

MEMO: Licensing Unit

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|--------------|-----------------------------|-------------|-----------------|
| To | Licensing Unit | Date | 5 November 2020 |
| From | Jayne Tear | | |
| Email | jayne.tear@southwark.gov.uk | | |

Subject Re: Chaqueno Grill, Arch 145 Eagle Yard, Hampton Street, London, SE1 6SP
– Application for a premises licence

I write with regards to the above application for a premises licence submitted by Liseth Magda Aquilera Rojas under the Licensing Act 2003, which seeks the following licensable activities:

- Live Music (indoors) on Monday to Thursday from 18:00 to 21:30, Friday and Saturday from 17:00 to 21:30 and on Sunday from 17:00 to 19:30
- Recorded Music (indoors) on Monday to Thursday from 08:00 to 23:00, Friday and Saturday from 08:00 to 00:00 and on Sunday from 08:30 to 23:00
- Supply of alcohol (on the premises) on Sunday to Thursday from 09:30 to 22:00 and on Friday and Saturday from 09:30 to 23:00
- Opening times shall on Sunday to Thursday from 08:00 to 23:00 and on Friday and Saturday from 08:00 to 00:00

The premises is described within the application as a *'Restaurant on the ground floor at Arch 145 Manoldo Walk SE1 6SP'*.

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.

This premise is situated within the Elephant and Castle Major Town Centre Area and close to residential properties.

The operating schedule does not address the dispersal of patrons. Therefore due to the limited information provided and to promote the licensing objectives I ask the applicant to provide the following:

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

Furthermore, to ensure that the premises retains its nature as a restaurant I ask the applicant to consider adding the following conditions to the operating schedule to promote the licensing objectives

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

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



**POLICE
WITHDRAWN**

The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

**Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL**

Tel: 020 7232 6756
Email:
SouthwarkLicensing@met.police.uk

**Our MD/21/166/20
reference:**

Date: 9th November 2020

Dear Sir/Madam

**Re:- Lisseth Magda Aguilera Rojas CHAQUENO GRILL ARCH 145 EAGLE YARD
HAMPTON STREET SE1 6SP**

Police are in possession of an application from the above for a new premises licence for the sale of alcohol on the premises.

Hours premises are open to the public

Day Start Finish
Mon 08:00 23:00
Tues 08:00 23:00
Wed 08:00 23:00
Thur 08:00 23:00
Fri 08:00 00:00
Sat 08:00 00:00
Sun 08:30 23:00

Standard days and timings for Supply of alcohol

Day Start Finish
Mon 09:30 22:00
Tues 09:30 22:00
Wed 09:30 22:00
Thur 09:30 22:00
Fri 09:30 23:00
Sat 09:30 23:00

Sun 09:30 22:00

The premises is described as a restaurant on the ground floor railway arch, however the applicant has not offered any conditions to restrict the use of the premises to that of a restaurant. The premises is situated in the Elephant & Castle major town centre as detailed in Southwark's statement of licensing policy. The hours applied for are within those recommended for restaurants within the policy.

The applicant has provided some detail with regard to the control measures for the promotion of the licensing objectives, in particular the prevention of crime and disorder.

To fully promote the prevention of crime and disorder licensing objective I ask the applicant to consider the following.

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 their meal.

The Following is submitted for your consideration.

Yours Sincerely

PC Ian Clements 2362AS

Southwark Police Licensing Unit

Tel: 0207 232 6756

From: [REDACTED]
Sent: Thursday, November 12, 2020 11:00 AM
To: SouthwarkLicensing@met.police.uk; Heron, Andrew
Subject: Chaqueno Grill 145 Eagle Yard MD /21/166/20

To,
PC IAN Clements 2362AS
Southwark Police Licensing Unit,

Dear Sir,
I acknowledge your letter referenced MD/21/166/20 dated 9th November 2020.
Please find our attached representation.
Please also find a copy of my personal license as I recently qualified.

Kind regards

Thank you
Ms Lisseth Magda Aguilera Rojas

Date: 12/11/2020

To,

PC Ian Clements 2362AS

Southwark Police Licensing Unit

Dear Sir,

My representation for the reference number **MD21/166/20**

Dispersal policy

Chaqueno Grill Arch 145 Eagle Yard, Hampton Street, London, SE1 6SP

- On dispersal our staff actively encourage customers not to congregate outside the venue, direct customers to the nearest taxi ranks or other transportation away from the area; and ensure the removal of all bottles and glasses from departing customers.
- Our manager will not hesitate to speak to any groups that congregate in the vicinity of the premises after closing time and ask them to move on.
- We generally request that a minimum of 30 minutes drinking-up time is incorporated in the premises licence as an aid to the gradual dispersal of all customers in the premises at the end of the evening.
- We ensure that there is strong management and staff presence in the customer area and at all exit points during the dispersal period.
- We routinely place signage at exit doors asking customers to respect the rights of our neighbours to the quiet enjoyment of their homes.
- Where it is deemed appropriate, we can provide customers with site-specific information on how they can get home safely. Where customers require individual assistance in obtaining safe transport from our premises, we do whatever is reasonably possible to help, for example by providing details of bus routes or contacting taxi and private hire operators on their behalf.

I am happy to include the following in my license.

- Intoxicating liquor shall not be sold or supplied 'on' the premises otherwise than to person taking a table meal and by consumption of such persons as an ancillary to their meal.
- 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 (this has already been installed).
- 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.
- 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.
- 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.

Thank you

Ms Lisseth Magda Aguilera Rojas

London Borough of Southwark
Regulatory Services
Licensing Service, Hub 1, Floor 3
PO Box 64529
London SE1P 5LX

Lic Ref No: [REDACTED]

LICENSING ACT 2003
Personal Licence (Part 2)

This Licence authorises: **Lisseth Magda Aguilera Rojas**

of:

[REDACTED]
[REDACTED]
[REDACTED]

to sell or supply alcohol or to authorise the sale or supply of alcohol in accordance with the requirements of the Licensing Act 2003.

This licence becomes effective on 10/11/2020, unless surrendered, forfeited or revoked.

This licence does not have any effect during any period when it is suspended under the provision of the Licensing Act 2003, s129.

Signed:

[REDACTED]

Head of Regulatory Services

The holder of this licence had been convicted of the following relevant offences or foreign offences:

| Detail of Conviction | Domestic / Foreign | Date of Conviction | Sentence Imposed |
|----------------------|-----------------------|-----------------------|------------------|
|----------------------|-----------------------|-----------------------|------------------|

None

Licensing Act 2003

116. Surrender of personal licence

- (1) Where the holder of a personal licence wishes to surrender his licence he may give the relevant licensing authority a notice to that effect.
- (2) The notice must be accompanied by the personal licence or, if that is not practicable, by a statement of the reasons for the failure to provide the licence.
- (3) Where a notice of surrender is given in accordance with this section, the personal licence lapses on receipt of the notice by the authority.

126. Theft, loss, etc. of personal licence

- (1) Where a personal licence is lost, stolen, damaged or destroyed, the holder of the licence may apply to the relevant licensing authority for a copy of the licence
- (2) Subsection (1) is subject to regulations under section 133(2) (power to prescribe fee to accompany application).
- (3) Where the relevant licensing authority receives an application under this section, it must issue the licence holder with a copy of the licence (certified by the authority to be a true copy) if it is satisfied that-
 - (a) the licence has been lost, stolen, damaged or destroyed, and
 - (b) where it has been lost or stolen, the holder of the licence has reported the loss or theft to the police.
- (4) The copy issued under this section must be a copy of the licence in the form in which it existed immediately before it was lost, stolen, damaged or destroyed.
- (5) This Act applies in relation to a copy issued under this section as it applies in relation to an original licence.

127. Duty to notify change of name or address

- (1) The holder of a personal licence must, as soon as reasonably practicable, notify the relevant licensing authority of any change in his name or address as stated in the personal licence.
- (2) Subsection (1) is subject to regulations under section 133(2) (power to prescribe fee to accompany notice).
- (3) A notice under subsection (1) must also be accompanied by the personal licence or, if that is not practicable, by a statement of the reasons for the failure to provide the licence.
- (4) A person commits an offence if he fails, without reasonable excuse, to comply with this section.
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

128. Duty to notify court of personal licence

- (1) Where the holder of a personal licence is charged with a relevant offence, he must, no later than the time he makes his first appearance in a magistrates' court in connection with that offence-
 - (a) produce to the court the personal licence, or
 - (b) if that is not practicable, notify the court of the existence of the personal licence and the identity of the relevant licensing authority and of the reasons why he cannot produce the licence.

129. Forfeiture or suspension of Licence on conviction for relevant offence

- (1) This section applies where the holder of a personal licence is convicted of a relevant offence by or before a court in England and Wales.
- (2) The court may-
 - (a) order the forfeiture of the licence, or
 - (b) order its suspension for a period not exceeding six months.
- (3) In determining whether to make an order under subsection (2), the court may take account of any previous conviction of the holder for a relevant offence.
- (4) Where a court makes an order under this section it may suspend the order pending an appeal against it.
- (5) Subject to subsection (4) and section 130, an order under this section takes effect immediately after it is made.

132 Licence holder's duty to notify licensing authority of convictions

- (1) Subsection (2) applies where the holder of a personal licence-
 - (a) is convicted of a relevant offence, in a case where section 131(1) does not apply, or
 - (b) is convicted of a foreign offence.
- (2) The holder must-
 - (a) as soon as reasonably practicable after the conviction, give the relevant licensing authority a notice containing details of the nature and date of the conviction, and any sentence imposed on him in respect of it, and
 - (b) as soon as reasonably practicable after the determination of any appeal against the conviction or sentence, or of any reference under section 36 of the Criminal Justice Act 1988 (c.33) in respect of the case, give the relevant licensing authority a notice containing details of the determination.
- (3) A notice under subsection (2) must be accompanied by the personal licence or, if that is not practicable, a statement of the reasons for the failure to provide the licence.
- (4) A person commits an offence if he fails, without reasonable excuse, to comply with this section.
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

135 Licence holder's duty to produce licence

- (1) This section applies where the holder of a personal licence is on premises to make or authorise the supply of alcohol, and such supplies-
 - (a) are authorised by a premises licence in respect of those premises, or
 - (b) are a permitted temporary activity on the premises by virtue of a temporary event notice given under Part 5 in respect of which he is the premises user
- (2) Any constable or authorised officer may require the holder of the personal licence to produce that licence for examination.
- (3) An authorised officer exercising the power conferred by subsection (2) must, if so requested, produce evidence of his authority to exercise the power.
- (4) A person who fails, without reasonable excuse, to comply with a requirement under subsection (2) is guilty of an offence.
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (6) In this section "authorised officer" means an officer of a licensing authority authorised by the authority for the purposes of this Act.

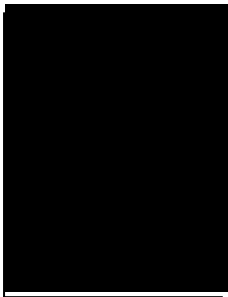
Liseth Magda Aguilera Rojas
[REDACTED]
[REDACTED]
[REDACTED]

Licensing Unit
Direct Dial - 020 7525 5748
Facsimile - 020 7525 5705

10 November 2020

Dear Sir/Madam,

PERSONAL LICENCE APPLICATION – Liseth Magda Aguilera Rojas



I write with regard to your application for a grant of your personal licence.

I am pleased to inform you that your application is approved and part 2 of the licence with conditions on the reverse side is enclosed. Your personal licence badge will follow at later date as due to COVID-19, we are currently working from home so we are unable to print and post your badge at this present moment.

If the authority you are applying to needs further proof, please direct them to our website and they will be able to find you - <http://app.southwark.gov.uk/licensing/licencepersonal.asp>

Please do not hesitate to contact this office if you want any further clarification on the document.

Yours faithfully,

Kirby Read
Processing Manager
Licensing@southwark.gov.uk