

**The Licensing Unit**

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London
SE1 2QH

Metropolitan Police Service

Licensing Office
Southwark Police Station,
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Our reference: MD/23/976

Date: 07 29/12/2023

Dear Sir/Madam

Re: Masq London 201 Tooley Street SE1 2JX

Police are in possession of an application from the above for a variation to their current licence 873208

The variation is described as follows:

We wish to extend the closing time by 1hr to

00:00 on Sundays to Thursdays

01:00 on Fridays & Saturdays.

And we want the 3am closing time on these three days to remain the same.

December 26, December 31 and January 1.

And Sale by retail of alcohol to be consumed on premises to Stop 30 minutes before closing time.

The applicant goes on to describe how the impact of the earlier closing time of midnight is having a detrimental effect on the business and that the current licence has woefully failed their business model.

The closing time option that we chose from our initial Premises License application in

2020 has failed our business model woefully, and we have been suffering the consequences of the option that we chose.

It should be noted that the initial application from 2020 was initially for a 3am closing time at the weekends. These hours were considerably greater than the hours recommended for Bars & Restaurants under Southwark's statement of licensing policy.

Through the consultation process it was agreed that if the premises wanted to operate as a Bar & Restaurant with regulated entrainment then the closing time should be Midnight. If the premises were to operate as a restaurant with the licence conditions restricting them to operate as a restaurant then they could extend the hours until 0100.

The applicant agreed to the closing of Midnight as they wished to have the flexibility to operate as a bar.

The premises has been the subject of a number of complaints from local residents with regard to anti-social behaviour and disturbance from patrons leaving the venue after midnight. Some of these complaints seem to coincide with Temporary Events submitted by the premises with a later finishing time.

The hours for licensable activities on the current licence are in line with those recommended for Bars in this particular area of Southwark. The hours as per the new variation are in line with those recommended for restaurants. The applicants have not offered any additional control measures to restrict the use of the premises to that of a restaurant.

As a result of the complaints received regarding the patrons and operation of the premises I object to the granting of the variation on the grounds of the prevention of crime and disorder and public nuisance.

There are a number of amendments and additions to the current licence the applicant should consider should they wish to continue with this variation as follows.

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. 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 be made immediately available to responsible authority officers on request.
3. That a member of staff shall be on duty at all times that the premises are in use, who is trained in the use of the CCTV system and who is able to view, and download to a removable storage device, CCTV footage at the immediate request of responsible authority officers.
4. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers advising to the effect that CCTV is in operation at the premises, 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.
5. There shall be a minimum of 3 SIA registered door supervisors employed on a Friday and Saturday from 2200hrs until all patrons have vacated the venue and its adjacent roads.

6. That a minimum of 2 SIA registered door supervisors shall wear body worn video cameras and all footage is to be made available to police or council officers upon request.
7. That when licensable activities cease and until all patrons have vacated the venue, Staff or /and SIA registered door supervisors shall patrol the venue politely encouraging customers to leave and make their way home in an orderly manner.
8. That staff and/or SIA registered door supervisors shall regularly patrol outside the premises and take all necessary steps to ensure that noise from their patrons or premises operation does not cause disturbance or public nuisance, this shall continue for 30 minutes after the terminal hour. A log of such monitoring including the printed name of the person who undertook the monitoring, the date & time of the monitoring and any observations or actions taken subsequent to the monitoring shall be kept at the premises and be made immediately available to council or police officers on request
9. There shall be no off sales after midnight.
10. 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.
 - ix. Details as to how any physical altercations at the premises are to be managed
 - x. 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).
11. That customers shall use no outside area other than those who temporarily leave the premises to smoke a cigarette with no more than TEN people permitted to smoke at one any time. The area should be clearly marked by rope/post barrier system and shall not obstruct the highway. The Staff and/or SIA registered door supervisors shall instruct customers to stay within the designated area and the area will be controlled by Staff and/or SIA registered door supervisors to prevent any disturbance to their neighbours.

12. The venue shall have ultimate responsibility for risk assessing all events held and a record of these assessments for each event shall be kept and made available upon request by Authorised council officers and police.
13. 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 the police or authorised council officers.
14. That the supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

Submitted for your consideration.
Yours Sincerely

PC Ian Clements 2362 AS
Southwark Police Licensing Unit
Tel: 0207 232 6756/6639

To: Licensing Unit	From: Wesley McArthur wesley.mcarthur@southwark.gov.uk 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority)	Date: 22 January 2024
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	Masq, 201 Tooley Street, London, SE1 2JX	
Ref':	881900	

We object to the grant of an application to vary a premises licence, submitted by Masq London Ltd under The Licensing Act 2003 (the Act), in respect of the premises known as Masq, 201 Tooley Street, London, SE1 2JX

1. The extant licence –

The extant premises licence (licence number 873208) allows for licensable activities and opening hours as follows –

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

Sunday – Thursday: 18:00 – 23:00
Friday & Saturday: 18:00 – 00:00 (midnight)

The sale of alcohol to be consumed off the premises:

Sunday – Thursday: 09:00 – 23:00
Friday & Saturday: 09:00 – 00:00

The sale of alcohol to be consumed on the premises:

Sunday – Thursday: 09:00 – 22:30
Friday & Saturday: 09:00 – 23:00

Late night refreshment:

Friday & Saturday: 23:00 – 00:00

The opening hours of the premises are:

Sunday – Thursday: 08:00 – 23:00
Friday & Saturday: 08:00 – 00:00

The premises are a bar / restaurant.

A copy of licence 873208 is attached as appendix 1.

2. The variation application –

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

- *“Our Licence Issue date is 29/10/2020.*

MASQ LONDON currently close for business at 23:00 on Sundays to Thursdays 00:00 on Fridays & Saturdays. All public holidays are normal closing hours, with exception of 3am closing time on these three days December 26th, December 31st and January 1st.

We want to vary these timings We wish to extend the closing time by 1hr to 00:00 on Sundays to Thursdays 01:00 on Fridays & Saturdays. And we want the 3am closing time on these three days to remain the same. December 26, December 31 and January 1. And Sale by retail of alcohol to be consumed on premises to Stop 30 minutes before closing time.

When we initially applied for our premises licence in 2010, with the then officer Jayne Tear offering that we choose to close at 12am or 1am on Fridays & Saturdays, but we chose 12am thinking that will work with our business model.

At the moment, we rarely get any single bookings on Sundays to Thursdays. We only get bookings on Friday and Saturday, with many customers cancelling or doubling down on their first line of enquiry when they find out that we close at 12am, with almost all the lost bookings taking preference on wanting to go ahead with the booking if we the closing time can be extended to 1am for them.

Turning tables is the most efficient way for restaurants to earn money. A cover refers to a paying customer. A cover count or cover in a restaurant is defined as the number of people or guests served during a particular period of time. Increasing the amount of covers by turning tables allows restaurants to serve more customers leading to higher profits.

At MASQ, 90% of our weekend bookings start from about 8pm. Which means that we can not turn tables/ covers in a single day. So we are stuck with a single booking from 8pm to 12am.

Closing at 1am will help us at least turn tables twice and maximise our covers, and see a higher cover count on weekends, and thereby ultimately giving us higher revenue. This closing time variation is necessitated by
A) the lack of reasonable customer patronage,
B) lack of Sunday to Thursdays patronage,
C) the ability to not be able to turn the tables around when we do finally have patrons on weekends, as a result of customers booking tables from about 8pm upwards.

The 1 hour extension variation, will be on the same level as some other restaurants in the vicinity including the JD-WETHERSPOONS that is next door to us.

The closing time option that we chose from our initial Premises License application in 2020 has failed our business model woefully, and we have been suffering the consequences of the option that we chose.

As a result of these consequences, we are lacking and failing to satisfy our monthly financial commitments on Loans we took out on our all our properties as well as multiple bank and business finance Loans that we took out to set up the business, which is further more putting us into further debt by seeking additional loans from friends and family to meet up with some monthly financial commitments. All our properties and this business is now at risk.

It has now gotten to a point where the business is not sustainable, and will inevitably close down in couple of months unless we have a radical change or total business model overhaul.

Based on the business experience and trading history that we have had so far since we had the Premises license from October 2010, we strongly believe that 1am extension on the closing time will help boost our business to great heights and increase revenue.”

The application seeks to extend the terminal hours permitted to the times shown below:

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

Sunday – Thursday: 00:00 (midnight)
Friday & Saturday: 01:00

and until 03:00 on Fridays to Mondays of bank holiday weekends, Boxing Day, New Year’s Eve, and New Year’s Day.

Late night refreshment:

To newly allow for the provision of late night refreshment on Sundays to Thursdays between 23:00 and 00:00, to extend the terminal hour regarding late night refreshment on Fridays and Saturdays to 01:00 and until 03:00 on Fridays to Mondays of bank holiday weekends, Boxing Day, New Year’s Eve, and New Year’s Day.

The sale of alcohol to be consumed on and off the premises:

Monday - Thursday: 23:00
Friday and Saturday: 00:30
Sunday: 23:30

and until 2:30am on Fridays to Mondays of bank holiday weekends, Boxing Day, New Year’s Eve, and New Year’s Day.

Closing times:

Sunday – Thursday: 00:00
Friday & Saturday: 01:00

and until 3am on Fridays to Mondays of bank holiday weekends, 3am on Boxing Day, New Year’s Eve, and New Year’s Day.

2. The Locale

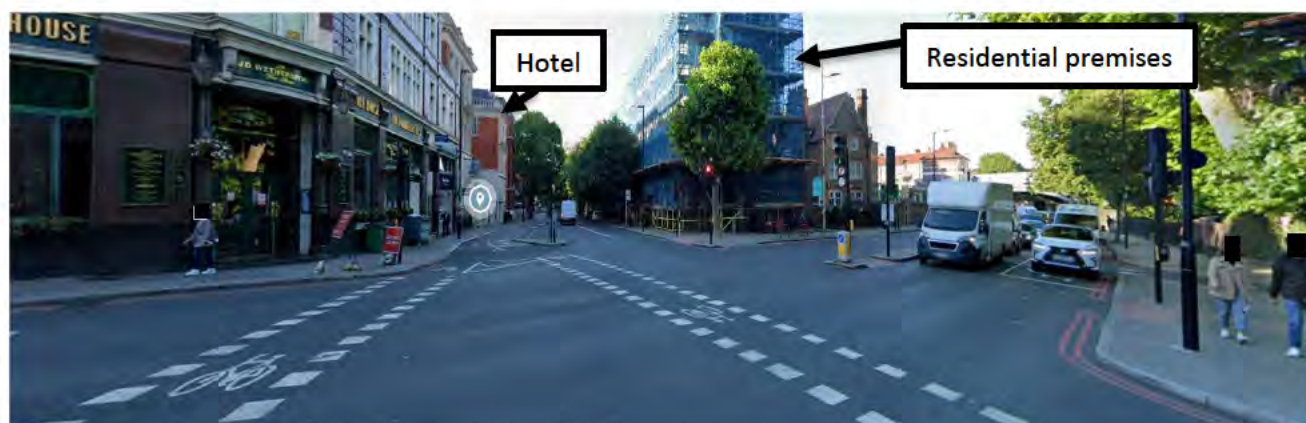
The premises are located at the junction of Tooley Street and Tower Bridge Road. The junction is very busy with heavy traffic throughout the daytime and evening, and moderate traffic at nighttime. Both Tooley Street and Tower Bridge Road host multiple bus routes. The area has a large amount high-density residential housing estates / blocks in the immediate and wider vicinity of the premises, in all directions. There are also two hotels close by as well as some commercial premises (including other licensed premises) in the vicinity. A map of the local area is attached as appendix 2.

Figure 1: View of the premises entrance looking due North.



Figure 2:

View looking South East down Tooley Street from immediately outside the premises' entrance.



4. Statement of licensing policy

According to section 7 of this council's statement of licensing policy 2021 – 2026 (the SoLP), the premises fall within Borough and Bankside District Town Centre. The premises are **not** subject to a cumulative impact 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 Borough and Bankside District Town Centre as follows –

Restaurants and cafes:

Sunday - Thursday: 00:00
Friday and Saturday: 01:00

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

Sunday - Thursday: 23:00
Friday and Saturday: 00:00

5. Our objection

Our objection relates to the promotion of the prevention of public nuisance and prevention of crime and disorder licensing objectives.

Although the extended terminal hours are congruent with the terminal hours recommended in our SoLP, we note that the premises has been subject to complaints relating to noise nuisance and anti-social behavior arising due to the current premises' operation as per table 1 below.

Table 1:

Complaint reference	Date	Source	Details
980124	05 July 2022	Resident 1	Noise nuisance and anti-social behaviour from customers
980204	05 July 2022	Resident 2	Noise nuisance, anti-social behaviour, no control of customers and illegal parking by customers
980282	07 July 2022	Resident 3	Noise nuisance, anti-social behaviour, no control of customers and illegal parking by customers
C/A00141	30 May 2023	Resident 4	Noise nuisance and anti-social behaviour from customers
C/A00143	30 May 2023	Resident 5	Noise nuisance, anti-social behaviour, no control of customers and illegal parking by customers
C/A00242	31 May 2023	Local Councillor	Residents have complained to the Cllr regarding noise

			nuisance, anti-social behaviour, possible crime and disorder, no control of customers and illegal parking by customers
C/A00234	31 May 2023	Resident 5	Noise nuisance, anti-social behaviour, no control of customers and illegal parking & littering by customers
C/A06505	05 September 2023	Local Councillor	Residents have complained to the Cllr regarding noise nuisance, anti-social behaviour, possible crime and disorder, no control of customers and illegal parking by customers
C/A06990	11 September 2023	Resident 5	Noise nuisance and anti-social behaviour from customers
C/A07016	11 September 2023	Resident 6	Noise nuisance and anti-social behaviour from customers
C/A13187	02 January 2024	Resident 7	Noise nuisance and anti-social behaviour from customers

Although the complaints are unsubstantiated, we contend that the complaints are indicative of the operation of the premises causing residual problems in the locale, and that the licensing sub-committee take them into consideration in determining this application.

Please note that 'unsubstantiated' simply means that we were not able to investigate the complaints at the time we received them. We received the complaints after the alleged problems had occurred. It means that we cannot verify whether the alleged incidents detailed in the complaints occurred, **not that they did not occur.**

We say that given the history of complaints regarding the operation of the premises, extending the operating hours of the premises could lead to the alleged noise nuisance and anti-social behavior related to the operation of the premises being carried on, and affecting local residents, later into the night. We therefore contend that the licensing sub-committee should make a decision as to whether the application should be granted or not.

6. Conditions

If the licensing sub-committee is minded to grant the application we suggest that the following conditions be added to the premises licence and / or that the following existing licence conditions be replaced -

1. That a minimum of three (3) SIA registered door supervisors will be employed at the premises at all times after 22:00 hours on Friday, Saturday & Sunday. They will be employed to control entry to the premises, 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 liveried clothing or hi-visibility garment.

2. 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.

Replace condition 340 with the following:

3. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers, at all exits from the premises, in any external areas and at the entrance to the premises 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.

Replace condition 345 with the following:

4. 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.

5. That staff shall be trained to arrive at, conduct themselves at the premises at all times, and leave the premises in an orderly manner, with particular care taken when staff close the premises at the end of trade on each day. The 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.

6. That clearly legible signage stating a dedicated contact telephone number for the premises shall be prominently displayed where it can easily be seen and read by passers-by. The signage shall state to the effect that the phone number shown can be used to contact the premises in respect of any complaints regarding the operation of the premises. If the telephone number relates to a mobile phone, then the duty manager / supervisor on duty shall have the mobile phone on their person at all times. Such signage shall be kept free from obstructions at all times.

7. 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.

8. That any external areas of the premises / the premises' frontage will be closed to customers between 22:00 hours and 10:00 hours the following day except to allow up to a maximum of 5 people at any one time to use the external areas after 22:00 hours to smoke only.

9. That customers will not be permitted to take any open drinks bought at the premises away from the premises.

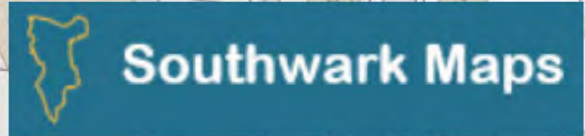
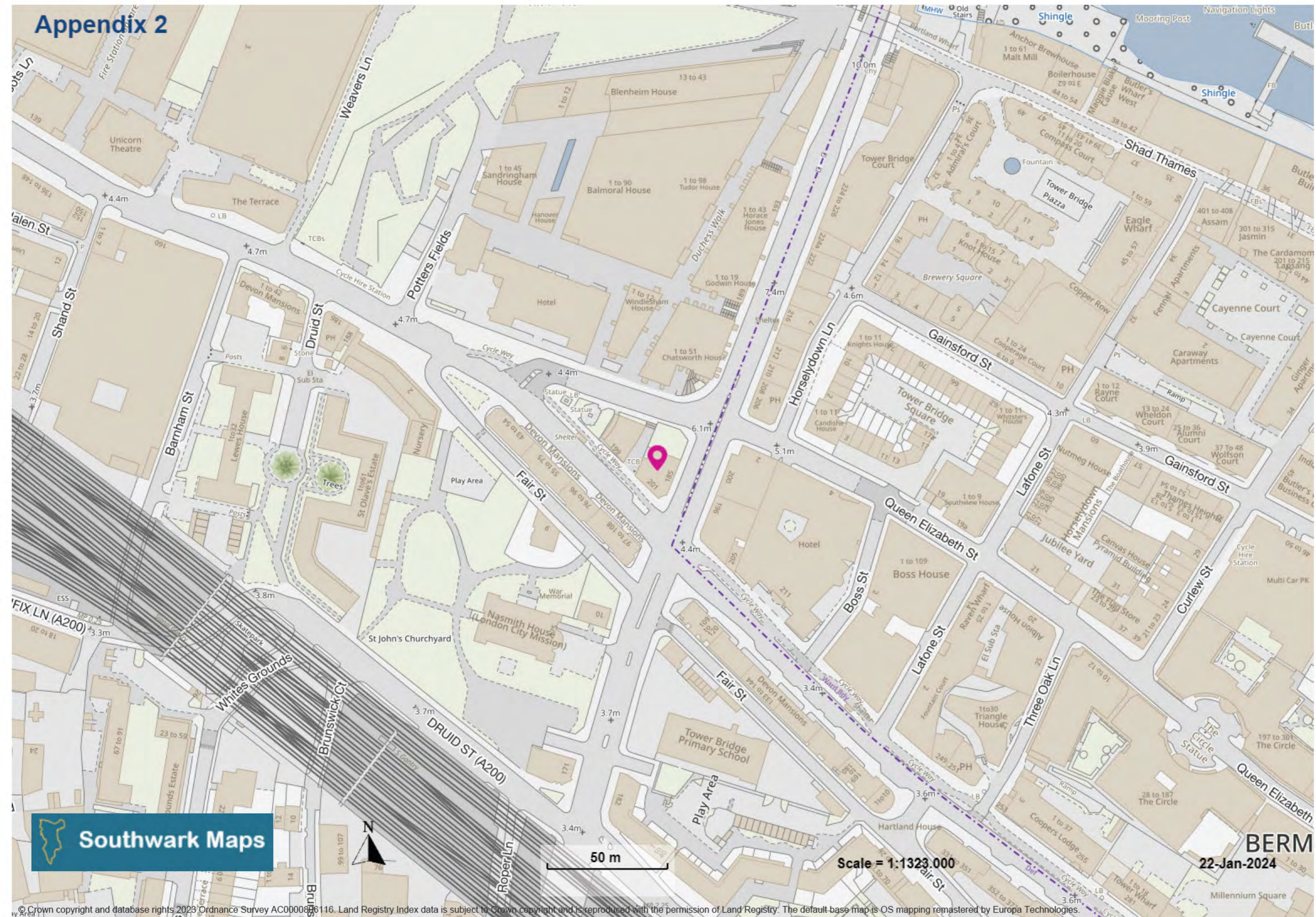
10. That the premises' management shall regularly monitor outside the premises and take all necessary steps to ensure that noise from patrons or premises operation does not cause disturbance or public nuisance. A log of such monitoring including the printed name of the person who undertook the monitoring, the date & time of the monitoring and any observations or actions taken subsequent to the monitoring shall be kept at the premises and be made immediately available to responsible officers on request.

11. That any media related to promoting / advertising the premises (including online / digital media) shall advise customers not to drive to the premises, shall advise customers to use public transport to get to the premises, shall detail local public transport routes / stations and shall advise customers that there is no customer parking available in the vicinity of the premises.

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer

Appendix 2



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Scale = 1:1323,000

BERM
22-Jan-2024