

## Licensing Sub-Committee

June 22 2009

10.00 am

Town Hall, Peckham Road, London SE5 8UB

### Membership

Councillor David Hubber (Chair)  
Councillor Lorraine Lauder MBE  
Councillor Sandra Rhule

### Reserves

Councillor Wilma Nelson

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Contact

Sean Usher: 0207 525 7222 / [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: June 12 2009



## Licensing Sub-Committee

Monday June 22 2009  
10.00 am  
Town Hall, Peckham Road, London SE5 8UB

### Order of Business

| Item No. | Title | Page No. |
|----------|-------|----------|
|----------|-------|----------|

#### **PART A - OPEN BUSINESS**

**1. APOLOGIES**

To receive any apologies for absence.

**2. CONFIRMATION OF VOTING MEMBERS**

A representative of each political group will confirm the voting members of the committee.

**3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT**

In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.

**4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.

**5. LICENSING ACT 2003 - IVORY ARCH**

1 - 33

**6. LICENSING ACT 2003 - COSTCUTTER**

34 - 67

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

#### **PART B - CLOSED BUSINESS**

**EXCLUSION OF PRESS AND PUBLIC**

**Item No.**

**Title**

**Page No.**

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: June 12 2009

|                                    |                                |  |  |
|------------------------------------|--------------------------------|--|--|
| <b>Item No. 5</b>                  | <b>Classification:</b><br>Open | <b>Date:</b><br>June 22 2009   | <b>MEETING NAME</b><br>Licensing Sub-Committee |
| <b>Report title:</b>               |                                | LICENSING ACT 2003 –<br>Ivory Arch Tandoori, 80 – 82 Walworth Road,<br>London, SE1 6SW |  |
| <b>Ward(s) or groups affected:</b> |                                | Premises are within: Newington Ward  |  |
| <b>From:</b>                       |                                | Director of Environment and Housing  |  |

## RECOMMENDATION

1. That the Licensing Sub-Committee considers an application made by Rubel Ahmed for a Premises Licence to be granted under the Licensing Act 2003 in respect of the premises known as Ivory Arch Tandoori, 80 – 82 Walworth Road, London SE1 6SW.

### 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 responsible authorities and interested parties and is therefore referred to the Sub-Committee for determination;*
- b) *Paragraphs 7 to 9 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 11 to 15 of this report deal with the representations received to the Premises Licence application. (Copies of the relevant representations are attached at Appendix B and C).*

## 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 14<sup>th</sup> April 2009, this Council received an application from Rubel Ahmed for the grant of a new Premises Licence in respect of the premises known as Ivory Arch Tandoori, 80 – 82 Walworth Road, London SE1 6SW.
  
8. The application, attached as Appendix A, is summarized as follows
  - The provision of late night refreshment from 23.00-02.00 Sundays to Wednesdays, and 23.00-03.00 Thursdays to Saturdays.
  - The sale of alcohol on and off the premises from 11.00-02.00 Sundays to Wednesdays, and 11.00-03.00 Thursdays to Saturdays.
  - Opening hours from 11.00 to 02.00 Sundays to Wednesdays, and 11.00-03.00 Thursdays to Saturdays.
  
9. The Premises Licence application form provides the applicant company's operating schedule. Parts L, M, N, O and P set out the proposed operating hours and operating controls in full, with reference to the four licensing objectives as stated in the Licensing Act 2003.

### **Designated Premises Supervisor**

10. The proposed designated premises supervisor under the licence is Izzazul Ahmed, who has been granted a personal licence by London Borough of Southwark.

### **Representations from Responsible Authorities**

11. The Metropolitan Police Service has submitted a representation on the grounds that the applicant has not sufficiently addressed the licensing objective "*The prevention of crime and*

*disorder*". Twenty six (26) conditions have been suggested for the applicant to adopt in order to promote that objective. The representation is attached as Appendix B.

12. The Council's Environmental Protection Team made a representation in relation to public nuisance and the issue of smokers. A condition has been suggested in order to meet this objective. The correspondence relating to this representation is attached as Appendix B.
13. No other Responsible Authorities have made representations, however the responses are attached as Appendix B.

#### **Representations from Interested Parties**

14. Brookfield Developments (UK) Limited (redeveloping the site adjacent Ivory Arch Tandoori) have submitted a representation relating to the licensing objectives "*The prevention of crime and disorder*" "*Public safety*" and "*The prevention of nuisance*". The representation states that there are concerns that a late night alcohol licence would not be able to promote these objectives. There are also concerns that the premises remains in the same ownership as the previous premises licence, which led to the licence being revoked. The representation is attached as Appendix C.
15. The Draper Tenants & Residents Association has lodged a representation. Their representation relates to the licensing objectives "*The prevention of crime and disorder*" "*Public safety*" and "*The prevention of nuisance*". They are concerned that the premises are run by the same management as with the previous licence, and therefore will not be able to promote these licensing objectives. The representation is attached as Appendix C.

#### **Letters of Support for this application**

16. There are no letters of support for this application.

#### **Planning**

17. There are no planning restrictions. See Appendix B for the response.

#### **Disability Discrimination Act**

18. The Southwark Disablement Association has no comments regarding this application.

#### **Conciliation Meeting**

19. A conciliation meeting has not been held as it was not deemed useful. A number of representations stated that conciliation would not placate them and that they were satisfied to attend the Sub-Committee hearing for the decision.

#### **Additional information on the past operating history of the premises.**

Under previous legislation the premises operated with a Justices "on licence", public entertainment licence, special hours certificate and supper hours certificate, and was converted and varied to a premises licence under the Licensing Act 2003 in October 2005. These licences were held by Mr Bahar Uddin.

- In December 2003 the Police successfully applied for revocation of the Justices “on licence” under the Licensing Act 1964 that was held by Mr Bahar Uddin of the Ivory Arch. As a consequence, Mr Uddin was prohibited from obtaining a personal licence under the Licensing Act 2003 for a period of 5 years. He employed Mr Abdul Sahebzada as his DPS at Ivory Arch.
- The licensable activities authorised under the previous premises licence were live and recorded music, performance of dance, entertainment similar to live and recorded music, making music, dancing, entertainment similar to making music and dancing, late night refreshment and sale of alcohol on and off the premises. The opening hours were 10.00 to 04.00 Sunday to Wednesday, 10.00 to 05.00 Thursday to Saturday
- On 19<sup>th</sup> October 2006 a closure order applied for by Police was issued by Camberwell Green Magistrates Court. The Court was satisfied that closure was necessary in the interests of public safety.
- On 20<sup>th</sup> October 2006 an application for the review of the premises licence was received from PC Compton of the Metropolitan Police. The review was called as Police were investigating the attempted murder of two persons, one of whom was shot in the buttocks and the second in the rear of the head by a suspect who discharged between 5 & 6 rounds in the street outside the premises. Police had recorded numerous incidents reporting either the use of, or presence of, firearms being taken into the premises. The club had been associated with rival gangs using the premises.
- On 3<sup>rd</sup> November 2006 the Licensing Sub-Committee revoked the licence with immediate effect.
- Mr Bahar Uddin was the premises licence holder at the time of the revocation.
- Mr Bahar Uddin currently owns the freehold to the premises.

### The Local Vicinity

20. A map of the vicinity is attached at Appendix D. The premises are identified by a triangle at the centre of the map. For purposes of scale-only the circle on the map has a 100-metre radius. The following licensed premises are within the vicinity of the premises.

- **The Beijing:** 4 Hampton St, London, SE1 6SN  
Open 7 days a week: 13.30 – 00:20hrs

Licensable activities: late night refreshment.

- **Chatkhara Restaurant:** 84 Walworth Rd, London SE1 6SW  
Open 7 days a week: 12.00 – 02.00hrs

Licensable activities: late night refreshment.

- **Bar South Central:** 16 Elephant & Castle, London SE1 6TH  
Open Monday to Saturday 09.00 – 02.00, Sunday 09.00 – 23.30

Licensable activities: Recorded music, live music, performance of dance, entertainment similar to live/recorded music, facilities for making music, facilities for dancing, entertainment similar to making music/dancing, late night refreshment, sale of alcohol on and off the premises.

- **Distriandina:** Unit 6, Farrell Court, Elephant Rd, London SE17 1LB  
Open Monday to Thursday: 08.00am to 03.00am, Friday & Saturday 08.00 – 06.00, Sunday 08.00 – 00.00.

Licensable activities: Films, live music, recorded music, performance of dance, entertainment similar to live/recorded music, facilities for making music, facilities for

dancing, provisions similar to making music and dancing, late night refreshment, Sale of alcohol on and off the premises.

### **Southwark Council Statement of Licensing Policy**

21. Council Assembly approved the Southwark Statement of Licensing Policy on 8 December 2004. Sections of the Statement that are considered to be of particular relevance to this application are
- g. Section 3 which sets out the purpose and scope of the policy and re-inforces the four licensing objectives
  - h. 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
  - i. Section 6 details other relevant Council and Government policies, strategies, responsibilities and guidance, including the relevant Articles under the Human Rights Act 1998
  - j. Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours
  - k. Section 8 provides general guidance on ensuring public safety including safe capacities
  - l. Section 9 provides general guidance on the prevention of nuisance
  - m. Section 10 provides general guidance on the protection of children from harm.
22. 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**

23. 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 A.

### **CONSULTATIONS**

24. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was placed in Southwark News (April 16, 2009 edition) and a similar notice exhibited outside of the premises.

### **EQUAL OPPORTUNITIES IMPLICATIONS**

25. 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 – LEGAL ISSUES**

26. The Sub-Committee is asked to determine the application for a Premises Licence under Section 17 of the Licensing Act 2003.



27. The principles which 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.
- 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

- (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
- (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**

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

- The prevention of crime and disorder;
- Public safety;
- The prevention of nuisance; and
- 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 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.
35. Members are also referred to the DCMS guidance on conditions, specifically section 7, and Annexes D, E, F and G.

### **Reasons**

36. 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**

37. 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.
38. 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**

39. 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.

40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.
46. 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

47. 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<br>DCMS Guidance to the Act<br>Secondary Regulations<br>Southwark Statement of Licensing<br>Policy<br>Case file | Southwark Licensing,<br>C/O Community Safety &<br>Enforcement, The<br>Chaplin Centre, Thurlow<br>Street, London, SE17<br>2DG | Name: Mrs Kirty<br>Read<br>Phone number:<br>020 7525 5748 |

**APPENDICES**

| <b>No.</b> | <b>Title</b>                            |
|------------|---|
| Appendix A | Application form                        |
| Appendix B | Response from Responsible Authorities   |
| Appendix C | Representations from Interested Parties |
| Appendix D | Map of local vicinity                   |

**AUDIT TRAIL**

|   |  |                   |
|---|--|-------------------|
| Lead Officer  | Jonathon Toy, Head of Community Safety and Enforcement |                   |
| Report Author                                       | Kristie Ashenden, Principal Licensing Officer          |                   |
| Version   | Final  |                   |
| Dated   | 5 <sup>th</sup> June 2009                              |                   |
| Key Decision  | No   |                   |
| Consultation with other Officers / Directorates     |  |                   |
| Officer Title                                       | Comments sought  | Comments included |
| Strategic Director of COMMUNITIES, LAW & GOVERNANCE | Yes  | Yes               |

## APPENDIX A

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.

RECEIVED  
14 APR 2009

I/We Rubel Ahmed  
(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<br>Ivory Arch Tandoori<br>80-82 Walworth Road<br>Elephant and Castle |               |           |         |
| Post town   | London        | Post code | SE1 6SW |
| Telephone number at premises (if any)   | 020 7703 0182 |           |         |
| Non-domestic rateable value of premises   | £6000         |           |         |

## 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)
- 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)

|   |                              |                               |                             |                                |   |
|---|------------------------------|-------------------------------|-----------------------------|--------------------------------|---|
| <input checked="" type="checkbox"/> Mr                    | <input type="checkbox"/> Mrs | <input type="checkbox"/> Miss | <input type="checkbox"/> Ms | Other Title (for example, Rev) |   |
| Surname<br>Ahmed  |                              |                               | First names<br>Rubal        |                                |   |
| I am 18 years old or over                                 |                              |                               |                             |                                | <input checked="" type="checkbox"/> Please tick yes |
| Current postal address if different from premises address |                              | [REDACTED]                    |                             |                                |   |
| Post Town   |                              |                               |                             | Postcode                       | SE22 8NT  |
| Daytime contact telephone number                          |                              | 07956 [REDACTED]              |                             |                                |   |
| E-mail address (optional)                                 |                              |                               |                             |                                |   |

**SECOND INDIVIDUAL APPLICANT** (if applicable)

|                             |                              |                               |                             |                                |  |
|-----------------------------|------------------------------|-------------------------------|-----------------------------|--------------------------------|--|
| <input type="checkbox"/> Mr | <input type="checkbox"/> Mrs | <input type="checkbox"/> Miss | <input type="checkbox"/> Ms | 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 |
|-----|-------|------|
| 09  | 04    | 2009 |

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)  
Restaurant and Take Away as defined in the plan provided.

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

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 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:**

- |  |                          |
|--|--------------------------|
| 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

| Late night refreshment<br>Standard days and<br>timings (please read<br>guidance note 6) |       |        | Will the provision of late night refreshment<br>take place indoors or outdoors or both –<br>please tick (please read guidance note 2)  | Indoors  | <input type="checkbox"/>            |
|---|-------|--------|--|----------|-------------------------------------|
| Day   | Start | Finish |  | Outdoors | <input type="checkbox"/>            |
| Mon   | 1100  | 0200   | <b>Please give further details here</b> (please read guidance note 3)<br>Hot drink or food to be sold to customers from the Take Away and<br>Restaurant<br>Light and substantial food refreshment will be available from the<br>Take Away and Restaurant   | Both     | <input checked="" type="checkbox"/> |
| Tue   | 1100  | 0200   |  |          |                                     |
| Wed   | 1100  | 0200   | <b>State any seasonal variations for the provision of late night<br/>refreshment</b> (please read guidance note 4)<br>On commencement of British Summer Time 11.00 to 04.00  |          |                                     |
| Thur  | 1100  | 0300   |  |          |                                     |
| Fri   | 1100  | 0300   | <b>Non standard timings. Where you intend to use the premises<br/>for the provision of late night refreshment at different times, to<br/>those listed in the column on the left, please list</b> (please read<br>guidance note 5)<br>Valentines Night 11.00 to 03.00<br>Easter Sunday 11.00 to 03.00<br>Easter Monday 11.00 to 03.00<br>Sunday prior to Mayday Bank Holiday 11.00 to 03.00<br>Spring Bank Holiday - Sunday prior to Bank Holiday Monday 11.00<br>to 03.00<br>August Bank Holiday Sunday prior to Bank Holiday Monday 11.00 to<br>0300<br>Halloween 11.00 to 03.00<br>Guy Fawkes Night 11.00 to 03.00<br>Christmas Eve 11.00 to 03.00<br>New Years Eve 11.00 to 04.00 |          |                                     |
| Sat   | 1100  | 0300   |  |          |                                     |
| Sun   | 1100  | 0200   |  |          |                                     |
|   |       |        |  |          |                                     |

## M

|   |       |        |   |                  |                                     |
|---|-------|--------|---|------------------|-------------------------------------|
| <b>Supply of alcohol</b><br>Standard days and timings (please read guidance note 6) |       |        | <b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)  | On the premises  | <input type="checkbox"/>            |
|   |       |        |   | Off the premises | <input type="checkbox"/>            |
| Day   | Start | Finish |   | Both             | <input checked="" type="checkbox"/> |
| Mon   | 1100  | 0200   | <b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)<br>On commencement of British Summer Time 11.00 to 04.00   |                  |                                     |
| Tue   | 1100  | 0200   |   |                  |                                     |
| Wed   | 1100  | 0200   |   |                  |                                     |
| Thur  | 1100  | 0300   | <b>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</b> (please read guidance note 5)   |                  |                                     |
| Fri   | 1100  | 0300   | Valentines Night 11.00 to 03.00<br>Easter Sunday 11.00 to 03.00<br>Easter Monday 11.00 to 03.00   |                  |                                     |
| Sat   | 1100  | 0300   | Sunday prior to Mayday Bank Holiday 11.00 to 03.00<br>Spring Bank Holiday - Sunday prior to Bank Holiday Monday 11.00 to 03.00  |                  |                                     |
| Sun   | 1100  | 0200   | August Bank Holiday Sunday prior to Bank Holiday Monday 11.00 to 03.00<br>Halloween 11.00 to 03.00<br>Guy Fawkes Night 11.00 to 03.00<br>Christmas Eve 11.00 to 03.00<br>New Years Eve 11.00 to 04.00 |                  |                                     |

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

|   |          |
|---|----------|
| <b>Name</b><br>Izzazul Ahmed  |          |
| <b>Address</b><br> |          |
| <b>Postcode</b>   | SE17 1DE |
| <b>Personal Licence number (if known)</b><br>7888   |          |

Issuing licensing authority (if known)  
Southwark

## 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)  
There is to be no nudity or semi nudity.  
There will be no showing of films  
There will be no gambling machines.

## O

| Hours premises are open to the public<br>Standard days and timings (please read guidance note 6) |       |        | State any seasonal variations (please read guidance note 4)<br>On commencement of British Summer Time 11.00 to 04.00   |
|--|-------|--------|--|
| Day  | Start | Finish |  |
| Mon  | 11.00 | 0200   | <b>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</b> (please read guidance note 5)<br>Valentines Night 11.00 to 03.00<br>Easter Sunday 11.00 to 03.00<br>Easter Monday 11.00 to 03.00<br>Sunday prior to Mayday Bank Holiday 11.00 to 03.00<br>Spring Bank Holiday - Sunday prior to Bank Holiday Monday 11.00 to 03.00 |
| Tue  | 1100  | 0200   |  |
| Wed  | 1100  | 0200   |  |
| Thur   | 1100  | 0300   |  |
| Fri  | 1100  | 0300   |  |
| Sat  | 1100  | 0300   |  |

|     |      |      |  |
|-----|------|------|--|
|     |      |      | August Bank Holiday Sunday prior to Bank Holiday Monday 11.00 to 03.00<br>Halloween 11.00 to 03.00 |
| Sun | 1100 | 0200 | Guy Fawkes Night 11.00 to 03.00<br>Christmas Eve 11.00 to 03.00<br>New Years Eve 11.00 to 04.00    |

**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)**

- There will be robust management procedures in place to make sure all the licensing objectives are adhered to
- Right of admission will be reserved
- Staff will be trained in licensing regulations
- A summary of the premises licence will be placed in accordance with the statutory provisions
- The positioning of the seats and the bar will allow the staff to be able to view the areas where the above licensed activities are to take place which will enable them to observe and control.
- The licensee has many years of successfully working within the catering industry and has extensive catering experience this will ensure his ability to promote the licensing objectives

**b) The prevention of crime and disorder**

- The restaurant will have a zero tolerance policy with regards to serving alcohol
- The Designated Premises Supervisor and staff will at all time be aware of their responsibilities for the prevention of crime and disorder and will show a responsible attitude to the marketing and sale of alcohol.
- The restaurant will operate Southwark councils' or similar proof of age scheme and will display the relevant literature.
- Staff trained in polite non confrontational behaviour to avoid confrontation.

**c) Public safety**

- All furniture /Soft furnishings comply with the fire safety standards
- An emergency lighting system is in place
- Safety signs and notices are in place.
- Free drinking water will be available to customers
- A phone number of a licensed cab office will be placed on the premises
- The Designated Premises Supervisor and the staff will be trained in the relevant health and safety legislation.
- Continuous maintenance of all provided fire and other safety arrangements and equipment.

**d) The prevention of public nuisance**



-The licensee will ensure that deliveries will be carried out during the day so as not to cause a nuisance.  
 -Notices will be displayed by the premises telling customers to leave quietly.  
 -Air conditioning has been installed to ensure that the doors are not opened for a long period of time and to stop smells emanating from the restaurant.

**e) The protection of children from harm**

-Children under 16 will not be allowed into the restaurant without an accompanying adult.  
 -There will be no adult entertainment as this is to be a restaurant  
 - The Designated Premises Supervisor and the staff know that alcohol can not be served to persons under the age of 18 and will ask for proof of identity if a person appears to be underage.

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 |  |
| Date      |  |
| 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.

- 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>[Handwritten Signature]</i> |
| Date      | 09 04 2009                     |
| Capacity  | APPLICANT                      |

**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) |  |           |  |

|           |       |
|-----------|-------|
| Signature |       |
| Date      | ..... |
| Capacity  |       |

|  |               |           |          |
|--|---------------|-----------|----------|
| <b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)</b> |               |           |          |
| Tinu Adeshile  |               |           |          |
| 70B Burrage Place<br>Woolwich  |               |           |          |
| Post town  | London        | Post code | SE18 7BE |
| Telephone number (if any)  | 07890 748 855 |           |          |
| <b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>  |               |           |          |
| tinu.adeshile@fsmail.net   |               |           |          |

#### Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.



## APPENDIX B

Your reference:

Our reference: LIC/20/1754/MD

Date: 20th April 2009



METROPOLITAN POLICE SERVICE

Southwark Police Licensing Office  
Walworth Police Station  
12-28 Manor Place

London

SE17 3BB

Telephone : 020 7232 6155 (Office)

07990 900966 (Mobile)

Facsimile : 020 7232 6282

E-mail : Stephen.McNally@met.police.uk

Licensing Unit  
Chaplin Centre  
Thurlow Street  
London  
SE17 2DG

RECEIVED  
24 APR 2009

Ivory Arch Tandoori  
80-82 Walworth Road, SE1 6SW

Dear Sirs

I write to acknowledge receipt of an application by Rubel Ahmed for the grant of a Premises Licence under the Licensing Act 2003 in respect of the above premises.

It should be noted that these premises are quite close to many residential properties and, indeed, are actually situated directly below and adjacent to some such properties.

Police would wish to offer a representation to this application on the grounds that the applicant has not sufficiently addressed the Licensing Objective regarding the prevention of Crime and Disorder.

There are many and varied conditions that could be added to any Premises Licence that the Licensing Committee may choose to grant for these premises in order to assist in the promotion of the said Licensing Objective. I have listed below those which the applicant, should he decide that the hours sought in this application are necessary for the running of his business, may wish to consider adopting:

- (1) That SIA registered door supervisors shall be employed at the premises after 9.00pm each night and be provided with a hand held metal detection unit and a mechanical counting device in order to supervise admissions to and departures from the premises and to ensure that the premises maximum accommodation limit 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 an anti-drugs statement shall be displayed prominently at the entrance to the premises and arrangements made with Southwark Police in accordance with the Best Practice Guide prepared by the Metropolitan Police.
- (4) That you shall require any person hiring the premises to complete the 'Venue Hire Agreement' provided by the Metropolitan Police and, once completed, and, once completed, the Premises Licence holder or their nominated representative 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.
- (5) That a drugs drop box, which must be secure and have a tamper proof entrance, shall be fixed to the wall in the entrance foyer to the premises and an agreement must be established with the local Police over the emptying and collection of any drugs deposited in the box.
- (6) That notices shall be prominently displayed stating 'Over 21's only'
- (7) That a device shall be fitted to all Fire Doors and be maintained so that a warning light is switched on above the door inside the premises whenever any Fire Door is opened.
- (8) That suitable numbers of staff shall be employed outside the premises for up to one hour after the terminal hour to take all reasonable steps to ensure that patrons leave in a quiet and orderly manner so as not to disturb local residents.
- (9) That there shall be no movement of musical or amplification equipment from the premises between the hours of 12.00 midnight and 8.00 am and any vehicle carrying such equipment shall be parked as far away from residential premises as reasonably practicable.
- (10) That all external doors and windows (excepting any that have to be locked open to ensure public safety) shall be kept shut and under strict management supervision and allow access and egress only whilst entertainment is being provided.
- (11) That no outside parts of the curtilage shall be used for events of a licensable nature, or shall be used whilst events are in progress.
- (12) That only bottles and glasses made from toughened glass shall be used during the sale or supply of any drinks, whether alcoholic or not, to customers.
- (13) That a Personal Licence holder be on the premises at all times that intoxicating liquor is sold or supplied

- (14) That a CCTV system shall be installed both inside and outside the premises in conjunction with advice from the local Police and be maintained in good working order. This system shall be continually recording at all times that the premises are in use under the Premises Licence. All such 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 or Council.
- (15) That one CCTV camera shall be installed in such a position as to enable a clear facial image of every person passing through the security arch to be recorded and shall be maintained in working order at all times.
- (16) That there shall be no new admissions or readmissions to the premises after 1.00am on the days following Sunday to Wednesday and after 2.00am on the days following Thursday to Saturday - except for persons leaving the premises in order to smoke. Such persons shall be supervised at all times and subject to being re-searched on re-entry to the premises.
- (17) That the last permitted time for ordering a meal to be 1.00am on the days following Sunday to Wednesday and 2.00am on the days following Thursday to Saturday
- (18) The adoption and implementation of a recognised Proof of Age scheme
- (19) That all staff concerned with the sale or supply of intoxicating liquor undergo a recognised Training scheme for such duties and a record of such training is kept and made available for inspection, on request to officers of the Police or Council.
- (20) That there shall be no irresponsible drinks promotions undertaken at the premises
- (21) That there shall be an arrangement made with a local licensed cab office to enable patrons of the venue to call responsible cabs and leave the area as necessary when they have concluded their business at the premises
- (22) That there shall be no children permitted on the premises after 9.00pm
- (23) That an identification Recognition System (ClubScan or similar) shall be installed and maintained in working order at all times. Every person, including staff and agents, entering the premises during opening hours shall be required to submit their details to the system prior to entry being granted.
- (24) That the Licensee / Duty manager shall maintain a register indicating the numbers of staff, including any Door Supervisors and all performers, who are present when the public are present. This register shall be produced immediately on the request of an Authorised Officer.

- (25) That a duty roster must be maintained for all SIA staff and shall be made available to the Metropolitan Police on request.
- (26) That an incident Log must be maintained at all times and made available to the Metropolitan Police and the London Borough of Southwark Authorised Officers on request.

Should the applicant agree to these, it will go some way in order to prevent and manage the potential for Public Disorder and Public Nuisance.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Stephen McNally PC 693MD', written over the typed name.

Stephen McNALLY PC 693MD  
Licensing Officer



**MEMO: Environmental Protection Team**

**To** Regen,licensing      **Date** 28<sup>th</sup> April 2009

**Copies**

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

**Email** Alan.Blissett@southwark.gov.uk

**Subject** 80 – 82 Walworth Rd SE1 6SW Our ref 358460

Thank you for consulting Environmental Protection Team on the application.

The applicant proposes late night refreshment and supply of alcohol only until 0200 Sunday to Wednesday and 0300 Thursday to Saturday i.e no live or recorded music has been applied for. It is assumed from the application that there is to be no outside area for these facilities or any home delivery to the take away element of the business.

I acknowledge the prevention of public measures set out in the application, however this has not addressed the potential for smokers to gather outside in numbers and impact on the residents [ and future residents ] in the vicinity. This could be controlled by limitation imposed by condition including an assurance that drinks are not taken off the premises by smokers. Generally I believe that the locality is such that premises could operate to the proposed hours without significant impact.

I need therefore to make representation whilst the point above is considered by the applicant.

**Alan Blissett**  
Principal Environmental Protection Officer



Regeneration and neighbourhoods  
Planning & transport  
Development management  
PO Box 64529  
LONDON SE1P 5LX

Licensing Unit  
Chaplin Centre  
Thurlow Street  
London  
SE17 2DG

**Your Ref:** 2682  
**Our Ref:** 09-CE-00627  
**Contact:**  
**Telephone:**  
**Fax:**  
**E-Mail:** [planning.enquiries@southwark.gov.uk](mailto:planning.enquiries@southwark.gov.uk)  
**Web Site:** <http://www.southwark.gov.uk>

**Date:** 29/04/2009

Dear Sir/Madam

**General enquiry re:**  
IVORY ARCH 80-82 WALWORTH ROAD, LONDON, SE1 6SW

There are no restrictions on the planning register preventing the sale of alcohol on and off the premises at the above address. As such, the Planning Department has no objections to the application for a licence to sale of alcohol on and off the premises at the above.

Yours faithfully

A handwritten signature in blue ink, appearing to be a stylized name or initials.



LONDON FIRE  
AND EMERGENCY  
PLANNING AUTHORITY

829526

Fire Safety Regulation: South East Area 3  
169 Union Street London SE1 0LL  
T 020 8555 1200 x36500  
F 020 8536 5924  
Minicom 020 7960 3629  
www.london-fire.gov.uk

RECEIVED

05 MAY 2009

London Fire and Emergency Planning  
Authority runs the London Fire Brigade

Date: 1 May 2009  
Our Ref: 91/3978

Tinu Adeshile  
70B Burrage Place  
Woolwich  
London  
SE18 7BE

Dear Sir/Madam

### LICENSING ACT 2003

**Premises: Ivory Arch Tandoori 80-82 Walworth Road London SE1 6SW**

With reference to the application dated 9 April 2009 as shown on plan, number(s) EL/08/5/01 the Fire Authority, **does not propose to make any representation** to the Licensing Authority, provided that the premises are constructed and managed in accordance with the information supplied with your application.

This letter is without prejudice to the powers of the licensing authority and to any requirements or recommendations that may be made by enforcing authorities under other legislation. It is also without prejudice to any requirements or recommendations that may be made by this Authority under the Regulatory Reform (Fire Safety) Order 2005 or the Petroleum (Consolidation) Act 1928. All alterations should comply with the appropriate provisions of the current Building Regulations.

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,

**for Assistant Commissioner (Fire Safety Regulation)**

Fire and Community Safety Directorate  
firesafetyregulationSE@london-fire.gov.uk

cc.: **Licensing Authority**

Reply to Cliff Poke  
Direct T 020 8555 1200 x57994  
Direct F 020 8536 5924

## APPENDIX C

[REDACTED]

---

**From:** Justin Black [REDACTED]  
**Sent:** 11 May 2009 17:29  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Objection to Premises Licence Application Ref No: 829566  
**Importance:** High  
**Attachments:** bdl objection to ivory arch licence final 11.05.09.pdf; ATT764755.txt

Dear [REDACTED]

Please find attached our formal objection to recent application for the supply of alcohol and late night refreshment to the Ivory Arch, 80-82 Walworth Road, London SE1 6SW. Hard copies were posted earlier this afternoon.

As the Development Manager for the adjacent Castle House residential redevelopment and in full support of the existing local community, represented by the Drapers Tenants and Residents Association (DTRA), we wholeheartedly oppose this backwards step and strongly urge the Councils Licensing Sub Committee to refuse this application. Our justification for this position is apparent from the attached letter.

Please feel free to call, should you or any of the Council officers wish to discuss. I look forward to receiving your acknowledgement of this objection in due course.

Kind regards

Justin Black  
Director

Brookfield Europe  
40 Berkeley Square  
London W1J 5AL

[x]



# Brookfield

Brookfield Developments (UK) Limited

VAT No: 749 3239 06, Company No: 485 2612

11 May 2009

Kirby Read  
The Licensing Unit  
c/o Southwark Environmental Health and  
Trading Standards  
The Chaplin Centre  
Thurlow Street  
London SE17 2DG

Dear Kirby

**LICENCE APPLICATION REF NO: 829566**  
**IVORY ARCH, 80-82 WALWORTH ROAD, LONDON SE1 6SW**

I am writing on behalf of Brookfield Developments (UK) Limited to object to the application for the supply of alcohol and late night refreshment to the above premises. We believe that three of the four objectives of the Licensing Act 2003 would be contravened should this application be granted, namely:

1. The prevention of crime and disorder
2. Public safety
3. The prevention of nuisance

Brookfield Developments (UK) Limited act as Development Manager for the redevelopment of the site known as Castle House, 2-20 Walworth Road, London SE1 6SP, immediately adjacent to the Ivory Arch premises. Comprising the first significant private development to be undertaken as part of the Elephant & Castle (E&C) regeneration, our scheme will deliver 408 market and affordable homes and 4 (A1/A3/A5) commercial units to the area by April next year (2010).

Our company (previously known as Multiplex) and myself in particular have been actively involved with this part of London since January 2005. We have worked closely with local people, businesses and Southwark Council officers throughout the years in the planning, development, approval and implementation of our project. We understand the local community and their fears, hopes and aspirations for this part of the Elephant very well.

This representation is made as both a business operating in that vicinity and a body representing persons who live in that vicinity - the existing local community (supporting groups such as the Draper Tenants & Residents Association) and the circa 757 residents and tenants of our development who will be Southwark Council tax payers within the next 12 months or so.

During public consultation on our evolving planning proposals (July 2005-March 2006), we received clear direction from residents that late night drinking venues and the direct consequences of their operation were having a materially detrimental effect on their quality of life and the residential amenity of the area as a whole. It was for this reason that we removed the option for a public house from the commercial element at the base of our development and reduced the operating hours for our proposed A1/A3 and A5 uses to





11.00pm. We also supported the local community and police and made representations to the Licensing Unit when the Ivory Arches previous licence was reviewed and revoked following the fatality.

The Ivory Arch remains in the same ownership and we have no reason to believe that the reintroduction of a late night alcohol licence to these premises would result in anything other than public nuisance ultimately leading to crime, disorder and further safety concerns for already beleaguered local residents.

This is clearly an established residential area. Late night drinking venues are never suitable in close proximity to people's homes and allowing this contradiction to occur only leads to nuisance. Hindsight demonstrates that a late night drinking licence never was appropriate in this location and cannot be reasonably justified, especially given the Council's and our commitment to the locality's future as an attractive area for people to come and live in the revitalised E&C.

Through the implementation of our significant S106 contributions we are improving the external environment and security of this part of the Elephant. The car park to the rear of our site, previously frequented by Ivory Arch's late night customers, was one of Southwark's crime hot spots. We do not wish to see this area go backwards in terms of residential amenity and public safety.

As this is largely a matter of principle, it is highly unlikely that any measures proposed by the applicant during any conciliation meeting (other than the withdrawal of their licence application) will be sufficient to address our substantive concerns. Consequently we are prepared to pursue this beyond conciliation and committed to attend the public hearing if required.

We strongly urge the Council's Licensing Sub Committee to refuse this application and look forward to receiving your acknowledgement of this formal objection.

Yours sincerely,



Justin Black  
Brookfield Developments (UK) Limited

Cc: Cllr Caroline Pidgeon, Southwark Council  
Cllr James Gurling, Southwark Council  
Cllr Jellil Ladipo, Southwark Council  
Cllr Paul Noblett, Southwark Council  
Diane Hill, DTRA



[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 12 May 2009 11:47  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Fw: Objection to Premises Licence Application Ref No: 829566  
**Attachments:** Ivory Arch Licence Rejection.doc

Dear Kirty

I am writing on behalf, and in my elected position as Chair, of the Draper Tenants & Residents Association to object to this application for a licence to supply alcohol and late night entertainment to the Ivory Arch, 80-82 Walworth Road, London SE1 6SW. Hard copies were posted earlier this morning.

This objection was unanimously agreed after discussion at a general meeting of the Draper Estate held on Monday 11<sup>th</sup> May 2009.

Please find attached our letter of objection. Hard copy sent out today.

I look forward to your reply.

Kind Regards

Diane Hill  
Chair Person  
On behalf of  
Draper T&RA



## Draper Tenants & Residents Association

Howell Walk  
London SE1 6TL

[drapertra@btinternet.com](mailto:drapertra@btinternet.com)



Ms. Read  
The Licensing Unit  
Chaplin Centre  
Thurlow Street  
London SE17 2DG

Dear Ms. Read,

Date 12<sup>th</sup> May 2009

Licence Application Ref. No.: 829556  
Ivory Arch, 80 – 82 Walworth Road, London SE1 6SW

I am writing on behalf, and in my elected position as Chair, of the Draper Tenants & Residents Association to object to this application for a licence to supply alcohol and late night entertainment.

This objection was unanimously agreed after discussion at a general meeting of the Draper Estate held on Monday 11<sup>th</sup> May 2009.

We firmly believe that this application is of a similar enough content to the one that was refused/revoked at a previous licensing hearing and should be rejected for the same reasons.

The Ivory Arch is still under the same ownership as before and we can see no way in which the granting of this licence will have any less a detrimental and anti-social effect on the local area and local population as has been previously seen. The type of premises and the clientele attracted are a constant cause of public nuisance, anti-social behaviour, crime, including but not limited to drug offences, violent crime which has led to both knife crime and shootings. There are no assurances or guarantees that can be offered to prevent this happening again.

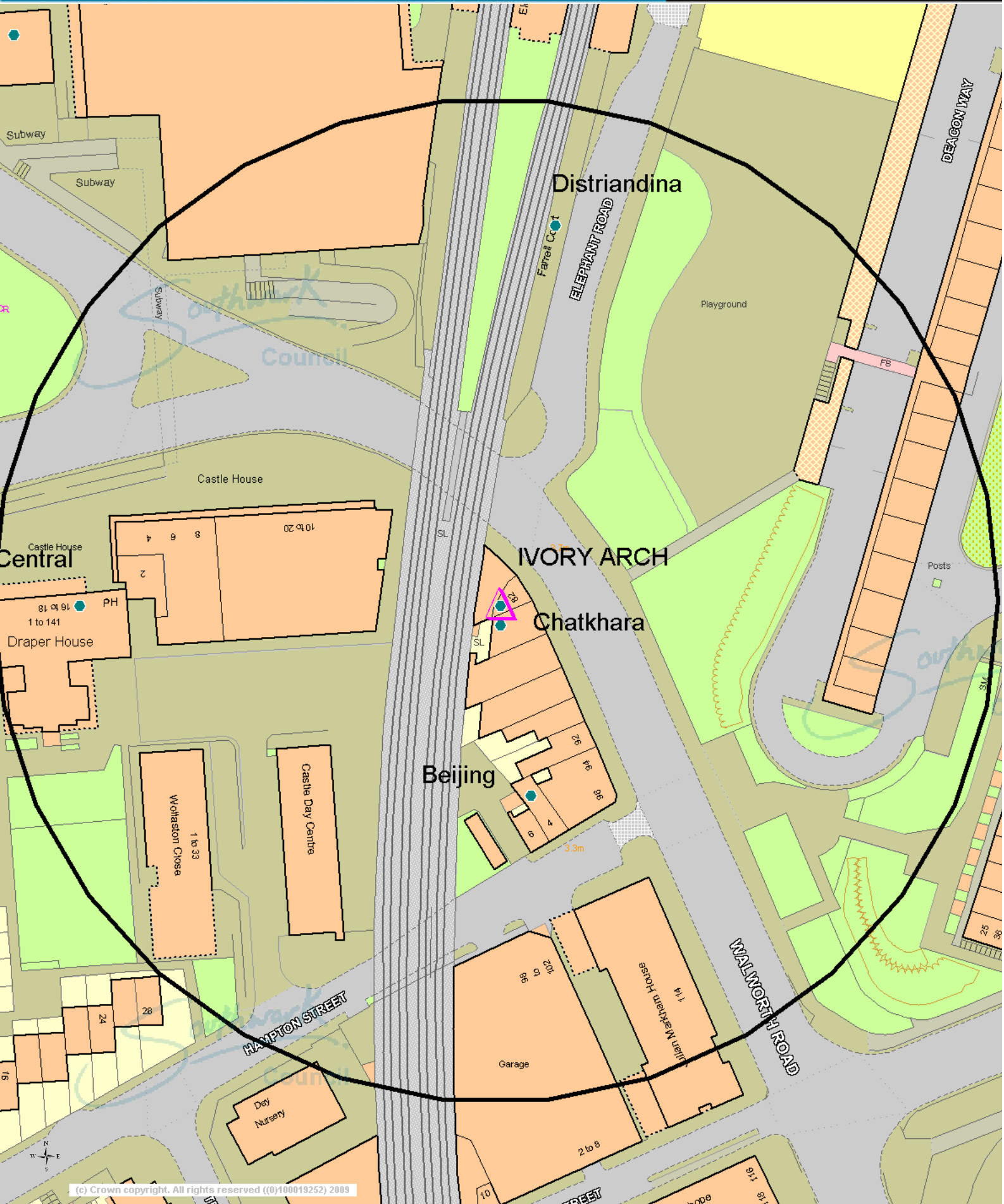
This is a highly populated residential area and the granting of such licences can do nothing but cause problems to the people who live in this area. Past experience shows that such establishments are in no way beneficial or desired by the people who have to live here and live with the daily consequences of such licensing.

While we are sure the applicant will offer various assurances, the Draper Estate will only be placated by the total withdrawal of this application.

Yours sincerely,

Diane Hill  
Chair, Draper Tenants & Residents Association





|                                    |                                |  |  |
|------------------------------------|--------------------------------|--|--|
| <b>Item No. 6</b>                  | <b>Classification:</b><br>Open | <b>Date:</b><br>June 22 2009   | <b>MEETING NAME</b><br>Licensing Sub-Committee |
| <b>Report title:</b>               |                                | <b>LICENSING ACT 2003 –<br/>Costcutter, 257-259 Southwark Park Road, London SE16 3TP</b> |  |
| <b>Ward(s) or groups affected:</b> |                                | <b>Premises are within: South Bermondsey Ward</b>  |  |
| <b>From:</b>                       |                                | <b>Director of Environment and Housing</b>   |  |

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by Waheed Allahgul, for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Costcutter, 257-259 Southwark Park Road, London SE16 3TP.

### 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 seven interested parties and one responsible authority 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 15 to 17 of this report deal with the representations received to the premises licence application and to the premises licence holder. (Copies of the relevant representations are attached at Appendices C & D).*

## 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 9<sup>th</sup> April 2009, Waheed Allahgul applied to this council for the grant of a new premises licence in respect of the premises known as Costcutter, 257-259 Southwark Park Road, London, SE16 3TP. Mr Allahgul also listed himself as the designated premises supervisor.
  
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 M and O set out the proposed operating hours and operating controls in full, with reference to the four licensing objectives as stated in the Licensing Act 2003.
  
10. The application is summarized as follows
  - For the sale by retail of alcohol (to be consumed off the premises) from 00.00 to 23.59 on each of the days Monday to Sunday.
  
  - The proposed opening hours are 23.59 to 00.00 on each of the days Monday to Sunday.

### **Operating History**

11. There is no prior operating history relating to these premises.

### **Designated premises supervisor**

12. The proposed designated premises supervisor for the premises known as Costcutter, 257-259 Southwark Park Road, London, SE16 3TP is Mr Ghasem Abbasi who has been granted a personal licence by the City of Westminster.
13. The application submitted by Mr Allahgul initially listed himself as the designated premises supervisor. However a representation was lodged by the Metropolitan Police Service in respect of Mr Allahgul being the premises licence holder and the designated premises supervisor.
14. Copies of the representations were forwarded to the applicant's representative who made an application on 10<sup>th</sup> June 2009 to vary the designated premises supervisor from Mr Allahgul to Mr Abbasi. A copy of this application is attached as appendix B. An application was also made to transfer the licence from Mr Allahgul, however as the licence had not been issued no transfer application could be accepted.

### **Representations from interested parties**

15. There are seven representations from interested parties. They are attached to this report as appendix C. One of the representations is from a local tenants and residents association, who has asked their ward councillor to represent them. The representations relate to public nuisance and crime and disorder.

### **Representations from responsible authorities**

16. One representation has been received from the metropolitan police service. A copy of this representation is attached to this report as appendix D. The representation objected to Mr Allahgul being the premises licence holder and the designated premises supervisor.
17. Further correspondence has been received from the police and applicant's representative and is attached as appendix E to this report. The correspondence confirms that the police would withdraw their representations subject to the variation of the designated premises supervisor and to confirmation that the applicant has agreed to the proposed conditions requested by the police. The police also wish the premises licence to be transferred. The police have been notified that the application cannot be transferred and as such the police have requested that their representation remains.

### **Disability discrimination act**

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

### **The local vicinity**

19. A map of the local vicinity is attached as appendix F. The premises is identified at the centre of the map as a black diamond and labelled as Costcutter. 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.
20. 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.

21. 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**

22. 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**

23. 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 22<sup>nd</sup> of April 2009 and the notice was displayed correctly.

### **EQUAL OPPORTUNITIES IMPLICATIONS**

24. 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**

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

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

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

27. 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.

28. 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.

29. 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

30. 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. Section 18 (5) of the Act states that conditions are modified if any of them is altered or omitted or any new condition is added.

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.

31. The four licensing objectives are

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

32. 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.

33. 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.

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

### Reasons

35. 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

36. 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.
37. 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

38. 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.
39. 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.
40. 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.

41. 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.
42. 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.
43. 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.
44. 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.
45. 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**

46. 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<br>DCMS Guidance to the Act<br>Secondary Regulations<br>Southwark Statement of Licensing<br>Policy<br>Case file | Southwark Licensing,<br>C/O Community Safety &<br>Enforcement, The<br>Chaplin Centre, Thurlow<br>Street, London, SE17<br>2DG | Name: Mrs Kirty<br>Read<br>Phone number:<br>020 7525 5748 |

### **Appendices**

| No.        | Title  |
|------------|--|
| Appendix A | Premises licence application   |
| Appendix B | Application to vary the designated premises supervisor                   |
| Appendix C | Representations from interested parties                                  |
| Appendix D | Representations from Metropolitan Police Service                         |
| Appendix E | Correspondence from the applicant's legal representative and the police. |
| Appendix F | Map of the local vicinity.   |

#### Audit trail

|   |  |                   |
|---|--|-------------------|
| Lead Officer                                      | Jonathon Toy, Head of Community safety and Enforcement |                   |
| Report Author                                     | Rosanna Keogh, Principal Licensing Officer             |                   |
| Version   | Final  |                   |
| Dated   | 10 <sup>th</sup> June 2009                             |                   |
| Key Decision                                      | No   |                   |
| Consultation with other Officers / Directorates   |  |                   |
| Officer Title                                     | Comments sought  | Comments included |
| Strategic Director of Legal & Democratic Services | Yes  | Yes               |

APPENDIX A

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 Waheed Allahgul

(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<br>Costcutter<br>257-259 Southwark Park Road |        |           |          |
| Post town   | London | Post code | SE16 3TP |

|   |         |
|---|---------|
| Telephone number at premises (if any)   |         |
| Non-domestic rateable value of premises | £12,250 |

Part 2 - Applicant Details

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

- RECEIVED  
09 APR 2009
- 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)
- 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 checked="" type="checkbox"/>  | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) |          |
| Surname<br>Allahgul   |                              |                               | First names<br>Waheed       |                                |          |
| I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes |                              |                               |                             |                                |          |
| Current postal address if different from premises address                     |                              | 167 Taplow<br>Thurlow Street  |                             |                                |          |
| Post Town   | London                       |                               |                             | Postcode                       | SE17 2UL |
| Daytime contact telephone number  |                              |                               |                             |                                |          |
| E-mail address (optional)   |                              |                               |                             |                                |          |

**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                 |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

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

|                      |                      |                      |
|----------------------|----------------------|----------------------|
| Day                  | Month                | Year                 |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

Please give a general description of the premises (please read guidance note1)

The premises are a general convenience store.

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

0

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 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) (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



## M

|   |       |        |   |                  |                                     |
|---|-------|--------|---|------------------|-------------------------------------|
| <b>Supply of alcohol</b><br>Standard days and timings (please read guidance note 6) |       |        | <b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)  | On the premises  | <input type="checkbox"/>            |
|   |       |        |   | Off the premises | <input checked="" type="checkbox"/> |
|   |       |        |   | Both             | <input type="checkbox"/>            |
| Day   | Start | Finish | <b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  |                  |                                     |
| Mon   | 0000  | 2359   |   |                  |                                     |
| Tue   | 0000  | 2359   |   |                  |                                     |
| Wed   | 0000  | 2359   |   |                  |                                     |
| Thur  | 0000  | 2359   |   |                  |                                     |
| Fri   | 0000  | 2359   |   |                  |                                     |
| Sat   | 0000  | 2359   |   |                  |                                     |
| Sun   | 0000  | 2359   | <b>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</b> (please read guidance note 5) |                  |                                     |

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

|  |          |
|--|----------|
| <b>Name</b><br>Waheed Allaghul                                     |          |
| <b>Address</b><br>167 Taplow<br>Thurlow Street                     |          |
| <b>Postcode</b>  | SE17 2UL |
| <b>Personal Licence number (if known)</b><br>826777                |          |
| <b>Issuing licensing authority (if known)</b><br>Southwark 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**

|   |       |        |   |
|---|-------|--------|---|
| <b>Hours premises are open to the public</b><br>Standard days and timings (please read guidance note 6) |       |        | <b>State any seasonal variations</b> (please read guidance note 4)  |
| Day   | Start | Finish |   |
| Mon   | 2359  | 0000   | <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) |
| Tue   | 2359  | 0000   |   |
| Wed   | 2359  | 0000   |   |
| Thur  | 2359  | 0000   |   |
| Fri   | 2359  | 0000   |   |
| Sat   | 2359  | 0000   |   |
| Sun   | 2359  | 0000   |   |
|   |       |        |   |

**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)

In line with the government guidance we will manage the premises in line with all four of the licensing objectives and all relevant legislation.

**b) The prevention of crime and disorder**

1) The premises has comprehensive CCTV coverage. The system records, the data is kept for at least 31 days & will be made available to the authorities on request.

2) Whenever the DPS is not at the premises another person shall be nominated by them to be the responsible person to manage the premises.

**c) Public safety**

There are no issues relating to the public safety objective

**d) The prevention of public nuisance**

There are no issues relating to the prevention of public nuisance objective

**e) The protection of children from harm**

1) Any person who looks or appears to be under the age of 21 shall be asked to provide ID to prove that they are over the age of 18.

2) Only the UK photo driving licence, passport or government approved PASS cards will be accepted as proof of age.

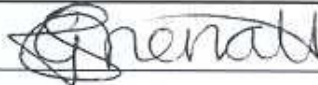
Please tick yes

- 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 |  |
| Date      | 04.08.08  |
| Capacity  | Authorised Agent  |

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)

Licensing Matters  
Time Technology Park  
Blackburn Road  
Simonstone

|           |         |           |          |
|-----------|---------|-----------|----------|
| Post town | Burnley | Post code | BB12 7TW |
|-----------|---------|-----------|----------|

|                           |               |
|---------------------------|---------------|
| Telephone number (if any) | 07769 677 202 |
|---------------------------|---------------|

If you would prefer us to correspond with you by e-mail your e-mail address (optional)  
licensingmatters@tiscali.co.uk



## APPENDIX B

## Application to vary a premises licence to specify an individual as designated premises supervisor under the Licensing Act 2003

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

RECEIVED

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.

10 JUN 2009

You may wish to keep a copy of the completed form for your records.

I / we Agha Sayed Safi

(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

TBC

## Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description

Costcutter  
257-259  
Southwark Park Rd

Post town  
London

Post code (if known)  
SE16 3TP

Telephone number (if any)  
07825816425

Description of premises (please read guidance note 1)  
The premises are a general convenience store.

RECEIVED

10 JUN 2009



**Part 2****Full name of proposed designated premises supervisor**

Ghasem Abbasi

**Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)**

08/05224/LIPERS

City Of Westminster

**Full name of existing designated premises supervisor (if any)**

Waheed Allahgul

**Please tick yes**

I would like this application to have immediate effect, under section 38 of the Licensing Act 2003

I have enclosed the premises licence or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

**Reasons why I have failed to enclose the premises licence or relevant part of it**  
It has not yet been granted**Please tick yes**

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police
- I have enclosed the consent form completed by the proposed premises supervisor
- I have enclosed the premises licence, or relevant part of it or explanation
- I will give a copy of this form to the existing premises supervisor, if any
- 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 3 – Signatures** (please read guidance note 2)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 3). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date 09.06.09

Capacity Authorised Agent

**For joint applicants signature of 2<sup>nd</sup> applicant 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 4). **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 5)

Licensing Matters  
Time Industrial park  
Blackburn Rd  
Simonstone

Post town

Burnley

Post Code

BB12 7TW

Telephone number (if any) 01282 684537

**If you would prefer us to correspond with you by e-mail your e-mail address (optional)** gemma.goodwin@licensingmatters.net

## Guidance notes

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

## Consent of individual to being specified as premises supervisor

I GHASEM ABBASI  
 [full name of prospective premises supervisor]

of 85 GLASTONBURY HOUSE  
ABBOTS MANOR  
LONDON  
SW14 4NS

[home address of prospective premises supervisor]

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

PREMISES LICENCE GRANT  
 [type of application]

by

GHASEM ABBASI  
 [name of applicant]

relating to a premises licence NOT YET GRANTED  
 [number of existing licence, if any]

for 257-259 SOUTHWARK RD,  
BERMONSEY, LONDON  
SE16 3TP

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

and any premises licence to be granted or varied in respect of this application made by

G HASEM ABBASI

*[name of applicant]*

concerning the supply of alcohol at

257-259 SOUTHWARK RD  
BERMONDSEY, LONDON  
SE16 3TP

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

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

08 105224/LIPERS

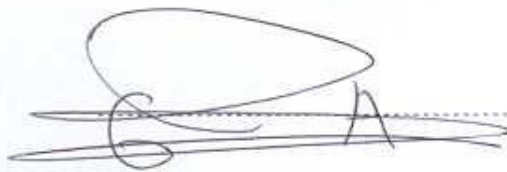
*[insert personal licence number, if any]*

Personal licence issuing authority

CITY OF WESTMINSTER

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

Signed



Name (please print)

Ghasem Abbasi

Date

11/05/09



APPENDIX C

Name:- Rustem Karafinor -- WIMPY-

Address:- 251A Southwark Park Rd SE16 3TS

**TO WHOM IT MAY CONCERN**

I wish to object to the application for an off license at the premises of

**Costcutter,  
257-259 Southwark Park Road SE16**


The premises would be open 24 hours a day and would attract persons seeking to purchase alcohol in the early hours causing noise in entering and leaving the premises whether on foot or in vehicles. The normal hours for residents sleeping, has always been 11pm to 7am and disturbances would evolve. Youngsters under 18 would try to obtain alcohol in these late hours hoping that no police would be around to catch them. This would also attract persons leaving local clubs in the early hours to obtain further alcohol which would lead to further disturbances in the area and the danger of people driving whilst in excess of the alcohol blood limit. Litter would ensue due to such sales, not in the immediate area of the premises but nearby when the alcohol containers are thrown in the street. To allow more alcohol to persons who have already been drinking will encourage disorder, fights and assaults thereby increasing the need for more police patrols in the area.

I hope that you will take this objection into consideration.

Thank you.

Yours sincerely,

Date:-


  
07/05/2009
RECEIVED  
07 MAY 2009



Name:- ABDULKADIR TULUK

Address:- 279 LOU FARROWS, SOUTHWARK PARK ROAD  
LONDON SE16 3TP

## TO WHOM IT MAY CONCERN

I wish to object to the application for an off license at the premises of

**Costcutter,  
257-259 Southwark Park Road SE16**

RECEIVED  
07 MAY 2009

The premises would be open 24 hours a day and would attract persons seeking to purchase alcohol in the early hours causing noise in entering and leaving the premises whether on foot or in vehicles. The normal hours for residents sleeping, has always been 11pm to 7am and disturbances would evolve. Youngsters under 18 would try to obtain alcohol in these late hours hoping that no police would be around to catch them. This would also attract persons leaving local clubs in the early hours to obtain further alcohol which would lead to further disturbances in the area and the danger of people driving whilst in excess of the alcohol blood limit. Litter would ensue due to such sales, not in the immediate area of the premises but nearby when the alcohol containers are thrown in the street. To allow more alcohol to persons who have already been drinking will encourage disorder, fights and assaults thereby increasing the need for more police patrols in the area.

I hope that you will take this objection into consideration.

Thank you.

Yours sincerely,

Abdul Kadir Tuluk

Date:- 7.5.2009

Name:- ARIFE ARDIC - TOPLELLAR -  
 Address:- 262 SOUTHWARK PARK ROAD LONDON SE16 3RN

## TO WHOM IT MAY CONCERN

I wish to object to the application for an off license at the premises of

**Costcutter,  
 257-259 Southwark Park Road SE16**

The premises would be open 24 hours a day and would attract persons seeking to purchase alcohol in the early hours causing noise in entering and leaving the premises whether on foot or in vehicles. The normal hours for residents sleeping, has always been 11pm to 7am and disturbances would evolve. Youngsters under 18 would try to obtain alcohol in these late hours hoping that no police would be around to catch them. This would also attract persons leaving local clubs in the early hours to obtain further alcohol which would lead to further disturbances in the area and the danger of people driving whilst in excess of the alcohol blood limit. Litter would ensue due to such sales, not in the immediate area of the premises but nearby when the alcohol containers are thrown in the street. To allow more alcohol to persons who have already been drinking will encourage disorder, fights and assaults thereby increasing the need for more police patrols in the area.

I hope that you will take this objection into consideration.

Thank you.

Yours sincerely,

*Arife Ardic*

Date:- 07-05-09

RECEIVED  
 07 MAY 2009

Name:-

Pop Inn Cafe

Address:-

258 Southwark Park Rd SE16 5LN

**TO WHOM IT MAY CONCERN**

I wish to object to the application for an off license at the premises of

RECEIVED

0.7.09 2009

**Costcutter,  
257-259 Southwark Park Road SE16**

The premises would be open 24 hours a day and would attract persons seeking to purchase alcohol in the early hours causing noise in entering and leaving the premises whether on foot or in vehicles. The normal hours for residents sleeping, has always been 11pm to 7am and disturbances would evolve. Youngsters under 18 would try to obtain alcohol in these late hours hoping that no police would be around to catch them. This would also attract persons leaving local clubs in the early hours to obtain further alcohol which would lead to further disturbances in the area and the danger of people driving whist in excess of the alcohol blood limit. Litter would ensue due to such sales, not in the immediate area of the premises but nearby when the alcohol containers are thrown in the street. To allow more alcohol to persons who have already been drinking will encourage disorder, fights and assaults thereby increasing the need for more police patrols in the area.

I hope that you will take this objection into consideration.

Thank you.

Yours sincerely,



Date:-

7/5/09



Name:- MRS. DUYGU NUYALI T/A DOUGLAS HATKENCROFT  
 Address:- 260 SOUTHWARK PARK ROAD BCKENHURST  
 LONDON S.E.16 3RN

## TO WHOM IT MAY CONCERN

I wish to object to the application for an off license at the premises of

RECEIVED

07 MAY 2009

Costcutter,  
 257-259 Southwark Park Road SE16

The premises would be open 24 hours a day and would attract persons seeking to purchase alcohol in the early hours causing noise in entering and leaving the premises whether on foot or in vehicles. The normal hours for residents sleeping, has always been 11pm to 7am and disturbances would evolve. Youngsters under 18 would try to obtain alcohol in these late hours hoping that no police would be around to catch them. This would also attract persons leaving local clubs in the early hours to obtain further alcohol which would lead to further disturbances in the area and the danger of people driving whilst in excess of the alcohol blood limit. Litter would ensue due to such sales, not in the immediate area of the premises but nearby when the alcohol containers are thrown in the street. To allow more alcohol to persons who have already been drinking will encourage disorder, fights and assaults thereby increasing the need for more police patrols in the area.

I hope that you will take this objection into consideration.

Thank you.

Yours sincerely,

Mrs. D. Nuyali

Date:- 7.5.09

Name:- PATRICIA FEE & PAUL BOWERS  
Address:- "BLUE ANCHOR" 251 SOUTHWARK PARK RD.

## TO WHOM IT MAY CONCERN

I wish to object to the application for an off license at the premises of

**Costcutter,  
257-259 Southwark Park Road SE16**

The premises would be open 24 hours a day and would attract persons seeking to purchase alcohol in the early hours causing noise in entering and leaving the premises whether on foot or in vehicles. The normal hours for residents sleeping, has always been 11pm to 7am and disturbances would evolve. Youngsters under 18 would try to obtain alcohol in these late hours hoping that no police would be around to catch them. This would also attract persons leaving local clubs in the early hours to obtain further alcohol which would lead to further disturbances in the area and the danger of people driving whilst in excess of the alcohol blood limit. Litter would ensue due to such sales, not in the immediate area of the premises but nearby when the alcohol containers are thrown in the street. To allow more alcohol to persons who have already been drinking will encourage disorder, fights and assaults thereby increasing the need for more police patrols in the area.

I hope that you will take this objection into consideration.

Thank you.

Yours sincerely,

*P Fee*

Date:-

RECEIVED  
07 MAY 2008



Dear Paul,

Re: Costcutter Southwark Park Road

I have been contacted as the Chair of the Manor T & R A by several concerned tenants and residents regarding the 24 hour liquor licence at the above premises. I would be grateful therefore if, as our local Councillor, you would represent our views at the necessary Committee.

The main objections raised are that we already suffer with unsocial street drinking, particularly in the Blue Market area, with one street drinker recently being given an ASBO.

We are also concerned that minors may be approached particularly as the summer months are here, there are many primary and secondary schools in the vicinity. The street drinkers are also posing a social problem in that they are abusive to local residents necessitating removal by the Police, and often use the public areas as toilets. This is also giving parents rise for concern.

Kind regards,

Jackie Barrett  
Chair ~ Manor T & R.A

APPENDIX A

Your reference:

Our reference: LIC/20/1758/MD

Date: 21st April 2009



METROPOLITAN POLICE SERVICE

Southwark Police Licensing Office  
 Walworth Police Station  
 12-28 Manor Place  
 London  
 SE17 3BB  
 Telephone : 020 7232 6155 (Office)  
 07990 900966 (Mobile)  
 Facsimile : 020 7232 6282  
 E-mail : Stephen.McNally@met.police.uk

Licensing Unit  
 Chaplin Centre  
 Thurlow Street  
 London  
 SE17 2DG

RECEIVED  
 24 APR 2009

Costcutter  
257-259 Southwark Park Road, SE16 3TP

Dear Sirs

I write to acknowledge receipt of an application by Waheed Allahgul for the grant of a Premises Licence under the Licensing Act 2003 in respect of the above premises.

Police would wish to offer a representation to this application on the grounds that the applicant has not sufficiently addressed the Licensing Objective regarding the prevention of Crime and Disorder (or, indeed, that of the protection of children from harm).

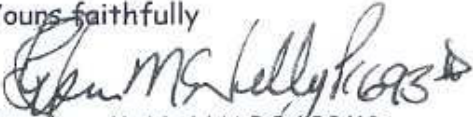
There are many and varied conditions that could be added to any Premises Licence that the Licensing Committee may choose to grant for these premises in order to assist in the promotion of the said Licensing Objective. I have listed below those which the applicant, should he decide that the hours sought in this application are necessary for the running of his business, may wish to consider adopting:

- A Personal Licence holder being on the premises at all times that intoxicating liquor is sold or supplied
- An approved CCTV system to be installed both inside and outside of the premises with as 31-day tape library
- The adoption and implementation of a recognised Proof of Age scheme, including the use of a Refusal Book for the purpose of recording all refused sales of age-related products
- A recognised Training scheme for all staff concerned with the sale or supply of intoxicating liquor, records of which shall be kept and made available for inspection, on request, by Police or Council officers

Further to the above, Police would also wish to offer a representation to the appointment of the applicant as the proposed Designated Premises Supervisor for these premises.

This representation is based on the applicant's former involvement with another licensed premises where sales of alcohol were made on several separate occasions to persons under the age of eighteen - despite warnings and advice being given to the applicant who put himself forward at the time as being the venue's Designated Premises Supervisor (a position that was subsequently found to be misleading).

Yours faithfully



Stephen McNALLY PC 693MD  
Licensing Officer



**McArthur, Wesley**

---

**Subject:** FW: Costcutter, 257 Southwark Park Road.

**From:** Stephen.McNally@met.pnn.police.uk [mailto:Stephen.McNally@met.pnn.police.uk]

**Sent:** 10 June 2009 13:35

**To:** McArthur, Wesley

**Subject:** RE: Costcutter, 257 Southwark Park Road.

Wesley

As per the E-Mail from Gill Sherratt of Licensing Matters on 12th May 2009 - following concerns that I highlighted with the original application - it appeared that the applicants were willing to alter the persons originally named in the application as follows:

DPS - change from Waheed Allahgul to Ghasem Abbasi

Premises Licence holder / applicant - change from Waheed Allahgul to Agha Safi

In view of that agreement - and that given to adopt several conditions on any Premises Licence that may be granted - Police were in a position to withdraw their representation to the application ***PROVIDED THAT ALL MATTERS REFERRED TO IN THE E-MAIL WERE COMPLIED WITH AND THE NECESSARY APPLICATIONS CORRECTLY MADE***

This was confirmed by E-Mail from me to Gill Sherratt on 22nd May 2009

On 4th June 2009 I received a further E-Mail from Gill Sherratt seeking to clarify that I only wanted the DPS applicant to be changed

I replied to this E-Mail (on 4th June 2009) stating that - following the concerns raised earlier about the original applicant - it would be better if they stuck to the above agreement and altered both the DPS and prospective Premises Licence holder

This does not seem to have been done.

Obviously the concerns around the original applicant can be raised at the Committee Hearing set for Monday 22nd June should that become necessary but unless the agreement reached above concerning the removal of Waheed Allahgul's name from both aspects of the application is adhered to then Police will not be withdrawing their representation to this application

Regards

Steve

Stephen McNally

Licensing Officer - Southwark

☎ Phone: 0207 232 6155

☎ Mobile: 07990 900966

☎ Fax: 0207 232 6282

✉ E-mail: Stephen.McNally@met.police.uk

✉ Mail: Licensing Office, Walworth Police Station, 12-28 Manor Place, SE17 3BB

(Not Protectively Marked)

**Omojomolo, Alex**

---

**From:** Stephen.McNally@met.pnn.police.uk  
**Sent:** 22 May 2009 15:54  
**To:** Regen, Licensing  
**Cc:** McArthur, Wesley; gill.sherratt@licensingmatters.net; Keogh, Rosanna  
**Subject:** Coscutter representation

In view of the content of the E-Mail below - and presuming that the matters mentioned in it are complied with - Police are in a position to withdraw their representation to the application for a Premises Licence at the venue

For your information, the conditions mentioned in the E-Mail that the applicant has agreed to adopt are:

- A Personal Licence holder being on the premises at all times that intoxicating liquor is sold or supplied
- An approved CCTV system to be installed both inside and outside of the premises with as 31-day tape library
- The adoption and implementation of a recognised Proof of Age scheme, including the use of a Refusal Book for the purpose of recording all refused sales of age-related products
- A recognised Training scheme for all staff concerned with the sale or supply of intoxicating liquor, records of which shall be kept and made available for inspection, on request, by Police or Council officers

Further, please take note of the content of the E-Mail which refers to changing the proposed DPS and Premises Licence holder

Regards

Steve

Stephen McNally  
Licensing Officer - Southwark  
☎ Phone: 0207 232 6155  
☎ Mobile: 07990 900966  
☎ Fax: 0207 232 6282  
✉ E-mail: Stephen.McNally@met.police.uk  
✉ Mail: Licensing Office, Walworth Police Station, 12-28 Manor Place, SE17 3BB  
(Not Protectively Marked)

---

**From:** Gill Sherrat [mailto:gill.sherratt@licensingmatters.net]  
**Sent:** 12 May 2009 21:32  
**To:** McNally Stephen D - MD



**Subject:** Costcutter representation

Hi Steve,

With your agreement I intend to submit a variation to change the Premises Licence Holder to Mr. Agha Sayed Safi. He is the brother in law and business partner of Waheed Allahgul and is willing to take over responsibility for the matters relating to the sale of alcohol from him. He resides at the same address as Mr Allahgul.

Mr Safi has nominated Ghasem Abbasi, 85 Glastonbury house, Abbots Manor, SW1V 4NS as the DPS. The details of his personal licence are: Issued by City of Westminster, expiry date: 28-05-2018, number 08/05224/LIPERS.

I have spoken with Mr Safi and I have made him aware of your concerns relating to his brother in law. I can confirm that he is happy to accept all of the conditions that you request. He has purchased a Due Diligence package from me and will ensure compliance with all alcohol related matters at all times.

Just as an aside, Najib Khan is involved with the new owners and is assisting them in their licensing arrangements.

Can you let me know if this is acceptable to you and I will make the applications?

Thanks,

Gill

*Gill Sherratt*

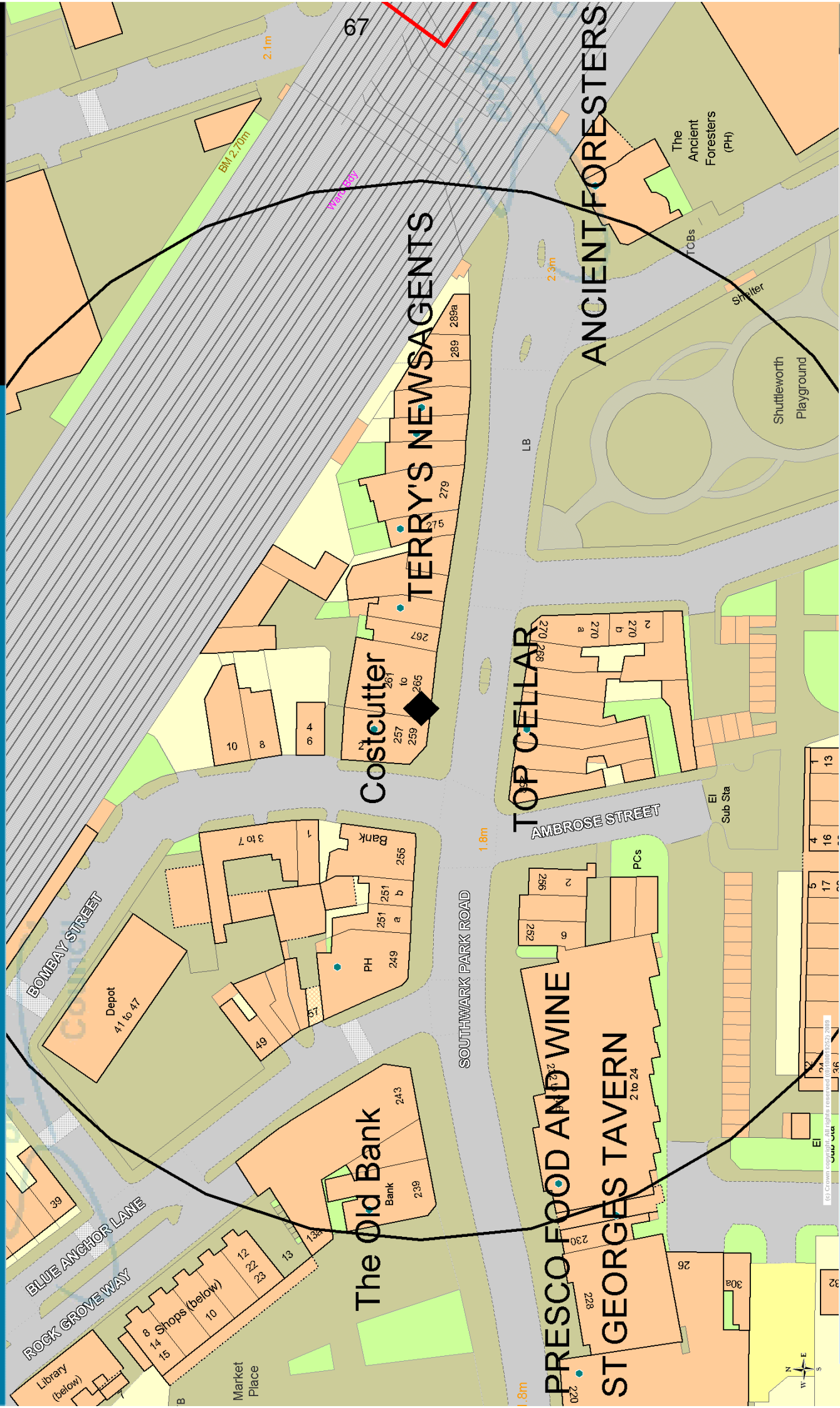
Licensing Matters  
Time Technology Park  
Blackburn Road  
Burnley  
BB12 7TW  
www.licensingmatters.net  
01282 684537  
07769 677 202

\*\*\*\*\*

It is the policy of the MPS that:

MPS personnel (or agents working on behalf of the MPS) must not use MPS systems to author, transmit or store documents such as electronic mail (e-mail) messages or attachments:

- \* containing racist, homophobic, sexist, defamatory, offensive, illegal or otherwise inappropriate material;
- \* containing material requiring a protective marking higher than RESTRICTED, (and not higher than NOT PROTECTIVELY MARKED across the internet) without the use of approved encryption;



|   |  |
|---|--|
| <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: 22.06.2009</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<br/>Councillor Lorraine Lauder<br/>Councillor Sandra Rhule</p> <p>Councillor Wilma Nelson (Reserve)</p> <p><b>Officers</b></p> <p>Kristie Ashenden – Licensing Unit<br/>Wesley McArthur – Licensing Unit<br/>Rosanna Keogh – Licensing Unit<br/>Alan Blissett – Environmental Protection</p> <p><b>Ward Councillors – Newington Ward</b></p> <p>Councillor James Gurling<br/>Councillor Jelil Ladipo<br/>Councillor Caroline Pidgeon</p> <p><b>Ward Councillors – South Bermondsey</b></p> <p>Councillor Helen Jardine Brown<br/>Councillor Paul Kyriacou<br/>Councillor Ade Lasaki</p> <p><b>Observers</b></p> <p>Councillor Ian Wingfield<br/>Councillor Eliza Mann<br/>Councillor Abdul Mohamed</p> <p><b>Total Copies to be printed: 37</b></p> <p><b>PLEASE BRING YOUR PAPERS TO THE MEETING.</b></p> | <p>Mr. Barry Craig, of Craig Licensing, 3 Denberry Drive, Sidcup, Kent, DA14 4LB</p> <p>Ivory Arch, 80-82 Walworth Road, London SE1 6SW</p> <p>PC McNally, Southwark Police, Licensing Office, Walworth Police 12-28 Manor Place, London SE17 3BB</p> <p>J Black, Brookfield Europe, 40 Berkeley Square, London W1J 5AL</p> <p>Draper House TRA, Howell Walk, Walworth, London SE1 6TL</p> <p>Costcutter, 257-29 Southwark Park Road, London SE16 3TP</p> <p>Licensing Matters, Time Technology Park, Blackburn Road Simonstone BB12 7TW</p> <p>29 Lou Farrows House, Southwark Park Road, London SE16 3TP</p> <p>262 Southwark Park Road, London SE16 3TP</p> <p>258 Southwark Park Road, London SE16 3TP</p> <p>260 Southwark Park Road, London SE16 3TP</p> <p>The Blue Anchor, 251 Southwark Park Road London SE16</p> <p><b>Total copies to be circulated: 29</b></p> <p><b>All spares to be delivered to Constitutional Team.</b></p> <p><b>Day of Despatch 12.06.2009</b></p> |