

Licensing Sub-Committee

Thursday 17 September 2015
10.00 am

Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Jon Hartley
Councillor Tom Flynn

Reserves

Councillor Lorraine Lauder MBE

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

Andrew Weir on 020 7525 7222 or email: Andrew.weir@southwark.gov.uk
Webpage: www.southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 8 September 2015



Licensing Sub-Committee

Thursday 17 September 2015
10.00 am
Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

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

5. LICENSING ACT 2003: UNION VIET RESTAURANT, 120 UNION STREET, LONDON SE1 0FR 1 - 42

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

Item No.

Title

Page No.

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

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

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

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

Date: 8 September 2015

Agenda Item 5

Item No. 5.	Classification: Open	Date: 17 September 2015	Meeting Name: Licensing sub-committee
Report title:		Licensing Act 2003: Union Viet Restaurant, 120 Union Street, London SE1 0FR	
Ward(s) or groups affected:		Cathedrals	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Union Viet Ltd, for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Union Viet Restaurant, 120 Union Street, London SE1 0FR.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from a responsible authority and other persons and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 10 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 12 to 13 of this report deals with the representations received regarding the premises licence application. A copy of the representation from the responsible authority is attached as Appendix B. Copies of the relevant representations from other persons are attached as Appendix C.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 received royal assent on 10 July 2003. The Act provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.

5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - 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 premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 29 July 2015, Union Viet Ltd applied to this Council for the grant of a new premises licence in respect of the premises known as Union Viet Restaurant, 120 Union Street, London SE1 0FR.

9. The premises is described as a restaurant on ground and first floors of 120 Union Street which is beneath a block of residential flats. The use of the pavement area at the side of the property is also to be incorporated within the licensed area when a street trading licence is obtained. The outside area for the sale and consumption of food and alcohol also forms part of the application.

10. The application is summarised as follows:

Union Viet Restaurant will serve breakfast and lunches with a lighter menu and more substantial dinner in the evening. Off sales is sought to allow customers to purchase alcohol for consumption at home, such off sales will not be allowed to leave the property in open vessels or containers.

 - The supply of alcohol (for consumption on and off the premises)
Monday to Sunday from 10.30 to 22.30
 - Operating hours
Monday to Sunday from 08.00 to 23.00

11. The premises licence application form provides the applicant operating schedule. Parts J, K, L, and M set out the proposed operating hours and operating controls in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to the licence. A copy of the application is attached to this report as Appendix A.

Designated premises supervisor

12. The proposed designated premises supervisor (DPS) is Nguyen Vo, who has a personal licence from Southwark Council.

Representations from responsible authorities

13. A representation was submitted by the Metropolitan Police Service. The Police concerns are regards to the objectives of prevention of crime and disorder. Recommended conditions have been submitted and agreed through the conciliation process and as such will form part of the granted licence. The representation and its following agreement and withdrawal is attached as Appendix B. The agreed conditions are listed below:
 - That intoxicating liquor other than off sales in a sealed container shall not be sold or supplied on the premises otherwise than to persons taking a table meal and by consumption of such persons as an ancillary to their meal.
 - That the premises will install a CCTV system and maintain this system in good working order, the system will be of evidential quality and should be able to capture a clear facial image of all persons that enter the venue. That all CCTV footage shall be kept for a period of 31 days and shall, upon request, be made immediately available for inspection to officers of the police and the council
 - That there shall be at least on member of staff on duty at all times the premises are in operation under its licence trained and proficient in the operation of the CCTV system capable of operating and retrieving footage on request of the Police or other authorised officer.
 - That a personal licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.
 - That all staff concerned in the sale or supply of intoxicating liquor undergoes a recognised training scheme for such duties. Records of such training should be kept and made available for inspection, on request by police or other authorised officers.

Representations from other persons

14. There are five representations received from other persons. They relate to public nuisance. They are concerned that the area is predominately residents and they will suffer noise disturbance and public nuisance due to the operation of the premises.
15. One of the other persons (party 4) has suggested a list of conditions (listed below) which have been forwarded to the applicant representative for their attention.

Copies of the representations are attached as Appendix C. The suggested conditions are as follows:

To prevent a nuisance to residents:

1. Alcohol should only be sold to customers taking table meals.
2. No tables and chairs outside.
3. No consumption of alcohol by customers outside the premises.
4. No consumption of food by customers outside the premises.
5. No smoking by customers or staff within 10 metres of the Rosler or Braque residential buildings.
6. No motorised vehicles permitted for operation of a delivery service to customers homes.
7. Later opening time at weekends.
8. No music to be played which can be heard by residents in the Rosler or Braque residential building.
9. Restrict hours for deliveries to the premises to between 8.00 and 17.00 Monday to Friday and 9.00 to 13.00 on Saturday. No deliveries on Sunday.

Conciliation

16. The applicant has been forwarded the representations received and has been advised to address the concerns within the representations submitted. The application representative have liaised with the police and agreed the conditions as listed in the police representation above. This agreed conditions have been forwarded to parties concerned. The licensing committee shall be updated at the hearing on 17 September 2015.

Deregulation of entertainment

17. Entertainment deregulation came into force on 6 April 2015.
17. Live unamplified music is deregulated between 08.00 and 23.00 on any premises.
18. Live amplified music is deregulated between 08.00 and 23.00 provided the audience does not exceed 500 people.
19. However, live music can become licensable in on-licensed premises if the licensing authority removes the effect of the deregulation following a licence review ('licence review mechanism').

Temporary event notices

20. There have been no temporary event notices submitted for this address within the last 12 months.

Complaints

21. There have been no complaints received by the licensing team within the last 12 months.

The local area

22. A map of the area is attached to this report as Appendix D. The premises is identified at the centre of the map. For purposes of scale-only the circle on the map has a 100 metre radius. There are several licensed premises within this 100 metre radius.
- Cafe 171, 171 The Jerwood Space Ltd Union Street, London SE1 0LN (Monday to Saturday till 23.00 and Sunday till 22.30)
 - Charles Dickens, 160 Union Street, London SE1 0LH (Monday to Saturday till 23.00 and Sunday till 22.30)
 - Spots and Stripes, Railway Arch 64 Ewer Street, London SE1 0NR (Monday to Sunday till 23.00)
 - Union Newsagents, 77-79 Union Street, London SE1 (Monday to Saturday till 23.00 and Sunday till 22.30)
 - The Union Theatre, 204 Union Street, London SE1 (Monday to Saturday till 23.00 and Sunday till 22.30)
 - The Island Cafe, 1 Flat Iron Square Union Street, London SE1 (Monday to Sunday till 23.30)

Borough and Bankside Cumulative Impact Zone

23. Council assembly approved the introduction of a special policy for Borough and Bankside on the cumulative impact of a concentration of licensed premises (saturation/cumulative impact policy) on 5 November 2008, and extended the area in April 2011. This application falls within the policy area.
24. The decision to introduce saturation policy was taken with regard to the committee's concern over rising trends of late night alcohol related violence against the person and late night disorder and rowdiness associated with late night licensed premises in the area.
25. The effect of this special policy is that is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.
26. The applicant has been advised to address the committees concerns around cumulative impact at the meeting.

Southwark council statement of licensing policy

27. Council assembly approved Southwark's statement of licensing policy 2011-14 on 12 October 2011. 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.
 - 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.
28. 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

29. A fee of £100 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band B.

Consultation

30. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and a similar notice exhibited outside of the premises for a period of 28 consecutive days.

Community impact statement

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

32. The sub-committee is asked to determine the application for a premises licence under section 17 of the Licensing Act 2003.
33. The principles which sub-committee members must apply are set out below.

Principles for making the determination

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

35. 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
36. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- To grant the licence subject to:
 - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
 - Any condition which must under section 19, 20 or 21 be included in the licence.
 - To exclude from the scope of the licence any of the licensable activities to which the application relates.
 - To refuse to specify a person in the licence as the premises supervisor.
 - To reject the application.

Conditions

37. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
38. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
39. 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.
40. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.

41. Members are also referred to the Home Office revised guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

Reasons

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

Hearing procedures

43. 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.
44. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

45. 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.

46. 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.
47. 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.
48. 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.
49. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
50. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Other persons must live in the vicinity of the premises. This will be decided on a case to case basis.
51. Under the Human Rights Act 1998, the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
52. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

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

BACKGROUND DOCUMENTS

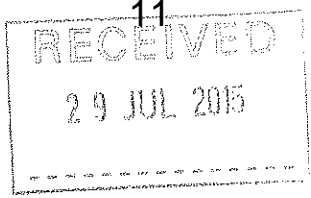
Background Papers	Held At	Contact
Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark statement of licensing Policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH	Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Application for a premises licence
Appendix B	Representation and withdrawal notice from responsible authority
Appendix C	Representations from other persons
Appendix D	Map of the local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Dorcas Mills, Principal Licensing Officer	
Version	Final	
Dated	4 September 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		4 September 2015



**Community Safety EHTS, Health Safety & Licensing Team, Southwark Council, 3rd Floor
Hub 2, P O BOX 65429, London, SE1P 5LX**

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I [REDACTED] (on behalf of Union Viet Ltd)
(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
120 Union Street Southwark			
Post town	London	Postcode	SE1 0FR

Telephone number at premises (if any)	
Non-domestic rateable value of premises	Not yet rated

Part 2 - Applicant Details

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

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

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name Union Viet Ltd
Address 3 Oliver Mews London SE15 5AZ
Registered number (where applicable) 9219879
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

LAST DAY OF
 RGPS
 26/8/2015?

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
26	08	2015

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

DD	MM	YYYY

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

- 'Union Viet' occupies the ground and first floor of 120 Union Street.
- The premises will be run as a restaurant focussing on Vietnamese cuisine with the sale of alcohol being primarily as ancillary to the provision of food.
- The restaurant will serve breakfasts and lunches with a lighter menu and more substantial dinners in the evening.
- 'Off sales' is sought to allow customers to purchase alcohol for consumption at home, to remove unfinished alcoholic products from the premises purchased with their meal or allow the flexibility of delivery services in association with food. Such off sales will not be allowed to leave the property in open vessels or containers.
- The use of the pavement area at the side of the property is also to be incorporated within the licensed area, but will not be used until such time as an appropriate highways street furniture licence has been granted.
- The use of the outside area for the sale and consumption of food and alcohol will occur only between 15 March and 15 October inclusive and will end at 2130hrs each day.

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

--

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

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

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)

- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

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

B

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

D

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

E

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

F

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

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises		
Day	Start	Finish		Off the premises		
Mon	1030	2230	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	yes	
Tue	1030	2230				
Wed	1030	2230				
Thur	1030	2230		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	1030	2230				
Sat	1030	2230				
Sun	1030	2230				

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

Name	Mr Nguyen Vo [REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	pending
Issuing licensing authority (if known)	

K

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).

nil

L

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	0800	2300	
Tue	0800	2300	
Wed	0800	2300	
Thur	0800	2300	
Fri	0800	2300	
Sat	0800	2300	
Sun	0800	2300	

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)

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

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

The DPS, management and staff will constantly assess any risks to the licensing objectives. They will work in partnership with authorities and local people alike in this respect. The staff will be properly authorised, equipped, trained and motivated in this task. There will be:

- A notice of 'authority' record for all staff who sell alcohol
- Adequate training for staff and records kept for inspection
- Contact details of the Designated Premises Supervisor available to staff and the authorities
- An effective management plan for supervision of the outside area should the business operate under a street furniture licence

b) The prevention of crime and disorder

The management and staff will take all necessary steps to ensure that the premises remain free from crime and disorder. This will include:

- An effective, secure, recordable CCTV system as per Metropolitan Police recommendations with appropriate staff training for its operation and for the retrieval of images which will be made available to the authorities on demand.
- Staffing levels maintained at an appropriate level to ensure adequate security.
- High value items stored securely
- Staff being trained on all security issues including how to identify and refuse service to customers that are drunk or appear to be drunk.
- A policy of zero-tolerance to drugs at the premises

c) Public safety

The management and staff will have an effective policy to maintain a safe venue for customers and staff. Any risk to safety will be assessed before the premises are opened to the public each day and throughout the hours of operation. The DPS will liaise with the authorities to ensure that all aspects of public safety are adhered to.

The policy will include:

- Ensuring that the entrance, the outside area and any walkways within the premises are kept free from obstruction
- Appropriate fire fighting equipment being installed and maintained at the premises and staff trained in its use.
- Fire risk assessments being undertaken and acted upon in accordance with current recommendations and requirements.
- Effective lighting maintained and operated to ensure the safety of the public and staff

d) The prevention of public nuisance

The DPS and staff are mindful of the need to reduce the impact of any nuisance caused by the operation of the premises, will constantly assess the risk of public nuisance and take immediate steps to eliminate the problem. Staff will ensure:

- The premises and public areas nearby are kept free from litter associated with the operation of the business
- Noise, vibrations, smells, light pollution and any other potential nuisance is monitored and kept to an acceptable level
- Deliveries and waste removal are undertaken at a time that does not cause disturbance
- The use of the outside area will be strictly in accordance with the terms and conditions of an appropriate street furniture licence.
- The outside area will only be used by customers between 15 March and 15 October inclusive.
- A member of staff will be nominated to supervise the conduct of customers in the outside area of the premises when in use.
- At 2130hrs each day, the street furniture will be stacked and secured.
- A written notice will be displayed and visible to customers using the outside area inviting them to be quiet and considerate to local residents.
- A bin will be provided in the outside area to minimise litter.

e) The protection of children from harm

The premises will be promoted as family friendly and suitable for all ages. There will be no inappropriate entertainment, promotions, activities or behaviour tolerated at the premises that might put children at risk. There will be an effective age verification policy in accordance with the mandatory code. This policy will be one of **Challenge 25** for age-restricted products and include:

- The display of notices relating to the policy within the premises.
- These notices will indicate that any customer not appearing to have reached the age of 25 will be required to produce appropriate identification proving that they have turned 18 before being sold alcohol.
- Appropriate ID will be a valid passport, photo driving licence, PASS accredited proof of age card or other reliable photo-ID that is recommended and approved for acceptance by the police or other authorities.
- Staff shall be trained in aspects of responsible alcohol retailing and in particular the Protection of Children including the Challenge 25 policy.
- Staff training will occur before a staff member is authorised to sell alcohol within the premises.
- Staff training records will be available for inspection by the police or other responsible authority upon request.

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

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

Signature	<i>M B Nickson</i>	Michael Nickson	
Date	28 July 2015		

Capacity	Authorised Agent for Applicant
----------	--------------------------------

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

Signature	
Date	
Capacity	

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

Inn Confidence Licensing Consultants
A8-A9 Champion Business Park
Arrowbrook Road

Post town	Wirral	Postcode	CH49 0AB
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Telephone number (if any)	01515581783
---------------------------	-------------

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

Notes for Guidance

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

10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/2685/15

Date: 18th February 2015

Re:- Union Viet Café & Restaurant 120-128 Union Street SE1 0NW

Dear Sir/Madam

Police are in possession of an application from the above for a new premise licence. The application is for a restaurant type premises with the addition of the supply of alcohol until 22:30 and a closing time of 23:00

I note that the premises is located within the Borough and Bankside Saturation area and as such the applicant should be able to evidence that the new premises will not have a negative impact on the area.

A restaurant premises is however less likely to have a negative impact on the saturation area than one that is open later and providing entertainment.

The applicant has offered a number of control measures as part of their operating schedule, the wording of each is vital to negate any ambiguity.

If the committee are minded to consider the application against its Licensing policy then the following should be considered.

1. Intoxicating liquor other than off sales in a sealed container shall not be sold or supplied on the premises otherwise than to persons taking a table meal and by consumption of such persons as an ancillary to their meal.
2. The premises will install a CCTV system and maintain this system in good working order, the system will be of evidential quality and should be able to capture a clear facial image of all persons that enter the venue. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available for inspection to Officers of the Police and the Council
3. There shall be at least one member of staff on duty at all times the premises are in operation under its licence trained and proficient in the operation of the CCTV system capable of operating and retrieving footage on request of the Police or other authorised officer.

4. That a Personal Licence holder is on the premises and on duty at **all** times that intoxicating liquor is supplied.
5. That all staff concerned in the sale or supply of intoxicating liquor undergoes a recognised training scheme for such duties. Records of such training should be kept and made available for inspection, on request by Police or other authorised officer.

Submitted for consideration

Yours Sincerely

PC Ian Clements 362MD
Southwark Police Licensing Unit
Tel: 0207 232 66756





From: Ian.Clements@met.pnn.police.uk [mailto:Ian.Clements@met.pnn.police.uk]
Sent: Wednesday, September 02, 2015 11:27 AM
To: Mills, Dorcas
Subject: RE: Union Viet Cafe

Hi Dorcas

Police are now in a position to withdraw our representations.

Kind Regards

Ian Clements
Licensing Officer Southwark Borough

 **Phone:** 0207 232 6756
 **Mobile:** 07974 836444
 **E-mail:** ian.clements@met.police.uk
 **Mail:** Licensing Office Southwark Police Station
323 Borough High Street
SE1 2ER

From: Mike Nickson [mailto:Mike.Nickson@Innconfidence.co.uk]
Sent: Thursday, August 27, 2015 7:19 AM
To: Mills, Dorcas
Cc: ian.clements@met.pnn.police.uk
Subject: RE: Union Viet Cafe

Dear Dorcas (& Ian)

I have spoken with my client, the applicant Nguyen Vo, who is happy to accept and adopt all of the conditions suggested by Ian in his letter of representation dated 18 August.

Can you please amend our Operating Schedule accordingly.

Can I also assume that the police representation will now be withdrawn?

With regard to the resident 'objectors' we normally would wish to engage with them to seek to offer reassurance but also to emphasise the desire for the business to meet any concerns that they have, ultimately to save committee time at the hearing. The contact details of the residents has been redacted from the documents sent to me. Are you able to provide me with their details which I will use carefully & respectfully?

The proposed date for a sub-committee hearing of 24 September is one that I am unable to meet.

Is there a date earlier than this (up to and including 18 Sept) when we would be able to have a hearing? For what time of day are your hearings normally scheduled?

Thanks

Regards, Mike

Party 1

-----Original Message-----

From: [REDACTED]
Sent: Wednesday, August 12, 2015 9:09 PM
To: Regen, Licensing
Subject: Objection to a Premises License in the Rosler Building

To whom it may concern,

I would like to lodge an objection towards the proposed Premises Licence to sell alcohol for consumption on/off the premises in the large commercial unit in the Rosler Building. The reason for objection relates to concerns regarding:

1. The prevention of crime and disorder in the vicinity of the building.

The area is predominantly residential. We do not have 24hour concierge cover which gives me great concern regarding my own personal security as well as the security of our building should alcohol be sold on and off premises.

2. Public safety

As [REDACTED] who returns to the building after evening shifts/late at night, I fear for the disruption this may cause to my safe return home as well as an increased risk of incidents possible with alcohol being sold on a daily basis until late at night on every day of the week.

3. Prevention of nuisance for the residents within the Rosler building and neighbouring buildings.

Being able to buy alcohol/food on and off premises will increase the number of people coming to the building every day of the week. This will cause noise pollution as well as garbage pollution which is something that I would not like to increase in the vicinity of my residential building.

I would be grateful if my concerns could be taken into account prior to the Licence being given.

Yours sincerely,

[REDACTED]

Party 2

From: [REDACTED]
Sent: Tuesday, August 18, 2015 1:18 PM
To: Regen, Licensing
Subject: Licence number 849256 for Union Viet Cafe and Restaurant

Hi,

Licence number 849256 for Union Viet Cafe and Restaurant

I have received a letter from the Licensing department about a proposal for a Vietnamese Restaurant, Union Viet Cafe and Restaurant, on the ground floor of the Rosler Building, London SE1 0FT.

I am an owner of [REDACTED] on [REDACTED] of the Rosler Building, and i had been told that any commercial area on the ground floor would not be used by a food outlet of any kind.

I therefore wish to object on the grounds that it will be noisy as the sound travels upwards, also the smells and ultimate fire hazard. We only have electric supply for our kitchen appliances, so unless the kitchens of Union Viet also have electric stoves, it is a potential fire hazard. But ultimately the noise levels of the restaurant and people piling out on to the street late at night will be unacceptable.

Many thanks

[REDACTED]

Party 3

From: [REDACTED]
Sent: Friday, August 21, 2015 3:44 PM
To: Regen, Licensing
Subject: Premises license application 849246 - OBJECTION

To Southwark Licensing Team:

Dear Sir / Madam,

Please accept this email as written objection to the above Premises Application (license no. 849246, Union Viet Cafe & Restaurant) at 120 - 128 Union Street, SE1 0NW ("The Premises").

The Premises is located on the ground and mezzanine floors of Rosler Building, a residential block of private apartments completed in May 2014. [REDACTED] closest to the Premises with my entire floor-space being [REDACTED] windows & entrance door. I would be severely impacted by any noise from inside and outside the Premises and strongly feel that the sale of alcohol would inevitably cause noise, nuisance & other forms of anti-social behaviour. I am also concerned about potential crime & disorder, damage to my property and safety for myself and my family. Given it's immediate proximity to residents' homes, I believe it is not at all appropriate for this restaurant to be granted a license to sell alcohol.

By way of background, the landlords of the building, Investin plc, had given written assurances to potential buyers of the apartments that this Premises would be leased as either architects or estate agent offices, due to the unit's position within a residential building and also in keeping with other commercial units nearby on Union Street (e.g. Ciba Apartments). It is extremely disappointing that the landlords have broken these assurances by leasing as a restaurant with proposed long opening hours from 08:00 - 23:00 Mon - Sun, however I feel it would be completely unbearable if this Premises was also licensed to sell alcohol.

Should this license be approved, I believe it would lead to drunken rowdy parties at the restaurant, blighting residents' lives with noise, nuisance and anti-social behaviour, causing stress, sleep disturbance and associated negative impacts on health. I do not want drunken patrons shouting & swearing outside my windows, vomiting & urinating in the street, lingering outside to drink take-away alcohol when I am at home or sitting on my balcony, and particularly when my young nieces are visiting. I would no longer feel safe letting my nieces & family stay overnight at my property if this license is approved, which is completely unfair and would impose restrictions on normal use of my home.

The long opening hours are concerning in themselves, however with license to sell alcohol from 10:30 - 22:30 Mon - Sun, the Premises would effectively be operating like a public house serving food and allowing no respite from noise and nuisance. Patrons would no doubt congregate outside the Premises directly below my property to smoke, causing further noise & nuisance and health concerns from passive smoking. Essentially, I would no longer be able to comfortably open my windows or enjoy sitting outside on my balcony, imposing further restrictions on normal use of my home.

As a home-owner and council tax payer, I have rights of quiet enjoyment of my home and would expect to be granted protection against the nuisance, crime & disorder and negative impacts on health & safety that this alcohol license would undoubtedly cause. I would therefore oppose a license to sell alcohol for consumption on / off this Premises at any time.

Furthermore, I believe that the local area has reached saturation point for volume of premises selling alcohol, with countless licensed restaurants and pubs a short walk away on The Cut, Bankside Mix and London Bridge. I would hope that the quieter residential areas surrounding these busy locations could be preserved as such. Whilst there are two licensed restaurants within 300 metres of the Premises (Union Street Cafe and Hixter Bankside), it should be noted that these restaurants are

situated at busier junctions and not within residential buildings, unlike the Premises. The smaller cafes nearby on Great Suffolk Street with residencies above (Flamingo, Relaxo & Coconut) do not sell alcohol and therefore do not open in the evening or weekends which I believe is appropriate for residential buildings. I hope that this precedent will be upheld for the residents at Rosler Building and as such this license application will not be approved.

Thank you for your consideration.

Yours faithfully,

A large black rectangular redaction box covering the signature area.A black rectangular redaction box covering the name of the sender.
Date: 21 August, 2015



Southwark Council
Licensing Service
Floor 3, Hub 2
PO BOX 64529
London
SE1P 5LX

23 August 2015

License number: 849246

Trading name and address: Union Viet Cafe & Restaurant, 120-128 Union Street, SE1 0NW

Applicant's name: Union Viet Ltd

The Licensing Act 2003 sets out the following licensing objectives:

- The prevention of crime and disorder
- Ensuring public safety
- The prevention of nuisance
- The protection of children from harm

I would like to object to the above application for a license on the grounds of "prevention of nuisance".

The premises are located on the ground floor of a residential building only a few yards across Ewer street from another residential building. These buildings house people of all ages including families and children. The entrances to both buildings are just a few yards away from the proposed site for outdoor tables. During summer residents keep their windows open most of the time as the flats get uncomfortably hot in summer. Residents will be disturbed by noise from customers sitting in the outside area especially if they have consumed alcohol. The hours of operation, seven days a week from 08.00 to 23.00, are too long. There will be noise from the premises not only during the opening hours but also at other times before 8.00 a.m. and after 23.00 p.m. for deliveries and for setting up outside tables. This noise will disturb residents especially at weekends when residents will be at home and may want to study or sleep.

The outside area will be used for the consumption of food between 08.00 and 21.30 each day, with alcohol served from 10.30, including weekends. At weekends residents will be disturbed early in the morning when they would reasonably expect to be able to rest after working all week. During the week residents will be disturbed early in the morning before 8.00 a.m. when the tables and chairs are put out.

The license does not state that the consumption of drinks and food outside will be restricted to diners seated at the four tables. If customers congregate outside of the premises talking loudly, as they do at other premises serving alcohol in surrounding area, then the noise levels will cause a nuisance to residents.

The consumption of alcohol by customers standing or seated outside the premises should not be allowed so as not to cause a nuisance to residents nearby. If granted the license should be restricted to within the confines of building and not include any outside space. Residents will be disturbed by delivery vehicles delivering food and alcohol.

The applicant states that they will offer a delivery service. This will create a nuisance as delivery vehicles will be constantly arriving and departing. This is a residential location with narrow streets. It is not a suitable location for a restaurant provided a take-away or delivery service.

To prevent a nuisance to residents:

1. Alcohol should only be sold to customers taking table meals.
2. No tables and chairs outside.
3. No consumption of alcohol by customers outside the premises.
4. No consumption of food by customers outside the premises.
5. No smoking by customers or staff within 10 metres of the Rosler or Braque residential buildings.
6. No motorised vehicles permitted for operation of a delivery service to customers homes.
7. Later opening time at weekends.
8. No music to be played which can be heard by residents in the Rosler or Braque residential building.
9. Restrict hours for deliveries to the premises to between 8.00 and 17.00 Monday to Friday and 9.00 to 13.00 on Saturday. No deliveries on Sunday.

Yours sincerely



Party 5

From: [REDACTED]
Sent: Monday, August 24, 2015 11:55 AM
To: Regen, Licensing
Subject: Union Vietnam License No 849246

Dear Sir

I am writing in regard to the application of a Premises License to sell alcohol for consumption on/off the premises for the above company.

My reason for writing is with regard to the prevention of nuisance around the building primarily in the evening and hours of darkness.

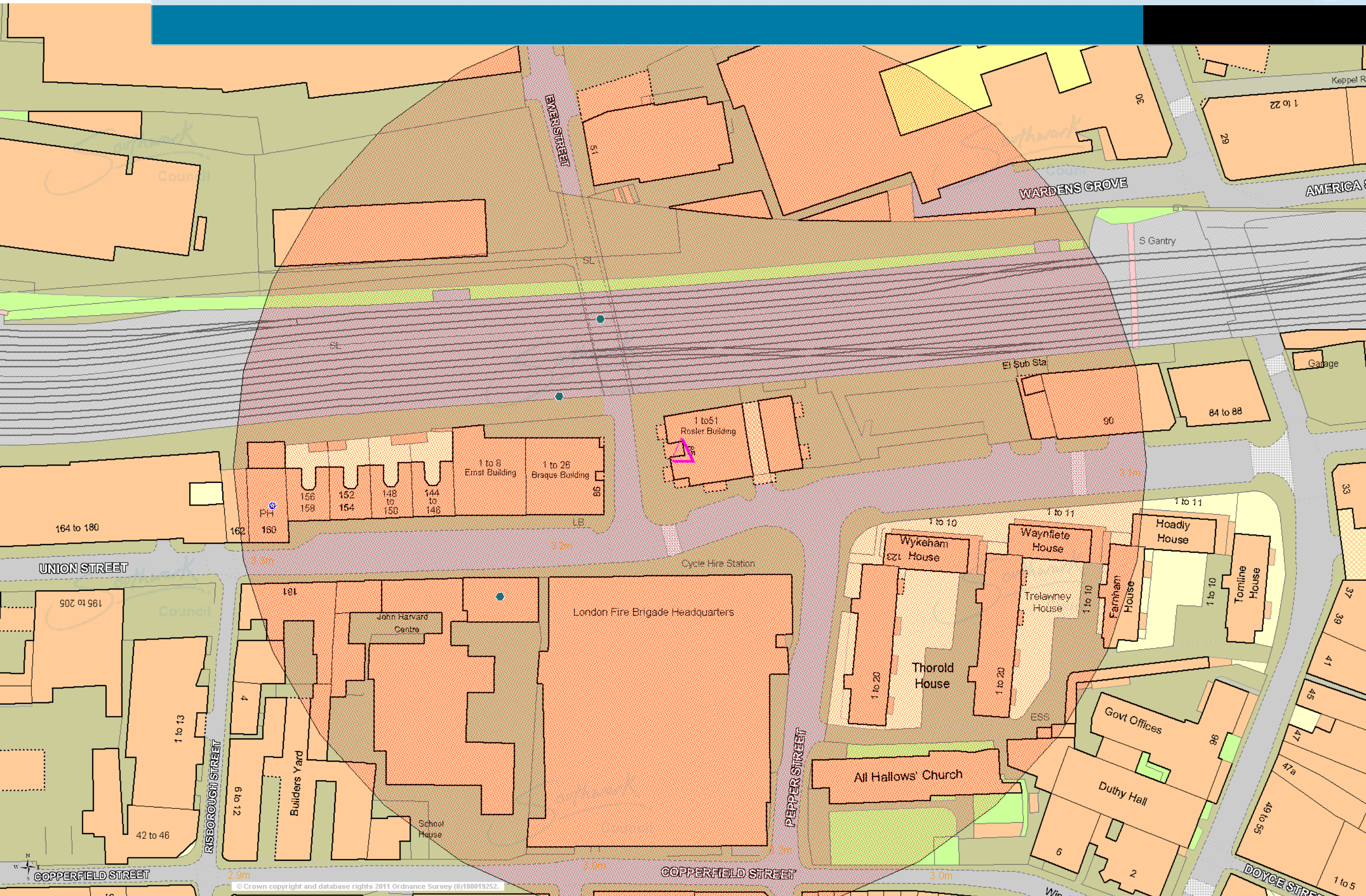
As a female returning home in the evenings I am concerned that there will be groups of people loitering around either the front entrance to the building or the back which is a covered alley and quite dark. Obviously there will be people smoking outside the restaurant and seeking cover in bad weather which will be both these areas mentioned. We have a Concierge up to 7.30pm who will, I am sure, make sure that these areas are kept clear but after this time I do not wish to be confronted by people in my doorway obstructing my way home.

I am not sure if my concerns are part of the License agreement but I would like to know what provisions the restaurant is making for smoking customers and indeed their own staff so that they are not in the vicinity of the building entrances (which is also a non-smoking building).

I look forward to hearing from you in due course.

Regards

[REDACTED]



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LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2015-16

NOTE: Original held by Constitutional Team; all amendments/queries to Andrew Weir - Tel: 020 7525 7222

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Councillor Tom Flynn	1	Dorcas Mills, Licensing team	1
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Reserve			
Councillor Lorraine Lauder MBE	Email		
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