

MEMO: Licensing Unit

To Licensing Unit Date 16 July 2020

Copies

From Jayne Tear Telephone 020 7525 0396 Fax

Email jayne.tear@southwark.gov.uk

Subject Re: Funkidory 42 Peckham Rye, London, SE15 4JR

- Application to vary a premises licence

I write with regards to the above application to vary a premises licence submitted by Anna Fairhead-Benitez and Sergio Leanza under the Licensing Act 2003, which seeks to add/extend the following licensable activities:

- To add recorded music (indoors) on Sunday to Thursday from 09:00 to 00:00 and to extend on Friday and Saturday from 23:00 to 00:00
- To add supply of alcohol (off the premises) on Monday to Sunday from 09:00 to 00:00
- To add supply of alcohol (on the premises) on Monday from 09:00 to 00:00 and to extend to start earlier by 8 hours on Tuesday to Thursday from 09:00 to 17:00 and to extend finish times from 23:00 to 00:00, on Friday to extend to start earlier by 7 hours from 09:00 to 16:00 and Saturday to extend to start earlier by 5 hours from 09:00 to 14:00, on Sunday to extend to start earlier by 5 hours from 09:00 to 14:00 and to extend finish time from 22:00 to 00:00
- Overall opening times shall be on Monday to Sunday from 09:00 to 01:00 the following day

The variation is described as '*Due to Covid19 pandemic we are having to rethink our business and how to use our limited space. 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. We will need to change our trading hours so we can operate in the day*'.

This premise is situated within the Peckham Major Town Centre Area and under the Southwark Statement of Licensing policy 2019 – 2021 the latest 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.

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, the prevention of public nuisance.

The current licence granted is already 30 minutes in excess of the licensing policy for each day regarding the closing hours of the premises. Whilst I have no objection to the premises opening earlier, adding off sales to the licence and also on sales on a Monday, I object to the extension of the opening times as they are in excess of the policy I therefore recommend

to the applicant that he keeps the same finish times for licensable activities and opening hours as currently granted and bring the recorded music, off sales and extra day for on sales in line with this as follows:

- Recorded music to cease on Sunday to Thursday at 23:00 and on Friday and Saturday at 00:00
- Supply of alcohol on and off the premises to cease on Sunday to Thursday at 23:00 and on Friday and Saturday to cease at 00:00
- Opening times to cease at on Sunday to Thursday at 23:30 and Friday and Saturday at 00:30 (theses closing times are in line with the current licence although half hour outside the policy hours)

Furthermore the applicant has not addressed the licensing objectives adequately within this application. Due to the limited information in the application and to promote the licensing objectives I ask the applicant to provide the following information:

- The accommodation limit for the premises (to be conditioned)
- A written dispersal policy for the premises (to be conditioned)

And consider adding the following conditions to the operating schedule:

- All '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 'off sales' of alcohol are 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

From: Tear, Jayne
Sent: Wednesday, July 22, 2020 1:49 PM
To:
Cc: McArthur, Wesley
Subject: RE: REPRESENTATION RE FUNKIDORY

Dear Anna,

Thank you for sending me your contact number.

Further to our recent telephone conversation and your email below, I have amended the accommodation limit to 35 as discussed and I have copied the written dispersal policy below in your email on a separated word document attached above.

Can you confirm that you agree to the following amendments and conditions to be added to our operating schedule:

- Recorded music to cease on Sunday to Thursday at 23:00 and on Friday and Saturday at 00:00
- Supply of alcohol on and off the premises to cease on Sunday to Thursday at 23:00 and on Friday and Saturday to cease at 00:00
- Opening times to cease at on Sunday to Thursday at 23:30 and Friday and Saturday at 00:30 (theses closing times are in line with the current licence although half hour outside the policy hours)

Conditions

- The accommodation limit for the premises shall not exceed 35 people (excluding staff)
- A written dispersal policy for the premises shall be kept at the premises with the licence and made available for inspection by authorised officers or the police. All staff shall be trained in the implementation of the policy.
- All '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 'off sales' of alcohol are not be opened and consumed in the vicinity of the premises

If you can confirm that you are in agreement with all of the above I will be in a position to withdraw my representation,

With kindest regards

Jayne

Jayne Tear - Principal Licensing Officer – As Responsible Authority for Licensing
Southwark Council | Licensing Unit
160 Tooley Street | London | SE1 2QH
Direct line 020 7525 0396 | Fax 020 7525 5735 | Call Centre 020 7525 2000

From: Anna Fairhead
Sent: Wednesday, July 22, 2020 2:12 PM
To: Tear, Jayne
Cc: McArthur, Wesley
Subject: Re: REPRESENTATION RE FUNKIDORY

Hi Jayne,

Thanks for your email. We agree to adjusting our licence variation to fall in line with all of the below.

Many thanks,

Anna

From: Tear, Jayne
Sent: Wednesday, July 22, 2020 2:32 PM
To: 'Anna Fairhead'
Cc: McArthur, Wesley
Subject: RE: REPRESENTATION RE FUNKIDORY

Dear Anna,

Thank you for your quick response, on the basis of all agreed in my email sent Wednesday 22 July 2020 at 13.49, I can now confirm that my representation is withdrawn,

With kindest regards

Jayne

Jayne Tear - Principal Licensing Officer – As Responsible Authority for Licensing
Southwark Council | Licensing Unit
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