

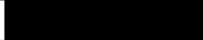
APPENDIX B

30/05/2019

Business - Application to vary a premises licence under the Licensing Act 2003

Ref No. 1241838

Please enter the name(s) of the premises licence holders who is applying to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

	 Treadgold Ltd
Premises licence number	862687

Non-domestic rateable value of premises in order to see your rateable value click here (opens in new window)

£	20250
---	-------

Postal address of premises or, if none, ordnance survey map reference or description

Address Line 1	56 PECKHAM HIGH STREET
Address Line 2	
Town	LONDON
County	
Post code	SE15 5DP
Ordnance survey map reference	
Description of the location	
Telephone number	

Part 2 - Applicant details

Daytime contact telephone number	
Email address	
Postal Address if different from premises address	
Town / City	
Postcode	

Do you want the premises licence to have effect as soon as possible?

Please tick	Yes
-------------	-----

If not from what date do you want the variation to take effect?

(DD/MM/YYYY)	
--------------	--

Please describe briefly the nature of the proposed variation (see guidance note 2)

	<p>1. To change the layout of the premises as per the plan provided in this application. To amend condition 307 to allow an 'accommodation limit' of 229 persons. To amend condition 844 to reflect the proposed change of the accommodation limit. To remove conditions 122, 345, 847 and 848 from the licence. Add condition 901.</p> <p>2. To extend our opening hours to 04:00 on Wednesday and Thursday.</p> <p>3. To extend our opening hours to 05:00 on Friday and Saturday.</p> <p>4. On Wednesday and Thursday, we would like to extend the terminal hour in respect of</p> <p>Entertainment similar to live/recorded music - indoors Live music - indoors Performance of dance - indoors Recorded music - indoors</p> <p>to 03:30</p> <p>4. On Friday and Saturday we would like to extend the terminal hour in respect of</p> <p>Entertainment similar to live/recorded music - indoors Live music - indoors Performance of dance - indoors Recorded music - indoors</p> <p>to 05:00</p> <p>5. On Sunday we would like to extend the terminal hour in respect of</p> <p>Entertainment similar to live/recorded music - indoors Live music - indoors Performance of dance - indoors Recorded music - indoors</p> <p>to 04:00</p> <p>6. To extend the hours permitted for the sale of alcohol until the following times</p> <p>Friday 04:30 Saturday 04:30 Sunday 03:30</p>
--	--

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time please use the drop down below to select the number

Please select number from range	Less than 5000
---------------------------------	----------------

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

	e) Live music (If ticking, fill in box E)
	f) Recorded music (If ticking, fill in box F)
	g) Performance of dance (If ticking, fill in box G)
	h) anything of similar description to that falling within (e), (f) or (g) (Fill in box H)

Provision of late night refreshment (if ticking fill in box I)

	i) Late night refreshment
--	---------------------------

Supply of alcohol (if ticking fill in box J)

	j) Supply of alcohol
--	----------------------

Will the performance of live music take place indoors or outdoors or both? (Please read guidance note 4)

	Indoors
--	---------

Please give further details here (Please read guidance note 5)

	We are a venue hosting DJ's and Live Acts
--	---

Standard days and timings for Live Music (Please read guidance note 8)

Day	Start	Finish
Mon	10:00	00:00
Tues	10:00	00:00
Wed	10:00	03:30
Thur	10:00	03:30
Fri	10:00	05:00
Sat	10:00	05:00
Sun	10:00	04:00

State any seasonal variations for the performance of live music (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed. (Please read guidance note 7)

	That on New Years Eve all licensable activities shall be allowed from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
--	---

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 4)

	Indoors
--	---------

Please give further details here (Please read guidance note 5)

	We are a venue playing recorded music.
--	--

Standard days and timings for Recorded Music (Please read guidance note 8)

Day	Start	Finish
Mon	10:00	00:00
Tues	10:00	00:00
Wed	10:00	03:30
Thur	10:00	03:30
Fri	10:00	05:00
Sat	10:00	05:00
Sun	10:00	04:00

State any seasonal variations for playing recorded music (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. (Please read guidance note 7)

	That on New Years Eve all licensable activities shall be allowed from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
--	---

Will the performances of dance take place indoors or outdoors or both? (Please read guidance note 4)

	Indoors
--	---------

Please give further details here (Please read guidance note 5)

	We sometimes hold dance performances.
--	---------------------------------------

Standard days and timings for Performance of dance (Please read guidance note 8)

Day	Start	Finish
Mon	10:00	00:00
Tues	10:00	00:00

Wed	10:00	03:30
Thur	10:00	03:30
Fri	10:00	05:00
Sat	10:00	05:00
Sun	10:00	04:00

State any seasonal variations for the performance of dance (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed. (Please read guidance note 7)

	That on New Years Eve all licensable activities shall be allowed from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
--	---

Please give a description of the type of entertainment you will be providing

	Anything of a similar description to that falling within (e), (f) or (g) For instance poetry or another creative expression.
--	---

Will the entertainment take place indoors or outdoors or both? (Please read guidance note 4)

	Indoors
--	---------

Please give further details here (Please read guidance note 5)

	Anything of a similar description to that falling within (e), (f) or (g) For instance poetry or another creative expression.
--	---

Standard days and timings for Anything of a similar description to that falling within (e), (f) or (g) (Please read guidance note 8)

Day	Start	Finish
Mon	10:00	00:00
Tues	10:00	00:00
Wed	10:00	03:30
Thur	10:00	03:30
Fri	10:00	05:00
Sat	10:00	05:00
Sun	10:00	04:00

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed. (Please read guidance note 7)

	That on New Years Eve all licensable activities shall be allowed from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
--	---

Will the provision of late night refreshment take place indoors or outdoors or both? (Please read guidance note 4)

	Indoors
--	---------

Please give further details here (Please read guidance note 5)

	No changes to standard existing timings
--	---

Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 8)

Day	Start	Finish
Mon	23:00	02:00
Tues	23:00	02:00
Wed	23:00	02:00
Thur	23:00	02:00
Fri	23:00	02:00
Sat	23:00	03:00
Sun	23:00	03:00

State any seasonal variations for the provision of late night refreshment (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed. Please list, (Please read guidance note 7)

	That on New Years Eve all licensable activities shall be allowed from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
--	---

Will the supply of alcohol be for consumption (Please read guidance note 9)

	On the premises
--	-----------------

Standard days and timings for Supply of alcohol (Please read guidance note 8)

Day	Start	Finish
Mon	10:00	00:00
Tues	10:00	00:00
Wed	10:00	03:00
Thur	10:00	03:00
Fri	10:00	04:30
Sat	10:00	04:30
Sun	10:00	03:30

State any seasonal variations for the supply of alcohol (Please read guidance 6)

--	--

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, (Please read guidance note 7)

	That on New Years Eve the sale of alcohol shall be allowed from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
--	---

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (Please read guidance note 10)

	None
--	------

Hours premises are open to the public (standard timings Please read guidance note 8)

Day	Start	Finish
Mon	10:00	03:00
Tues	10:00	03:00
Wed	10:00	03:30
Thur	10:00	03:30
Fri	10:00	05:00
Sat	10:00	05:00
Sun	10:00	04:00

State any seasonal variations (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, (Please read guidance note 7)

	That on New Years Eve opening ours shall be allowed from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
--	--

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

	Conditions 122, 345, 847 and 848
--	----------------------------------

I have uploaded relevant part of the previous premises licence (Please send a hard copy in the post)

Reason for not uploading the premises licence

--	--

a) General - all four licensing objectives (b,c,d,e) (Please read guidance note 11)

	In general the existing conditions address all of the licensing objectives.
--	---

b) the prevention of crime and disorder

	The existing conditions address the prevention of crime and disorder licensing objective, however please see the additional sheet for further explanation of the proposed variation.
--	--

c) public safety

	Amend condition 307 to read as follows: "That the maximum number of persons permitted on the ground floor of the premises at any one time shall not exceed two hundred and fifty (229) persons."
--	--

d) the prevention of public nuisance

	The existing conditions address the prevention of public nuisance licensing objective, however please see the additional sheet for further explanation of the proposed variation.
--	---

e) the protection of children from harm

	The existing conditions address the protection of children from harm licensing objective, however please see the additional sheet for further explanation of the proposed variation.
--	--

If the plan of the premises are varying please upload a plan of the premises,

Upload proposed plans	[REDACTED]
Upload existing plans	Tola-vary-app-2019-additional-sheet.pdf

Checklist

	I understand that I must now advertise my application. I understand that if I do not comply with the above requirements my application will be rejected.
--	---

I agree to the above statement

	I agree
PaymentDescription	[REDACTED]
AuthCode	[REDACTED]
LicenceReference	[REDACTED]
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If completing on behalf of the applicant, please state in what capacity.

Full name	[REDACTED]
Date (DD/MM/YYYY)	30/05/2019
Capacity	Managing Director

Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 14). If completing on behalf of the applicant state in what capacity

Full name	
Date (DD/MM/YYYY)	
Capacity	

Contact name (where not previously given) an address for correspondence associated with this application (please read guidance note 15)

Contact name and address for correspondence	[REDACTED]
Telephone No.	[REDACTED]
If you prefer us to correspond with you by e-mail, your email address (optional)	[REDACTED]

Please tick to indicate agreement

<input type="checkbox"/>	I am a company or limited liability partnership
--------------------------	---

I agree to the above statement

<input type="checkbox"/>	Yes
--------------------------	-----

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

Additional information in support of the application.

1. Amendment of condition 307

307 - That the maximum number of persons permitted on the ground floor of the premises at any one time shall not exceed one hundred (100)

Replace with:

“That the maximum number of persons permitted on the ground floor of the premises at any one time shall not exceed two hundred and twenty nine (229)”

Reason:

We have increased the floor space (albeit within the same ‘footprint’ of the building so not increasing the overall licensable area) by re-arranging the toilet provisions at the premises, altering our back-of-house (BOH) areas and also by relocating the bar servery area. We have re-configured the entrance to the premises and also increased the width of the emergency exit to the front of the premises. In addition to this we have removed semi-permanent obstacles that could potentially be hazardous in the event of an emergency evacuation. We have measured the current floor space and divided it up in accordance with the guidelines detailed in “Technical Standards for Places of Entertainment 2015”. Applying these guidelines allows for an accommodation limit of up to 229 persons (Please see the amended plan as attached to this application).

We have increased the number of toilets available to accommodate more guests:

Men's:

Was: 1 cubicle and 1 single urinal

Now: 1 cubicle and 1 trough urinal.

Women's:

Was: 2 cubicles

Now: 3 cubicles including a new disabled toilet.

In specific regard to the fire escape to the front of the premises we propose building an emergency exit which will lead directly onto the street (Peckham High Street). The escape routes will consist of 2 doors measuring in excess of 1050m. As an addition to the existing fire escapes this allows emergency egress more than sufficient for 229 persons.

2. Remove condition 345

345 - No service of liquor other than to members, their bona fide guests and members of other snooker and pool clubs operated by the company. No person to be admitted to membership without such application being displayed within the club for 48 hours.

Reason:

The licensing authorisation issued regarding the premises is a premises licence, and not a club premises certificate, and so this condition is onerous and redundant. Further, the venue has not operated as a snooker hall / private members club (or similar) for over 10 years. Although we currently comply with condition 345 and have built a substantial membership list under this licence condition, condition 345 it restricts our freedom of trade and potential to attract new custom.

3. Remove condition 848

848 - That Mr J K (known to authorities) shall no longer be allowed to have control or involvement in the management or day to day running of the premises.

Reason:

The club is under new management. The licence has been transferred to Treadgold Ltd since 13 November 2017, a new DPS has been in place since the beginning of 2018 when we started trading and we hold a lease for the premises. We have no knowledge of who 'Mr J K' is, or his previous dealings with the premises. Further, as 'Mr J K' is unknown to us we are unable to comply with this condition in any case.

4. Remove condition 122

122 - No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies

a. He is the child of the holder of the premises licence

b. He resides in the premises, but is not employed there

c. He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to and from which there is no other convenient means of access or egress

d. The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary. In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as ancillary to their table meals.

Reason:

The above condition is superfluous as it relates to defunct legislation (Licencing Act 1964)

5. Remove condition 847

847 - That alcohol shall not be displayed for sale and covered from view after the terminal time for the sale of alcohol.

Reason:

It is not practical to enforce due to the physical design and layout of our bar area. Our bar staff are fully trained and understand the parameters of our licence. I believe this condition was applicable to the previous management of the premises who have no connection to the current management.

Add the following condition:

"That a written dispersal policy shall be devised regarding the premises and a copy of it shall be kept / be accessible at the premises at all times that the premises are in operation. The policy should include (but not necessarily be limited to) the following:

- Details as to how customer / staff egress at the premises shall be managed to minimise causing nuisance.*
- Details of public transport in the vicinity and how customers will be advised in respect of it.*
- Details of the management of taxis to and from the premises.*
- Details of the management of any 'winding down' period at the premises.*
- Details of the use of security and stewarding in respect of managing customer dispersal from the premises.*
- Details of any cloakroom facility at the premises and how it is managed.*
- Details of road safety in respect of customers leaving the premises.*
- Details of the management of ejections from the premises.*
- Details of how refuse / waste in the local vicinity arising through the operation of the premises will be cleared up (e.g. flyer clean up, post event clean up).*

All staff employed at the premises shall be trained in the latest version of the dispersal policy and records of such training (including the printed name of the trainee, signature of the trainee, declaration that the training was understood and the date of the training) shall be kept as an annex of the policy. The dispersal policy shall be made immediately available to emergency service and / or council officers on request."

4. Changes to operating hours

Opening times:

To extend our opening hours to 03:30 on Wednesday and Thursday.

To extend our opening hours to 05:00 on Friday and Saturday.

Reason:

We want to bring all of our permissions in line. We currently have provision to sell alcohol until 03:00 on the above days and we would like our guests to have enough time to consume their drink at a responsible rate. We believe that this extra time will not only prevent guests from becoming intoxicated due to drinking too fast, but also allow guest to leave at a rate that will be of least disturbance to the neighbourhood.

Entertainment hours:

On Monday and Tuesday we would like to extend the terminal hour in respect of

Entertainment similar to live/recorded music - indoors

Live music - indoors

Performance of dance - indoors

Recorded music - indoors

to 00:00

Reason:

To bring the entertainment hours in line with our existing alcohol sales hours.

On Wednesday and Thursday we would like to extend the terminal hour in respect of

Entertainment similar to live/recorded music - indoors

Live music - indoors

Performance of dance - indoors

Recorded music - indoors

to 03:30

Reason:

We are already permitted to provide the **sale by retail of alcohol to be consumed on premises** until 03:00 on Wednesday and Thursday, but the above permissions currently end at 23:00. Taking into account the extension regarding opening hours sought in this application we would like to extend the times permitted for entertainment.

On Friday and Saturday we would like to extend the terminal hour in respect of

Entertainment similar to live/recorded music - indoors

Live music - indoors

Performance of dance - indoors

Recorded music - indoors

to 05:00

Reason:

We are requesting an extension to our hours on Friday and Saturday to make us more viable as a business.

On Sunday we would like to extend the terminal hour in respect of

Entertainment similar to live/recorded music - indoors

Live music - indoors

Performance of dance - indoors

Recorded music - indoors

to 04:00

Reason:

To bring the entertainment hours in line with our existing opening hours.

Sale of Alcohol:

To extend the hours permitted for the sale of alcohol until the following times

Friday	04:30
Saturday	04:30
Sunday	03:30

Entertainment is permitted until 03:00 on Sunday, and we are already permitted to open until 04:00 on Friday and Saturday and now seek to open until 05:00 on Friday and Saturday. We will allow for 30 minutes 'drinking up' time.

5. Cumulative Impact

We have taken the Peckham Cumulative Impact Policy into account in this application and contend that this application will not add to the existing cumulative impact of licensed premises in the Peckham CIP area. For the following reasons:

1. These are not new premises. The premises have been operating for over 15 years. Therefore this application does not seek to add to the number of licensed premises in the area.
2. The existing licence already contains robust conditions that are congruent with the late operating hours permitted by the existing licence. Indeed some of these conditions were imposed by the LSC in respect of previous operators, so one must assume that the existing conditions are wholly suitable for the late night operation of the premises.
3. In terms of overall operating hours the net effect is an increase in opening hours by 3 hours spread over Wednesday, Thursday, Friday and Saturday and this would allow for 30 minutes drinking up time on each those days, which is not currently allowed for in the existing premises licence regarding Wednesday and Thursday. On Friday and Saturday this would allow for a nice smooth transition at the end of the night, with some guests beginning to leave at 4am. This is something we have already observed on TEN's.
4. The extension of hours sought in respect of entertainment relating to Wednesday and Thursday seeks to bring the hours permitted for entertainment on those days in line with the opening hours sought in this application and it should be noted that we are already permitted to sell alcohol until 03:00 on those days. Paragraph 126 of Southwark Council's Statement of Licensing Policy states in part that: "126. In areas where the number, type and density of premises selling alcohol are high or exceptional, serious problems of nuisance and disorder may arise some distance from those premises..." clearly indicating that the sale of alcohol, rather than the provision of entertainment, is

the primary area of concern in respect of saturation. In this case, we are **already** permitted to sell alcohol until 03:00 on Wednesday and Thursday and merely seek to allow for the provision of entertainment for our customers until 03:30 on Wednesday and Thursday. We contend that the extension of hours in respect of entertainment will not add to cumulative impact and in fact on those days will move the premises away from solely being a drink orientated premises and likely detracting from any possible cumulative impact of the premises. Further the Statement of Licensing Policy seems to indicate that it is not the provision of entertainment that the cumulative impact policies are concerned with. Since we have been operating the premises we have had no complaints to the local authority or the police / other emergency services in that time, thus we contend that we have already proven that we can operate a late night venue without adding to the cumulative impact of licensed venues.

5. We acknowledge that we do seek to extend the hours permitted for the sale of alcohol on Wednesday to Sunday; however we have accounted for 30 minutes drinking up time.

6. We have operated the premises for over 18 months and have proven to be responsible operators and the operation of the premises has (to our knowledge) not resulted in adding to the cumulative impact of licensed premises in the Peckham CIP area. Further we have held Temporary Events (under the TEN mechanism) on various days including Sundays and Mondays ranging for times between 03:00 and 06:00, again without complaint. That these TENs have been granted, we feel, is evidence that both the police and council's Environmental Protection Team (EPT) are satisfied that we can operate responsibly past the hours currently permitted by our licence. Please note that both the police and EPT can submit objections to TENs, but never have regarding our premises.

7. We acknowledge that the existing licence already permits closing times later than those recommended in the Statement of Licensing Policy, however we would state that each application must be judged on it's own merit and that the reasons given above show that we can operate a venue with the hours proposed for without problem or complaint.

8. We are making changes to the interior to help sound proof the establishment and cause as little noise disturbance to our neighbours. We are installing two separate doors at the front of the premises to prevent noise escaping while guests enter or leave. These doors will form an acoustic lobby. The doors will be triple glazed Argon gas filled doors for extra insulation. This actually represents an improvement over the previous glazing. We also have no adjacent residential neighbours on either side.

9. To alleviate any possible concerns we have proposed a condition requiring that a comprehensive dispersal policy is written and maintained regarding the premises and that our staff are trained in the dispersal policy.

10. Further to the above, the proposed variation is to provide a better offering for customers who would be in our premises late at night in any case, rather than attracting new customers. We say that the variation will not increase footfall in the area or add to the cumulative impact of licensed premises in the area, as those customers enjoying the proposed extended hours would have been at our premises already in any case.

11. Paragraph 136 of the Statement of Licensing Policy states that information to support the implementation and maintenance of a CIP would include statistical analysis of

Alcohol related crime
Alcohol related disorder and rowdiness
Alcohol related health harm
The costs of alcohol related harm

Since we have been operating we haven't been related to any of the above issues or added to the cost of alcohol related harm, further rebutting the presumption that the grant of this variation would lead to an increase in instances of these issues or add to the cost of alcohol related harm.

12. Lastly, paragraph 153 of the policy provides examples of factors that may be considered demonstrating that there will be no impact of an application in respect of cumulative impact.

One of these is relating to premises that are not alcohol led. Please note that we provide a very significant entertainment offering and will be providing a significant food offering soon.

From: McArthur, Wesley
Sent: Thursday, July 11, 2019 1:39 PM
To: [REDACTED]
Cc: [REDACTED]

Subject: Premises licence variation: Tola, 56 Peckham High Street, London, SE15 5DP (our ref: L1U 868339)

Importance: High

[REDACTED]

For clarification please confirm that the proposed opening hours of the premises on Wednesday and Thursday are 03:30 and that there is no proposed change to the hours permitted in respect of entertainment on Monday or Tuesday.

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>

From: [REDACTED]
Sent: Thursday, July 11, 2019 1:57 PM
To: McArthur, Wesley
Cc: [REDACTED]
Subject: Re: Premises licence variation: Tola, 56 Peckham High Street, London, SE15 5DP (our ref: L1U 868339)

Hi Wesley,

Yes, that is correct