

APPENDIX C

copies of the representations submitted by responsible authorities

From: Moore, Ray

Sent: Tuesday, August 06, 2019 3:45 PM

To: Regen, Licensing; Tear, Jayne; 'Ian.Clements@met.police.uk'; 'Graham.S.White@met.police.uk'; Deidda, Clizia; [REDACTED]

Subject: RE: Application for a premises license for Unit 8, 133 Copeland Roadk, London, SE15 3SN - application reference 1267649 / 869002

As a responsible authority under the Licensing Act 2003, Trading Standards are in receipt of an application from “Jonathan Wilson and Lorelie Wilson” for a time limited application to sell alcohol from the above unit from 10th October 2019 to 13th October 2019. It states that it is a “warehouse space used for art exhibitions, promotional events.” Under the licensing objective “The Protection of children from harm” it simply states “There are No aspects of this event that will cause children any harm.” There is no other explanation as to what the 3 day event will be other than that they are seeking late night alcohol and music. It would also appear that the applicant has misunderstood some aspects of what the licensing objective “The protection of children from harm” is intending to achieve. Specifically there is no explanation as to how they would ensure that minors do not access the event or obtain alcohol.

This authority would therefore ask that the following conditions are added to create suitable conditions with respect to the Southwark Statement of licensing Policy and the licensing objective “the protection of children from harm” :-

- That a challenge 25 scheme shall be maintained at the premises selling alcohol requiring that staff selling alcohol request that 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 licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
- That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises.. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee’s name (in block capitals), the trainer’s name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
- That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.
- No unaccompanied children will be permitted at any time.

- No gambling machines will be on the premises.

If the business needs refusals registers and training materials this authority is more than happy to provide them.

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure| Regulatory Services

Post: 3rd Floor Hub 2, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 0816 | Fax 020 7525 5735 | Call Centre 020 7525 2000

www.southwark.gov.uk/TradingStandards

Need proof of age? Visit www.southwark.gov.uk/pa

Need advice on consumer issues? Visit Citizens Advice via www.direct.gov.uk/consumer

From: Binya, Raymond
Sent: Tuesday, August 13, 2019 1:25 PM
To: Regen, Licensing
Cc: [REDACTED]
Subject: Unit 8, 133 Copeland Road, Peckham, SE15 3SN, EPT Ref: 905601

Dear Licensing Team

Application for a limited premises licence to be granted under the Licensing Act 2003
Application reference number 869002, received 18 July 2019
Unit 8, 133 Copeland Road, Peckham, SE15 3SN

I wish to make a representation on behalf of Southwark Environmental Protection Team in our capacity as Environmental Health Responsible Authority, about the likely effect of the grant of the premises licence on the promotion of the 'prevention of public nuisance' licensing objective.

The application seeks:

Time limited (10/10/2019 - 13/10/2019) new premises application for films, live & recorded music, performance of dance all indoors and Opening hours 18:00 – 01:00 Thursday 18:00 - 02:00 Friday, 16:00 - 04:00 Saturday, Supply of alcohol on the premises 18:00 - 00:30 Thursday 18:00 - 01:30 Friday 16:00 - 03:30 Saturday.

- a) On 20 July 2019 at approximately 20:35 hours Southwark Council's Noise and Nuisance Team's officers witnessed a statutory noise nuisance from a resident on Bournemouth Road as result of loud amplified music emanating from Unit 8, 133 Copeland Road, Peckham, SE15 3SN. Officers notes indicate that the music coming from the premises was audible inside resident's property at the levels which they needed to raise their voices to have normal conversation. Following this incident, a Noise Abatement Notice under section 80 of the Environmental Protection Act 1900 was served to the licence holder. In addition to that, there are also records of complaints from neighbouring businesses regarding loud amplified music coming from this premises.
- b) During the above visit officers also witnessed shutters which serve entrance as entrance to the building was left wide open. This was against the requirement of condition 340 of their licence– "Doors and other openings shall be kept closed during licensable activities at the premises, so as to ensure that noise caused by amplified music and speech due to is not be audible at the façade of any residential property."
- c) In the operating schedule, the applicant has said 'We are very conscious of the need to protect the environmental impact on the local area in particular to nearby/adjacent residential properties.' However they have made no attempt in the operating schedule to ensure that the nearby/adjacent residential properties are appropriately protected from the impact of noise from their proposed activities. In particular, there is no description of any measures the applicants will apply in order to fulfil the need that they say they have identified.

Based on above information, we therefore recommend Sub Committee not to grant the application.

Raymond Binya
Principal Environmental Protection Officer

Postal address: Southwark Council | Environmental Protection Team | Environmental and Leisure | 3rd Floor Hub 1 | PO Box 64529 | London | SE1P 5LX.

Office address (By appointment only) : Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

Tel: 02075254809 | Fax: 020 7525 5705 | e mail: raymond.binya@southwark.gov.uk

visit:

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/>



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/127/2019

Date: 14th August 2019

Dear Sir/Madam

Re:- Unit 8 133 Copeland Road SE15 3SN

Police are in possession of an application from the above for a new time limited premises licence under the licensing act 2003.

The licence is for three days between the 10th and 13th October 2019 for regulated entertainment by way of recorded & live music and the performance of dance, the supply of alcohol and films.

Thur 1800 to 0100
Fri 1800 to 0200
Sat 1800 to 0400

The supply of alcohol to cease 30 minutes prior to the terminal hour.

The application provides little in the way of detail about the planned events, only that this is a warehouse space used for promotional events.

This premises sits within the Peckham cumulative impact area, although this is a time limited application it should still be subject to the strict control measures needed to address the cumulative impact. On this occasion the applicants in my opinion have not addressed the issue. There is very little in the way of detail in the operating schedule or precise and enforceable control measures.

In May of this year Police were called to this premises following reports of mass crowding and potential disorder in the vicinity. On arrival it was estimated a crowd of approximately 3000 had gathered in an attempt gain entry to a planned music event by an artist known as " TYLER" the creator. This particular individual had only recently had his travel ban to the UK lifted and so could have been graded as a high risk performer. Neither the Police nor authorities had been notified of this event.

Police had to provide significant resources to manage the crowd to safely disperse the crowd.

On the 3rd August 2019 Police received intelligence of a planned event at 133 Copeland Road for the Vietnamese community, the intelligence suggested the organiser is well known for the supply of drugs, some of which might have been contaminated and led to the death and hospitalisation of patrons.

It is yet to be confirmed if this event was planned for Unit 8, 133 Copeland Road, however it should be noted that the premises had a temporary event notice in place.

Social media searches showed that this event had been cancelled.

I am also aware that this premises have recently been served with a statutory noise nuisance notice.

I am of the opinion that the applicants have not sufficiently addressed the licensing objectives, in particular the prevention of crime and disorder. It is for this reason that I object this time limited premises licence application.

Yours sincerely

PC Ian Clements

Southwark Police Licensing Unit

Tel: 020 7232 6756

ian.clements@met.pnn.police.uk

MEMO: Licensing Unit

To	Licensing Unit	Date	14 August 2019	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

Subject Re: Johnathon Wilson & Lorelie Wilson, Unit 8, 133 Rye Lane London , SE15 3SN -
Application for a premises licence

I write with regards to the above application for a premises licence submitted by Johnathon Wilson & Lorelie Wilson under the Licensing Act 2003, which seeks the following licensable activities:

Time limited from 10/10/2019 to 13/10/2019

- Films; live music, recorded music, performance of dance, (all indoors) on Thursday from 18:00 to 01:00 the following day, Friday from 18:00 to 02:00 the following day and on Saturday from 16:00 to 04:00 the following
- Supply of alcohol (on the premises) on Thursday from 18:00 to 00:30 the following day, Friday from 18:00 to 01:30 the following day and on Saturday from 16:00 to 03:30 the following
- Overall opening times shall be on Thursday from 18:00 to 01:00 the following day, Friday from 18:00 to 02:00 the following day and on Saturday from 16:00 to 04:00 the following

The premises is described as a *'Warehouse space for art exhibitions, promotional events'*.

My representation is based on the Southwark Statement of Licensing policy 2019 – 2021 and relates to the licensing objectives for the prevention of crime and disorder, prevention of public nuisance and the protection of children from harm.

The premises is situated in Peckham Major Town Centre and under the Southwark Statement of Licensing policy 2019 - 2021 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 Night Clubs (with sui generis planning classification) Monday to Thursday is 01:00 hours and for Friday and Saturday 03:00 hours and for Sunday 00:00 hours

This premises also falls within the Peckham Cumulative Impact (CIP) Area.

Section six of the policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Peckham area as defined in paragraph 148 of the policy and as a night club/bar this premises falls into the class of premises in 149 of the policy.

Therefore under 130 of the policy there is a rebuttable presumption that applications for new premises licences/ variations 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 be contributing to crime and disorder and public nuisance within the policy area.

Further to this, the Councils Licensing Unit and Noise Team have received complaints regarding this premises. The Noise team have witnessed a Statutory Noise Nuisance and served a Noise Abatement Notice.

The operating schedule is lacking and does not offer any control measures to promote the prevention of crime and disorder, the prevention of public nuisance or the protection of children from harm.

I ask the applicant for the following information and may comment further once all of the information is provided.

- What type of event is going to take place
- A copy of the event management plan
- An accommodation limit for the event
- A written dispersal policy for the event

I may submit further supporting evidence to this representation at a later stage.

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

Southwark's Statement of Licensing Policy 2019 – 2021 can be found on the following link:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>

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