

Licensing Act 2003 Premises Licence



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

868996

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Bermondsey Arts Club 102a Tower Bridge Road London SE1 4TP Ordnance survey map reference (if applicable), 533247179252	
Post town London	Post code SE1 4TP
Telephone number	

Where the licence is time limited the dates
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Licensable activities authorised by the licence
Films - Indoors Live Music - Indoors Recorded Music - Indoors Performance of Dance - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

The opening hours of the premises														
For any non standard timings see Annex 2														
<table> <tr> <td>Monday</td> <td>09:00 - 04:00</td> </tr> <tr> <td>Tuesday</td> <td>09:00 - 04:00</td> </tr> <tr> <td>Wednesday</td> <td>09:00 - 04:00</td> </tr> <tr> <td>Thursday</td> <td>09:00 - 04:00</td> </tr> <tr> <td>Friday</td> <td>09:00 - 04:00</td> </tr> <tr> <td>Saturday</td> <td>09:00 - 04:00</td> </tr> <tr> <td>Sunday</td> <td>09:00 - 04:00</td> </tr> </table>	Monday	09:00 - 04:00	Tuesday	09:00 - 04:00	Wednesday	09:00 - 04:00	Thursday	09:00 - 04:00	Friday	09:00 - 04:00	Saturday	09:00 - 04:00	Sunday	09:00 - 04:00
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Saturday	09:00 - 04:00													
Sunday	09:00 - 04:00													

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Sale by retail of alcohol to be consumed on premises

Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Films - Indoors

Monday	09:00 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 02:00
Thursday	09:00 - 02:00
Friday	09:00 - 02:00
Saturday	09:00 - 02:00
Sunday	09:00 - 02:00

Live Music - Indoors

Monday	09:00 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 02:00
Thursday	09:00 - 02:00
Friday	09:00 - 02:00
Saturday	09:00 - 02:00
Sunday	09:00 - 02:00

Recorded Music - Indoors

Monday	09:00 - 03:30
Tuesday	09:00 - 03:30
Wednesday	09:00 - 03:30
Thursday	09:00 - 03:30
Friday	09:00 - 03:30
Saturday	09:00 - 03:30
Sunday	09:00 - 03:30

Performance of Dance - Indoors

Monday	09:00 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 02:00
Thursday	09:00 - 02:00
Friday	09:00 - 02:00
Saturday	09:00 - 02:00
Sunday	09:00 - 02:00

Late Night Refreshment - Indoors

Monday	23:00 - 02:00
Tuesday	23:00 - 02:00
Wednesday	23:00 - 02:00
Thursday	23:00 - 02:00
Friday	23:00 - 02:00
Saturday	23:00 - 02:00
Sunday	23:00 - 02:00

Sale by retail of alcohol to be consumed on premises

Monday	09:00 - 03:30
Tuesday	09:00 - 03:30
Wednesday	09:00 - 03:30
Thursday	09:00 - 03:30
Friday	09:00 - 03:30
Saturday	09:00 - 03:30
Sunday	09:00 - 03:30

Sale by retail of alcohol to be consumed off premises

Monday	09:00 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 02:00
Thursday	09:00 - 02:00
Friday	09:00 - 02:00
Saturday	09:00 - 02:00
Sunday	09:00 - 02:00

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Bermondsey Arts Club Ltd
19 Pages Walk
London, SE1 4SB
02033020610
manager@bermondseyartsclub.co.uk

Registered number of holder, for example company number, charity number (where applicable)

08693863

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

George Edward Garnier
[REDACTED]
[REDACTED]
manager@bermondseyartsclub.co.uk

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No. PERS 4261
Authority. LB Lambeth

Licence Issue date 12/09/2019

[REDACTED]
Head of Regulatory Services
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- (a). At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b). At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

102 The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself.

107 Any individual carrying out security activities at the premises must be.

- (a) authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) entitled to carry out that activity by virtue of section 4 of that Act.

485 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –

- (a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant

risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise

anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

487 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

(a) a holographic mark; or

(b) an ultraviolet feature.

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

(i) Beer or cider: 1/2 pint;

(ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) Still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which

enables the member or officer to prevent the supply in question; and (v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day")

as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

316 No deliveries or waste collection to/from the premises during the hours of 22:00 - 07:00.

324 That the details of a local taxi company shall be kept at the premises and shall be provided to customers on request. If staff at the premises order a taxi for a customer then those staff shall request that the taxi controller instructs the taxi-driver not to sound their vehicle horn to attract attention, but to approach a staff member and let the staff member know that they are the driver of a taxi that has been ordered by the premises.

340 No alcohol shall be consumed outside premises after 23.00 hours.

341 No drinks permitted to be taken outside at any time.

342 That clearly legible signage will be prominently displayed at the exit where it can easily be seen and read requesting to the effect that customers do not take drinks outside.

343 That clearly legible signage will be prominently displayed at the exit where it can easily be seen and read requesting to the effect that customers leave the premises in a quiet and orderly manner.

344 That no more than 5 customers be permitted up to ground level to smoke after 23:00 on any day.

345 That the depositing of waste glass / earthenware into external waste receptacles shall not take place between 22:00 and 07:00 the following day.

346 That management regularly monitor outside the premises to ensure that the volume and bass levels of any licensed entertainment shall be kept at a level that does not cause disturbance at the closest noise-sensitive facade to ensure compliance with the licensing objective regarding the prevention of public nuisance.

347 That the entrance door be fitted with a thick, close fitting, fireproof curtain (i.e. theatre curtain) to minimise noise outbreak as patrons enter and exit the premises.

348 That all doors and openings at the premises shall be kept closed when licensable activities are taking place at the premises except for access and egress and in the event of an emergency.

429 Customers shall use no outside area after 23.00 hours other than those who temporarily leave the premises to smoke a cigarette and no more than 5 at any one time.

4AD That one SIA registered Door Supervisor shall be employed from 22.00 hours until the terminal hour on Sundays to Wednesdays and from 21:00 until the terminal hour on Thursdays to Saturdays when licensable activities are taking place.

112 This licence allows for all licensable activities to be extended for an additional hour when BST commences

114 This licence allows for the premises to extend all licensable activities from the standard start timing on 31st December to the standard start timing on 1st January

Annex 3 - Conditions attached after a hearing by the licensing authority

840 That a CCTV system shall be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises.

841 That all CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.

842 That a member of staff should be on duty at all times the premises is open that are trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officers.

843 That all staff are trained in their responsibilities under the licensing Act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to officer or the Police and the Council.

808 That there shall be no admittance or re-admittance to the premises after 02:30.

807 That there shall be a maximum capacity of 80 people in the premises at any one time, including staff.

844 That there shall be a dispersal policy for the premises agreed by an authorised officer of the London Borough of Southwark Licensing Department.

845 That all staff shall be provided with appropriate training in the implementation of the dispersal policy.

846 That there shall be no externally promoted DJ led events.

813 That amplified music shall cease at 02:30.

Annex 4 - Plans - Attached

Licence No. 868996

Plan No. PL210013-01

Plan Date 04/05/2010

NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 12 September 2019

LICENSING ACT 2003: BERMONDSEY ARTS CLUB, 102A TOWER BRIDGE ROAD, LONDON SE1 4TP

1. Decision

That the application made by Bermondsey Arts Club for a premises licence to be varied under Section 34 of the Licensing Act 2003 in respect of the premises known as Bermondsey Arts Club, 102A Tower Bridge Road, London SE1 4TP be granted as follows:

The sale of alcohol to be consumed on the premises	Monday to Sunday from 09:00 to 03:30
Recorded Music	Monday to Sunday from 09:00 to 03:30
Opening Hours	Monday to Sunday from 09:00 to 04:00

2. Conditions

1. That there shall be no admittance or re-admittance to the premises after 02:30.
2. That there shall be a maximum capacity of 80 people in the premises at any one time, including staff.
3. That there shall be a dispersal policy for the premises agreed by an authorised officer of the London Borough of Southwark Licensing Department.
4. That all staff shall be provided with appropriate training in the implementation of the dispersal policy.
5. That there shall be no externally promoted DJ led events.
6. That amplified music shall cease at 02:30.
7. That a CCTV system shall be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises.
8. That all CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.
9. That a member of staff should be on duty at all times the premises is open that are trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officers.

10. That all staff are trained in their responsibilities under the licensing Act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to officer or the Police and the Council.

3. Reasons

The reasons for the decision are as follows:

The licensing sub-committee heard from the applicant who stated that he had now reduced the opening hours in his application from the original application of 09:00 - 05:00 to 09:00 - 04:00 with the hours for licensable activities being 09:00 – 03:30.

In addition the applicant confirmed that they were happy for condition 4AD, in relation to SIA staff, to remain as it is in the current licence conditions.

The applicant advised that the premises are a reasonably small premises with a capacity of 80 people which has been in operation with a terminal hour of 02.30am since 2014 without any complaints or issues.

They advised that they play jazz music on Wednesdays and Thursdays and offer a seated environment with table service for drinks and that they are mainly aimed at the artistic community.

The applicant highlighted that there were no complaints from local residents and no objections from local residents regarding this variation application.

The applicant confirmed that they already adopt control measures which are incorporated within their current licence conditions to assist in promoting the licensing objectives, for example they ensure that signs are prominently displayed in the premises and that no more than five people are permitted outside to smoke after 23:00.

The applicant stated that their track record over the last five years and recent temporary event notice, which total 20 events since 2018 demonstrated that they are capable of operating responsible premises in accordance with their obligations under the Licensing Act 2003.

The licensing sub-committee heard from the Metropolitan Police Service who advised that the application for the variation of the licensing hours should be rejected and highlighted that the hours applied for were later than the recommended hours as detailed in Southwark's licensing policy.

They confirmed that their initial concerns with the CCTV and SIA security had been addressed through discussion with the applicant and the addition of the suggested conditions which are now imposed above.

The police stated that whilst the reduction in the hours was a positive move forward they were concerned that the additional hours may add to the crime and disorder in the area rather than promoting the prevention of crime and disorder licensing objective.

The police confirmed that they were not aware of any complaints against the premises under the current licence.

The licensing sub-committee heard from public health who advised that the application for a variation of the premises operating hours should be rejected as that the premises was located close to a residential area local schools and that studies (referred to in the

objection forming part of the report) had shown links between additional hours of opening times of premises selling alcohol and increase in violent crime and alcohol related injuries.

The licensing sub committee heard from the licensing authority who advised that the application for variation of the premises operating hours should be rejected because the premises was in a residential area and that if the premises were permitted to operate to the extended hours the officer had concerns that the premises would be similar to a nightclub operation.

The licensing officer also highlighted that the requested hours were outside the hours recommended in the licensing policy.

The licensing officer also expressed concerns that the premises did not have a dispersal policy, a capacity limit or a restriction on admittance or re-admittance and in the event that the variation was granted, suggested that these issues should be dealt with by way of conditions.

The members of the sub-committee were satisfied that the nature of the premises, being a relatively small cocktail bar and arts venue with table service, situated below ground, along with the numerous conditions attached to the licence were sufficient for this variation to be granted.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

4. Appeal rights

The applicant may appeal against any decision to modify the conditions of the licence; and

Any person who made relevant representations in relation to the application who desire to contend that:

- a) That variation ought not to have been made; or
- b) That, when varying the licence, the licensing authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way

May appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy.

Date: 12 September 2019