



APPENDIX B POLICE

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/3180/18

Date: 07/08/2018

Re:- Restaurant 2A, 8 Castle Square, London SE17 1EN

Dear Sir/Madam

Police are in receipt of an application from the above for a new premises licence to operate as a restaurant with the following timings

The operating schedule indicates that this is for restaurant premises, the application contains minimal in suggested control measures in order to restrict the operation to this specific manner.

The police object to the granting of the licence in its current format and would like to the the following conditions the wording of each condition is essential in order to negate any ambiguity.

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. Signage on entrance/exit requesting customers to respect neighbours and leave quietly.
5. 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

6. All off sales of alcohol shall be made as an ancillary to takeaway meals and shall be in sealed containers for consumption away from the premises
7. That there shall be no more than five smokers outside at any time and this shall be monitored by staff

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

Yours Sincerely

PC Graham White 288MD
Licensing Officer
Southwark Police Licensing Unit

POLICE WITHDRAW

Heron, Andrew

From: O'Gorman, Sinead
Sent: 23 August 2018 10:46
To: Heron, Andrew
Subject: FW: 8 Castle Square

Follow Up Flag: Follow up
Flag Status: Completed

From: Regen, Licensing
Sent: Thursday, August 23, 2018 10:40 AM
To: O'Gorman, Sinead
Subject: FW: 8 Castle Square

Kirty Read

Processing Manager
Southwark Council | Licensing | Regulatory Services
Tel: 0207 525 5748 | **Fax:** 020 7525 5705
EHTS Helpline: 020 7525 4261 | **Call Centre:** 020 7525 2000
Email: licensing@southwark.gov.uk

In future if you wish to submit an application, a quicker way would be to [apply online](#)

Postal Address:

Licensing Team | 3rd Floor, Hub 1 | PO Box 64529 | London | SE1P 5LX

Visitor's Address:

160 Tooley Street | London | SE1 2QH

From: [REDACTED]
Sent: Thursday, August 23, 2018 9:39 AM
To: Regen, Licensing
Cc: Tear, Jayne; [REDACTED]
Subject: 8 Castle Square

Licensing
Please find below agreement. We withdraw are objection
Regards
Graham

[REDACTED]

Subject: RE: 8 Castle Square

Dear Graham

These are acceptable to my client and I will formally amend the operating schedule to include the conditions if it satisfies your concerns and enables you to withdraw the police rep

Best Regards

[REDACTED]

[REDACTED]

Subject: RE: 8 Castle Square

Robert,
Confirm you are happy with the following

- A CCTV system will be installed at the premises and will be maintained in good working order to the satisfaction of the Metropolitan Police 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 and all licensable areas including any outside areas.
- CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request be made immediately available to Officers of the Police and the Council.
- Clear and legible notices will be prominently displayed at all exits asking customers to respect local residents and to leave quietly.
- Alcohol sold for consumption off the premises will only be to:
 - a) persons purchasing a takeaway meal and will be ancillary to that meal. Or
 - b) Persons who are seated at tables lawfully placed in the external area marked on the plan by waiter/waitress service
- Substantial food will be available at all times the premises are open
- Prior to 11:00 and after 22:00, each day, alcohol will only be sold with table meals, for consumption ancillary to this food, or having already been eaten.
- Save for persons waiting for a table or consuming drinks following their meal at the bar alcohol will be supplied by waiter/waitress to persons seated at tables.
- The maximum number of persons, excluding staff, to be present on the premises (including the external dining area) at any one time shall not exceed 150 persons.
- The external area will be managed and any customers causing nuisance will be required to leave.
- Any complaints received concerning nuisance will be recorded and appropriate action taken. A record will be kept for 6 months and made immediately available for inspection by officers of the council or police on request.

Regards

PC Graham White 288MD
Licensing Officer
Southwark Police Licensing Unit
323 Borough High Street
London
SE1 1JL

[REDACTED]

[REDACTED]
www.met.police.uk



[REDACTED]
[REDACTED]
[REDACTED]

Subject: RE: 8 Castle Square

The tables and chairs are clearly shown on the plan but there is no red mark.
A further revision to the condition in question could be as follows

- Alcohol sold for consumption off the premises will only be to:
 - a) persons purchasing a takeaway meal and will be ancillary to that meal. Or
 - b) Persons who are seated at tables lawfully placed in the external area marked on the plan by waiter/waitress service

Best Regards

Robert Sutherland
Consultant Solicitor
Keystone Law

[REDACTED]

From: [REDACTED]
Sent: 22 August 2018 15:13
To: [REDACTED]
Subject: RE: 8 Castle Square

Robert
Is the outside area included on the plans as part of the licensed area marked in red.
Regards

PC Graham White 288MD
Licensing Officer
Southwark Police Licensing Unit
323 Borough High Street
London
SE1 1JL

[REDACTED]
[REDACTED]
[REDACTED]



From: [REDACTED]

Sent: 22 August 2018 14:55

[REDACTED]

Subject: RE: 8 Castle Square

Dear Graham

Thank you. I think the error is entirely mine and I apologise for any misunderstanding caused.

Just to confirm the wording- I have underlined the 2 replacement conditions proposed and I have underlined one condition that I have reorganised to highlight it, otherwise I have adopted the revisions suggested:

- A CCTV system will be installed at the premises and will be maintained in good working order to the satisfaction of the Metropolitan Police 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 and all licensable areas including any outside areas.
- CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request be made immediately available to Officers of the Police and the Council.
- Clear and legible notices will be prominently displayed at all exits asking customers to respect local residents and to leave quietly.

(on the basis the external tables are set out as part of the premises the following condition could read as follows. I understand the concern is that alcohol may be sold purely for consumption off the premises. The client's aim is to be able to sell pizza which may be taken away for consumption and that drinks may be sold with the meal -)

- Alcohol sold for consumption off the premises will only be to persons purchasing a takeaway meal and will be ancillary to that meal.
- Substantial food will be available at all times the premises are open

(The next condition I have reorganised to make clearer and so I have underlined)

- Prior to 11:00 and after 22:00, each day, alcohol will only be sold with table meals, for consumption ancillary to this food, or having already been eaten.
- Save for persons waiting for a table or consuming drinks following their meal at the bar alcohol will be supplied by waiter/waitress to persons seated at tables.
- The maximum number of persons, excluding staff, to be present on the premises (including the external dining area) at any one time shall not exceed 150 persons.
- The external area will be managed and any customers causing nuisance will be required to leave.
- Any complaints received concerning nuisance will be recorded and appropriate action taken. A record will be kept for 6 months and made immediately available for inspection by officers of the council or police on request.

What do you think?

Best Regards

Robert Sutherland
Consultant Solicitor
Keystone Law

[REDACTED]

[REDACTED]

Subject: RE: 8 Castle Square

Robert,

Thank you for your email and attachment. The wording of the conditions submitted were not agreed that I am aware of.

Guidance issued under Sec 182, General principles sec 1.16 must be precise and enforceable. Unambiguous and clear.

I have indicated in red the parts that I have issue with.

Conditions agreed with police:

- A CCTV system will be installed at the premises and will be maintained in good working order to the satisfaction of the Metropolitan Police 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 and all licensable areas including any outside areas. **Agreed**
- CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request be made immediately available to Officers of the Police and the Council. **Agreed**
- **Customers will be asked to leave the premises quietly and respectfully.** Clear and legible notices will be prominently displayed at all exits asking customers to respect local residents and to leave quietly. **Unless every customer is spoken to will be breach of licence. Remove bit in red.**

Proposed additional and revised conditions for discussion:

Alcohol sold for consumption off the premises will **either** be to persons seated at tables lawfully placed on the highway, **or with food.**

This should be removed and another condition added as is not clear or If food for takeaway if so should be stated as such

Substantial food will be available at all times the premises are open **Agreed**

Alcohol will only be sold with table meals each day prior to 11:00 and after 22:00, for consumption **before during or after such meal.**

Changed to "ancillary to this food, or having already eaten"

Save for persons waiting for a table or consuming drinks following their meal at the bar alcohol will be supplied by waiter/waitress to persons seated at tables.

Capacity will be set in conjunction with the fire risk assessment. **The fire risk assessment is different legislation a number that can be checked needs to be specified.**

The external area will be managed and any customers causing nuisance will be required to leave. **Agreed**

Any complaints received concerning nuisance will be recorded and appropriate action taken. **A record will be kept for 6 months and made immediately available for inspection by officers of the council or police on request.**

If the above changes are acceptable I will put them into a list of conditions for agreement so I can pass them to the council

Regards

PC Graham White 288MD

*Licensing Officer
Southwark Police Licensing Unit
323 Borough High Street
London
SE1 1JL*



Subject: 8 Castle Square

Dear PC White

I have been forwarded your representation in respect of the application. I am a little confused because I thought my colleague had agreed conditions with the police. It appears that is not the case but please accept my apologies because the word document I have been using suggests we have agreed. I attach the conditions being proposed. Please let me know whether the proposed addresses your concerns? If there are still issues I will seek to call you at a convenient time to discuss.

Many thanks

Best Regards

Robert Sutherland
Consultant Solicitor
Keystone Law



KEYSTONE LAW

Best Legal Adviser - Legal Week 2017-18

Heron, Andrew

From: O'Gorman, Sinead
Sent: 31 July 2018 16:18
To: Heron, Andrew
Subject: FW: Consultation- New Premises Licence, 8 Castle Square, SE17 1EN

From: Regen, Licensing
Sent: Tuesday, July 31, 2018 4:02 PM
To: O'Gorman, Sinead
Subject: FW: Consultation- New Premises Licence, 8 Castle Square, SE17 1EN

From: Public Health Licensing
Sent: Tuesday, July 31, 2018 3:58 PM
To: Regen, Licensing
Cc: Public Health Licensing; Shapo, Leidon
Subject: RE: Consultation- New Premises Licence, 8 Castle Square, SE17 1EN

To whom it may concern:

RE: Restaurant 2A, 8 Castle Square, SE17 1EN

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
- Protection of Children from harm

General Comments

The applicant requests a new license for the sales of alcohol on and off of the premises from:

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

The applicant requests a new license for provision of late night refreshment indoors and outdoors from:

Sunday – Thursday 23:00 – 23:30
Friday – Saturday 23:00 – 00:30

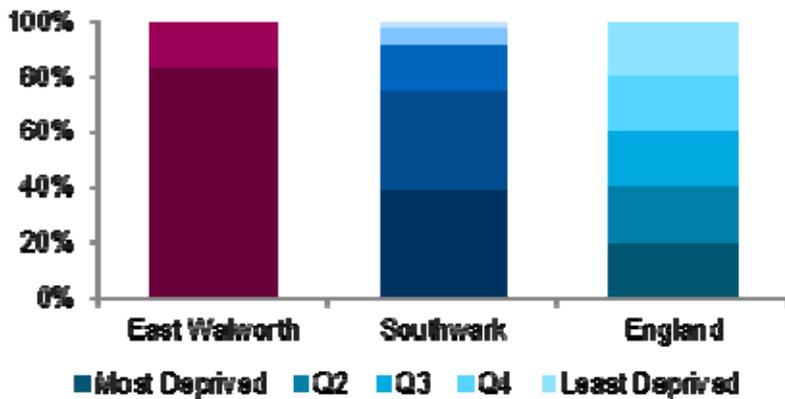
The proposed opening hours are:

Sunday – Thursday 08:00 – 23:30

Concerns relating to this application

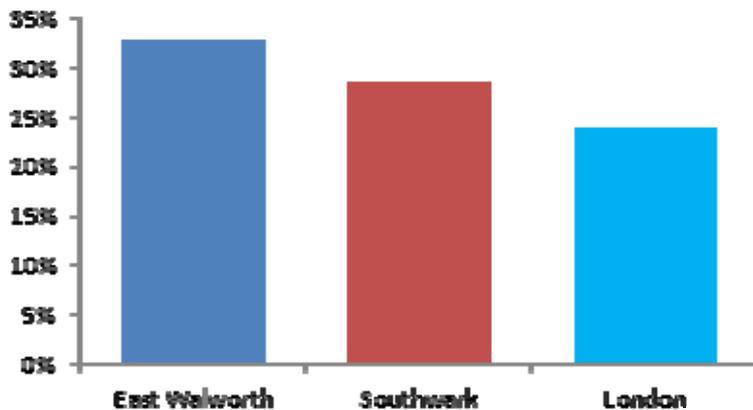
The proposed establishment is to be located in East Walworth. This ward is one of the most deprived wards in Southwark with, ~80% of residents being within the most deprived quintile, and ~20% being within the second most deprived quintile. Furthermore, over 1 in 4 (26%) of the residents in East Walworth are claiming out-of-work benefits (which is above the national average of 8% as of 2016). Thus, East Walworth has a high proportion of vulnerable residents that may be susceptible to increased alcohol-related harms.

Figure 1 – Proportion of population in each deprivation quintile



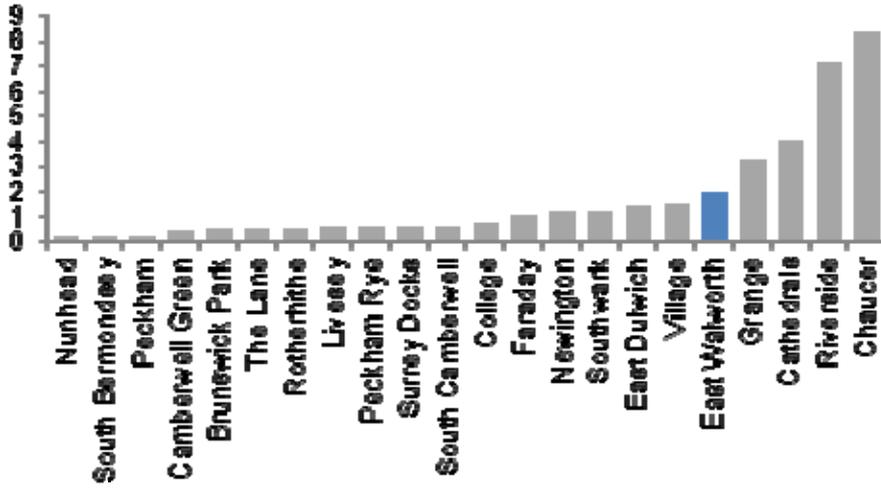
East Walworth has a high percentage of children living in low income families, thus children are a vulnerable group that could potentially be harmed by the addition of another early hours off sales premises to the area.

Figure 2 – Percentage of Children living in low income families



Finally, the number of residents per licensed premises is 103.4 (statistically higher than the average of Southwark), with East Walworth having the 5th highest number of off licences per 1000 residents in Southwark.

Figure 3 – Number of off licences by 1000 residents



Recommendations

I recommend that the applicant be granted a license for the sale of alcohol on the premises (not on and off of the premises).

I recommend that the hours of sale for alcohol be amended to:

Sunday – Thursday 11:00 – 23:00
 Friday – Sunday 11:00 – 00:00

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

Yours sincerely,

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

From: Jerrom, Charlie
Sent: Tuesday, July 10, 2018 11:12 AM
To: Alcohol@homeoffice.gsi.gov.uk ; Sharpe, Carolyn; Chowdhury, Farhad; Chudasama, Sailesh; Costin, Holly; Taylor, Dan; DIP Team; Farrington, Ian; FireSafetyRegulationSE@london-fire.gov.uk (FSR-AdminSupport@london-fire.gov.uk); Graham White; Moore, Ray; Planning.Enquiries; Public Health Licensing; Reg Env Protection; Richards-Vassell, Thomas; Qau Safeguarding; safer; Shannon, Rochelle; southwark.repro@pbms.co.uk; Tear, Jayne; West Team diary
Subject: FW: Consultation- New Premises Licence, 8 Castle Square, SE17 1EN

Heron, Andrew

From: Kangatharan, Aakulan
Sent: 23 August 2018 15:46
To: 'Robert Sutherland'
Cc: Heron, Andrew; Shapo, Leidon
Subject: RE: 8 Castle Square

Follow Up Flag: Follow up
Flag Status: Completed

Having forgotten to copy in Andrew Heron, I'm resending the email below for documentation purposes.

Dear Mr Sutherland,

Having looked over your revised conditions, I have no issues with the application as I feel that the recommendations/concerns brought up in my initial representation have been taken into account (namely alcohol sales hours and off sales). Thus I withdraw my representation.

Kind Regards,

Aakulan Kangatharan

From: [REDACTED]
Sent: Thursday, August 23, 2018 10:08 AM
To: Kangatharan, Aakulan
Cc: Robert Sutherland
Subject: RE: 8 Castle Square

Dear Mr Kangatharan

Further to my email dated 21st, I attach a revised conditions document. Unfortunately due to my error the document incorrectly stated certain conditions had been agreed with the police which was not correct. Please accept my apologies for any inconvenience caused. However, I am able to attach the conditions which have been agreed with the police. Please let me know if these conditions address your concerns. Any concerns please do not hesitate to get back to me

Best Regards

Robert Sutherland
Consultant Solicitor
Keystone Law

[REDACTED]

[REDACTED]

Subject: 8 Castle Square

Dear Mr Kangatharan

I have been forwarded your representation in respect of the application. I attach the conditions being proposed.

Please let me know whether the proposed addresses your concerns? If there are still issues I will seek to call you at a convenient time to discuss.

Many thanks

Best Regards

Robert Sutherland
Consultant Solicitor
Keystone Law



KEYSTONE LAW

Best Legal Adviser - Legal Week 2017-18

48 Chancery Lane, London WC2A 1JF, United Kingdom

DX 193 Chancery Ln | t +44 (0)20 3319 3700 | f +44 (0)845 458 9398 | [@keystone_law](#)

www.keystonelaw.co.uk

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2017-2018

THE LAWYER
UK 200

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MEMO: Licensing Unit

To Licensing Unit Date 6 August 2018

Copies

From Jayne Tear Telephone 020 7525 0396

Email jayne.tear@southwark.gov.uk

Subject Re: Restaurant 2A, 8 Castle Square, London, SE17 1EN
– Application for a premises licence

I write with regards to the above application for a premises licence submitted by Miamara Limited under the Licensing Act 2003, which seeks the following licensable activities:

- Late night refreshment (indoors and outdoors) on Sunday to Thursday from 23:00 to 23:30 and on Friday and Saturday from 23:00 to 00:30 the following day
- Supply of alcohol (on and off the premises) on Sunday to Thursday from 08:00 to 23:00 and on Friday and Saturday from 08:00 to 00:00
- Overall opening times shall be on Sunday to Thursday from 08:00 to 23:30 and on Friday and Saturday from 08:00 to 00:30 the following day

The premises is described as a '*Restaurant*'.

My representation is submitted under the prevention of crime and disorder and the prevention of public nuisance licensing objectives and has regard to the Southwark Statement of Licensing Policy

The premises is situated in Elephant and Castle Major Town Centre Area and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times for **restaurants and cafes on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours**. The appropriate closing time for public houses, wine bars or other drinking establishments in this area on **Sunday to Thursday is 23:00 hours** and for Friday and Saturday 00:00 hours.

The closing hours asked for within the application are well within the times with that are deemed appropriate for a restaurant in this area within the licensing policy. The applicant has offered a condition within the operating schedule that I would like to amend to promote the licensing objectives and to ensure that the premises retains its nature as a restaurant and not a bar.

The existing condition in the operating schedule states:

- '**4. Alcohol only to be served with a table meal before 11am**'

I ask the applicant to consider amending the condition to read as follows:

- Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal and by consumption of such persons as an ancillary to their meal

Furthermore due to the limited information on the application form and to promote the licensing objectives I ask the applicant to provide the following information:

- An accommodation limit for the premises. (to be conditioned)
- To provide a written dispersal policy for the premises. (to be conditioned)

And to add a further conditions regarding 'off sales' of alcohol as follows:

- Any 'off sales' of alcohol shall be provided in sealed containers and taken away from the premises except for those persons seated in the outside area as shown on the premises plans.
- That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that alcohol sold as 'off sales' should not be opened and consumed in the vicinity of the premises except for persons seated in the outside area of the premises.

I therefore submit this representation and welcome any discussion with the applicant to consider the above representation

Southwark's Statement of Licensing Policy 2016 – 2020 can be found on the following link:

<http://lbs-mapweb-01:9080/connect/Includes/APPIMA/SSOLP1620.pdf>

Jayne Tear
Principal Licensing officer
In the capacity of the Licensing Responsible Authority

MEMO: Environmental Protection Team

To Regen.licensing; **Date** 07/08/2018
Copies angela.message@keystonelaw.co.uk
From Ken Andrews **Telephone** 020 7525 54258 **Fax** 020 7525 5728
Email ken.andrews@southwark.gov.uk

Subject **8 Castle Square, SE17 1EN New Premises Licence application-CMU
882200**

Environment Protection Responsible Authority (EPRA), has considered a New Premises licence application for the above address and would like to make representation, under the prevention of public nuisance licensing objectives.

The premise occupies the ground floor of a residential block. It forms part of a square that is flanked by other residential premises. The application is for the use of the premises as a restaurant providing late night refreshment and the supply of alcohol both inside and outside of the premises.

Late night refreshment proposal is from 23:00 to 23:30 Monday –Thursday, up to 00:00 on Fridays and 00:00 on Sundays. The applicant noted that alcohol only to be served before 11.00 am with a table meal.

The applicant location map attached shows that there may be about 21 seating externally. EPRA is concern that the external seating area is a potential source of a public Nuisance and would recommend that the number of patrons using that area and time of use is controlled.

EPRA therefore recommends that the committee/Licensing restrict the number of patrons to be about 21 seated only and should not be used by patrons past 22:00 on any day.

Kind regards

Ken

Ken Andrews - Principal Environmental Health Officer

EPT RESPONSE

Heron, Andrew

From: Prickett, Mark
Sent: 28 August 2018 16:58
To: Heron, Andrew
Subject: RE: Castle Square Application
Attachments: EPT REP.PDF; condtions v2.docx

Follow Up Flag: Follow up
Flag Status: Completed

Hi Andrew,

I've reviewed Ken's rep.

He's requested the external area by shut by 10pm.

I can't see in the applicant list of conditions a condition relating to the outside area.

Should the applicant be willing to agree the following then EPT will be in a position to remove it's representation:

- Patrons shall not be permitted to use the external area after 22:00hrs, apart for access & egress and for smoking.
- Patrons shall not be permitted to take glasses outside the premises after 22:00hrs.

Thanks,

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

Air Quality web pages: <http://www.southwark.gov.uk/air-quality>

Construction web pages: <http://www.southwark.gov.uk/construction>

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



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

From: Heron, Andrew
Sent: Tuesday, August 28, 2018 4:40 PM
To: Prickett, Mark
Subject: FW: Castle Square Application
Importance: High

