

## APPENDIX B

**From:** Fox, Roy  
**Sent:** Wednesday, November 04, 2020 4:35 PM  
**To:** Regen, Licensing; [REDACTED]  
**Cc:** 'SouthwarkLicensing@met.police.uk'  
**Subject:** 332C Camberwell New Road, SE5 0RW

### **ENVIRONMENTAL PROTECTION TEAM (EPT)**

Dear Sir/Madam

Re: New Premises Licence Application 873595 - 332C Camberwell New Road, SE5 0RW – Grafterboy Lounge

I act on behalf of the environmental health responsible authority. I am making this representation following the Licensing Objective 'the prevention of public nuisance' in order to object to the grant of the above premises licence application. The basis for my objection is as follows.

- The premises does not have planning permission for the A4 use referred to in the application. The current planning permission (reference 18/AP/1938) is personal to Sharks Micropubs Ltd and does not confer to the land, so the applicants for this premises licence do not benefit from it. Note that this permission included conditions prohibiting the provision of hot food in the premises and the use of televisions/screens. Additionally it prohibits its use to be carried out outside of the hours of 12:00 to 23:00 Mondays to Sundays. The planning approval was so conditioned to avoid adverse impacts on the residents that reside above the premises, above neighbouring premises and to the immediate rear. In particular the residents to the rear might suffer from nuisance derived from odours exhausted from a commercial kitchen. This situation is not remedied by this premises licence application in which fast food is proposed to be provided from a basement kitchen.
- Further to the previous point, the planning application referred to included a noise impact assessment including the testing of the ceiling/floor separating these premise from the residential above it on the first floor. The assessment recommended extensive sound insulation to protect the residents from noise from the proposed A4 use. As the development did not proceed, the sound insulation was not installed, so noise from activities in these premises would most likely impact on the residents above.
- The hours of use applied for fall considerably outside the Southwark Statement of Licensing Policy 2019-21 that recommends for this location the closure of drinking establishments (the A4 use referred to above) at 23:00 hours on Sunday to Thursday and 00:00 hours on Friday and Saturday. Extended opening hours would exacerbate any nuisance issues that may arise as discussed in the previous two bullet points.
- The application proposes the sale of alcohol right up to closing time, which would not be practically possible other than for off sales.
- The application proposes the smoking of shisha pipes in an indoor space that is not permitted under the Health Act 2006 unless at least half of all sides are open to the air. The limited opening areas shown on the plan do not meet this. Vents are not acceptable as a substitute.
- There is no risk assessment provided on how public nuisance would be avoided other than the statement in part M on training staff and teamwork, which is inadequate.

In order for this representation to be withdrawn the applicants would need to provide detailed information on sound insulation between the premises and the floor above; the control of odour emissions from the kitchen; times to meet Southwark policy recommendations; alcohol and food sales finishing earlier than closing time; a management plan to address the avoidance of public nuisance; and, withdrawal of smoking indoors (albeit this may be addressed using more appropriate legislation).

Regards,

Roy Fox  
Principal Environmental Protection Officer

Southwark Council | Environmental Protection Team | Regulatory Services | 3rd  
Floor Hub 1 | PO Box 64529 | London | SE1P 5LX

020 7525 2458

[www.southwark.gov.uk](http://www.southwark.gov.uk)

## **RESPONSE TO EPT**

To Mr Fox, Roy

I am writing to you in regards to your recent objection to our premises licence application for shop C 332 Camberwell New Road, SE5 0RW. In all kindness we respect your concern and objection due to environmental health policies, but as a business & company director we aim to improve the community in Camberwell and modernise Camberwell. And this is to bring new businesses and create positive and constructive relationships with our neighbours. So far we have had an outstanding community, who seem very excited as they're aware of a Shisha Lounge coming to them (see image at bottom of page of our insights so far!) We understand there is a local shisha bar nearby that gets very overcrowded, so we don't intend to create this type of congestion. We only aim to accept bookings and reservations.

In response to your first statement, The premises does currently hold an "A4" class. Prior to taking the lease we ensured the premises holds and appropriate class, as a shisha cafe we can legally operate in a premises that's "A3 or A4". I have had confirmation from a member in planning at Southwark council and the landlords agent confirming the premises is still "A4" and there weren't no change after Sharks Micropubs LTD evacuated. Please see proof at the bottom of the page.

In regards to your point about operational hours and the use of televisions, hot food. We respect Camberwell's neighbourhood, the community and residents so therefore we will aim to change our planned hours 7 days a week to 12pm to 00:00pm as we are classed under café and not an drinking establishment. Our neighbour, unit B closing time is 1am Fri & Sat, they have a commercial kitchen, we don't intend to have a commercial kitchen. We only plan to have a prep room where our equipment will be accommodated. There will be no odours coming into contact with residents, fumes would travel via our vent which extracts. Shop C and B share the same building and we both practically have the same business nature. We don't intend to cook meals or install any form of cooking appliance. we only intend to serve ready made food and heat up via our equipment for consumer rights.

In regards to sound insulation, we don't intend to have loudspeakers, amplified music or bass coming from our premises, in respect to our neighbours and building size. We are aware from reports that sound insulation works got undertaken.

Following your concern in regards to our hours of use, this will be amended and we apologise for not being clear in our application of our business nature. We aint a drinking establishment, we don't heavily promote the sale of alcohol. We only intend to serve a limited cocktail menu containing maximum 11% abv. This will disallow consumers to feel intoxicated quick. Our menu is majority milkshake, smoothie and soft drinks. We plan to stop serving any alcoholic drink half hour before closing time.

We aim to prohibit crime and disorder and public nuisance by advertising the licencing policy 2003 policy "Respect our neighbours" this will advise our customers to leave our premises at a minimum volume, if they disobey this can result customers being banned. We have CCTV installed to protect our customers and the public. Customers consuming alcohol on our premises will be allowed to drink till 23:30pm and takeaway customers can make

their last order by 23:30pm and consume away from our premises. All 'off sales' of alcohol will be and taken away from the premises.

We will also advertise legible signage, easily seen and read, requesting that 'off sales' of alcohol are not be opened and consumed in the vicinity of the premises.

I'd also like to take the time to

**In regards to shisha, as our business nature is primarily around hookah pipes, we have to acknowledge the councils policy and the legislations therefore after a consideration at our board meeting we have chosen to transform our business nature at our premises in Camberwell and remove the idea of Shisha. We intend to serve desserts, snacks, cocktails and milkshakes.**

We apologise for submitting a application without a risk assessment, as we understand a risk assessment is mandatory when it comes to public nuisance. I'd like to briefly explain key points such as Noise, we won't be having loud music, bass or any form of loudspeakers. Odours won't be travelling to our neighbours or residents above as we have ventilation In place. One brings in air to assist natural air and one extracts, which removes fumes and odours. Our waste will be managed, bins will get chucked every night, we have a waste company in place already who collect our rubbish weekly.

We will be using signs to advise customers and staff to use bins and dispose any waste respectfully also signs to advise customers to be quiet when leaving premises, people can be banned from our business If they don't cooperate. We have a toilet on site which is accessible to customers.

I respect your opinion and concerns in regard to our premises licence application.

Kind regards,

Cain Green & Latyr Faye

[Redacted Signature]

18:00



## Grafterboy Lounge - Performance on Google for October 2020

COVID-19: Resources to help your business manage through uncertainty >

### Google My Business Grafterboy Lounge

**4,268** PEOPLE FOUND YOU ON GOOGLE

Here are the top search queries used to find you:

shisha bar  
used by 43 people

shisha  
used by 42 people

shisha near me  
used by 34 people

**37**

asked for directions

★ 100% FROM SEPTEMBER 2020

**30**

visited your website

★ 100% FROM SEPTEMBER 2020

💡 Stand out to customers with a post about your business.

[CREATE A POST](#) ➡

### WHAT CUSTOMERS ARE SAYING ABOUT YOU

Congrats, Grafterboy Lounge has a 5 star rating on Google



15:54



< 64

6 Messages



Good afternoon Beth, Can I please know if the premi...



**Bethel Tedros**

To: Grafterboy Lounge UK >

12:28



**RE: 18/AP/1938 shop 332C  
Camberwell New Road**

Good morning Cain,

No we are not aware of change of user class.

Kind regards,

Bethel

**Bethel Tedros BSc(Hons) MSc**  
Surveyor  
Property Management

**Landwood de Cey LLP**  
95 Mortimer Street  
London, W1W 7ST

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in v

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See More



**Grafterboy Lounge UK**

Thank you. Kind regards, Cain Green

15:04



15:54



6 Messages



Joseph Sorrell

11:59

To: Grafterboy Lounge UK >

**RE: 18/AP/1938**

Good morning,

The change of use to A4 granted under 18/AP/1938 will remain with the property until permission for another change of use is granted.

The change of tenant will not affect this.

Kind regards,

Joe

Joseph Sorrell  
Planning and Land Charges Support Officer  
London Borough of Southwark

-----Original Message-----

From: Grafterboy Lounge UK  
[mailto:[admin@grafterboylounge.com](mailto:admin@grafterboylounge.com)]  
Sent: Thursday, November 05, 2020 11:24 PM  
To: Planning.Applications  
Subject: 18/AP/1938

Good evening,

I have a query in regards to premises 332C Camberwell New Road, SE5 0RW, located off high street, on Warner Road was granted "a4 class". Does this remain with the premises or do new tenants need to re-apply for the class? I have spoken with the



## RESPONSE FROM EPT

**From:** Fox, Roy

**Sent:** Friday, November 20, 2020 5:37 PM

**To:** [REDACTED]

**Cc:** Heron, Andrew

**Subject:** 332c Camberwell New Road, Grafterboy Lounge

Dear Mr Green

Thank you for sending your letter of response to my representation to your application for a premises licence for Grafterboy Lounge, 332c Camberwell New Road, SE5. I apologise for the delay in responding to you. I have given consideration to the various points you have raised. Kindly note the following the following comments on these.

- The information you received from Joe Sorrell is incorrect. Although planning permission is typically awarded to premises, this is not the case for these premises. The A4 use approved is a personal permission held by Shark Micropubs Ltd under planning reference number 18/AP/1938. I have attached a copy of the Planning Decision Notice where you will see this in condition 7: '...and shall not ensure for the benefit of the land.'
- In the same decision notice you will see conditions relating to odour (no provision of hot food) and noise (no use of amplified music or televisions/screens) - both in condition 2; and the requirement for sound insulation as per the submitted Sound Insulation Report in condition 3 (that you can access incidentally from the online Planning Register). I acknowledge that these relate to Planning and a different applicant, but I raise them to highlight the fact that these issues are relevant to licensed premises operating from the site. There are residents immediately above the proposed bar/lounge and in close proximity. The nature of the structure is such that it does not provide adequate insulation from noise generated by the commercial use to protect the residents from adverse impacts. You have indicated in your letter that you have seen reports to indicate that the insulation was carried out. If you send a copy to me for assessment I may be able to withdraw this aspect of my representation. Note that noise does not only arise from music but from numerous voices and general activities. You have also indicated that there will be ventilation of food odours, but that is the issue in these premises – the space at the rear is confined and will not allow good dispersion of odours emitted into it and it would be difficult to erect a flue discharging at roof level to address this.
- On the plus side I note that you have proposed a number of measures to help mitigate a number of issues I refer to in my representation. These are: earlier closing time; alcohol sales for on site consumption ending 30 minutes before closing time; no loudspeakers for amplified music/speech (but you fail to include the television speakers in that); no on-site cooking of food, only re-heating it; alcohol off-sales not to be consumed in the vicinity of the premises. I note also your comment regarding shisha smoking.
- You state that the premises would be a café not a drinking establishment, but you propose to serve alcohol so I do not accept this. The grant of a premises licence including alcohol sales & consumption means that it can be a drinking establishment. However, I am prepared to accept a different interpretation if presented to me by the Licensing Authority Officer(s). Based on it being a drinking establishment/bar the policy suggests closing at 23:00 hours on Sundays



to Thursdays, 00:00 hours on Fridays and Saturdays. As a café it would be 00:00 every day, so this matter needs to be clarified.

To progress this case further from my perspective I will need to see the sound insulation report you referred to and details of the extraction type and location. Also clarification of the status of the premises – bar or café. Following these matters being satisfied, if we then agree wording for licence conditions to confirm: closing times, alcohol sales times, no amplified music or speech, control on television volume, and no onsite cooking of food only re-heating, then I will be able to withdraw my representation.

Regards,

Roy Fox  
Principal Environmental Protection Officer

**HEALTH AND  
SAFETY**

**MEMO: Licensing Unit**

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<b>To</b>	Licensing	<b>Date</b>	3 <sup>rd</sup> November 2020
<b>Copies</b>	Jayne Tear – Responsible Authority    Graham White – Met Police		
<b>From</b>	Farhad Chowdhury	<b>Telephon e</b>	020 7525 0398
<b>Email</b>	<a href="mailto:Farhad.chowdhury@southwark.gov.uk">Farhad.chowdhury@southwark.gov.uk</a>		

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**Subject: Grafterboys Lounge, 332c Camberwel New Road SE5 0RW**

I write in reference to the premises licence application made by Cain Green and Latyr Faye, for a new premises licence for Grafterboy Lounge, 332C Camberwell new road London SE5 0RW . I have read the application and visited the premises recently and would make the following comments:-

- 1) The general description as per the application is for a Shisha bar and lounge area selling alcohol. The Hours are outside that recommended in the Southwark statement of licensing policy.
- 2) The Application states that the main floor will allow Shisha smokers, smoking indoors also states 50% air coming into the property. As far as I can see the premises does not have an outside area and is substantially enclosed, therefore does not comply with the Health Act 2006. Can the applicant explain how they will comply with the Health Act 2006 as smoking indoors is prohibited under the legislation.

**For your information**

“Health Act 2006 Part1 Smoking, Chapter 1 Smoke Free Places and Vehicles,  
Paragraph 2

Subsection(2b):-

**2 Smoke-free premises**

- (2) Premises are smoke-free if they are used as a place of work—  
(b) where members of the public might attend for the purpose of seeking or receiving goods or services from the person or persons working there (even if members of the public are not always present).  
They are smoke-free all the time.

**In addition** The Smoke-free (Premises and Enforcement) Regulations 2006 defines the enclosed premises as :-

**Enclosed and substantially enclosed premises**

**2.—**(1) For the purposes of section 2 of the Act, premises are enclosed if they—

(a) have a ceiling or roof; and

(b) except for doors, windows and passageways, are wholly enclosed either  
Permanently or temporarily.

3) There is no accommodation limit provided with the application, so I am unable to assess whether the premises is suitable for public safety, the applicant needs to provide details how they assessed the maximum capacity for the premises.

The premises does not comply with “The Smoke-free (Premises and Enforcement) Regulations 2006. I therefore object to this application on grounds of public safety, until the matters above have been addressed properly.

**Farhad Chowdhury**  
**Principal Enforcement Officer**



(Image A)

not agree with some of your points mentioned in your objection.

We understand your concern with our operating hours, and in our board meeting we have made the decision to amend our hours of trading to 12.00pm - 00.00am 7 days a week with respect to Southwark's statement of licensing policy 2019/2021. "cafes and drinking establishments are authorised to close until 1:00 am on Friday and Saturday". (Image A)

In response to your second concern, we don't intend to utilize outside for shisha, apologies for the misunderstanding as we intended to place one bar table alongside two stools for an external seating by our window. In response to your point related to Shisha, we believe that the shop will allow 50% air flow inside as we plan to open up our front and install bi-folding doors, and with the premises being small airflow will travel and invade fast. This will keep smoke produced from Shisha pipes clear. (Image B. We also have invested in a commercial ventilation system to ensure our customers and staff are safe. This will bring in extra air to assist airflow. Additionally we have had a lot of support for shisha in Camberwell from neighbouring residents. (Refer to image C for our insights)

I apologize for not informing you about the accommodation limit. We will not accommodate above 25 customers. For off sales, consumers are advised to eat/drink away from the premises and past 23:00pm drinks & Alcoholic drinks (Cocktails 11% ABV) will be sealed.

(Image A)

This premises is situated in the Camberwell District Town Centre Area and under the Southwark Statement of Licensing policy 2019 – 2021 the appropriate closing time for restaurants and cafes on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours, closing time 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 and the closing time for take-away establishment is Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours

(Image B)





**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 reference:** MD/21/165/20

**Date:** 18<sup>th</sup> October 2020

Dear Sir/Madam

**Re:- Grafterboy Lounge, 332c Camberwell New Road, London SE5**

Police are in possession of an application from the above for a new premises licence. The general description as per the application is for a Shisha bar and lounge area selling alcohol. The Hours are outside that recommended in the Southwark statement of licensing policy.

The premises are situated in the Camberwell Cumulative impact Zone (CIZ) as designated by Southwark Council. The High Court approval of Cumulative impact policies came in Westminster City Council v Middlesex Crown Court. In brief, it stated 'A licence could be refused on the sole ground that the area was already saturated with licensed premises'

Camberwell is subject to considerable problems with alcohol misuse including a large problem with street drinking. The area has been subject to considerable investment in the area to improve the local amenities. Kings College hospital and the Maudsley Hospital are situated in the area and have Alcohol treatment centres within both which attract alcohol dependent people to the area.

Camberwell already has a considerable amount of alcohol licences indicated which is shown on the map below, correct at 2017 supplied by Public Health. Along with a current licensed premises there is already a shisha bar attached to a licensed premises. This premises has caused a number of issues and attracted a considerable amount of complaints in recent weeks.

The application fails to satisfactorily explain the use of shisha within the premises and how they will comply with smoking regulations inside. It also does not state if the pipes

will be electric or coal. If the pipes are coal then this has a number of fire and health and safety implications, which we would object to under public safety concerns.

No accommodation limit has been supplied within the application, so we are unable to fully determine what impact it would have on the area. It also fails to give a full description of the activities other than the use of shisha.

The metropolitan police object to the granting of the licence in full and do not see any reason for further licenced premises to be needed in the area, as any further premises selling alcohol will only add to the cumulative impact, attract alcohol dependent people, and add to the local crime and disorder.

If the licensing Sub Committee feel it is appropriate to grant the licence I would like the following noted.

We object to application in full, as we do not see any exceptional circumstances to grant the licence within the CIZ.

The applicant has offered a number of conditions as part of the operating schedule, the conditions set out in the operating schedule should be precise and enforceable, as stated in the Section 182 Guidance of the Licensing Act 2003 issued by the Home Office. If the committee were minded to grant the licence, I would ask the applicant to consider the following control measures to promote the prevention of crime and disorder.

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. Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette and No more than 5 people at one any time.
6. All licensable activities shall cease 30 minutes prior to the terminal hour.
7. All alcohol off sales shall be sold in sealed containers for consumption away from the premises.

8. 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.
9. At least two SIA registered Door Supervisor shall be employed at all times after 20.00hrs when the premises are in use under this licence.
10. That the accommodation limit for the premises is ??? People (including staff).
11. That suitable notices shall be displayed requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.
12. Details of the premises opening and closing will be clearly displayed upon the premises for the information of customers
13. That a written dispersal policy shall be kept at the premises with the licence and be made available for inspection by authorised officers on request.
14. That all staff shall be trained in the use of the dispersal policy.

Conditions are only effective with strong management and full compliance and even with the above conditions the police do not believe the premises can fully negate the impact a further licenced premises would have on the area.

Submitted for your consideration.

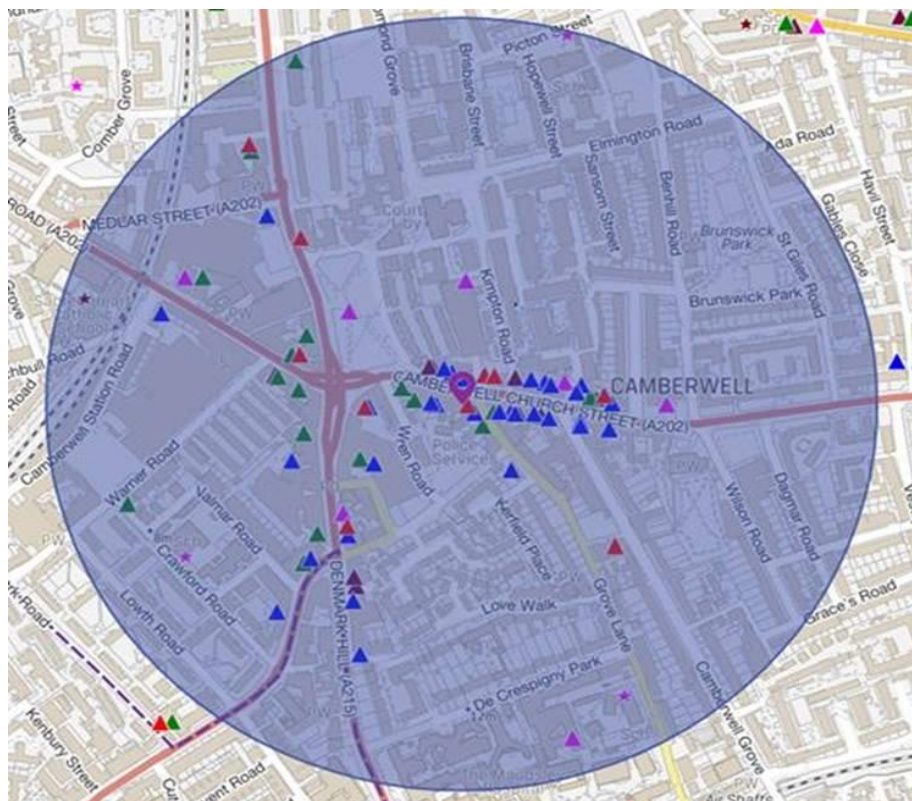
Yours Sincerely

**PC Graham White 288MD**

Southwark Police Licensing Unit

Tel: 0207 232 6756







**POLICE  
WITHDRAWN**

**From:** Graham.S.White@met.police.uk [mailto:Graham.S.White@met.police.uk]  
**Sent:** Monday, November 30, 2020 3:49 PM  
**To:** Heron, Andrew  
**Cc:** Tear, Jayne  
**Subject:** Licence application

Andrew,  
See below the applicant has agreed to the conditions. I withdraw my objection  
Regards  
Graham

**Graham White** | Constable  
**MPS Central South BOCU**  
**Neighbourhoods Policing- Partnership & Prevention**

**Licensing Officer – Southwark**

**Mobile** 07880 053191

**MPS Internal** 726756

**MPS Telephone** 0207 232 6756

**From:** Graftboy Lounge UK <[REDACTED]>  
**Sent:** 30 November 2020 15:47  
**To:** White Graham S - AS-CU <[Graham.S.White@met.police.uk](mailto:Graham.S.White@met.police.uk)>  
**Subject:** Re: Licence application

Good evening Graham,  
Hope you had a good weekend. I agree with all conditions stated in your email.

Kind regards,

# MEMO: Licensing Unit

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To	Licensing Unit	Date	4 November 2020
From	Jayne Tear		
Email	jayne.tear@southwark.gov.uk		

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Subject Re: Grafterboy Lounge, 332c Camberwell New Road, London, SE5 0RW  
– Application for a premises licence

I write with regards to the above application to for a premises licence submitted by Cain Green and Latyr Faye under the Licensing Act 2003, which seeks the following licensable activities:

- Late night refreshment (indoors) on Sunday to Thursday from 23:00 to 01:00 the following day and on Friday and Saturday from 23:00 to 02:00 the following day
- Supply of alcohol (on and off the premises) on Sunday to Thursday from 16:00 to 01:00 the following day, on Friday from 14:00 to 02:00 the following day and on Saturday from 16:00 to 02:00 the following day
- Overall opening times shall be on Monday to Thursday from 11:00 to 01:00 the following day, on Friday from 11:00 to 02:00 the following day, Saturday from 16:00 to 02:00 the following day and on Sunday from 16:00 to 01:00 the following day

The premises is described with in the application as *‘A4 Premises. Main floor will allow Shisha smokers. 50% air coming into property. Downstairs will have a vent in place, the lounge area for eating & dining. (Desserts & fast food) Alcohol will be prepared downstairs. Alcohol stock will be kept in storage room’.*

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 premises is situated in the Camberwell District Town Centre Area and under the Southwark Statement of Licensing policy 2019 – 2021 the appropriate closing time for restaurants and cafes on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours, closing time 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 and the closing time for take-away establishment is Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours

The closing times asked for within this application exceed that which is appropriate for a bar or a restaurant/café or takeaway in the licensing policy for this area.

This premises also falls within the Camberwell Cumulative Impact Policy Area

Section six of the policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Camberwell policy area as defined in paragraph 145 of the policy and as a bar this premises could fall into the class of premises in 146 of the policy.

Therefore under 130 of the policy there is a rebuttable presumption that applications for new premises licences 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.

As classes of premises to which the CIP policy applies in the Camberwell area is defined as night clubs; pubs and bars; off-licences, grocers, supermarkets, convenience stores and similar premises and the application describes this premises as **a shisha bar with fast food** to avoid any ambiguity with regards to whether the premises should be addressing the negative cumulative impact if it were to operate as a bar I would request the following condition, which would be consistent with a restaurant, is added to the operating schedule:

- 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.

Furthermore the premises is very close to local resident's who could be disturbed by patrons leaving the premises late at night and this application has not left any time between the last sale of alcohol 'on sales' and the closing time when patrons should have left the premises, this can lead to conflict between staff and the customer having purchased an alcoholic drink for consumption on the premises minutes before closing time and being asked to either finish the drink or hand it back and to leave the premises. Additionally this will encourage patrons to rush consumption of alcoholic drinks at the same time of closing which can lead to antisocial behaviour problems when patron have left the premises.

To promote the licensing objectives I ask the applicants to bring the opening hours as recommended for **a restaurant** within the policy and in turn the licensable activities (allowing half an hour drinking up time for on sales) as follows:

- Opening times on Sunday to Thursday shall cease at 00:00 and on Friday and Saturday shall cease at 01:00 the following day
- Late night refreshment (indoors) on Sunday to Thursday to cease at 00:00 the and on Friday and Saturday to cease at 01:00 the following day
- Supply of alcohol (off the premises) on Sunday to Thursday to cease at 00:00 and on Friday and Saturday to cease at 01:00 the following day
- Supply of alcohol (on the premises) on Sunday to Thursday to cease at 23:30 and on Friday and Saturday to cease at 00:30 the following day (this allows for half an hour drinking up time)

If the restaurant condition above is not acceptable to the applicants and the intention is to operate as a **bar**, then I would ask the applicants to bring the hours of operation in line with that which is appropriate for a bar this area in the licensing policy as follows:

- Opening times on Sunday to Thursday shall cease at 23:00 and on Friday and Saturday shall cease at 00:00
- Late night refreshment (indoors) to be removed for Sunday to Thursday (as not required before 23:00) and to cease at 00:00 on Friday and Saturday
- Supply of alcohol (off the premises) on Sunday to Thursday to cease at 23:00 and on Friday and Saturday to cease at 00:00
- Supply of alcohol (on the premises) on Sunday to Thursday to cease at 22:30 and on Friday and Saturday to cease at 23:30 (this allows for half an hour drinking up time)

If the applicants want the premises to operate as a bar the rebuttal presumption to refuse this application within the CIP area has not been addressed within this application.

Due to the limited information on the application form and to promote the licensing objectives I also ask the applicants to provide the following information:

- A written dispersal policy for the premises (to be conditioned)
- To confirm the accommodation limit for whole of the premises (to be conditioned)

And to add further conditions to the operating schedule as follows:

- 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 am also very concerned that the applicants intend to breach other existing legislation (Health Act 2006) once the premises is open as they have indicated also within this application that the premises will allow smoking in the premises *'Main floor will allow Shisha smokers. 50% air coming into property. Downstairs will have a vent in place'*. Although not a licensable activity smoking of any kind cannot take place within a premises open to the public. There is no outside area defined on the plan and I am advising the applicants that if they were to allow anyone to smoke inside the premises they will be committing an offence under the Health Act 2006.

I reserve the right to make further comment once all of the above information has been received and welcome any discussion with the applicant to consider the above representation.

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 Authority as a Responsible Authority

## **LICENSING WITHDRAWN**

Dear Mr Green ,

Thank you for your quick response. As you have agreed to all within my email below sent Fri, 27 Nov 2020 at 11:51, on that basis I can confirm that my representation is now withdrawn,

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:** Grafterboy Lounge UK [REDACTED]

**Sent:** Friday, November 27, 2020 11:57 AM

**To:** Tear, Jayne

**Subject:** Re: Letter for premises application 332c Camberwell New Road

Good morning Jayne,

I agree to all your conditions and amended hours in your email below.

On Fri, 27 Nov 2020 at 11:54, Grafterboy Lounge UK

[REDACTED] wrote:

Good morning Jayne,

I agree to all conditions.

GRAFTERBOY LOUNGE  
332C CAMBERWELL NEW ROAD, LONDON, SE5 0RW

## DISPERSAL POLICY

Grafterboy Lounge is a lounge that consists of a dessert parlour, food dining and cocktail bar operator and is aware of the importance of ensuring as far as possible that customers leave as quietly as possible.

Grafterboy Lounge Camberwell is also aware that the premises is situated in a cumulative impact zone area which makes the surrounding of the premises safe and dispersal of customers of greater importance.

We are also aware of the importance of managing the outside space during trading times and there is a separate policy for this.

Grafterboy lounge Camberwell will ensure that at peak trading times which are likely to be after 5pm on every day a manager who holds a Personal Licence is on duty together with sufficient staff (and door staff where appropriate) to adequately manage and control customers when arriving, during their stay and when leaving.

It is anticipated that during the early part of the week (Monday to Thursday) there is likely to be a drift away in keeping with many licensed premises in Camberwell but if the space is busy then towards closing time gradual dispersal will be encouraged in the following ways.

1. Calling last orders such that there is adequate “drinking-up time”.
2. Staff encouraging customers to finish their drinks and prepare to leave in plenty of time.
3. Adequate signage.

Customers will be directed by staff and signage towards the staircase from downstairs leading to the main entrance upstairs out to Camberwell New Road and same applies to those dining upstairs.

Sufficient staff (and door staff when appropriate) will be present by the entrance of Graftorboy Lounge, situated on Warner Road.

At that point staff (peak times / busy times) staff will encourage customers to disperse towards Camberwell New Road and the waiting transport options available as quickly and quietly as possible.

Staff roles will include the following: -

1. To encourage customers to leave the premises in a quiet and orderly manner.
2. Not to allow any drinks to be taken outside the building. (Unless its takeaway customers, drinks will be sealed)
3. If a group of customers are found to be loitering near the building, then they will be politely asked to move on as quickly as possible.

General Manager's role

It is ultimately the responsibility of the General Manager on duty to ensure that:-

1. Door supervisors and staff act effectively and responsibly to comply with this policy and are aware of the importance of customers leaving as safely and quietly as possible.
2. Customers do not cause any disturbance or nuisance to any local residents within the vicinity of the premises.
3. To prioritise and assist wherever possible in ensuring that customers leave as safely, quietly and in an orderly manner as possible.