

From: Prickett, Mark
Sent: Friday, August 18, 2017 12:23 PM
To: Regen, Licensing
Cc: 'p.mayhew@btbl.co.uk'; Mills, Dorcas
Subject: Paladar, 4-5 London Road, SE1 - premises licence major variation

Dear Licensing,

Southwark's Environmental Protection Team (EPT) have reviewed the major variation premises licence application for Paladar, 4-5 London Road.

The major variation seeks to;

- *Bring forward the start time for the Sale of Alcohol and the Opening Hours by one hour from 12.00 (midday) to 11.00*
- *To add hours for Sundays to permit the sale of Alcohol from 11.00 to 22.30 with opening hours ending at 23.00*
- *To add the off-sale of alcohol. This will however be limited by the condition that sales to end at 23.00 and to restrict sales to those products in which the premises specialises; 'Alcohol of Latin & Central / South American Origin'*
- *Review the existing conditions and remove those which are no longer relevant or difficult to enforce and replace them with more up-to-date versions.*
- *To change the name of the Premises to 'Paladar'*
- *To permit a small number of people to consume alcohol while sat at the bar on the ground floor without the requirement to immediately consume a 'meal'. These people will either be waiting for a table to become available or consuming 'Tapas' style food at the bar / counter.*

EPT STANCE

The existing licence for the premises can be found here;

<http://app.southwark.gov.uk/Licensing/LicPremisesGrantedDetails.asp?systemkey=859740>

The existing licence permits opening hours to 02:00 Monday to Saturdays. The variation seeks opening hours on Sunday to 23:30.

It is not known exactly when this licence was first granted however it is believed to be over 10 years ago. The hours permitted on the existing licence currently exceed the recommended opening hours within the current Licensing Policy (2016-2020) for this part of the borough. Furthermore, the condition relating to the hours for which the outdoor areas to be used also exceeds the recommended time within the current policy.

Condition 9501 (340 when reviewing on the online licensing register) states "That the use of the restaurant garden will be closed by 0030 hours Monday to Saturday and 0000 hours on Sunday". The current recommended time limit for outdoor areas to shut is 22:00, as stated in section 224 of Southwark Licensing Policy.

The licence also permits live music until 1am on a week night. EPT have concerns as generally speaking it is difficult to control the noise caused from instruments (for instance drums, brass instruments etc). Live music occurring till 1am below residential properties/persons trying to sleep could conceivably give rise to public noise nuisance.

EPT OBJECTION

EPT raise **objection** to the major variation application. There are concerns with licensable activities sought, as well as concerns over the potential noise being generated from the licensable activities sought.

- The Supply of alcohol is proposed for off the premises. The following condition is considered required; **“That the supply of alcohol for consumption off the premises must be sold in a sealed container.”**
- EPT would request that condition 9501 (340 when reviewing on the online licensing register) is changed to state **“Patrons shall not be permitted to use the garden to the rear of the premises after 22:00hrs”**
- **“Patrons shall not be permitted to use the external area to the front on the premises on London Road after 22:00hrs, apart for access & egress and for smoking.”**
- The applicant is seeking live music both inside and outside. The current licence does not permit this outside. EPT object this and request the applicant remove live music being undertaken outside. EPT also request to revise indoor times to 11pm Sun to Thurs, midnight on Fri & Sat to ensure residents above and in neighbouring dwellings are not caused public nuisance from live music being played until late into the night 7 days a week.
- The applicant is seeking recorded music both inside and outside. The current licence does not permit this outside. EPT object to this and request the applicant to remove recorded music being undertaken outside from the application.
- The applicant is seeking late night refreshment outside between 23:00 – 02:00. The current licence does not permit this outside. EPT object to this, and have requested the outside areas (garden/courtyard and area to front of premises) to be shut by 22:00 as per above.

The following conditions are also considered relevant for this application to ensure internal music levels and management controls are in place to prevent public nuisance from occurring from a licensed premises operating to 2am Monday to Saturdays;

- **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 adjoining or nearby noise sensitive premises.**
- **All audio and musical equipment used in the premises shall be played through the installed sound limiting device.**
- **During any licensed entertainment on the premises all doors and windows shall remain closed (except for access or egress).**
- **Acoustic door seals and brushes shall be installed to doors/fire doors leading out into external areas so as to minimise sound escape from the premises.**
- **Amplified music, song or speech shall not be broadcast in external areas at any time.**
- **The premises shall be adequately mechanically ventilated and comfort cooled to allow doors and windows to remain closed during licensed entertainment.**
- **External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 22.00hrs.**

- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 22:00.

Should then applicant be in agreement to agree to the proposed changes and conditions then EPT will be in a position to remove it's objection.

It is fully appreciated that there is an existing licence in place with limited controls, however the above additional conditions and time restraints will ensure that the proposed use will not cause public nuisance in the future. These controls are common place for all new licensed premises in SE1 and for the rest of the borough.

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



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

From: Prickett, Mark
Sent: Thursday, August 24, 2017 5:44 PM
To: 'p.mayhew@btbl.co.uk'
Cc: Mills, Dorcas
Subject: RE: Paladar, 4-5 London Road, SE1

Dear Peter,

I've only had chance to review the previous licence application today also.

It would appear that the late night hours and licensable activities, and ultimately the premises licence, were granted based on a number of statements made within the application, as follows;

Page 8;

1. *Live Music. Maximum a quartet playing classical or jazz on special occasions (birthdays / office parties / weddings etc). Expected maximum once per month.*
2. *Background Italian/classical/jazz*
3. *Provision of late night refreshment. Regularly to midnight and for special occasions (see above) until 2am. No entrance to restaurant after 11:30pm*

Page 11 referring to live music indoors;

"Maximum four people playing classical or jazz with minimal amplification. To be restricted to special occasions only and ancillary to restaurant meal. Anticipate once a month maximum. Days variable depending on occasion".

"Music to 01:00 on rare occasions only. No entrance to restaurant after 23:30."

Page 12 referring to recorded music indoors;

"Quiet background Italian/classical/jazz with minimal amplification"

Page 15 referring to late night refreshment;

"Restaurant meals and drink to 24:00 (midnight) on regular basis and until 02:00 on special occasions as per music variation."

"Opening past 24:00 (midnight) will be on rare occasions only anticipated maximum of twelve times per year. No entrance to restaurant after 23:30 on any occasion."

Page 16 referring to the supply of alcohol;

"Alcohol will normally be supplied only until 23:00 (midnight) except for special occasions as described above."

Page 18 referring to the prevention of public nuisance licensing objective;

"Proposed live music will be low volume to match existing ambience"

Look forward to receiving a further response acknowledging the comments that were sent over last night, attached for reference.

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



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

From: Mills, Dorcas