

MEMO: Licensing Unit

To Licensing Unit Date 10 November
2020

From Jayne Tear

Email jayne.tear@southwark.gov.uk

Subject Re: Four Quarters, 16 Ash Avenue, London, SE17 1GQ
– Application for a premises licence

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

- Films (indoors and outdoors) on Sunday to Thursday from 11:00 to 00:00 and on Friday and Saturday from 11:00 to 01:00 the following day
- Recorded Music (indoors) on Sunday to Thursday from 11:00 to 00:00 and on Friday and Saturday from 11:00 to 01:00 the following day
- Late night refreshment (indoors and outdoors) on Sunday to Thursday from 23:00 to 00:00 and on Friday and Saturday from 23:00 to 01:00 the following day
- Supply of Alcohol (on and off the premises) on Sunday to Thursday from 11:00 to 23:45 and on Friday and Saturday from 11:00 to 00:45 the following day
- The opening hours will be on Sunday to Thursday from 23:00 to 00:00 and on Friday and Saturday from 23:00 to 01:00 the following day

Non Standard Timings requested

- Films, late night refreshment and recorded music - On New Years Eve until 4:00 the next day, Bank Holiday Sundays & The Thursday before good Friday until 01:00
- Supply of Alcohol (on and off the premises) - On New Years Eve until 03:30 the next day, Bank Holiday Sundays & The Thursday before good Friday until 00:45
- Opening hours - On New Years Eve these hours are to be extended from the end of permitted hours to 02:00 on New Years Day

The premises is described as *'Unit H5.R4 is the far corner unit on the new al fresco eating and drinking destination Ash Avenue, which is a pedestrianised road running across the new Elephant Park regeneration area. The unit is around 3300 sq ft and will be Four Quarters' 3rd site, providing top quality food, drinks and retro video gaming entertainment'.*

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 and the protection of children from harm.

The premises is situated in The Elephant and Castle Major 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 on Friday and Saturday 00:00 hours. Closing times for restaurants and cafes on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours. Closing

times for take-away establishment on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours.

This application is seeking opening hours in excess of that which is recommended in the licensing policy for public houses, wine bars or other drinking establishments in this area, but is within the recommended times for a restaurant or takeaway establishment within the policy in this area. The application states '*substantial food will be available until at least 22:00*' and to avoid any ambiguity as to whether the premises shall operate solely as a bar with games machines I would ask the applicant to add the following condition to the premises licence

- Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial meal and by consumption of such persons as an ancillary to their meal

If this condition is not acceptable to the applicant then I would request that the operating hours and as such the licensable activities are brought in line with those recommend for a bar for this area within the policy as follows to promote the licensing objectives:

- The opening hours to cease on Sunday to Thursday at 23:00 and on Friday and Saturday to cease at 00:00
- Films on Sunday to Thursday to cease at 23:00 and on Friday and Saturday to cease at 00:00
- Recorded Music on Sunday to Thursday to cease at 23:00 and on Friday and Saturday to cease at 00:00
- Late night refreshment to be removed for Sunday to Thursday (as not required if the premises is to close at 23:00) and to cease at 00:00 on Friday and Saturday
- Supply of Alcohol (on the premises) on Sunday to Thursday to cease at 22:30 and on Friday and Saturday from 11:00 to 23:30 (this will allow for half an hour drinking up time)
- Supply of Alcohol (off the premises) on Sunday to Thursday from 23:00 and on Friday and Saturday from 11:00 to 00:00

Although the premises falls within The Elephant and Castle Major Town Centre Area, the area is also residential and local residents could be disturbed by the licensable activities that take place outside. The licensing policy recommends that outside areas should close to patrons at 22:00 hours.

Furthermore due to the limited information in the operating schedule and to promote the licensing objectives I also ask the applicant to provide the following information:

- An accommodation limit for the premises (to be conditioned)
- To provide a written dispersal policy for the premises as not provided with the application (although a condition about it has been offered).

And consider adding the following conditions to the operating schedule to promote the licensing objectives:

- 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
- That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
- That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation. A record of such training shall be kept / be accessible at all times and be made immediately available for inspection to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times
- That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept/ be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.

I may submit further comments once all the information has been provided.

I therefore submit this representation and welcome any discussion with the applicant.

Southward'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 Licensing Authority as a Responsible Authority