



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/3222/18

Date: 27th September 2018

Re:- Colorset Inc T/A Black Swan Yard, 2-3 Black swan Yard, London

Dear Sir/Madam

Police are in receipt of an application from the above for a new premises licence described in the application as open plan multipurpose space.

The hours applied for are inside that recommended within the Southwark Statement of licensing policy. The premises are situated in a designated strategic cultural area under the policy. We would like to see 30 minutes between the sale of alcohol stopping and the terminal hour to allow for drinks to be finished and a controlled exit of all patrons.

The application contains a number of suggested control measures however Home office guidance issued under Sec 182 of the licensing Act 2003 'General principles' state that it is important in setting the parameters within which the premises may operate. Conditions must be precise and enforceable.

The police object to the granting of the licence in its current format, as the conditions do not address the concerns of the police regarding crime and disorder and public nuisance.

We would like to the following conditions included on the licence wording of each condition is essential in order to negate any ambiguity and to comply with the home office guidance.

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. That there shall be no more than five smokers outside at any time and this shall be monitored by staff.
5. That two SIA registered door supervisors will be engaged when the premises are in operation. They will be employed at all times until the end of business and all patrons have vacated the premises they will be engaged to monitor admission and re-admissions to the premises, security, protection, screening and dealing with conflict.
6. All off sales must be sold in sealed containers for consumption away from the premises.

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

From: Graham.S.White@met.pnn.police.uk on behalf of SouthwarkLicensing@met.pnn.police.uk
Sent: 08 October 2018 12:11
To: Heron, Andrew
Cc: Regen, Licensing
Subject: : Re Colorset Inc /Black Swan Studios your ref MD/3222/18
Attachments: Colorset-Black Swan Yard.doc

Andrew,
Please find below conditions agreed with applicant. I have also attached original rep.
We withdraw are objection
Regards
Graham

PC Graham White 288MD

Licensing Officer
Southwark Police Licensing Unit
323 Borough High Street
London
SE1 1JL
Tel: 0207 232 6756 (726756)
SouthwarkLicensing@met.police.uk
Graham.S.White@met.police.uk
www.met.police.uk



From: [REDACTED]
Sent: 05 October 2018 11:00
To: MD Mailbox - Southwark Licensing <SouthwarkLicensing@met.police.uk>
Subject: RE: Re Colorset Inc /Black Swan Studios your ref MD/3222/18

Hello

Many thanks for stopping by the yard yesterday and meeting Tom Phelan, Frank Baptiste and I.

As per previous email and the conversation yesterday, the directors agree to your 6 points:

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. This has been in place since 2015.
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. That there shall be no more than five smokers outside at any time and this shall be monitored by staff. We will arrange for additional signage to be placed just outside and inside the door so exiting smokers are fully aware.
5. That two SIA registered door supervisors will be engaged when the premises are in operation. They will be employed at all times until the end of business and all patrons have vacated the premises they will be engaged to monitor admission and re-admissions to the premises, security, protection, screening and dealing with conflict.
6. All off sales must be sold in sealed containers for consumption away from the premises. There are no off sales, but we will ensure that no drinks are taken outside the building when leaving at the end of a function, or going outside to smoke.

I am pleased that we have been able to deal with your concerns satisfactorily and hope that this will enable our application to progress and be accepted.

Please contact me if there are any additional matters that I can assist with.

Yours

Ricca
Accountant
Colorset Inc Limited T/A Black Swan Studios
Mobile on request
[REDACTED]

From: Graham.S.White@met.police.uk [<mailto:Graham.S.White@met.police.uk>] **On Behalf Of**
SouthwarkLicensing@met.police.uk
Sent: 04 October 2018 15:37
To: [REDACTED]
Subject: RE: Re Colorset Inc /Black Swan Studios your ref MD/3222/18

Ricca,
Thank you for the meeting today.
Please confirm that you agree to all 6 conditions as worded to be included on the licence
Regards

PC Graham White 288MD
Licensing Officer
Southwark Police Licensing Unit
323 Borough High Street
London
SE1 1JL
Tel: 0207 232 6756 (726756)
SouthwarkLicensing@met.police.uk
Graham.S.White@met.police.uk
www.met.police.uk



From: [REDACTED]
Sent: 03 October 2018 15:56
To: MD Mailbox - Southwark Licensing <SouthwarkLicensing@met.police.uk>
Subject: RE: Re Colorset Inc /Black Swan Studios your ref MD/3222/18

Hi

Finally received the email – Yes tomorrow at 12.30 is good for me – I look forward to meeting with you then.

If you are running late please give me a call on the same mobile number.

Yours

Ricca
Accountant
Colorset Inc Limited T/A Black Swan Studios
Mobile on request
[REDACTED]

From: Graham.S.White@met.police.uk [<mailto:Graham.S.White@met.police.uk>] On Behalf Of
SouthwarkLicensing@met.police.uk
Sent: 03 October 2018 13:33
To: [REDACTED]
Subject: RE: Re Colorset Inc /Black Swan Studios your ref MD/3222/18

Ricca,
Thanks for the email. I have a meeting tomorrow at the council which should be finished about midday and would be happy to come to you afterwards about 12.30ish.
Regards

PC Graham White 288MD
Licensing Officer
Southwark Police Licensing Unit
323 Borough High Street
London
SE1 1JL
Tel: 0207 232 6756 (726756)
SouthwarkLicensing@met.police.uk
Graham.S.White@met.police.uk
www.met.police.uk



From: [REDACTED]
Sent: 03 October 2018 13:15
To: MD Mailbox - Southwark Licensing <SouthwarkLicensing@met.police.uk>
Cc: 'Mills, Dorcas' <Dorcas.Mills@SOUTHWARK.GOV.UK>
Subject: RE: Re Colorset Inc /Black Swan Studios your ref MD/3222/18

Hello

Further to my previous email, I have now spoken with your colleague Keith and set out my replies to your points below.

To give some back ground for this application – we have been trading with a premises licence since 2015. Due to a slightly complicated admin issue, which it will be easier to explain verbally, we have had to apply for a licence in a different company name. we sought guidance from Charlie Jerrom at LB Southwark Licensing team and the application was completed with his assistance.

Your points

- The hours applied for are inside that recommended within the Southwark Statement of licensing policy. The premises are situated in a designated strategic cultural area under the policy. We would like to see 30 minutes between the sale of alcohol stopping and the terminal hour to allow for drinks to be finished and a controlled exit of all patrons.

We have for the past three years given last drinks times at 10.30 and patrons have been advised that the premises closes at 11pm. We therefore have no issues of continuing to do what we have successfully done for any events where alcohol is on the premises.

The application contains a number of suggested control measures however Home office guidance issued under Sec 182 of the licensing Act 2003 'General principles' state that it is important in setting the parameters within which the premises may operate. Conditions must be precise and enforceable.

The police object to the granting of the licence in its current format, as the conditions do not address the concerns of the police regarding crime and disorder and public nuisance.

We would like the following conditions included on the licence wording of each condition is essential in order to negate any ambiguity and to comply with the home office guidance.

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.

As stated above we have successfully traded for the past three years and have a CCTV system installed with two internal and one external camera.

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.

I understand that our footage is currently kept for 30 days, but this can be simply adjusted to fit in line with your requirements. We have staff who are familiar with the usage of the equipment and footage can be downloaded if required.

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.

We are a dry hire venue and any staff at events are provided by a reputable company who are a contractor to us and or our client. They would hold the personnel and training records of their staff. Thus I would like to discuss this with you further verbally to ensure that we comply with your requirements as closely as possible.

4. That there shall be no more than five smokers outside at any time and this shall be monitored by staff.

We have over the past three years monitored the number of smokers outside the building and will continue to do so.

5. That two SIA registered door supervisors will be engaged when the premises are in operation. They will be employed at all times until the end of business and all patrons have vacated the premises they will be engaged to monitor admission and re-admissions to the premises, security, protection, screening and dealing with conflict.

We use a contractor who provides SIA security personnel at events where alcohol is on site. We generally have the same guys and this is most helpful to us as they have a good understanding of the venue and the site as a whole. They lock up the premises after events and ensure that all patrons have safely left the venue.

6. All off sales must be sold in sealed containers for consumption away from the premises.

There are no "off" sales as part of this application. This was an administration error and was removed from the application the day after it became live and thus is not applicable.

I would be pleased to meet with you at the premises to go through things face to face and look forward to speaking with you when you are back in the office later today to discuss the above and a possible time to meet.

You can call me on [REDACTED]

I look forward to speaking with you later today.

Yours

Ricca
Accountant
Colorset Inc Limited T/A Black Swan Studios
Mobile on request
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 03 October 2018 11:17
To: 'SouthwarkLicensing@met.police.uk' <SouthwarkLicensing@met.police.uk>
Cc: 'Mills, Dorcas' <Dorcas.Mills@SOUTHWARK.GOV.UK>
Subject: Re Colorset Inc /Black Swan Studios your ref MD/3222/18

Hello

I have tried repeatedly to contact you this morning on [REDACTED]

Not sure if there is an issue with your line, but it just rings out and there is no voicemail so I cannot leave a message.

I am eager to speak with you to clear up a few matters regarding our application and this can be done more easily over the phone and then confirmed in writing.

I will keep calling the number in the hope that someone will pick up, but would also ask that you call me on [REDACTED] so that we can talk through the issues.

I hope to speak with someone during the course of today.

Yours

Ricca
Accountant

Heron, Andrew

From: Regen, Licensing
Sent: 27 September 2018 08:43
To: [REDACTED]
Subject: FW: EPT rep. Premises licence application - 2-3 Black Swan Yard
Attachments: 1083628.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Kirby 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: Prickett, Mark
Sent: Wednesday, September 26, 2018 6:21 PM
To: Regen, Licensing
Cc: Mills, Dorcas; [REDACTED]
Subject: EPT rep. Premises licence application - 2-3 Black Swan Yard

Dear Licensing,

Southwark's Environmental Protection Team (EPT) have reviewed the new premises licence application for Colorset Inc Limited, 2-3 Black Swan Yard, SE1 3XW.

The premises is described as "Open plan multi purpose , self contained, ground floor space with refreshment area. Brick Walls, Concrete flooring."

The application seeks the following licensable activities;

- Late night refreshment (indoors): 12:00 – 23:00 Monday to Friday, 10:00 – 23:00 Saturday, 10:00 – 22:30 Sunday. "All food and drinks will be consumed on the premises"
- Supply of alcohol (both on and off the premises): 12:00 – 23:00 Monday to Sunday
- Hours open to the public: 12:00 – 23:00 Monday to Friday, 10:00 – 23:00 Saturday, 10:00 – 22:30 Sunday.

Section M part d) of the application form has been reviewed which details measures to promote the prevention of public nuisance licensing objective;

- *We have prominent, clear and legible notices displayed at the exit and surrounding area requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.*

- *Deliveries of goods necessary for the operation of the business are generally done during normal working hours of 9am to 6pm and are carried out at such a time or in such a manner as prevent nuisance and disturbance to nearby residents.*
- *Any staff who arrive early morning or depart late at night at the end of a function have been trained to conduct themselves in a professional and respectful manner to avoid causing disturbance to nearby residents.*
- *Customers will be asked not to stand around loudly talking in courtyard outside the premises when smoking and we have signage to re enforce that.*
- *The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises Our rubbish is usually collected at 8am at the same time as other business and residents in the area.*
- *Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.*

EPT STANCE

EPT are aware that licensed events have been taking place at the premises for several years, by way of Temporary Events Notice (TEN) applications.

A review of the website (<http://www.blackswanstudios.co.uk>) shows a variety of different private (i.e. wedding), public and corporate events taking place.

Since 2015 through the deregulations to the Licensing Act 2003, an alcohol on-licensed premises is permitted to put on live and recorded music for an audience no more than 500 people.

If this licence is granted then it is assumed both live and recorded music will continue to be utilised at the premises, but on a more regular occurrence rather than is existing through the TEN regime.

EPT therefore have noise concerns over an intensified use of this event space which is surrounded by existing commercial office and residential properties. There is no mention within the application how music noise levels will be controlled?

The premises also has sliding front doors which will significantly decrease the sound insulation properties of the building when open.

The site is also to the rear of Bermondsey Street with lower ambient and background levels as it is away from the main road, meaning any noise from music and patrons from the use of this premises could be more perceptible.

The applicant has also sought off-sales but no further information is provided for why?

EPT therefore **make representation** against this application as the proposed use of the premises raises concern of potential public nuisance being caused to existing commercial and residential neighbours. Further information on this matter is requested from the applicant.

EPT are also aware that the applicant has recently sought to amend the planning use of the building to include uses for A1 (shops) and A3 (restaurants and café). The premises is currently permitted through planning to only be B1 (Business). This application was under application number 18/AP/1774 and was withdrawn by the applicant. Details of the application can found here;

https://planning.southwark.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= STHWR_DCAPR_9578507

EPT note however though that due to the application being withdrawn, the current planning use of the building remains as B1 (Business) only. The intended use of the premises outlined within this licence application would appear to be in contrast of the B1 permitted use.

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

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?

Heron, Andrew

From: Prickett, Mark
Sent: 09 October 2018 15:36
To: 'Finance'
Cc: Regen, Licensing; Heron, Andrew
Subject: RE: EPT rep. Premises licence application - 2-3 Black Swan Yard

Ricca,

Thank you for confirming to the 6 conditions put forward in my earlier email.

Licensing – in light of the above please consider this email as confirmation that EPT's representation has been conciliated.

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

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: Finance [REDACTED]
Sent: Tuesday, October 09, 2018 1:36 PM
To: Prickett, Mark
Subject: Re: EPT rep. Premises licence application - 2-3 Black Swan Yard

Hi Mark

Thanks for your email.

In reply to your points:

The directors confirm the we do and will continue to have, prominent and clear signs both internally and externally asking that patrons leave quietly,

Patrons are advised not to congregate outside the premises after an event and we have two security present at all events and they remind patrons as they are walking up the alley toward Bermondsey Street.

The entrance door has a close fitting fireproof curtain to minimise noise during entrance and exit.

We will ensure that external areas are closed to patrons after 22.00 save for entrance and exit after the event.

We will continue to manage noise to ensure that public nuisance is not caused to locals and exposed noise sensitive surrounding premises

Deliveries and refuse collections are generally within your prescribed times of 8am and 8pm.

I trust that this meets with your agreement.

If we can do anything further to assist, please do not hesitate to contact me.

Yours

Ricca

On 9 Oct 2018, at 10:33, Prickett, Mark <Mark.Prickett@southwark.gov.uk> wrote:

Ricca,

Thank you for sending through the old licence and your additional comments below that I now have had time to review.

I note that there are no increase in hours proposed and also no intensified use intended, with it noted that weddings are no longer to be arranged at the premises.

With this in mind, EPT request that the same conditions on the previous licence relating to the prevention of public nuisance licensing objective are applied to the new licence. The conditions requested are as follows;

- Clearly legible signage will be prominently displayed at all exits where it can be seen and easily read, requesting that customers leave the premises in a quiet and orderly manner that is respectful to neighbours.
- That customers may not be allowed to congregate outside the premises.
- The entrance door will be fitted with a thick, close fitting fireproof curtain to minimise noise outbreak as patrons enter and exit the premises.
- External areas will be closed to patrons at 22.00.
- Noise from plant, patrons and activities at the premises will be managed to ensure that public nuisance shall not be caused in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive premises.
- External waste handling, collections and deliveries will only occur between 08.00 and 20.00hrs.

Please advise if you agree to the above 6 conditions? If so then EPT will be in a position to remove its representation.

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

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/>

<image001.jpg>

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

From: [REDACTED]
Sent: Friday, September 28, 2018 1:40 PM
To: Prickett, Mark; Regen, Licensing
Cc: Mills, Dorcas
Subject: RE: EPT rep. Premises licence application - 2-3 Black Swan Yard

Hello

Further to your email and our subsequent conversation yesterday afternoon.

In reply to your points:

EPT are aware that licensed events have been taking place at the premises for several years, by way of Temporary Events Notice (TEN) applications.

We had not as you previous email stated trading using TENS, we had a full premises licence and had there not been an admin issue on this we would have simply continued to use the licence that had been held for the past three and a half years. As explained yesterday this current licence application is on exactly the same premises. Everything is the same as was, the only change is the trading name of the company holding the licence.

A review of the website (<http://www.blackswanstudios.co.uk>) shows a variety of different private (i.e. wedding), public and corporate events taking place.

As you have stated our website shows a variety of events taking place in our flexible space. That is quite right, we have this year had bookings from Theatre companies using us as a rehearsal space for a month for some new Harold Pinter productions, company conferences, Product launches, Art appreciation and education classes, we have been used by a major clothing provider for their UK base as offices for 6 weeks. And our booking for the remainder of the year mirror these types of events.

Since 2015 through the deregulations to the Licensing Act 2003, an alcohol on-licensed premises is permitted to put on live and recorded music for an audience no more than 500 people.

If this licence is granted then it is assumed both live and recorded music will continue to be utilised at the premises, but on a more regular occurrence rather than is existing through the TEN regime.

As stated above we have not traded using TENS – we had a premises licence since 2015, this current licence application is on exactly the same premises. Everything is the same as was, the only change is the trading name of the company holding the licence and the fact that we have stopped taking bookings for weddings.

EPT therefore have noise concerns over an intensified use of this event space which is surrounded by existing commercial office and residential properties. There is no mention within the application how music noise levels will be controlled?

The premises also has sliding front doors which will significantly decrease the sound insulation properties of the building when open.

The site is also to the rear of Bermondsey Street with lower ambient and background levels as it is away from the main road, meaning any noise from music and patrons from the use of this premises could be more perceptible.

There is no intensified use of the premises, we plan to continue to trade as we have successfully done since the previous licence was granted in 2015. To my knowledge there were a couple of minor issues regarding noise and these were dealt with at the time and to my understanding were fully resolved.

The management had taken on board the noise issues and looked at the type of events we were hosting where loud music was present and the answer was weddings. These are usually booked a long time in advance and we therefore fulfilled any long standing bookings to host wedding receptions where invitations had been sent out and all the advance plans had been made, but have now removed ourselves from any wedding platforms and our last wedding was the 9th of August this year.

The large door you mention are usually only open to allow delivery and collection of large equipment.

The building was used for almost 10 years as a large format printing business and had large and noising equipment going often from 8am until 9 pm 6 days per week with constant deliveries and collections by couriers in large vans and also on motor bikes and in the summer month the dock doors were open to allow for ventilation and this obviously allowed the sound of the equipment to “escape”. Since 2015 when the previous licence was given the building is now massively quieter than the printing years.

The applicant has also sought off-sales but no further information is provided for why?

As explained over the phone yesterday this was a misunderstanding on the application and was reported to Charlie Jerrom in Licencing and was removed from the website and all parts of the application from day two after it went live. I confirm that we have no requirement to make off sales

EPT therefore **make representation** against this application as the proposed use of the premises raises concern of potential public nuisance being caused to existing commercial and residential neighbours. Further information on this matter is requested from the applicant.

Once the admin issue which I explained to you yesterday was brought to light, I sought advice from the licencing team/ Charlie Jerrom and Kirty Read and we were advised that as this was simply a change of name (all be it with the added complication of the company no longer trading due to the admin issue at this end) this was just part of the admin process that we had to go through and as we did not have a string of complaints against us and any minor issues had been satisfactorily handled by us, that this was merely a paper exercise.

We also discussed the previous conditions applied to the licence held on the same premises where the licence was in the name of Black Swan Yard Limited, following our chat yesterday I sent you the conditions by email.

I can only emphasise that other than stopping taking bookings for weddings which seemed to be the cause of any noise, we are continuing to do what we were given a licence for in 2015.

I hope that this covers everything we discussed yesterday.

Should you require anything further, please do not hesitate to contact me.

Yours

Ricca
Accountant
Colorset Inc Limited T/A Black Swan Studios
Mobile on request
[REDACTED]

From: Prickett, Mark [<mailto:Mark.Prickett@southwark.gov.uk>]

Sent: 26 September 2018 18:21

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Cc: Mills, Dorcas <Dorcas.Mills@SOUTHWARK.GOV.UK>; [REDACTED]

Subject: EPT rep. Premises licence application - 2-3 Black Swan Yard

Dear Licensing,

Southwark's Environmental Protection Team (EPT) have reviewed the new premises licence application for Colorset Inc Limited, 2-3 Black Swan Yard, SE1 3XW.

The premises is described as "Open plan multi purpose , self contained, ground floor space with refreshment area.

Brick Walls, Concrete flooring."

The application seeks the following licensable activities;

- Late night refreshment (indoors): 12:00 – 23:00 Monday to Friday, 10:00 – 23:00 Saturday, 10:00 – 22:30 Sunday. "All food and drinks will be consumed on the premises"
- Supply of alcohol (both on and off the premises): 12:00 – 23:00 Monday to Sunday
- Hours open to the public: 12:00 – 23:00 Monday to Friday, 10:00 – 23:00 Saturday, 10:00 – 22:30 Sunday.

Section M part d) of the application form has been reviewed which details measures to promote the prevention of public nuisance licensing objective;

- *We have prominent, clear and legible notices displayed at the exit and surrounding area requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.*
- *Deliveries of goods necessary for the operation of the business are generally done during normal working hours of 9am to 6pm and are carried out at such a time or in such a manner as prevent nuisance and disturbance to nearby residents.*

- *Any staff who arrive early morning or depart late at night at the end of a function have been trained to conduct themselves in a professional and respectful manner to avoid causing disturbance to nearby residents.*
- *Customers will be asked not to stand around loudly talking in courtyard outside the premises when smoking and we have signage to re enforce that.*
- *The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises Our rubbish is usually collected at 8am at the same time as other business and residents in the area.*
- *Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.*

EPT STANCE

EPT are aware that licensed events have been taking place at the premises for several years, by way of Temporary Events Notice (TEN) applications.

A review of the website (<http://www.blackswanstudios.co.uk>) shows a variety of different private (i.e. wedding), public and corporate events taking place.

Since 2015 through the deregulations to the Licensing Act 2003, an alcohol on-licensed premises is permitted to put on live and recorded music for an audience no more than 500 people.

If this licence is granted then it is assumed both live and recorded music will continue to be utilised at the premises, but on a more regular occurrence rather than is existing through the TEN regime.

EPT therefore have noise concerns over an intensified use of this event space which is surrounded by existing commercial office and residential properties. There is no mention within the application how music noise levels will be controlled?

The premises also has sliding front doors which will significantly decrease the sound insulation properties of the building when open.

The site is also to the rear of Bermondsey Street with lower ambient and background levels as it is away from the main road, meaning any noise from music and patrons from the use of this premises could be more perceptible.

The applicant has also sought off-sales but no further information is provided for why?

EPT therefore **make representation** against this application as the proposed use of the premises raises concern of potential public nuisance being caused to existing commercial and residential neighbours. Further information on this matter is requested from the applicant.

EPT are also aware that the applicant has recently sought to amend the planning use of the building to include uses for A1 (shops) and A3 (restaurants and café). The premises is currently permitted through planning to only be B1 (Business). This application was under application number 18/AP/1774 and was withdrawn by the applicant. Details of the application can found here;

<https://planning.southwark.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= STHWR DCAPR 9578507>

EPT note however though that due to the application being withdrawn, the current planning use of the building remains as B1 (Business) only. The intended use of the premises outlined within this licence application would appear to be in contrast of the B1 permitted use.

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

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/>

<image004.jpg>

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

The email you received and any files transmitted with it are confidential, may be covered by legal and/or professional privilege and are intended solely for the use of the individual or entity to whom they are addressed.

If you have received this in error please notify us immediately.

If you are not the intended recipient of the email or the person responsible for delivering it to them you may not copy it, forward it or otherwise use it for any purpose or disclose its contents to any other person. To do so may be unlawful.

Where opinions are expressed in the email they are not necessarily those of Southwark Council and Southwark Council is not responsible for any changes made to the message after it has been sent.

The email you received and any files transmitted with it are confidential, may be covered by legal and/or professional privilege and are intended solely for the use of the individual or entity to whom they are addressed.

If you have received this in error please notify us immediately.

If you are not the intended recipient of the email or the person responsible for delivering it to them you may not copy it, forward it or otherwise use it for any purpose or disclose its contents to any other person. To do so may be unlawful.

Where opinions are expressed in the email they are not necessarily those of Southwark Council and Southwark Council is not responsible for any changes made to the message after it has been sent.

Ricca

Accountant

Colorset Inc Ltd 1/A Black Swan Studios

Mobile on request

MEMO: Licensing Unit

To Licensing Unit **Date** 26 September 2018

From Jayne Tear **Telephone** 020 7525 0396

Email jayne.tear@southwark.gov.uk

Subject Re: Colorset Inc. Limited, T/A 2/3 Black Swan Yard, Bermondsey Street, London, SE1 3XW - Application for a premises licence

I write with regards to the above application for a premises licence submitted by Colorset Inc. Limited which seeks to the following licensable activities:

- The supply of alcohol (on & off the premises) on Monday to Friday from 12:00 to 23:00 and on Saturday and Sunday from 10:00 to 23:00
- Premises shall be open to the public on Monday to Friday from 12:00 to 23:00 and on Saturday and Sunday from 10:00 to 23:00

In premises described within the application as *'Open plan multi purpose, self contained, ground floor space with refreshment area and bar area. Brick walls, concrete flooring'*.

This premise is situated within the Bankside, Borough, London Bridge Strategic Cultural Area and under the Southwark Statement of Licensing policy 2016 – 2020 the appropriate closing times for public houses, wine bars or other drinking establishments on Sunday to Thursday is 23:00 hours and on Friday and Saturday is 00:00 hours.

My representation is based on the Southwark Statement of Licensing policy 2016 – 2020 and relates to the licensing objectives for the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm.

The application has not left any time between the last sale of alcohol and the closing time when patrons should have left the premises, this can lead to conflict between staff and the customer having purchased an alcoholic drink for consumption on the premises minutes before closing time and being asked to either finish the drink or hand it back and to leave the premises. Additionally this will encourage patrons to rush consumption of alcoholic drinks at the same time of closing which can lead to antisocial behavior problems when patron have left the premises.

To promote the licensing objectives I ask the applicant to consider reducing the finish times for the supply of alcohol 'on sales' as follows: (which will allow for half an hour drinking up time)

- Supply of alcohol 'on the premises' on Monday to Friday from 12:00 to 22:30 and on Saturday and Sunday from 10:00 to 22:30

Due to the limited information provided in the operating schedule and to further address the licensing objectives I ask the applicant to provide the following information:

- An accommodation limit for the premises (to be conditioned)

- A written dispersal policy for the premises (to be conditioned)

And to consider adding the following conditions:

- Any '*off sales*' of alcohol shall be provided in sealed containers and taken away from the premises
- 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

I therefore submit this representation and welcome any discussion with the applicant.

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

LICENSING WITHDRAWAL

Heron, Andrew

From: Tear, Jayne
Sent: 10 October 2018 15:46
To: 'Finance'
Cc: Heron, Andrew; Mills, Dorcas
Subject: RE: FW: Colorset Inc/ Black Swan Studios

Importance: High

Dear Ricca,

Thank you for your quick response, I can now confirm that my representation is withdrawn based on my email (Date: 10/10/2018 15:16) attached below,

With kindest regards

Jayne

Jayne Tear - Principal Licensing Officer – As Responsible Authority for Licensing

Southwark Council | Licensing Unit

160 Tooley Street | London | SE1 2QH

Direct line 020 7525 0396 | Fax 020 7525 5735 | Call Centre 020 7525 2000



Womens Safety Charter

<https://www.southwark.gov.uk/community-safety/let-s-talk-about-women-s-safety>

From: Finance [REDACTED]
Sent: Wednesday, October 10, 2018 3:33 PM
To: Tear, Jayne
Subject: Re: FW: Colorset Inc/ Black Swan Studios

Hello

Thanks for your message.

I confirm that off sales was an admin issue and was removed from the application the day after it went live. Thus there never was an off sales and this is not part of the licence.

The directors confirm that they agree to the conditions you set below relating to number of patrons, supply of alcohol and opening hours and to keep the dispersal policy with the licence and that all staff will be trained and aware of this policy.

If I can help in any other way, please do not hesitate to contact me.

Yours

Ricca

----- Original message -----

From: "Tear, Jayne" <Jayne.Tear@SOUTHWARK.GOV.UK>

Date: 10/10/2018 15:16 (GMT+00:00)

To: "

Subject: FW: Colorset Inc/ Black Swan Studios

Dear Ricca,

Thank you for the attached dispersal policy.

With regards to my representation. It is my understanding that you have now removed 'off sales' of alcohol from the application, therefore the 2 conditions that I asked for within my representation concerning 'off sales' of alcohol are no longer necessary.

On the telephone yesterday you told me that the accommodation limit for the premises is 120 patrons.

Would you agree to the following conditions to be added to the premises licence should it be granted:

- The accommodation limit for the premises shall not exceed 120 patrons
- The written dispersal policy shall be kept at the premises with the licence and made available for inspection by authorised officers of the council or the police and all relevant staff shall be trained in the implementation of the dispersal policy.

And to amend the licensable activities to the following (which allows for the half hour drinking up time):

- Supply of alcohol 'on the premises' on Monday to Friday from 12:00 to 22:30, on Saturday 10:00 to 22:30 and on Sunday from 10:00 to 22:00

Your closing hours will be as stated on your original application which is:

- Closing hours will be on Monday to Friday from 12:00 to 23:00, on Saturday 10:00 to 23:00 and on Sunday from 10:00 to 22:30

If we can agree these final points I will be in a position to withdraw my representation,

With kindest regards

Jayne

Jayne Tear - Principal Licensing Officer – As Responsible Authority for Licensing

Southwark Council | Licensing Unit

160 Tooley Street | London | SE1 2QH

Direct line 020 7525 0396 | Fax 020 7525 5735 | Call Centre 020 7525 2000



Womens Safety Charter

<https://www.southwark.gov.uk/community-safety/let-s-talk-about-women-s-safety>
