

## Licensing Sub-Committee

June 8 2009

10.00 am

Town Hall, Peckham Road, London SE5 8UB

### Membership

Councillor David Hubber (Chair)  
Councillor Wilma Nelson  
Councillor Althea Smith

### Reserves

Councillor Lorraine Lauder MBE

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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**Contact: Sean Usher – [sean.usher@southwark.gov.uk](mailto:sean.usher@southwark.gov.uk)**

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Members of the committee are summoned to attend this meeting

**Annie Shepperd**

Chief Executive

Date: May 29 2009



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## Licensing Sub-Committee

Monday June 8 2009  
10.00 am  
Town Hall, Peckham Road, London SE5 8UB

### Order of Business

Item No.	Title	Page No.
<b>PART A - OPEN BUSINESS</b>		
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>LICENSING ACT 2003 - MORE, 104 TOOLEY STREET, LONDON, SE1 2TH</b>	1 - 40
6.	<b>LICENSING ACT 2003 - AFRICAN RESTAURANT AND GROCERIES, 346 EAST STREET, LONDON SE17 2SX</b>	41 - 76

**ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

**PART B - CLOSED BUSINESS**

**Item No.**

**Title**

**Page No.**

**EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

**ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

Date: May 29 2009

<b>Item No. 5</b>	<b>Classification: Open</b>	<b>Date: June 8 2009</b>	<b>MEETING NAME Licensing Sub-Committee</b>
<b>Report title:</b>		<b>LICENSING ACT 2003 – More, 104 Tooley Street, London, SE1 2TH</b>	
<b>Ward(s) or groups affected:</b>		<b>Premises are within: Riverside Ward</b>	
<b>From:</b>		<b>Director of Environment and Housing</b>	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by TKPC Limited, for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as More, 104 Tooley Street, London SE1 2TH.

### Notes:

- a) *This application forms a new application for a premises licence, under Section 17 of the Licensing Act 2003. The application is subject to representations from two interested parties and is therefore referred to the sub-committee for determination;*
- b) *Paragraphs 7 to 10 of this report provide a summary of the application the premises licence under consideration by the sub-committee (A copy of the full application is provided at Appendix A)*
- c) *Paragraphs 13 to 19 of this report deal with the representations received to the premises licence application. (Copies of the relevant representations are attached at Appendix B).*

## BACKGROUND INFORMATION

### The Licensing Act 2003

2. The Licensing Act 2003 received royal assent on 10 July 2003. The Act provides a new licensing regime for
  - a) The sale of and supply of alcohol
  - b) The provision of regulated entertainment
  - c) The provision of late night refreshment

Within Southwark, this council wholly administers the licensing responsibility.

3. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are
  - a) The prevention of crime and disorder;
  - b) The promotion of public safety
  - c) The prevention of nuisance; and
  - d) The protection of children from harm.
4. In carrying out its licensing functions, a licensing authority must also have regard to

- a) The Act itself;
  - b) The guidance to the Act issued under Section 182 of the Act;
  - c) Secondary regulations issued under the Act;
  - d) The licensing authority's own statement of licensing policy
  - e) The application, including the operating schedule submitted as part of the application
  - f) Relevant representations
5. The Act established a transitional period between 7 February 2005 and 6 August 2005 under which holders of existing justices licenses, public entertainment licenses and night café licenses were able to apply to the local licensing authority for "grandfather rights" conversion of those existing licenses into the relevant licenses under the new system. Licenses that were so converted were converted on existing terms, conditions and restrictions. The 6 August date having passed, operators must now apply for new licenses.
  6. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.

## **MATTERS FOR CONSIDERATION**

### **The premises licence application**

7. On the 18<sup>th</sup> March 2009, TKPC Limited applied to this council for the grant of a new premises licence in respect of the premises known as More, 104 Tooley Street, London, SE1 2TH.
8. A copy of the application for the new premises licence is attached to the report as Appendix A.
9. The premises licence application form provides the applicant company's operating schedule. Parts L, M, O set out the proposed operating hours. The operating controls, with reference to the four licensing objectives as stated in the Licensing Act 2003, are attached as a separate document attached to the application.
10. The application is summarized as follows
  - For the sale by retail of alcohol (to be consumed on and off the premises) from 11.00 to 00.00 on each of the days Monday to Sunday.
  - The provision of late night refreshment from 23.00 to 00.00 on each of the days Monday to Sunday.
  - The proposed opening hours are 11.00 to 00.30 on each of the days Monday to Sunday.

### **Operating History**

11. There is no prior operating history to this premises.

### **Designated premises supervisor**

12. The proposed designated premises supervisor for the premises known as More, 104 Tooley Street, London, SE1 2TH is Ms Paloma Campbell who has been granted a personal licence by the London borough of Hackney.

### **Representations from interested parties**

13. There are two representations from interested parties. They are attached as appendix B to this report. The representations relate to public nuisance.
14. Copies of the representations were forwarded to the applicant's legal representatives who responded by letter (dated the 29<sup>th</sup> of April 2009) to their concerns. A copy of this letter is attached as appendix C.
15. The applicant's legal representative wrote further a further letter (dated the 6<sup>th</sup> of May 2009) to the interested parties, courtesy of the council, and this is attached as appendix D. This letter states that the application would be amended to allow the sale of alcohol until 11.00pm, with closing times of 11.30pm each day of the week. This amendment was however subject to both interested parties withdrawing their representations. As this was not the case members are asked to consider the original application as detailed in paragraph 10 of this report.
16. The applicant's legal representative wrote further a further letter to the interested parties (dated the 14<sup>th</sup> of May 2009), courtesy of the council, and this is attached as appendix E. This letter seeks to reassure the interested parties that the operational hours as applied for will not affect the interested parties amenity. It also states that should the representations submitted by the interested parties not be withdrawn that the applicant would seek to attain the operational hours as applied for.
17. An interested party wrote a letter (dated the 20<sup>th</sup> of May 2009 and attached as appendix F) in response to the letter sent to interested parties by the applicant's legal representative dated the 14<sup>th</sup> of May 2009.
18. The applicant's legal representative sent a letter in response to the above letter dated the 27<sup>th</sup> of May. It is as attached as appendix G.

### **Representations from responsible authorities**

19. There have been no representations received from responsible authorities.

### **Disability discrimination act**

20. The Southwark Disablement Association have no comments regarding this application.

### **21. The local vicinity**

A map of the local vicinity is attached as appendix H. The premises is identified at the centre of the map as a black diamond and labelled as Goode Food to More. For the purposes of **scale only** the circle on the map has a 100-metre radius. Other licensed premises within the local vicinity are also shown on the map.

22. Council assembly approved the third revision of Southwark's statement of licensing policy on 2 April 2008. Sections of the statement that are considered to be of particular relevance to this application are
  - a) Section 3 which sets out the purpose and scope of the policy and re-inforces the four licensing objectives

- b) Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence
- c) Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998
- d) Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours
- e) Section 8 provides general guidance on ensuring public safety including safe capacities
- f) Section 9 provides general guidance on the prevention of nuisance
- g) Section 10 provides general guidance on the protection of children from harm.

23. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

#### **RESOURCE IMPLICATIONS**

24. A fee of £190 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band B.

#### **CONSULTATIONS**

25. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. An inspection of the premises was carried out on the 2<sup>nd</sup> of April 2009; however no notice was displayed at the premises. After discussions with the applicant the notice was correctly displayed at the premises on the 8<sup>th</sup> of April 2009. Due to the failure to initially display the notice, the last date for receiving representations was extended until the 1<sup>st</sup> of May 2009.

#### **EQUAL OPPORTUNITIES IMPLICATIONS**

26. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

#### **CONCURRENT REPORT BY THE STRATEGIC DIRECTOR OF COMMUNITIES, LAW & GOVERNANCE**

27. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.

28. The principles which sub-committee members must apply are set out below.

#### **Principles for making the determination**

29. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.

30. Relevant representations are those which

- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
- Are made by an interested party or responsible authority
- Have not been withdrawn.
- Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

31. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to

(a) to grant the licence subject to-

- (i) The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives, and
- (ii) Any condition which must under section 19,20 or 21 be included in the licence in the licence

(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;

(c) to refuse to specify a person in the licence as the premises supervisor;

(d) to reject the application.

### Conditions

32. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.

33. The four licensing objectives are

- The prevention of crime and disorder;
- Public safety;
- The prevention of nuisance; and
- The protection of children from harm.

34. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.

35. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.

36. Members are also referred to the DCMS guidance on conditions, specifically section 7, and Annexes D, E, F and G.

### Reasons



37. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision

### **Hearing procedures**

38. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations
  - Members of the authority are free to ask any question of any party or other person appearing at the hearing
  - The committee must allow the parties an equal maximum period of time in which to exercise their rights to
    - Address the authority
    - If given permission by the committee, question any other party.
    - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
  - The committee shall disregard any information given by a party which is not relevant
    - to the particular application before the committee, and
    - the licensing objectives.
  - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
  - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
39. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

### **Council's multiple roles and the role of the licensing sub-committee**

40. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
41. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
42. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event,

the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.

43. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
44. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
45. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
46. Under the Human Rights Act 1998. The sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
47. Interested parties, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

### **Guidance**

48. Members are required to have regard to the DCMS guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

### **Background documents**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, The Chaplin Centre, Thurlow Street, London, SE17 2DG	Name: Mrs Kirty Read Phone number: 020 7525 5748

## Appendices

No.	Title
Appendix A	Premises licence application
Appendix B	Representations from interested parties
Appendix C	Correspondence from the applicant's legal representative.
Appendix D	Correspondence from the applicant's legal representative.
Appendix E	Correspondence from the applicant's legal representative.
Appendix F	Correspondence from an interested party.
Appendix G	Correspondence from the applicant's legal representative.
Appendix H	Map of the local vicinity.

## Audit trail

Lead Officer	Jonathon Toy, Head of Community safety and Enforcement	
Report Author	Wesley McArthur, Licensing Enforcement Officer	
Version	Final	
Dated	28 <sup>th</sup> April 2009	
Key Decision	No	
Consultation with other Officers / Directorates		
Officer Title	Comments sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes

LICENSING ACT 2003  
Section 17

APPENDIX A

RECEIVED  
18 MAR 2003

## Application for a premises licence to be granted under the Licensing Act 2003

- (1) The Licensing Service  
Southwark Environmental Health and Trading Standards  
The Chaplin Centre  
Thurlow Street London SE17 2DG

Reference number:

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records

- (2) I/We TKPC LIMITED

apply for a premises licence under section 17  
the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

### Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description	
104 TOOLEY STREET	
Post town LONDON	Postcode SE1 2TH
Telephone number at premises(if any)	UNKNOWN
Non-domestic rateable value of premises	£ 8200.00

### Part 2 - Applicant details

Please state whether you are applying for a premises licence as

- Please tick ✓ yes
- a) an individual or individuals\*  please complete section (A)
- b) a person other than an individual\*
- i. as a limited company  please complete section (B)
- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association; or  please complete section (B)
- iv. other (for example a statutory corporation)  please complete section (B)

(1) Insert name and address of relevant licensing authority and its reference number (optional)

(2) Insert name(s) of applicant

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or Please tick  yes
- I am making the application pursuant to
  - a statutory function; or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title  (for example, Rev)

Surname  First names

I am 18 years old or over  Please tick  yes  
 Date of birth 

Day	Month	Year

Current postal address if different from premises address

Post town  Postcode

Daytime contact telephone number

E-mail address (optional)

**SECOND INDIVIDUAL APPLICANT (if applicable)**Mr Mrs Miss Ms Other title  
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Date of birth

Day      Month      Year

Current postal address if different from premises address

Post town

Postcode

Daytime contact telephone number

E-mail address  
(optional)**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name

TKPC LIMITED

Address

8 LINCOLN'S INNS FIELDS

LONDON WC2A 3BP

Registered number (where applicable)      06320939

Description of applicant (for example partnership, company, unincorporated association etc.)

PRIVATE LIMITED COMPANY

Telephone number (if any)

E-mail address (optional)

### Part 3 - Operating Schedule

When do you want the premises licences to start?

Day		Month		Year	
A	S	A	P		

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year	

Please give a general description of the premises (please read guidance note 1)

A BAR/RESTAURANT SELLING ALCOHOL, HOT AND COLD FOOD AND NON-INTOXICATING BEVERAGES.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick ✓ yes

- |  |                          |
|--|--------------------------|
| a) plays (if ticking yes, fill in box A)   | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B)   | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)  | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)   | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E)  | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)  | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)   | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)<br>(if ticking yes, fill in box H) | <input type="checkbox"/> |

**Provision of entertainment facilities for:**

- |  |                          |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I)  | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)   | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)<br>(if ticking yes, fill in box K) | <input type="checkbox"/> |

**Provision of late night refreshment** (if ticking yes, fill in box L)

**Supply of alcohol** (if ticking yes, fill in box M)

**In all cases complete boxes N, O and P**



L

<b>Late night refreshment</b>			Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	23:00	00:00	Please give further details here (please read guidance note 3) PROVISION OF HOT FOOD AND DRINKS AT THE MANAGERS DISCRETION.
Tue	23:00	00:00	
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) TO EXTEND THE TERMINAL HOUR UNTIL 02:00 ON NEW YEARS EVE.
Thur	23:00	00:00	
Fri	23:00	00:00	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5) N/A
Sat	23:00	00:00	
Sun	23:00	00:00	

M

<b>Supply of alcohol</b>			Will the sale of alcohol be for consumption - please tick box <input checked="" type="checkbox"/> (please read guidance note 7)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	On the premises <input type="checkbox"/> Off the premises <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Mon	11:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 4) TO EXTEND THE TERMINAL HOUR UNTIL 02:00 ON NEW YEARS EVE.
Tue	11:00	00:00	
Wed	11:00	00:00	
Thur	11:00	00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5) N/A
Fri	11:00	00:00	
Sat	11:00	00:00	
Sun	11:00	00:00	

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name PALOMA CAMPBELL

Address 85 HARTLAND ROAD  
LONDON

Postcode NW6 6BH

Personal Licence number (if known) LBH-PER-T-0533

Issuing licensing authority (if known) LONDON BOROUGH OF HACKNEY

## N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

N/A

## O

### Hours premises are open to the public

Standard days and timings  
(please read guidance note 6)

Day	Start	Finish
Mon	11:00	00:30
Tue	11:00	00:30
Wed	11:00	00:30
Thur	11:00	00:30
Fri	11:00	00:30
Sat	11:00	00:30
Sun	11:00	00:30

State any seasonal variations (please read guidance note 4)

TO EXTEND THE TERMINAL HOUR UNTIL 02:30 ON NEW YEARS EVE.

Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

N/A

**P** Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b, c, d, e) (please read guidance note 9)

Please see below.

b) The prevention of crime and disorder

Drinks promotions will not be permitted allowing unlimited supply of alcohol for a set price.

Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the trading hours.

c) Public safety

The applicant will comply with the reasonable requirements of the Building Control Officer.

The applicant will comply with the reasonable requirements of the Fire Officer.

The premises will be risk assessed from time to time in accordance with relevant legislation.

An adequate and appropriate supply of first aid equipment and materials is to be available on the premises.

d) The prevention of public nuisance

The Licensee shall prominently display a notice reminding the patrons to leave the premises in an orderly fashion.

The premises will be operated in accordance with Health and Safety and related legislation in order to ensure the safety of customers and staff.

e) The protection of children from harm

Persons under the age of 16 shall be accompanied and supervised by an adult.

Appropriate steps will be taken by management to ensure no underage sales will occur.

## CHECKLIST:

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

**Part 4 - Signatures** (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 11)  
If signing on behalf of the applicant please state in what capacity.

Signature

*Joelson Wilson & Co*

Date

17 MARCH 2009

Capacity

JOELSON WILSON &amp; CO SOLICITORS FOR AND ON BEHALF OF THE APPLICANT

For joint applications signature of 2nd applicant, 2nd applicant's solicitor or other authorised agent.  
(Please read guidance note 12)

If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

CORINNE HOLLOWAY

JOELSON WILSON &amp; CO SOLICITORS

30 PORTLAND PLACE

Post town LONDON

Postcode W1B 1LZ

Telephone number (if any) 020 7580 5721

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

ch@joelsonwilson.com

LICENSING ACT 2003  
Section 37(3)

## Consent of individual to being specified as premises supervisor

Reference number:

I *[full name of prospective premises supervisor]*  
PALOMA CAMPBELL

of *[home address of prospective premises supervisor]*  
85 HARTLAND ROAD  
LONDON  
NW6 6BH

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

*[type of application]*  
PREMISES LICENCE APPLICATION

by

*[name of applicant]*  
TKPC LIMITED

relating to a premises licence

*[number of existing licence, if any]* N/A

for

*[name and address of premises to which the application relates]*  
104 TOOLEY STREET  
LONDON  
SE1 2TH

and any premises licence to be granted or varied in respect of this application made by  
*[name of applicant]* TKPC LIMITED

CONTINUED

concerning the supply of alcohol at

*[name and address of premises to which application relates]*

104 TOOLEY STREET  
LONDON  
SE1 2TH

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number LBH-PER-T-0533

*[insert personal licence number, if any]*

Personal licence issuing authority

*[insert name and address and telephone number of personal licence issuing authority, if any]*

LONDON BOROUGH OF HACKNEY  
TOWN HALL  
MARE STREET  
LONDON  
E8 1EA  
0208 356 5000

Signed



Name (please print)

Paloma Campbell

Date

12/31/09

## APPENDIX B

FLAT 3  
ASTON WEBB HOUSE  
115 TOOLEY STREET  
LONDON  
SE1 2AT

RECEIVED

16 APR 2009

14<sup>th</sup> April 2009

Dear Sir,

LICENSE APPLICATION 829419 @ 104 TOOLEY STREET, SE1

I am writing to object to the above application for a license at a property which is located opposite my home. Whilst it is common for people not to realise that people live on Tooley Street, the area around the application site contains residential properties on both sides of the road, including the upper floors above the shops to the sides of the site and, for this reason, the property is unsuitable for the activity proposed.

The site notice advises that it is intended to sell alcohol for consumption indoors and outdoors until midnight every day and for closure of the property and the associated departure of customers at 12.30am every day. This is an unacceptably late time for the generation of noise and activity in a residential area and, if allowed, this will only lead to constant disturbance and complaints.

Residents in the area recognise and live with its busy nature, but already experience serious disruption from those out late at night on Fridays and weekends in particular. This regularly involves groups of people, as opposed to individuals, and is not only a disturbance at many times throughout the night but is also menacing. In these circumstances, it is unthinkable that a use selling alcohol until midnight and releasing crowds of people at 12.30am could be considered acceptable where residential amenity is highly vulnerable.

It is inevitable that customers will gather on the street outside the property to smoke and drink which can have no other outcome but late night noise every day of the week. This may be acceptable in a commercial area, but can't be so where homes are adjacent and opposite. Whilst I note that the Council's website suggests that the property should have notices advising against creating noise, these are hardly likely to be influential to those who are still drinking at midnight and are unlikely to be under the "control" of the operator once they have left the building and are wandering around Tooley Street.

I'm not sure whether a site visit is normal for a License application, but I would strongly recommend one. Our flats are regularly abused throughout the day and night by people sitting on the bedroom window cills with drinks and cigarettes.

The cills front the pavement and are the right height for this. You can imagine how disturbing this is throughout the night and there are also problems of threatening behaviour and abuse when one asks them to move on. This is an existing problem which can, clearly, be expected to be exacerbated by the proposed License.

We have no objection to commercial uses or those selling alcohol, but do object to the proposed operating hours. There can be no case of need for this as the area already has a large number of bars and restaurants.

For these reasons, we ask you to refuse this application and show respect for the amenity of local residents.

We assume that the application will be considered by Committee and would be grateful if you will advise us of the date and venue in order that we can attend.

Yours faithfully,

A handwritten signature in blue ink that reads "C. Green".

CAROLINE GREEN



*Chaplin  
Centre*

ALAN GREEN JP FRICS  
FLAT 3  
ASTON WEBB HOUSE  
TOOLEY STREET  
LONDON  
SE1 2AT

RECEIVED ON  
28 APR 2009  
TOOLEY POST ROOM

RECEIVED  
30 APR 2009

23<sup>rd</sup> April 2009

Dear Sir,

PREMISES LICENSE APPLICATION – GOODE FOODS, 104 TOOLEY STREET,  
SE1 2TH

I write as a local resident, a Chartered Surveyor and Deputy Chairman of Lambeth and Southwark Bench. The latter not admitted so as to impress but to advise that I may have a little more local knowledge than most.

Tooley Street was always a shopping street, in its own way, and has gradually changed with the advent of morelondon to embrace other ground floor uses such as takeaways, dentists and a number of former A1 uses have become office space

From Stainer Street moving eastwards we have the long standing Chinese Restaurant at 94, Tooley Street, then at 96 the Fuzzys Sandwich Bar, then 100 a vacant unit which appears now to have an A3 consent, then the Thai Restaurant at 102, and then we arrive at 104. The latter used to be a sandwich shop and was a valued part of the local Community.

So the entirety of the south side of Tooley Street will become totally A3 use, as so is the opposite side of the road with the café bars on the morelondon frontage and within a few yards other A3 uses to encompass Dim Tee, Gauchos, Strada and the facilities to eat and drink within the new Hilton Hotel. There are also more A3 uses proposed to the east in the continuation of the morelondon development.

Whilst this letter is written in haste and without having had time to study the Local Plan I find myself amazed at the ease in which A3 uses take over, but that is not my primary concern.

If you have granted an A3 consent on 104 so be it, but I take most enormous objection to off sales of alcohol, or indeed alcohol sales of any type after say 11.00pm.

There can be no real need for folk to buy alcohol after that hour, they should have done so before they set out. And having not done so they are unlikely to take the alcohol home to drink but to drink in the nearest most convenient place, with or without any toilet facilities.

We live opposite the License Application site and we have suffered for many years from noise, nuisance and disruption, particularly at weekends, from pedestrians and groups of people who are, clearly, affected by alcohol late at night. They sit on the steps and window cills of our property and congregate on the pavement.

We have had to resort to Southwark Noise Control on many occasions and, despite the fact that this is some sort of recourse, it is not the way people should have to live their lives on a daily basis. While we know we have the right to complain via legislation, why should we be forced to have our night-times disturbed by having to make the complaints because people are facilitated in behaving poorly because of late Licenses in unsuitable locations ?

Therefore, we most strongly object to the granting of the License and ask that, if there is to be a License at all, that it is for a much shorter period of time and does not allow off-sales. The latest suitable time would be 11.00pm, which is adequately late to allow people to enjoy themselves, for the business to flourish and for local residents to enjoy some reasonable amenity.

Will you please record my objection which is made well in advance of the closing date of 1<sup>st</sup> May as displayed on the Site Notice (although, I see that the Council's website incorrectly records a different date).

I look forward to receiving your response and advice on the date of the Committee.

Yours faithfully,



ALAN GREEN

## APPENDIX C

## JOELSON WILSON

29 April 2009

Our ref: SCC.T157/1

JOELSON WILSON & CO  
Solicitors  
30 Portland Place  
London W1B 1LZ

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W: www.joelsonwilson.com  
DX: 9001 West End

Aston Webb House  
115 Tooley Street  
London SE1 2AT

Sheldon Cordell  
David Clifton  
Suzanne Davies  
Paul Chiappe  
Christopher Evans  
Philippe Hails-Smith  
Joanne Gregory  
Consultant  
Mark Barber

Dear Sir/Madam

APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003 – 104 TOOLEY STREET, LONDON

We act for TKPC Limited which has applied for a premises licence at the abovementioned address. Rosanna Keogh of Southwark Council Licensing Team has forwarded to us a copy of your representation in the hope that, in the spirit of encouraging negotiation between parties, we can attempt to address the concerns you have regarding our client's application.

Firstly, I would like to set out some background information regarding our client and the nature of the proposed restaurant which it intends to operate. Our client runs a small, independent company and has, over the years, run a handful of well-known restaurants around London, some of which operate in residential areas quite similar in nature to Tooley Street. The company is consequently very aware of the need to co-operate and foster a good relationship with residential neighbours and, over many years of trading, is proud not to have received a single complaint as a result of the operation of any of its businesses from local residents regarding disruption or noise. Indeed, restaurant staff and management at all of the businesses have actively encouraged their customers to leave in a quiet and orderly manner.

The proposed restaurant will seat approximately thirty people and will very much be focused on food and not alcohol. Evening customers will be required to eat at the restaurant in order to be able to consume alcohol and this policy will avoid attracting any potentially raucous customers. Our client does not wish to attract such people to the area as it recognises the disturbance they could cause to both the restaurant staff and other customers and to the local area. The limited space in the premises will mean that customers cannot simply stand at the bar to drink – the premises will be a sit-down restaurant in the true sense of the word. Although our client has applied for a closing time of 12:30am, this has been done to preserve flexibility and in reality the restaurant will generally be closing at approximately 10:30pm to 11pm.

cont'd...

-2-

To turn to the particular concerns noted in your letter, please note that the applicant has already acquired planning permission for the use of the premises as a restaurant. As you will no doubt be aware, the planning process does consider the issues of noise, disturbance and residential amenity. The applicant has applied to be licensed for the sale of alcohol both on and off the premises. There is no suggestion, however, that the restaurant will be selling alcohol for general consumption outside the premises. The provision to authorise off sales is merely to cover circumstances where diners do not finish a bottle of wine with their meal and so wish to take the re-corked bottle home.

In relation to your concern that the premises would be releasing crowds of people onto the streets in the early hours of the morning, we would draw a distinction between a small restaurant with a maximum capacity of thirty people and a large chain restaurant housing many more people than this. It is not envisaged that all customers will leave all together at closing time as may be the case with a restaurant that opens very late and where people go to drink rather than to eat. Our client has many years' experience in the trade and expects customers to arrive and leave at varying times throughout the evening and for the last customers to be leaving at around 11pm.

We note your concern that customers would disturb you and your fellow residents by sitting on your window sills. Our client firmly believes that the style of our operation would attract a clientele that would have sufficient respect for residents' property so as not to engage in such activity and if necessary our client's staff would strongly discourage customers from disrupting residents' peace in any way.

In order to give you a better idea of the restaurant concept and the proposed style of operation, our client would like to invite you to a meeting in order that you can discuss any remaining concerns that you may have and to reassure you that it is very unlikely that the style of restaurant proposed will give rise to the type of disturbance which you describe in your letter.

Should you wish to meet to discuss the issue, please do not hesitate to contact Rosanna Keogh of Southwark Council Licensing who will arrange a meeting time with our client. We hope that this letter has given you sufficient information to set your mind at rest regarding our client's proposals for what is, quite emphatically, a restaurant rather than a bar and which, our client believes, will bring benefit to the community in terms of amenity and in creating some 20 or so jobs locally. In the event that you wish to withdraw your representation in order to save the time and expense of a hearing on this matter, we should be grateful if you would copy in Sarah Cooper of these offices ([scc@joelsonwilson.com](mailto:scc@joelsonwilson.com)) on any correspondence with Ms Keogh of the Council. However, if you do have any further questions regarding our client's application, please do not hesitate to contact us and we will be more than happy to assist you.

Yours faithfully

JOELSON WILSON & CO.

JOELSON WILSON

APPENDIX D

6 May 2009

Our Ref: AHM.AES.T157/1

JOELSON WILSON LLP  
Solicitors  
30 Portland Place  
London W1B 1LZ

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Partners  
Sheldon Cordell  
David Clifton  
Suzanne Davies  
Paul Chiappe  
Christopher Evans  
Philippe Halls-Smith  
Joanne Gregory  
Maria Guida  
Consultant  
Mark Barber

Dear Madam

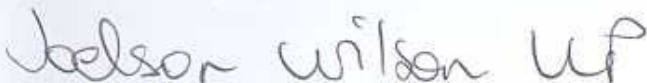
RE: APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003 – 104  
TOOLEY STREET, LONDON

I write with reference to your letter of representation, passed to me by Southwark Borough Council. I have shown this letter to my client, who is mindful of your concerns relating to the sales of alcohol later on in the evening.

My client has taken heed of those concerns and accordingly proposes, in the event that both residential representations in this matter are withdrawn and the need for attendance at a hearing is dispensed with, to amend this application to reduce the hours for sales of alcohol so that such sales cease at 11:00 p.m., seven days a week and so that the premises shall close at 11:30 p.m., seven days a week. It follows that the application for late night refreshment would be amended so that the provision of late night refreshment would terminate at 11:00 p.m., seven days a week.

Perhaps you would be kind enough to let Rosanna Keogh of the Licensing Authority know whether this proposal is acceptable to you. Should you have any queries in relation to this letter, please do not hesitate to contact Anna Mathias of these offices on the telephone number shown above.

Yours faithfully



JOELSON WILSON LLP

## JOELSON WILSON

6 May 2009

Our Ref: AHM.AES.T157/1

JOELSON WILSON LLP  
Solicitors  
30 Portland Place  
London W1B 1LZ

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David Clifton  
Suzanne Davies  
Paul Chiappe  
Christopher Evans  
Philippe Hails-Smith  
Joanne Gregory  
Maria Guida  
Consultant  
Mark Barber

Dear Sir

RE: APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003 – 104 TOOLEY STREET, LONDON

I write with reference to your letter of representation, passed to me by Southwark Borough Council today. I have shown this letter to my client, who is mindful of your concerns relating to the sales of alcohol later on in the evening.

My client has taken heed of those concerns and accordingly proposes, in the event that both residential representations in this matter are withdrawn and the need for attendance at a hearing is dispensed with, to amend this application to reduce the hours for sales of alcohol so that such sales cease at 11:00 p.m., seven days a week and so that the premises shall close at 11:30 p.m., seven days a week. It follows that the application for late night refreshment would be amended so that the provision of late night refreshment would terminate at 11:00 p.m., seven days a week.

Perhaps you would be kind enough to let Rosanna Keogh of the Licensing Authority know whether this proposal is acceptable to you. Should you have any queries in relation to this letter, please do not hesitate to contact Anna Mathias of these offices on the telephone number shown above.

Yours faithfully

  
JOELSON WILSON LLP

APPENDIX E

JOELSON WILSON

14 May 2009

Our ref: CLH.SCC.T157/1

JOELSON WILSON LLP  
Solicitors  
30 Portland Place  
London W1B 1LZ

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E: info@joelsonwilson.com  
W: www.joelsonwilson.com  
DX: 9001 West End

SENT VIA SOUTHWARK COUNCIL

Aston Webb House  
115 Tooley Street  
London SE1 2AT

RECEIVED

15 MAY 2009

Partners  
Sheldon Cordell  
David Clifton  
Suzanne Davies  
Paul Chiappe  
Christopher Evans  
Philippe Hails-Smith  
Joanne Gregory  
Maria Guida  
Consultant  
Mark Barber

Dear Sir/Madam

APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003 – 'MORE',  
104 TOOLEY STREET, LONDON

We write further to our letters dated 29<sup>th</sup> April and 6<sup>th</sup> May to which we are disappointed to have had no reply.

We would like to extend to you our clients' continued invitation to show you around the premises and to discuss with you the style of restaurant which they will be operating. We enclose a copy of a sample menu with this letter in order to illustrate again that the 30-seater restaurant will not be a hub for the type of crowd who would normally attend the bars and pubs in the vicinity solely to drink and not to enjoy a meal. We also attach a flyer which provides details of the concept of the restaurant.

It appears that the source of the problems which you outline in your letter regarding people abusing your window sills are the guests of the Hilton Hotel which is very near to your home and to our clients' premises, More. Regretably, our clients have no influence over whether adequate facilities are provided by the Hilton Hotel to their guests but we would advise you that legal action can be taken by those affected by noise and nuisance emanating from licensed premises and the Council can advise you on this if your amenity is being adversely affected.

We would draw your attention to the fact that customers of More will not be congregating outside the front of the premises in order to drink or smoke as the premises has an open area at the back (away from the street) where customers will be able to smoke, should they wish.

We feel that, by writing to you on several occasions and by offering to reduce our hours upon withdrawal of your representation, our clients have really done their utmost to accommodate local residents in this process. You may be aware that neither our clients, nor we, are permitted by the Council to correspond with you directly and that is why we have sent letters to you via the Council.

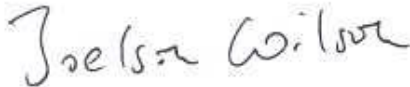
cont'd...

-2-

Our clients would be more than happy to listen to any suggestions you may have which would assist in reducing the impact of any problems in the immediate vicinity of your residence and the premises. We would urge you, therefore, in the spirit of local co-operation, to please contact us or the premises directly to see if any agreement can be reached without having to resort to the formal process of a licensing sub-committee hearing. Our attempts to address local concerns will of course be presented to the licensing sub-committee should the matter proceed to a hearing and, should a hearing prove necessary, our clients will be pursuing the application for the hours initially applied for.

Should you wish to contact us, please call Anna Mathias or Sarah Cooper on the number set out above or please simply introduce yourself at the premises where the manager will be more than happy to discuss the matter with you.

Yours faithfully



JOELSON WILSON LLP

Enc.



**more**

to eat • to drink • to take away

## breakfast

*Whether you've got time to sit or are dashing to your desk, we've got the best dishes to start the day*

*Everything marked with a ☉ is available to take away*

- Bread, butter, honey and homemade jam
- Crunchy peanut butter and banana sandwich ☉
- Seasonal fruits, yogurt and cottage cheese with roasted seeds, cinnamon and honey ☉
- Bircher muesli with strawberries and hazelnuts ☉
- Smoked salmon sandwich with dill and chive cottage cheese and pickled cucumber ☉
- Alitalia marmite sandwich (tomato, mozzarella and basil marmite) ☉
- Boiled egg with gentlemen's relish soldiers
- Pork sausage sandwich with parliament sauce ☉
- Sweet potato, pepper and roast red onion frittata with sesame seeds
- Rarebit of mixed cheeses on toast with tomato relish

### Today's cake

- Banana, date and cinnamon yoghurt streusel ☉

## saturday brunch

*Brunch will be served from 10 to 6 on Saturdays*

*Everything marked with a ☉ is available to take away*

- Bread, butter, honey and homemade jam
- Seasonal fruits, yogurt and cottage cheese with roasted seeds, cinnamon and honey ☉
- Fried eggs & feta on toast with slow-roast tomatoes, spring onions & cumin ☉
- Filo pie with ricotta, manouri, sweet leeks, mint and cinnamon served with tomato and honey relish
- Grilled kippers, salad of potatoes & cottage cheese, radishes, sweet & sour cucumbers ☉
- Pea, cherry tomato and tarragon soup with Greek yoghurt ☉
- Artichoke, courgette, Cypriot rocket, spinach and fresh goats cheese salad with mint & pine nut dressing ☉
- Marinated roast chicken, asparagus and morcilla
- Fish cakes with cumin & sweet pepper, beetroot tzatziki, fennel, watercress and caper-berries
- Poached gammon, broad beans with chervil & chives, mustard crème fraiche
- Berliner bratwurst with curried baked beans on toast ☉
- Poached gammon and mustard crème fraiche sandwich ☉ ONLY

## sunday brunch

*Brunch will be served from 10 to 5 on Sundays*

- Bread, butter, honey and homemade jam
- Seasonal fruits, yogurt and cottage cheese with roasted seeds, cinnamon and honey
- Fried eggs & feta on toast with slow-roast tomatoes, spring onions & cumin
- Filo pie with ricotta, manouri, sweet leeks, mint and cinnamon served with tomato and honey relish
- Grilled kippers, salad of potatoes & cottage cheese, radishes, sweet & sour cucumbers
- Pea, cherry tomato and tarragon soup with Greek yoghurt
- Artichoke, courgette, Cypriot rocket, spinach and fresh goats cheese salad with mint & pine nut dressing
- Marinated roast chicken, asparagus and morcilla
- Fish cakes with cumin & sweet pepper, beetroot tzatziki, fennel, watercress and caper-berries
- Poached gammon, broad beans with chervil & chives, mustard crème fraiche
- Berliner bratwurst with curried baked beans on toast
- Wild salmon with beetroot, anchovy, capers and chopped egg
- Roasted spring lamb, slow cooked seasonal vegetables, and smoked aubergine puree
- Ribeye with red bitter leaf salad and horseradish vinaigrette
- Papardelle carbonara-style with asparagus and duck egg

## lunch

Marinated olives and radishes

Pea, cherry tomato and tarragon soup with Greek yoghurt

Grilled mackerel with broad bean salad and tartare sauce

Duck livers, spicy avocado and pickled walnuts

Indian railway lunch on toast

(crab meat with herbs, chillies and chopped eggs)

Braised squid, fennel, leeks, white wine, saffron and gremolata

Meat parcels in a clear lemony broth with watercress and chilli

Artichoke, courgette, Cypriot rocket, spinach and fresh goats cheese salad with mint & pine nut dressing

Seasonal leaf salad

Rosemary and garlic roasted potatoes

Warm cannellini beans, spicy salami with sauce vierge

Crevettes a la plancha with peach, pepper and feta relish

Papardelle carbonara-style with asparagus and duck egg

Wild salmon with beetroot, anchovy, capers and chopped egg

Roasted spring lamb, slow cooked seasonal vegetables, and smoked aubergine puree

Ribeye with red bitter leaf salad and horseradish vinaigrette

### Desserts

Pistachio, almond and lemon cake with poached peach & sheep's milk yoghurt

Chocolate budino with coffee and cardamom syrup & marscapone

Rhubarb and Frangelico tiramisu

Strawberry and balsamic ice cream

Bitter chocolate, honey and toasted cinnamon ice cream

Mango and lime sorbet

Cheese

## take-out lunch

Tomato, marinated olives and radish salad

Pea, cherry tomato and tarragon soup with Greek yoghurt

Artichoke, courgette, Cypriot rocket, spinach and fresh goats cheese salad with mint & pine nut dressing

Rosemary and garlic roasted potatoes with watercress

Warm cannellini beans, spicy salami with sauce vierge

Slow cooked seasonal vegetables, and smoked aubergine puree

Poached salmon with asparagus and sweet leeks

### Sandwiches

Hot roast lamb with quince aioli

Smoked salmon with dill & chive cottage cheese, & pickled cucumber

Alitalia marmite (tomato, mozzarella and basil marmite)

Hot sausage with piccalilli and Keen's cheddar

### Today's cake

Banana, date and cinnamon yoghurt streusel

## dinner

### Starters

Marinated olives and radishes

Pea, cherry tomato and tarragon soup with Greek yoghurt

Grilled mackerel with broad bean salad and tartare sauce

Duck livers, spicy avocado and pickled walnuts

Braised squid, fennel, leeks, white wine, saffron and gremolata

Sliced cold meat with sweet leeks and piccalilli

### Main courses

Wild salmon with beetroot, anchovy, capers and chopped egg

Roasted spring lamb, slow cooked seasonal vegetables, and smoked aubergine puree

Ribeye with red bitter leaf salad and horseradish vinaigrette

Papardelle carbonara-style with asparagus and duck egg

Pork fillet and seafood in spiced vegetable broth

Seasonal leaf salad

### Side orders

Tomatoes with seasonal herbs and sweet-cured olives

Artichoke, courgette, Cypriot rocket and spinach salad with mint & pine nut dressing

Rosemary and garlic-roasted potatoes

Cannellini beans, spicy salami with sauce vierge

### Desserts

Pistachio, almond and lemon cake with poached peach & sheep's milk yoghurt

Chocolate budino with coffee and cardamom syrup & marscapone

Rhubarb and Frangelico tiramisu

Strawberry and balsamic ice cream

Bitter chocolate, honey and toasted cinnamon ice cream

Mango and lime sorbet

Cheese

## winelist

### White

Villa Saint-Jean, Vin de Pays Méditerranée, 2007, France  
 Vinho Verde, Quinta da Naude, Portugal  
 Alqueza Maccabeo, Chardonnay 2008, Spain  
 Verdicchio, Italy  
 Grecanico, Terre di Giunara, Caruso & Minini, Sicily 2007, Italy  
 Montarels Sauvignon Blanc 2007, Languedoc, France  
 Gavi, Italy  
 Riefle Pinot Blanc 2007, Alsace, France  
 Montany 1er Cru, Burgundy, France  
 Morin Sancerre PMG 2007, Loire, France

### Red

Villa Saint-Jean, Vin de Pays Méditerranée, 2007, France  
 Montepulciano d'Abruzzo, 2007, Italy  
 Monastrelli, Jumilla, 2006, Spain  
 Anjou Gamay, 2006, Loire, France  
 Marques de Aragon Tinto Garnacha, Calatayud, 2007, Spain  
 Montarels Merlot, 2007, Languedoc, France  
 Quinta de Portal, 2006, Portugal  
 Luzon Tinto 2007, Jumilla, Spain  
 Vacqueyras, Domaine la Garrigue, 2005, Rhône, France  
 La Spinetta, Barbera d'Asti Ca'di Pian 2006, Piedmont, Italy

### Rosé

Montarels Syrah Rose 2007, Languedoc, France

## contact details

104 Topley Street  
 London  
 SE1 2TH  
 ■ manager@more.me  
 T +44 20 7403 0635  
 F +44 20 7998 1556  
 TWITTER moremenu  
 www.more.me

## opening times

Monday to Friday 8 am - 11 pm  
*for breakfast, lunch, tea, dinner and supper*

Saturday 10 am - 11 pm  
*for brunch, dinner and supper*

Sunday 10 am - 4 pm  
*for brunch*

**More is the brainchild of Theodore Kyriakou and Paloma Campbell. They like local restaurants that mean something to the communities they are in – they were the team behind Livebait in The Cut and The Real Greek in Hoxton.**

"We're not clipboard people," says Theodore. "we wanted to open a small intimate restaurant where we could be hands on and really know our clientele."

"We want our customers to really feel like they are at home," adds Paloma. To that end, there is no barrier between the kitchen and the dining room, and everyone will be able to see the action over the burners, just like in your own kitchen. And it will be Theodore and the business's third partner, Beatrice Ferrante that will be cooking most of the time.

Their aim is to cook as if they were cooking at home, picking up the best quality ingredients as they come into season and as they find them, and putting them together to create healthy menus full of fresh and exhilarating flavours. Theodore's plan is to create a little piece of foodie heaven in London Bridge – "I want to be able to say 'It's spring, time for spring lamb!' or if something looks interesting at Billingsgate, to be able to put it on the menu for a week."

*Best of all, it won't just be for people with the time to sit, as More even has its own fresh takeaway menu too.*

104 Tooting Street, London SE1 2TH

**E** manager@more.me

**T** +44 20 7403 0635

**F** +44 20 7998 1556

**TWITTER** moremenu

www.more.me

**The More day starts at 8 and finishes late, with a menu that changes throughout the day.**

Our menu is seasonal, and changes all the time, but these are some of the things you might find when you come in. And whenever it's possible, the same great food will be available to take away.

**So Breakfast might include...**

Bircher muesli with strawberries and hazelnuts, Smoked salmon sandwich with dill and chive cottage cheese and pickled cucumber, Alitalia marmite sandwich (tomato, mozzarella and basil marmite), or Boiled egg with gentlemen's relish soldiers

**Lunch could be...**

Pea, cherry tomato and tarragon soup with Greek yoghurt, Grilled mackerel with broad bean salad and tartare sauce, or Indian railway lunch on toast (crab meat with herbs, chillies and chopped eggs) to start;

Artichoke, courgette, Cypriot rocket, spinach and fresh goats cheese salad with mint & pine nut dressing, Crevettes a la plancha with peach, pepper and feta relish, or Papardelle carbonara style with asparagus for the main course;

Or a selection of sandwiches to enjoy in the park

**And as for Dinner...**

Grilled squid, sweet roasted saffron shallots with chopped herbs and lemon zest; Sliced cold meat with sweet leeks and piccalilli, or Duck livers, spicy avocado and pickled walnuts might be followed by;

Wild salmon with roast beetroots, anchovy, capers and chopped egg, Roast spring lamb, slow cooked seasonal vegetables, and smoked aubergine puree, Ribeye with red chicory salad and horseradish vinaigrette, or Surf and turf soup with vegetables and chermoula

## APPENDIX F

**ALAN GREEN JP FRICS  
FLAT 3  
ASTON WEBB HOUSE  
115 TOOLEY STREET  
LONDON  
SE1 2AT**

RECEIVED  
26 MAY 2009

20<sup>th</sup> May 2009

Dear Ms Keogh,

**104 TOOLEY STREET, SE1 - GOODE FOODS TO MORE RESTAURANT**

Thankyou for your letter of 14<sup>th</sup> May and I set out below the response on behalf of my wife and me. For ease, a copy of this letter has also been sent to Joelson Wilson, the applicant's solicitor.

First, apologies for the delay in responding, but I have been on leave. I note that Joelson Wilson on behalf of the applicant express disappointment that I have failed to reply to their two letters of 29<sup>th</sup> April and 6<sup>th</sup> May but I have only received the latter and, as noted above, this arrived when I was on leave. I would appreciate the applicant showing a little more respect than to criticise me for failing to respond to letters which have not arrived and for waiting only 5 working days to send a reminder letter with a complaint against a lack of reply. Whilst this may be their job for which they are getting paid, some of us have other things to do with our time.

I am pleased, however, that the applicant has taken the trouble to respond to my comments and I welcome their advice. I note, however, that the restaurant is fully in place and has opened today, which seems something of a surprise given the fact that a number of consents are still outstanding.

However, in response to the comments of Joelson Wilson, I make the following replies.

I'm not sure why Joelson Wilson should feel that it knows that it is the Hilton Hotel guests who abuse the use of our window cills, as they are not local and no evidence is offered. I live here and I can clearly say that it is general members of the public; primarily those who have been visiting local entertainment and some of which are still drinking alcohol when deciding to sit, smoke and chat on our property. I can quite clearly imagine this happening with the More customers. There can be no value attached to their assumptions as I would suggest that they lack local knowledge and their comments are made in error and, I suspect, in desperation in defence of their client's proposals.

It would also be more respectful if the letters of Joelson Wilson did not deteriorate into threats as that of 14<sup>th</sup> May; presumably because I failed to reply to their letter of only five working days previous. They claim to have made a great effort in consulting local residents via correspondence but if they attend the Committee claiming that they have written to me on three occasions, I will make it quite clear that this is not true.

I will also make it clear that I appear to have been "threatened" that, if I don't withdraw my objection, they will pursue the applied for opening hours via a hearing – even though that is not justified by their client's proposals. Such a heavy handed attitude seems solely intended to threaten.

The applicant's approach to this process does appear to have been one of seeking a License far in excess of what is needed solely in order to appear to be conciliatory when residents object. This is not a particularly innovative strategy and is one which I feel shows contempt for local people and the application process, particularly when it concludes in threats to pursue a scope of License which is not actually needed, despite resident concerns. Certainly, the publicity of the More restaurant itself shows that it is to close at 11.00pm on Monday to Saturday and 4.00pm on Sunday. There can, therefore, be no need for the extent of the License sought and to which I have objected in terms of late night opening.

In the context of More's own publicity, the revised offer of Joelson Wilson to close at 11.30pm under the License is still excessive – the need is, clearly, only until 11.00pm. For this reason, I propose that any License granted should only allow alcohol on-sales until 11.00pm on Monday to Saturday as per the applicant's own publicity. Sales on Sunday should be restricted to a maximum of 4.00pm as per the restaurant's current proposals. Neither of these suggestions would compromise the More Restaurant proposals as expressed in its menu and publicity information. I trust that the Council will set an appropriate start time to any License which will not compromise residents' amenity.

In terms of the off-license, this continues to be unacceptable. The restaurant displays on its windows the fact that it offers "take away" and I assume that this is the planning consent which it holds, as a take away is quite distinct in the Use Classes Order from a restaurant. In the context of the business being a take away, there is a clear risk of local problems from this also involving off-sales of alcohol.

Whilst Joelson Wilson suggests that the off-sales license is only to cover circumstances where diners have not finished a bottle of wine, this seems an extremely excessive provision for such a rare event. I don't mind diners taking home a half consumed bottle of wine but I do mind persons being able to buy alcohol for consumption off the premises which may compromise our personal amenity and the safety and reputation of Tooley Street.

I do hope that the More Restaurant proves to be a successful and sensitive operation, but I must protect our personal amenity from the

consequences of a take-away and off-license. The operators will apply no control to their clients as to where they eat or drink their take-aways and, given that we are directly opposite and offer seemingly easy places to sit, we are most likely to suffer from their operation. The dumping of food remnants and rubbish is bad enough, but the consequences of the sale of alcohol for off-site consumption is unacceptable.

The decision on the License cannot be taken without reference to the local circumstances and the potential for local problems.

**In summary**, I continue to oppose the application for the off-sale of alcohol and request that on-sales and opening hours are restricted to 11.00pm at the latest on Monday to Saturday and 12.00 noon to 4.00pm on Sundays as per the More publicity information as this will, clearly, not compromise the business. The off-sale of alcohol should not be allowed at all.

I attach a copy of the restaurant's publicity information which explains the opening hours which fit with my suggestion above.

If you or the applicant have any queries, I will be pleased to try to help.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Alan Green', written over a circular stamp.

ALAN GREEN



## Wine list

otherwise stated, all wines are served 25ml glass

- Ale Bianco, Terre de Chieti 2007  
Italy £2.75 ✓ £14.95
- Arde, Quinta de Naude 2007  
Portugal £3.00 ✓ £16.25
- Château de Charbonnay 2008  
France £3.30 ✓ £18.00
- Castelli di Jesi, Garofoli 2007  
Italy £3.85 ✓ £21.00
- Terre di Guimara, Carruso & Minini 2007  
Italy £3.95 ✓ £21.50
- Sauvignon Blanc 2007  
France £4.00 ✓ £21.85
- Sibaldi 2007  
Italy £4.23 ✓ £23.00
- Blanc 2007  
France £4.50
- Vieilles Vignes, Domaine Feuillat-Juliot 2005  
France £38.00
- Pinot Noir 2007  
France £46.50
- Théobald, Vin de Pays Méditerranée 2007  
France £2.75 ✓ £14.95
- Alcornoque, Zonin 2007  
Italy £2.95 ✓ £15.50
- Paso, Monastrell 2005  
Spain £3.10 ✓ £16.50
- Château de Bellevue 2006  
France £3.20 ✓ £17.50
- de Aragón, Tinto Gamacha, Catalunyaud 2007  
Spain £3.40 ✓ £18.50
- Les Merlots 2007  
France £4.00 ✓ £21.85
- Porto Colheita 2005  
Portugal £24.95
- 190 2007  
Spain £26.00
- Les Domaines de la Garrigue 2005  
France £36.50
- Château de Cadi Plan 2006  
Italy £62.50
- Les Syrah Rose 2007  
France £4.25 ✓ £22.50
- Grand Champagne  
Extra-dry Non-vintage, Zonin  
Italy £4.25 ✓ £22.50
- Terrier Non-vintage  
Italy £4.25 ✓ £22.50
- Wine  
Le Fagès 2003  
France £7.50 ✓ £3.50 ✓ £16.00 ✓ £16.00
- Château de Les Cles de Pavilles, Château de Jau 2005  
France £7.50 ✓ £3.25 ✓ £16.00 ✓ £30.00

## Drinks

- Meontime beers  
Helles (Vager) £2.00 ✓ £3.95  
Pale Ale £2.10 ✓ £4.20
- Luscumbe soft drinks  
Ginger Beer £3.50 ✓ £3.50  
Lime Crush £3.50 ✓ £3.50  
Elderflower Bubbly £3.50 ✓ £3.50  
Apple Juice £3.00 ✓ £3.00

# more

to eat • to drink • to take away

opens **20** may

## contact details

104 Tooley Street  
London  
SE1 2TH  
manager@moretooleystreet.com  
t +44 20 7403 0635  
f +44 20 7998 1556  
TWITTER moremenu  
www.moretooleystreet.com

## opening times

Monday to Friday 8 am - 11 pm  
for breakfast, lunch, tea, dinner and supper

Saturday 10 am - 11 pm  
for brunch, dinner and supper

Sunday 10 am - 4 pm  
for brunch

# more

to eat • to drink • to take away

104 Tooley Street  
London  
SE1 2TH  
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t +44 20 7403 0635  
f +44 20 7998 1556  
www.moretooleystreet.com  
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## JOELSON WILSON

27 May 2009

APPENDIX 9

JOELSON WILSON LLP  
Solicitors  
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London W1B 1LZ

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SENT VIA SOUTHWARK COUNCIL - WESLEY  
MCARTHUR

RECEIVED

28 MAY 2009

Aston Webb House  
115 Tooley Street  
London SE1 2AT

Partners  
Sheldon Cordell  
David Clifton  
Suzanne Davies  
Paul Chiappe  
Christopher Evans  
Philippe Hails-Smith  
Joanne Gregory  
Maria Guida  
Consultant  
Mark Barber

Dear Sir

APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003 ("LA 2003") - 'MORE', 104 TOOLEY STREET, LONDON

Thank you for sending us a copy of your letter to the council dated 20 May 2009.

Please accept our apologies that you did not receive our letter of 29 April 2009 which we referred to in our letter of 14 May 2009. Unfortunately, as stated in our letter, neither our clients, nor we, are permitted by the Council to correspond with you directly and so we have sent all our letters to you via the Council. The Council has been kindly forwarding on our letters but the mechanics of this have unfortunately been out of our control so we cannot offer any explanation as to why our 14 May letter was not received.

We would like to make it clear that our previous correspondence was never meant to be threatening. Our intention throughout has been to enter into dialogue with a view to finding common ground between our client and yourself, if possible. We therefore sincerely regret that our correspondence appears to have been misinterpreted.

LA 2003 stipulates that, if agreement is not reached between the parties, there must be a hearing before the Council. Therefore, as you have rejected our compromise proposal and our client cannot agree to having the licence restricted to the your you suggest, as to do so would not be commercially viable, there will need to be a hearing in this case, at which we will be asking the Council to grant our application as originally applied for.

If you would like to discuss our application any further prior to the hearing, you are very welcome to contact Anna Mathias of these offices. Alternatively, Mark Yates, Paloma Campbell and Theodore Kyriakou of our client company can all be contacted via the restaurant and would be delighted to meet with you to discuss matters should you so wish.

Yours faithfully



JOELSON WILSON LLP

**FILE COPY**



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<b>Item No.</b> 6	<b>Classification:</b> Open	<b>Date:</b> June 8 2009	<b>MEETING NAME</b> Licensing Sub-Committee
<b>Report title:</b>		<b>LICENSING ACT 2003 – AFRICAN RESTAURANT AND GROCERIES 346 EAST STREET, LONDON SE17 2SX</b>	
<b>Ward(s) or groups affected:</b>		<b>Premises are within: EAST WALWORTH</b>	
<b>From:</b>		<b>Strategic Director of Environment &amp; Housing</b>	

### **RECOMMENDATION**

1. That the Licensing Sub-Committee considers an application made by Mrs Ajike Erejuwa for a grant of a Premises Licence under the Licensing Act 2003 in respect of the premises known as: AFRICAN RESTAURANT AND GROCERIES 346 EAST STREET, LONDON SE17 2SX.
2. *Notes:*
  - a) *This application forms a new application for a Premises Licence, under Section 17 of the Licensing Act 2003. The application is subject to representations from a Responsible Authority and Interested Parties and is therefore referred to the Sub-Committee for determination;*
  - b) *Paragraphs 9 to 11 of this report provide a summary of the application the Premises Licence under consideration by the Sub-Committee (A copy of the full application is provided as Appendix A)*
  - c) *Paragraphs 13 to 16 of this report deal with the representations received to the Premises Licence application. (A copy of each of the relevant representations are attached as Appendices B-D)*

### **BACKGROUND INFORMATION**

#### **The Licensing Act 2003**

3. The Licensing Act 2003 received Royal Assent on 10 July 2003. The Act provides a new licensing regime for
  - a) The sale of and supply of alcohol
  - b) The provision of regulated entertainment
  - c) The provision of late night refreshment
4. Within Southwark, the licensing responsibility is wholly administered by this Council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are
  - a) The prevention of crime and disorder;
  - b) The promotion of public safety
  - c) The prevention of nuisance; and
  - d) The protection of children from harm.

6. In carrying out its licensing functions, a licensing authority must also have regard to
  - a. The Act itself;
  - b. The Guidance to the act issued under Section 182 of the Act;
  - c. Secondary regulations issued under the Act;
  - d. The Licensing Authority's own Statement of Licensing Policy
  - e. The application, including the operating schedule submitted as part of the application
  - f. Relevant representations
  
7. The applications process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.

### **MATTERS FOR CONSIDERATION**

#### **The Application for a New Grant**

8. On 16 March 2009, an application was made by Mrs Ajike Erejuwa for a grant of a Premises Licence in respect of the premises known as African Restaurant and Groceries, 346 East Street, LONDON SE17 2SX under section 17 of the Licensing Act 2003. A copy of the application is attached to the report as appendix A.
  
9. The application is summarized as follows:

#### **To permit the provision of regulated entertainment**

- *(live music, recorded music, performances of dance, provision of facilities for dancing)*
  - Monday to Wednesday between 18.00 hrs to 00.00 hrs on the following morning
  - Thursday to Saturday between 18.00 hrs to 03.00hrs on the following morning
  - Sunday between 18.00 hrs to 00.00hrs
  
- **To permit the provision of late night refreshment**
  - Monday to Wednesday between 23.00 hrs to 00.00 hrs on the following morning
  - Thursday to Saturday between 23.00 hrs to 03.00hrs on the following morning
  - Sunday between 23.00 hrs to 00.00hrs
  
- **To permit the sale and or supply of alcohol**
  - Monday to Wednesday between 10.00 hrs to 00.00 hrs on the following morning

- Thursday to Saturday between 10.00 hrs to 03.00hrs on the following morning
- Sunday between 10.00 hrs to 00.00hrs

- **The opening hours of the premises are**

- Monday to Wednesday between 10.00 hrs to 00.30 hrs on the following morning
- Thursday to Saturday between 10.00 hrs to 03.30hrs on the following morning
- Sunday between 10.00 hrs to 00.30hrs

- **Non standard timings**

- New Years Eve to remain open until 04.00am
- Bank Holidays till 04.00am

10. The application form provides the applicant's operating schedule. Parts E, F, G, L, M and O set out the proposed operating hours in full.
11. Part P of the application provides any additional steps that are proposed by the applicant to promote the four licensing objectives as set out in the Licensing Act 2003. In the event that the Sub-Committee should approve the application any proposals stated here must become conditions on any subsequent Premises Licence issued.

### **Designated Premises Supervisor**

12. The proposed designated premises supervisor Licence is Ajike Erejuwa. who holds a Personal Licence issued by the London Borough of Greenwich.

### **Representations From Interested Parties**

13. There are 3 representations and accompanying photos lodged by interested parties and a petition signed by 20 local residents. The representations are primarily concerned with the possibility of noise nuisance, and anti social behaviour already being experience and escalating as a result of the proposed grant. The representations point out that there has been a history of noise nuisance anti social behaviour and crime and disorder arising from the operation of the premises in the past. The representations also indicate a lack of confidence in the management of the premises to operate responsibly.
14. Copies of the representations and photos lodged by interested parties are attached as appendix B and C to the report.

### **Representations From Responsible Authorities**

15. There are two representation lodged by the Metropolitan Police and the Council's Environmental Protection Team (EPT). Both representations outline control measures that should be undertaken to reduce the risk of crime and disorder and noise nuisance if the licence is granted.
16. Copies of the representations are attached as appendix D to the report.

### **The Local Vicinity**

17. A map of the local vicinity is attached. The operating terminal hour of the following premises licensed for regulated entertainment and late night refreshment are shown on the map:

- **Rajah Takeaway**, 342 East street, SE17 (Mon – Sun –until 23.30)
- **Presidential Restaurant**, 162-164 Old Kent Road, SE1(Mon – Sun – until 02.00)
- **Parrilladus Del Sur**, 186-188 Old Kent Road (Mon- Thurs – 18.00; Fri – Sun 23.30)
- **Costa Azul**, 190 Old Kent Road, SE1(Mon-Wed until 01.00, Fri& Sat until 03.00, Sun until 02.00)
- **Le Joint**, 193 Old Kent Road (Mon - Sun – until 02.30)
- **Eurotraveller Hotel**, 194-202 Old Kent Road, London SE1 (Mon – Sun - until 23:00hrs)
- **Daniels Bar & Restaurant**, 207 Old Kent Road, London SE1 (Mon - Sat 00.30; Sun until 00.00)
- **Rossi Restaurant**, 224 Old Kent Road, SE1 (Mon – Sun until 01.00)
- **Village Pizza (Takeaway)** 230 Old Kent Road, SE1 (Sun – Thurs until 03.00; Fri & Sat 04.00)
- **Old Kent Fishbar**, 253 Old Kent Road, SE1 (Mon – Sun –until 01.00)

### **SOUTHWARK COUNCIL STATEMENT OF LICENSING POLICY**

18. Council Assembly approved the Southwark Statement of Licensing Policy on 2 April 2008. Sections of the Statement that are considered to be of particular relevance to this application are

- a. Section 3 which sets out the purpose and scope of the policy and reinforces the four licensing objectives
- b. Section 5 which sets out the Council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence
- c. Section 6 details other relevant Council and Government policies, strategies, responsibilities and guidance, including the relevant Articles under the Human Rights Act 1998
- d. Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours
- e. Section 8 provides general guidance on ensuring public safety including safe capacities
- f. Section 9 provides general guidance on the prevention of nuisance
- g. Section 10 provides general guidance on the protection of children from harm.

19. The purpose of Southwark's Statement of Licensing Policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the Sub-Committee when considering the applications. However, the Sub-Committee must always consider each

application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

### **RESOURCE IMPLICATIONS**

20. A fee of £190.00 has been paid by the applicant in respect of this application being the statutory fee payable for premises within non-domestic rateable value Band B.

### **CONSULTATIONS**

21. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was placed in the 'Southwark News' and a similar notice exhibited outside of the premises.

### **EQUAL OPPORTUNITIES IMPLICATIONS**

22. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

### **CONCURRENT REPORT BY THE STRATEGIC DIRECTOR OF LEGAL & DEMOCRATIC SERVICES – LEGAL ISSUES**

23. The Sub-Committee is asked to determine the application for a grant of a premises licence.
24. The Sub-Committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested Parties must live in the vicinity of the premises. This will be decided on a case-by-case basis.
25. Under the Human Rights Act 1998, the Sub-Committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The Sub-Committee has a duty under Section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent and crime and disorder in the Borough.
26. Interested Parties, Responsible Authorities and the applicant have the right to appeal the decision of the Sub-Committee to the Magistrates' Court within a period of 21 days beginning with day on which the applicant was notified by the licensing authority of the decision to be appealed against.
27. The principles that Sub-Committee members must apply are set out below.

### **PRINCIPLES FOR MAKING THE DETERMINATION**

28. The general principle is that applications for Premises Licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
29. Relevant representations are those which
  - Are about the likely effect of the granting of the application on the promotion of the licensing objectives



- Are made by an interested party or responsible authority
- Have not been withdrawn (in this case, the initial objections from the Fire Service have been withdrawn).
- Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

30. If relevant representations are received then the Sub-Committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to

- Add to, omit, and/or alter the conditions of the licence or,
- Reject the whole or part of the application

### **Conditions**

31. The Sub-Committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.

32. The four licensing objectives are

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of nuisance; and
- d. The protection of children from harm.

33. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.

34. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to late night refreshment and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.

35. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors.

36. Members are also referred to the DCMS guidance on conditions, specifically section 7, and Annexes D, E, F and G.

### **Reasons**

37. If the Sub-Committee determines that it is necessary to modify the conditions, or to refuse the application, it must give reasons for its decision.

### **Hearing Procedures**

38. Subject to the Licensing Hearing regulations, the Licensing Committee may determine its own procedures. Key elements of the regulations are that

- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations
  - Members of the authority are free to ask any question of any party or other person appearing at the hearing
  - The committee must allow the parties an equal maximum period of time in which to exercise their rights to
    - Address the authority
    - If given permission by the committee, question any other party.
    - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
  - The committee shall disregard any information given by a party which is not relevant
    - to the particular application before the committee, and
    - the licensing objectives.
  - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
  - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
39. As this matter relates to the determination of an application for a grant under section 17 of the Licensing Act 2003, regulation 26(1)(a) requires the Sub-Committee to make its determination at the conclusion of the hearing.

### **Council's multiple roles and the role of the Licensing Sub-Committee**

40. Sub-Committee members will note that, in relation to this application, the Council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the Council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
41. Members should note that the Licensing Sub-Committee is meeting on this occasion solely to perform the role of licensing authority. The Sub-Committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, Members should disregard the Council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the Licensing Law, Guidance and the Council's Statement of Licensing Policy.
42. As a quasi-judicial body the Licensing Sub-Committee is required to consider the application on its merits. The Sub-Committee must take into account only relevant factors, and ignore irrelevant factors. The decision

must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The Licensing Sub-Committee must give fair consideration to the contentions of all persons entitled to make representations to them.

43. The Licensing Sub-Committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
44. Members will be aware of the Council's Code of Conduct that requires them to declare personal and prejudicial interests. The Code applies to Members when considering licensing applications. In addition, as a quasi-judicial body, Members are required to avoid both actual bias, and the appearance of bias.

#### Guidance

45. Members are required to have regard to the DCMS Guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Background Papers	Held At	Contact
Licensing Act 2003 DCMS Guidance Secondary Regulations Statement of Licensing Policy Various papers from the premise file.	The Chaplin Centre, Thurlow Street, SE17 2DG	Mrs Kirty Read at the Chaplin Centre Telephone 0207 525 5748

#### APPENDICES

No.	Title
Appendix A	Copy of the application
Appendix B	Copies of the representation from interested parties
Appendix C	Photos accompanying representations
Appendix D	Copies of representation from responsible authorities
Appendix E	Copy of the local area map

#### AUDIT TRAIL

Lead Officer	<i>Gill Davies, Strategic Director of Environment &amp; Housing</i>
Report Author	<i>Dorcas Mills, Principal Licensing Officer</i>
Version	<i>Final</i>

Dated	28 May 2009	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director for Legal and Democratic Services	Yes	Yes
Finance Director	No	No
Executive Member	No	No
Date final report sent to Constitutional/Community Council/Scrutiny Team	28 May 2009	

A + 150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000

RECEIVED  
16 MAR 2009

Southwark  
Council

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

I/We Mrs ASIKE EREJUWA  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
346, EAST STREET OFF OLD KENT ROAD			
Post town	LONDON	Post code	SE17 2SX
Telephone number at premises (if any)	0207 7038362		
Non-domestic rateable value of premises	£ 6,000		

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as  
Please tick yes

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)
- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association or  please complete section (B)

# APPENDIX A

- iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname <b>EREJUWA</b>		First names <b>AJIKE</b>		
I am 18 years old or over		<input type="checkbox"/> Please tick yes		
Current postal address if different from premises address		<b>14, Greehaven Drive Themasmead</b>		
Post Town	<b>London</b>	Postcode	<b>SE28 2FR</b>	
Daytime contact telephone number		<b>07961750376</b>		
E-mail address (optional)	<b>Abi.abiolakibob@yahoo.co.uk</b>			

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname		First names		
I am 18 years old or over		<input type="checkbox"/> Please tick yes		

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day Month Year  

1	5	0	4	2	0	0	9
---	---	---	---	---	---	---	---

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year  

--	--	--	--	--	--	--	--

Please give a general description of the premises (please read guidance note 1)

Ground floor and basement shop used for selling grocery and to be used as a restaurant.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick yes

- |   |                                     |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>            |

**Provision of entertainment facilities:**

- |   |                          |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I)   | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)  | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

**Provision of late night refreshment** (if ticking yes, fill in box L)

**Supply of alcohol** (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

Pages 5-8 Omitted Intentionally



E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	18.00	00.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	18.00	00.00			
Wed	18.00	00.00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	18.00	03.00			
Fri	18.00	03.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	18.00	03.00		New Years Eve till 04.00 hrs	
Sun	18.00	00.00		Bank Holidays till 04.00 hrs	

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	00.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11.00	00.00			
Wed	11.00	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	11.00	03.30			
Fri	11.00	03.30	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11.00	03.30		New Year Eve till 04.00 hrs	
Sun	11.00	00.00		Bank Holidays till 04.00 hrs	

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	18.00	00.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	18.00	00.00			
Wed	12.00	00.00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	18.00	03.00			
Fri	18.00	03.00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	18.00	03.00		New Years Eve till 04.00 hrs	
Sun	18.00	00.00		Bank holidays till 04.00 hrs	

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			<b>Please give a description of the facilities for dancing you will be providing</b>	
Day	Start	Finish		
Mon	18.00	00.00	<b>Please give further details here</b> (please read guidance note 3)	
Tue	18.00	00.00		
Wed	18.00	00.00	<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)	
Thur	18.00	00.00		
Fri	18.00	00.00	<b>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)	
Sat	18.00	00.00		
Sun	18.00	00.00		
			New Years Eve #11 04.00 hrs	
			Bank Holidays #11 04.00 hrs	

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23.00	00.00	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	23.00	00.00			
Wed	23.00	00.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	23.00	03.00			
Fri	23.00	03.00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	23.00	03.00		New Years Eve till 04.00 hrs	
Sun	23.00	00.00		Bank Holidays till 04.00 hrs	

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for <u>consumption (Please tick box)</u> (please read guidance note 7)	On the premises <input checked="" type="checkbox"/>	
				Off the premises <input checked="" type="checkbox"/>	
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	10.00	00.00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Tue	10.00	00.00			
Wed	10.00	00.00			
Thur	10.00	<del>03.00</del> 08.00	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	10.00	03.00	New Years Eve till 04.00 hrs Bank Holidays till 04.00 hrs		
Sat	10.00	03.00			
Sun	10.00	00.00			

State the name and details of the individual whom you wish to specify on the licence as  
premises supervisor

Name	ASTICE BRETJUNA	
Address	14, greenhaven Drive Thamesmead London	
Postcode	SE28 8AK	
Personal Licence number (if known)	LN/000004370	
Issuing licensing authority (if known)	Greenwich Council	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	10.00	00.30	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue	10.00	00.30	
Wed	10.00	00.30	
Thur	10.00	03.30	
Fri	10.00	03.30	
Sat	10.00	03.30	
Sun	00.00	00.30	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

See below

b) The prevention of crime and disorder

CCTV to be installed and maintained  
 CCTV recording library will be kept for 28 days  
 A personal licence holder to be on the premises during the sale of alcohol

c) Public safety

Fire exit would be unobstructed.  
 Fire extinguisher will be maintained and in date.

d) The prevention of public nuisance

A notice will be displayed requesting customer to leave quietly.  
 No consumption of alcohol will be allowed outside the premises except for smoking

e) The protection of children from harm

- No children under the age of 16 will be allowed after 2100 hrs  
 - The adoption and implementation of a recognised proof of age scheme.  
 - A recognised training scheme for all staff connected with the sale of alcohol.

Please tick yes



- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

**Part 4 – Signatures** (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	<i>Sumb.</i>
Date	16/3/09
Capacity	

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

APPENDIX

B

Mr Nishith Patel  
348 East Street  
Walworth  
London  
SE17 2SX

*Original sent  
23/3/09  
via email*

April 21, 2009

Licensing Unit  
Chaplin Centre  
Thurlow Street  
London  
SE17 3DG

RECEIVED  
27 APR 2009

Dear Sir/Madam,

Please take this email as a formal representation to contest the above application, for reasons stated below.

My wife (69 years old) and I (68 years old) live at 348 East Street, SE17 2SX and have over the years had many problems pertaining to 346 East Street business premises.

We have put up with the extremely loud talking and shouting that seems to echo up as well as the potent smell of cooking.

The food they seem to sell/cook encourages cockroaches which have been a huge problem for us over the past years and once they manifest themselves in our property, it is very hard to get rid of them. Their also appears to be a blue bottle manifestation which must be due to the food they store.

If this license is approved, this will be devastating to us and to the local residence. Their are residential properties above all the business properties on this stretch of East Street and we will all be affected.

The late night music license will cause great disruption to our sleep as well as cause us great anxiety.

I have suffered from 2 heart attacks in the past and am on continuous medication for my heart, diabetes and Asthma. The noise will only add to this stress.

What are the current opening hours according to their current license, as they often do not close until past midnight and they do not leave quietly! Surely they should respect the local residences.

I would appreciate some feedback and also the outcome once the representation period has expired.

Yours Sincerely

Mr Nishith Patel

.....

RECEIVED  
26 MAR 2009

Mr & Mrs N Speer  
346 East Street  
First Floor Flat  
London  
SE17 2SX

March 25, 2009

The Licensing Service  
C/O Southwark Environmental Health and Trading Standards  
The Chaplin Centre  
Thurlow Street  
London  
SE17 2DG

Re: Application for Licence number 829407  
Trading name: ABC Global Asset, 346 East Street , London SE17 2SX

To Whom it may concern:

We are writing to contest the above application for reasons stated herewith.

Firstly, the actual trading name is NOT as stated on the register as 'African Restaurant and Groceries' but ABC Global Asset.

The business owners applied 2 years ago for a licence for a restaurant and take away but it was eventually refused. It is a grocery store and money exchange.

We strongly object to the applicant receiving an alcohol and entertainment licence as we live on the first and second floors above the premises which is situated on the ground and basement of a terrace house in a highly populated residential area.

For the last 6 months we have had to put up with the disturbing noise i.e. extremely loud shouting and the pungent cooking smell every day and especially nearly every Friday night until 1-2 am in the morning.

We and the neighbours have complained directly to the shop owners when they open late and the noise is excessive, also the 3 noisy shutters being pulled down when they leave the shop which vibrates in the whole building as well as the shouting to one another when leaving the premises and the banging of car doors in the early hours.

Every time there is a football or rugby match on TV we put up with the shouting cheering and banging on the floor and with the smell of cooking we have to turn our TV up and continuously spray air de-odourizer as otherwise we cannot hear our own TV clearly.

With the air de-odourizer in mind, I suffer from Asthma and depend on my inhalers, the air fresheners aggravate my asthma and therefore cause a risk to the onset of an Asthma attack. It is unfair that I have to go to such extremes which are detrimental to my health.

Our only entrance is at the back of the property which is also where the shop's fire exit door is which is often left open and this is where people seem to congregate to smoke and use their mobile phones, which unfortunately the smoke drifts up to my house and the inconsiderate loud tones in which they talk on their phone is disturbing to us as the noise echoes.

March 25, 2009

Page 2

This is a fire exit and not a place for people to socialise at our expense - is this where they intend to have smoking if open to 3am? The intense noise due to their music at such a late time in the night is totally unacceptable and the local residence will need to be considered. Has the premise adequate fire precautions for cooking as we live directly above and have only one way out.

Over the past few years we have also had to deal with Cockroach manifestation as well as being swamped with Blue Bottle flies. The flies tend to swarm around the food area downstairs and eventually find their way up to our house. In the summer, this causes great distress as we have to keep our windows closed and as you can imagine, in the summer we would like to keep our windows open.

We are OAP's aged 63 and 67 both taking blood pressure medication asthma pumps and Mrs Speer is diabetic and does not need this extra stress. Our 3 year old grand daughter often resides with us on Fridays and has in the past been woken up by the noise when they leave and that is 2 floors up.

I hope to receive a response ASAP.

Yours sincerely

   
Norman & Christina Speer

MICHAEL CHISLETT  
4 STANFORD PLACE  
CONGREVE ST  
LONDON  
SE17 1SU

08 APR 2009

6/4/09

To The Licensing Service,

I am writing as a concerned local resident to oppose the application for a new premises licence in for the shop currently at this address, ABC GLOBAL ASSET, 346 EAST ST, LONDON, SE17 2SX.

These premises have already been operating for some time as an unofficial social club and there have been occasions in the past when quite a lot of noise has been made from there. This had been especially prevalent over the weekends. I have noticed that since their licensing application has been entered, the shop has been closing earlier.

To allow a club/restaurant, takeaway and off licence to open until 3AM Thurs to Saturday as they want, in a residential area will cause a considerable amount of nuisance to local people as will the provision of entertainment. East ST is a narrow but busy street, with houses and flats of domestic occupation on all sides. There will inevitably be parking by those using the premises, which will spill over into neighbouring streets and estates. I am concerned that the noise will continue throughout the night as customers congregate in the vicinity. There is another restaurant in the locality which closes at 1AM. There is much disturbance from the customers and staff then. I am worried that they then might go to 346 East St to continue their revelry.

There will be the nuisance caused by folk consuming and then throwing away the remains of their takeaway meals. The stairs to my flat is opposite these premises and I think that they will be used as a convenient open air dining room.

The times that they want to open are, given the residential nature of the area and the nuisance that we can expect from such premises, far from reasonable, so I write to oppose their application for the nature and hours that they wish.

Yours Faithfully

  
Michael Chislett

APP

## Minnow Walk Estate

Re. Application for licence number 829407

Trading name: ABC Global Asset, 346 East Street, London SE17 2SX

We the undersigned object to the application for an alcohol and entertainment licence for ABC Global Asset.

We are already disturbed by the shouting and music coming from the premises now.

Banging of car doors and shouting in the early hours when they leave the premises.

Our homes filling with cooking smells coming from there everyday when they are suppose to be a grocers and a money exchange.

The car park at the rear is for residents only which shopper's park in now denying the residents a place.

The requested extended hours are unacceptable in a highly populated residential area.

NAME	ADDRESS	SIGNATURE
MR. MRS WIGGINS.	13 MINNOW WALK	MRS R Wiggins
MISS SARAH JOJOGO	8, MINNOW WALK	Sarah Jojogo
MR E MANNING	6 MINNOW WALK	E Manning
MISS M PALMER	11 MINNOW WALK	M Palmer
MR. TAYLOR	14 MINNOW WALK	H. TAYLOR
MR & MRS D. Buckley	Buckley 338 East St	Mr. Buckley
Allen Taylor	14, Minnow Walk	H. TAYLOR
MR. G BOWDEN	336 EAST ST.	G Bowden
MRS C BOWDEN	336 EAST ST	M Bowden
MRS. M. Clarke	340 EAST ST SE17	M Clarke
MR W ALLUM	14 MINNOW WALK SE17	W. Allum
MRS D ALLUM	14 MINNOW WALK SE17	D. Allum
MRS C SKY JUNT	2 MINNOW WALK	S RAYNS
J. C. H. H. P. C.	12 MINNOW WALK	J. C. H. H. P. C.
MR. M. Bhislett	4 STANFORD PLACE EAST ST SE17 2SX	M Bhislett

## East Street

Re. Application for licence number 829407

Trading name: ABC Global Asset, 346 East Street, London SE17 2SX

We the undersigned object to the application for an alcohol and entertainment licence for ABC Global Asset.

We are already disturbed by the shouting and music coming from the premises now.

Banging of car doors and shouting in the early hours when they leave the premises.

Our homes filling with cooking smells coming from there everyday when they are suppose to be a grocers and a money exchange.

The car park at the rear is for residents only which shopper's park in now denying the residents a place.

The requested extended hours are unacceptable in a highly populated residential area.

NAME	ADDRESS	SIGNATURE
JEAN GLYNN	326B EAST ST LONDON	J. Glynn
ALLEN GLYNN	" " " SE17 2SX	A. Glynn
SUSAN MULCAHY	324A EAST ST	S. Mulcahy
J. HOPE	322A EAST STR 25X	J. Hope
Laura Bond	320B East street SE17 2SX	L. Bond

APPENDIX C



Only  
Entrance  
First to 2nd  
floor flat 3  
East Street

Fire exit back door of shop







↑ Row of terrace houses



← Rear view of 346 East Street

← Only Entrance for first & second floor

Mr Mus N Spear live on first & second floor above ABC Global.  
 2nd floor here





Only entrance to first & second floor flat 346 East Street

Skylights above shop on ground floor where no comes from.



Basement outside to of shop.



## List of names on petition

Mr Taylor 14 Minnow Walk London SE17	Miss M Palmer 11 Minnow Walk London SE17
Mr E Manning 6 Minnow Walk London SE17	Mr Sarah Jojogo 8 Minnow Walk London SE17
Mr & Mrs Wiggins 13 Minnow Walk London SE17	Mr & Mrs Buckley 338 East Street London SE17
Mr & Mrs G Bowden 336 East Street London SE17	Mr & Mrs Allum 14 Minnow Walk London SE17
Mrs C Bryant 2 Minnow Walk London SE17	Mrs & Mrs Glynn 326B East Street London SE17
Ms Susan Mulcahy 324A East Street London SE17	J Hope 322A East Street London SE17
Laura Bond 320 B East Street London SE17	T O'Hani 12 Minnow Walk London SE17

APPENDIX

D

Your reference: .



Our reference: MD/21/17621/09

Date: 23rd April 2009

The Licensing Unit  
The Chaplin Centre  
Thurlow Street  
London SE17 2DG

Metropolitan Police Service  
**Licensing Office**  
Wajworth Police Station,  
12-28 Manor Place,  
LONDON,  
SE17 3RL

Tel: 020 -7232 - 6210 Fax6282

Dear Sir/Madam

African Restaurant 346 East Street SE17 2SX

Police are in receipt of an application from the above for a New Premises Licence and have the following representation to make:

The applicant has applied for a New Premises Licence with extensive hours, particularly at weekends and has failed to address adequately the four main licensing objectives. The premises are located on a busy thoroughfare and within very close proximity of many dwellings and as a consequence additional control measures would be required to ensure that there would be no detrimental effect upon the local community and indicate that the management of the premises have given sufficient consideration to the four main licensing objectives.

If the permitted hours for the sale/supply of alcohol were to be increased as per the application, Police would like to see the following control measures placed on the Premises Licence:

1. That SIA registered Door Supervisor, shall be employed at all times after 22.00hrs and the terminal hour that the premises are in use under this licence and provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.
2. That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'

3. That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs
4. That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents
5. 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 an image of every person who enters the premises.
6. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council
7. That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.
8. That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.
9. That the Premises Licence holder and/or Designated Premises Supervisor join and support a local Pub Watch Scheme should there be one in existence for the area in which the premises is located.
10. Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.

Police would be available should a conciliation meeting be arranged.

I respectfully submit this representation in order that it is given consideration by your Licensing Committee and would be obliged if you could acknowledge receipt.

Paul Compton PC294MD

Licensing Officer (Southwark North)

☎ Phone: 0207 232 6210

☎ Mobile: 07990901483

☎ Fax: 0207 232 6282

✉ E-mail: [paul.compton@met.police.uk](mailto:paul.compton@met.police.uk)

✉ Mail: Licensing Office, Walworth Police Station,  
12/28 Manor Place Walworth London  
SE17 3RL

## MEMO: Environmental Protection Team

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To Regen, Licensing      Date 25<sup>th</sup>      March 2009

Copies

From Alan P. Blissett      Telephone 020 7525 5766      Fax 020 7525 5768

Email Alan.Blissett@southwark.gov.uk

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**Subject 346 East Street SE17 2SX our ref 350816**

Thank you for referring the application to Environmental Protection Team.

I have reviewed the application and location and discussed the proposals with the applicant.

The premises is located in a terrace of shops with separate living accommodation above and faces parts of the residential Congreve Estate. Backhouse Place residential development is to the rear. The application, if granted, would permit live and recorded music and dancing on each Sunday to Wednesday until midnight and until 0300 the day following Thursday Friday & Saturday.

I am not satisfied that the prevention of public nuisance measures set out in the application are adequate to prevent music and people noise from becoming a public nuisance.

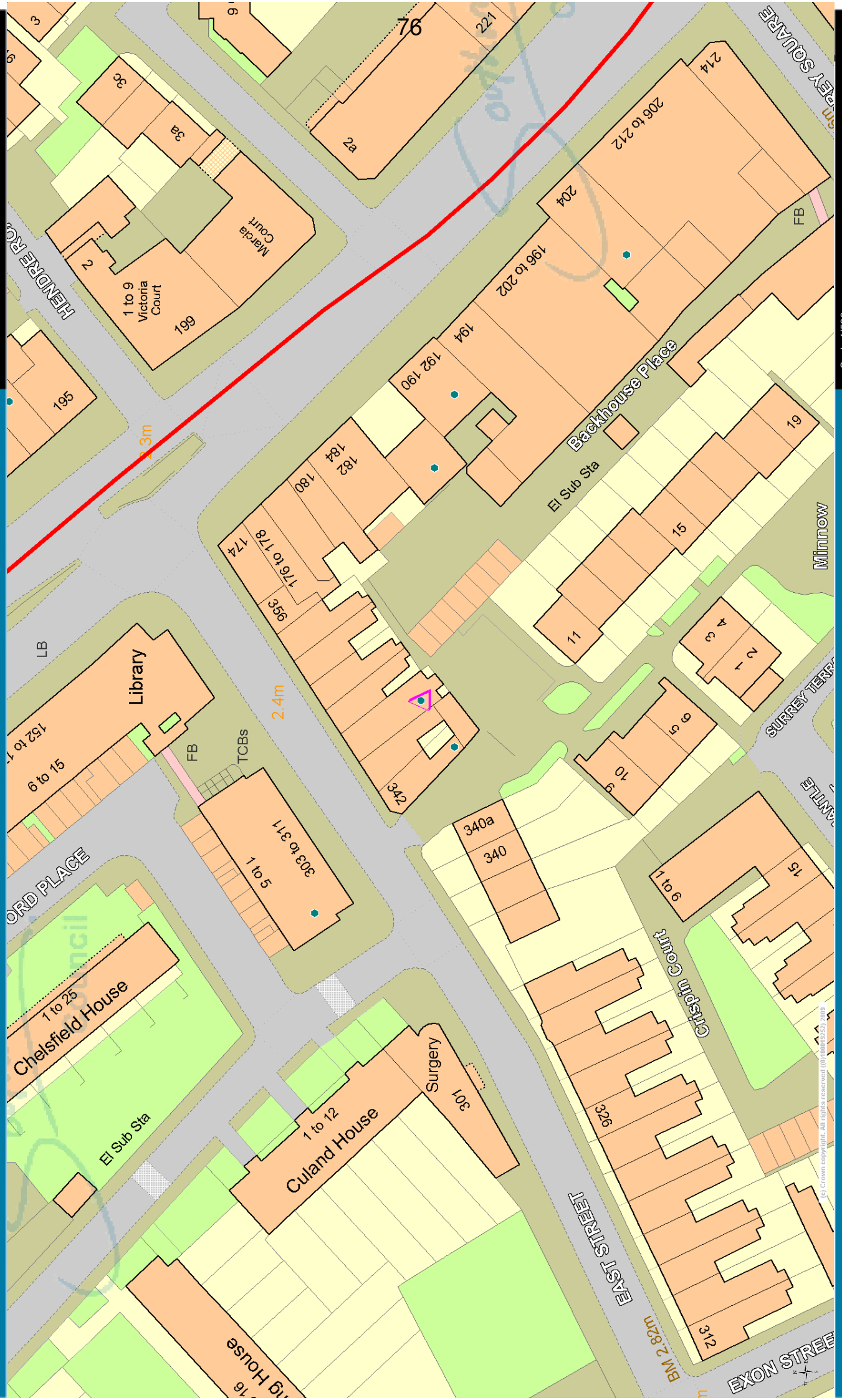
I understand the music and dancing will be confined to the basement area. This area will need to be sufficiently insulated to prevent sound escape and transmission both within the structure and to surrounding properties. This must include treatment to the rear windows and formation of a lobby since door marked 'emergency exit' will also serve as access to the 2 WC's. The basement area will need to be equipped with extract/ intake ventilation which would need to be baffled. Until I have seen the technical details of sound insulation works, I can not a position to suggest whether a sound limiter installation would be essential.

I am concerned that lateness of the hours of opening until 0300 on Thursday > Saturday may not be able to be accommodated without giving rise to public nuisance and would suggest earlier curfew hours; however I would need to consider this in context of other responsible authority and local responses.

I do not accept that 'consumption of alcohol outside the premises only by smokers' would serve to prevent public nuisance, smokers should not be permitted to take drinks off the premises.

I therefore object to the application until these matters have been addressed by the applicant and her advisors.

**Alan Blissett**  
Principal Environmental Protection Officer



<p><b>Distribution List</b></p> <p><b>Open</b></p> <p><b>Licensing Sub-Committee</b></p>	<p><b>MUNICIPAL YEAR 2009-10</b></p> <p><b>Date of Meeting: 08.06.2009</b></p> <p><b>Time: 10.00am</b></p>
<p><b>Note:</b> Original held in Constitutional Team; all amendments/queries to Sean Usher, Constitutional Team, Tel: 020-7525-7222.</p>	
<p><b>Councillors (1 Copy Each)</b></p>	<p><b>Applicants and Interested Parties</b></p>
<p>Councillor David Hubber Councillor Wilma Nelson Councillor Althea Smith</p> <p>Councillor Lorraine Lauder (reserve)</p> <p><b>Officers</b></p> <p>Rosanna Keogh – Licensing Unit Deborah McCallum – Legal Service Maureen Ogbu – Legal Services Dorcas Mills – Licensing Unit Alan Blissett – Noise Team</p> <p><b>Ward Councillors – East Walworth (by email)</b> Councillor Kirsty McNeill Councillor Jane Salmon Councillor Martin Seaton</p> <p><b>Ward Councillors – Riverside (by email)</b> Councillor Nick Stanton Councillor Eliza Mann Councillor Anood Al Samerai</p> <p><b>Total Copies to be printed: 27</b></p> <p><b>PLEASE BRING YOUR PAPERS TO THE MEETING.</b></p>	<p>PC Paul Compton, Metropolitan Police Service, Walworth Police Station, London SE17 3RL</p> <p>AFRICAN RESTAURANT AND GROCERIES 346 EAST STREET, LONDON SE17 2SX</p> <p>14 Greehaven Drive, Tamesmead, London SE28 8FR</p> <p>Mr &amp; Mrs N Speer, 346 East Street, London SE17 2SX</p> <p>Mr Nisith Patel, 348 East Street, London SE17 2SX</p> <p>Mr Michael Chislett, 4 Stanford Place, Congreve Street London SE17 1SU</p> <p>TPC LTD More, 104 Tooley Street, London, SE1 2TH</p> <p>Flat 3, Aston Webb House, 115 Tooley Street London SE1</p> <p>Joelson Wilson &amp; Co. 30 Portland Place, London W1B 1LZ</p> <p><b>Observers</b></p> <p>Councillor Ian Wingfield Councillor Eliza Mann Councillor Abdul Mohamed</p> <p><b>Total copies to be circulated: 21</b></p> <p><b>All spares to be delivered to Constitutional Team.</b></p> <p><b>Day of Despatch 29.05.2009</b></p>