



The Licensing Unit
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Metropolitan Police Service
Licensing Office
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Our reference: MD/21/021/19

Date: 5th February 2019

Dear Sir/Madam

Re:- FIS Bar Ltd Vinegar Yard 1-7 Fenning Street SE1 3QR

Police are in receipt of an application from the above for a new time limited premises licence to run between the 14/02/2019 and the 14/02/2021, reference **866395**

The premises are located in the Borough & Bankside cumulative impact area as defined by Southwark's statement of Licensing Policy.

The premises is described as a Warehouse building with outside areas. It would appear from the plans that there is an inside bar area with a mezzanine dining area, some other adjoining areas are being dealt with under a separate application **ref 866397**

All applicants for new premises licences or for variation of existing premises licences, made in respect of classes of premises affected by the policy, located within a special policy area, must address the local concerns raised within their application and operating schedule.

Where a presumption against the grant of a licence exists and a relevant representation has been received, this Authority must consider whether it would be justified in departing from its special policy in the individual circumstances of the case.

This Authority will need to be satisfied that the grant of the application under consideration will not impact further on the relevant licensing objectives, before any grant or part grant of the application can be approved.

Examples of factors that this Authority may consider as demonstrating that there

will be no impact may include:

- Small premises intended to cease operation before midnight
- Premises which are not alcohol led and only operate during the day time economy
- Instances where an existing business operation is being relocated while maintaining the same style of operation
- Where a suite of conditions is proposed that will ensure that the premises operates in a specified manner. For instance, in the case of a food led operation, a suite of conditions that governs the minimum number of covers provided; that alcohol will only be provided by waiter / waitress service and together with a table meal.

Examples of factors that this Authority is unlikely to consider as demonstrating that There will be no impact may include:

That the premises will be well managed (as this is an expectation of all licensed premises

That the premises will be constructed to a high standard

That the applicant operates a similar style of business elsewhere (such as within another local authority area) without complaint

This particular application makes reference to an accommodation limit of 600 persons at any one time. It also refers to substantial food being available throughout its operation, however there are no restrictions to the service of food as ancillary to a table meal.

Save for the premises closing before midnight on Sunday through to Wednesday, the Thursday has a closing time of 00:30 and the Friday and Saturday 01:30. In my opinion this application does not satisfy any of the above factors for me to recommend that the licensing subcommittee would be justified in departing from their special policy.

A premises such as this in my opinion is likely to add to the existing cumulative impact. The applicant has not addressed sufficiently Southwark's cumulative impact policy in their application.

I object to the granting of this licence under the prevention of crime and disorder licensing objective for the above reasons.

Submitted for consideration.

PC Ian Clements 2362AS

Southwark Police Station
323 Borough High Street
02072326756

MEMO: Licensing Unit

To Licensing Unit **Date** 7 February 2019

Copies

From Jayne Tear **Telephone** 020 7525 0396 **Fax**

Email jayne.tear@southwark.gov.uk

Subject Re: Vinegar Yard, Ground Floor 1-7 Fenning Street, London, SE1 3QR

– Application to for a premises licence

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

- Films (indoors and outdoors) on Monday to Friday from 12:00 to 22:30 and on Saturday and Sunday from 11:00 to 22:30
- Live music (indoors and outdoors) on Monday to Friday from 12:00 to 22:30 and on Saturday and Sunday from 11:00 to 22:30
- Recorded music (indoors and outdoors) on Monday to Wednesday from 12:00 to 23:00, on Thursday and Friday from 12:00 to 23:30, Saturday 11:00 to 23:30 and on Sunday from 11:00 to 23:00
- Anything of a similar description to live music, recorded music and performance of dance (indoors and outdoors) on Monday to Friday from 12:00 to 22:30 and on Saturday and Sunday from 11:00 to 22:30
- Late night refreshment (indoors) on 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 Monday to Wednesday from 12:00 to 23:00, Thursday from 12:00 to 00:00, Friday from 12:00 to 01:00 the following day, Saturday from 11:00 to 01:00 the following day and on Sunday from 11:00 to 23:00
- Overall opening times shall be on Monday to Wednesday from 11:00 to 23:30, Thursday from 11:00 to 00:30 the following day, Friday from 11:00 to 01:30 the following day, Saturday from 10:00 to 01:30 the following day and on Sunday from 10:00 to 23:30

The premises is described as: *'Warehouse building (Ground and First floors) with outside areas.'*

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 and the prevention of public nuisance.

This premise is situated within the Bankside, Borough, London Bridge Strategic Cultural & London Bridge District Town Centre 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 for Friday and Saturday 00:00 hours.
- 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

There is not enough information within the description of the premises to show how this premises will operate (whether a restaurant or a drinking establishment etc.) and I would like further clarification on this point and reserve the right to comment further once this information is provided.

The premises also falls within the CIP area for Borough and Bankside. Under the Southwark Statement of Licensing Policy 2016 - 2020 the Local CIP applies to night clubs, public houses & bars, restaurants & cafes, off-licences, supermarkets, convenience stores and similar premises.

Section six of the policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Borough and Bankside policy area as defined in paragraph 129 of the policy and this premises falls into the class of premises in 130 of the policy.

Therefore 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.

The applicant has not addressed the presumption to refuse this application within the operating schedule. I would recommend refusal of this application unless the applicant can demonstrate that the premises will not contributing to crime and disorder and public nuisance within the policy area.

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

To consider adding further conditions as follows:

- 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://www.southwark.gov.uk/downloads/download/4399/licensing_act_2003 -
_southwark_statement_of_licensing_policy_2016 - 2020](http://www.southwark.gov.uk/downloads/download/4399/licensing_act_2003_-_southwark_statement_of_licensing_policy_2016_-_2020)

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



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Date: 17/01/2019

Dear Sir/Madam

General enquiry re:

VINEGAR YARD, GROUND FLOOR, 1-7 FENNING STREET, LONDON, SE1 3QR

Summary description:

Date Received: 11/01/2019

The planning department object to this proposed licence under the objective of prevention of nuisance.

The application seeks to licence a large area and a building that has no planning permission for an A class use and for which no assessment has been made in respect of the impacts that a large licenced premises may have. A significant part of the site is open and significantly larger than the beer garden of the Horseshoe. It is likely to be a significant source of noise.

It is understood that this proposal is intended as a temporary use whilst the site is considered for redevelopment. A temporary entertainment venue on this site maybe possible and a planning application should be made for such a use if that is what is intended. This application has no noise impact assessment, no dispersal strategy and no obvious means of controlling noise from a large open area that on the plan is shown as tables for drinking. The immediate area is well served for drinking venues and a nearby smaller venue at 40 Bermondsey Street has resulted in complaints from the noise arising from outside drinking. This much larger site would require significant mitigation to be made acceptable and at present none is proposed as part of the application.

The Council does look to support meantime uses that have a community benefit. It is acknowledged that retaining public houses can provide a significant benefit where those businesses are community hubs and part of the social life of the immediate area. Creating a large area for drinking such as this in an area well served by licensed premises would have a negligible community benefit. Switching focus from sale of alcohol to provision of a cultural venue would increase the benefit provided to the area, but noise impacts would need to be assessed and mitigated against.

Yours faithfully

Gavin Blackburn

Senior Enforcement Officer