

From: TD
Sent: Tuesday, July 30, 2019 1:28 PM
To: McArthur, Wesley
Cc:
Subject: Re: Premises licence application: Talking Drum, 610 Old Kent Road, London, SE15 1JB (our ref: L1U 868584) – Old Kent Road ward
Importance: High

Hi Wesley,

Thanks for your email.

Please find our response attached re: representations. This has been emailed to the Police and Ms Jayne Tear of Southwark Licencing respectively.

Can you also please email our response to the two private parties who submitted representations also?

I confirm I will be attending the hearing on 20th August at 10am. Please find Proforma reply attached, which has also been posted to the address noted on the form.

Please let me know if you have any further queries in the meantime.

Kind regards,

Talking Drum

Re: Talking Drum, 610 Old Kent Road, London, SE15 1JB

To whom it may concern

I write in response to your representation dated 11th July 2019.

As you will have noted, Talking Drum Limited is a restaurant and has applied for the relevant license in accordance with this. As correctly stated, the beneficial owner of Talking Drum Limited is indeed the same as the previous tenant – namely Luxford Bar Limited.

We appreciate the responses and concerns of the TRA and other local stakeholders invested in the safety of the area. No one wants to live in an unsafe area or feel uncomfortable in their local community, including ourselves and our staff. We take full responsibility for the various flaws in the business model for Luxford Bar and acknowledge that it was markedly **geared towards younger people** and pop culture. To address and hopefully quell these concerns, we have dramatically changed our entire operational structure. Talking Drum is fundamentally different in that it will be a place for all ages, cultures and generations to meet and eat. Whilst before we served burgers and wings, we will now serve authentic Nigerian meals such as pounded yam and okra soup – which fundamentally brings in a much different, family-orientated crowd than ribs and wings, by nature.

Unbeknownst to the general public, we have a 30-year lease on the property and have incurred substantial personal debt as a result of the closure to Luxford Bar. Most importantly, we have learned not to trivialise the licensing objectives in any subsequent business venture. As I'm sure you can appreciate, no business owner wants to experience the sudden, traumatic, demoralising and near-bankrupting closure of any business twice, especially when it amounts to their life's work.

Objectively speaking, to deny or prevent Talking Drum from being granted an alcohol license is likely to prove disastrously counterproductive. Should we not be granted a late license, it would force us to sell food only, whilst allowing patrons to bring in their own alcohol for consumption as a non-licensable premises.

With this comes a myriad of potential issues, most notably **lack of portion control leading to overconsumption**. With alcohol solely being served at the bar, in promoting the licensing objectives our staff are able to challenge the drinker and even decline to serve them if they appear too intoxicated. Without this first line of defence (i.e. **proactive**), patrons are largely left to regulate this themselves with Talking Drum now taking a **reactive** corrective measure (i.e. asking them to leave the building after they are already intoxicated).

This route would strongly work against licensing objectives, the community, the police and us as a business.

Conversely, if we were granted a license it would hold us to account to promote the licensing objectives, as outlined below.

Talking Drum

As local residents ourselves, please rest assured that we did not treat the decision to revisit the hospitality industry with levity. Much research and consultation has gone into agreeing a significant number of changes to the original license of Luxford Bar Limited, each designed to thoroughly **promote the licencing objectives** and mitigate all previous grievances held against our predecessor.

These include (but are not limited to the following):

Steps to promote key licencing objectives:

1) General

Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such person as an ancillary to a table meal.

2) The prevention of crime and disorder

A CCTV system will be installed at the premises and will be maintained in a good working order and will be continually recording the premises at all times.

All CCTV footage shall be kept for a period of 31 days and should on request be made immediately available to officers of the police and the council.

All staff will be trained in their responsibilities under the Licensing Act 2003 and training records will be kept and updated every six months and shall be made immediately available to officers of the police and the council upon request.

All CCTV footage shall be kept for a period of 31 days and should on request be made immediately available to officers of the police and the council.

3) Public safety

All licensable activities shall cease 30 minutes prior to the terminal hour to allow for beverages to be finished and a controlled dispersal of customers.

A Challenge 25 scheme shall be maintained at the premises, requiring that staff selling alcohol request any customer who looks under 25 years old - and who is attempting to purchase alcohol - provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving license, passport, UK armed services ID card and any proof of age standard scheme (PASS) accredited card.

In addition, we will install the following fire safety measures:

Talking Drum

- Install fire extinguishers
- Have a designated fire point
- Display fire exit signs
- Have a fire door in the kitchen
- Have the fire door/s free from obstructions at all times
- Install fire alarms and smoke detectors
- Provide staff training on fire safety
- Carry out a fire risk assessment

4) **The prevention of public nuisance**

Clearly legible signs shall be prominently displayed where they can be easily seen and read by customers, requesting that customers leave the premises and area in a quiet and orderly manner.

5) **The protection of children from harm**

A challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request to any customer who looks under 25 years old, and he was attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old.

In addition to the above, we have personally added the following to further support and action the licencing objectives:

- **Complete revamp of overall business plan, strategic direction/success measurements, design layout, fixed seating and capacity**

Whilst Luxford Bar was, and was clearly marketed as equal parts bar and restaurant, Talking Drum is in fact, solely a restaurant. The restaurant's identity is that of a '*fine-dining*' experience – not unlike a Hakkasan or Novikov or other Michelin-starred dining establishment. Staff-wise, the restaurant will incorporate a host receiving guests at all times near the entrance. Simply put, the 'bar' atmosphere – and by proxy, the associated trappings of this – have been discarded in favour of a sleek, classy dining experience unlike anything on Old Kent Road.

With this has come a complete renovation and redesign of the venue which includes:

- **Increasing the size of the kitchen by 70%** to accommodate the increased food production element. Given that all patrons will have a table meal, we have taken this into account physically, as well as on our menu
- **Reduction of the bar size** – as there will not be any externally promoted events (see below), the need for a larger bar has largely been eliminated – and with that, the

Talking Drum

physical stance of the bar has been reduced by more than 50% - again showing our commitment to the restaurant and dining element of the business

- **The removal of 'typical' bar features** – such as DJ booth, space for dance floor etc. The layout for Talking Drum includes an expanded array of fixed/immovable seating – another indicator that there will be no 'dance floor' which may lead to a 'nightclub' experience – a key factor in the issues raised against Luxford Bar previously
- **Removal of externally promoted events hosted by third parties**

On the two occasions in which Luxford Bar Limited experienced disruptions (namely, 22nd October 2018 – the domestic incident between two partners - and 1st January 2019), these were both during and as a direct result of events externally promoted by third parties. Such events **will not** take place at Talking Drum.

As a result, the negative effects of this – including increased number of patrons exceeding seated capacity, noisy/intoxicated patrons, patrons parking illegally etc. will be mitigated in line with other restaurants in the area.

- **Removal of loud recorded music**

It is my understanding that our application for the premises licence contained a proposal for recorded music. Please note that we only intend to have background music in line with our status as a restaurant. Furthermore, we will in fact not have DJs. I attach the floorplan for the premises which has no location for a DJ booth – further evidencing this

- **Capacity** – 200 covers (seated guests) and a maximum capacity of 250 (the difference being kitchen and bar staff, downstairs office space, toilets and general walking space between tables - please see the attached floorplan for more information.

Whilst Luxford Bar had just over 100 covers and almost 300 capacity, Talking Drum has double the number of covers yet a lower capacity, as a result of fixed seating which cannot be moved aside to allow standing.

In addressing concerns raised in various representations, please note the following:

- *Jayne Tear – “The applicant would have no control of patrons that have left the premises and the possible impact of any rowdy and anti-social behaviour or crime and disorder”*
-

As a restaurant which will not be holding externally promoted events with loud recorded music - where tables will not (and cannot) be moved to allow standing/dancing space – there will be no 'party/loud music atmosphere' creating an overflow of patrons into the street. This point by Ms Tear is entirely mitigated by the change in business module.

Talking Drum

In dispersing patrons, once again we highlight that drinks service will end 30 minutes prior to closing. Staff will also encourage patrons to leave in a quiet and orderly manner, further supported by signage near the exit.

“proposed reduction in opening hours to 23:00”

805 Old Kent Road, a few doors down from us – with a similar model – is in the exact same residential area and catchment and have been granted a 00:00 closing time. To be singled out as needing to close at 23:00 when restaurants directly next door to us are open until is unduly harsh and does not take into account the numerous improvements to the former license of Luxford Bar Limited.

- *Party 1 – 11th July – Resident*

“They provided plastic cups which would be found strewn all around local streets the next morning. Clients...would park on residential streets nearby and..., would return to the vehicles and play loud music out of their cars at 1am without going anywhere.”

With the removal of externally promoted events, the aforementioned issues will cease. The overall direction of a restaurant – i.e. serving food and drinks is not congruent with the difficulties previously experienced

- *Party 2 – 15th July - TRA*

“...proprietor trying to revive Luxford Bar”

And

- *Metropolitan Police – 17th July*

“In my opinion nothing has changed since that decision was made, the applicant for this premises licence is the same as that of the Luxford Bar, and this application is almost identical to that Granted to the Luxford Bar & Restaurant.

As explained above, everything has changed – from the amount of seating, to the size of the kitchen and bar to our business plan.

As previously mentioned, we ourselves are also local residents with a vested interest in the safety and upkeep of the local area. The safety of this restaurant is essential not only for ourselves, but our own children and siblings who also live in the area. We fully intend to work and alongside the local patrons and TRA to ensure that Talking Drum is a safe and positive environment and promotes public safety for all residents.

Please feel free to contact me directly should you have any further queries.

T:

Talking Drum

Appendix 1)



From: McArthur, Wesley
Sent: Tuesday, July 30, 2019 2:45 PM
Subject: FW: Premises licence application: Talking Drum, 610 Old Kent Road, London, SE15 1JB (our ref: L1U 868584) – Old Kent Road ward
Importance: High

Dear Sir / Madam,

Please find attached a response from the applicant regarding the representations that were submitted in respect of the above application. If you have any further comments please send them to me ASAP.

Regards,

Wesley McArthur

Principal Enforcement Officer
London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Fax: 020 7525 5705

Address: Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH
<https://www.southwark.gov.uk/community-safety/let-s-talk-about-women-s-safety>

Party 2

From:
Sent: Wednesday, July 31, 2019 5:21 PM
To: McArthur, Wesley
Subject: Re: Premises licence application: Talking Drum, 610 Old Kent Road, London, SE15 1JB (our ref: L1U 868584) – Old Kent Road ward

Dear sir/madam,

Thank you for forwarding this response. I will consult with the TRA members at our meeting tonight and forward a response after the meeting.

Regards,