



## APPENDIX C

The Licensing Unit  
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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/21/029/20

**Date:** 4th March 2020

Dear Sir/Madam

**Re:- El Paso Latino, 34 New Kent Road, London SE1 6TJ**

Police are in possession of an application from the above for a variation to the premises licence. The application is to extend the hours for Thursday until 3am, Friday and Saturday until 4am.

The premises are situated in the Elephant and Castle Major Town Centre as designated by the Southwark Statement of Licensing Policy. The hours granted are already in line with that Sunday to Thursday and it recommends midnight Friday and Saturday, Any further extension to the hours will take them outside the policy unless the venue includes the following condition to restrict the venue to that of a restaurant.

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 his meal.

If the above condition is agreed, the recommended time within the Statement of Licensing policy is Thursday until Midnight, Friday and Saturday until 1am.

We object to any later hours outside the policy, as this would only add to the crime and disorder in the area and later drinking within the area. There are a number of large residential blocks situated in close proximity to the venue, which is also situated close to Elephant road, which has considerable issues with anti-social behaviour, crime and disorder.

The Following is submitted for your consideration.  
Yours Sincerely

**PC Graham White 288MD**  
Southwark Police Licensing Unit  
Tel: 0207 232 6756

# MEMO: Licensing Unit

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To Licensing Unit Date 5 March 2020

Copies

From Jayne Tear Telephone 020 7525 0396

Email jayne.tear@southwark.gov.uk

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Subject Re: El Paso Latino, 34 New Kent Road, London, SE1 6TJ  
– Application to vary a premises licence

I write with regards to the above application to vary a premises licence submitted by Luis Alberto Ossa Fernandez under the Licensing Act 2003, which seeks the following licensable activities:

- To extend supply of alcohol (on the premises) on Thursday from 22:30 to 02:30 the following day, Friday and Saturday from 22:30 to 03:30 the following day
- To add supply of alcohol (off the premises) on Thursday from 10:00 to 02:30 the following day, Friday and Saturday from 10:00 to 03:30 the following day
- To add late night refreshment (indoors and outdoors) on Thursday from 23:00 to 03:00 the following day, Friday and Saturday from 23:00 to 04:00 the following day
- Overall opening times shall be on Sunday to Wednesday from 07:00 to 23:00, Thursday from 07:00 to 03:00 the following day and on Friday and Saturday from 07:00 to 04:00 the following day

The nature of the variation is described as follows: *'We would like to extend our current alcohol licence to serve until 2am on Thursdays, Fridays and Saturdays. Furthermore we would like to amend our licence to allow our customers to purchase alcohol without the compulsory purchase of food. I have had El Paso for three months now. I have built up a good clientele whom are of the middle age/older Latino demographic, who do not wish to go to crowded places to socialise. I strongly believe these changes will help me to cater better to the clientele wishes.'*

The premises was described in the original application for the existing premises licence as *'El Paso Café is a small business specialised in Mexican food, like burritos, quesadillas. We also serve hot and cold food; snacks, soft drinks and also tea, coffee. We have tables and chairs for our customers and also toilet facilities'*.

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 and the prevention of public nuisance.

The premises is situated in Elephant and Castle Major Town Centre Area and under the Southwark Statement of Licensing policy 2019 - 2021 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. The appropriate closing time for public houses, wine bars or other drinking establishments in this area on Sunday to Thursday is 23:00 hours and for Friday and Saturday 00:00 hours and this application seeks hours in excess of that which is recommended for a bar or a restaurant.

In the description the applicant has stated that they want to '*allow our customers to purchase alcohol without the compulsory purchase of food*'. There is a condition on the current licence which states the following: '**340 Intoxicating liquor shall not be sold or supplied on the premises other than to persons having table meals and is for consumption by such person as an ancillary to this food**'. If this condition is removed this would suggest that the premises now wants to operate more as a bar rather than a restaurant and the appropriate closing time for public houses, wine bars or other drinking establishments in this area on Sunday to Thursday is 23:00 hours and for Friday and Saturday 00:00 hours. I would therefore recommend that the hours applied for are amended in line with the licensing policy as follows:

- To extend supply of alcohol (on the premises) on Friday and Saturday from 22:30 to 00:00
- To add supply of alcohol (off the premises) on Thursday from 10:00 to 23:00 Friday and Saturday from 10:00 to 00:00 the following day
- To add late night refreshment (indoors and outdoors) on Friday and Saturday from 23:00 to 00:00
- Overall opening times shall be on Sunday to Thursday from 07:00 to 23:00, Friday and Saturday from 07:00 to 00:00

Alternatively, if the applicant decides that they will keep the restaurant condition 340 on the premises licence I would suggest that the hours applied for are amended in line with the recommend hours within the licensing policy for a restaurant as follows:

- To extend supply of alcohol (on the premises) on Thursday from 22:30 to 23:30, Friday and Saturday from 22:30 to 00:30 the following day
- To add supply of alcohol (off the premises) on Thursday from 10:00 to 00:00 the following day, Friday and Saturday from 10:00 to 01:00 the following day
- To add late night refreshment (indoors and outdoors) on Thursday from 23:00 to 00:00, Friday and Saturday from 23:00 to 01:00 the following day
- Overall opening times shall be on Sunday to Wednesday from 07:00 to 23:00, Thursday from 07:00 to 00:00 and on Friday and Saturday from 07:00 to 01:00 the following day

Further to this and due to the limited information on the application form and to promote the licensing objectives I ask the applicant also consider adding the following conditions to the operating schedule:

- 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 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