



APPENDIX B POLICE

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/21/173/20

Date: 18th November 2020

Dear Sir/Madam

Re:- Aguila Restaurant, First Floor Arch 147, Eagle Yard, London SE1 6SP

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

The premises is described as a restaurant on the first 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 except for the Sunday, which the policy recommends 00.00hrs.

If the applicant accepts condition, 5 as specified below we would only require a reduction in the Sunday hours in line with the policy. If not the hours for public houses and bars would be Sunday to Thursday 23.00hrs and Friday and Saturday 00.00hrs.

The application fails to give a full accommodation limit for the premises, which we would require.

The application contains minimal in suggested enforceable conditions. 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 which the application fails to do.

Eagle yard has been subject to a considerable amount of enforcement action result from the number of licenced premises causing anti-social behaviour and violence. The premises is also close to a number of residential premises.

We object to the granting of the licence on the grounds of Public nuisance, Crime and disorder. We would like the following condition and wording of condition offered

be included on the licence, to fully promote the prevention of crime and disorder licensing objective

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.
6. Customers shall use no outside area other than those who temporarily leave the premises to smoke a cigarette and No more than 5 people at one any time.
7. That the accommodation limit for the premises is ??? People (including staff).
8. No alcoholic drinks shall be allowed outside at any time.

Submitted for your consideration.

Yours Sincerely

PC Graham 2288AS

Southwark Police Licensing Unit

Tel: 0207 232 6756



Licensing

Place and Wellbeing Department

Planning Division

Our ref: CE/20/0388

Your ref: 873687

Contact: Gavin Blackburn

Tel: 020 7525 7007

Email: gavin.blackburn1@southwark.gov.uk

Website: <http://planning.southwark.gov.uk>

Date: 2 November 2020

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990 (as amended)

REQUEST FOR FORMAL OBSERVATIONS ON A PROPOSAL

APPLICATION: CE/20/0388

PROPOSAL: Premises licence new application New premises licence for recorded music indoors and late night refreshment indoors 2300-0100 Thurs-Sun sale of alcohol on the premises 1000-2200 Mon-Thurs 1000-0100 Fri-Sun. Opening hours 1000-0000 Mon-Thurs 1000-0100 Fri-Sun

AT: Arch 147 Eagle Yard Hampton Street

No planning permission has been found for a restaurant or bar use. The address for the site is unclear. This appears to be the fifth or sixth premises licence for a railway arch at this location. Whilst there is no in principle objection to a restaurant at this location. There is a concern that a terminal hour of 01:00 is likely to encourage a bar type use at the location. Together with other licenced premises there is the potential for a negative cumulative impact in terms of nuisance to neighbours. It is requested that the terminal hour is reduced to midnight to ensure the premises is only used as a restaurant and that a nuisance is not caused to nearby residents.

Yours faithfully
Gavin Blackburn
Team Leader - Planning Enforcement

MEMO: Licensing Unit

LICENSING

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

Subject Re: Aquila Restaurant, First floor Eagle Yard Arch, 147 Walworth Road London, SE1 6SP – Application for a premises licence

I write with regards to the above application for a premises licence submitted by Jose Ernesto Mesa Santana under the Licensing Act 2003, which seeks the following licensable activities:

- Recorded music (indoors) on Friday to Sunday from 21:30 to 01:00 the following day
- Late night refreshment (indoors) on Friday to Sunday from 23:00 to 01:00 the following day
- Supply of alcohol (on the premises) on Monday to Thursday from 10:00 to 22:00 and on Friday to Sunday from 10:00 to 01:00
- Opening times shall on Monday to Thursday from 10:00 to 00:00 and on Friday to Sunday from 10:00 to 01:00

The premises is described within the application as follows:

'The shop is a first floor of Arch 147, comprises of a family seating area, with a bar for 4 people keeping social distancing in place, The table are distributes with the social distance in mind for seating a family of 4. The main food is traditional Caribbean, with light alcohol drinks to be serve with. There is a ladies toiles on the floor locates at the end on the right hand side next to the stairs, going down the stairs is the men's toilets. The main entrance is by the front door, taking stairs on the left hand side, There is a emergency route at the back of the premises on the stairs leading to the men's toilet'.

This premise is situated within the Elephant and Castle Major Town Centre and under the Southwark Statement of Licensing policy 2019 – 2021 the appropriate closing times for restaurants and cafes on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours. The appropriate closing time for public houses, wine bars or other drinking establishments on Sunday to Thursday is 23:00 hours and for Friday and Saturday is 00:00 hours.

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 application is seeking hours in excess of that which is recommended for a Bar in this area within the licensing policy, however the hours are within the hours recommended for a Restaurant (except for Sundays which is an hour in excess).

The premises is very close to local residents 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 patrons have left the premises

To promote the licensing objectives and to avoid any ambiguity as to whether the premises will retain its nature as a restaurant I ask the applicant to consider adding the following condition 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

And to reduce the Sunday opening hours (and in turn the licensable activities) to be in line with the licensing policy and to reduce sales of alcohol on Friday and Saturday and Sunday to allow for half an hour drinking up time also as follows:

- Opening hours shall cease on Sunday at 00:00
- Recorded Music shall cease on Sunday at 00:00
- Late night refreshment shall cease on Sunday at 00:00
- Supply of alcohol (on the premises) on Sunday shall cease at 23:30 and on Friday and Saturday to cease at 00:30 (this will allow for half an hour drinking up time).

Due to the limited information provided with the application 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)
- A written dispersal policy for the premises (to be conditioned)

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