

**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/21/3231/18

Date: 4th October 2018

Dear Sir/Madam

Re:- Pasaja Primavera Arch 146 Eagle Yard, 147 Walworth Road SE1 6SP

Police are in possession of an application from the above for a variation to their current premises licence 864815.

The operating schedule is as follows.

Late night refreshment	Mon - Thu	2300 to 0200
	Fri – Sat	2300 to 0400
	Sun	2300 to 0100

Sale of alcohol (on)	Mon – Thu	1100 to 0200
	Fri – Sat	1100 to 0400
	Sun	1100 to 0100

Hours open to the public	Mon – Thu	0600 to 0200
	Fri – Sat	0600 to 0400
	Sun	0600 to 0100

This is a substantial increase to the current permitted hours as per licence 864815. The premises is located within the Elephant and Castle Major town centre according to Southwark's statement of licensing policy 2016 to 2020. The closing time for bars as per the policy is midnight on at the weekend at 11pm for the remainder.

The current licence allows for a generous increase in the policy hours already. Although this venue is in a designated major town centre it is also in very close

proximity to a large number of dwellings. Historically this location has been subject of a number of noise and ASB complaints from local residents.

Despite being a major variation and a substantial increase in permitted hours, the applicant has not addressed sufficiently the possible impact this increase in hours could have on the licensing objectives, in particular the prevention of crime and disorder.

The applicant has not given any consideration to Southwark's licensing policy, they do not appear to have carried out any risk assessments as to the potential impact on the licensing objectives before submitting their operating schedule.

The operating schedule does not contain any additional control measures above and beyond what they already have on the current licence. They have not provided any additional evidence or exceptional reasons as to why the licensing sub committee should consider moving away from their Policy.

The applicant has not evidenced how they intend to promote the licensing objectives, in particular the prevention of crime and disorder, it is for these reasons this application should be refused.

Yours Faithfully

PC Ian Clements 362

Licensing Officer

Southwark Police Licensing Unit

Heron, Andrew

From: Prickett, Mark
Sent: 04 October 2018 17:42
To: Regen, Licensing
Cc: Heron, Andrew; 'e [REDACTED]
Subject: EPT rep - Major variation Arch 146 Eagle Yard
Attachments: Application.pdf

Dear Licensing,

Southwark Council's Environmental Protection Team have reviewed the major variation for Pasaje Primavera Ltd, Arch 146, Eagle Yard, SE1 6SP.

The variation is requesting;

- Late Night Refreshment (indoors)

Existing hours - Mondays to Sundays, 23:00-00:00

Proposed Hours - Mondays to Thursdays 23:00-02:00, Fridays and Saturdays 23:00-04:00, Sundays 23:00-01:00

- Sale of alcohol (on premises)

Existing hours - Mondays to Sundays, 11:00-00:00

Proposed Hours - Mondays to Thursdays 23:00-02:00, Fridays and Saturdays 23:00-04:00, Sundays 23:00-01:00

Hours open the public: Mondays to Thursdays 06:00-02:00, Fridays and Saturdays 06:00-04:00, Sundays 06:00-01:00

The existing licence can be found here:

<http://app.southwark.gov.uk/Licensing/LicPremisesGrantedDetails.asp?systemkey=834660>

Section d) part M of the application has been reviewed with the following 6 measures put forward to prevent public nuisance;

- The premises has already been implemented with noise mitigation measures and has recently received approval by building control to this effect.
- Management will ensure that noise and disturbance is minimised to neighbours and the wider public by the operation of the business
- Windows and doors will always be kept closed. acoustically treated ventilation/air conditioning will be utilised.
- Management will ensure that staff, DJs and artists understand the noise control requirements, and regularly monitor noise levels during operating hours.
- Prominent clear and legible notices are to be displayed on all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- A complaints book would be held on the premises to record details of any complaints received from neighbours for inspection by council officers.

EPT STANCE

The application form does not advise what type of the use this premises is, for instance a food led restaurant, a drink led bar, a restaurant until a certain time then turns into a drink led bar after a certain hour?

Considering live or recorded music are not sought for the extended hours, it may be assumed the premises to be a restaurant. As per table 2 in section 7 of Southwark's Licensing Policy, restaurants in Elephant & Castle are suggested to have closing hours of midnight Sunday to Thursday, 01:00 on Fridays and Saturdays. The current hours of the existing licence therefore closely mirror the policy hours.

EPT raise some concern over the stated measures to prevent public nuisance:

- The premises has already been implemented with noise mitigation measures and has recently received approval by building control to this effect. What noise mitigation measures?

- Management will ensure that noise and disturbance is minimised to neighbours and the wider public by the operation of the business. How will management ensure that noise is minimised?
- Management will ensure that staff, DJs and artists understand the noise control requirements, and regularly monitor noise levels during operating hours. "DJs and artists" are stated. Therefore this premises may be used as a late night bar/club use? "Noise control requirements", what are the noise control requirements? "Regularly monitor noise levels", how will this be done?

EPT are also aware of previous noise complaints from loud patrons when in external areas, from loud music and from late night use from the existing licenced premises in Eagle Arch.

EPT have strong concerns over the proposed extended late night opening until 2am on weeknights and 4am on weekends. Whilst no live or recorded music is proposed, the applicant has stated that 'DJs and artists will know the noise control requirements' which is somewhat contrary?

The measures outlined in section M part d) also require further explanation and are not considered adequate to prevent public nuisance until the late night hours proposed.

EPT therefore **raise objection** against this major variation application to extend hours at the premises. EPT consider the current hours for the arch use are appropriate and already slightly exceed the Licensing Policy's hours for restaurants in the Elephant and Castle area.

Kind regards,

Mark Prickett
Principal Enforcement Officer
Environmental Protection Team
Tel: 020 7525 0023

PLEASE BE ADVISED I AM NOT IN THE OFFICE MONDAY AFTERNOONS & ALL DAY WEDNESDAYS

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: Stanley, Matthew
Sent: 11 October 2018 17:07
To: Regen, Licensing; Heron, Andrew
Cc: Shapo, Leidon
Subject: Final Representation - Public Health: Pasaje Primavera, Arch 146, SE1 6SP

Dear licensing team,

Attached is an updated version of my representation for Pasaje Primavera, due today, 9th October. Please take the below copy of this representation as my final version, taking precedent over the copy sent to you on the 7th October. I have made some minor adjustments.

To whom it may concern:

Re: Pasaje Primavera, Arch 146, Eagle Yard, 147 Walworth Road, London, SE1 6SP

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):

- ☒ Prevention of public nuisance
- ☒ The prevention of crime and disorder

General Comments

This premises is located outside the Borough Bankside Cumulative Impact Policy area. It is located within the Elephant and Castle Major Town Centre Area. The location of the property is directly next to a large residential building, from which there are already suggestions of a number of complaints about noise and disturbance coming from this street and premise.

Under the Southwark Statement of Licensing policy 2016-2020, closing time for drinking establishments is 23:00 Sunday – Thursday, 00:00 Friday – Saturday.

The application makes the requested to extend opening hours for sale of alcohol until 0200 from Monday – Thursday, until 0400 Friday and Saturday, and until 0100 on Sundays. The premises already has permitted opening hours of 1am daily currently.

As a late night establishment serving alcohol opening past the recommended opening hours of Southwark Council's Statement of Licensing policy, this premises risks causing an increase in alcohol-related violence, crime and disorder, due to:

- The cumulative impact of alcohol consumption
- Large congregations of intoxicated individuals in and around the premises large congregations of intoxicated individuals in and around the venue.
- In addition, drinking establishments past these hours can encourage increases in public nuisance, due to congregations of intoxicated individuals. Accordingly, this would not be viewed to be appropriate in a residential area.

Recommendations

✍ I recommend that this request for an extension of the license is rejected in order to prevent public nuisance and crime and disorder due to drunken individuals surrounding the premises late at night. The premises already has opening hours that exceed the recommended hours as outlined in the Southwark Statement of Licensing Policy – these hours should not be exceeded any further.

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

Yours sincerely,

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

Dr Matthew Stanley

Senior House Officer | Public Health Division
Place and Wellbeing Department | London Borough of Southwark
160 Tooley Street | London SE1P 5LX
(T): 07511 947730 |(E): Matthew.Stanley@Southwark.gov.uk
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Dr Matthew Stanley

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HEALTH AND SAFETY (WITHDRAWN)

Heron, Andrew

From: Pickard, Roy
Sent: 17 October 2018 11:25
To: Heron, Andrew
Subject: FW: Representation for Pasaje Primavera Arch 146, Eagle Yard

Hi Andrew,

I received a satisfactory gas safety certificate this week for the LPG gas appliances. Works have been completed to make the installation safe. I would like to withdraw my representation. There is no need to condition the licence.

Best wishes,

Roy Pickard
Principal Environmental Health Officer
Southwark Council
160 Tooley Street, Southwark, London SE1 2QH
Office 0207 5254702
Mobile 07711 777840

Chartered Institute of
Environmental Health



**Chartered Environmental
Health Practitioner**

From: Pickard, Roy
Sent: Wednesday, October 10, 2018 10:17 AM
To: Heron, Andrew
Subject: Representation for Pasaje Primavera

Hi Andrew,

I have a representations for:

Pasaje Primavera
Arch 146, Eagle Yard
147 Walworth Road
London
SE1 6SP

I served a prohibition notice under the health and safety at work act 1974 on a gas cooker appliance their yesterday as a gas engineer had reported that the appliance was not safe. The appliance uses LPG (stored in bottles outside) and the premises is directly above a main commuter railway line.

I would like the licence conditioned; that works are carried out by a competence gas safety engineer (registered with Gas Safe)to make the appliance safe before the licence is granted.

Roy Pickard
Principal Environmental Health Officer
Southwark Council
160 Tooley Street, Southwark, London SE1 2QH
Office 0207 5254702
Mobile 07711 777840

Chartered Institute of
Environmental Health



**Chartered Environmental
Health Practitioner**