

Licensing Sub-Committee

Monday 12 July 2010

10.00 am

Room G02c - 160 Tooley Street, Ground Floor

Membership

Councillor Lorraine Lauder MBE (Chair)
Councillor Eliza Mann
Councillor the Right Revd Emmanuel Oyewole

Reserves

Councillor Wilma Nelson

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

Sean Usher on 020 7525 7222 or email: sean.usher@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Annie Shepperd

Chief Executive

Date: 2 July 2010



Licensing Sub-Committee

Monday 12 July 2010
10.00 am
Room G02c - 160 Tooley Street, Ground Floor

Order of Business

Item No.	Title	Page No.
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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 - BIAGIO@BANKSIDE, 32 SOUTHWARK BRIDGE ROAD, LONDON, SE1 9EU

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

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

Item No.

Title

Page No.

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

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

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

Date: 2 July 2010

Agenda Item 5

Item No. 5.	Classification: Open	Date: 12 July 2010	MEETING NAME Licensing Sub-Committee
Report title:		Licensing Act 2003 – Biagio@Bankside, 32 Southwark Bridge Road, London, SE1 9EU	
Ward(s) or groups affected:		Premises are within: Cathedrals	
From:		Strategic Director of Environment & Housing	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Biagio Caroleo to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Biagio@Bankside, 32 Southwark Bridge Road, London, SE1 9EU.
2. **Notes:**
 - *The application seeks to vary existing licensable activities held under current legislation in respect of the premises known as Biagio@Bankside, 32 Southwark Bridge Road, London, SE1 9EU 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 responsible authorities and is therefore referred to the Sub-Committee for determination;*
 - *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 A). and*
 - *Paragraphs 17 - 21 of this report deals with the representations and comments received to the application (copies of relevant representations, conciliations and responses are attached as appendices C through to F).*

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 received royal assent on 10 July 2003. The Act provided a new licensing regime for the following activities:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - 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 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.
6. 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
7. The Act provides licensing schemes for premises licences, club premises certificates, personal licences and temporary event notices.
8. In order to apply for a new premises licence or to vary an existing premises licence the applicant is required to provide all relevant information required to the licensing authority and to provide copies 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 current premises licence

9. The current licence in respect of the premises known as Biagio@Bankside, 32 Southwark Bridge Road, London, SE1 9EU was issued 24th August 2009. It allows the following licensable activities.
- Recorded music:
Monday – Saturday from 09.00 – 00.30
Sunday from 12.00 – 00.00
 - Sale and Supply of alcohol to be consumed on the premises:
Monday - Saturday from 10.00- 00.00;
Sunday from 12.00- 23.30
 - Late night refreshment:
Monday - Saturday from 23.00- 00.30;
Sunday from 23.00- 00.00
 - Opening hours of the premises:
Monday - Saturday from 09.00- 00.30;
Sunday from 12.00- 00.00
10. A copy of the existing premises licence is attached as appendix B.

The variation application

11. On the 30th of April 2010, Biagio Caroleo applied to this council to vary the existing premises licence issued in respect of the premises known as Biagio@Bankside, 32 Southwark Bridge Road, London, SE1 9EU under section 34 of the Licensing Act 2003.

Details of the variation application

12. The variation application is summarized as follows:
- **To allow the provision of live music indoors:**
Monday - Wednesday from 12.30 – 01.30
Thursday from 12.30 – 03.30
Friday and Saturday from 12.30 – 04.00

Sunday from 12.00 – 00.00

- **To extend the hours permitted for recorded music indoors:**
 Monday – Wednesday from 09.00 – 01.30
 Thursday from 09.00 – 03.30
 Friday and Saturday from 09.00 – 04.00
 Sunday from 10.00 – 00.00
- **To allow the provision of anything of a similar description to live/recorded music and performances of dance indoors:**
 Monday - Wednesday from 12.00 – 01.30
 Thursday from 12.00 – 03.30
 Friday and Saturday from 12.00 – 04.00
 Sunday from 12.00 – 00.00
- **To allow the provision of facilities for making music indoors:**
 Monday – Wednesday from 10.30 – 01.30
 Thursday from 10.30 – 03.30
 Friday and Saturday from 10.30 – 04.00
 Sunday from 11.30 – 00.00
- **To allow the provision of facilities for dancing indoors:**
 Monday - Wednesday from 12.00 – 01.30
 Thursday from 12.00 – 03.30
 Friday and Saturday from 12.00 – 04.00
 Sunday from 12.00 – 00.00
- **To extend the hours permitted for late night refreshment indoors:**
 Monday – Wednesday from 23.00 – 01.30
 Thursday from 23.00 – 03.30
 Friday and Saturday from 23.00 – 04.00
 Sunday from 23.00 – 00.00
- **To extend the hours permitted for the sale / supply of alcohol on and off the premises:**
 Monday – Wednesday from 08.00 – 01.30
 Thursday from 08.00 – 03.30
 Friday and Saturday from 08.00 – 04.00
 Sunday from 11.30 – 00.00
- **To extend the opening hours of the premises:**
 Monday – Wednesday from 07.00 – 02.00
 Thursday from 07.00 – 04.00
 Friday and Saturday from 07.00 – 04.30
 Sunday from 09.00 – 00.30

13. A copy of the variation application is attached as appendix A to the report.
14. The variation application form provides the applicant's operating schedule. Parts E, F, H, I, J, L, 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 Leidilom Bernardo who holds a personal licence issued by Elmbridge Borough council.

Representations from interested parties

17. There are representations submitted by fifteen (15) local residents. The representations are primarily concerned with the prevention of public nuisance and the prevention of crime and disorder. A petition signed by 77 residents was submitted however this was not accepted, as it was not valid. The representations are attached as appendix C to the report.

Representations from responsible authorities

18. A representation was received from the metropolitan police. The representation was concerned that the licensing objectives had not been sufficiently addressed in regards to the proposed variation. The police suggested conditions that they recommended be applied to licence should the variation be granted. The applicant agreed to the conditions and the police have withdrawn their representation. The correspondence is attached as appendix D to the report.
19. Southwark Council's Environmental Protection team wrote to advise that they have no objection to the variation. This submission is attached as appendix E.
20. The London Fire and Emergency Planning Authority wrote to advise that they do not propose to make any representation. This is attached as appendix F.

Conciliation

21. Due to the large numbers of representations from interested parties, conciliation was not possible.

Borough & Bankside saturation policy

22. Council assembly approved the introduction of a special policy for Borough and Bankside on the cumulative impact of a concentration of licensed premises (saturation policy) in March 2009.
23. The decision to introduce the 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.
24. The effect of this special policy 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.
25. The applicant has been advised to address the committee's concerns around cumulative impact at the meeting.

Disability discrimination act

26. The Southwark Disablement Association has not made comments regarding this application.

Operating History of the premises

27. The current licensee, Mr Biagio Caroleo, applied for the premises licence that has been issued in respect of the premises on 8th June 2009. At the time of the application representations were received from 3 interested parties. The applicant was able to conciliate with one of the interested parties. A licensing sub-committee hearing was subsequently held on the 24th August 2009 and the licence was approved with additional conditions imposed. A premises licence was duly granted in respect of the premises on the 28th August 2009.
28. On 9th of February 2010 licensing officers conducted an inspection of the premises. At the time of the inspection the premises was found to be operating in full compliance with the premises licence issued in respect of the premises. A compliance letter was subsequently sent to the premises. A copy of the compliance letter is attached to this report as Appendix G.
29. On 26th April 2010 Biagio Caroleo applied to this council to vary the existing premises licence issued in respect of the premises known as Biagio@Bankside, 32 Southwark Bridge Road, London, SE1 9EU under section 34 of the Licensing Act 2003.

The local area

30. A map of the local area is attached as appendix H. The premises are identified by a triangle at the centre of the map. For purposes of scale-only a circle with a 100 metre radius is shown on the map. The following licensed premises are also shown on the map:

Premise Name	No	Street	Premise Type	Activities & Times
Southwark Rose Hotel	43 - 47	Southwark Bridge Road	Hotel	Regulated entertainment, late night refreshment, sale of alcohol on & off premises Mon - Thurs 11:00 to 01:30 Fri & Sat 11:00 to 02:30 Sun 11:00 to 01:00
Novotel	53 - 61	Southwark Bridge Road	Hotel	Live music, late night refreshment, sale of alcohol on & off premises Mon – Sat 10.00 – 00.30 Sun 12.00 – 00.00

Southwark council Statement of Licensing Policy

31. Council assembly approved the Southwark Statement of Licensing Policy on 4 November 2009. 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 reinforces 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, as well as relating to cumulative effect and saturation policies;
- 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.

32. 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

33. A fee of £315.00 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 C.

CONSULTATIONS

34. 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 newspaper and a similar notice exhibited outside of the premises. The last date for representations was put back to 16.06.10 as the notice at the premises was not displayed correctly.

COMMUNITY IMPACT STATEMENT

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

SUPPLEMENTARY ADVICE FROM THE STRATEGIC DIRECTOR OF COMMUNITIES, LAW & GOVERNANCE

36. The sub-committee is asked to determine the application for a variation of a converted premises licence.

37. The requirement is to give all parties a fair, unbiased hearing.

38. 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.

39. 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.

40. 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.

41. The principles that sub-committee members must apply are set out below.

Principles for making the determination

42. 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.
43. 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.
44. 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.
45. 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

46. 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.
47. The four licensing objectives are
 - The prevention of crime and disorder;
 - Public safety;
 - The prevention of nuisance; and
 - The protection of children from harm.
48. 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.
49. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to late night refreshment and take away aspect of the licence 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.
50. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films, in respect of door supervisors, irresponsible drinks promotions, alcohol dispensing, free tap water and minimum measures.
51. Members are also referred to the DCMS guidance on conditions, specifically section 7, and Annexes D, E, F and G.

Reasons

52. 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

53. 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.
54. 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

55. 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.
56. 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.

57. 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.
58. 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.
59. 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

60. 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 Secondary Regulations Statement of Licensing Policy Various papers from the premises file.	The Chaplin Centre, Thurlow Street, SE17 2DG	Kirty Read at the Chaplin Centre Telephone 0207 525 5748

APPENDICES

No.	Title
Appendix A	Copy of the variation application
Appendix B	Copy of the existing premises licence
Appendix C	Copy of the representation from interested parties
Appendix D	Copy of police representation and conciliation
Appendix E	Copy of Environmental Protection Team response
Appendix F	Copy of LFEPA response
Appendix G	Copy of compliance letter sent to licensee
Appendix H	Copy of local area map
Appendix I	List of representations (On closed agenda)

AUDIT TRAIL

Lead Officer	Gill Davies, Strategic Director of Environment & Housing	
Report Author	Kristie Ashenden, Principal Licensing Officer	
Version	Final	
Dated	29 th June 2010	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law and Governance	Yes	Yes
Finance Director	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	30 June 2010	

11
APPENDIX A



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 BIAGIO CAROLEO
(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	831696
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
32 SOUTHWARK BRIDGE ROAD			
Post town	LONDON	Post code	SE1 9EU

Telephone number at premises (if any)	0207 633 0500
Non-domestic rateable value of premises	£ 66,000

Part 2 – Applicant details

Daytime contact telephone number	0207 4376523
E-mail address (optional)	biagio@biagio.co.uk

Current postal address if different from premises address		Biagio Restaurant 45 Wardour Street	
Post Town	London	Postcode	W1D 6PZ

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

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

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 1)</p> <p>I wish to vary the opening ours of the restaurant and bar as we have been asked to provide business breakfasts and early morning business meetings during the week for business customers and local people in the area.</p> <p>Also to extend the opening times for the restaurant and bar area as we are applying to become a venue for Civil Marriages and to complement this to hold wedding receptions and functions. We also will provide entertainment for this.</p> <p>Further we wish to offer diners light musical entertainment during lunchtimes and evenings whilst they dine and to dance along with a resident singer and pianist which we will provide.</p>

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

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 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 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

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
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					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<u>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</u> (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish	Both		<input type="checkbox"/>	
Mon	12.30	01.30		Please give further details here (please read guidance note 3) We would like to provide light music from a pianist and singer for regular restaurant occasions. Or live music from small bands for weddings and functions.	
Tue	12.30	01.30			
Wed	12.30	01.30	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	12.30	03.30			
Fri	12.30	04.00	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	12.30	04.00			
Sun	12.00	00.00			

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				Outdoors	<input type="checkbox"/>
Start	Finish	Both		<input type="checkbox"/>	
Mon	09.00	01.30		Please give further details here (please read guidance note 3) Playing of background recorded music for the enjoyment of the dining customers. Recorded amplified music for weddings and other functions.	
Tue	09.00	01.30			
Wed	09.00	01.30	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	09.00	03.30			
Fri	09.00	04.00	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	09.00	04.00			
Sun	10.00	00.00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance 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	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

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> KARAOKE		
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	12.00	01.30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	12.00	01.30	<u>Please give further details here</u> (please read guidance note 3) Provide Karaoke entertainment for weddings and other functions if requested.		
Wed	12.00	01.30			
Thur	12.00	03.30			
Fri	12.00	04.00	<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)		
Sat	12.00	04.00	<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	12.00	00.00			

I

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> Baby Grand Piano		
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input checked="" 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	10.30	01.30	Piano for resident singer.		
Tue	10.30	01.30			
Wed	10.30	01.30	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
Thur	10.30	03.30			
Fri	10.30	04.00	<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)		
Sat	10.30	04.00			
Sun	11.30	00.00			

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give a description of the facilities for dancing you will be providing</u> Dancing to amplified recorded music or to live music. No rock bands will be allowed only light entertainment from singer and accompanists with amplified music	
Mon	12.00	01.30	<u>Please give further details here</u> (please read guidance note 3) Evening Diners will be able to dance during their meal to a resident singer and Pianist. At other times dancing to live entertainment and recorded music.	
Tue	12.00	01.30		
Wed	12.00	01.30	<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)	
Thur	12.00	03.30		
Fri	12.00	04.00	<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</u> (please read guidance note 5)	
Sat	12.00	04.00		
Sun	12.00	00.00		

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	<u>Will the entertainment facility be 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 the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23.00	01.30	Please give further details here (please read guidance note 3) All food is served in the premises from the high class Italian menu. Catering service provided to business customers during the day and evening.		
Tue	23.00	01.30			
Wed	23.00	01.30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23.00	03.30			
Fri	23.00	04.00	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	04.00			
Sun	23.00	00.00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>	
Day	Start	Finish		Off the premises	<input checked="" type="checkbox"/>	
Mon	08.00	01.30	State any seasonal variations for the supply of alcohol (please read guidance note 4) Off sales only to outside corporate catering customers.	Both	<input checked="" type="checkbox"/>	
Tue	08.00	01.30				
Wed	08.00	01.30				
Thur	08.00	03.30		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	08.00	04.00				
Sat	08.00	04.00				
Sun	11.30	00.00				

N

<p>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)</p> <p>None are envisaged.</p>

0

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	02.00	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)
Tue	07.00	02.00	
Wed	07.00	02.00	
Thur	07.00	04.00	
Fri	07.00	04.30	
Sat	08.00	04.30	
Sun	09.00	00.30	

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

We do not seek to remove any existing conditions

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

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)

The very experienced Operator of the premises ensures that all staff receive training on a regular basis of a high standard. This is health and safety , first aid and best practice for running a large restaurant. He encourages bar staff to undergo personal licence training and runs in house management training programs to encourage staff to progress within the industry. He regularly carries out risk analysis and risk management.

b) The prevention of crime and disorder

The operator of the premises will liaise with the Licensing Authority and any of the relevant authorities involved in running a licensed premises when required to do so. Closed Circuit TV is installed throughout the premises in the public areas and is monitored and recorded. The premises are fully alarmed. The staff have been fully trained to deal with customers who may have drunk too much or who become rowdy. The operator has contracts with licensed security operatives for use on occasions where such security is deemed necessary.

c) Public safety

All fire escapes are clearly marked with illuminated signs and the required safety lighting is installed. The premises including kitchen and storage areas have installed the required fire fighting equipment which is regularly serviced under contract. ~~All electrical equipment is tested as per Health and Safety requirements.~~ The staff are drilled to deal with emergencies and have been allocated rolls such as safety officer and fire officer in the event of emergencies. There are first aid materials and equipment on site for the benefit of staff and customers with first aiders appointed.

d) The prevention of public nuisance

Signs are clearly visible warning customers who leave the premises to leave quietly, particularly at night. There is a member of staff at the door to greet customers when they enter and to advise customers to leave quietly in the evening. Customers who arrive at the restaurant that are clearly drunk will not be allowed admission. The forecourt is regularly cleaned and bottling up and disposal of waste will not be done between the hours of 10pm and 7am. Smokers will be advised to be silent and will only be allowed out in small groups.

e) The protection of children from harm

All staff who work at the premises are specifically trained on the importance of their personal responsibilities to ensure the protection of children and young people. Admission and Bar staff insist on seeing legitimate identification from people who appear to be under 23 years of age. Children and young people will not be served alcohol at any time under any circumstances. The restaurant and bar do not carry out any promotions for the sale of alcohol and do not display any marketing material likely to attract young people.


Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 – Signatures (please read guidance note 10)

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

Signature	
Date	21st April 2010
Capacity	Premises Licence Holder

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) 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 address for correspondence associated with this application (please read guidance note 13)

PETER TILLY

Post town		Post code	
Telephone number (if any)	07944857412		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
contact@petertilly.com			

Licensing Act 2003 Premises Licence

31
APPENDIX B



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

Premises licence number

831696

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Biagio@Bankside 32 Southwark Bridge Road London SE1 9EU	
Ordnance survey map reference (if applicable), 180295532249	
Post town London	Post code SE1 9EU
Telephone number 020 7633 0500	

Where the licence is time limited the dates
--

Licensable activities authorised by the licence
Recorded Music - Indoors 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
Monday 09:00 - 00:30
Tuesday 09:00 - 00:30
Wednesday 09:00 - 00:30
Thursday 09:00 - 00:30
Friday 09:00 - 00:30
Saturday 09:00 - 00:30
Sunday 12:00 - 00:00

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

Recorded Music - Indoors

Monday	09:00 - 00:30
Tuesday	09:00 - 00:30
Wednesday	09:00 - 00:30
Thursday	09:00 - 00:30
Friday	09:00 - 00:30
Saturday	09:00 - 00:30
Sunday	12:00 - 00:00

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

Sale by retail of alcohol to be consumed on premises

Monday	09:00 - 23:00
Tuesday	09:00 - 23:00
Wednesday	09:00 - 23:00
Thursday	09:00 - 23:00
Friday	09:00 - 23:00
Saturday	09:00 - 23:00
Sunday	12:00 - 22:30

Part 2

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

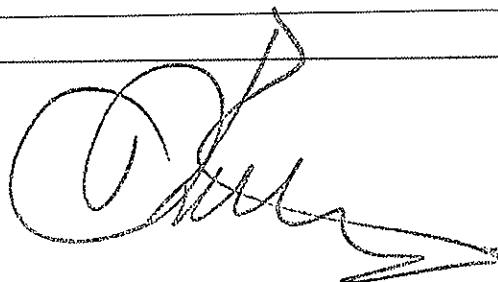
Mr Biagio Caroleo
32 Southwark Bridge Road
London
SE1 9EU
02076330500

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

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.
Authority:



Licence Issue date 23/03/2010

.....
Environmental Health & Trading
Standards Business Unit 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

485 (1) The responsible person shall take all reasonable steps to ensure that staffs on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –

(a) Games or other activities which require or encourage, or are designed to require, encourage, individuals to –

- (i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) Drink as much alcohol as possible (whether within a time limit or otherwise);

(b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to

an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-

- (i) The outcome of a race, competition or other event or process; or
- (ii) The likelihood of anything occurring or not occurring;

(e) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

486 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of a disability).

487 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2). The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

489 The responsible person shall ensure that –

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –

(i) Beer or cider: ½ pint;

(ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) Still wine in a glass: 125 ml; and

(b) Customers are made aware of the availability of these measures

Annex 2 - Conditions consistent with the operating Schedule

- 340** That CCTV shall be installed throughout the premises and will be monitored.
- 341** That The premises shall be fully alarmed.
- 342** Staff employed at the premises shall receive training in regards to dealing with rowdy customers.
- 343** That all fire escapes at the premises shall be clearly identified by way of signage.
- 344** That risk assessments shall be undertaken in regards to all relevant legislation.
- 345** That ample fire fighting equipment shall be kept in all areas of the premises
- 346** That all staff employed at the premises will receive training in regards to dealing with emergencies at the premises
- 347** a. The Licensee / Duty Manager shall ensure that an adequate and appropriate supply of first aid equipment and materials is available on the premises.
- b. If required, at least one suitably trained first aider shall be on duty when the public are present. If more than one suitably trained first-aider is present, each person's responsibilities shall be clearly identified.
- 348** Drunk or unruly customers will be refused admission or asked to leave the premises.
- 349** The forecourt will be kept clean and free of litter.
- 350** A 'Challenge 21' policy shall be implemented at the premises requiring any staff involved in the sale or supply of intoxicating liquor to request photo identification comprising of a valid passport, full driving licence, PASS (Proof of Age Standards Scheme) accredited card or Citizen Card from any person attempting to buy intoxicating liquor who appears to be under 21 years of age that proves that that person is over 18 years of age.
-

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

840 That clearly legible signs are prominently displayed to the satisfaction of the council requesting that customers smoking and / or congregating outside of the premises do so in a quiet and orderly manner and are considerate of local residents.

841 That a direct line telephone number will be made available to local residents should local residents be caused any nuisance by the operation of the premises

842 That there shall be no 'bottling up' or movement of goods and / or refuse into or out of the premises between 23:30 to 07:00

843 If at any time after 23:30 local residents are disturbed by recorded music emanating from the premises the volume of recorded music will be reduced on request

Annex 4 - Plans - Attached

Licence No.	831696
Plan No.	BAZ/1600/00/2
Plan Date	April 1999

Licensing Act 2003 Premises Licence Summary



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

Premises licence number

831696

Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Biagio@Bankside 32 Southwark Bridge Road London SE1 9EU	
Ordnance survey map reference (if applicable), 180295532249	
Post town London	Post code SE1 9EU
Telephone number 020 7633 0500	

Where the licence is time limited the dates

Licensable activities authorised by the licence

Recorded Music - Indoors
Late Night Refreshment - Indoors
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

Recorded Music - Indoors

Monday	09:00 - 00:30
Tuesday	09:00 - 00:30
Wednesday	09:00 - 00:30
Thursday	09:00 - 00:30
Friday	09:00 - 00:30
Saturday	09:00 - 00:30
Sunday	12:00 - 00:00

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

Sale by retail of alcohol to be consumed on premises

Monday	09:00 - 23:00
Tuesday	09:00 - 23:00
Wednesday	09:00 - 23:00
Thursday	09:00 - 23:00
Friday	09:00 - 23:00
Saturday	09:00 - 23:00
Sunday	12:00 - 22:30

The opening hours of the premisesFor any non standard timings see **Annex 2**

Monday	09:00 - 00:30
Tuesday	09:00 - 00:30
Wednesday	09:00 - 00:30
Thursday	09:00 - 00:30
Friday	09:00 - 00:30
Saturday	09:00 - 00:30
Sunday	12:00 - 00:00

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

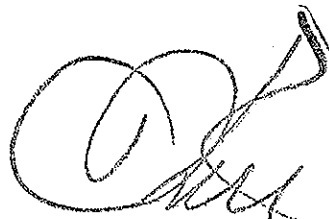
Sale by retail of alcohol to be consumed on premises

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

Mr Biagio Caroleo
 32 Southwark Bridge Road
 London
 SE1 9EU
 02076330500

Registered number of holder, for example company number, charity number (where applicable)**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol****State whether access to the premises by children is restricted or prohibited**

Licence Issue date 23/03/2010



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

APPENDIX⁴¹ C

Omojomolo, Alex

From:

PARTY A

Sent: 28 May 2010 10:58

To: Regen, Licensing

Subject: Biagio@bankside licensing hours extension application: 831911

Sir/Madam

**Applications for Premises Licences, Club Registrations, and Reviews Details for
Licence Number: 831911.
Biagio@Bankside,
32 Southwark Bridge Road
SE1 9EU**

I would like to object to this licensing application for the purpose of:

•The prevention of crime and disorder

The area is underserved by police officers at night as there is little going on. It is unlikely police resources will be able to stretch to deal with the likely frequent violent incidents occurring as a result of late night drinking so far from the normal bar areas.

•Ensuring public safety

There are no taxi ranks or other methods of removing the people from this area. They are likely to loiter, and their drunkenness leads to increased likelihood of violence to local residents and passersby.

•The prevention of nuisance

This area contains a high degree of residential housing and the added noise past 11 o'clock will be a nuisance to those trying to sleep in the area. The local residents already have to put up with construction noise all day, traffic noise all day and into the evening, and to add to that with intoxicated revellers at night would be a cruel and unusual punishment.

•The protection of children from harm

On the weekends this is a quiet, family area, and the loitering intoxicated people are likely to add to the risk of harm to children.

Yours sincerely

Get a new e-mail account with Hotmail – Free. [Sign-up now.](#)

28/05/2010

Omojomolo, Alex

From:

PARTY B

Sent: 28 May 2010 14:06

To: Regen, Licensing

Cc:

Subject: Objection to Licence Number 831911

**RE: Licensing Register - Applications for Premises Licences, Club Registrations, and Reviews
Details for Licence Number: 831911**

This email is an objection to the above application in relation to licence number 831911 - Biagio @ Bankside, 32 Southwark Bridge Road, SE1 9EU.

I am a leaseholder residing at [redacted] - part of the Park Street Estate. I live there with my partner, [redacted] who shares the views I set out below. My property is approximately 50 metres from the applicant ("Biagio"). From my bedroom window and my balcony, I can see Biagio and its entrance.

I have set out my detailed objections below, addressing each of the relevant grounds on which I am entitled to object. However, I feel that it is important to understand those detailed objections against the following general background.

The immediate area around Biagio - comprising the northern part of Southwark Bridge Road, Sumner Street, Sumner Buildings, Gatehouse Square and the Park Street Estate - is a quiet area with a substantial number of residents. Other than residential properties, the bulk of the other properties in the area are offices and hotels. Consequently, in the evenings after about 7pm and especially at weekends this area is very peaceful - remarkably so given its centrality. Visitors often comment on its tranquillity in spite of its central location. The local population is quite varied, both in age and socio-economic background - and it has a very pleasant community feel. There are a large number of families, senior citizens and people of all other ages (including a retirement home and a nursery). In long summer evenings, children play outside in Gatehouse Square most evenings until late - only 50 metres opposite the entrance of Biagio, and on what would become a thoroughfare from the bars and pubs of London Bridge to Biagio in the evening were it to become a late-opening venue.

As a result, in my view the addition of a late-opening venue (until 4am on some nights) would be fundamentally at odds with the character of the neighbourhood. Biagio is situated between flats, houses and offices with few other entertainment venues in the immediate vicinity. Late opening is not the pattern in this area - far from it. Accordingly, the potential for noise and disturbance to the numerous residents is substantial. There are other parts of SE1 where there are a substantial number of bars and restaurants and entertainment venues (for example around London Bridge Station) - and consequently the character of those neighbourhoods is completely different.

Turning to the specific grounds in detail, my specific objections are as follows.

The Prevention of Nuisance

- Prolonged and persistent noise levels associated with such a venue would be devastating to the local community. The requested hours seem very late - until 4am on weekends. This is likely to be very disturbing.
- As a property owner I am entitled to use my property, including the balcony (from which I can see Biagio) without being disturbed by noise. I am sufficiently close to Biagio that any noise through the evening and night will be a nuisance.

28/05/2010

- This would apply to both the playing of loud/live music through the night but equally, and potentially more importantly, to the noise of people coming and going through the late evening and early hours - who are likely to pass through the Park Street Estate on their way to transport around London Bridge.
- Inevitable consequences of the proposed nightclub hours, licensing (alcohol and entertainments), and which would amount to a nuisance would include:
 - Noise from drunken/excited venue-goers entering/leaving the venue.
 - Road chaos from minicabs and other transport requirements such a venue would require.
 - Rubbish and broken glass on the street (the previous owners of that site had a habit of leaving their commercial waste in the domestic recycling facility on the other side of Southwark Bridge Road, which frequently overflowed leaving broken glass on the street).
 - The potential disruption of traffic flows down Sumner Street. Sumner Street is a narrow, quiet residential street. It is also an important access point for local residents to drive in and out of the Park Street Estate and surrounding residential areas (the only other way to enter is through Borough Market/ leave through Redcross Way - which for obvious reasons, including the market and roadworks, are not always accessible).
 -

I note that the application sets out a number of alleged safeguards which it is suggested are aimed at minimising nuisance. However, in my view:

- They are insufficient in light of what I have set out above; and
- In any case, any breach of the safeguards put in place gives rise to no meaningful remedy to any local resident who has suffered.

Prevention of crime and disorder

- As above, sadly some level of crime and disorder is inevitable in and around late-night licensed venues. This will be the case even with any safeguards that the venue operators put in place.
- The area is currently peaceful and quiet at weekends - to the extent that as a woman I have always felt comfortable coming and going from the flat (including at night), and leaving my car parked in the estate parking in Gatehouse Square.
- The pedestrian exit/entrance to Gatehouse Square is directly opposite the proposed venue. I can imagine that the cars, properties and gardens in Gatehouse Square would be vulnerable to the increased pedestrian traffic (much of which may be drunken) through the square late at nights which will inevitably result.
- Furthermore, I note that one of the alleged safeguards is that drunk people will be turned away from the venue and asked to leave. One of the first places they are likely to go is Gatehouse Square. Plainly, people who are both drunk and angry pose a real threat to people and property.

Ensuring public safety

- As I have said above, I currently feel safe walking to and from my flat, including in the evenings/at night. This will not be the case if every time I enter and leave my flat I have to walk near the entrance to a late-night licensed venue.
- My comments above in relation to the prevention of crime and disorder apply here also.

The protection of children from harm

- Most importantly, Gatehouse Square which (as mentioned above) is accessed from Southwark

Bridge Road, opposite the proposed venue, is a peaceful area where many local children play after school and at weekends.

- If the square becomes a thoroughfare for nightclub visitors (which it will), it is likely that the children will be faced with broken glass/empty drinks containers, litter etc.
- Indeed, to the extent that children play out in the square until late on summer evenings, they will be at risk from drunk people coming and going through the square. There is absolutely no doubt that children find drunk people threatening - even if of course they are not always. It would be a very great shame if the local children felt they could not play out in the square, one of the few outdoor spaces available to them.
- My comments above in relation to drunk and angry people turned away from the venue also apply here, and with particular force.

I wish Biagio luck with their business – but as a restaurant, with normal opening hours. The proposals they have set out in their application are in my view wholly inappropriate, for the reasons set out above.

Yours faithfully,

LONDON

Omojomolo, Alex

From:

PARM C

Sent: 16 June 2010 15:16

To: Regen, Licensing

Subject: License application for 32 Southwark Bridge Road

Attachments: Southwark Bridge Road 32 Licence Application 15.06.10.doc

Dear Sir/Madam

On behalf of the [redacted] I attach a letter expressing our objections to a license for 32 Southwark Bridge Road. As news of this application has only just reached us, it is brief, but we ask for your due consideration. A signed copy of the letter will follow in the post.

Regards

16/06/2010

PARTY C continued...

Southwark Council Licensing Service
The Chaplin Centre
Thurlow Street
London
SE17 2DG

15th June 2010

Dear Sir/Madam

Re Licensing Application No. 831911 for premises at 32 Southwark Bridge Road

As a _____ which represents
the residents, I am writing to object to the above application.

1.0 The application relates to premises in an area with a high proportion of residential properties. It is therefore prejudicial to three of the four statutory licensing objectives:

- the prevention of crime and disorder
- ensuring public safety
- the prevention of nuisance.

2.0 The application is inconsistent with the terms of the London Borough of Southwark's Saturation Policy.

On these grounds we consider that the application should not be granted.

Yours faithfully

Omojomolo, Alex

From: PARTY D
Sent: 10 June 2010 18:49
To: Regen, Licensing
Subject: Biagio@Bankside objection - licence number 831911

Hi

I live in the close vicinity of Biagio@Bankside (3-13 Southward Bridge and would like to file an objection to the proposed licence (831911) to turn the Biago restaurant into a nightclub.

It's abundantly clear that the owners never had the intention of running the business as a viable restaurant - it's usually closed and no effort has gone into marketing.

Moreover the area is very residential - many families live in the area and I'm sure they as well as I would not appreciate the noise of drunk customers leaving at 4AM plus the associated noise - minicabs hustling for business etc.

There are several worthy organisations in the area trying to foster community spirit - the Tate in particular. This proposed licence flies in the face of this and is unwelcome in my eyes. There are plenty of good locations for a nightclub (with extremely late licence) in SE1; this is one one of them.

Regards

Omojomolo, Alex

From:

PARTME

Sent: 15 June 2010 21:53

To: Regen, Licensing

Subject: Objection to licence application 831911: 32 Southwark Bridge Road, SE1

. is a residential block comprising 71 units located at
The interests of residents of . are represented by
. a company owned by the leaseholders of properties in

has authorised me to object to the application licence reference number 831911 on the following basis: the application relates to premises within an area with a significant proportion of residential properties and therefore is prejudicial to three of the four statutory licensing objectives, namely, the prevention of crime and disorder, ensuring public safety and the prevention of nuisance. The application is also inconsistent with the terms of the London Borough of Southwark's Saturation Policy.

On these grounds, I submit that the application should not be granted.

16/06/2010

Omojomolo, Alex

From: McArthur, Wesley
Sent: 07 June 2010 13:10
To: Omojomolo, Alex
Subject: FW: FW: Response to premises licence application for 32 Southwark Bridge Road

Hi Alex,

Please log the email below as a representation and send out the acknowledgement letter, thanks.

Regards,

Wesley McArthur

Licensing Enforcement Officer
 London Borough of Southwark
E-mail: wesley.mcarthur@southwark.gov.uk
General: licensing@southwark.gov.uk
Phone: 020 7525 5779
Fax: 020 7525 5705

From: PART M F
Sent: 06 June 2010 13:42
To: McArthur, Wesley
Subject: Re: FW: Response to premises licence application for 32 Southwark Bridge Road

Dear Wesley,

I have just noticed that the Biagio Bankside bar (32 Southwark Bridge Road), to whose original licence application I objected in the middle of last year, has applied for a variation in licence to 4am on three nights of the week. I don't know whether you are involved in this application, but as I have only just noticed the notice in the bar's window and the deadline for objections has already gone (I believe), I thought I would email you as an immediate step to object in the strongest possible terms to this variation. If you are not involved in this application, could you please pass this email on to the relevant person.

It may not be obvious from its location, but in the evenings and at night this street is extremely quiet, with little traffic or pedestrian use. It is in fact quieter than some suburban streets I have lived on. Quite why it was ever thought appropriate to have a late licence bar on such a street is beyond my comprehension but I am horrified at the thought of having to put up with noise and disturbance until possible 4am. The only time we get any problem with the bar is when they put on private parties, when people stand on the street to smoke and drink. It is unacceptable in a street such as this, for anyone to even contemplate allowing that until such an ungodly time of the morning. We have also had one incident after what I assume was a private party at the bar when there was fighting in the street outside after 1am, the police were called, and then the remaining party goes continued to sit in the street opposite the bar and drink until at least 3am, leaving rubbish in the entrance to the estate and, so I am told by other residents, urinating in the estate also.

Since Mr Caroleo was, in my opinion, deceitful in his representations to me concerning my previous objection (for example, claiming that he wanted a music licence for the sole purpose of providing quiet background music for diners, when he puts on loud music at private parties until 1am in the morning), I am not particularly prepared to discuss any compromise on this application and re-state my strongest objections to it. Some of his other comments to me at the time were also clearly preposterous (and note the comment from the email below that "it is not envisioned that alcohol will be sold to people who wish to stand outside the premises to consume", which they clearly have done) and I should, in retrospect, have continued with my objections rather than trying to compromise them.

I would also like to bring it to your attention that the bar often breaks the terms of its current licence, by bottling up after 11pm at night. If I need to make an official complaint about this breach, which will be confirmed by other residents, please let me know how I might do so.

I realise that, due to my not having seen the variation notice until now, that my email probably falls outside the time period for objections to be made to this application. I would ask that this view be taken into account. If there is some other avenue by which I might make my views known on this, please do let me know.

All my best wishes and thanks,

07/06/2010

PARTY G

RECEIVED
10 JUN 2010

31/5/10

To Whom It May Concern:

Re: License application 831911, Biagio@Bankside, 32 Southwark Bridge Road, SE1 9EU

I am writing to object to the above licensing application, for extended hours for drinks, music, food and entertainment.

I live directly adjacent to this establishment on Sumner Street.

Sumner Street is a quiet residential street, and noise tends to reverberate as the street is built up.

I object to the inevitable street noise from people leaving the restaurant late at night, and when they step outside to smoke.

Also, music can be heard from the restaurant when it is loud, and when the door opens, and when it is left open.

I understood that we were to be provided with a direct line to complain if there was noise, but none of us have received this.

I object to *any* extension to this restaurant's hours of operation.

Yours truly,



PART 4

Councillor Adele Morris

Liberal Democrat Member for Cathedrals Ward
PO Box 64529
London
SE1P 5LX

Kristie Ashenden

Principal Licensing Officer
London Borough of Southwark
The Chaplin Centre
Thurlow Street
London
SE17 2DG

28 May 2010

Re licensing application: 831911

Dear Kristie

I would like to lodge my objection to the above application as a Cathedrals Ward Councillor on the grounds of prevention of nuisance. This restaurant is situated in an area that is mixed in nature between weekday office and residential use. It is in close proximity to Sumner Buildings, a wholly residential Corporation of London Estate to the west of the premises, with Anchor Terrace and the Park St Council Estate to the East on Southwark Bridge Rd. Whilst this location might be thought of as being in the heart of the tourist area, it is in fact very quiet in the evenings and weekends when the offices are closed. Biagio is a solitary venue along this part of Sumner St, and is significantly separated from the hub of bars and cafe's by the river or in the Bankside Mix development. The request to open until 02.00 from Monday to Wednesday and until 04.30 on Friday and Saturday is wholly out of keeping for the character of this area, and will cause noise disturbance to the local residents both from within the venue and from patrons leaving in the early hours of the morning. In addition, the application is requesting off sales, and there is no area that can be utilised for drinking outside the premises other than the public pavement, which will lead to obstruction to pedestrians and additional noise for local residents.

Please include me in any conciliation meeting which takes place between residents, the applicant and the licensing dept.

Yours Sincerely

A handwritten signature in cursive script that reads "Adele Morris".

Councillor Adele Morris
Liberal Democrat Member for Cathedrals Ward

✓
 RECEIVED
 27 MAY 2010

PART 1

Te

27/05/2010

Dear Mr McARTHUR

Please find the enclosed list of resident objectors to the proposed planning changes submitted by Biagio Restaurant, Licence no 831911. As you are no doubt aware, the Summer Estate is directly adjacent to this establishment and the granting of this application will strongly impact in the worst possible way on those of us who live here.

Apart from all the obvious issues such as, noise pollution by patrons arriving and leaving, rowdiness, security, drunkenness and people wandering onto the estate. There are great concerns over Public Nuisance and Safety!

Biagio is just over 4 metres away from the first set of flats - two blocks having front elevations onto Summer street both of which have bedrooms also facing into the street.

The type of venue proposed would cause enormous disruption to our community, especially residents

4

with children and the elderly.

The clientele attracted to such an establishment are an unknown element, and Biagio would have absolutely no control over them once they leave the premises. Any untoward conduct would have to be dealt with by residents and the police.

Therefore, we feel it would be wholly inappropriate and unacceptable to grant this licence or any other that extends the hours or usage of the property in question.

Yours sincerely

Omojomolo, Alex

From:

PARTY J

Sent: 26 May 2010 22:11

To: Regen, Licensing

Subject: An objection to application 831911. Biagio@Bankside. SE1 9EU

Dear Sir/Madam,

I wish to raise an objection to the application of license 831911, the granting of a license for Biagio@Bankside, 32 Southwark Bridge Road, SE1 9EU. I am a local resident. I live at 20 Sumner Buildings, Sumner Street, London SE1 9JX and have done so for over 20 years. Sumner Buildings is attached to the place in question.

My objection to this application is the opening and closing times. The granting of a 4.30am Friday and Saturday and 2am mid week license, will bring numerous problems. There will be no doubt additional noise at times when people are trying to sleep. The closing times in my opinion go way beyond the boundaries of fairness and reasonableness. This is a residential area with Sumner Buildings attached to the premise in question on one side, and across the road there are houses in gatehouse square with some backing on to the Southwark Bridge Road. On this estate, there are a large percentage of families with small children and a percentage elderly residents.

I believe the granting of this application will cause problems in terms of excess and loud noise at times when the majority of people are asleep. I also believe that an increase in unruly behaviour by people frequenting the premises, is very likely.

I would also like to point out that notice of this was given today in the window of the premises in question. No letters or any other documents have been posted to the residents of Sumner Buildings, which grossly unfair to say the least.

Therefore, I believe granting the application will cause unnecessary hassle and bring problems for the people of Sumner Buildings. Thus, I urge you to reject the application.

Yours Faithfully,

Contact Number:

Get a free e-mail account with Hotmail. [Sign-up now.](#)

27/05/2010

Omojomolo, Alex

From:

PARTY K

Sent: 26 May 2010 20:59

To: Regen, Licensing

Cc:

Subject: Objection to Licensing Application: Biagio@Bankside - Licence Number 831911

Dear Sir or Madam

As a neighbouring resident, I wish to object to the licensing application made by Biagio@Bankside, 32 Southwark Bridge Road, SE1 9EU (Licence Number: 831911). Please note that I am filing this objection via e-mail, rather than through the "lodge an objection" link on the Licensing Register as this link links to an unrelated page of the Southwark Council website.

I strongly object to the following aspects of the application: the proposed late opening hours; the proposed late finish to the entertainments, music and dancing; the sale of alcohol to be consumed off the premises. None of the aforementioned elements of the application are appropriate for an establishment adjoining a residential estate.

Biagio@Bankside adjoins Sumner Buildings, a residential estate occupied by a mixture of young families, working professionals and more elderly residents. Sumner Buildings is a relative oasis of calm and tranquility and is cherished as such by its residents. The immediate proximity of a late night bar/nightclub would at best impair this environment and at worst may destroy it, particularly for residents whose properties front onto Sumner Street. Any increase in noise, be it from entertainments at Biagio@Bankside or the late-night pedestrian and vehicular traffic that this will inevitably attract, would severely impact these residents.

Given the location of Biagio@Bankside, the granting of licences for music, dancing and the provision of food and drink until 01:30 Monday to Thursday and until 04:00 on a Friday and Saturday would be wholly inappropriate, as would the granting of a licence for the sale of alcohol for consumption off the premises at any time. The application offers no benefit to local residents, only the prospect of disruption from noise, increased traffic and the potential for anti-social behaviour that late-licensed drinking and entertainment premises inevitably attract.

Once again, I wish to register my strong objections to this application.

Yours faithfully

Get a new e-mail account with Hotmail - Free. [Sign-up now.](#)

27/05/2010

Omojomolo, Alex

From:

Sent: 26 May 2010 19:05

To: Regen, Licensing

Cc:

PARTY L

Subject: Plans for Biagio at Bankside -

Plans for Biagio at Bankside -

We wish to lodge an opposition to the application/proposal by Biagio at Bankside for a nightclub license. We strongly oppose the application for the following reasons:

1. High risk of crime and disorder - a nightclub in this location which receives little foot traffic after around 10.00pm at night, and so close to the rear of large buildings, offices, laneways and squares which are vacant at night, could well be a crime and a disorder risk.
2. In respect of item 1, there is a very high risk to public safety, including potential risk of violence and robbery.
3. Given the immediate proximity of Anchor Terrace, the City of London Corporation estate and the Maiden Lane estate to the site of the proposal, residents would be directly impacted by nuisance noise, drunken and disorderly behaviour and other nuisance such as litter and anti-social behaviour. Bedrooms, basements, entrance stairways, car-parking provision and communal areas are in immediate proximity.

On the above grounds and for the sake of the community's right to peaceful and safe enjoyment, which is under serious threat by the proposal, we oppose Biagio at Bankside's application.

Southwark Licensing Team
 Chaplin Centre
 Thurlow Street
 London SE17 2DG
 23rd May 2010

PARTY M

Objection to Licence Application 831911,
 Biagio Bankside Restaurant, Sumner Street, SE1
 Postal address, 32 Southwark Bridge Road.

I was an objector to the original application in June / August 2009.

I now object to this current application for the following reasons: The points I raise challenge the application in respect of the Council's licensing objectives 'c and d' – public safety and the prevention of public nuisance.

The premises is too close to flats on the Sumner Buildings estate. The nearest flat is only 4.87 metres distance from the restaurant building. A restaurant development of this magnitude is inappropriate for a premises of such limited capacity. The restaurant has no forecourt, no rear entrance, no uncovered space. It is the basement property of an office block. I assume there is a rear fire exit which leads on to the courtyard area of the Sumner Buildings estate. As with the entrance this rear emergency exit appears to be accessed by a staircase. I question whether this is adequate for the possible party volume of users the license application envisages.

The premises is next door to a residential estate of 100 flats. 50% of which are adjacent to Sumner Street with their bedrooms on the same side.

A low key, quiet restaurant, closing at 11.00, is as much as a neighbouring residential estate can tolerate. A restaurant open into the small hours of the night for "**business lunches and parties for all occasions**" is way beyond levels suitable or tolerable in Sumner Street and in the neighbourhood. The quotation is from the company's website: www.biagio.co.uk . The selling of alcohol to be consumed off the premises is completely inappropriate and could lead to much public nuisance.

I appreciate the efforts the restaurant has made to publicise itself. The two neon Ristorante signs are good, particularly the one on Southwark Bridge Road. A smiling staff member at the door, plant displays outside the front, all give a good presentation and feeling to Sumner Street.

I appreciate that Mr Caroleo may want to change his business plan but a change that will bring a high risk of noise and public nuisance to Sumner Street after midnight is not acceptable. We just need to compare the situation in nearby London Bridge when large numbers of people are spilling out of pubs on to the pavements and even the street during and after drinking hours. Many of these customers appear to be coming from the City offices, north of the river. This is all fine in the right context and right place – but not after 11.00pm on a residential street.

Yours faithfully

McArthur, Wesley

Subject: FW: objection to a extention of a licence.

PARTY N

From:

Sent: 19 May 2010 21:31

To: Regen, Licensing

Subject: objection to a extention of a licence.

19/05/10

I understand that the Restaurant in Sumner Street has requested a license to stay open until 4.30 in the morning on certain nights, I object strongly to these hours bearing in mind we are a small family estate the noise and mess would be considerable. Even now we have to walk through broken bottles and vomit. As well as parking which we already have a serious problem. Plus the increase car crime and violence I dont want people fighting in the Street and sirens in the middle of the night. All so at certain times of the year we get people using the Estate as a Toilet and I dont want this evevy weekend.

27/05/2010

PARTY 0

Southwark Licensing Team
 Chaplin Centre
 Thurlow Street
 London SE17 2DG

Dear Sirs,

Objection to Licence Application 831911,
 Biagio Bankside Restaurant, Sumner Street, SE1
 32 Southwark Bridge Road.

RECEIVED
 01 JUN 2010

I was to object to this current application for the following reasons: The points I raise challenge the application in respect of the Council's licensing objectives 'c and d' – public safety and the prevention of public nuisance.

The premises are too close to flats on Southwark Bridge Road and the Sumner Buildings estate. The restaurant has no forecourt, no rear entrance, no uncovered space. It is the basement property of an office block. As with the entrance this rear emergency exit appears to be accessed by a staircase. I question whether this is adequate for the possible party volume of users the license application envisages.

A low key, quiet restaurant, closing at 11.00, is as much as a neighbouring residential area as our can tolerate. A restaurant open into the small hours of the night for "**business lunches and parties for all occasions**" is way beyond levels suitable or tolerable in Southwark Bridge Road and Sumner Street. The above quotation is from the company's website: www.biagio.co.uk. The selling of alcohol to be consumed off the premises is completely inappropriate and could lead to much public nuisance.

I appreciate the efforts the restaurant has made to publicise itself. The two neon Rizzorante signs are good, particularly the one on Southwark Bridge Road. A smiling staff member at the door, plant displays outside the front, all give a good presentation and feeling to Southwark Bridge Road and Sumner Street.

I appreciate that owner may want to change his business plan but a change that will bring a high risk of noise and public nuisance to Southwark Bridge Road and Sumner Street after midnight is not acceptable. We just need to compare the situation in nearby London Bridge when large numbers of people are spilling out of pubs on to the pavements and even the street during and after drinking hours. Many of these customers appear to be coming from the City offices, north of the river. This is all fine in the right context and right place – but not after 11.00pm on a quiet residential street. There is also the question of taxi drop off's and pick up's to consider.

Yours faithfully

Ashenden, Kristie

From: Omojomolo, Alex
Sent: 19 May 2010 08:46
To: Ashenden, Kristie
Subject: FW: Biagio @ Bankside 32 Southwark bridge Road
Importance: High
Sensitivity: Confidential

Alex Omojomolo

Licensing Support Officer

London Borough of Southwark

Email: Alex.Omojomolo@southwark.gov.uk**General:** licensing@southwark.gov.uk**Phone:** 020 7525 5718**Fax:** 020 7525 5705

For information on licenced premises visit: <http://licensing.southwarksites.com/>

For information on Personal licence visit: <http://licensing.southwarksites.com/licencepersonal.asp>

To download application forms click on the link

<http://www.southwark.gov.uk/businesscentre/licensing/applyforlicence>

From: Paul.Compton@met.pnn.police.uk [mailto:Paul.Compton@met.pnn.police.uk]
Sent: 19 May 2010 07:53
To: Regen, Licensing
Cc: contact@petertilly.com
Subject: Biagio @ Bankside 32 Southwark bridge Road
Importance: High
Sensitivity: Confidential

Dear Sir/Madam

I refer to my original letter dated 14th May 2010 concerning a representation in respect of the above. As can be seen from the attached e mail from the applicant has agreed to the requested conditions and therefore I am now in a position to formerly with my representation.

Regards

Paul Compton PC294MD

Licensing Officer Southwark Borough

☎ Phone: 0207 232 6210

☎ Mobile: 07595011458

☎ Fax: 0207 232 6282

☎ E-mail: paul.compton@met.police.uk

19/05/2010

Mail: Licensing Office, Walworth Police Station,
12/28 Manor Place Walworth London
SE17 3BB
(not protectively marked)

From: Peter Tilly [mailto:contact@petertilly.com]
Sent: 17 May 2010 19:44
To: Compton Paul - MD
Cc: 'Ashenden, Kristie'
Subject: FW: Biagio @ Bankside 32 Southwark bridge Road
Importance: High
Sensitivity: Confidential

From: Peter Tilly [mailto:contact@petertilly.com]
Sent: 17 May 2010 19:40
To: 'Paul.Compton@met.pnn.police.uk'
Cc: 'Ashenden, Kristie'
Subject: Biagio @ Bankside 32 Southwarkbridge Road
Importance: High
Sensitivity: Confidential

Dear Mr Compton

Mr Biagio Caroleo has studied the information sent through by your office today and is more than happy to implement all your proposals and would not object to them as being implemented as formal conditions on the premises licence of the above premises.

We understand that on this basis, you will not be making any formal objection to the proposed variation of the premises licence.

Peter Tilly JP,LLB(Hons),LC

Notary Public

Information in this electronic mail message is confidential and may be legally privileged. It is intended solely for the addressee. Access to this message by anyone else is unauthorised. If you are not the intended recipient any use, disclosure, copying or distribution of this message is prohibited and may be unlawful.

Any attachment has been checked for viruses, but please rely on your own virus checker and procedures. If you contact us by email, we will store your name and address to facilitate communications.

It is the policy of the MPS that:

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

- * containing racist, homophobic,transphobic,sexist, defamatory, offensive, illegal or otherwise inappropriate material;
- * containing material requiring a protective marking higher than RESTRICTED, (and not higher than NOT PROTECTIVELY MARKED across

Your reference: .



Our reference: MD/21/2021/10

Date: 14th May 2010

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

Biagio 32 Southwark Bridge Road SE1 9EU

I write in respect of the above premises for which I wish to make the following representations/objections to the granting of a Variation to the Premises Licence under the Licensing Act 2003.

Regrettably the applicant has failed to adequately address the four main Licensing Objectives by offering control measures that would ensure that there would be no detrimental effect upon the local community and indicate that the management of the premises have given sufficient consideration to the licensing objectives. The applicant has applied for extended hours on each day of the week, but particularly on Friday and Saturday's nights but has not offered any additional control measures that would normally be placed on a premises licence that operates such extended hours.

Therefore I have attached a list of sample conditions for the applicant to consider and which Police would like to see placed on the varied premises licence.

1. That there shall be no movement of musical or amplification equipment from the premises between the hours of 12.00 midnight and 8.00 am.
2. That SIA registered Door Supervisors, at least one of whom shall be a female, 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.
3. 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'

4. 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
5. 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
6. 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.
7. 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
8. 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.
9. That a Personal Licence holder is on the premises and on duty at **all** times that intoxicating liquor is supplied.
10. 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.
11. There shall be no new entry or re-entry to the premises after 02.00am.
12. 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.
13. Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.

Police would 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** 18th May 2010

Copies

From Alan P. Blissett **Telephone** 020 7525 5766 **Fax** 020 7525 5728

Email Alan.Blissett@southwark.gov.uk

Subject Biagio 32 Southwark Bridge Rd SE1 Ref 446497 rev 2

I refer to the application for variation of the premises license.

The premise is a lower ground floor restaurant with 150 approx covers beneath an office block on the corner of Southwark Bridge Rd with Sumner St. There is a residential block adjacent in Sumner St. The premises has operated as a restaurant with entertainment for many years without complaint,

The applicant proposes extended hours to cater or business breakfasts and civil ceremonies and receptions from 0700 weekdays & Saturday, until 02.00 Mon – Wed, 04.00 Thurs, 0430 Fri/Sat with Sunday opening 09.00 until 00.30 The applicant also proposes to operate recorded music which it is understood will principally be no greater than background and live music entertainment will be principally performed by pianist and resident singer.

The premises is equipped with amplification system with a built in sound limitation circuit which will regulate the recorded music and transistor mike; the grand piano will not be amplified. The premise is equipped with air conditioning. The entrance lobby at ground level would appear adequate to address sound containment; fire escape doors from the basement would be appear to be adequately lobbied to prevent sound escaping to the adjoining resident area. Management of entry and departure and the prevention of public nuisance measures would be appear to be adequate to enable the premises to operate with proposed regulated entertainment until to the proposed terminal hours without disturbance.

I therefore have no objection to the variation

Alan Blissett
Principal Environmental Protection Officer



LONDON FIRE
AND EMERGENCY
PLANNING AUTHORITY

865 911
APPENDIX F

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

Biagio Carolbo
24 Southwark Bridge road
London
SE1 9EU

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 18 May 2010
Our Ref 91/1557

RECEIVED
20 MAY 2010

Dear Sir/Madam

LICENSING ACT 2003

Premises: 32 Southwark Bridge Road London SE1 9EU

With reference to the application dated 21 April 2010 as shown on plan, number(s) BAZ/1600/99/5 C 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 Mick Roche
Direct T 020 8555 1200 x57287
Direct F 020 8536 5924

Mr Caroleo
Biagio@Bankside
32 Southwark Bridge Road
London
SE1 9EU

Licensing Unit
Direct Line: 020 7525 5754
Direct Fax: 020 7525 5705

9th February 2010

Dear Mr Caroleo

**RE: THE LICENSING ACT 2003 – COMPLIANCE LETTER
(Biagio@Bankside, 32 Southwark Bridge Road, London, SE1 9EU)**

On 5th February 2010 at 21.50, Licensing Enforcement Officers carried out an inspection to determine whether the licensable activities at the above premises were carried out in accordance with your authorisation.

In addition to the above, the Officers also considered 'risk assessment' criteria that would help determine the frequency of future inspections to your premises.

I am pleased to confirm that at the time of the visit the premises was found to be operating in full compliance with terms and conditions of the premises licence. Your premises has been placed in the 'E' risk category and will be inspected again in 2 years or following a complaint whichever is the soonest.

Should you require any assistance or advice, please contact us by email at licensing@southwark.gov.uk or by telephone on 020 7525 5754 between the hours of 9.00 and 17.00, Monday to Friday. Alternatively you can write or visit us at the above address.

Yours sincerely,



Kristie Ashenden
Principal Licensing Officer
kristie.ashenden@southwark.gov.uk



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<p>Distribution List</p> <p>Open</p> <p>Licensing Sub-Committee</p>	<p>MUNICIPAL YEAR 2010-11</p> <p>Date of Meeting: Monday 12 July 2010</p> <p>Tooley Street</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 Lorraine Lauder (Chair) Councillor the Right Revd. Emmanuel Oyewole Councillor Eliza Mann</p> <p>Councillor Wilma Nelson (Reserve)</p> <p>Officers</p> <p>Felix Rechtman, Legal Services, Tooley Street Sean Usher, Tooley Street (Hub 4) 2nd Floor (2 copies) Kate Heap, Legal Services, Tooley Street</p> <p>Officers – (Notified by Email)</p> <p>Kristie Ashenden, Licensing Team, Chaplin Centre Alan Blissett, Environmental Protection Team Wesley McArthur, Licensing Team, Chaplin Centre</p> <p>Ward Councillors (Notified by Email)</p> <p>Cathedrals</p> <p>Press Officer (By Email)</p>	<p>Item 5 – Biagio</p> <p>Applicant and interested parties details on file.</p>
<p>Total Copies to be printed: 28</p> <p><u>PLEASE BRING YOUR PAPERS TO THE MEETING.</u></p>	<p>Total copies to be circulated: 22</p> <p>All spares to be delivered to Sean Usher, Hub 4, Floor 2, Tooley Street</p> <p>Day of Despatch: 2 July 2010</p>