



The Licensing Unit
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Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
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Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/123/20

Date: 20th August 2020

Dear Sir/Madam

Re:- Gyoza Town, 57 St Thomas Street SE1 3QX

Police are in possession of an application from the above for a new premises licence for the sale of alcohol on & off the premises, Monday to Thursday 10.00hrs to 23.00hrs, Friday & Saturday 10.00hrs to 00.00hrs and Sunday 11.00hrs to 22.30hrs with a terminal hour of 30 minutes later each day.

The terminal hour as requested are outside the guidelines set out in the Southwark Statement of Licensing Policy for Bars and other drinking establishments but within that for restaurants. The premises is located in the Borough and bankside Cumulative impact zone. (CIZ), and is designated a Major Town Centre by the Southwark Council Licensing Policy.

This changes the presumption to grant the application to that of refuse. This is tested in law in the case of Westminster City Council V Middlesex Crown Court in which the crown court judge summarised that "Notwithstanding the applicant was a fit and proper person a licence could be refused on the sole ground that the area was already saturated".

A number of the control measures have been offered by the applicant within the operating schedule, however the application fails to give many enforceable control measures that would mitigate the increase in customer numbers. The Home office guidance issued under Sec 182 of the licensing Act 2003 'General principles' state that it is important in setting the parameters within which the premises may operate. Conditions must be precise and enforceable.

No accommodation limit has been supplied within the application. This is required to fully review the cumulative impact the premises would have on the area. It also fails to designate an area outside the premises within the plans.

In its current format, I object to this granting of this licence, the applicant has not fully addressed the licensing objectives, in particular the prevention of crime and disorder licensing objective.

Under current Coronavirus Legislation condition, 6 below would in partial not be enforceable but the police have to consider the future implications of any application, which is why we have included it within the representation.

If the information requested is supplied the following control measures should be agreed and added to the operating schedule before the premises licence is granted.

1. That a CCTV system 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
2. 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.
3. A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.
4. 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 Officers of the Police and the Council.
5. 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.
6. All off sales of alcohol shall be sold in sealed containers and be ancillary to a take away meal except those consumed within a designated area outside with the relevant permissions to use the outside space.

The Following is submitted for your consideration.

Yours Sincerely

PC Graham White 2288AS

Southwark Police Licensing Unit

Tel: 0207 232 6756

MEMO: Licensing Unit

To	Licensing Unit	Date	20 August 2020
Copies			
From	Jayne Tear	Telephone	020 7525 0396
Email	jayne.tear@southwark.gov.uk		

Subject Re: Gyoza Town, Unit SU 54, London Bridge Station, St. Thomas Street, London,
SE1 3QX – Application to for a premises licence.

I write with regards to the above application for a premises licence submitted by Bloomsbury Leisure Holdings Limited under the Licensing Act 2003, which seeks the following licensable activities:

- Recorded music on Monday to Thursday from 10:00 to 23:00, Friday and Saturday from 10:00 to 00:00 and on Sunday from 11:00 to 22:30
- Late night refreshment on Friday and Saturday from 23:00 to 00:00
- Supply of alcohol (on and off the premises) on Monday to Thursday from 10:00 to 23:00, Friday and Saturday from 10:00 to 00:00 and on Sunday from 11:00 to 22:30
- Overall opening times shall be on Monday to Thursday from 10:00 to 23:30, Friday and Saturday from 10:00 to 00:30 the following day and on Sunday from 11:00 to 23:00

Non Standards timing requested

For all licensable activities above;

- New Years Eve from the start of permitted hours until 02:00 hours the following morning

For opening times:

- New Years Eve from the start of permitted hours until 02:30 hours the following morning

The premises is described as '*The premises will trade as a bar and Gyozo/dumpling bar to include eating/drinking outside on the public highway where permissible*'.

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 within the Bankside, Borough, London Bridge Strategic Cultural & London Bridge District Town Centre Area and under the Southwark Statement of Licensing policy 2019 - 2021 the 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.

This premises also falls within the CIP area for Borough and Bankside. Under the Southwark Statement of Licensing Policy 2019 - 2021 the Local CIP applies to night clubs, public houses & bars, restaurants & cafes, off-licences, supermarkets, convenience stores and similar premises.

Section six of the policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Borough and Bankside policy area as defined in paragraph 142 of the policy and this premises falls into the class of premises in 143 of the policy.

Therefore under 130 of the policy there is a rebuttable presumption that applications for new premises licences/ variations that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations. In such circumstances, it is for the applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

The applicant has not addressed the presumption to refuse this application within the operating schedule. I would recommend refusal of this application unless the applicant can demonstrate that the premises will not be contributing to crime and disorder and public nuisance within the policy area.

Should the applicant provide further details within the operating schedule that members consider sufficient to prevent the operation of the premises contributing to crime and disorder and public nuisance within the policy area I would be in a position to withdraw my representation. The following may assist the applicant with addressing the rebuttal

The opening hours asked for within this application exceeds that which is appropriate for a bar in the licensing policy for this area.

To promote the licensing objectives I ask the applicant to consider amending the operating schedule to bring the closing hours in line with the hours recommended as appropriate within the policy and in turn the sale of alcohol 'off sales', with the alcohol 'on sales' to finish half an hour before the closing times as follows:

- Opening times on Sunday to Thursday to cease at 23:00 hours and for Friday and Saturday to cease at 00:00 hours
- Supply of alcohol (on the premises) on Sunday to Thursday to cease at 22:30 hours and for Friday and Saturday to cease at 23:30 hours (this allows for half an hour drinking up time)
- Supply of alcohol (off the premises) on Sunday to Thursday to cease at 23:00 hours and for Friday and Saturday to cease at 00:00 hours

Due to the limited information in the application and to promote the licensing objectives I ask the applicant to provide the following information:

- An 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