

17/06/2020

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

Ref No. 1459131

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

	Anna Fairhead-Benitez & Sergio Leanza
Premises licence number	862556

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)

£	6500.00
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Postal address of premises or, if none, ordnance survey map reference or description

Address Line 1	42 PECKHAM RYE
Address Line 2	
Town	LONDON
County	
Post code	SE15 4JR
Ordnance survey map reference	175825534399
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?

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

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

	<p>Due to the Covid 19 pandemic we are having to rethink our business and how to use our limited space.</p> <p>We would like an off-licence so that we can sell alcohol to be consumed off site and repurpose our premises as a bottle shop selling local beers, natural wines, bottled cocktails and merchandise.</p> <p>We will need to change our trading hours so we can operate earlier in the day.</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

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

	f) Recorded music (If ticking, fill in box F)

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

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Supply of alcohol (if ticking fill in box J)

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

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

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

	We have a business spotify account where we play background music. We have a PPL and PRS licence.
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Standard days and timings for Recorded Music (Please read guidance note 8)

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

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

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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)

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4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. For example the 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 you intend the premises to be used for the activity.

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

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

Day	Start	Finish
Mon	09:00	00:00
Tues	09:00	00:00
Wed	09:00	00:00
Thur	09:00	00:00
Fri	09:00	00:00
Sat	09:00	00:00
Sun	09:00	00:00

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

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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)

	Adults will be able to purchase alcoholic drinks at the bar, served to consume on site or bottled alcohol in the shop to take away . Anyone who appears younger than 25 years of age will be asked to provide photographic ID to prove they are over the age of 18.
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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
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Mon	09:00	01:00
Tues	09:00	01:00
Wed	09:00	01:00
Thur	09:00	01:00
Fri	09:00	01:00
Sat	09:00	01:00
Sun	09:00	01:00

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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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

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

	We are a small family owner business that is run by myself and my partner and it is our responsibility to maintain that the licensing objectives are upheld at all times. In the event that any staff are hired - extensive training will be provided to ensure that they too will be aware of these objectives, their importance and how to ensure they are met.
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	<p>Consideration and work has been carried out on premises to reduce noise pollution. We take care over how much waste we are producing and measures are made to reduce this as much as possible wherever possible. We do not leave any lights on overnight and the shop is concealed by a electric roller shutter. Working CCTV is also in place inside and outside.</p> <p>We have reached out to our immediate neighbours and formed friendships with them and built a wider community following in the area.</p> <p>We preach quality over quantity with regards to alcohol consumption and we refuse to serve anyone who appears drunk. We provide table service only and water is served with drinks and topped up throughout our guests' stay.</p> <p>We challenge 25 and anyone who appears under the age of 25 is asked to show ID.</p>
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b) the prevention of crime and disorder

	<p>Any incidents of a criminal nature that may occur on the premises will be reported to the Police.</p> <p>There is CCTV coverage at the premises and it is operated and maintained at the premises. We have a camera on the exterior of the premises directed at the door - only entrance and exit to the premises. This camera also has a clear view of the street. Inside, there is another camera directed at the till area and covering the floor. We are only 30 meters squared in total area so have a clear view.</p> <p>Tap water is served to guests with every alcoholic drink and their glass topped up with water throughout their stay. We encourage guest to drink responsibly and anyone appearing intoxicated is refused service.</p>
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c) public safety

	<p>Appropriate fire safety procedures are in place, fire extinguishers and smoke detectors installed and marked fire escape - all installed and checked by Sargom Fire. All appliances to be inspected annually. Emergency exit shall be kept free from obstruction at all times.</p> <p>A qualified First Aider always on site while open to the public and a detailed record of any accidents noted in accident book.</p> <p>We are a small venue with a capacity of 35pax. We provide table service only where the public are not walking around with glasses and each guest's consumption and behaviour can be monitored by the server.</p>
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d) the prevention of public nuisance

	<p>We have taken measures to reduce any disturbance to immediate neighbours by installing a dropped ceiling with sound proofing.</p> <p>Where events may take place we display prominent, clear and legible notices at the exit requesting that guests respect our neighbours and leave the premises and the area quietly and no drinks purchased to be consumed on site are allowed outside.</p> <p>Deliveries of goods necessary for the operation of the business will be carried out during the day within office hours.</p> <p>Our waste production is minimal, mostly recycling and no more than two bags left outside at any one time and collections made daily.</p> <p>Ash tray installed outside, no more than four smokers allowed out at one time and pavement outside swept regularly.</p> <p>All lighting - external/internal/signage, is turned off overnight.</p>
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e) the protection of children from harm

	<p>Any persons who appear to be under the age of 25 will be asked to provide identification bearing their photograph, date of birth, and a holographic mark eg: photo card driving licences, passports or proof of age cards bearing the PASS hologram.</p> <p>Any staff will be trained for UNDERAGE SALES PREVENTION regularly. A register of refused sales shall be kept and maintained on the premises.</p>
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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,

Upload proposed plans	
Upload existing plans	

Checklist

	<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	
AuthCode	
LicenceReference	
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	Anna Fairhead
Date (DD/MM/YYYY)	17/06/2020
Capacity	

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	Sergio Leanza
Date (DD/MM/YYYY)	17/06/2020
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	
Telephone No.	
If you prefer us to correspond with you by e-mail, your email address (optional)	

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

	We are individuals
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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 licesable 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

	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.