be consumed on and off premises):**
  - Monday to Saturday: 10:00 to 02:00
  - Sunday: 12:00 to 02:00
- **Opening hours:**
  - Monday to Saturday: 10:00 to 02:30
  - Sunday: 11:00 to 02:30

**Modern Supermarket, 179-179 Old Kent Road, London SE1 5NA:**

- **Sale by retail of alcohol (to be consumed off premises):**
  - Monday to Saturday: 08:00 to 23:00
  - Sunday: 10:00 to 22:30
- **Opening hours:**
  - Monday to Saturday: 08:00 to 23:00
  - Sunday: 10:00 to 22:30

**Daniels Bar & Restaurant, 207 Old Kent Road, London SE1 5NA:**

- **Late night refreshment – indoors:**
- - Monday to Saturday: 23:00 to 00:30
  - Sunday: 23:00 to 00:00
- **Sale by retail of alcohol (to be consumed on premises):**
  - Monday to Saturday: 11:00 to 00:00
  - Sunday: 12:00 to 23:30
- **Opening hours:**
  - Monday to Saturday: 11:00 to 00:30
  - Sunday: 12:00 to 00:00

**Le Joint Wine & Snacks Bar, 193 Old Kent Road, London SE1 5NA:**

- **Late night refreshment – indoors:**
  - Tuesday to Sunday: 23:00 to 02:30
- **Sale by retail of alcohol (to be consumed on and off premises):**
  - Monday to Sunday: 10:00 to 02:30
- **Opening hours:**
  - Monday to Sunday: 10:00 to 03:00

**Tropical, 186-188 Old Kent Road, London SE1 5TY:**

- **Recorded music – indoors:**
  - Monday to Sunday: 23:00 to 00:00
- **Performance of dance – indoors:**
  - Monday to Sunday: 20:00 to 00:00.



- **Entertainment similar to live/recorded music – Indoors:**
  - Monday to Sunday: 20:00 to 00:00
- **Late night refreshment – indoors:**
  - Monday to Sunday: 23:00 to 00:00
- **Sale by retail of alcohol (to be consumed on premises):**
  - Monday to Sunday: 11:00 to 00:00
- **Opening hours:**
  - Monday: 10:00 to 00:30
  - Tuesday: 10:00 to 01:30
  - Wednesday to Sunday: 10:00 to 00:30

**Eurotraveller Hotel, 194-202 Old Kent Road, London SE1 5TY:**

- **Live music – indoors:**
  - Monday to Sunday: 11:00 to 23:00
- **Recorded music – indoors:**
  - Monday to Sunday: 11:00 to 23:00
- **Performance of dance – indoors:**
  - Monday to Sunday: 11:00 to 23:00
- **Facilities for dancing – indoors:**
  - Monday to Sunday: 11:00 to 23:00
- **Provisions similar to making music and dancing – indoors:**
  - Monday to Sunday: 11:00 to 23:00
- **Sale by retail of alcohol (to be consumed on premises):**

Bar and restaurant:

  - Monday to Saturday: 09:00 to 23:00
  - Sunday: 09:00 to 22:00

Hotel bar only:

  - Monday to Sunday: 00:00 to 00:00

- **Opening hours:**
  - Monday to Sunday: 00:00 to 00:00

**New Wing Fu, 227 Old Kent Road, London SE1 5LU**

- **Late night refreshment – indoors:**
  - Monday to Sunday: 12:00 to 00:00
- **Sale by retail of alcohol (to be consumed off premises):**
  - Monday to Sunday: 12:00 to 00:00
- **Opening hours:**
  - Monday to Sunday: 12:00 to 00:00

**Boulevard Coffee, 224 Old Kent Road, London SE1 5UB:**

- **Live music – indoors:**
  - Sunday to Thursday: 11:00 to 00:00
  - Friday and Saturday: 11:00 to 00:30
- **Recorded music – indoors:**
  - Sunday to Thursday: 11:00 to 00:00
  - Friday and Saturday: 11:00 to 00:30
- **Performance of dance – indoors:**
  - Sunday to Thursday: 11:00 to 00:00
  - Friday and Saturday: 11:00 to 00:30
- **Entertainment similar to live/recorded music/dance – indoors:**
  - Sunday to Thursday: 11:00 to 00:00
  - Friday and Saturday: 11:00 to 00:30
- **Late night refreshment – indoors:**
  - Sunday to Thursday: 23:00 to 00:00
  - Friday and Saturday: 23:00 to 00:30
- **Sale by retail of alcohol (to be consumed on premises):**
  - Sunday to Thursday: 11:00 to 00:00
  - Friday and Saturday: 11:00 to 00:30

- **Opening hours:**
  - Sunday to Thursday: 08:00 to 00:30.
  - Friday and Saturday: 08:00 to 01:00.

### **Southwark Council statement of licensing policy**

25. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
26. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
  - Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
  - Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
  - Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
  - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification.
  - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
  - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
  - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
  - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
27. 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.
28. Members should take into consideration both the Southwark statement of licensing policy and the Section 182 Guidance when making decisions. The links for these are below:

Southwark Policy:

<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>

Section 182 Guidance:

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

### **Cumulative impact area (CIA)**

29. The premises does not fall within a cumulative impact area (CIA).
30. Under the Southwark's statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within this area:
  - Restaurants and cafes:
    - Monday to Sunday: 23:00
  - Public houses, wine bars or other drinking establishments:
    - Monday to Sunday: 23:00
  - Off-licences:
    - Monday to Sunday: 23:00
  - Cinemas:
    - Monday to Sunday: 23:00.
31. It should be noted that nightclubs and takeaways are not considered appropriate for this area.

### **Climate change implications**

32. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
33. Climate change is not a legal factor in the consideration of a grant of a premises license under the current licensing objectives, however members can make enquiries and request an agreement from applicants to promote the reduction of the impact of climate change that may be caused by the operation of the premises.
34. Examples of such agreements may be:
  - Not use single use plastics, such as disposable plastic glasses, when selling alcohol at the premises.
  - Encourage patrons not to drive to venues by providing details of public transport on their webpages/tickets.

35. The council's climate change strategy is available at:

<https://www.southwark.gov.uk/assets/attach/48607/Climate-Change-Strategy-July-2021-.pdf>

## **Community, equalities (including socio-economic) and health impacts**

### **Community impact statement**

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

### **Equalities (including socio-economic) impact statement**

37. This report does not result in a policy decision and each application is required to be considered upon its own individual merits with all relevant matters taken into account. In considering the recommendations of this report, due regard must be given to the public sector equality duty set out in section 149 of the Equality Act 2010. This requires the council to consider all individuals when carrying out its functions.
38. Importantly, the council must have due regard to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct; advance equality of opportunity and foster good relations between people who have protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The public sector equality duty also applies to marriage and civil partnership, but only in relation to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct.
39. The equalities impact statement for licensing decisions is contained within the Southwark statement of licensing policy 2021 – 2026 at:

<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>.

40. The equalities impact assessment is available at:

<https://moderngov.southwark.gov.uk/documents/s92016/Appendix%20F%20-%20Equalities%20Impact%20Assessment.pdf>

### **Health impact statement**

41. Health impacts cannot be considered by law when making decisions under the Licensing Act 2003.

### **Resource implications**

42. A fee of £315 has been paid by the applicant in respect of this application being the statutory fee payable for premises within non-domestic rateable value C.

## **Consultation**

43. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and a similar notice was exhibited outside of the premises for a period of over 28 consecutive days. This was because the applicant had advertised the application before it was deemed by the authority to be full and proper. Consequently, the applicant was asked to continue advertising (by way of the blue notice) and re-advertise (in the case of the newspaper advertisement) accordingly.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Assistant Chief Executive – Governance and Assurance**

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

### **Principles for making the determination**

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

### **Conditions**

50. 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.

51. The four licensing objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of nuisance
- The protection of children from harm.

52. 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.

53. 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.

54. 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**

55. 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**

56. 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.

57. 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**

58. 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.

59. 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.

60. 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.

61. 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.

62. 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.

63. 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.



64. 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.
65. 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

66. 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, Finance

67. 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	Current premises licence
Appendix B	Variation application
Appendix C	Police representation and conciliation
Appendix D	Environmental protection team representation
Appendix E	Representations from other persons
Appendix F	Premises licence map

## AUDIT TRAIL

<b>Lead Officer</b>	Caroline Bruce, Strategic Director of Environment, Neighbourhoods and Growth	
<b>Report Author</b>	Matt Tucker, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	26 October 2023	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Strategic Director, Finance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		27 October 2023

# Licensing Act 2003 Premises Licence



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

Premises licence number

876490

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Mambo 190 Bar & Lounge 190-192 Old Kent Road London SE1 5TY	
Ordnance survey map reference (if applicable), 533329178564	
<b>Post town</b> London	<b>Post code</b> SE1 5TY
<b>Telephone number</b> [REDACTED]	

<b>Where the licence is time limited the dates</b>
--

<b>Licensable activities authorised by the licence</b>
Live Music - Indoors Recorded Music - Indoors Performance of Dance - Indoors Entertainment Similar to live/recorded music - Indoors Facilities for Dancing - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises

<b>The opening hours of the premises</b>
For any non standard timings see <b>Annex 2</b>
Monday            07:00 - 01:30
Tuesday          07:00 - 01:30
Wednesday       07:00 - 01:30
Thursday         07:00 - 02:00
Friday            07:00 - 04:00
Saturday         07:00 - 04:00
Sunday            07:00 - 01:30

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

**The times the licence authorises the carrying out of licensable activities**

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

**Live Music - Indoors**

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 00:00
Friday	11:00 - 03:30
Saturday	11:00 - 03:30
Sunday	11:00 - 02:00

**Recorded Music - Indoors**

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 00:00
Friday	11:00 - 03:00
Saturday	11:00 - 03:00
Sunday	11:00 - 02:00

**Performance of Dance - Indoors**

Monday	18:00 - 00:00
Tuesday	18:00 - 00:00
Wednesday	18:00 - 00:00
Thursday	18:00 - 00:00
Friday	17:00 - 01:00
Saturday	17:00 - 02:00
Sunday	17:00 - 00:00

**Entertainment Similar to live/recorded music - Indoors**

Monday	17:00 - 00:00
Tuesday	17:00 - 00:00
Wednesday	17:00 - 00:00
Thursday	17:00 - 00:00
Friday	17:00 - 03:00
Saturday	17:00 - 03:00
Sunday	12:00 - 01:00

**Facilities for Dancing - Indoors**

Monday	17:00 - 00:00
Tuesday	17:00 - 00:00
Wednesday	17:00 - 00:00
Thursday	17:00 - 00:00
Friday	17:00 - 03:00
Saturday	17:00 - 03:00
Sunday	12:00 - 01:00

**Late Night Refreshment - Indoors**

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

**Sale by retail of alcohol to be consumed on premises**

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday	10:00 - 03:00
Saturday	10:00 - 03:00
Sunday	10:00 - 01:00

**Part 2**

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

Diego Eduardo Zambrano Fernández

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

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

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

Elvis Vicente Pico Valarezo

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

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

[REDACTED]  
Authority London Borough of Southwark

Licence Issue date 10/01/2022

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

## Annex 1 - Mandatory conditions

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

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

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

**107** Any individual carrying out security activities at the premises must be.

- (a) authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) entitled to carry out that activity by virtue of section 4 of that Act.

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

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

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

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

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

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

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

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

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

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

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

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

- (a) a holographic mark; or
- (b) an ultraviolet feature.

**489** The responsible person shall ensure that -

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

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

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

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

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

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

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

(b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

(i) P is the permitted price,



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

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

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

(i) the holder of the premises licence;

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

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

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

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

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

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

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

**Annex 2 - Conditions consistent with the operating Schedule**

**288** That the CCTV system installed upon the premises shall be maintained in good working condition and operable at all times

**289** That recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days

**290** That an SIA registered door supervisor be employed in order to supervise admissions to and departures from the premises and to ensure that the premises maximum accommodation limit is not exceeded.

**308** The last permitted time for ordering a meal to be 12.30am on the days Sunday to Thursday and after 2.30am on the days Friday and Saturday.

**332** All children on the premises under 16 will be accompanied by a parent or responsible adult at all times

**334** That an age identification scheme shall be established and maintained. The scheme shall Require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol

**336** A personal licence holder shall be on the premises at all times that intoxicating liquor is supplied

**342** A recognised Training scheme for all the staff concerned with the sale or supply of intoxicating liquor.

**343** The last permitted time for ordering a meal to be 12.30am on the days Sunday to Thursday and after 2.30am on the days Friday and Saturday.

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

**Annex 4 - Plans - Attached**

Licence No. 876490

Plan No. N/A

Plan Date 11 May 2007

08/08/2023

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

Ref No. 2063932

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

	Diego Eduardo Zambrano Fernandez
Premises licence number	876512

## Notes for Guidance

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

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

licensable.

- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

- o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

- o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;

- o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and

- o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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

5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

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

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

8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.

9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

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

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

12. The application form must be signed.

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

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

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

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

£	33250
---	-------

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

Address Line 1	190-192 OLD KENT ROAD
Address Line 2	
Town	LONDON
County	
Post code	SE1 5TY
Ordnance survey map reference	533329178564
Description of the location	
Telephone number	██████████

Part 2 - Applicant details

Daytime contact telephone number	██████████
Email address	████████████████████
Postal Address if different from premises address	██
Town / City	LONDON
Postcode	██████████

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

Please tick	Yes
-------------	-----

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

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

	No
--	----

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

	Extention of existing hours
--	-----------------------------

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

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

Notes

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

IN ALL CASES COMPLETE BOXES K, L AND M

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

	f) Recorded music (If ticking, fill in box F)
	g) Performance of dance (If ticking, fill in box G)
	h) anything of similair description to that falling within (e), (f) or (g) (Fill in box H)

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

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

Supply of alcohol (if ticking fill in box J)

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

In all cases complete boxes K, L and M

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

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

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



	All activities are indoor
--	---------------------------

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

Day	Start	Finish
Mon	11:00	01:00
Tues	11:00	01:00
Wed	11:00	01:00
Thur	11:00	02:00
Fri	11:00	04:00
Sat	11:00	04:00
Sun	11:00	02:00

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

--	--

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

--	--

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. 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.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week you intend the premises to be used for the activity.

Will the performances of dance take place indoors or outdoors or both? ( Please read guidance note 4 )

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

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

	indoor only
--	-------------

Standard days and timings for Performance of dance ( Please read guidance note 8 )

Day	Start	Finish
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Mon	11:00	01:00
Tues	11:00	01:00
Wed	11:00	01:00
Thur	11:00	02:00
Fri	11:00	04:00
Sat	11:00	04:00
Sun	11:00	02:00

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

--	--

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

--	--

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. 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.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week you intend the premises to be used for the activity.

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

	live music and recorded music
--	-------------------------------

Will the entertainment take place indoors or outdoors or both? ( Please read guidance note 4 )

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

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

	all entertainment is indoors
--	------------------------------

Standard days and timings for Anything of a similiar description to that falling within (e), (f) or (g) ( Please read guidance note 8 )

Day	Start	Finish
Mon	11:00	01:00

Tues	11:00	01:00
Wed	11:00	01:00
Thur	11:00	02:00
Fri	11:00	04:00
Sat	11:00	04:00
Sun	11:00	02:00

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) ( Please read guidance note 6 )

--	--

Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed. ( Please read guidance note 7 )

--	--

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. 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.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week you intend the premises to be used for the activity.

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

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

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

	music will be amplified
--	-------------------------

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

Day	Start	Finish
Mon	23:00	01:00
Tues	23:00	01:00
Wed	23:00	01:00
Thur	23:00	02:00
Fri	23:00	03:00
Sat	23:00	03:00

Sun	23:00	02:00
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State any seasonal variations for the provision of late night refreshment ( Please read guidance note 6 )

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

--	--

- 4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 5. 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.
- 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week you intend the premises to be used for the activity.

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

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

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

Day	Start	Finish
Mon	11:00	01:00
Tues	11:00	01:00
Wed	11:00	01:00
Thur	11:00	02:00
Fri	11:00	04:00
Sat	11:00	04:00
Sun	11:00	02:00

State any seasonal variations for the supply of alcohol ( Please read guidance 6 )

--	--

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

--	--

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

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

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

9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'.  
If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'.

If you wish people to be able to do both, please tick 'both'.

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children ( Please read guidance note 10 )

	none
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Guidance Notes

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

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

Day	Start	Finish
Mon	07:00	01:30
Tues	07:00	01:30
Wed	07:00	01:30
Thur	07:00	02:30
Fri	07:00	04:30
Sat	07:00	04:30
Sun	07:00	02:30

State any seasonal variations ( Please read guidance note 6 )

--	--

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

--	--

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

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

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

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

--	--

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

	<a href="#">new-licence-mambo.pdf</a>
	Please tick otherwise state reason for not uploading

Reason for not uploading the premises licence

--	--

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

	please see attached operating schedule
--	--

b) the prevention of crime and disorder

	please see attached operating schedule
--	--

c) public safety

	please see attached operating schedule
--	--

d) the prevention of public nuisance

	please see attached operating schedule
--	--

e) the protection of children from harm

	please see attached operating schedule
--	--

Guidance note 11

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

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

Upload proposed plans	
-----------------------	--

Upload existing plans	
-----------------------	--

## Checklist

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

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

I agree to the above statement

	I agree
PaymentDescription	██████████
AuthCode	██████
LicenceReference	██████████
PaymentContactEmail	

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

Full name	Noel Samaroo
Date (DD/MM/YYYY)	08/05/2023
Capacity	duly authorised agent

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

Full name	Noel Samaroo
Date (DD/MM/YYYY)	
Capacity	Crawley

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

Contact name and address for correspondence	NTAD Consultants Ltd 105 Stone Court, Crawley RH10 7RY
Telephone No.	██████████
If you prefer us to correspond with you by e-mail, your email address (optional)	██████████

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

GUIDANCE NOTES

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

Please tick to indicate agreement

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

Please upload proof of entitlement to work in the UK

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

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

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

I agree to the above statement

	Yes
--	-----

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

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

Once you complete form you will be redirected to payments and won't be able to return back.

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.



**From:** [Walter.MinkaAgyeman@met.police.uk](mailto:Walter.MinkaAgyeman@met.police.uk)  
<[Walter.MinkaAgyeman@met.police.uk](mailto:Walter.MinkaAgyeman@met.police.uk)>  
**Sent:** Tuesday, October 10, 2023 5:27 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** Mambo Variation Application Objection

Good afternoon,

Please find attached the police objection to the Mambo 190 Bar & Lounge, 190-192 Old Kent Road, SE1 5TY.

Kind regards,

PC WALTER MINKA AGYEMAN 1264AS  
SOUTHWARK LICENSING TEAM |Southwark Police Station|  
305 Borough High Street, SE1 1JH  
Airwave: 562481  
Email: [REDACTED]





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

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

Tel: 020 7232 6756

Email:

SouthwarkLicensing@met.police.uk

**Date: 10/10/2023**

**Re: Mambo 190 Bar & Lounge, 190-192 Old Kent Road, SE1 5TY**

Dear Sir/Madam,

Police are in possession of an application from the above for a full variation to the current premises licence of the above venue. The venue is a restaurant and bar and the application looks to extend their hours of operation and requests the following.

**“This is a Variation application to extend the operating hours, designed for a fully functioning Restaurant/Bar and Lounge to operate from the premises with Robust Conditions to ensure there is no negative impact on the Licensing Objectives or the Local community.**

**This Premises has submitted over the past year many TEN applications for later hours all without incident or complaint, for a more permanent solution we have submitted this Variation.”**

The application does attempt to cover the licensing objectives and show a willingness to work towards having a safe premises. The application however doesn't effectively address areas of concern in an enforceable manner as the proposed conditions are quite vague and open to interpretation to the point that they could be bypassed without a way for enforcement by police or any authority.

The Police object to this application as it is believed that if the license is to be granted in its current form it would have a negative impact on all of the licensing objectives in particular that of the Prevention of crime and disorder.

Submitted for your consideration.

Yours Sincerely

*Working for a safer Southwark*

PC Walter MINKA AGYEMAN 1264AS

Licensing Officer  
Southwark Police Licensing  
SouthwarkLicensing@met.police.uk

**From:** mark.A.Lynch@met.police.uk <mark.A.Lynch@met.police.uk>  
**Sent:** Thursday, October 26, 2023 11:08 AM  
**To:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>  
**Cc:** [REDACTED] Tucker, Matt <Matt.Tucker@southwark.gov.uk>  
**Subject:** Mambo 190 Bar & Lounge, 190-192 Old Kent Road, SE1 5TY ref 729

Good Morning

In view of the applicant and police agreeing to the below conditions in red to be placed upon the licence should it be granted, police would like to withdraw their objection to the granting of the full variation of the premises licence for Mambo 190 Bar & Lounge, 190-192 Old Kent Road, SE1 5TY

1. That a digital CCTV system shall be installed at the premises, shall be maintained in full working order and shall be continually recording at all times that the premises are in use. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises in all lighting conditions. The CCTV system shall be correctly time and date stamped at all times. The CCTV system shall cover all interior and exterior areas of the premises, including the frontage of the premises, and shall collect clearly defined / focused footage.
2. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available for inspection to officers of the police and any responsible authority officers.
3. There shall be at least one member of staff on duty at all times the premises are in operation, under its licence, trained and proficient in the operation of the CCTV system capable of operation and retrieving footage on request of the police or any responsible authority officer.
4. The venue shall nominate a member of staff to be a warden. That when licensable activities cease and at the time of the venue closing, encourage the patrons to leave the premises and the local area of the venue quietly to prevent anti-social behaviour. This duty shall be carried out in a high visibility clothing.
5. That a minimum of two(2) SIA registered door supervisors will be employed at the premises at all times after 22:00 hours on Thursday, Friday, Saturday and Sunday. They will be employed to control entry to the premises, to deal with the searching / scanning of customers, to deal with any anti-social or disorderly behaviour at the premises, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist management in liaising with the police regarding instances of crime and to assist with ensuring that the premises' dispersal policy is adhered to. When deployed, they shall remain at the premises until all patrons have vacated the premises and until at least 30 minutes after the premises close. The door supervisors shall be easily identifiable by hi-visibility garment.
6. That a minimum of one(1) SIA registered door supervisor will be employed at the premises at all times after 22:00 hours on a Monday, Tuesday, Wednesday when the terminal hours are beyond midnight. They will be employed to control entry to the premises, to deal with the searching / scanning of customers, to deal with any

anti-social or disorderly behaviour at the premises, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist management in liaising with the police regarding instances of crime and to assist with ensuring that the premises' dispersal policy is adhered to. When deployed, they shall remain at the premises until all patrons have vacated the premises. The door supervisors shall be easily identifiable by hi-visibility garment.

7. The security personnel shall be equipped with mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.

8. That when SIA security staff are deployed at the premises they shall be supplied with, and shall use, metal detectors (either metal detection arches or hand held metal detectors) to search all customer entries or re-entries to the premises. Prior to the premises opening the metal detectors shall be checked to ensure that they are in full working order. A log of such checks shall be kept at the premises and shall include the name of the person who undertook the check, the outcome of the check, and the time and date of the check. The log shall be made immediately available to responsible authority officer on request.

9. That a minimum of 2 SIA Security staff shall wear body worn video cameras and all footage is to be made available to police or council officers upon request.

10. Any individual carrying out security activities at the premises must be;

- a. authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- b. entitled to carry out that activity by virtue of section 4 of that Act.

11. The Security personnel and the chosen warden, at the time of the venue closing, shall encourage the patrols to disperse from the local area of the venue quietly and prevent any anti-social behaviour.

12. That an entry policy will be devised and maintained at the premises. A copy of the entry policy shall be kept at the premises with the premises licence and shall be made immediately available for inspection to all responsible authority officers on request. The entry policy shall cover (but not necessarily be limited to):

- I. Safe customer entry to the premises,
- II. If / when applicable searching / scanning of attendees,
- III. The barring of customer entry to the premises for any reason,
- IV. Restricted items (e.g. weapons / drugs or any other items restricted by the licensee),
- V. Pre-opening safety checks of the premises,
- VI. Dealing with overcrowding and / or crowd surges
- VII. Dealing with suspect packages

13. All relevant staff shall be trained in the implementation of the latest version of the entry policy and details of such training shall be recorded in the staff training logs at the premises.

14. That after 2300hrs all drinks shall be sold in cans or plastic bottles, or will be decanted into recyclable polycarbonate (or a similar recyclable material), or recyclable cardboard drinking receptacles. Glass drinking receptacles will not be used at the premises at any time after 2300hrs.

15. That staff shall carry out regular glass collections to ensure public safety .

16. That a dispersal policy to assist with patrons leaving the premises in an orderly and safe manner shall be devised and maintained regarding the premises. A copy of the dispersal policy shall be accessible at the premises at all times that the premises are in operation. The policy should include (but not necessarily be limited to) the following:

- i. Details as to how customer / staff egress at the premises shall be managed to minimise causing nuisance.
- ii. Details of public transport in the vicinity and how customers will be advised in respect of it.
- iii. Details of the management of taxis to and from the premises.
- iv. Details of the management of any 'winding down' period at the premises.
- v. Details of the use of security and stewarding in respect of managing customer dispersal from the premises.
- vi. Details of any cloakroom facility at the premises and how it is managed.
- vii. Details of road safety in respect of customers leaving the premises.
- viii. Details of the management of ejections from the premises.
- VIII Details as to how any physical altercations at the premises are to be managed
- IX. Details of how refuse / waste in the local vicinity arising through the operation of the premises will be cleared up (e.g. flyer clean up, post event clean up).

17. All relevant staff employed at the premises shall be trained in the latest version of the dispersal policy. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises. If the dispersal policy is a paper document then the signature of the trainees shall also be included. The dispersal policy shall be made immediately available to all responsible authority officers on request.

18. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers, at all exits from the premises and in any external areas, requesting to the effect that customers leave the premises and locale in a quiet and orderly manner with respect to local residents. The signage shall be kept free from obstructions at all times. Such signage shall be written in written in English and multilingual according to the client base at the venue.

19. That 'Ask for Angela' posters (or posters relating to whatever similar scheme may be recommended by the council and / or the police at any time) shall be displayed in the female toilet facilities and kept free from obstructions at all times. All staff shall be trained in the 'Ask for Angela' scheme (or similar scheme) and shall

perform the appropriate course of action in the event of a customer requesting assistance. Details of such training, including the printed name of the trainee and the date of the training, shall be recorded in the staff training logs at the premises.

20. The Premises must have a welfare and vulnerability policy and all staff must receive this training. All new staff must receive this training before starting their role and all staff must have refresher training every 12 months. All training must be recorded and these records must be available on immediate request by responsible authority officers.

21. That a zero tolerance policy to illegal drug use will be implemented and maintained at the premises. All staff shall be trained in respect of the premises drug policy and details of training shall be kept in the staff training records and made immediately available upon request by any responsible authority officer.

22. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers in the toilets advising to the effect that the taking of illegal drugs will not be tolerated at the premises. Such signage shall be kept free from obstructions at all times and written in English and multilingual according to the client base at the venue.

23. That staff shall regularly monitor the premises' toilets to ensure that they are in a clean and sanitary condition, that no prohibited and / or illegal activities are taking place in the toilets and to check customer safety.

24. That an incident log shall be kept at the premises to record details of any of the following occurrences at the premises:

- i. Instances of anti-social or disorderly behaviour
- ii. Calls to the police or other emergency services
- iii. Any complaints received
- iv. Ejections of people from the premises
- v. Visits to the premises by the local authority or emergency services
- vi. Any malfunction in respect of the CCTV system
- vii. All crimes reported by customers, or observed by staff
- viii. Any other relevant incidents

25. The incident log shall be completed at the time of the incident or immediately after without delay and shall include the time, date, location in the premises and description of each incident, details of any action taken in respect of the incident and the printed name of the person reporting the incident. The incident log shall be kept on the premises and made immediately available to responsible authority officers on request. All relevant staff employed at the premises shall be trained in the use of the incident log and a record of this training shall be kept on the premises and include a minimum of name and date of training. These records shall be made immediately available for inspection to responsible authority officers on request.

26. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers advising that no alcoholic drinks are permitted outside of the premises. Such signage shall be kept free from obstructions at all

times and shall be written in English and multilingual according to the client base at the venue.

27. That customers shall use no outside area other than those who temporarily leave the premises to smoke a cigarette with no more than four people permitted to smoke at one any time. The area should be clearly marked by rope/post barrier system and shall not encroach the car park area. The Sia and/or Staff shall instruct customers to stay within the designated area and the area will be controlled by Sia and/or Staff.

28. There shall be no new admissions or re-admissions of the public to the premises after 01.30 on Thursdays, Fridays, Saturdays and Sundays.

Kind regards

Mark Lynch Pc 2246AS

Central South BCU – Southwark | Licensing Team

Southwark Police Station

305 Borough High Street, SE1 1JH

Email: [REDACTED]





**From:** Prickett, Mark <[Mark.Prickett@southwark.gov.uk](mailto:Mark.Prickett@southwark.gov.uk)>  
**Sent:** Tuesday, October 10, 2023 4:47 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** EPT rep - variation of premises licence 190-192 Old Kent Road

Dear Licensing,

Southwark's Environmental Protection Team (EPT) have reviewed the variation application for Mambo 190 Bar and Lounge, 190-192 Old Kent Road, SE1 5TY

The current licence can be found through this link -  
<https://app.southwark.gov.uk/licensing/LicPremisesGrantedDetails.asp?systemkey=876512>

The existing permitted hours of opening are as follows:

- Sunday to Wednesday – 07:00 – 01:30
- Thursday – 07:00 – 02:00
- Friday & Saturday – 07:00 – 04:00

The proposed opening times are as follows:

- Thursdays - extra 30mins to 02:30
- Fridays & Saturdays – extra 30mins to 04:30
- Sundays – extra 1hour to 02:30

Licensable activities (recorded music, performance of dance & anything similar) are to continue to 30mins before proposed closing times.

A review of the premises history shows that there has been recent noise and public nuisance complaints alleged against the operation of the premises.

On Sunday 10<sup>th</sup> September at 03:35 there was a complaint to the Southwark's Noise Team that "called to report loud music and people screaming and shouting".

On Wednesday 13<sup>th</sup> September, Southwark's Licensing Team received a complaint alleging 'noise pollution, public nuisance and violence' from the operation of the premises.

Subsequently a visit was made by Southwark officers on Friday 15<sup>th</sup> September to the premises who met with the manager Alejandro Ortiz. It was *"advised they are planning to put in sound proofing and showed insulating materials out the back to be put on walls and ceiling. They are also going to put two sets of doors to the front to create a soundproofed lobby. None of this work has been done yet. All the tables and chairs seem to have effectively been removed from most of the interior."*

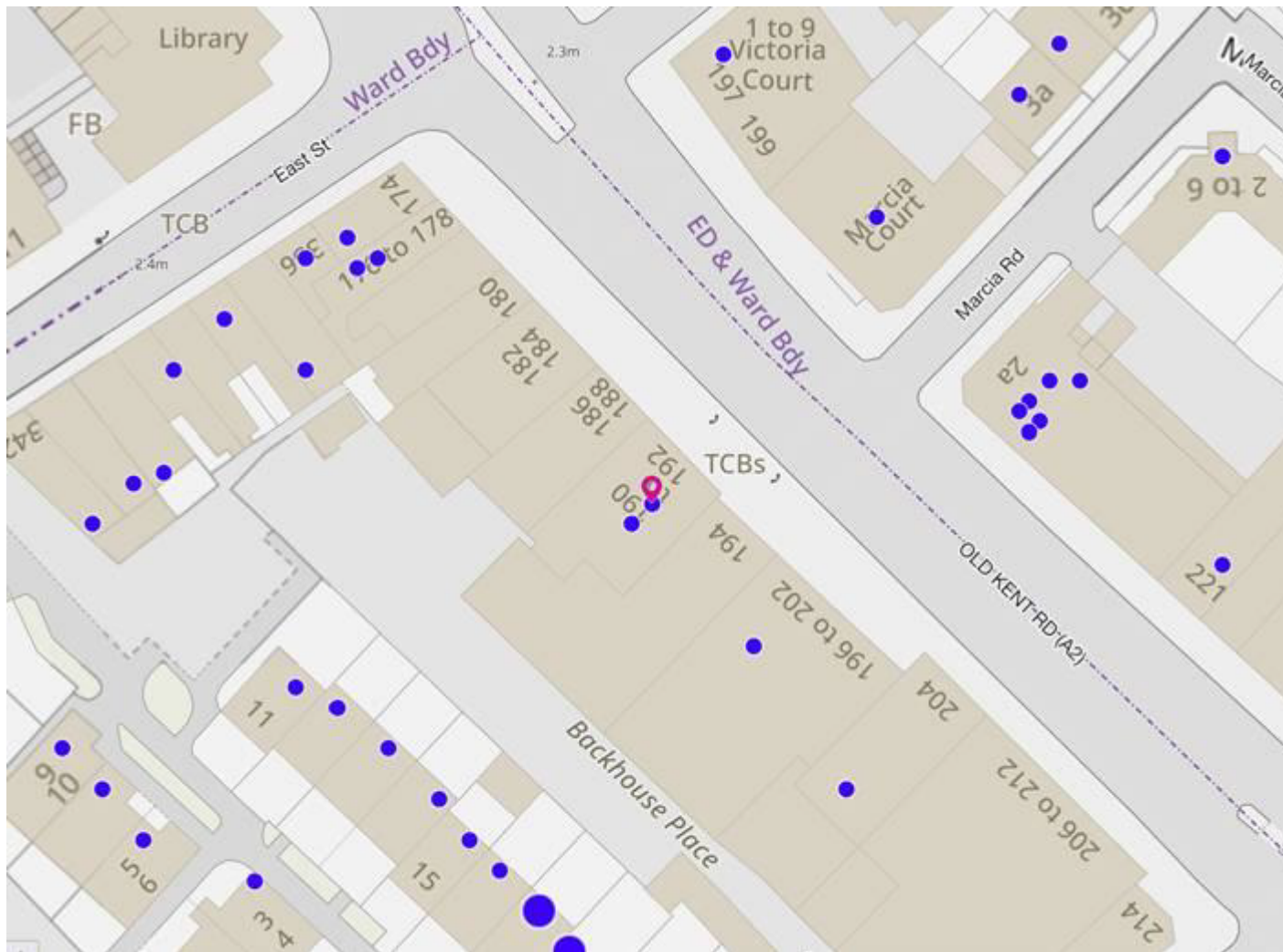
A review of the existing licence confirms that there are minimal conditions attached to address the prevention of public nuisance licensing objective.

EPT have reviewed the proposed operating schedule where new conditions are proposed. Whilst further conditions are welcome, it is considered that these

conditions do not fully address the prevention of public nuisance licensing objective considering the hours and licensable activities proposed.

Furthermore the recent complaints raise concerns over the existing permitted hours and operations at the premises that are alleged to be causing public nuisance.

The below map shows the amount of residential properties (in blue dots) in close proximity to the premises.



In summary EPT make representation against this application. EPT have concerns over the recent complaints made against the existing operations, the lack of adequate conditions proposed for the proposed changes, as well as the late night hours sought with so many residential properties in close proximity.

EPT would welcome further comment from the applicant on the issues raised.

Kind regards,

**Mark Prickett**  
**Principal Environmental Protection Officer**  
Environmental Protection Team  
Tel: 020 7525 0023

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

**From:** [REDACTED]  
**Sent:** Tuesday, September 19, 2023 10:24 AM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Licensing Register - Applications for Premises Licences, Club Registrations, and Reviews Details for Licence Number: 880880

Dear Southwark Licensing Team

I am writing to formally appeal against the renewal of the license for the Mambo 190 Bar and Lounge 190-192 Old Kent Road SE1 5TY

I respectfully disagree with this license, due to the anti-social behaviour, fighting and criminal damages that have been caused by the clientele of this club..

The owners/ staff do not have any control over the noise from the clientele, when congregating outside the club at all hours of the night, they are constantly fighting amongst themselves and I have witnesses on several occasions up to 30-40 of them fighting.

I have witnessed them coming out of the club in to Marcia Road, where they have urinated in my front garden as well as my neighbours gardens, be in such a drunken state then get into a vehicle and drive away, my partners vehicle has been damaged due to them drink driving.

The residents have all signed a petition agreeing with the above and will be submitting it to Southwark Council very soon.

Kind Regards,

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

**Objector B**

From: [REDACTED]  
Sent: Monday, September 18, 2023 6:59 PM  
To: Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
Subject: Petition 18 September 2023

Hi

I'm e mailing as I wish to contest against the licence for " Mambo 190 nightclub on old Kent road se1 . The club is open until 4am or later on weekends . I cannot sleep because of the noise . It is unbearable !! I live just across the road . People come out of the club and are using the outside of my address to urinate ! This is totally disgusting . I wish to contest this licence . I have also signed a petition

[REDACTED]  
[REDACTED]  
[REDACTED]

Objector C

**From:** [REDACTED]  
**Sent:** Monday, October 2, 2023 4:26 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Re: Object to Mambo 190 nightclub SE1 5TY licence renewal

Dear Claire,

Address is [REDACTED]

Can you pro was now?

Thanks

Sent from my iPhone

On 2 Oct 2023, at 10:04, Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)> wrote:

Dear [REDACTED]

Thank you for your email. However, we are unable to process your representation as you have not provided your full postal address including the flat number.

Kind regards,

Claire Beswick  
Unit Support Officer  
Southwark Council | Licensing | Regulatory Services  
Tel: 0207 525 2285  
Email: [Licensing@southwark.gov.uk](mailto:Licensing@southwark.gov.uk)

In future if you wish to submit an application, a quicker way would be to [apply online](#)

Postal Address: Regulatory Services, Licensing Team, Hub 1, 3rd Floor, P.O Box 64529, SE1P 5LX

Visitor's Address: 160 Tooley Street, London, SE1 2QH

**From:** [REDACTED]  
**Sent:** Friday, September 29, 2023 11:09 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Object to Mambo 190 nightclub SE1 5TY licence renewal

To whom it may concern,

I, [REDACTED], resident at [REDACTED], Old Kent Road, would like to object to Mambo 190 nightclub application to renew the licence.

Such request is based under the grounds related to prevention of crime and disorder, prevention of public nuisance, public safety . The excessive noise from the premises is having a huge impact on my health and well being as I can hear it from my bedroom. Also, the entrance of my building becomes a public toilet and it's always full of people clearly intoxicated either by alcohol or any other substance.

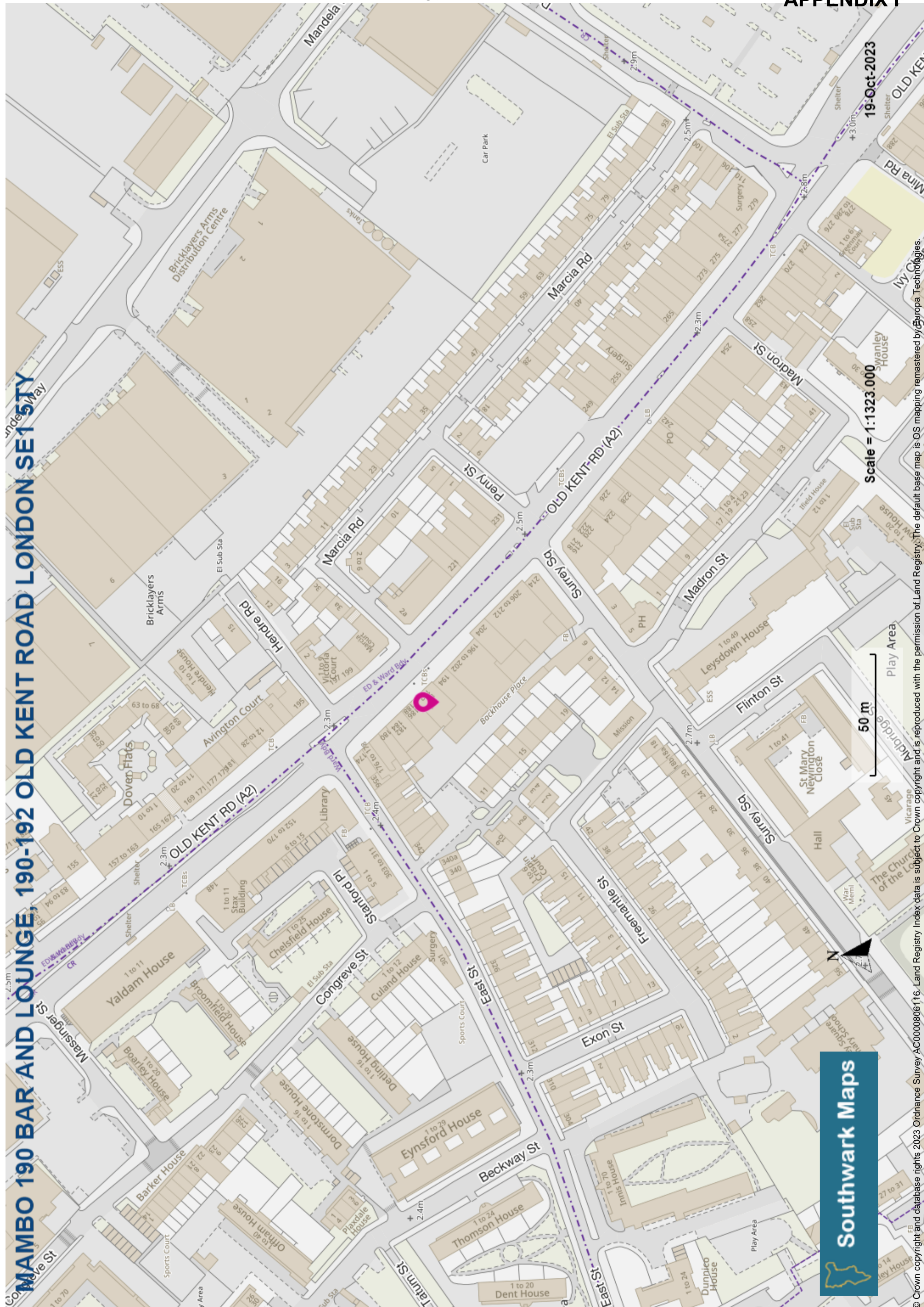
I no longer feel safe to return late at night to my own house.

Allowing the premise's to stay open until 4am is outrageous and disrespectful with the residents around.

Kind Regards

[REDACTED]

**MAMBO 190 BAR AND LOUNGE, 190-192 OLD KENT ROAD LONDON SE1 5TY**



19-Oct-2023

Scale = 1:1323.000

50 m



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# Agenda Item 7

<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 16 November 2023	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: The Axis, 141 Ormside Street, London SE15 1TF	
<b>Ward(s) of group(s) affected</b>		Old Kent Road	
<b>From</b>		Strategic Director of Environment, Neighbourhoods and Growth	

## RECOMMENDATION

That the licensing sub-committee considers an application made by The Axis Bermondsey Limited to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as The Axis, 141 Ormside Street, London SE15 1TF.

### 1. Notes:

- a) The application seeks to vary the premises licence held in respect of the premises known as The Axis, 141 Ormside Street, London SE15 1TF under section 34 of the Licensing Act 2003. Existing permitted licensable activities are not under consideration at this meeting. The variation application is subject to representations being submitted by two responsible authorities.
- b) Paragraphs 7 and 8 of this report provides a summary of the current premises licence issued in respect of the premises and a copy of this is attached to this report as Appendix A.
- c) Paragraphs 9 and 10 of this report provide a summary of the application and a copy of this is attached as Appendix B.
- d) Paragraphs 11 to 18 of this report deal with the representations submitted in respect of the application and copies of this are shown in Appendixes C and D. A map showing the location of the premises is attached to this report as Appendix E.
- e) 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 procedure, has been circulated to all parties to the meeting.

## BACKGROUND INFORMATION

### The Licensing Act 2003

### 2. 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.

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

7. A premises licence was first issued in respect of the premises known as The Axis, 141 Ormside Street, London SE15 1TF on 18 July 2023 and allows for the following hours and activities:
  - **The opening hours of the premises:**
    - Monday to Sunday: 11:00 to 23:00
  - **Sale by retail of alcohol (to be consumed on the premises):**
    - Monday to Sunday: 11:00 to 23:00.
8. A copy of the existing premises licence is attached as Appendix A.

### The variation application

9. On 15 September 2023, The Axis Bermondsey Limited applied to this council to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as The Axis, 141 Ormside Street, London SE15 1TF.
10. The variation application, which can be found at Appendix B, can be summarised as follows:
  - **To change the opening hours of the premises to read as follows:**
    - Sunday to Wednesday: 11:00 to 01:00
    - Thursday to Saturday: 11:00 to 04:00
  - **To add the provision of regulated entertainment (indoors) as follows:**
    - Sunday to Wednesday: 11:00 to 01:00
    - Thursday to Sunday: 11:00 to 04:00
  - **To apply for supply of alcohol (for consumption on the premises) as follows:**
    - Sunday to Wednesday: 11:00 to 01:00
    - Thursday to Sunday: 11:00 to 04:00.

### Representations from responsible authorities

11. A representation was received from licensing as a responsible authority.
12. The licensing representation raised concerns about the potential crime, disorder and anti-social behaviour that later hours might bring if the application were to be granted. It was also remarked that the hours being requested were out of step with the hours set out in the council's statement of licensing policy. Finally, some changes to existing, and some new, conditions were proposed by licensing in order to help promote the licensing objectives.
13. The representation from licensing as a responsible authority can be found at Appendix C.
14. A representation was also received from the environmental protection team
15. The representation from the environmental protection team (EPT) highlighted that there had been no previous complaints about the temporary events that had been previously granted at the premises (Paragraph 19 below). However, concern was raised about the potential impact this change might have on prospective new residents moving into properties that were due to be developed in the immediate vicinity of the venue. The EPT provided a number of suggested conditions to help promote the licensing objectives in the event the variation were to be granted.
16. The representation from EPT can be found at Appendix D.

### Representations from other persons

17. There were no representations by any members of the public in this case.

### Conciliation

18. At the time of writing this report, we have yet to receive notification that licensing or EPT have withdrawn their representations, thus triggering the need for a sub-committee hearing to consider the application.

### Premises licensing history

19. Since the granting of the premises licence 18 July 2023 on there have been no changes to note in this case. However, both prior to, and following, the granting of the licence, the following temporary events were approved by the licensing authority:

#### TENs granted for prior to 18 July 2023:

Received Date	Start/End Date	Times	Maximum Number of People	Sale of Alcohol	Regulated Entertainment	Late Night Refreshment
23/11/22	02/12/22 to 03/12/22	19:00 until 23:59 on 02/12 00:00 until 06:00 on 03/12	70	Yes	Yes	No
08/12/22	16/12/22 to 18/12/22	17:00 until 06:00 daily	100	Yes	Yes	Yes
28/02/23	09/03/23 to 10/03/23	19:00 until 23:59 on 09/03 21:00 until 23:59 on 10/3	50	Yes	Yes	No
20/03/23	31/03/23 to 01/04/23	21:00 until 23:59 on 31/3 12:00 until 03:00 on 01/04	48	Yes	No	No
29/03/23	07/04/23 to 08/04/23	19:00 until 23:59 on 07/04 00:00 until 04:00 on 08/04	80	Yes	No	No

Received Date	Start/End Date	Times	Maximum Number of People	Sale of Alcohol	Regulated Entertainment	Late Night Refreshment
12/04/23	27/04/23 to 30/04/23	19:00 until 23:00 on 27/04) 19:00 until 23:59 on 28/04 and 29/04) 00:00 until 03:00 on 30/04	70	Yes	No	No
02/05/23	13/05/23 to 14/05/23	19:00 to 23:59 (13/5); 00:00 to 06:00 (14/5)	65	Yes	No	No
11/05/23	20/05/23	17:30 to 23:59	50	Yes	No	No
06/07/23	22/07/23 to 23/07/23	21:00 to 23:59 (22/7); 00:00 to 06:00 (23/7)	70	Yes	No	No

**TENs granted after 18 July 2023:**

Received Date	Start/End Date	Times	Maximum Number of People	Sale of Alcohol	Regulated Entertainment	Late Night Refreshment
07/08/23	18/08/23 to 19/08/23	19:30 until 23:59 on 18/8 00:00 until 04:30 on 19/08	70	Yes	No	No
22/08/23	08/09/23 to 09/09/23	19:00 until 23:59 on 08/09) 00:00 until 06:00 on 09/09	80	Yes	No	No

Received Date	Start/End Date	Times	Maximum Number of People	Sale of Alcohol	Regulated Entertainment	Late Night Refreshment
07/09/23	22/09/23 to 24/09/23	18:00 until 23:59 on 22/09 19:00 until 23:59 on 23/09) 00:00 until 05:00 on 24/09)	80	Yes	No	No

### Complaints

20. Since the original granting of the premises licence on 18 July 2023, there have been no complaints lodged with the licensing unit.

### Map

21. A map showing the location of the premises is attached to this report as Appendix E.
22. There are no premises within the immediate vicinity of the premises.

### Southwark Council statement of licensing policy

23. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
24. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
  - Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
  - Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.

- Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification.
  - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
  - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
  - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
  - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
25. 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.
26. Members should take into consideration both the Southwark statement of licensing policy and the Section 182 Guidance when making decisions. The links for these are below:

Southwark Policy:

<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>

Section 182 Guidance:

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

### **Cumulative impact area (CIA)**

27. The premises does not fall within a cumulative impact area (CIA).
28. Under the Southwark’s statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within this area:
- Restaurants and cafes:
    - Monday to Sunday: 23:00
  - Public houses, wine bars or other drinking establishments:
    - Monday to Sunday: 23:00

- Off-licences:
  - Monday to Sunday: 23:00
- Cinemas:
  - Monday to Sunday: 23:00.

29. It should be noted that nightclubs and takeaways are not considered appropriate for this area.

### **Climate change implications**

30. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.

31. Climate change is not a legal factor in the consideration of a grant of a premises license under the current licensing objectives, however members can make enquiries and request an agreement from applicants to promote the reduction of the impact of climate change that may be caused by the operation of the premises.

32. Examples of such agreements may be:

- Not use single use plastics, such as disposable plastic glasses, when selling alcohol at the premises.
- Encourage patrons not to drive to venues by providing details of public transport on their webpages/tickets.

33. The council's climate change strategy is available at:

<https://www.southwark.gov.uk/assets/attach/48607/Climate-Change-Strategy-July-2021-.pdf>

### **Community, equalities (including socio-economic) and health impacts**

#### **Community impact statement**

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

#### **Equalities (including socio-economic) impact statement**

35. This report does not result in a policy decision and each application is required to be considered upon its own individual merits with all relevant matters taken into account. In considering the recommendations of this report, due regard must be given to the public sector equality duty set out in section 149 of the Equality Act 2010. This requires the council to consider all individuals when carrying out its functions.

36. Importantly, the council must have due regard to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct; advance equality of opportunity and foster good relations between people who have protected characteristics and those who do not. The relevant protected



characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The public sector equality duty also applies to marriage and civil partnership, but only in relation to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct.

37. The equalities impact statement for licensing decisions is contained within the Southwark statement of licensing policy 2021 – 2026 at:

<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>.

38. The equalities impact assessment is available at:

<https://moderngov.southwark.gov.uk/documents/s92016/Appendix%20F%20-%20Equalities%20Impact%20Assessment.pdf>

### **Health impact statement**

39. Health impacts cannot be considered by law when making decisions under the Licensing Act 2003.

### **Resource implications**

40. A fee of £315 has been paid by the applicant in respect of this application being the statutory fee payable for premises within non-domestic rateable value C.

### **Consultation**

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

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Assistant Chief Executive – Governance and Assurance**

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

### **Principles for making the determination**

44. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.
45. The general principle is that applications for variation must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.

46. 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 another party or responsible authority
  - Have not been withdrawn
  - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
47. If relevant representations are received then the Sub-Committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to
- Add to, omit, and/or alter the conditions of the licence or,
  - Reject the whole or part of the application for variation

### **Conditions**

48. 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.
49. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
50. 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.
51. 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.
52. 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**

53. 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

54. 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.
55. 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

56. 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.
57. 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.

58. 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.
59. 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.
60. 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.
61. 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.
62. 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.
63. 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**

64. 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, Finance**

65. 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**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
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**

<b>Name</b>	<b>Title</b>
Appendix A	Current Premises Licence.
Appendix B	Variation Application.
Appendix C	Licensing Representation.
Appendix D	EPT Representation.
Appendix E	Premises Licence Map.

**AUDIT TRAIL**

<b>Lead Officer</b>	Caroline Bruce, Strategic Director of Environment, Neighbourhoods and Growth	
<b>Report Author</b>	Matt Tucker, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	26 October 2023	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Strategic Director, Finance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	30 September 2023	

# Licensing Act 2003 Premises Licence



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

Premises licence number

879939

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
The Axis 141 Ormside Street London SE15 1TF	
Ordnance survey map reference (if applicable), 535086177869	
<b>Post town</b> London	<b>Post code</b> SE15 1TF
<b>Telephone number</b>	

<b>Where the licence is time limited the dates</b>
--

<b>Licensable activities authorised by the licence</b>
Sale by retail of alcohol to be consumed on premises

<b>The opening hours of the premises</b>
For any non standard timings see <b>Annex 2</b>
Monday            11:00 - 23:00
Tuesday           11:00 - 23:00
Wednesday       11:00 - 23:00
Thursday          11:00 - 23:00
Friday             11:00 - 23:00
Saturday          11:00 - 23:00
Sunday            11:00 - 23:00

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

<b>The times the licence authorises the carrying out of licensable activities</b>
For any non standard timings see Annex 2 of the full premises licence

**Sale by retail of alcohol to be consumed on premises**

Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 23:00
Saturday	11:00 - 23:00
Sunday	11:00 - 23:00

## Part 2

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

The Axis Bermondsey Ltd  
[REDACTED]  
[REDACTED]  
[REDACTED]

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

11943520

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

David Eserin  
[REDACTED]  
[REDACTED]  
[REDACTED]

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

[REDACTED]  
Authority L.B Lewisham

Licence Issue date 27/05/2023



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



**Annex 1 - Mandatory conditions**

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

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

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

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

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

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

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

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

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

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

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

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

**488** (1) The premises licence holder or club premises certificate holder must ensure that an age verification

policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

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

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

- (a) a holographic mark; or
- (b) an ultraviolet feature.

**489** The responsible person shall ensure that -

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

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

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

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were

charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence;

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

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

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

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

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

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

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

## **Annex 2 - Conditions consistent with the operating Schedule**

**288** A CCTV system shall be installed and maintained in full working order. The CCTV system will record footage of evidential quality in all lighting conditions and should be able to capture a clear facial image of all persons that enter the venue. All public areas will be covered by the CCTV system including the bar, smoking area, exits & entrance. The CCTV system shall be checked prior to licensable activities taking place to ensure it is in full working order.

**340** There shall be at least one member of staff on duty at all times the premises are in operation who is trained and proficient in the operation of the CCTV system and who is capable of operating and retrieving footage at the request of police, council or other authorised officers.

**289** All CCTV footage shall be kept for a period of thirty-one (31) days and shall be made available for inspection to officers of the Police and the Council.

**341** A member of staff shall be on duty at all times that the premises are being used for the licensable activities, who is trained in the use of the CCTV system and who is able to view, and download to a removable device, CCTV footage at the request of police and or council officers.

**342** A minimum of one (1) SIA registered Door Supervisors, shall be employed at all times when music events take place at the venue and shall remain on duty until all patrons have vacated the venue and its adjacent roads.

**343** The Licensee shall risk assess the requirement for additional SIA on any day and be responsible for the implementation of additional SIA. This risk assessment shall be recorded in written form and made available for inspection by police and council officers.

**344** The SIA door supervisors shall be easily identifiable and will be engaged to monitor admission and re-admissions to the premises security, protection, screening, searching, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented. The SIA shall use body worn video.

**345** An incident book / incident recording system shall be kept at the premises to record details of any of the following occurrences at the premises: Instances of anti-social or disorderly behaviour, Violence. Calls to the police or fire brigade Abuse of staff and / or customers Ejections of people from the premises Visits to the premises by the local authority, police or fire brigade Refused sales of alcohol Any malfunction in respect of the CCTV system Seizures of drugs at the premises Any other relevant incidents. The incident

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

**346** A zero tolerance drugs and weapons policy shall be in place at the premises. Anybody found with or using drugs and/or weapons will be ejected from the premises and shall not be admitted be re-admitted. Any person who is suspected of having drugs on their person will be asked to consent to a search, and should they refuse the search that person shall be ejected from the premises. All relevant staff shall be trained the drugs policy. A record of the training shall be kept in the staff training logs at the premises. The training record shall include the printed name of the trainee and the date that the training was received.

**347** Clearly legible signage shall be prominently displayed in the toilets where it can easily be seen and read by customers, advising to the effect that the taking of illegal drugs will not be tolerated at the premises. These notices shall be kept free from obstructions at all times.

**348** All customers attending the venue will be searched and the search shall include, but not limited to, the use of handheld metal detector prior to entry. The search policy will include the search of all customers and shall include DJs, Artists and associated staff and their equipment.

**349** There shall be clear & legible notices prominently displayed stating that customers attending the venue may be searched prior to entry

**350** Crime prevention notices will be displayed on the premises warning customers of prevalence of crime which may target them, for instance, to warn of pickpockets or bag snatchers.

**351** No customers entering the premises shall be permitted to bring drinks onto the premises.

**352** No alcohol shall be removed from the venue.

**353** When taxis are ordered for customers for the collection of customers from the premises staff members shall instruct the taxi service to instruct the taxi services driver's not to sound the driver's car horns outside the premises, but to approach the premises in person and verbally (without raised voices) alert staff that the drivers are at the premises to collect customers. All taxi pick-ups shall take place in Ormside street.

**354** An entry policy will be maintained at the premises. A copy of the entry policy shall be kept at the premises with the premises licence and shall be made immediately available for inspection to council and / or police officers on request. The entry policy shall cover (but not necessarily be limited to search policy, reasons for refusal of entry, dealing with overcrowding and suspect packages. All relevant staff shall be trained in the entry policy. A record of the training shall be kept in the staff training logs at the premises. The training record shall include the printed name of the trainee and the date that the training was received.

**355** There shall be 'Ask for Angela' posters (or posters relating to whatever similar scheme may be recommended at any time) shall be displayed in the female toilet facilities and kept free from obstructions at all times. All relevant staff shall be trained in the 'Ask for Angela' scheme (or similar scheme). A record of the training shall be kept in the staff training logs at the premises. The training record shall include the printed name of the trainee and the date that the training was received.

**356** The venue shall have ultimate responsibility for risk assessing all events held.

**357** An event management plan shall be developed by the venue and a copy of this shall be held at the venue and made available to authorised officers of the council and police. The plan shall include but not limited to the following:

- a) A clear and concise risk assessment system of grading of the event.
- b) A risk assessment of the requirement for additional SIA.

**358** A record of the event management plan and accompanying risk assessments shall be kept and made available upon request by Authorised council officers and police.

**359** The venue shall ensure that regular patrols of the boundary of the premises and / or at the nearest residential points to ensure nuisance impacts are not being experienced by neighbours.

**360** Notices will be displayed at exit points asking patrons to 'please leave quietly' and be mindful of local neighbours.

**361** All doors and windows will be closed where performances of regulated entertainment take place.

**362** When taxis are ordered for customers for the collection of customers from the premises staff members shall instruct the taxi service to instruct the driver's not to sound the car horns outside the premises, but to approach the premises in person and verbally (without raised voices) alert staff that the drivers are at the premises to collect customers.

**363** There shall be no more than 10 persons permitted outside at any one time, to smoke only, after 22.00 hours. No drinks shall be permitted outside after 22:00.

**364** Amplified music, song or speech shall not be broadcast in external areas at any time

**365** Suitably qualified or experienced persons shall be employed at all times, whilst licensable activity is being provided, and shall take all reasonable steps to ensure that patrons do not cause a nuisance in the vicinity of the premises.

**366** Any background music played shall remain at a volume that permits normal conversation and the volume control of any music shall be behind the bar/counter and in the full control of staff at all times

**367** A comprehensive Dispersal Policy shall be produced and implemented at the premises, with all staff trained on the most recent iteration of the policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and training records be made available to the council or police on request.

**368** For private events, all customers shall provide a guest list to allow monitoring capacity in terms of hiring additional staff for an event in advance.

**369** The premises shall monitor capacity to avoid overcrowding.

**370** Persons under the age of 18 years of age shall not be permitted on the premises from 6pm.

**371** The staff hand book shall promote the licensing objectives and be shared with each individual staff member before their shift commences and this along with the training register shall be kept behind the bar.

**372** Signs promoting the premises policies shall be on visible display at the premises.

**373** The premises shall have a zero tolerance policy on anti-social behaviour

**374** Fully stocked first aid kits shall be kept at the bar and near the entrance of the premises with a record kept of any incidents.

**375** A record of any safety training shall be kept.

**376** Walkways and exits shall be kept clear of obstruction.

**377** Staff shall be trained in assisting customers to find safe transportation home.



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

**Annex 4 - Plans - Attached**

Licence No. 879939  
Plan No. N/A  
Plan Date 28/04/2023

**From:** McArthur, Wesley <[Wesley.McArthur@southwark.gov.uk](mailto:Wesley.McArthur@southwark.gov.uk)>  
**Sent:** Friday, October 20, 2023 12:00 AM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Axis 881175

Dear Licensing,

Please find attached my representation regarding the above application.

Regards,

**Wesley McArthur**

Principal Enforcement Officer - Licensing Unit  
London Borough of Southwark

**E-mail:** [wesley.mcarthur@southwark.gov.uk](mailto:wesley.mcarthur@southwark.gov.uk)

**General:** [licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)

**Phone:** 020 7525 5779

**Switchboard:** 020 7525 5000

**Website:** [www.southwark.gov.uk](http://www.southwark.gov.uk)

**Address:** Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH

<b>To:</b> Licensing Unit	<b>From:</b> Wesley McArthur <a href="mailto:wesley.mcarthur@southwark.gov.uk">wesley.mcarthur@southwark.gov.uk</a> 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority)	<b>Date:</b> 19 August 2023
<b>Subject:</b>	Representation	
<b>Act:</b>	The Licensing Act 2003 (the Act)	
<b>Premises:</b>	The Axis, 141 Ormside Street, London, SE15 1TF	
<b>Ref:</b>	<b>880642</b>	

We object to the grant of an application to vary a premises licence, submitted by The Axis Bermondsey Limited under The Licensing Act 2003 (the Act), in respect of the premises known as The Axis, 141 Ormside Street, London, SE15 1TF.

### **1. The extant licence –**

The extant premises licence (licence number 879939) allows for licensable activities and opening hours as follows –

#### **The sale of alcohol to be consumed on the premises:**

**Monday - Sunday: 11:00 – 23:00**

#### **The opening hours of the premises are:**

**Monday - Sunday: 11:00 – 23:00**

On application for premises licence number 879939 the premises were described as follows (verbatim):

- *“The premises has three distinct internal areas and one outside area at the front of the building between the public highway and the façade. This is currently used as an impromptu smoking area.*

*There are ten music studios at the rear of the building on the ground floor, accessed by a wide communal corridor.*

*The front of the building is split across two levels with a small ground floor venue and a first floor lounge space.”*

A copy of licence 879939 is attached as appendix A.

### **2. The variation application –**

The purpose of the variation is described in the application as follows (verbatim) –

- *“The premises has three distinct internal areas and one outside area at the front of the building between the public highway and the facade. This is currently used as an impromptu smoking area.*

*There are ten music studios at the rear of the building on the ground floor, accessed by a wide communal corridor.*

*The front of the building is split across two levels with a small ground floor venue and a first floor lounge space.*

*Our current licence runs from 11:00-23:00. We have run a number of successful events since December 2022 some extending into the next day, requiring application of late night licences.*

*There have been no issues with the events and closing varies between 23:00 and 03:00.*

*We are currently at the maximum of our late night applications and since the events this year have been successful we would like to extend the licensing hours.*

*We would like to point out that we only open based on events."*

The application seeks to add the provision of regulated entertainment to the premises licence as follows –

Live music, recorded music and anything similar to live music, recorded music or performances of dance:

Sunday – Wednesday: 11:00 – 01:00  
Thursday – Saturday: 11:00 – 04:00

The supply of alcohol for consumption on the premises:

Sunday – Wednesday: 11:00 – 01:00  
Thursday – Saturday: 11:00 – 04:00

Opening hours:

Sunday – Wednesday: 11:00 – 01:00  
Thursday – Saturday: 11:00 – 04:00

All existing conditions are to remain as is.

## **2. The Locale**

The premises are located towards the north of Ormside Street, in an industrial area that house many warehouses, commercial concerns and industrial units. The industrial area has high density housing estates to the north and south, however the premises is not located in close proximity to these estates. It should be noted that the area is being redeveloped and that new residential units are being built, or have planning permission to be built, in the locale. There are many office premises in the locale and some licensed premises. A map of the local area is attached as appendix 2. Photographs showing the premises and its immediate surroundings (including residential dwellings adjacent to, and in close proximity to, the premises) are attached as appendix 3.

#### **4. Our objection**

According to sections 6 & 7 of this council's statement of licensing policy 2021 – 2026 (the SoLP), the premises fall within a residential area.

A copy of the SoLP is available via:

[Licensing and Gambling Act policy - Southwark Council](#)

The following closing times are recommended in our SoLP in respect of the type of licensed premises located residential areas as follows –

Public houses, wine bars or other drinking establishments and bars in other types of premises:

Monday – Sunday: 23:00

Event premises/ spaces where sale of alcohol is included in, and ancillary to, range of activities including meals:

Monday – Sunday: 23:00

Night clubs (with 'sui generis' planning classification):

Not considered appropriate

Our objection relates to the promotion of all the licensing objectives.

The proposed operation of the premises represents a significant change in style of operation of the premises. The application seeks to change the operation of the premises from a studio complex to a late night music venue.

It must be made clear that there is no prohibition on the style of operation regarding a premises from being changed, however late night venues have high risk factors regarding the potential for giving rise to nuisance and crime and disorder.

Even when late night venues are operated to high standards, and in compliance with the premises licences issued in respect of them at the premises itself, they attract crime, disorder, anti-social behavior and nuisance to the areas where they are located in. Even if the applicant is able to operate the premises well under the proposed variation, they will not be able to avoid these problems being caused in the locale. We do note, however that the premises are not in very close proximity to residential dwellings.

The proposed operating hours applied for far exceed those recommended in this council's Statement of Licensing Policy for licensed premises in residential areas. The Statement of Licensing Policy was ratified by councilors at full licensing committee and therefore we say the licensing sub-committee must consider this application in regards to operating hours that exceed those recommend in the Statement of Licensing Policy.

We **do not object** to the addition of regulated entertainment to the existing premises licence, within the hours suggested in the Statement of Licensing Policy.

As the application seeks such a significant change in the style of operation of the premises we recommend that certain existing licence conditions be amended so that they are suitable

in respect of the proposed operation of the premises –

Conditions 342 – 344 to be replaced by the following:

- That a minimum of **2 (two)** SIA registered door supervisors will be employed at the premises at all times when music events take place at the premises or after 22:00 hours when the premises will be open after midnight. They will be employed to control entry to the premises, to deal with the searching / scanning of customers, to deal with any anti-social or disorderly behaviour at the premises, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist management in liaising with the police regarding instances of crime and to assist with ensuring that the premises' dispersal policy is adhered to. When deployed, they shall remain at the premises until all patrons have vacated the premises and until at least 30 minutes after the premises close. The door supervisors shall be easily identifiable.
- That when SIA security staff are deployed at the premises they shall be supplied with, and shall use, metal detectors (either metal detection arches or hand held metal detectors) to search all customer entries or re-entries to the premises. Prior to the premises opening the metal detectors shall be checked to ensure that they are in full working order. A log of such checks shall be kept at the premises and shall include the name of the person who undertook the check, the outcome of the check, and the time and date of the check. The log shall be made immediately available to responsible authority officer on request.
- That all SIA registered door supervisors and the duty manager working, shall be supplied with, shall be trained in the use of, and shall use at all times the premises are in operation, 2-way radios ('walkie-talkies') to aid in the safe operation of the premises.

Condition 345 be replaced with the following:

- That an incident log shall be kept at the premises to record details of any of the following occurrences at the premises:
  - I. Instances of anti-social or disorderly behaviour
  - II. Calls to the police or other emergency services
  - III. Any complaints received
  - IV. Ejections of people from the premises
  - V. Visits to the premises by the local authority or emergency services
  - VI. Any malfunction in respect of the CCTV system
  - VII. All crimes reported by customers, or observed by staff
  - VIII. Any other relevant incidents

The incident log shall record the time, date, location in the premises and description of each incident, details of any action taken in respect of the incident and the printed name of the person reporting the incident and. The incident log shall be available / be accessible at the premises at all times that the premises are in use, and shall be made immediately available to responsible authority officers on request. Details of incidents shall be recorded contemporaneously. If the incident log is a paper hardcopy then the signature of the person reporting the incident in the log shall also be included. All relevant staff employed at the premises shall be trained in the use of the incident log. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.

Condition 354 be replaced with the following:

- That an entry policy will be devised and maintained at the premises. A copy of the entry policy shall be kept at the premises with the premises licence and shall be made immediately available for inspection to council and / or police officers on request. The entry policy shall cover (but not necessarily be limited to):
  - I. Safe customer entry to the premises,
  - II. If / when applicable searching / scanning of attendees,
  - III. The barring of customer entry to the premises for any reason,
  - IV. Restricted items (e.g. weapons / drugs or any other items restricted by the licensee),
  - V. Pre-opening safety checks of the premises,
  - VI. Dealing with overcrowding and / or crowd surges
  - VII. Dealing with suspect packages

All relevant staff shall be trained in the implementation of the latest version of the entry policy and details of such training shall be recorded in the staff training logs at the premises.

Condition 367 be replaced with the following:

- That a dispersal policy to assist with patrons leaving the premises in an orderly and safe manner shall be devised and maintained regarding the premises. A copy of the dispersal policy shall be accessible at the premises at all times that the premises are in operation. The policy should include (but not necessarily be limited to) the following:
  - i. Details as to how customer / staff egress at the premises shall be managed to minimise causing nuisance.
  - ii. Details of public transport in the vicinity and how customers will be advised in respect of it.
  - iii. Details of the management of taxis to and from the premises.
  - iv. Details of the management of any 'winding down' period at the premises.
  - v. Details of the use of security and stewarding in respect of managing customer dispersal from the premises.
  - vi. Details of any cloakroom facility at the premises and how it is managed.
  - vii. Details of road safety in respect of customers leaving the premises.
  - viii. Details of the management of ejections from the premises.
  - VIII. Details as to how any physical altercations at the premises are to be managed
  - IX. Details of how refuse / waste in the local vicinity arising through the operation of the premises will be cleared up (e.g. flyer clean up, post event clean up).

All relevant staff employed at the premises shall be trained in the latest version of the dispersal policy. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises. If the dispersal policy is a paper document then the signature of the trainees shall also be included. The dispersal policy shall be made immediately available to responsible authority officers on request.

Condition 368 be replaced with the following:

- That any 3<sup>rd</sup> parties / members of the public using the premises for a promoted or private event must complete a venue hire agreement with the premises licence holder. The venue hire agreement shall include the full name and address of the hirer, copy of valid photo identification of the hirer (kept on file in accordance with data protection



requirements), the hirer's signature and the date that the venue hire agreement has been signed. The venue hire agreement shall include all of the licensee's terms of hire. Such agreements shall be kept on file for 6 months from the date of the event and be made immediately available to responsible authority officers on request.

Condition 374 be replaced with the following:

- That appropriate first aid equipment / materials shall be kept at the premises in a dedicated first aid box / boxes. The first aid box(es) shall be kept easily accessible and unobstructed at all times. All staff shall be made aware of where the first aid boxes are located.

We also recommend the following additional conditions -

- That all relevant staff shall be trained in their responsibilities under the Licensing Act 2003, the promotion of the licensing objectives and the terms and conditions of this licence. Records pertaining to such training ('the staff training logs') shall be kept at the premises, shall be updated every 6 months and shall be made immediately available to responsible authority officers on request. The training logs shall include the trainee's name (in block capitals), the trainer's name (in block capitals) and the date(s) of training and a declaration that the training has been received and understood by the trainee. If the staff training logs are a paper hardcopy then the signature of the trainee, the signature of the trainer shall be included.
- That any litter caused by the operation of the premises shall be cleared away from the immediate vicinity of the premises periodically throughout operating hours, and at the end of trade, on each day that the premises are in operation.
- That all relevant staff shall be instructed to arrive at, leave and conduct themselves at the premises in a quiet and orderly manner at all times with particular care taken when staff close the external late night refreshment service at the end of trade on each day. Details of such training, including the printed name of the trainee and the date of the training, shall be recorded in the staff training log at the premises.
- That no persons under the age of 18 shall be permitted on the premise safter 18:00 hours.
- That any event s not directly organised, promoted and operated by the licensee /premises management shall be private ebents only with a guestlist of all expected attendees available at the event and provided to responsible authority officer immediately on request.
- That a zero tolerance policy to illegal drug use will be implemented and maintained at the premises. All staff shall be trained in respect of the premises' drug policy. A record of such training shall be kept in the staff training logs at the premises which shall include the printed name of the trainee and the date that the training was received.
- That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers, at all exits from the premises and in any external areas, requesting to the effect that customers leave the premises and locale in a quiet and orderly manner with respect to local residents. Such signage shall be kept free from obstructions at all times.

- That if and when required, staff shall interact with customers to ensure that customers behave at the premises in a quiet and orderly manner and also leave the premises and locale in a quiet and orderly manner. Customers deemed by staff to be engaging in anti-social behaviour shall be asked to leave the premises. Staff shall be trained in this and details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises and shall be made immediately available to responsible authority officers on request.
- That a sound limiting device (or similar equipment) shall be installed at the premises, be maintained in full working order and be in use at all times that the premises are in operation under this licence. All amplification equipment, entertainment devices and amplified instruments shall be routed through the sound limiting device (or similar equipment) which shall be calibrated so that the sound level of amplified sound at the premises does not cause a statutory or public nuisance. Only management staff shall have access to the sound limiting device (or similar equipment) and shall be able to demonstrate that it is in use at the immediate request of council and / or police officers.
- That only management staff shall have access to any amplification equipment at the premises, and only management staff shall be permitted to change any control settings on said equipment.
- That the maximum number of people permitted on the premises at any one time (the 'accommodation limit') is **X** people (excluding staff). **The accommodation limit shall be known by all staff and shall not be exceeded at any time.**

**<< 'X' to be provided by the applicant – WJM >>**

- That illuminated emergency escape route and emergency exit signage ('emergency lighting') shall be installed at the premises, be maintained in full working order, be operational at all times that the premises are in use and shall be maintained free from obstruction at all times.
- That all emergency exits, emergency escape routes and entry / exit doors at the premises shall be kept free from obstructions at all times that the premises are in use.
- That clearly legible signage shall be displayed where it can easily be seen and read by customers and staff identifying all emergency escape routes and emergency exits at the premises. Such signage shall be kept free from obstructions at all times.

We welcome discussion with the applicant on any of the matters above, and recommend that they contact us as soon as possible should they wish to engage in such discussion.

Yours sincerely,

**Wesley McArthur**  
Principal Enforcement Officer

# Licensing Act 2003

## Premises Licence



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

**Premises licence number**

879939

### Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
The Axis 141 Ormside Street	
Ordnance survey map reference (if applicable): 535086177869	
<b>Post town</b> London	<b>Post code</b> SE15 1TF
<b>Telephone number</b>	

### Licensable activities authorised by the licence

Sale by retail of alcohol to be consumed on premises

### The opening hours of the premises

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

Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 23:00
Saturday	11:00 - 23:00
Sunday	11:00 - 23:00

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

Sale by retail of alcohol to be consumed on premises

### The times the licence authorises the carrying out of licensable activities

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

#### Sale by retail of alcohol to be consumed on premises

Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 23:00
Saturday	11:00 - 23:00
Sunday	11:00 - 23:00

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

The Axis Bermondsey Ltd  
22 Great James Street  
London  
WC1N 3ES

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

11943520

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

David Eserin

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

Licence No.:  
Authority:

Licence Issue date: 27/05/2023

---

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

### **Annex 1 - Mandatory conditions**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) a holographic mark; or
- (b) an ultraviolet feature.

**489** The responsible person shall ensure that -

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

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

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

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

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

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

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

(b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –
  - (i) the holder of the premises licence;
  - (ii) the designated premises supervisor (if any) in respect of such a licence; or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

## **Annex 2 - Conditions consistent with the operating Schedule**

**288** A CCTV system shall be installed and maintained in full working order. The CCTV system will record footage of evidential quality in all lighting conditions and should be able to capture a clear facial image of all persons that enter the venue. All public areas will be covered by the CCTV system including the bar, smoking area, exits & entrance. The CCTV system shall be checked prior to licensable activities taking place to ensure it is in full working order.

**340** There shall be at least one member of staff on duty at all times the premises are in operation who is trained and proficient in the operation of the CCTV system and who is capable of operating and retrieving footage at the request of police, council or other authorised officers.

**289** All CCTV footage shall be kept for a period of thirty-one (31) days and shall be made available for inspection to officers of the Police and the Council.

**341** A member of staff shall be on duty at all times that the premises are being used for the licensable activities, who is trained in the use of the CCTV system and who is able to view, and download to a removable device, CCTV footage at the request of police and or council officers.

**342** A minimum of one (1) SIA registered Door Supervisors, shall be employed at all times when music events take place at the venue and shall remain on duty until all patrons have vacated the venue and its adjacent roads.

**343** The Licensee shall risk assess the requirement for additional SIA on any day and be responsible for the implementation of additional SIA. This risk assessment shall be recorded in written form and made available for inspection by police and council officers.

**344** The SIA door supervisors shall be easily identifiable and will be engaged to monitor admission and re-admissions to the premises security, protection, screening, searching, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented. The SIA shall use body worn video.

**345** An incident book / incident recording system shall be kept at the premises to record details of any of the following occurrences at the premises: Instances of anti-social or disorderly behaviour, Violence. Calls to the police or fire brigade Abuse of staff and / or customers Ejections of people from the premises Visits to the premises by the local authority, police or fire brigade Refused sales of alcohol Any malfunction in respect of the CCTV system Seizures of drugs at the premises Any other relevant incidents. The incident book / incident recording system shall record the time, date, location and description of each incident, the printed and signed name of the person reporting the incident and any action taken in respect of the incident. The incident book / incident recording system shall be available / be accessible at the premises at all times that the premises are in use in accordance with this licence and shall be made available to officers of the council, police or fire brigade on request

**346** A zero tolerance drugs and weapons policy shall be in place at the premises. Anybody found with or using drugs and/or weapons will be ejected from the premises and shall not be admitted be re-admitted. Any



person who is suspected of having drugs on their person will be asked to consent to a search, and should they refuse the search that person shall be ejected from the premises. All relevant staff shall be trained the drugs policy. A record of the training shall be kept in the staff training logs at the premises. The training record shall include the printed name of the trainee and the date that the training was received.

**347** Clearly legible signage shall be prominently displayed in the toilets where it can easily be seen and read by customers, advising to the effect that the taking of illegal drugs will not be tolerated at the premises. These notices shall be kept free from obstructions at all times.

**348** All customers attending the venue will be searched and the search shall include, but not limited to, the use of handheld metal detector prior to entry. The search policy will include the search of all customers and shall include DJs, Artists and associated staff and their equipment.

**349** There shall be clear & legible notices prominently displayed stating that customers attending the venue may be searched prior to entry

**350** Crime prevention notices will be displayed on the premises warning customers of prevalence of crime which may target them, for instance, to warn of pickpockets or bag snatchers.

**351** No customers entering the premises shall be permitted to bring drinks onto the premises.

**352** No alcohol shall be removed from the venue.

**353** When taxis are ordered for customers for the collection of customers from the premises staff members shall instruct the taxi service to instruct the taxi services driver's not to sound the driver's car horns outside the premises, but to approach the premises in person and verbally (without raised voices) alert staff that the drivers are at the premises to collect customers. All taxi pick-ups shall take place in Ormside street.

**354** An entry policy will be maintained at the premises. A copy of the entry policy shall be kept at the premises with the premises licence and shall be made immediately available for inspection to council and / or police officers on request. The entry policy shall cover (but not necessarily be limited to search policy, reasons for refusal of entry, dealing with overcrowding and suspect packages. All relevant staff shall be trained in the entry policy. A record of the training shall be kept in the staff training logs at the premises. The training record shall include the printed name of the trainee and the date that the training was received.

**355** There shall be 'Ask for Angela' posters (or posters relating to whatever similar scheme may be recommended at any time) shall be displayed in the female toilet facilities and kept free from obstructions at all times. All relevant staff shall be trained in the 'Ask for Angela' scheme (or similar scheme). A record of the training shall be kept in the staff training logs at the premises. The training record shall include the printed name of the trainee and the date that the training was received.

**356** The venue shall have ultimate responsibility for risk assessing all events held.

**357** An event management plan shall be developed by the venue and a copy of this shall be held at the venue and made available to authorised officers of the council and police. The plan shall include but not limited to the following:

a) A clear and concise risk assessment system of grading of the event.

b) A risk assessment of the requirement for additional SIA.

**358** A record of the event management plan and accompanying risk assessments shall be kept and made available upon request by Authorised council officers and police.

**359** The venue shall ensure that regular patrols of the boundary of the premises and / or at the nearest residential points to ensure nuisance impacts are not being experienced by neighbours.

**360** Notices will be displayed at exit points asking patrons to 'please leave quietly' and be mindful of local neighbours.

**361** All doors and windows will be closed where performances of regulated entertainment take place.

**362** When taxis are ordered for customers for the collection of customers from the premises staff members shall instruct the taxi service to instruct the driver's not to sound the car horns outside the premises, but to approach the premises in person and verbally (without raised voices) alert staff that the drivers are at the premises to collect customers.

**363** There shall be no more than 10 persons permitted outside at any one time, to smoke only, after 22.00 hours. No drinks shall be permitted outside after 22:00.

**364** Amplified music, song or speech shall not be broadcast in external areas at any time

**365** Suitably qualified or experienced persons shall be employed at all times, whilst licensable activity is being provided, and shall take all reasonable steps to ensure that patrons do not cause a nuisance in the vicinity of the premises.

**366** Any background music played shall remain at a volume that permits normal conversation and the volume control of any music shall be behind the bar/counter and in the full control of staff at all times

**367** A comprehensive Dispersal Policy shall be produced and implemented at the premises, with all staff trained on the most recent iteration of the policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and training records be made available to the council or police on request.

**368** For private events, all customers shall provide a guest list to allow monitoring capacity in terms of hiring additional staff for an event in advance.

**369** The premises shall monitor capacity to avoid overcrowding.

**370** Persons under the age of 18 years of age shall not be permitted on the premises from 6pm.

**371** The staff hand book shall promote the licensing objectives and be shared with each individual staff member before their shift commences and this along with the training register shall be kept behind the bar.

**372** Signs promoting the premises policies shall be on visible display at the premises.

**373** The premises shall have a zero tolerance policy on anti-social behaviour

**374** Fully stocked first aid kits shall be kept at the bar and near the entrance of the premises with a record kept of any incidents.

**375** A record of any safety training shall be kept.

**376** Walkways and exits shall be kept clear of obstruction.

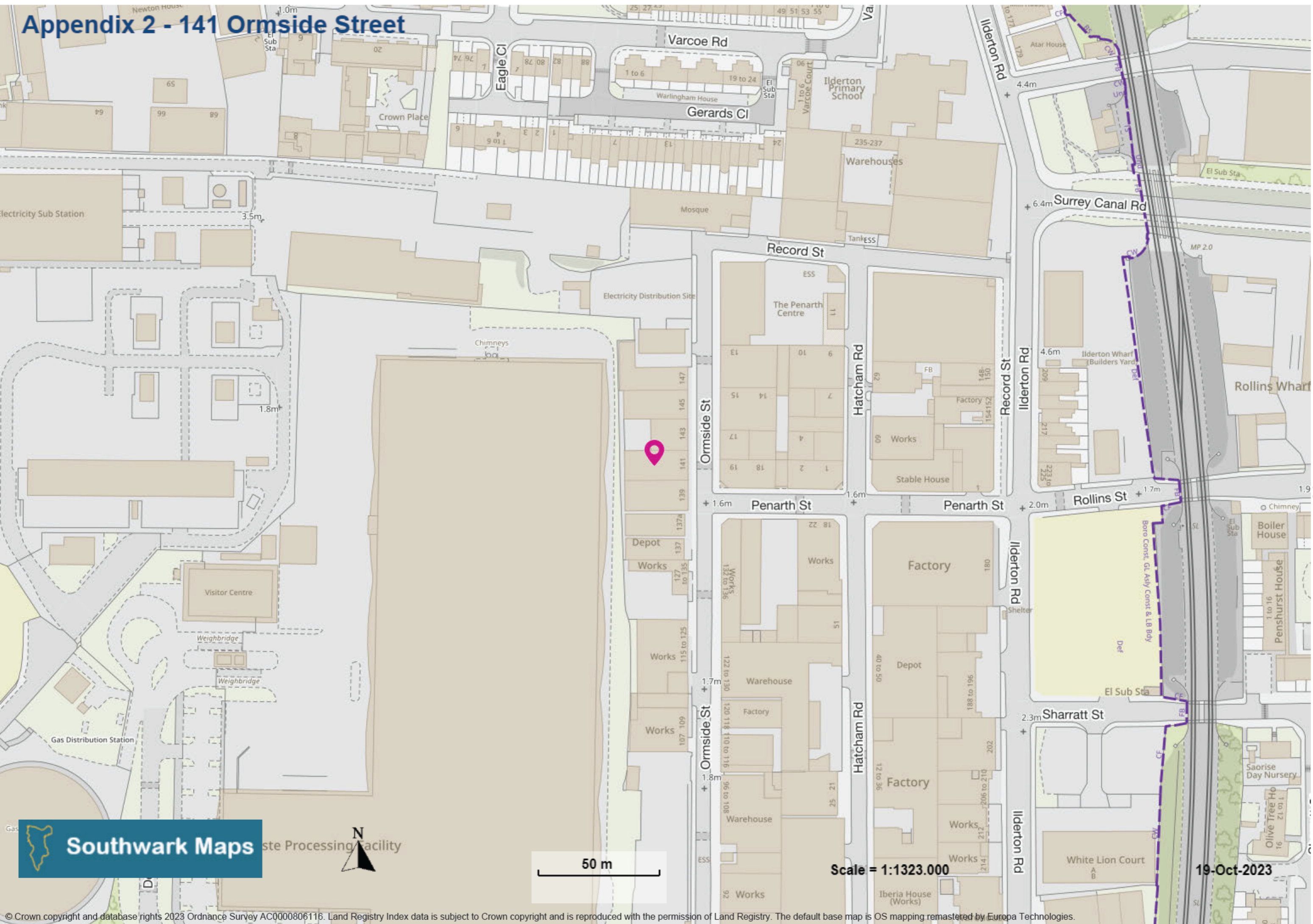
**377** Staff shall be trained in assisting customers to find safe transportation home.

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

**Annex 4 - Plans – Attached**

Licence No. 879939  
Plan No. N/A  
Plan Date 28/04/2023

# Appendix 2 - 141 Ormside Street



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Scale = 1:1323,000

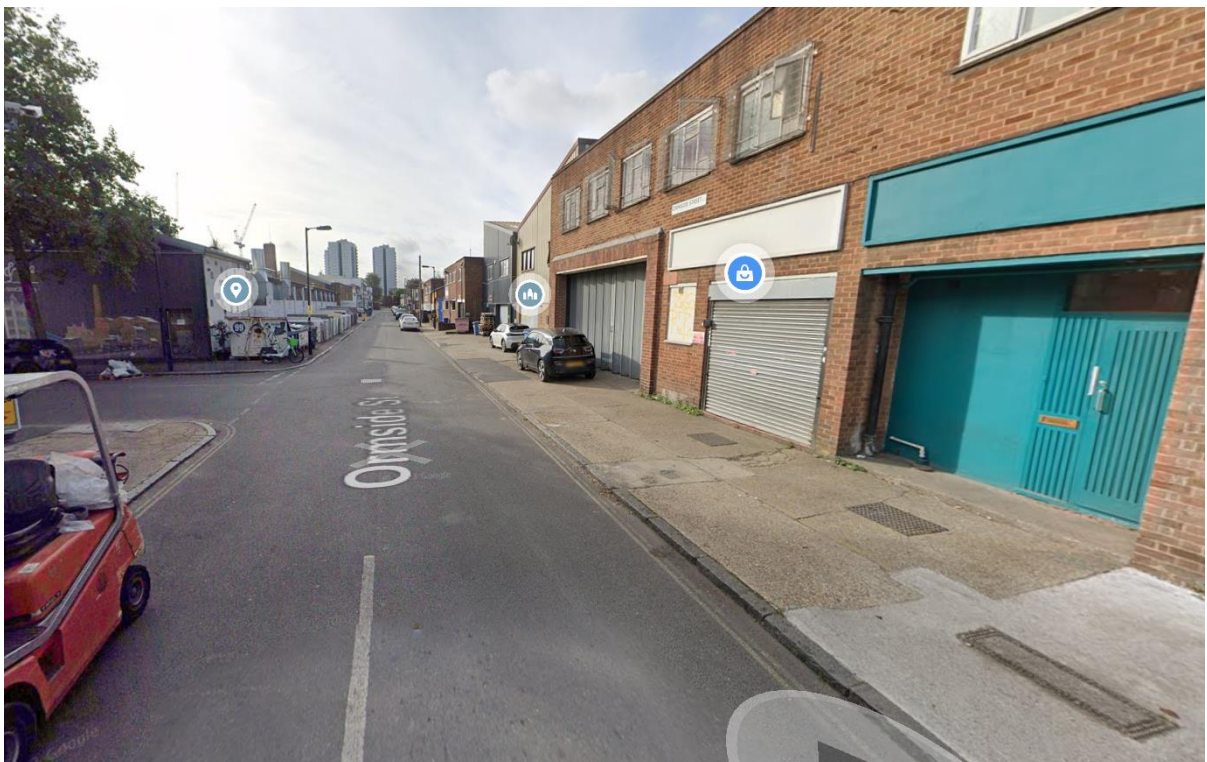
19-Oct-2023

**Appendix 3**

View of the premises looking west across Ormside Street.



View looking south down Ormside Street towards the north side of Tustin Estate



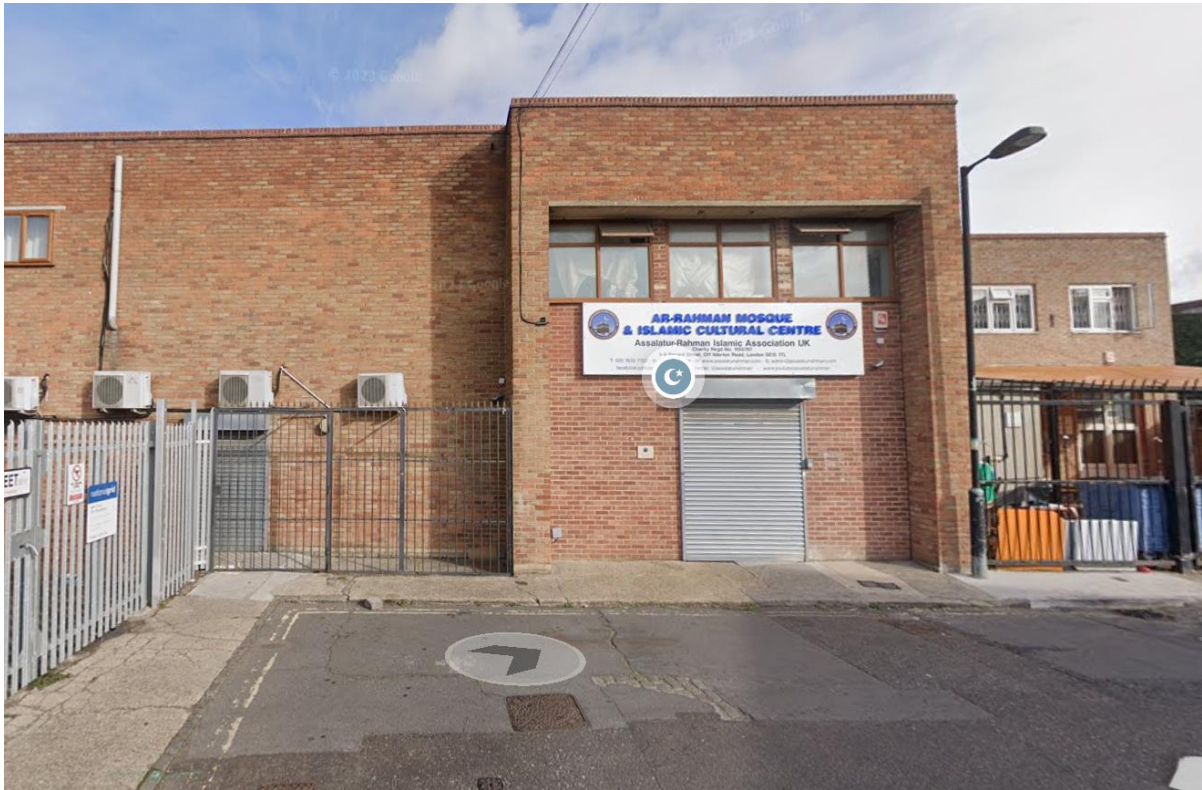
View of the north side of Tustin Estate (at the south of Ormside Street)



View looking north up Ormside Street



Mosque to the north of Ormside Street, just south of Gerards Close.



New residential block in Record Street.





New residential blocks in Ilderton Road.



**From:** Earis, Richard <[Richard.Earis@southwark.gov.uk](mailto:Richard.Earis@southwark.gov.uk)>  
**Sent:** Friday, October 13, 2023 11:01 AM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** RE: Consultation, full variation of premises licence - 141 Ormside Street

**RE: Consultation, full variation of premises licence - 141 Ormside Street**

I have considered the application on behalf of EPT (Prevention of Public Nuisance Responsible Authority).

EPT object to the application on the basis that the proposed operating hours (to 01:00 Sundays to Wednesdays and 04:00 Thursdays to Saturdays) significantly exceed the Statement of Licensing Policy hours for this area and as such raise a risk of Public Nuisance.

We note the premises has operated outside the existing Premises License hours using TENs without complaint. The immediate area currently has few surrounding residents but is in the process of significant development including the recently granted development at 18-22 Penarth Street which includes 283 co-living studios and 47 residential homes which extend to 130 Ormside Street diagonally opposite the site. There are further new residential developments at 62 Hatcham Road, 180 Ilderton Road and The Tustin Estate. The site allocations for the Old Kent Road Area Action Plan include the remainder of the east side of Ormside Street, Hatcham Road and Ilderton Road as planned mixed use/residential developments and as such the risk of Public Nuisance from another late night use in this area will grow significantly over time, both from direct noise impacts and from the impacts of dispersal late at night.

If the Committee is minded to approve the variation to the License we would recommend the following additional conditions are attached:

- A sound limiting device shall be installed, set and maintained, to control maximum levels of amplified sound inside the premises so as to ensure entertainment noise from the premises does not cause a public nuisance in the vicinity of the premises, and in particular is not audible inside any nearby noise sensitive premises.
- All audio and musical equipment used in the premises, permitted under the Licensing Act 2003 or the Live Music Act 2012, shall be played through the installed sound limiting device.
- Any additional amplification equipment imported on to the premises by third parties, permitted under the Licensing Act 2003 or the Live Music Act 2012, shall be connected to and use the installed sound limited device/circuit.

Kind Regards,

Richard

**Richard Earis**  
Principal Environmental Protection Officer  
**Environmental Protection Team**

**020 7525 0328**

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

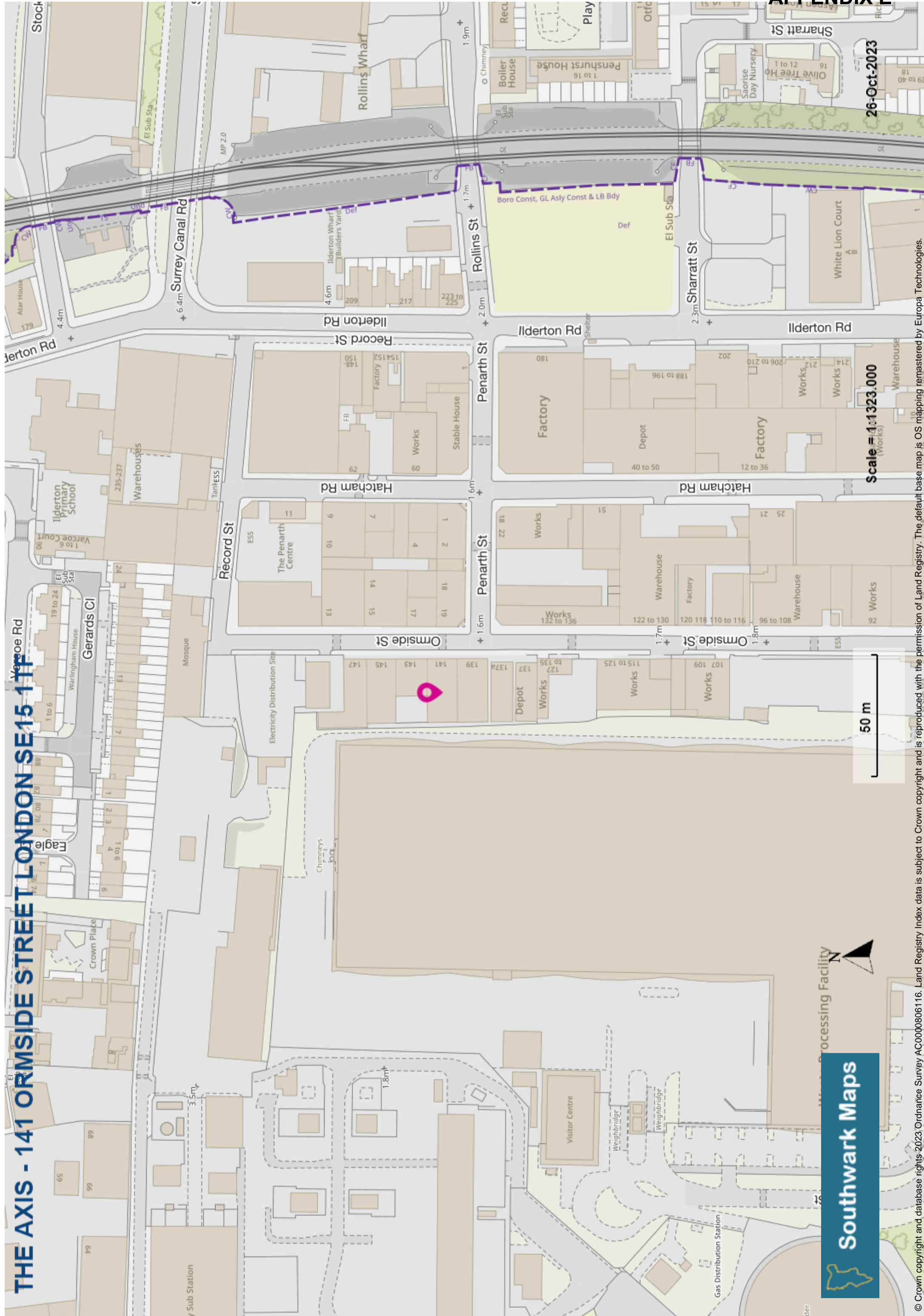
Office address (By appointment only): Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

[www.southwark.gov.uk](http://www.southwark.gov.uk)

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Southwark Website - information on what you can do to improve air quality.  
See: <http://www.southwark.gov.uk/environment/air-quality>

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

**THE AXIS - 141 ORMSIDE STREET LONDON SE15 1TF**



50 m

Scale = 1:1323,000

26-Oct-2023



**Southwark Maps**

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Councillor Ian Wingfield	1	Charlotte Precious, legal team	
<b>Reserve</b>		Andrew Heron, licensing team	
Councillor Charlie Smith	1	Matt Tucker, licensing team	
		Wesley McArthur, licensing team	
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