

From: Newman, Paul
Sent: Wednesday, August 23, 2017 3:49 PM
To: Regen, Licensing
Cc: [REDACTED]
Subject: CLF Arts Lounge 12A station parade Peckham EPT Ref 859732 (deadline 28 August 2017)

EPT wish to make the following representations about the application for this new premises licence in the Peckham area;

1. Representation on the grounds of cumulative impact of public nuisance and crime and disorder in the Peckham CIP area

The application is for a new licence within the Peckham Cumulative Impact Policy area. [Statement of Licensing Policy](#) explains the purpose of the CIP areas, and says (section 6, pages 32-36) that parts of Southwark have reached saturation point in respect of licensed premises, and data analysis shows that in these areas, the benefits of the night time economy begin to be outweighed by health impacts, loss of amenity, and costs of excessive alcohol consumption, crime and disorder. It further says (paragraph 134 page 35), that a CIP policy is considered appropriate and necessary in the Peckham area.

If the application is to be granted or part granted, then under the policy (paragraph 119 page 33), the applicant needs to demonstrate to the Licensing Sub Committee that the application will not, if granted or part granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

This application does not appear to exhibit any of the example characteristics that may demonstrate there will be no impact listed in paragraph 140, page 36.

In these circumstances, EPT are of the view that the licence, if granted, will increase footfall in the late night economy of patrons associated with alcohol licensed premises, and this will have a negative cumulative impact on public nuisance and crime and disorder within the Peckham CIP area.

2. Representation on the grounds of excessive hours in Peckham Major Town Centre

In addition to the presumption against grant of a new licence in Peckham CIP area, the application does not comply with the hours policy set out on pages 37-39, with particular reference to the table on page 39.

The applicants seek

- Supply of alcohol on the premises
- Plays, Films, and performances of Dance
- Live music until 4am on Fridays and Saturdays
- Recorded music until 4am on Fridays and Saturdays
- Late Night refreshment

all until 4am on Fridays and Saturdays (and 5am August Bank Holiday, 6am New Years Eve);

If granted sui generis planning consent to operate as a nightclub, hours for licensable activities should be limited to 03.00 Friday and Saturday, 01.00 Monday to Thursday, and midnight on Sundays.

Without sui generis planning consent to operate as a nightclub, then any cinema and theatre element should be licensed to no later than 02.00 daily, and the supply of alcohol should be restricted to bona fide cinema and theatre patrons after the closing hours for drinking establishments, which are midnight on Friday and Saturdays, 23.00 on other days.

Live and recorded music should be granted in line with alcohol licensed hours, not including any alcohol licensed hours that are restricted to cinema and theatre patrons, unless such music is incidental to a genuine theatre (including a performance of dance), or cinema production.

EPT do not have any objections to the provision of late night refreshment at any time that the premises are authorised to be open to the public.

In these circumstances, EPT are of the view that the licence, if granted, will increase the negative cumulative impact on public nuisance and crime and disorder especially in the hours later than those specified as appropriate in the statement of licensing policy.

Kind regards

Paul Newman

Principal Environmental Health Officer

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

Tel: 020 7525 3551 | Fax: 020 7525 5705 | e mail: paul.newman@southwark.gov.uk

From: Graham.S.White@met.pnn.police.uk [<mailto:Graham.S.White@met.pnn.police.uk>]
Sent: Thursday, August 24, 2017 2:04 PM
To: Regen, Licensing
Cc: Franklin, David
Subject: Art Lounge, 12a Station way

Please find attached the police response to the above application.

Regards

PC Graham White 288MD

Southwark Police Licensing Unit

323 Borough High Street

London

SE1 1JL

Tel: 0207 232 6756 (726756)

SouthwarkLicensing@met.police.uk

graham.white4@met.police.uk



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/ 3008/17

Date: 24th August 2017

Dear Sir/Madam

Re:- CLF Art Lounge, 12a Station Way, London, SE15 4RX

Police are in possession of an application from the above for a new premises licence. The application describes the operation as an Art Lounge but would appear to be a multi-use space with bar and kitchen available for private hire.

The premises falls within the Peckham cumulative Impact Zone (CIZ) and the Peckham Major Town centre area as set out within the Council Licensing policy.

The times applied for are outside that recommended within the policy even for that of a Night club. From what is described within the application, the licensable activities

applied for and the control measures offered with the operating schedule the venue could operate as a night club and as such the police would like to see control measures suitable for a night club and the hours as recommended within the policy if granted by the Licensing sub-committee.

If consideration is given to the granting of a premises licence with hours of operation similar to those as per the application, a significant number of control measures would be required in order to address the promotion of the licensing objectives.

1. The premises will install a CCTV system and maintain this system in good working order, the system will be 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 including the bar and smoking areas. 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 the Council
2. 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 operating and retrieving footage on request of the Police or other authorised officer.
3. The premises will employ a minimum of 3 SIA registered door supervisors, one of whom shall be female. They will be employed each night the premises are in operation under the premises licence when the terminal hour is after 0030hrs and will be on duty to receive patrons 21:00. They will be provided with and will use electronic search wands in respect of the search of all persons who wish to enter the premises. This includes all DJ's and associated staff and their equipment. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, 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.
4. If the terminal hour is before 00.30hrs then one SIA registered door supervisors will be employed from 21.00hrs. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict within the venue.
5. A 696 must be submitted for any occasion in a premises licensed under the provisions of the Licensing Act 2003, using a DJ or MC performing to recorded background music, operating any time between 10pm and 6am, that is promoted in some form by either the venue or an outside promoter, where entry is either free, by invitation, pay on the door or by ticket."
6. That a Personal Licence holder is on the premises and on duty at all times after 22:00 when intoxicating liquor is supplied.
7. An ID scanning system to the reasonable satisfaction of Police be installed and maintained at the premises. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 22:00 when the premises are in operation under the premises

licence and the terminal hour is after 00.30hrs. It will be used to record the details of all persons entering the premises including staff, members of the public, performers and their assistants. Entry to the premises will not be permitted without the production of the relevant ID document and or the person's details are already stored on the system and they are identified using a biometric identification system.

8. At all times the premises is in operation under the premises licence there will be at least one member of staff trained to a satisfactory standard able to operate the ID scan system and able to retrieve data from the system on request of the Police or other authorised officer.
9. That all staff concerned in the sale or supply of intoxicating liquor undergoes a recognised training scheme for such duties. Records of such training should be kept and made available for inspection, on request by Police or other authorised officer.
10. That no beverages will be consumed in the smoking area after 22.00hrs, patrons will be encouraged to leave this area as soon as practicable.
11. There will be no new entry or re-entry to the premises after 01:00 on each night the premises are open to the public.
12. That all incidents of violence and or disorder that result in an injury to another will be reported to the Police as soon as practicable. The reasoning behind any delayed report will be recorded in the incident report book. This report book will be made available for inspection by any authorised officer from the Police or local authority.

The Following is submitted for your consideration, Police would welcome the opportunity to conciliate should the need arise.

Yours Sincerely

PC Graham White 288MD
Southwark Police Licensing Unit
Tel: 0207 232 6756

From: Franklin, David
Sent: Thursday, August 24, 2017 5:46 PM
To: Regen, Licensing
Cc: McArthur, Wesley
Subject: The CLF Art Lounge, 12a Station Way SE15 4RX.docx

MEMO: Licensing Unit

To Licensing **Date** 24 August 2017

Copies

From David Franklin **Telephone** 020 7525 5800

Email david.franklin@southwark.gov.uk

Subject The CLF Art Lounge, 12a Station Way, London SE15 4RX

I make this representation with regards to the application for a new premises licence submitted by Mr Michael Andrew Smith and Saija Marjaana Kamarainen for The CLF Art Lounge, 12a Station Way, London SE15 4RX.

My representation is based on all four of the licensing objectives, the prevention of crime and disorder and the prevention of public nuisance.

The premises is described as *“The CLF Art Lounge - Set in a 2 floor building in station way diagonally / opposite the main entrance of Peckham Rye Train Station [above Jennys Burgers and an ex African convenience store - bordering both sides of PH Dental], the premises is made up of x2 spaces which have been combined [restored to original layout] to create a single venue.*

Combined space is approx 132.5 m² and both spaces were previously derelict / uninhabitable and have been extensively renovated. New venue benefits from X2 routes of escape. The first Main Entrance and Fire Exit stairwell [which the venue will have sole / public access to] leads to / from Station way [opposite bike repair shop / Peckham Rye Station main entrance] and will be used as the main entrance to the venue. The Other Stairwell will act as an Emergency Fire Exit only - leading from the venue's main space and exits the opposite direction / on the other side of Station Way

[next to Jenny's Burgers] leading to Rye Lane. Pls see attached plans.

The new space will operate as an art lounge with X3 seating areas for adults to sit back, relax and enjoy Peckham. The main room will seat around 50/60 people and will have a small stage and retractable cinema screen for intimate performances, showings and exhibitions.

Venue offering x2 further small seating areas including a relaxation / chill out booth that can be rented privately. The whole venue will be serviced by a main bar, with service bar and a relatively large kitchen that will be used for prep, storage and serving of simple foods. No hot ovens or gas used. Electric / microwave used only, simple yet stylish foods served.

The building is set in the Station Way Arcade / next to Peckham Rye Station's main entrance and as a result benefits from excellent transport links. Trains to buses. It's location also perfect for the servicing of the busy bustling Station patrons. The New CLF Art Lounge offering everything from Afternoon Tea to Fresh Coffees. Freshly Squeezed Juices to a place to sit relax and enjoy the free Wi Fi.

The CLF Art Lounge will be a much needed oasis of calm and culture for adults to sit back, relax, embrace and at the same time get away from the bustling, ever evolving world that is Peckham.”

The application asks for the following licensable activities:

Entertainment for Plays, Films, Live Music, Recorded Music, Performance of Dance and Anything Similar – All Indoors

Sunday to Wednesday 07:00 to 00:00 hours
Thursday 07:00 to 01:00 hours
Friday & Saturday 07:00 to 04:00 hours

Sale of alcohol on the premises

Sunday to Wednesday 07:00 to 00:00 hours
Thursday 07:00 to 01:00 hours
Friday & Saturday 07:00 to 04:00 hours

Late night refreshment indoors.

Sunday to Wednesday 23:00 to 00:00 hours
Thursday 23:00 to 01:00 hours
Friday & Saturday 23:00 to 04:00 hours

Opening Hours

Sunday to Wednesday 07:00 to 00:00 hours
Thursday 07:00 to 01:00 hours
Friday & Saturday 07:00 to 04:00 hours

Non standard timings

All licensable activities and opening times

August Bank Holiday 07:00 to 0500 hours,
New Years Eve 07:00 to 0600 hours

Section six of the Statement of Licensing Policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Peckham policy area as defined in paragraph 129 of the policy into the class of premises in 130 of the policy are night clubs, pubs and bars, off-licences, grocers, supermarkets, convenience stores and similar premises.

It seems from the application that this premises would fall into the category of a night club, particularly if the premises provides predominantly amplified recorded music to 04:00 hours, when public transport is likely to be restricted to no trains and only occasional night busses.

Under 119 of the policy there is a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations. In such circumstances, it is for the applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

In this application the applicant has not provided sufficient information to rebut the presumption that the operation of the premises will give rise crime and disorder within the policy area, there is inadequate information on how the clientele will be dispersed at 04:00 hours without contributing to the already high levels of crime disorder and public nuisance.

I therefore recommend on the information currently provided that the application is refused under the cumulative impact policy.

Should the application be restricted by condition to operate primarily as a theatre/cinema, under section seven (from page 137) of the statement of policy on hours of operation will apply.

This premises is in the Peckham Major Town Centre Area and under the Southwark Statement of Licensing policy 2016 - 2020 the following closing times are recommended as appropriate within this area for this categories of premises are:

Closing time for Public Houses Wine bars or other drinking establishments : Sunday to Thursday is 23:00 hours and for Friday and Saturday 00:00 hours

Closing time for Night Clubs (with sui generis planning classification) : Monday to Thursday is 01:00 hours and for Friday and Saturday 03:00 hours and for Sunday 00:00 hours

Closing time for Cinemas and Theatres is 02:00 hours daily

I would advise that if the premises is predominantly theatre/cinema that recorded music is either removed from the application, or made ancillary to the provision of plays or films, and that the sale of alcohol is sold as ancillary to the provision of plays, films or table meals.

The application also asks for the same finishing times for the activities and the closing times, leaving no time for patrons to finish there activity, such as consuming their alcohol, and leave over a period of time.

To promote the licensing objectives the licensable activities times are adjusted as follows:

Entertainment for Plays, Films, Live Music, Recorded Music, Performance of Dance and Anything Similar – All Indoors

Sunday to Wednesday 07:00 to 23:30 hours

Thursday 07:00 to 00:30 hours

Friday & Saturday 07:00 to 01:30 hours

Sale of alcohol on the premises

Sunday to Wednesday 07:00 to 23:30 hours

Thursday 07:00 to 00:30 hours

Friday & Saturday 07:00 to 01:30 hours

Late night refreshment indoors.

Sunday to Thursday 23:00 to 23:30 hours

Friday & Saturday 23:00 to 01:30 hours

Opening Hours

Sunday to Thursday 07:00 to 00:00 hours

Friday & Saturday 07:00 to 02:00 hours

With the following additional conditions:

- That the sale of alcohol shall be sold as ancillary to the showing of films, the provision of plays, live music or performances of dance or as ancillary to a substantial table meal.
- That the provision of recorded music is provided as ancillary to the showing of films, the provision of plays, live music or performances of dance.
- Drinks shall not be taken outside the premises
- There will be no new entry or re-entry to the premises after 00:00 hours (midnight).

- The maximum number of patrons in the premises at any one time shall not exceed(to be confirmed)
- A dispersal policy is written and kept at the premises, management at the premises shall implement the policy on closing time.

David Franklin
Licensing Authority as a Responsible Authority

From: Regmi, Sadie
Sent: Friday, August 25, 2017 3:53 PM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: New Premises licence 12a Station Way

To whom it may concern:

Re: The CLF Art Lounge, 12a Station Way, SE15 4RX

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.

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

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

Public Health are in receipt of an application from the above for a new licence for the sale of alcohol on the premise between 0700-0000 Sundays - Wednesdays, 0700-0100 Thursdays and 0700:0400 Fridays and Saturdays. Southwark's Statement of Licensing Policy's recommends the following closing times for establishments such as the one proposed: Sunday to Thursday 23:00 hours and Friday and Saturday 00:00 hours. The applicant has also requested an early start time for alcohol sales. Early-morning alcohol purchasers are more likely to be alcohol misusers and may thereby contribute to antisocial behaviour such as street drinking.

The premises are located in the **Peckham Cumulative Impact Policy** area, an area with considerable issues relating to alcohol fuelled anti-social behaviour, violence, disorder and street drinking. In my opinion, given the above concerns, the applicant has not rebutted the presumption that these premises will add to the cumulative impact of alcohol related harm in the local area.

I therefore recommend that the application is rejected unless the applicant can amend their application with details on the maximum number of people expected to attend the premises at any one time and explicitly state that no vertical drinking will be allowed in the proposed establishment.

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

Yours sincerely,

Dr Sadie Regmi

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

Dr Sadie Regmi | sadie.regmi@southwark.gov.uk | 02075253063
Specialty Registrar in Public Health Medicine, London Borough of Southwark, 160 Tooley Street, London SE1 2QH