

**Heron, Andrew**

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**From:** Franklin, David  
**Sent:** 14 March 2018 16:49  
**To:** Regen, Licensing; Heron, Andrew  
**Cc:** Tear, Jayne  
**Subject:** Sir Robert Peel 7 Langdale Close SE17 3UF  
**Attachments:** MR200034.doc

I make this representation with regards to the review application of the premises licence submitted by the Police for The Sir Robert Peel, 7 Langdale Close SE17 3UF. My representation is based on the four licensing objectives for the prevention of crime and disorder, the prevention of public nuisance, health & safety and the protection of children from harm.

I support the Police request to revoke this premises licence following the recent violent knife incident at the premises leading to the tragic death of a customer.

The incident took place while the premises was open and supplying alcohol to members of the public beyond the licence operating hours for the sale of alcohol. The premises manager Mr Kenneth Clancy was sent a warning letter dated 21 August 2017 which advised that the Council had received complaints that the premises was selling alcohol beyond their hours and advised of the hours for the sale of alcohol and warned that it was an offence to conduct licensable activities outside of these hours. Had Mr Clancy heeded this warning this incident may never have occurred.

Licensing Officers are investigating breaches of the premises licence resulting from information received from the Police investigation of the incident and I reserve the right for Licensing as a Responsible Authority to add further details and evidence to support this representation.

Regards

David Franklin  
Responsible Authority for the Licensing Authority

**Mr Kenneth Clancy**

Sir Robert Peel  
7 Langdale Close  
London  
SE17 3UF

**Licensing Unit**  
**Direct Line:** 020 7525 5767  
**Direct Fax:** 020 7525 5705  
**Our Ref:** 861130

Via post

21<sup>st</sup> August 2017

Dear Mr Clancy,

**Licensing Act 2003 – Sir Robert Peele – 7 Langdale Close, London, SE17 3UF**

It has come to our attention over the weekend that there are a number of issues with the running of the premises. The premises licence remains in the name of Gary McCarthy, however, I understand that he has not been involved in the business for three-and-a-half years. The licence therefore needs to be transferred into your name. You will also require Mr McCarthy to provide written permission to transfer the licence.

Secondly, Section 19 (3) of the Licensing Act states that every sale of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence. It has come to the Licensing Unit's attention that the designated premises supervisor (DPS) listed on the Premises Licence issued in respect of the above premises, Mr Liam Mundow, is no longer have an interest in the premises. Therefore, as you do not have a DPS in place, sales of alcohol cannot take place until this matter is resolved.

This was your responsibility to do this at the point that you took over the business. You can apply for a premises licence transfer and vary DPS application with immediate effect, online at:

<https://www.southwark.gov.uk/business/licences/entertainment-and-alcohol/licences/variation-transfer-and-dps-for-the-licensing-act-2003>

You cannot be open or sell alcohol until this is resolved.

In addition to the above, the reason the visits took place was due to a complaint received that the premises has been operating beyond the hours granted on the premises licence. To remind, you, the granted hours are as follows:

The sale by retail of alcohol (both on and off sales)

- Monday to Saturday from 10:00 to 23:00
- Sunday from 12:00 (midday) to 22:30

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

**Switchboard** - 020 7525 5000 Website - [www.southwark.gov.uk](http://www.southwark.gov.uk)

**Strategic Director of Environment and Social Regeneration** - Deborah Collins

The provision of late night refreshment (indoors)

- Monday to Saturday from 23:00 to 23:30

The provision of regulated entertainment in the form of live music, recorded music, performances of dance, facilities for making music and anything similar (all indoors)

- Monday to Thursday from 09:00 to 23:00
- Thursday and Friday from 09:00 to 00:30 (the following day)
- Sunday from 09:00 to 22:30

If you conduct licensable activities outside of these hours, you are committing a criminal offence under Section 136 of the Licensing Act 2003, which states:

A person commits an offence if—

- (a) He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
- (b) He knowingly allows a licensable activity to be so carried on.

You are therefore advised to cease any unlicensed activity with immediate effect. If you wish to apply for a variation to your premises licence in order to extend the hours for licensable activities, please complete the application and pay the appropriate fee, via our online system.

Finally, it was noted that the Premises Licence Summary (or certified copy) was not on display and the Premises Licence (or certified copy) was not kept at the premises. This is likely why you do not understand the hours as listed on the licence. Not retaining a valid copy is in breach of Sections 57(2) & (3) of the Licensing Act 2003. However, this should be resolved once you have made your transfer and vary DPS application, as a replacement premises licence will be sent to you.

I will arrange another inspection of your premises in the coming weeks, should the above offences be found to still be in place, we will look to take enforcement action, which may result in a review and/or prosecution of the premises.

Yours sincerely

Andrew Heron  
Principal Licensing Officer  
[andrew.heron@southwark.gov.uk](mailto:andrew.heron@southwark.gov.uk)