

Licensing Sub-Committee

July 27 2009

10.00 am

Town Hall, Peckham Road, London SE5 8UB

Membership

Councillor David Hubber
Councillor Lorraine Lauder MBE
Councillor Althea Smith

Reserves

Councillor Ian Wingfield

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact

Sean Usher on 0207 525 7222 or email: sean.usher@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Annie Shepperd

Chief Executive

Date: July 17 2009



Licensing Sub-Committee

Monday July 27 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 -CAFÉ ON THE RYE ROAD, PECKHAM RYE COMMON SE15 3UA	1 - 60
6.	LICENSING ACT 2003 - TIP TOE BAR & RESTAURANT, 278 CAMBERWELL ROAD, LONDON SE5 0DL	61 - 92

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.

OPEN DISTRIBUTION LIST - JULY 27 2009

Date: Date Not Specified

Item No. 5	Classification: Open	Date: 27 July 2009	MEETING NAME Licensing Sub-Committee
Report title:		LICENSING ACT 2003 Café On The Rye Road, Peckham Rye Common SE15	
Ward(s) or groups affected:		Premises are within: Peckham Rye	
From:		Strategic Director of Environment and Housing	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Fiona M Halton for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Café On The Rye, Peckham Rye Common SE15.

Notes:

- *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;*
- *Paragraphs 7 to 11 of this report provide a summary of the application for the premises licence under consideration by the sub-committee (A copy of the full application is provided at appendix A)*
- *Paragraphs 12 to 17 of this report deal with the representations received to the premises licence application. (Copies of the relevant representations and replies are attached at appendix B and C).*

BACKGROUND INFORMATION

The Licensing Act 2003

The Licensing Act 2003 received royal assent on 10 July 2003. The Act provides a new licensing regime for

- The sale of and supply of alcohol
- The provision of regulated entertainment
- The provision of late night refreshment

Within Southwark, this council wholly administers the licensing responsibility.

2. 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
 - The prevention of crime and disorder;
 - The promotion of public safety
 - The prevention of nuisance; and

- The protection of children from harm.
3. In carrying out its licensing functions, a licensing authority must also have regard to:
 - The Act itself;
 - The guidance to the Act issued under Section 182 of the Act;
 - Secondary regulations issued under the Act;
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations
 4. The Act established a transitional period between 7 February 2005 and 6 August 2005 under which holders of existing justice's 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.
 5. 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.

KEY ISSUES FOR CONSIDERATION

The premises licence application

6. On the 5 June 2009 Fiona M Halton applied to this council for the grant of a premises licence in respect of the premises known as Café The Rye, Peckham Rye Common, London SE15.
7. A copy of the application for the new premises licence is attached to the report as appendix A.
8. The premises licence application form provides the applicant company's operating schedule. Parts M, 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
9. The application is summarized as follows:
10. The premises will operate as a café with seating indoors and outdoors and will be open 7 days a week. There shall be the provision of plays, films, live music – acoustic only with 1 – 2 musicians, recorded music, performances of dance, late night refreshment and the supply of alcohol to compliment the service of food.

Operating History

11. The premises known as The Café on Rye, Peckham Rye Common SE15, has no trading history under the Licensing Act 2003. It should be noted that Peckham Rye Common is licensed to Southwark Council for public entertainment.

Representations from Interested Parties

12. There are fifteen representations from the interested parties.
13. A copy of the representations from the interested parties is attached to the report as appendix B.

Representations from Responsible Authorities

14. The Council's Planning Department has no representation.
15. The Environmental Protection Team has no representation.
16. The Metropolitan Police Licensing Service has no representation.
17. A copy of the representations from the responsible authorities is attached as appendix C.

Conciliation

18. A conciliation meeting was arranged on Tuesday 7 July 2009 at 6:30pm on the cafe premises. Several members from the interested parties attended the meeting. A satisfactory conclusion could not be reached during the meeting. The matter is referred to the Licensing Sub-Committee for their decision.

Disability discrimination act

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

The local vicinity

20. There are no other premises licensed under the Licensing Act 2003 with a 100 radius of the premises known as The Café On The Rye, Peckham Rye Common, SE15.

Map of the area

21. A map of the area is attached the report as appendix D.

Southwark council statement of licensing policy

22. Council assembly approved the third revision of Southwark's statement of licensing policy on 5 November 2008. Sections of the statement that are considered to be of particular relevance to this application are
 - Section 3 which sets out the purpose and scope of the policy and re-inforces the four licensing objectives
 - 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
 - Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998
 - Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours
 - Section 8 provides general guidance on ensuring public safety including safe capacities
 - Section 9 provides general guidance on the prevention of nuisance
 - Section 10 provides general guidance on the protection of children from harm.

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

RESOURCE IMPLICATIONS

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

CONSULTATIONS

25. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was placed in the 11th December 2008 edition of the Southwark News and a similar notice exhibited outside of the premises.

COMMUNITY IMPACT STATEMENT

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

SUPPLEMENTARY SDVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

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

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

Principles for making the determination

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

30. Relevant representations are those which

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

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

- to grant the licence subject to-
 - 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
 - Any condition which must under section 19,20 or 21be included in the licence in the licence
- to exclude from the scope of the licence any of the licensable activities to which the application relates;

- to refuse to specify a person in the licence as the premises supervisor;
- to reject the application.

Conditions

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

33. The four licensing objectives are

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

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

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

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

Reasons

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

Hearing procedures

38. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that

- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations
- Members of the authority are free to ask any question of any party or other person appearing at the hearing
- The committee must allow the parties an equal maximum period of time in which to exercise their rights to
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
- The committee shall disregard any information given by a party which is not relevant
 - to the particular application before the committee, and

- the licensing objectives.
- The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
- In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

39. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1)(a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

40. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.

41. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.

42. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.

43. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.

44. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.

45. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities.

Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.

46. Under the Human Rights Act 1998. the sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
47. Interested parties, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

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

Background documents

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

Appendices

No.	Title
Appendix A	The application
Appendix B	Representations from Interested Parties
Appendix C	Representations/replies from Responsible Authorities
Appendix D	Map of local vicinity

Audit trail

Lead Officer	Jonathon Toy, Head of Community safety and Enforcement	
Report Author	David Swaby, Principle Officer Licensing	
Version	Final	
Dated	27 July 2009	
Key Decision	No	
Consultation with other Officers / Directorates		
Officer Title	Comments sought	Comments included

Strategic Director of Communities, Law & Governance	Yes	Yes
---	-----	-----

2/6/9

Please note the changes to
the operating schedules in
the attached application they
have change from the last application

Regards,

Andrew Lloyd
Cafe on the Rye
Statens Road
Peckham Rye Common
London SE15 3VA

RECEIVED

05 JUN 2009



Southwark
Council

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We FIONA M. HALTON
(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			
CAFE ON THE RYE STRAKERS ROAD. PECKHAM RYE COMMON LONDON			
Post town		Post code	SE153UA
Telephone number at premises (if any)	0208 693 9431		
Non-domestic rateable value of premises	£	TRA APPROX £9,500	

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)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input checked="" type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname HALTON			First names FIONA MARGARET		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		10 WORLINGTON ROAD EAST DULWICH LONDON			
Post Town	LONDON		Postcode	SE229HD	
Daytime contact telephone number			0208 693 9431		
E-mail address (optional)		fiona@cafeontherye.co.uk			

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	FIONA HALTON CONSULTANCY LIMITED
Address	25-27 THE BRIDGE BRIDGE HOUSE WEAVERSTONE HARROW HA3 5AB
Registered number (where applicable)	4697513
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	0208 693 9431
E-mail address (optional)	fiona@cafeontherye.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
01	07	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 note1)
 THE CAFE IS SITUATED IN THE MIDDLE OF PELLIAM
 RYE COMMON. IT IS A CONCESSION FROM SOUTHWARK.
 WE HAVE SEATING INDOOR AND OUTSIDE. WE ARE
 LOCATED A LONG WAY FROM ANY RESIDENTIAL
 PROPERTIES. WE ARE OPEN 7 DAYS PER
 WEEK.

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

NO

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)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9.00	24.00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	9.00	24.00			
Wed	9.00	24.00	State any seasonal variations for performing plays (please read guidance note 4)		
Thur	9.00	24.00			
Fri	9.00	24.00	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	9.00	24.00			
Sun	9.00	24.00			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9.00	24.00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	9.00	24.00			
Wed	9.00	24.00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	9.00	24.00			
Fri	9.00	24.00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	9.00	24.00			
Sun	9.00	24.00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9.00	24.00	Please give further details here (please read guidance note 3) ACOUSTIC MUSIC ONLY. 1-2 MUSICIANS.	Both	<input type="checkbox"/>
Tue	9.00	24.00			
Wed	9.00	24.00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	9.00	24.00			
Fri	9.00	24.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	9.00	24.00			
Sun	9.00	24.00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9.00	24.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	9.00	24.00			
Wed	9.00	24.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	9.00	24.00			
Fri	9.00	24.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	9.00	24.00			
Sun	9.00	24.00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9.00	24.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	9.00	24.00			
Wed	9.00	24.00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	9.00	24.00			
Fri	9.00	24.00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	9.00	24.00			
Sun	9.00	24.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

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

J

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

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23.00	24.00	Please give further details here (please read guidance note 3) PROVISION OF HOT & COLD BISTRO TYPE FOOD FOR CONSUMPTION ON THE PREMISES	Both	<input checked="" type="checkbox"/>
Tue	23.00	24.00			
Wed	23.00	24.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23.00	24.00			
Fri	23.00	24.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23.00	24.00			
Sun	23.00	24.00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for <u>consumption (Please tick box)</u> (please read guidance note 7) SEATING BOTH INDOOR & OUTDOOR	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	9.00	24.00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	9.00	24.00			
Wed	9.00	24.00			
Thur	9.00	24.00		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 (please read guidance note 5)	
Fri	9.00	24.00			
Sat	9.00	24.00			
Sun	9.00	24.00			

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

Name	FIONA MARGARET HALTON		
Address	10 WORLINGHAM ROAD EAST DULWICH LONDON		
Postcode	SE22 9TD		
Personal Licence number (if known)			
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) .

NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	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 (please read guidance note 5)
Mon	9.00	01.00	
Tue	9.00	01.00	
Wed	9.00	01.00	
Thur	9.00	01.00	
Fri	9.00	01.00	
Sat	9.00	01.00	
Sun	9.00	01.00	

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)

SALE OF ALCOHOL WILL COMPLEMENT THE EXISTING FOOD OFFER. WE INTEND TO SELL WINES; BOTTLED BEERS AND POSSIBLY SOME SPIRITS. WE ARE SET UP AS A CAFE NOT A BAR SO THE SALE OF ALCOHOL IS VERY MUCH AN ADD-ON SERVICE. THERE ARE LIMITED OPTIONS TO EAT AND DRINK IN THE AREA AND THIS LICENSE WILL HELP DEVELOP THE AREA.

b) The prevention of crime and disorder

WE ARE IN REGULAR CONTACT WITH THE SAFER NEIGHBOURHOODS TEAMS AND THE SOUTHWARK COMMUNITY WARDENS. WE ALSO MEET WITH FRIENDS OF PECKHAM RYE AND ARE IN CONSTANT CONTACT WITH OFFICERS OF SOUTHWARK COUNCIL. WE ALSO IMPLEMENT INITIATIVES PROMOTED BY THE LOCAL POLICE AND PARK OFFICERS.

c) Public safety

AS A FAMILY FRIENDLY ESTABLISHMENT SERVING UP TO 100,000 CUSTOMERS PER ANNUM WE ARE WELL VERSED IN DEALING WITH THE PUBLIC. THE OUTSIDE AREAS WILL BE CLEARED PROMPTLY AND DRINKING IN OUR OUTDOOR SEATING AREA MONITORED CLOSELY. WE WILL DISPLAY A POSTER IN A PROMINANT PLACE REQUESTING THAT CUSTOMERS DO NOT TAKE DRINKS ONTO THE COMMON. WE WILL PROVIDE PLASTIC GLASSES FOR THOSE WHO WISH TO SIT ON THE COMMON.

d) The prevention of public nuisance

WE INTEND TO SERVE ALCOHOL WITH FOOD. WE WILL NOT BE A DRINKING DESTINATION. WE DO NOT HAVE THE PHYSICAL CAPACITY TO BECOME A 'PUB' TYPE DESTINATION. WE INTEND TO BE OPEN ONLY IN THE EARLY EVENING AS A RULE AND IF WE ARE OPEN LATER FOR A PRIVATE EVENT IT WILL BE CONTROLLED. WE ARE SOME DISTANCE FROM RESIDENTIAL PROPERTIES SO DO NOT ANTICIPATE NOISE BEING AN ISSUE. ANY SPECIFIC EVENTS WILL BE EARLY EVENING AND PRIVATE FUNCTIONS IN THE CAFE WILL BE INDOORS.

e) The protection of children from harm

WE ARE A FAMILY FRIENDLY BUSINESS. A LARGE PERCENTAGE OF OUR CUSTOMERS HAVE CHILDREN. IN THE EVENINGS WE WILL LIMIT ACCESS TO CHILDREN. WE HAVE REVIEWED ALL POSSIBLE RISKS AND DO NOT DEEM THAT THIS IS A PROBLEM. AS AN EX EMPLOYEE OF NSPCC I AM AWARE OF MANY SAFEGUARDING ISSUES.

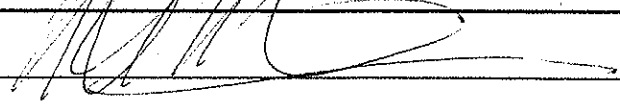
Please tick yes

- 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	18/05/09
Capacity	

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

Signature	
Date	
Capacity	

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

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)			

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.
13. This is the address which we shall use to correspond with you about this application.

Please return this form to:
Licensing Unit
Chaplin Centre
Thurlow Street
London SE17 2DG
Tel. 020 7525 2000
Fax. 020 7525 5705
Hlicensing@southwark.gov.ukH

Consent of individual to being specified as premises supervisor

I FIONA MARGARET HALTON
[full name of prospective premises supervisor]

of 10 NORBUNGHAM ROAD

EAST DULWICH

LONDON SE22 9HD
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be speci
supervisor in relation to the application for

CAFE ON THE RYE

by FIONA HALTON

relating to a premises licence

for CAFE ON THE RYE

STRAKERS ROAD, PECKHAM RYE

COMMON, LONDON SE15 3UA
[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 FIONA HALTON [name of applicant]

concerning the supply of alcohol at CAFE ON THE RYE


STRAKERS ROAD, PECKHAM RYE COMMON,

LONDON SE15 3UA
[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.

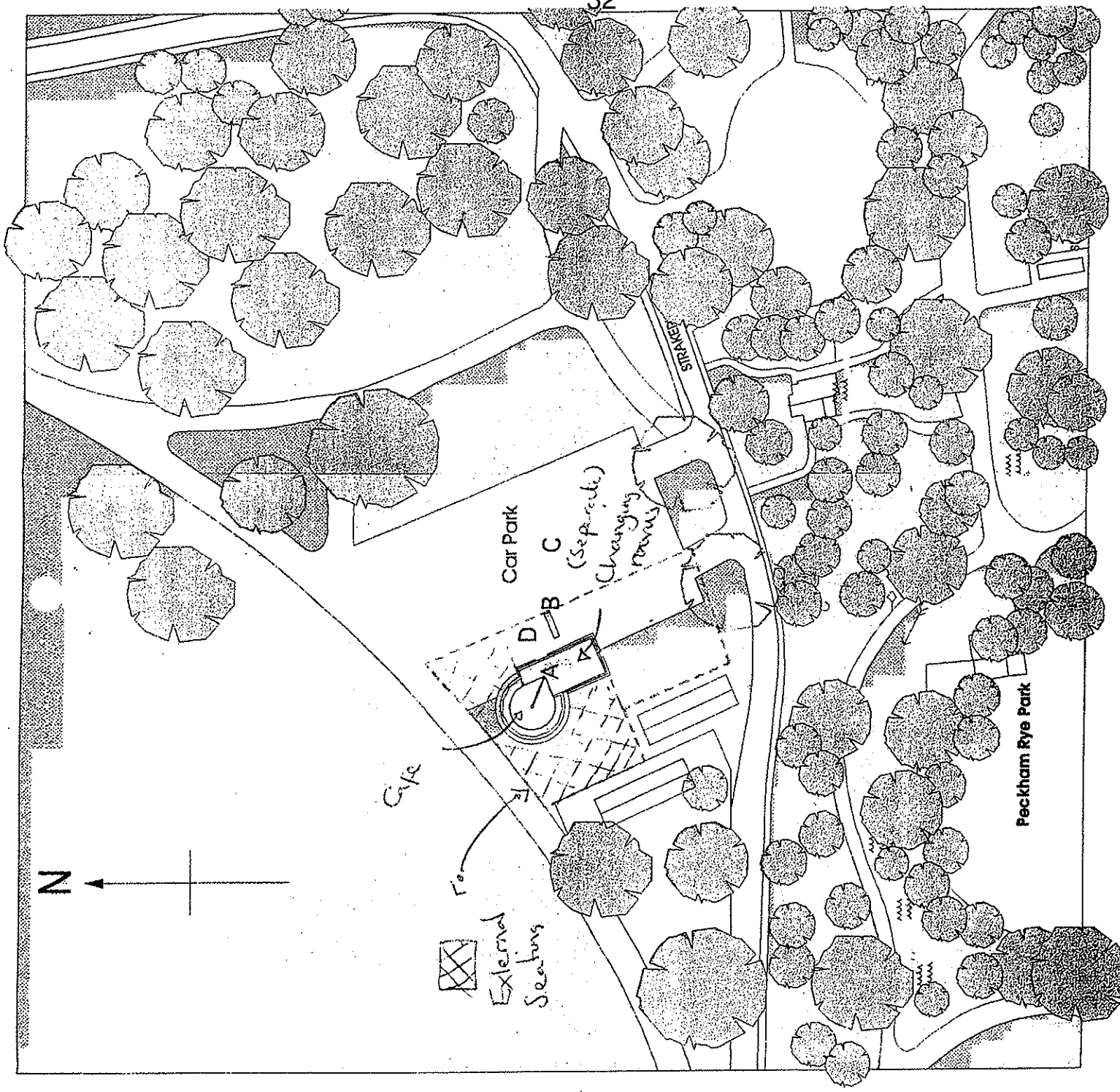
Personal licence number
[insert personal licence number, if any]




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

 signed

FIONA HALTON name (please print)

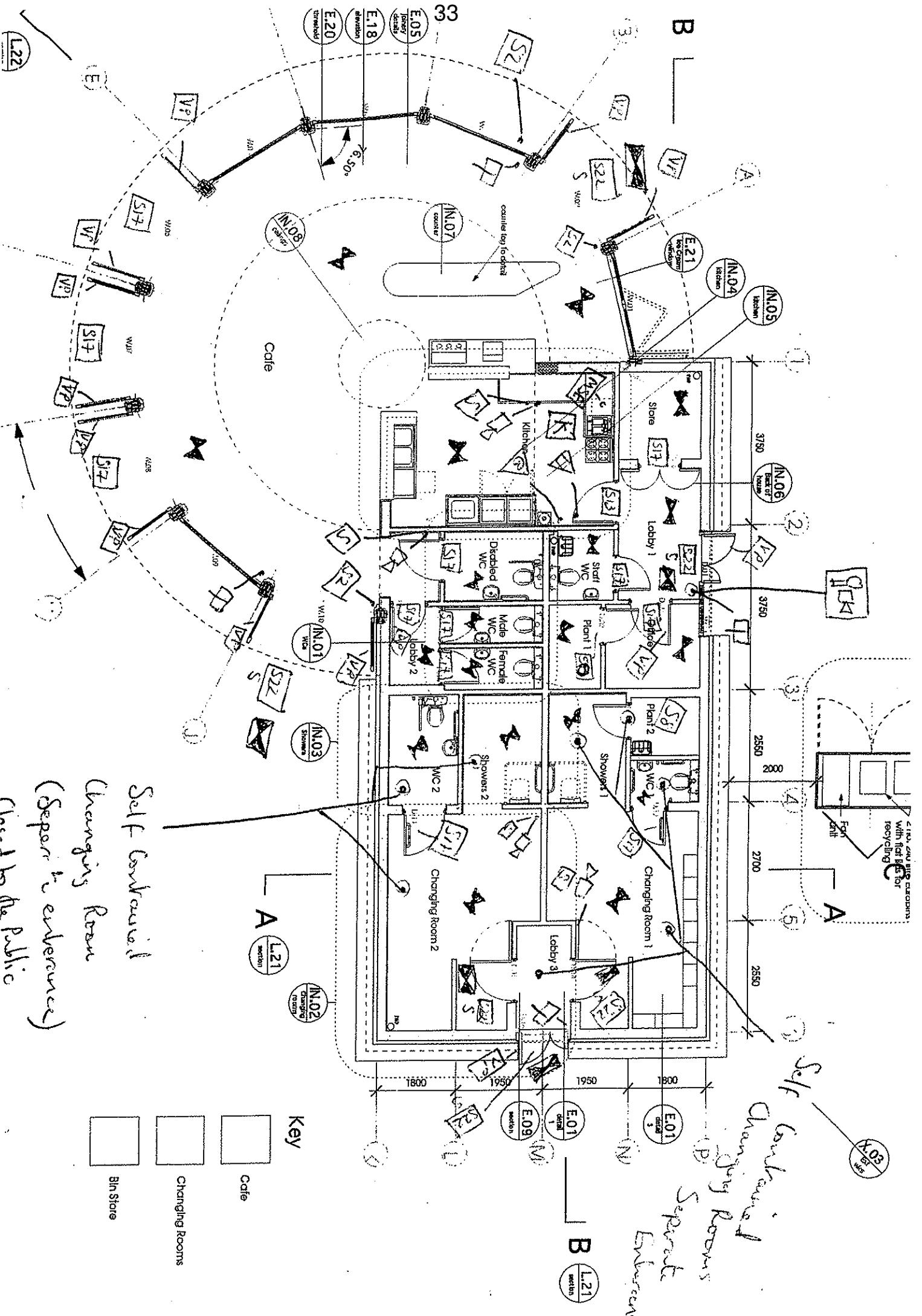
18/05/09 dated



-  one o'clock club
-  Retained Prisoner of War hut
-  Construction site boundary

- A** Cafe & Changing Rooms
- B** Bin store and fan
- C** car park
- D** loading bay for the cafe

Works to the carpark and external works are not included within this project



Self-contained
Changing Rooms
(Separate entrance)
Line 1 to the Public

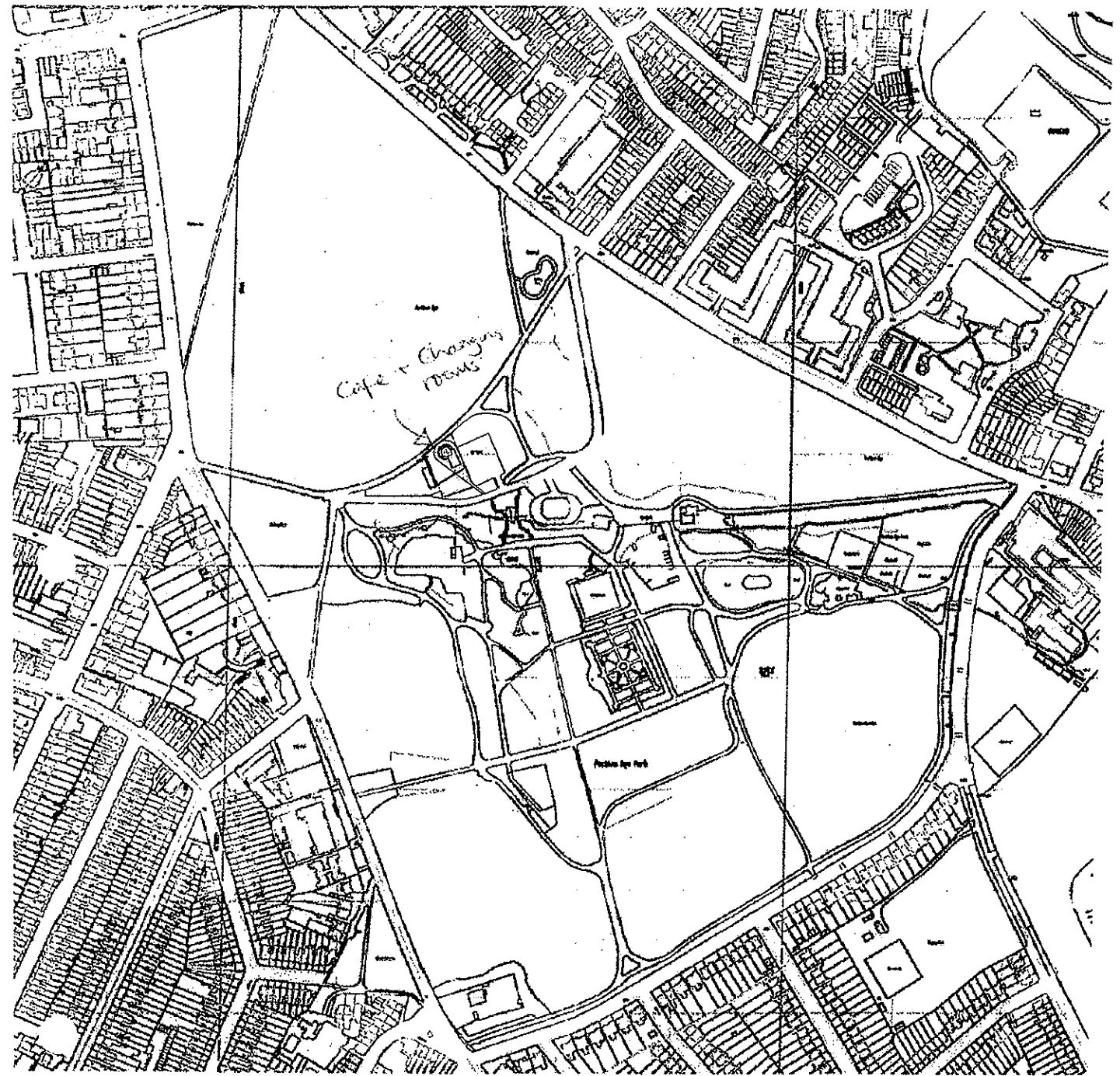
Key

□ Cafe

□ Changing Rooms

□ Bin Store

Self-contained
Changing Rooms
Separate
Entrance



1:5000

— Site Boundary

Date	Reason for Issue

**Peckham Rye Cafe and Ch. Rooms
Location Plan**
© Peckham Rye Cafe Architects LLP 75 Bushy Hill Road, London SE5 6DQ
 t: 0207 781 3108 f: 0207 277 0761 e: info@peckhamryecafe.com www.peckhamryecafe.com
 Scale: 1: 5000 Date: March 2006

PRP.L.01
 REV AS BUILT

Notice of Application for a Premises Licence made under Section 17 of the Licensing Act 2003

Please take notice that I / we

Name of Applicant/Premises:..... FIONA M. HIXON.....

Have made application to the local licensing authority for a new Premises Licence in respect of

Full name & postal address of the premises: CAFE ON THE RYE, STRAKERS ROAD, PECKHAM RYE COMMON, LONDON, SE15 3UA

The relevant licensable activities and proposed times to be carried on, on or from the premises are (please include all proposed start times and finish times)

	Days	Start Time	Finish Time
The supply of alcohol:	MON - SUN	9.00	24.00
The provision of regulated entertainment:	MON - SUN	9.00	24.00
The provision of late night refreshment:	MON - SUN	23.00	24.00

A register of all applications made within the Southwark area is maintained by

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

A record of this application may be inspected by visiting the office during normal office hours by appointment on 020 7525 2000, details are also on our web site at www.southwark.gov.uk/businesscentre/licensing/currentapplication

It is open to any interested party to make representations about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Representations must be made in writing to the Licensing Service at the office address given above and be received by the Service within a period of 28 days starting the day after the date shown below.

Note: It is an offence to knowingly or recklessly make a false statement in connection with an application. A person guilty of such offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Date of application

27/5/9

 Southwark Council

~~XXXXXXXXXX~~

From: Jenny Wickham [mailto:~~Jenny.Wickham@xxxxxxxxxx~~]
Sent: 08 March 2009 16:50
To: Regen, Licensing
Cc: Graham, Aubyn
Subject: Cafe on the Rye - licensing application

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

Dear Ms ~~XXXX~~

I gather that an application has been made by the Cafe on the Rye, in Peckham Rye park, for licensing for entertainment and the sale of alcohol until 11 p.m. I have some concerns about this application as I feel that this cafe is a family place, where people take their children, and I am not in favour of mixing such a place with the sale of alcohol. We already have plenty of pubs in this area (which unfortunately mix the sale of alcohol with access by children) and I do not see the need for another licensed premises - there is much concern about excess use of alcohol in our society and I think that there is no need for any additional places to be selling it.

In addition I think there are considerable safety issues about a building in the middle of the park being used after dark, and particularly late at night - would you be able to guarantee that all customers could be safe leaving the park?

I hope that you will see fit to refuse this application and leave the cafe as it is.

Yours
Jenny Wickham

Rep 2.



16/03/09

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

Licence Ref : 829319

On behalf of the residents of Rye Hill Estate (comprising of 450 households), the Rye Hill Tenants and Residents Association seeks to oppose the above licence application by 'Cafe on the Rye' on the following grounds;

- 1) The location of the café is in a public park. Granting a licence to open in the evenings, as a bar, would cause disturbance to the wildlife of the park whilst also subjecting the park to a certain amount of noisy, drunk and potentially anti-social behaviour. There will be an increased risk of vandalism to the park itself (which has in recent years had millions spent on it in conservation work) and the further risk of robbery to both customers, staff and the premises themselves, given the poor lighting of the park after dark.
- 2) Litter is also a concern. Glasses and bottles left on the park grounds themselves, especially if broken glass, would pose a serious risk to the public who use the park. Children/ pets/ and the various sporting activities on the park would be most at risk. We can not see any way in which the café's owners would be able to police or clear up broken glass outside of the premises, especially at night when the park has effectively no lighting.
- 3) The café was never built for the purposes of being a pub or bar. It is situated next door to a children's playground. Children should be able to play in a safe environment that is free from the noise and effects of a licenced premise.
- 4) The immediate area is already served very well by three bars, The Ivy House on Stuart Road, the Rye hotel on Peckham Rye and The Clock House on Barry Road (which is within sight of Cafe on the Rye). Both the Clock House and Rye Hotel also serve food in the evenings. There is no benefit to the area either environmentally, socially or economically in granting this licence.

Yours Sincerely,

Deen
 CHAIRMAN

~~CONFIDENTIAL~~

From: Toni B [~~tbohnb@peckhamryepark.co.uk~~]
Sent: 09 March 2009 18:55
To: Regen, Licensing
Cc: Graham, Aubyn; Smeath, Robert; Laws, Evrim
Subject: Drink licence in Peckham Rye Park License ref 829319

To Whom it may concern,

I am a local resident, dog owner and a member of the friends of Peckham Rye Park(FOPR), I visit the park daily, sometimes twice a day.

In regards to the alcohol license application for the Café in Peckham Rye Park, My concern is that the café is not in an appropriate location to stay open until 11pm every night; serving alcohol and providing entertainment.

Problems that spring to my mind are

- Getting safely to and from the premises. To walk across the common after an evening of drinking could lead to safety issues.
- Opportunists in the way of muggers/robberies etc.
- Visitors to the Café are more likely to drive rather than walk across the common, thus, resulting in an increase in drink-driving
- Vandalism to the park(Not everyone can enjoy an evening out sensibly) The park as been a victim of vandalism on numerous occasions, resulting in thousands of pounds damage.

Peckham Rye already has a variety of pubs/bars/restaurants and café's very close to the common and park area, a short walk down Peckham Rye and you have the Rye hotel and Nunhead lane which also has a selection of very nice pubs and bars, Not to mention Lordship lane which has an abundance of night life to suit many tastes.

I am not against the café applying for a license to serve alcohol within the normal opening times. I believe it would be rather pleasant to sit outside the café on a sunny afternoon with a glass of wine.

Kind Regards

Toni Bohn

~~XXXXXXXXXX~~

From: ~~XXXXXXXXXX~~
Sent: 30 March 2009 10:18
To: Graham, Aubyn
Cc: Smeath, Robert
Subject: Fwd: Drink licence in Peckham Rye Park

Dear Sirs,

As local residents (Colyton Road, bordering the park.) we would like to voice our opposition to the Park Cafe's application for a drinks and entertainment licence.

The cafe has been an obviously successful and popular new facility for the many park and common users.

The extension of its use into the evening, and as a sales point for alcohol, however seems entirely inappropriate.

The area is already so heavily provided with evening venues that it is impossible to see that it would provide an extra service.

On the other hand, attracting people into the park area at night will result in noise and disturbance to residents along the Rye.

It is notable that the Strakers Road car park is locked at dusk at present, presumably to prevent its anti-social use.

The logic of this should be continued, and the park left in peace at night.

Colin Rae and Susan Millin.

Download AOL Toolbar and get access to all of your favourite websites and Google powered Search in an instant. Download AOL Toolbar for FREE.

Rep 5.

Tel: ~~XXXXXXXXXX~~

Rodney Stone

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

RECEIVED
9 MAR 2009
XXXXXXXXXXXXXXXXXXXX

18 March 2009

Licensing Unit
Southwark LB Council
Town Hall
Peckham, SE5 8UB

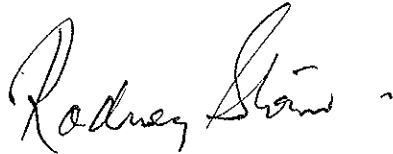
Copy to Cllr Aubyn Graham
Members Room, Town Hall

Dear Sirs

Licensing Act 2003
Application for extension of Premises Licence
Cafe On The Rye, Strakers Road, SE15 3UA

May I submit that I am not in agreement with the proposed licence for late night supply of alcohol and entertainment. As a resident in the immediate vicinity I consider it would entirely change the present character of the cafe, which is very pleasant, and would be unsuitable for it's location in the middle of the Common/Park. I think it would be likely to give rise to unfortunate behaviour and undue disturbance beyond the control of the proprietor.

Yours faithfully



Southwark Council Licensing Section
Attention: Cllr Aubyn Graham
Cllr Robert Smeath
Cllr Evrim Laws

31 March 2009

Dear Sirs

**Re: Drink Licence on Peckham Rye Park
Reference Number 829319**

We write to register our objections to the application for an alcohol and entertainment licence at the Café in Peckham Rye Park on the following grounds:-

1. There are already many late-licensed premises in the immediate vicinity of the Café, eg The Clockhouse (family pub), The Herne Tavern, the two or three pubs and all the cafes and restaurants in Forest Hill Road, bars, cafes and pubs in North Cross Road as well as in Lordship Lane.

2. Noise, forms of vehicular pollution

The noise levels and other forms of pollution, from pedestrians and vehicular traffic are currently very high (even by inner city standards). There would be an inevitable and significant increase in these levels with the increased volumes of people especially later on in the day. This would also inevitably be exacerbated due to the level of alcohol consumption and smoking etc. particularly when people are leaving the venue late at night.

3. Litter

In addition to the forms of pollution in Item 2 there would also be an inevitable increase in various forms of litter, including bottles, cigarette butts, paper etc. people getting sick in the park.

4. Safety and Anti-social behaviour

4.1 This could potentially increase the crime rate in the area as the Café is quite secluded. At night, with or without security lighting, the perceived and real threat to personal safety would be intolerable. In recent weeks the area has experienced some of the worst crime London, including gun crime and murder. Women in particular would be vulnerable when walking back to the main streets.

RECEIVED
02 APR 2009

RECEIVED
01 APR 2009

Rep 6.

- 3.2 With the probability of bottles (some broken) being left lying around, this is potentially dangerous to the public, particularly the early morning cyclists and dog walkers, as well as mothers and babies with their pushchairs.

Please register the above objections.

Your sincerely


Taseer Ahmad

Angela Hill



From:

~~George Smith~~
~~"KASPER"~~
~~215024032~~
~~215024032~~
~~LONDON SE22 2BA~~

29 March 2009 18:05

~~George Smith~~
Licence Section
LB Southwark
Southwark Town Hall
Peckham Road
London SE15

Dear Mr. ~~George~~

Re: "Café on the Rye", Peckham Rye Common, Strakers Road, SE 15:

I am a local. I can see to park from my front window and I use the park on a weekly basis. I wish to object to the above application on grounds of, (a) the prevention of crime and disorder, (b) public safety, (c) the prevention of public nuisance, (d) the protection of children from harm.

When the council agreed to replace the café in Peckham Rye there was never intention that this would be a licence premises in this park. To agree one now would be disingenuous. Furthermore, there is only one other municipal park in Southwark where there is a premises licence. This is Potters Field and Patters Field is a Town Centre and an international tourist area; next to Tower Bridge, City Hall and the museum ship HMS Belfast.

- prevention of crime and disorder and public nuisance:** Peckham Rye has had serious incidents of vandalism, anti-social behaviour in the past and to allow the sale and consumption of the park would attract more people who have alcohol and drug dependency. They could not be kept in the premises because the premise is too small for the number of people already using. I am aware of groups of people gathering under tree in the park late in the even, where police has to be called out to deal with incidents of anti-social behaviour, drug mis-use and nuisance being caused by such groups. This area of the park is an open common. Motorist can drive on and off the park at any point. There are no previsions to see groups under the influence of alcohol of the park late at nights. Last summer there were serious incidents in Peckham Square, where groups of people were gathering and drinking the area. There was at least one murder where it is reported people were coming from pub in the area. The car park next to the Café in Peckham Rye has just been fenced of with gates which close a 06:00PM in response to anti-social behaviour in the part. Once people leave the area of the café they are on their own to leave the park quietly of cause nuisance. Neither the council warden's services nor the police have the resource to prevent or deal with crime in the park if this licence was granted. I do not see how the licensee can stop people taking their drink outside the building if they are smokers.
- public safety:** the park is use by a substantial number of young children, older people and families during the day and evenings, seven day per week. There will be more vehicles driving in the park and it is more likely drivers will be under the influence of alcohol. There is a One-O-Clock Club for children right next to the premises. Disturbance from the Café by drinking customers would be dangerous and unsafe for families in the

One-O-Clock Club. There is a danger that vulnerable people will be more exposed to assaults in this park by people under the influence of alcohol leaving these premises.

- **the protection of children from harm.** Peckham Rye park is situated in a residential area. It is surrounded on all four sides by family homes. A majority of the people using this park are families and sporting young people. No fewer than 500 young people per day use the park at weekends and the evenings are also very popular as a training area for team sports. There is an adventure playground, the One –O-Clock club, children play ground, skate board park and a paddling pool is planned. The Café also attracts many families with very young children throughout the day. There is one school near the café and another new school is being built. These young people including Six Form students will have to walk through the park to get to some lessons. Having groups of people sitting in this area consuming alcohol would be distracting and harmful to children and young people. There is also the danger that some of these young people who look older will want to purchase alcoholic beverages in the park. The park and the availability of alcohol have also been known to attract people who prey on young children. Local people had problems with this not so long ago in Holly Grove Park SE15.

For the above reasons this licence must be refused.

Yours truly,

Aubyn Graham



~~XXXXXXXXXX~~

From: ~~XXXXXXXXXX~~
 Sent: 24 March 2009 18:25
 To: Regen, Licensing
 Subject: Application for Premises Licence - Cafe on The Rye, Strakers Road SE15UA

To Kirsty Read, Senior Licensing Support Officer, Southwark Council
 We consider that it would be most inappropriate to grant a Licence for Supply of Alcohol, Late night Refreshment and Regulated Entertainment (09:00 - 23:00 daily) in respect of the above premises. The Park and Common are used extensively by families and often by unaccompanied children to play football, cricket and other games while nearby is the "One o'clock club" for young children. To introduce alcohol and regulated entertainment with its attendant risks of rowdy behaviour into this relatively safe and compact recreational area, would change its character and be most undesirable. Alcoholic refreshment is already close by at the "Clock House PH" in nearby Barry Road and at the "Herne Tavern PH" at the Colyton Road end of Peckham Rye.

*add on
ref'*

These representations are made by Mr G R & Mrs M M Feeley, ~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

Get £25 off a case of wine - <http://www.pearl.com> ~~XXXXXXXXXX~~

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~
~~LONDON~~
~~CONFIDENTIAL~~

16.3.2009.

LONDON BOROUGH OF SOUTHWARK.
LICENSING UNIT.
CHALKIN CENTRE
THURLOW ST.
LONDON SE17 2JG.

RECEIVED
18 MAR 2009

WE THE UNDERSIGNED DO STRONGLY
OBJECT TO THE APPLICATION FOR A
LICENCE FOR 'THE CAFE ON THE RYE'
FOR ALCOHOL.
THIS WILL ENCOURAGE BINGE DRINKING
AT A TIME WHEN THE GOVERNMENT IS
WANTING TO CONTROL EXCESS DRINKING
PLUS IT IS AN OPEN INVITATION
FOR BREAKINGS AND VANDALISM.

Yours faithfully
Joan M. Taylor (Miss)
→ (JOAN M TAYLOR)
& Evans. (Miss)
(EDNA W EVANS)

~~REDACTED~~
~~REDACTED~~
~~LONDON~~
~~REDACTED~~

16.3.2009.

LONDON BOROUGH OF SOUTHWARK.
 LICENSING UNIT.
 CHALKIN CENTRE
 THURLOW ST.
 LONDON SE17 2JG.

RECEIVED

18 MAR 2009

WE THE UNDERSIGNED DO STRONGLY
 OBJECT TO THE APPLICATION FOR A
 LICENCE FOR 'THE CAFE ON THE RYE'
 FOR ALCOHOL.
 THIS WILL ENCOURAGE BINGE DRINKING
 AT A TIME WHEN THE GOVERNMENT IS
 WANTING TO CONTROL EXCESS DRINKING
 PLUS IT IS AN OPEN INVITATION
 FOR BREAKINGS AND VANDALISM.

Yours faithfully
 Joan M. Taylor (Miss)
 (JOAN M TAYLOR)
 & Evans (Miss)
 → (EDNA W EVANS)

Rep 1!

~~From: [redacted]~~
From: [redacted]
Sent: 06 April 2009 13:26
To: Regen, Licensing
Subject: FW: Drink Licence PRP

-----Original Message-----
From: Graham, Aubyn
Sent: 04 April 2009 08:41
To: ~~[redacted]~~
Subject: FW: Drink Licence PRP



Dear Mr. ~~[redacted]~~

Please see below

Cllr. Graham

-----Original Message-----
From: art4noise [mailto:~~[redacted]~~]
Sent: 31 March 2009 09:14
To: Graham, Aubyn
Cc: Smeath, Robert
Subject: Drink Licence PRP

Dear Councillors
I hope this representation although a little late will be considered by your good selves.
As a resident of Colyton Road and overlooking Peckham Rye Park I can say that I can regularly hear drunken behaviour in the park late at night after the pubs close and that the addition of a licensed premise in the park itself will only lead to an increase in this behaviour and perhaps to more vandalism than we have in the park at the moment.
I'm sure the view is that everyone who goes to the Cafe on the Rye in the evenings will be civilised and extremely well behaved sipping their bottled beer and wine and listening to folk music, but sadly that will not be the case. When the Cafe first opened its doors it was packed out and you couldnt get in without tripping over a baby buggy or a small child and the same thing will happen if this license goes through the place will be packed no one will be able to move so drinkers will spill out into the park and the noise will increase as the door to the cafe will have to be open all the time.
Also as the cafe was funded by part of the lottery grant for upgrading the park does the council see some money back that can be reinvested in the park and will the Cafe pay for the extra lighting required to light the access paths to the cafe to make it safe for women on their own?
Yes we are against this application
Regards
Peter Baldock

30/03/09
--
Art4noise - Sound Design & Post Production

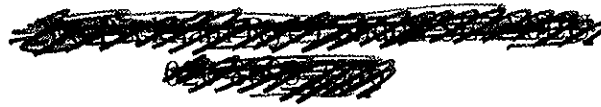
t. ~~[redacted]~~
~~[redacted]~~

The information contained in this message and/or attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact info@art4noise.com, and delete the material from any system and destroy any

Rep 11.

copies. Unauthorised recipients are requested to preserve the confidentiality of this email.

Rep 12.



Ward Councillors
Peckham Rye

RECEIVED
18 MAR 2009

13.03.09

Dear Councillors Café on the Rye

We write to object to the application for a new premises licence for the supply of alcohol, late night refreshment and regulated entertainment at the Café on the Rye. The open location of the café, with no obvious boundaries, is particularly unsuitable for licensed premises. There will be a risk that glasses and litter will be left in the surrounding area which, in the winter, is poorly lit. Its proximity to the Park will increase the likelihood of vandalism there. There are other more suitable licensed premises nearby. For example the Clockhouse in Barry road has space for drinking outside within a defined area, and in a street environment.

Yours truly

Edward & Jennifer Salmon
Edward & Jennifer Salmon

Copy to Southwark Council Licensing Section



~~Victoria Seymour~~

From: victoria seymour [~~v.seymour@london.gov.uk~~]
Sent: 30 March 2009 11:08
To: Regen, Licensing
Cc: Graham, Aubyn; Smeath, Robert; Laws, Evrim
Subject: License Application ref 829319 - Cafe on the Rye

To Licensing Service London Borough of Southwark,

I have only just become aware of this application and realise this is the last day for comments, so too late to write a letter.

I have no objection to the sale of alcohol to accompany food at the Cafe-it is my impression they do that already- and no problem with the Cafe extending its business hours during the lighter months.

However, I would have serious concern if the new license being applied for made it possible to serve just alcohol. The Cafe is in a somewhat isolated location and therefore more at risk of anti-social behaviour related to excess alcohol consumption. It could easily become a magnet for under-age drinkers, with the staff lacking the skill and experience to deal with them.

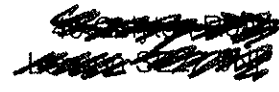
The description of the extension sought looks vague to this layperson and could be applied to a wide range of scenarios, from background music to a meal through to a live music concert. I urge the Council to be very specific about what will be permitted and ensure that the Cafe does not become just another drinking establishment. The general area is not currently short of well run licensed premises but they will not need additional competition at this time.

Yours sincerely,

David Pierce
~~Victoria Seymour~~
~~Victoria Seymour~~

tel: ~~020 7557 4027~~

~~Victoria Seymour~~
~~Victoria Seymour~~
~~Victoria Seymour~~
~~Victoria Seymour~~
~~Victoria Seymour~~



Licensing unit,
Chaplin Centre,
Thurlow Street,
London SE17 2DG

25 March 2009

Ref: 829319

Dear Sir/Madam

I am writing with reference to the application for an alcohol and entertainment licence for the café in Peckham Rye Park.

As a resident of Colyton Rd, which overlooks the park we are very concerned that this application has been sought and believe that it would be of no positive benefit to the community.

There have already been problems in the park with arson, vandalism and disorder, resulting in the newly built bowling pavilion being burnt to the ground.

There was an incident during the recent snowfall where a large gang of youths roaming round the park caused trouble, attracted by people out enjoying themselves. Anti-social behaviour would be further encouraged by the availability of alcohol.

The Southwark fireworks on Nov 5th could apparently not be held on the Rye as it would have been difficult to control large numbers of people. Encouraging people to the area for entertainment would surely be a serious policing problem.

By openly encouraging people to visit the park outside of park opening hours this would surely lead to many more incidences of crime & disorder and public safety for residents. The park would have to be policed at night in order to ensure safety which would add to public finances.

The park is well used by football teams and is very busy at the weekends. Many visiting football players park along Colyton Rd, which becomes busy, congested and noisy until the park closes at dusk. With the park being open until 23.00 the parking and noise of cars and customers would affect residents until midnight and beyond.

Rep 15.

As a parent of two children now aged 10 and 12 we have made great use of the park as they have grown up. The swings, 1 o'clock club, football pitches, skateboard park, adventure playground (when it was open) have all been fully utilised.

As our children got older we were looking forward to them being able to visit the park alone including the café, to buy drinks & ice creams. It is unfortunate that the drinking culture in Britain, unlike Europe usually means that a licensed premises is not somewhere for children to 'hang out'. The threat of anti-social behaviour in the park in general would also be greatly increased.

With the growing problem of alcohol misuse in teenagers it seems irresponsible to apply for a license. Surely there are many other places an adult could go in the immediate vicinity to enjoy a drink eg. The Clockhouse, The Herne and many others. Teenagers would also be tempted to buy alcohol in the café or if not bring their own to the park where it would be deemed acceptable to be drinking. This would also lead to problems of litter.

The work on the adventure playground and new centre is surely being built for children. There is an obvious focus on providing resources for children. However encouraging consumption of alcohol by making it available from 09.00 – 23.00 daily in the immediate vicinity will be counter-productive and possibly damaging.

Due to all of the above reasons I object to the granting of a licence on all four grounds and feel it would very damaging to the local community. I hope these objections are taken into consideration.

Yours faithfully

Mrs J Ruis

|

Your reference: .



Southwark
Council

Our reference: MD/21/1765/09

Date: 12th May 2009

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

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

Tel: 020 -7232 – 6210 Fax6282

Dear Sir/Madam

Café on the Rye, Strakers Road SE15

I am in receipt of an application for a new premises licence from the above for which I wish to make the following representation.

In the main Police have no objections to the granting of the application, but the following “non standard timings” need to be clarified: Section A, BE, F, L, M, O of the application indicate that the applicant would like to open on no specified dates. Until such times as these dates have been disclosed and agreed Police can make no further comment on the application.

Police would welcome the opportunity of a conciliation meeting with all interested parties.

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

Paul Compton PC294MD
Licensing Officer (Southwark North)

☎ Phone: 0207 232 6210
☎ Mobile: 07990901483
📠 Fax: 0207 232 6282
✉ E-mail: paul.compton@met.police.uk
✉ Mail: Licensing Office, Walworth Police Station,
12/28 Manor Place Walworth London
SE17 3RL

MEMO: Environmental Protection Team

To Regen Licensing **Date** 08 June 2009
Copies File
From Debbie Lawless **Telephone** 020 7525 5759 **Fax** 020 7525 5768
Email debra.lawless@southwark.gov.uk

Subject **Licensing Act 2003-Cafe on the Rye, Strakers Road Peckham Rye**
Common London SE15 3UA Ref: 364683

I have reviewed the above application, and the Environmental Protection Team has no representations to make.

Debbie Lawless
Enforcement Officer
Environmental Protection Team



LONDON FIRE
AND EMERGENCY
PLANNING AUTHORITY

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

Ms F Halton
Cafe on the Rye
Strakers Road
Peckham Rye Commom
London
SE15 30A

RECEIVED
22 MAY 2009

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 20 May 2009
Our Ref 91/5525

Dear Sir/Madam

LICENSING ACT 2003

Premises: CAFÉ ON THE RYE STRAKERS ROAD PECKHAM RYE COMMON SE15 30A

With reference to the application dated 08 May 2009, 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 M Roche
Direct T 020 8555 1200 x57280
Direct F 020 8536 5948



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

Licensing Unit
Chaplin Centre
Thurlow Street
London
SE17 2DG

Your Ref:

Our Ref: 09-CE- 00341

Contact: Dennis Sangweme

Telephone: 020 7525 5419

Fax: 020 7525 5432

E-Mail: planning.enquiries@southwark.gov.uk

Web Site: <http://www.southwark.gov.uk>

Date: 17/03/2009

Dear Sir/Madam

Premises Licensing re:
STRAKERS ROAD LONDON SE15 3UA

The Planning Department has no objections under the licensing objectives to the application for a premises licence to supply alcohol, latenight refreshment and regulated entertainment 09:00-23:00 daily at the above site.

Yours faithfully

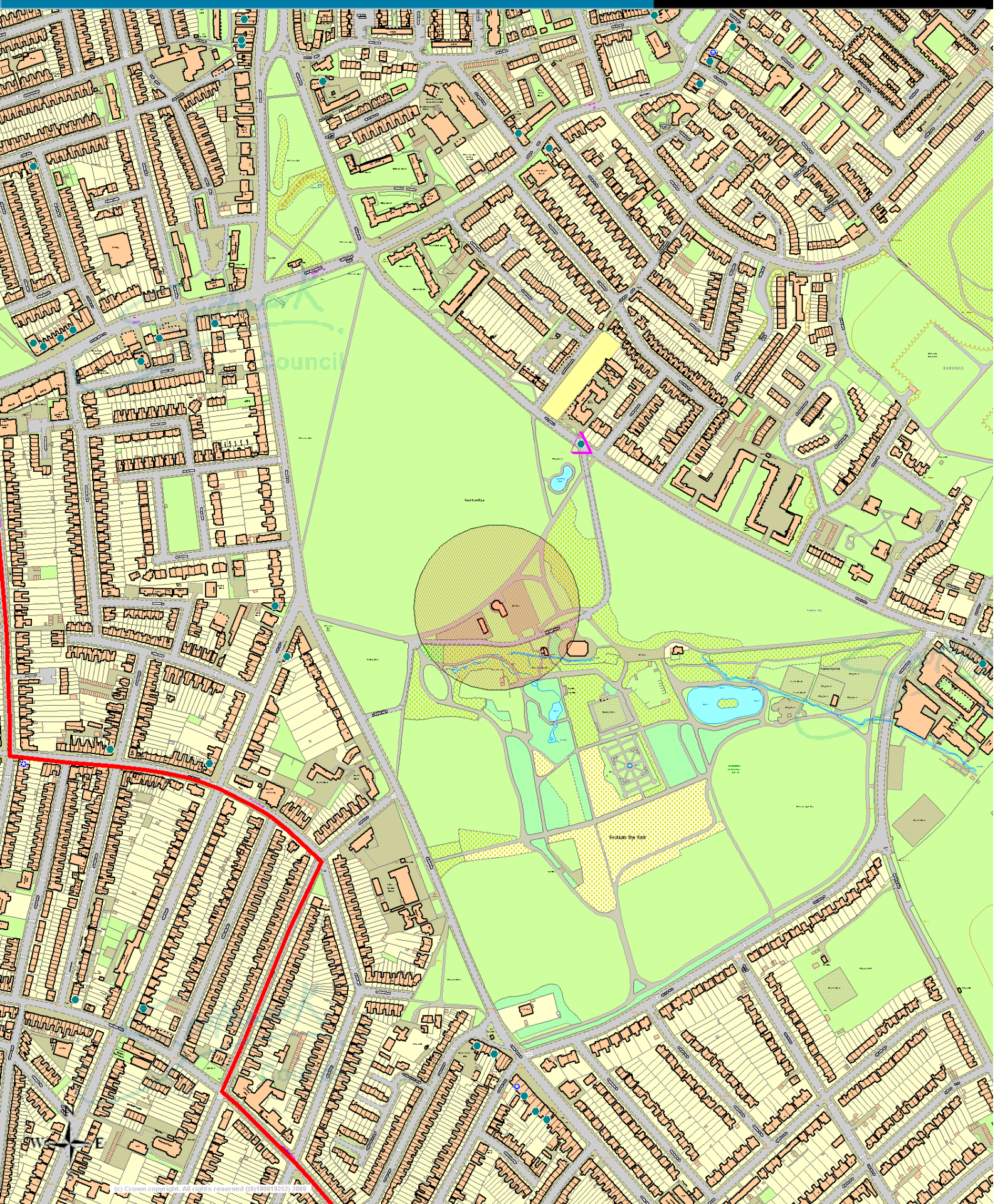
A handwritten signature in black ink, appearing to be "Dennis Sangweme", written over a faint, light-colored signature line.

Dennis Sangweme

Team Manager - Planning Enforcement

RECEIVED
17 MAR 2009

A horizontal blue dotted line located below the "RECEIVED" stamp.



Item No. 6	Classification: Open	Date: 27 JULY 2009 – 10AM	MEETING NAME Licensing Sub-Committee
Report title:		LICENSING ACT 2003 – TIP TOE BAR & RESTAURANT, 278 CAMBERWELL ROAD, LONDON SE5 0DL	
Ward(s) or groups affected:		Premises are within: CAMBERWELL GREEN	
From:		Strategic Director of Environment & Housing	

RECOMMENDATION

1. That the Licensing Sub-Committee considers an application made by Ms Marilyn Longdon to vary a Premises Licence granted under the Licensing Act 2003 in respect of the premises known as: Tip Toe Bar & Restaurant, 278 Camberwell Road, LONDON SE5 0DL.

2. **Notes:**

- a) *The application seeks to vary existing licensable activities held under current legislation in respect of the premises known as: Tip Toe Bar & Restaurant, under Section 34 of the Licensing Act 2003. Existing permitted licensable activities are not the subject of representations and are not under consideration at this meeting. The variation application is subject to representations from interested parties and is therefore referred to the Sub-Committee for determination;*
- b) *Paragraphs 12 to 15 of this report provide a summary of the application under consideration by the Sub-Committee (A copy of the full application is provided as Appendix B).*
- c) *Paragraphs 18 - 19 of this report deals with the representations and comments received to the application. (copies of relevant representations are attached as Appendix C).*

BACKGROUND INFORMATION

The Licensing Act 2003

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

6. In carrying out its licensing functions, a licensing authority must also have regard to
- a. The Act itself;
 - b. The Guidance to the act issued under Section 182 of the Act;
 - c. Secondary regulations issued under the Act;
 - d. The Licensing Authority's own Statement of Licensing Policy
 - e. The application, including the operating schedule submitted as part of the application
 - f. Relevant representations
7. The Act established a transitional period between 7 February 2005 and 6 August 2005 under which holders of existing Justices Licences, Public Entertainment Licences and Night café Licences were able to apply to the local licensing authority for "grandfather rights" conversion of those existing licences into the relevant licences under the new system. Licences that were so converted were converted on existing terms, conditions and restrictions. The 6 August date having now passed operators are still able to apply to secure the new licences before the date upon which the new licensing regime comes into being – 24 November 2005 – but must now apply for new licences.
8. The applications process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.
9. Although applications submitted after 6 August 2005 no longer carry "grandfather" conversion rights, licensing authorities are directed that applicants do have an "added protection" under the law. Where an applicant seeks a Premises Licence intended to cover the retail sale of alcohol and that premises operation is currently covered by a Justices Licence, the licensing authority concerned cannot apply conditions restricting the hours at which alcohol is sold at present unless there has been a material change in the circumstances since the Justices Licence was granted, or the Police have made representations in connection with the prevention of crime.

MATTERS FOR CONSIDERATION

The current Premises Licence

10. The existing licence in respect of the premises known as Tip Toe Bar & Restaurant, 278 Camberwell Road, LONDON SE5 0DL was granted to the applicant on 27 October 2005. It allows the following licensable activities:
- The sale by retail of alcohol to be consumed on the premises;
 - Mon– Sat; 11.00hrs - 00.00
 - Sun; 12.00hrs – 23.30
 - The provision of Late Night refreshment
 - Mon – Sat: 23.00hrs – 00.30hrs
 - Sun: 23.00 – 00.00
11. A copy of the existing Premises Licence is attached as appendix A.

The variation application

12. On 15 May 2009, Marilyn Longdon applied to this Council to vary the Premises Licence issued in respect of the premises known as Tip Toe Bar & Restaurant, 278 Camberwell Road,

LONDON SE5 0DL under section 34 of the Licensing Act 2003. A copy of the application to vary the existing Premises Licence is attached to the report as Appendix B.

13. The variation application is therefore summarized as follows:

To permit the provision of regulated entertainment

(live music, recorded music, provision of facilities for making music, provision of facilities for dancing and anything of a similar description)

- Sun – Thurs from 19.00 to 01.00
- Fri & Sat from 19.00 – 03.00

To extend the terminal hour for the supply of alcohol:

- Mon – Thurs from 00.00 to 00.30
- Fri & Sat from 00.00 – 02.30
- Sun 23.00 – 00.30

The opening hours of the premises are

- Sun – Thurs from 07.00 to 01.00
- Fri & Sat from 07.00 – 03.00

Non standard timings

- An additional hour to be added to the finish time on each bank holiday and each day preceding a bank holiday.

Removal of conditions

- The variation application also seek to remove parts A-E of condition 134 of the existing Premises Licence

14. The variation application form provides the applicant's operating schedule. Parts E, F, H, I, J, K, M and O set out the proposed operating hours in full.

15. Part P of the variation application provides any additional steps that might be proposed by the applicant to promote the four licensing objectives as set out in the Licensing Act 2003. In the event that the Sub-Committee should approve the application any proposals stated here must become licence conditions.

Designated Premises Supervisor

16. The designated premises supervisor under the existing Premises Licence is Marilyn Longdon, she holds a Personal Licence issued by London Borough of Southwark.

Representations From Interested Parties

17. There are no representations lodged by interested.

Representations From Responsible Authorities

18. There are two representation lodged by the Metropolitan Police and the Council's Environmental Protection Team (EPT). Both representations outline control measures that

should be undertaken to reduce the risk of crime and disorder and noise nuisance if the licence is granted.

19. Copies of the representations are attached as appendix C to the report.

The Local Vicinity

20. A map of the local vicinity in a is attached as appendix D. The operating terminal hours of the following premises licensed for regulated entertainment and alcohol retail located in a (100m radius circled) are as follows:

- **Planet Nollywood**; 319 Camberwell Road, SE5 (Mon – Thursday – until 02.00 and Friday to Sunday until 04.00)
- **NAGS HEAD P H**; 242 Camberwell Road, SE5 (Monday to Sunday until to 01:00)
- **PREMIER FOOD & WINE**, 246 Camberwell Road, SE5 (Mon -Sun until 23:00)

Southwark council saturation policy for Camberwell

21. Council assembly approved the introduction of a special policy for Camberwell on the cumulative impact of a concentration of licensed premises (saturation policy) on 05 November 2008.

22. The decision to introduce saturation policy was taken with regard to the committee's concern over rising trends of late night alcohol related violence against the person and late night disorder and rowdiness associated with late night licensed premises in the area.

23. The effect of this special policy is that is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

24. The applicant has been advised to address the committees concerns around cumulative impact at the meeting.

Southwark Council Statement of Licensing Policy

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

- a. Section 3 which sets out the purpose and scope of the policy and reinforces the four licensing objectives
- b. Section 5 which sets out the Council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence
- c. Section 6 details other relevant Council and Government policies, strategies, responsibilities and guidance, including the relevant Articles under the Human Rights Act 1998
- d. Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours

- e. Section 8 provides general guidance on ensuring public safety including safe capacities
 - f. Section 9 provides general guidance on the prevention of nuisance
 - g. Section 10 provides general guidance on the protection of children from harm.
26. 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

27. A fee of £100.00 has been paid by the applicant in respect of this application being the statutory fee payable for a premises within non-domestic rateable value Band A.

CONSULTATIONS

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

EQUAL OPPORTUNITIES IMPLICATIONS

29. 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

30. The Sub-Committee is asked to determine the application for a variation of a converted premises licence. The converted licence was itself granted automatically under the new Licensing Act 2003, without need for a hearing, as no relevant objections were received from the Police, on crime and disorder grounds, to the conversion.
31. It is important to distinguish the application for variation of a converted licence under the Licensing Act 2003 from the type of applications previously heard by the Sub-Committee, where a licence was renewed or an applicant sought to vary. The principles that apply are significantly different in many respects (although the requirement to give all parties a fair, unbiased hearing remains).
32. The Sub-Committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested Parties must live in the vicinity of the premises. This will be decided on a case-by-case basis.
33. Under the Human Rights Act 1998, the Sub-Committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The Sub-Committee has a duty under Section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent and crime and disorder in the Borough.
34. Interested Parties, Responsible Authorities and the applicant have the right to appeal the decision of the Sub-Committee to the Magistrates' Court within a period of 21 days beginning

with day on which the applicant was notified by the licensing authority of the decision to be appealed against.

35. The principles that Sub-Committee members must apply are set out below.

Principles for making the determination

36. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.

37. The general principle is that applications for variation 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.

38. Relevant representations are those which

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

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

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

Conditions

40. The Sub-Committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the variation, 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.

41. The four licensing objectives are

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

42. 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.

43. 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.

44. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors.
45. Members are also referred to the DCMS guidance on conditions, specifically section 7, and Annexes D, E, F and G.

Reasons

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

Hearing Procedures

47. 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.
48. As this matter relates to the determination of an application to vary under section 34 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

49. 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.
50. 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.

51. 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.
52. 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.
53. Members will be aware of the Council's Code of Conduct that requires them to declare personal and prejudicial interests. The Code applies to Members when considering licensing applications. In addition, as a quasi-judicial body, Members are required to avoid both actual bias, and the appearance of bias.

Guidance

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

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

APPENDICES

No.	Title
Appendix A	Copy of the existing premises licence
Appendix B	Copy of the variation application
Appendix C	Copy of representation from Police and Environmental Protection Team
Appendix D	Copy Map of the local vicinity

AUDIT TRAIL

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

Dated	16 July 2009	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director Of Communities, Law & Governance	Yes	Yes
Finance Director	No	No
Executive Member	No	No
Date final report sent to Constitutional/Community Council/Scrutiny Team	16 July 2009	

Licensing Act 2003 Premises Licence



Environmental Health & Trading Standards
Licensing Unit
Chaplin Centre
Thurlow Street
London SE17 2DG

Premises licence number

829151

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Tip Toe Bar & Restaurant 278 Camberwell Road London SE5 0DL	
Ordnance survey map reference (if applicable), 176953532459	
Post town London	Post code SE5 0DL
Telephone number 07958 113926	

Where the licence is time limited the dates

Licensable activities authorised by the licence

Late Night Refreshment - Indoors
Sale by retail of alcohol to be consumed on premises

The opening hours of the premises

For any non standard timings see **Annex 2**

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Sale by retail of alcohol to be consumed on premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Late Night Refreshment - Indoors

Monday	23:00 - 00:30
Tuesday	23:00 - 00:30
Wednesday	23:00 - 00:30
Thursday	23:00 - 00:30
Friday	23:00 - 00:30
Saturday	23:00 - 00:30
Sunday	23:00 - 00:00

RECEIVED
05 JUN 2009

Sale by retail of alcohol to be consumed on premises

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 00:00
Friday	11:00 - 00:00
Saturday	11:00 - 00:00
Sunday	12:00 - 23:30

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Marilyn Longdon
 Flat 11, Tisdall House
 Barlow Street
 London
 SE17 1QT
 020 7277 4449

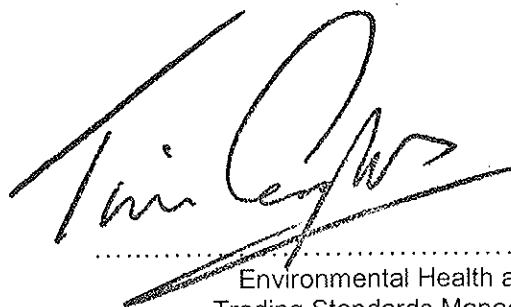
Registered number of holder, for example company number, charity number (where applicable)**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Marilyn Longdon
 Flat 11, Tisdall House Barlow Street
 London
 SE17 1QT
 020 7277 4449

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No. 11016
 Authority L B Southwark

Licence Issue date 04/02/2009



.....
 Environmental Health and
 Trading Standards Manager
 Chaplin Centre
 Thurlow Street
 London SE17 2DG
 020 7525 5748
 licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

a. At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or

b. At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

Annex 2 - Conditions consistent with the operating Schedule

110 No statutory regulations for music and dancing shall apply so as to require any licence for the provision in the premises of public entertainment by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only which is produced solely by the reproduction of recorded sound is permitted.

111 This licence provides for the provision of private music and dancing entertainment that is promoted for private gain;

127 Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- a. With and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- b. For consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- c. To a canteen or mess.

134 Alcohol may be sold or supplied:

- a. On weekdays, other than Christmas day, Good Friday or New Year's Eve from 11.00.a.m. to 12.00.p.m.
- b. On Sundays, other than Christmas Day or New Year's eve, and on Good Friday: 12noon to 11.30.p.m.
- c. On Christmas day: 12 noon to 11.30.p.m.
- d. On New Year's eve, except on a Sunday, 11.00.a.m. to midnight
- e. On New Year's Eve on a Sunday, 12 noon to 11.30.p.m.
- f. On New Year's eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans - Attached

Licence No.	829151
Plan No.	2099/SS/001
Plan Date	Nov 2000

Application to vary a premises licence 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 MARILYN LONDON
 (Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	829151
-------------------------	--------

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
278 CAMBERWELL ROAD LONDON			
Post town	WALWORTH	Post code	SE5 0BL

Telephone number at premises (if any)	0207 701 8191
Non-domestic rateable value of premises	£ 1,300

Part 2 - Applicant details

Daytime contact telephone number	07958 113-926		
E-mail address (optional)			
Current postal address if different from premises address	11 TILDAL HOUSE BARLOW ST. LONDON		
Post Town	WALWORTH	Postcode	SE17 1QT

15 MAY 2009

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

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

Provision of late night refreshment (if ticking yes, fill in box L)**Sale by retail of alcohol** (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

B

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	19.00	01.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	19.00	01.00			
Wed	"	01.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	"	01.00			
Fri	"	03.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) AS PER LIVE MUSIC.		
Sat	"	03.00			
Sun	"	01.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	19.00	01.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	19.00	01.00	<u>Please give further details here</u> (please read guidance note 3)		
Wed	"	"			
Thur	"	"	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri	"	03.00			
Sat	"	03.00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	"	01.00			
			AS PER LIVE MUSIC .		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>	
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>	
Mon	19.00	01.00		
Tue	19.00	01.00		
Wed	"	"		
Thur	"	"		
Fri	"	03.00		
Sat	"	03.00		
Sun	"	01.00		
			<u>State any seasonal variations for providing dancing facilities (please read guidance note 4)</u>	
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)</u> AS PER LIVE MUSIC.	

L

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

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	07.00	01.00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>AS PER LIVE MUSIC.</p>
Tue	07.00	01.00	
Wed	"	"	
Thur	"	"	
Fri	"	03.00	
Sat	"	03.00	
Sun	"	01.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Parts A to E of condition 134.

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

SEE BELOW

b) The prevention of crime and disorder

INSTALL CCTV
WORK CLOSELY WITH THE POLICE
PROVIDE SECURITY PERSONNEL

c) Public safety

PROVIDE RISK ASSESSMENT AS PER CURRENT LEGISLATION
I.E. HEALTH & SAFETY, FIRE, FIRST AID REGULATIONS

d) The prevention of public nuisance

TO EDUCATE THE PEOPLE WITH POSTERS/SIGNS
AND TO CONSULT POLICE AND ASBO DEPT.
OF ANY ANTI-SOCIAL BEHAVIOUR.
TO IMPLEMENT A FORMAL DRESS CODE AND
NOISE MECHANISM

e) The protection of children from harm

PERSONS UNDER THE AGE OF 18 YEARS OLD SHALL ONLY BE
PERMITTED ON THE PREMISES UNTIL 12.00 HOURS
ACCOMPANIED BY THEIR PARENT(S), LEGAL GUARDIAN(S) OR
OTHER RESPONSIBLE ADULT(S).

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

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 state 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.
13. This is the address which we shall use to correspond with you about this application.

Your reference: .



Our reference: MD/1770/09

Date: 20th May 2009

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

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

Tel: 020 -7232 – 6210 Fax6282

Dear Sir/Madam

Tip Toe Bar & Restaurant 278 Camberwell Road SE5

Police are in receipt of an application from the above to vary the existing Premises Licence and have the following representation to make:

The premises is located within the area covered by the Camberwell Saturation Policy and therefore the applicant is required to demonstrate in the application how the additional licensable activities would not impact negatively on the four main licensing objectives. Regrettably the applicant has failed to address this issue.

The premises are located on a busy thoroughfare and within very close proximity of many dwellings and as a consequence additional control measures would be required to ensure that there would be little or no detrimental effect upon the local community and indicate that the management of the premises have given sufficient consideration to the four main licensing objectives.

If the permitted hours for the sale/supply of alcohol were to be granted as per the application, Police would require that the following control measures have been considered:

1. That SIA registered Door Supervisor, shall be employed at **all** times after 22.00hrs and the terminal hour that the premises are in use under this licence and provided with Hand held metal detection units in order

to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.

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

The above conditions are only illustrative of the type of conditions that are often placed on premises that operate in the night time economy and in no way should be considered as police approving this application should they be imposed on the varied premises licence. Until such time as the applicant adequately addresses the issue of cumulative negative impact this application should not be granted.

Police would be available should a conciliation meeting be arranged.

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

Paul Compton PC294MD

Licensing Officer (Southwark North)

☎ Phone: 0207 232 6210

☎ Mobile: 07990901483

☎ Fax: 0207 232 6282

✉ E-mail: paul.compton@met.police.uk

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

MEMO: Environmental Protection Team

To Regen, Licensing **Date** 8th June 2009
Copies
From Alan P. Blissett **Telephone** 020 7525 5766 **Fax** 020 7525 5768
Email Alan.Blissett@southwark.gov.uk

Subject 278 Camberwell Road SE5 our ref 359215

Thank you for referring the application for variation to Environmental Protection Team. I have reviewed the application and location and discussed the proposals with the applicant.

The premises is located in short terrace of shops with separate living accommodation above, facing similar premises near to Camberwell Green, with bus garage to the rear. The variation, if granted, would permit live and recorded music and dancing on each Sunday to Thursday until 0100 the day following and until 0300 the day following Friday & Saturday.

Music Noise

The premises comprises a basement restaurant set out with 24 covers with separate male and female WC's. to the rear, with a stairway up to the ground floor which is spilt level dinning area and bar. It is understood that music and dancing activities will take place in the basement. The premises is currently equipped with amplification and small speakers on the ground floor for 'background music' in accord with the present license. There is a larger speaker connected to the system in the basement.

With additional activities added to the licence, there would be potential for music sounds to break out from the basement area dependant on music level and siting of speakers. The premises will need to be sufficiently insulated to prevent sound escape and transmission both within the structure and to surrounding properties. This should include treatment to the front windows and formation of a lobby at the front entrance. The basement and ground floor areas will need to be equipped with extract/ intake ventilation which would need to be baffled, to enable regulate entertainment to be performed with doors closed even during summer months. Until I have seen the technical details of sound insulation works, I am not a position to suggest whether a sound limiter installation would be essential.

People noise

I am concerned that lateness of the hours of opening - until 0300 on Friday > Saturday may not be able to be accommodated without giving rise to public nuisance and would suggest earlier curfew hours; however, this would need to considered in context of other responsible authorities and local responses. I would also suggest, smokers should not be permitted to take drinks off the premises.

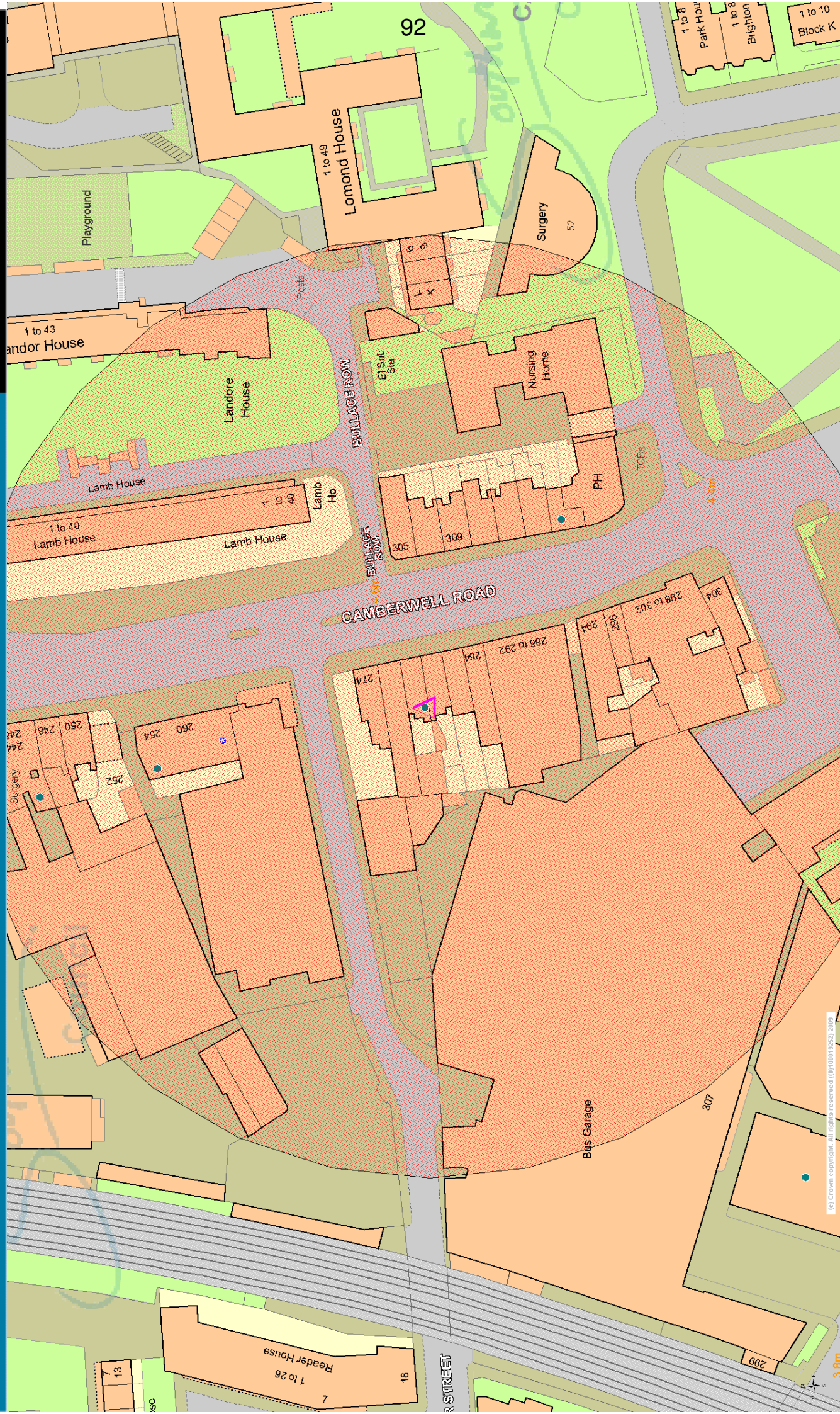
The prevention of public nuisance measures set out in the application are not adequate to prevent music and people noise from becoming a public nuisance.

I therefore make representation until these matters have been adequately addressed by the applicant and her advisors.

Alan Blissett
Principal Environmental Protection Officer

278 CAMBERWELL ROAD SE5

Date: 15/7/2009



(c) Crown copyright. All rights reserved (00100019252) 2008

<p>Distribution List</p> <p>Open</p> <p>Licensing Sub-Committee</p>	<p>MUNICIPAL YEAR 2009-10</p> <p>Date of Meeting: 27.07.2009</p> <p>Time: 10.00am</p>
<p>Note: Original held in Constitutional Team; all amendments/queries to Sean Usher, Constitutional Team, Tel: 020-7525-7222.</p>	
<p>Councillors (1 Copy Each)</p>	<p>Applicants and Interested Parties</p>
<p>Councillor David Hubber Councillor Lorraine Lauder Councillor Althea Smith</p> <p>Councillor Ian Wingfield (Reserve)</p> <p>Officers</p> <p>Dave Franklin – Licensing Unit – Chaplin Centre Dave Swaby – Licensing Unit – Chaplin Centre Dorcas Mills – Licensing Unit – Chaplin Centre Kate Heap – Legal Department – Tooley Street Felix Rechtman – Legal Department – Tooley Street Sean Usher, Room 3.15 Town Hall</p> <p>By Email</p> <p>Ward Councillors – Camberwell Green</p> <p>Ward Councillors - Peckham Rye</p> <p>Total Copies to be printed: 32</p> <p><u>PLEASE BRING YOUR PAPERS TO THE MEETING.</u></p>	<p>Ms Fiona M Halton Café On The Rye Road, Peckham Rye Common SE15 T/A Cafe On The Rye, 25-27 The Bridge, Wealdstone, Harrow, HA3 5AB</p> <p>Peter Baldock 16 Colyton Road Peckham SE22 Joan M Taylor 20 Colyton Road Peckham SE22 Edward and Jennifer Salmon 206 Peckham Rye SE22 Gordon Feeley 27 Colyton Road SE22 Taseer Ahmed & Angela Hill Flat 2, 194 Peckham Rye SE22 Rodney Stone 29 Colyton Road SE22 The Secretary, Angela Bailey Rye Hill Tenants & Residents Association, 241 Peckham Rye SE15. Jenny Wickham 44 Mundania Road, East Dulwich. SE22 Mrs J Ruis 45 Colyton Road P C Aldren 5 Rye Court, 214-218 Peckham Rye, East Dulwich SE22 Edna W Evans 20 Colyton Road SE22</p> <p>David Pierce 11, Piermont Green, Peckham London SE22</p> <p>Ms Marilyn Longdon, Top Toe Restaurant, 278 Camberwell Road, London SE5 0DL</p> <p>PC Paul Compton, Licensing Office, Walworth Police Station 12-28 Manor Place, London SE17 3RL</p> <p>Total copies to be circulated: 26</p> <p>All spares to be delivered to Constitutional Team Room 3.15 Town Hall.</p> <p>Day of Despatch 17.07.2009</p>