

13/11/2019

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

Ref No. 1341075

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

| | |
|-------------------------|----------------|
| | Kieran Canavan |
| Premises licence number | 839538 |

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains

licensable.

- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.

15. This is the address which we shall use to correspond with you about this application.

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

| | |
|---|-------|
| £ | 24000 |
|---|-------|

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

| | |
|-------------------------------|--------------|
| Address Line 1 | 188 RYE LANE |
| Address Line 2 | |
| Town | LONDON |
| County | |
| Post code | SE15 4NF |
| 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 |
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If not from what date do you want the variation to take effect?

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

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| | No |
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Please describe briefly the nature of the proposed variation (see guidance note 2)

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| <p>1. To extend the hours permitted for the sale of alcohol until 03:45 daily.</p> <p>Although we seek to extend the hours permitted for the sale of alcohol, please note that we are not extending the time that the premises are open until. We are currently licensed to provide entertainment until 04:00 daily.</p> <p>We believe that extending the hours permitted for the sale of alcohol would not add to the cumulative effect of licensed premises in the area because :</p> <ul style="list-style-type: none">(a) it would mean that customers drink at a more responsible rate, rather than rapidly consuming alcohol close to the current 02:00 hours alcohol-sales cut off time,(b) this would make it easier for us to monitor customer's consumption of alcohol (although we are already very vigilant in monitoring our customers alcohol consumption and behaviour in any case);(c) it will stop customers 'loading up' on alcoholic drinks near the current 02:00 hours alcohol cut off time,(d) this is likely to lead to less anti-social behaviour in the locale and more orderly behaviour and dispersal of customers,(e) customers will be at our premises until 04:00 in any case – we will not be attracting new customers to our premises. <p>Any measure that is likely to lead to the more responsible consumption of alcohol, we think, is of benefit to our customers and the wider community, and also of benefit to the health of our customers.</p> <p>As we do not think that this application would add to the cumulative impact of licensed premises in the area, we do not think that there is an automatic presumption to refuse the application, but welcome any comments or discussion going forward.</p> <p>2. To amend condition 109 to read:</p> <p>“That alcohol shall not be sold or supplied except during permitted hours. In this condition “permitted hours” means the hours stated elsewhere on this premises licence and:</p> <ul style="list-style-type: none">(a) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December). <p>The above restrictions do not prohibit;</p> <ul style="list-style-type: none">i) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;ii) The taking of alcohol from the premises by a person residing there; oriii) The supply of alcohol for consumption on the premises to any private friends of a person residing there, or the consumption of alcohol by the persons so supplied; oriv) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied.”<p>3. To amend condition 340 to read:</p><p>“That no intoxicating liquor shall be supplied otherwise than to;</p><ul style="list-style-type: none">a) a member of the said club,b) a guest of such a member”<p>4. To amend condition 309 to read:</p><p>“(a) That a permanent sound limiting device (or other similar sound limiting equipment) shall be installed at the premises and shall be in use at all times that amplified sound / entertainment is provided at the premises.</p><p>(b) That the sound limiting device (or other similar sound limiting equipment) shall be calibrated so that amplified sound at the premises does not give rise to public or statutory nuisance.</p><p>(c) That any temporary or permanent amplification system(s) and any amplified instrument(s) used at the premises shall be routed through the sound limiter device (or other similar sound limiting equipment) installed at the premises.”</p><p>5. To remove conditions 348, 349 and 350</p> |
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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

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| Please select number from range | Less than 5000 |
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Notes

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy

2. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

IN ALL CASES COMPLETE BOXES K, L AND M

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

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

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Supply of alcohol (if ticking fill in box J)

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| | j) Supply of alcohol |
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In all cases complete boxes K, L and M

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

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| | On the premises |
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Standard days and timings for Supply of alcohol (Please read guidance note 8)

| Day | Start | Finish |
|-----|-------|--------|
| Mon | 10:00 | 03:45 |

| | | |
|------|-------|-------|
| | 00:00 | 00:00 |
| Tues | 10:00 | 03:45 |
| | 00:00 | 00:00 |
| Wed | 10:00 | 03:45 |
| Thur | 10:00 | 03:45 |
| Fri | 10:00 | 03:45 |
| Sat | 10:00 | 03:45 |
| Sun | 10:00 | 03:45 |

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

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| | On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December). |
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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)

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6. For example (but not exclusively), where the activity will occur on additional days during the summer months.

7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'.
 If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'.
 If you wish people to be able to do both, please tick 'both'.

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)

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| | None |
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Guidance Notes

10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

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

| Day | Start | Finish |
|------|-------|--------|
| Mon | 10:00 | 04:00 |
| Tues | 10:00 | 04:00 |
| Wed | 10:00 | 04:00 |

| | | |
|------|-------|-------|
| Thur | 10:00 | 04:00 |
| Fri | 10:00 | 04:00 |
| Sat | 10:00 | 04:00 |
| Sun | 10:00 | 04:00 |

State any seasonal variations (Please read guidance note 6)

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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)

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6. For example (but not exclusively), where the activity will occur on additional days during the summer months.

7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

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.

| | |
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| | Conditions 348, 349 and 350 |
|--|-----------------------------|

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

| | |
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| | [REDACTED] |
| | <u>Please tick otherwise state reason for not uploading</u> |

Reason for not uploading the premises licence

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

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| | As per the existing licence which has suitable conditions relating to the existing and proposed operation of the premises. |
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b) the prevention of crime and disorder

| | |
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| | As per the existing licence which has suitable conditions relating to the existing and |
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| | proposed operation of the premises. |
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c) public safety

| | |
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| | As per the existing licence which has suitable conditions relating to the existing and proposed operation of the premises. |
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d) the prevention of public nuisance

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| | <p>To amend condition 350 to read:</p> <p>“(a) That a permanent sound limiting device (or other similar sound limiting equipment) shall be installed at the premises and shall be in use at all times that amplified sound / entertainment is provided at the premises.</p> <p>(b) That the sound limiting device (or other similar sound limiting equipment) shall be calibrated so that amplified sound at the premises does not give rise to public or statutory nuisance.</p> <p>(c) That any temporary or permanent amplification system(s) and any amplified instrument(s) used at the premises shall be routed through the sound limiter device (or other similar sound limiting equipment) installed at the premises.”</p> <p>This change is required because the current condition relating to sound limitation at the premises requires that any sound limiting equipment be set in conjunction with the council’s Environmental Protection Team (EPT). However, we have been informed that the council’s EPT no longer offer such a service.</p> |
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e) the protection of children from harm

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| | As per the existing licence which has suitable conditions relating to the existing and proposed operation of the premises. |
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Guidance note 11

Please list here steps you will take to promote all four licensing objectives together.

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

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|-----------------------|--|
| Upload proposed plans | |
| Upload existing plans | |

Checklist

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| | <p>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.</p> |
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I/We Hereby declare the Information we have provided is true and Accurate.

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) | 11/11/2019 |
| Capacity | Solicitor for the Applicant |

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] |

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAYBE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

GUIDANCE NOTES

15. This is the address which we shall use to correspond with you about this application.

Please tick to indicate agreement

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| | I am not a company or limited liability partnership |
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Please upload proof of entitlement to work in the UK

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[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK. The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate.

I/We Hereby declare the Information we have provided is true and Accurate.

I agree to the above statement

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| | Yes |
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IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

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.