



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

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

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/2968/17

Date: 4th June 2017

Dear Sir/Madam

Re:- Hogsmill 204 Union Street SE1 0LX

Police are in receipt of an application from the above for a new premises licence to be granted under the licensing act 2003.

The application I have does contain much in the way of detail with regard to the intended operation, from a local website I note that it is described as a Bar/Restaurant. From the plans I can only see areas for seating as opposed to a bar area. The two types of premises are somewhat different and would require a different approach in regard to the prevention of crime and disorder.

The hours of operation as per application are as follows:

Late Night Refreshment

Thu - Sat 2300hrs to 02:00hrs

Alcohol Sales (On/Off)

Sun - Wed 1100rs to 2300hrs

Thu - Sat 1100hrs to 0200hrs

Live & Recorded Music

Sun – Wed 0900hrs to 2300hrs

Thu – sat 0900hrs to 0200hrs

Premises open to the public

Mon – Wed 0600hrs to 2300hrs

Thu – Sat 0600hrs to 0200hrs

Sun 0600hrs to 2300hrs

Firstly I note that the entertainment aspect of the application refers to indoors and outdoors, I also note that on the days when the entertainment is provide until 2300hrs this would not require the authorisation of a premises licence.

My initial concerns would be that entertainment played outside of a premises until 0200hrs is likely to cause significant noise disturbance for local residents.

Southwark's statement of licensing Policy 2016 asks applicants of new licenses to consider the guidance in relation to opening hours. Consideration should be given to the premises location and its likelihood to impact on the licensing objectives. It also asks applicant to consider what additional control measure could be put in place to counter any negative impact.

On this occasion I fail to see what additional control measures could be put in place to counter the obvious noise impact, it is for this reason that this element of the application should be refused on the grounds that it would undermine the prevention of public nuisance licensing objective.

The application in general and the late hours on Thursday, Friday & Saturday nights demonstrate a lack of consideration for the statement of licensing policy.

The recommended hours for restaurants in residential areas as per Policy is 2300hrs. I note however that the applicant has offered additional control measures by way of SIA registered security to be employed when the venue is in operation after midnight.

If the licensing sub committee are minded to grant the opening hours as per application, the following wording for the operating schedule is recommended in order to negate any ambiguity.

On Thursday, Friday & Saturday nights the premises will employ at least two (2) SIA registered door supervisors. They will be employed and on duty at 2100hrs until the terminal hour of 0200hrs or when the premises is closed to the public and all patrons have left the premises and the immediate vicinity. They will be employed to monitor and regulate entry and egress from the premises and for the purpose of conflict management.

Regardless of the timings Police would like to see the following additional control measures, some have already been offered by the applicant, however the wording is different from that on the application.

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

2/ All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council. There will be at least one person on duty at all times that is familiar with the operation of the CCTV and able to download the footage upon request.

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

4/ Intoxicating liquor shall not be sold or supplied on the premises other than to persons having table meals and is for consumption by such person as an ancillary to this food .

Condition 4 would restrict the premises to a restaurant style operation, this type of premises is far less likely to impact on the licensing objectives, and might be something to consider should the applicant still wish to proceed with the application for 0200hrs as detailed on the application.

The above is submitted for consideration by the licensing sub committee.

Police would however welcome any dialogue with the applicant by way of conciliation.

Kind Regards

Ian Clements PC 362 MD
Police Licensing Officer
Southwark Police Station
323 Borough High Street SE1 1JL
T 0207 232 6756
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Please consider the environment - do you really need to print this email?

From: Steve Novak [REDACTED]
Sent: Thursday, June 01, 2017 11:56 AM
To: Prickett, Mark
Cc: Regen, Licensing; Mills, Dorcas
Subject: Re: Premises Licence, Hogsmill, Arch 21 204 Union Street. EPT representation

Thanks Mark

We would be happy to restrict the hours as suggested

Cheers
Steve

Sent from my iPhone

On 1 Jun 2017, at 11:52, Prickett, Mark <Mark.Prickett@southwark.gov.uk> wrote:

Dear Licensing,

Southwark Council's Environmental Protection Team have reviewed the premises licence application for Hogsmill, Arch 21, 204 Union Street, SE1 0LR.

Licensable activities sought;

Live music (indoors): 18:00 – 23:00 Monday to Thursday, 18:00 – 02:00 Friday & Saturday, 18:00 – 22:00 Sundays.

Recorded music (indoors): 09:00 – 23:00 Monday to Wednesday, 09:00 – 02:00 Thursday, Friday & Saturday, 09:00 – 23:00 Sundays.

Late Night Refreshment (indoors): 23:00 – 02:00 Thursday to Saturday.

Supply of alcohol (both on and off premises): 11:00 – 23:00 Monday to Wednesday, 11:00 – 02:00 Thursday, Friday & Saturday, 11:00 – 23:00 Sundays.

Opening hours: 11:00 – 23:00 Sunday to Wednesday, 11:00 – 02:00 Friday & Saturday.

SITE HISTORY

Arch 21 was granted planning permission for restaurant use via planning ref number 16/AP/1450 in June 2016. Please see copy of the decision notice attached.

Condition 4 of this planning permission limited the opening hours of Arch 21 to 07:00 – 23:00 on any day, in order to “safeguard the amenities of neighbouring residential properties”.

Planning application ref 16/AP/2623 sought to vary condition 4, to change the closing time from 23:00 to 23:30 on any day. This variation was granted in August 2016. Please see copy of the decision notice attached.

EPT COMMENTS ON APPLICATION

EPT make the following comments based on the hours for licensable activities sought;

- The licensable activity hours sought exceed the existing imposed planning permission opening hours.
- Recorded music applied for from 9am, but the opening hours do not commence until 11am?

At present applicant has also requested live music and recorded music until 02:00 , however there are no measures included within section M part d) of the application to address potential noise outbreak / public nuisance. It is also advised that “strict policies” will be in place for the outdoor area, but it does not advise what these policies are?

EPT note that Arches 22-26, located on the opposite side of Union Street to Arch 21, are not permitted to use their respective outdoor areas after 21:00 through condition 9 within planning permission 14/AP/1935.

EPT STANCE

The Environmental Protection Team **make representation** against this application due to the late hours sought, both in terms of potential public nuisance should the premises operate until 02:00 with recorded & live music and also the conflict with the existing planning permission hours for the premises.

Should the applicant be agreeable to amend the hours to finish stay open no later than 23:30 on any day then EPT would be happy to review the application again.

Kind regards,

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

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

Office address (By appointment only): Southwark Council, 160 Tooley Street, London, SE1 2QH

visit: <http://www.southwark.gov.uk/air-quality>

<http://www.llecp.org.uk/> - London Low Emission Construction Partnership

<image002.jpg>

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

From: Prickett, Mark
Sent: Thursday, June 01, 2017 3:20 PM
To: 'Steve Novak'
Cc: Regen, Licensing; Mills, Dorcas
Subject: RE: Premises Licence, Hogsmill, Arch 21 204 Union Street. EPT representation

Thanks for advising Steven.

Can you please clarify/confirm the following;

- The revised opening hours
- Revised licensable activity hours
- In light of the restaurant shutting at 23:30 everyday, do you still require late night refreshment?
- In light of the restaurant shutting at 23:30 everyday, do you still require live & recorded music? Please see link below for online government guidance relating to licensing deregulations that came into effect in 2015, whereby "A licence is not required to stage a performance of live music, or the playing of recorded music if:
 - it takes place between 8AM and 11PM; and
 - it takes place at an alcohol on-licensed premises; and
 - the audience is no more than 500 people"

<https://www.gov.uk/guidance/entertainment-licensing-changes-under-the-live-music-act>

Background music is also not a licensable activity. As such if you were not intending to play live or recorded music after 23:00 on any day (in the knowledge that the restaurant shuts at 23:30 and you can still play background music until 23:30) then you do not need to apply for recorded or live music within your application form. You are permitted to do so as per above guidance just from having an alcohol licence.

Hope that is clear but any queries please don't hesitate to contact.

Kind regards,

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

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

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visit: <http://www.southwark.gov.uk/air-quality>

<http://www.llecp.org.uk/> - London Low Emission Construction Partnership

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Monday, June 05, 2017 5:07 PM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: New Premises licence for Hogsmill 204 Union Street

To whom it may concern:

Re: Hogsmill, 204 Union Street, London SE1 0LX

On behalf of the Director of Health and Wellbeing (incorporating the role of Director of Public Health) for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

This representation is made in respect of the following licensing objective(s):

- The prevention of crime and disorder
- Prevention of public nuisance
- Public safety

General Comments

The applicant requests a new licence for the sale of alcohol on and off the premises between the hours of 11:00-23:00 Sundays to Wednesdays and 18:00-02:00 Thursdays to Saturdays. I have concerns regarding the hours of alcohol sales requested. Research suggests that increased hours of alcohol sales are associated with increased alcohol consumption, increased alcohol-related injuries, and increased alcohol-related harm. Additionally the hours requested fall outside what is recommended in Southwark's Statement of Licensing policy which is 00:00 on Fridays and Saturdays for bars and other drinking establishments. This premises is also located within Borough Bankside Cumulative Impact Zone and in my opinion the applicant has not rebutted the presumption that this premises will add to the cumulative impact of alcohol related harm in the local area. Finally, the applicant has requested both on and off sales of alcohol but has provided no justification for the off sales.

Recommendations

- I recommended alcohol sales are not permitted after 00:00 on Friday and Saturdays
- I recommended a licence for on sales only

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

Yours faithfully,

Carolyn Sharpe
on behalf of Professor Kevin Fenton, Director of Health and Wellbeing (incorporating the role of Director of Public Health)

Carolyn Sharpe | carolyn.sharpe@southwark.gov.uk | 02075250025 [REDACTED]
Public Health Policy Officer (People & Health Intelligence), London Borough of Southwark, 160 Tooley Street, London SE1 2QH