

Licensing Sub-Committee

Thursday 24 November 2016

10.00 am

Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Sunil Chopra
Councillor Lorraine Lauder MBE

Reserves

Councillor Adele Morris

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 15 November 2016



Licensing Sub-Committee

Thursday 24 November 2016
10.00 am

Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
PART A - OPEN BUSINESS		
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	LICENSING ACT 2003: BIMS AFRICAN FOOD STORE, 102 RYE LANE, LONDON SE15 4RZ	1 - 26
6.	LICENSING ACT 2003: UNIT 60 DRUID STREET AND ARCHES 30-33 TANNER STREET, LONDON SE1 2HQ	27 - 61

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

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.

DISTRIBUTION LIST

Date: 15 November 2016

Item No. 5.	Classification: Open	Date: 24 November 2016	Meeting Name: Licensing Sub-Committee
Report Title		BIMS African Food Store, 102 Rye Lane, London SE15 4RZ	
Ward(s) of group(s) affected		The Lane	
From		Strategic Director of Environment	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by BIMS Africa Food Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as BIMS African Food Store, 102 Rye Lane, London SE15 4RZ.
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 responsible authorities and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 11 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 18 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted by responsible authorities are attached to this report in Appendix B. A map showing the location of the premises is attached to this report 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 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 15 August 2016 BIMS Africa Food Limited applied to this council for the grant of a premises licence in respect of BIMS African Food Store, 102 Rye Lane, London SE15 4RZ. The application states that the premises are an African-themed food market shop and that the application is to allow the off sales of alcoholic drinks to complement the existing food offer.
9. The application and is summarised as follows:

The sale of alcohol

 - Monday to Sunday – between 08:30 and 00:00 (midnight)

Opening hours

 - Monday to Sunday – between 08:30 and 00:00.
10. The proposed designated premises supervisor of the premises is Mary Adejumo who has been granted a personal licence by London Borough of Lewisham.
11. The premises licence application form provides the applicant's operating schedule. Parts J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures 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 any

licence granted subsequent to the application. A copy of the application is attached to this report in Appendix A.

Representations from responsible authorities

12. Representations have been submitted by this council's environmental protection team (EPT), public health department (PHD), trading standards service (TS) and licensing responsible authority (LRA). A representation was also submitted by the Metropolitan Police Service (MPS).
13. The EPT's representation objects to the application in respect of the prevention of public nuisance licensing objective. The representation notes that the premises are subject to the Peckham cumulative impact policy (CIP) but that "...no consideration has been given within this operating schedule to the cumulative impact of an additional off licensed premises on public nuisance caused by street drinking..." The representation suggests that if the licensing sub-committee is minded to grant a licence in respect of the application that a condition be imposed on the licence prohibiting beers, lager beers or ciders with an alcohol by volume (ABV) of more than 6.5% being sold at the premises.
14. The PHD's representation has been submitted in respect of the prevention of crime and disorder, the prevention of public nuisance and the protection of public safety licensing objectives. The representation is concerned with the hours sought in the application in respect of alcohol sales and seeks a later start time in respect of alcohol sales contending that "...*early-morning alcohol purchasers are more likely to be alcohol misusers and may thereby contribute to antisocial behaviour such as street drinking...*" The representation suggests that if the licensing sub-committee is minded to grant a licence in respect of the application that a condition be imposed on the licence prohibiting beers, lager beers or ciders with an alcohol by volume (ABV) of more than 5% being sold at the premises.
15. The MPS' representation notes that the premises are subject to the Peckham CIP. The representation alleges that the proposed DPS, Mrs Mary Adejumo, who is also the sole director of the applicant company, assaulted a council officer during an inspection by the council officer of the premises on 28 January 2016. The MPS object to the granting of the application contending that if a premises licence is issued in respect of the premises, council officers may have to attend the premises and that this may lead to a confrontation with the applicant. Following a trial at Camberwell Green Magistrates court on Friday 4 November 2016, Mrs Mary Adjumo was acquitted of all charges against her in respect of the alleged assault referred by the police, trading standards and licensing responsible authority.
16. TS's representation has been submitted on the same grounds as the MPS' representation.
17. The LRA's representation notes that the premises are subject to the Peckham CIP and objects to the application and relates to the prevention of crime and disorder, the prevention of public nuisance and the protection of public safety licensing objectives. The representation states that "...the operating schedule is inadequate and has not addressed the prevention of crime and disorder; the prevention of public nuisance or public safety licensing objectives..." and recommends refusal of the application unless the applicant can demonstrate that the premises will not contribute to crime and disorder and public nuisance within the policy area. The representation also refers to the alleged assault of a council officer at the premises on 28 January 2016.

18. Copies of the representations submitted by the responsible authorities and any related correspondence / documents are attached in Appendix B.

Postponement of hearing

19. A hearing to determine the application was originally scheduled for 6 October 2016. Representations objecting to the application referred a prosecution that was pending at the time that the representations were submitted and which was scheduled to be heard on due to on 4 November 2016. The responsible authorities wished to rely on a finding of fact and determination by the criminal courts. The applicant also requested an adjournment of the licensing sub-committee hearing until the prosecution had taken place. in the circumstances, it was agreed that it was necessary to extend the time limits in respect of the licensing sub-committee hearing in the interests of justice in accordance with regulation 11 of the Licensing Act 2003 (Hearings) Regulations 2005 and postpone the hearing until 24 November 2016, by which time the prosecution will have been determined. The defendant in regards to the prosecution was acquitted of the charges. At the time of the writing of this report no responsible authority, or the applicant, has provided any further representation in regards to the application. The responsible authorities and the applicant will update the committee accordingly at the hearing of 24 November 2016.

Representations from other persons

20. No representations in respect of the application have been submitted by other persons.

Conciliation

21. The applicant was sent the representations submitted and advised to address the concerns within the representations. At the time of the writing of this report all of the representations submitted remain outstanding and must therefore be considered by the sub-committee. The sub-committee will be updated, at the hearing to determine this application, should any of the representations be conciliated prior to the hearing.

Premises history

22. No premises licence, or equivalent licence under prior legislation, has previously been granted in respect of the premises.

Temporary event notices (TENs)

23. No TENs have been submitted in respect of the premises.

Map

24. A map showing the location of the premises is attached to this report as Appendix D. The premises are identified at the centre of the map by a black diamond. The following licensed premises are also shown on the map:

- **Il Giardino Restaurant, 7 Blenheim Grove SE15 4QS** licensed for:

The provision of late night refreshment –

On Monday to Saturday between 23:00 and 00:30 the following day
On Sunday between 23:00 and 00:00 (midnight)

The sale of alcohol –

On Monday to Saturday to Thursday between 11:00 and 00:00
On Sunday between 12:00 and 23:30.

James Alexander Fisher, Unit 5, 12-16 Blenheim Grove, SE15 4QL licensed for:

The sale of alcohol –

On Monday to Thursday between 07:00 and 23:30
On Friday between 07:00 and 00:30 the following day
On Saturday between 09:00 and 00:30 the following day
On Sunday between 09:00 and 17:30.

The provision of regulated entertainment –

On Monday to Friday between 06:00 and 00:30 the following day
On Saturday and Sunday between 08:00 and 00:30 the following day.

- **Peckham Refreshment Rooms, Units 3 & 4, 12-16 Blenheim Grove, SE15 4QL** licensed for:

The sale of alcohol –

On Monday to Friday between 07:00 and 23:30
On Saturday between 09:00 and 23:30
On Sunday between 09:00 and 16:30

- **Honest Burgers, Units 1 & 2, 12 – 16 Blenheim Grove, SE15 4QL** licensed for:

The sale of alcohol and the provision of regulated entertainment –

On Sunday to Thursday between 10:00 and 23:00
On Friday and Saturday between 10:00 and 00:00.

The provision of late night refreshment –

On Friday and Saturday between 23:00 and 00:00.

- **Little Bird Gin Nights & Weekends, Unit 1, Dovedale Business Centre, 22a Blenheim Grove SE15 4QN** licensed for:

The sale of alcohol –

On Monday to Sunday between 10:00 and 19:00.

- **Iceland Frozen Foods, 74 Rye Lane, SE15 5DQ** licensed for:

The sale of alcohol –

On Monday to Saturday between 08:00 and 23:00

On Sunday between 10:00 and 22:30.

- **The CLF Art Café, Units A1, A2, & A3, AG1 & Basement, The Bussey Building, Copeland Park, 133 Copeland Road, London SE15 3SN (entrance at 133 Rye Lane)** licensed for:

The sale of alcohol and the provision of regulated entertainment -

On Monday to Wednesday between 09:00 and 23:00

On Thursday between 09:00 and 02:30 the following day

On Friday and Saturday between 09:00 and 06:00 the following day

On Sunday between 09:00 and 23:00

The provision of late night refreshment –

On Monday to Wednesday between 23:00 and 23:00

On Thursday between 23:00 and 02:30 the following day

On Friday and Saturday between 23:00 and 06:00 the following day.

- **Roof B (Bussey Building), 133 Copeland Road SE15 3SN** licensed for:

The sale of alcohol to be consumed on the premises on Monday to Friday between 17:00 and 22:30 and on Saturday between 12:00 and 22:30

The provision of films on Monday to Sunday between 12:00 and 00:00 (midnight)

The provision of live music on Monday to Sunday between 12:00 and 22:00

The provision of plays on Monday to Sunday between 12:00 and 23:00.

- **Rye Express, 137-139 Unit 1 Rye Lane SE15 4ST** licensed for:

The sale of alcohol to be consumed off the premises Monday to Sunday 08:00 to 00:00.

- **John The Unicorn, 157-159 Rye Lane, SE15 4TL** licensed for:

The sale of alcohol to be consumed on the premises Sunday to Thursday 11:00 to 00:00 and Friday to Saturday 11:00 to 01:00

The provision of late night refreshment Sunday to Thursday 23:00 to 00:00 and Friday to Saturday 23:00 to 01:00.

- **Family Carnation Supermarket, 151A Rye Lane, SE15 4TL** licensed for:

The sale of alcohol to be consumed off the premises on Monday to Saturday between 08:00 and 22:00 and on Sunday between 12:00 and 22:30.

Southwark council statement of licensing policy

25. Council assembly approved Southwark's statement of licensing policy 2011-14 on 12 October 2011. Council assembly approved Southwark's Statement of Licensing Policy 2016-20 on 25 November 2015. The policy came into effect on 1 January

2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:

- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
 - Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 – Local cumulative impact policies. This sets out this Authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
 - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
26. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
27. Within Southwark's Statement of Licensing Policy, the premises are identified as being within Peckham major town centre area. The recommended closing time appropriate within this area for this category of premises is 00:00 (midnight) daily.

Resource implications

28. A fee of £190.00 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 C.

Consultations

29. 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 similar notices were exhibited outside of the premises for a period of 28 consecutive days.

Community impact statement

30. 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 Law and Democracy

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

Principles for making the determination

33. 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.
34. 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.
35. 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

36. 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.

37. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
38. 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.
39. 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.
40. 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

41. 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

42. 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.
43. 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

44. 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.
45. 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.
46. 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.
47. 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.
48. 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.
49. 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.

50. 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.
51. 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

52. Members are required to have regard to the Home Office 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.

Strategic Director of Finance and Governance

53. The head of regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

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	Representations submitted by responsible authorities
Appendix C	Map of the local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Wesley McArthur, Principal Licensing Officer	
Version	Final	
Dated	8 November 2016	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		8 November 2016

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

15/08/2016

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

Ref No. 666427

Name of Applicant

Please enter the name(s) who is applying for a premises licence under section 17 of the Licensing Act 2003 and am making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

	bims africa food ltd
--	----------------------

Premises Details

Non-domestic rateable value of premises in order to see your rateable value click here (opens in new window)

£	25500
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises

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

Address Line 1	102 RYE LANE
Address Line 2	
Town	LONDON
County	
Post code	SE15 4RZ
Ordnance survey map reference	
Description of the location	RETAIL SHOP
Telephone number	██████████

Applicant Details

Please select the capacity in which you are applying to convert your existing licence

	a person other than an individual (limited company, partnership, etc)
--	---

If you applying as an individual or non-individual please select one of the following:-

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

Please select the range of the number of people expected to attend the premises at any one time.

	Less than 5000
If 5,000 or more people are expected to attend the premises at any one time. Please state the number expected to attend	

Operating Schedule part 2

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

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

Provision of regulated entertainment

Provision of late night refreshment

--	--

Supply of alcohol

	j) Supply of alcohol
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J - Supply of Alcohol

Will the supply of alcohol be for consumption (Please read guidance note 7)

	Off the premises
--	------------------

Standard days and timings for Supply of alcohol (Please read guidance note 6)

Day	Start	Finish
Mon	08:30	00:00
Tues	08:30	00:00
Wed	08:30	00:00
Thur	08:30	00:00
Fri	08:30	00:00
Sat	08:30	00:00
Sun	08:30	00:00

State any seasonal variations for the supply of alcohol (Please read guidance 4)

--	--

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, (Please read guidance note 5)

--	--

Please upload the consent form completed by the proposed premises supervisor

	DPS-CONSENT-SIGNED-BIMS-AFRICA.pdf
--	------------------------------------

Premises Supervisor

Full name of proposed designated premises supervisor

First names	MARY
Surname	ADEJUMO

Address of proposed designated premises supervisor

Street number or Building name	██████
Street Description	████████████████████
Town	██████████
County	
Post code	██████████

Personal licence number of proposed designated premises supervisor, if any,

Personal licence number (if known)	██████████
Issuing 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)

	N/A
--	-----

L - Hours premises are open to public

Hours premises are open to the public (standard timings Please read guidance note 6)

Day	Start	Finish
Mon	08:30	00:00
Tues	08:30	00:00
Wed	08:30	00:00
Thur	08:30	00:00
Fri	08:30	00:00
Sat	08:30	00:00
Sun	08:30	00:00

State any seasonal variations (Please read guidance note 4)

--	--

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

--	--

M - Steps to promote four licencing objectives

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

	This a long established well run business , looking to expand its offering into Alcoholic Beverages complimenting the existing Food offer.
--	--

b) the prevention of crime and disorder

	There is a full CCTV system inside & externally . Records are maintained in line with Police requirments. There are many similar business & local authority operated also in the locality. The Alcohol display will be adjacent to the main till counter allowing constant supervision.
--	---

	All drinks are in pre-packaged containers , no alcohol will be consumed on or adjacent to the premises.
--	---

c) public safety

	No anticipated Issues
--	-----------------------

d) the prevention of public nuisance

	There are no effective neighbours other than similar businesses.
--	--

e) the protection of children from harm

	The business will operate a strict "challenge 25" policy only accepting Photo Driving License or Valid Passport. All staff selling alcohol will be fully trained in all required aspects of selling alcohol. This training will be recorded & refreshed every 6 months. In addition there are currently 2 Personal License holders working at the business.
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Please upload a plan of the premises

	bim-africa-licensed-plan.pdf
--	--

Please upload any additional information i.e. risk assessments

	bims-africa-fire-plan.pdf
--	---

Checklist

	I have enclosed the plan of the premises. I understand that I must now advertise my application. I understand that if I do not comply with the above requirements my application will be rejected.
--	--

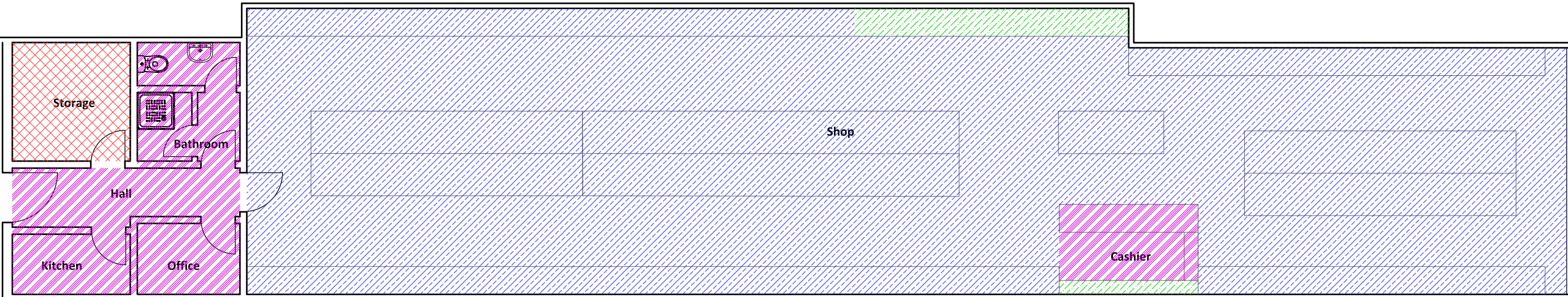
Declaration

I agree to the above statement

	I agree
PaymentDescription	██████████
AuthCode	██████
LicenceReference	██████████
PaymentContactEmail	

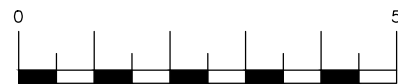
The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

Notes:



-  Location where alcohol is displayed inside premises
-  Location where staff only is permitted
-  Customer circulation area
-  Location where alcohol is stored

1 Activity Plan
Scale 1:100



REV:	DESCRIPTION:	BY:	DATE:
STATUS:		Alc. Licence	



CLIENT: Bims African Food
Mary Amole
102 Rye Lane
London, SE15 4RZ

SITE: 102 Rye Lane
London, SE15 4RZ

TITLE: Activity Layout

SCALE AT A3: 1:100	DATE: Aug 2016	DRAWN: MP	CHECKED:
PROJECT NO: 6616	DRAWING NO: AL100	REVISION: A	

Representations Submitted By Responsible Authorities

From: Newman, Paul
Sent: Tuesday, August 16, 2016 4:10 PM
To: Jerrom, Charlie
Subject: RE: New Premises Licence for 102 Rye Lane

Hi Charlie

Thank you for your memo dated 16th August 2016 reference 855255 with copy for comment of the application for a premises licence at BIMS AFRICAN STORE 102 Rye Lane London SE15 4RZ.

The premises is an African foods speciallist grocer. The application is to supply alcohol for consumption off the premises.

I wish to object on behalf of the Environmental Health Responsible Authority to the application, on the grounds of prevention of public nuisance, because;

The premises are in the Peckham Cumulative Impact Area. There are high local levels of street drinking in this area, which correlate with the density of off licenced premises in the area. The local CIP is engaged in respect of off-licences, grocers, supermarkets, and convenience stores (among others). No consideration has been given within this operating schedule to the cumulative impact of an additional off licensed premises on public nuisance caused by street drinking.

If the sub-committee is minded to grant this application, I would ask that a condition is imposed to limit the maximum content of alcohol by volume ('abv') of beers, lager beers, and ciders offered for sale, to 6.5%. I believe this condition would be appropriate, as it will partially mitigate the problem of street drinking by restricting the availability of high strength beers and ciders, which are products often sought after by problem street drinkers.

I hope this is helpful, and please let me know if there are any further queries.

Kind regards

Paul Newman, EHO
Principal Environmental Protection Officer

From: Sharpe, Carolyn On Behalf Of Public Health Licensing
Sent: Wednesday, August 31, 2016 3:40 PM
To: Regen, Licensing
Subject: RE: New Premises Licence for 102 Rye Lane

To whom it may concern:

Re: 102 Rye Lane, London SE15 4RZ

On behalf of the Acting Director of Public Health for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

The representation is made in respect of the following licensing objective(s):

The prevention of crime and disorder
Prevention of public nuisance
Public safety

General Comments

The applicant requests an off-license to sell alcohol from the premises between the hours of 0800 and 0000 daily. I have concerns regarding the hours of alcohol sales requested, and the types of alcohol to be sold from the premises.

I would suggest a later start time of alcohol sales. Early-morning alcohol purchasers are more likely to be alcohol misusers and may thereby contribute to antisocial behaviour such as street drinking.

The applicant has made no mention of the types of alcohol that will be stocked in the store. I would like some restriction on high-strength beers, lagers, and ciders, given that many purchasers of these drinks are alcohol misusers, and that one of these drinks exceeds the NHS's Safer Drinking Guidelines.

Recommendation

I recommend that the start time of alcohol sales be changed to 1100 for all days of the week.

I recommend that no beers, lagers, ciders or similar alcohols to be sold in cans with an Alcohol By Volume (ABV) in excess of 5% or in bottles larger than 750ml with an ABV in excess of 5%.

If you have any further questions, please do not hesitate to contact me.

Carolyn Sharpe
on behalf of Dr Jin Lim, Acting Director of Public Health



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:
Email:

Our reference: MD/21/2864 /16

Date: 7th September 2016

Re:- Bims African Food Store, 102 Rye Lane, London SE15 4RZ

Dear Sir/Madam

Police are in receipt of an application from the above for a new premises licence for sale of Alcohol for the following opening hours

Mon – Sun: 08.30hrs to 00.00hrs

The premises are situated in a designated Major Town centre under the current Southwark council licensing policy and inside the Peckham Cumulative impact zone (CIZ). The premises is current a food store and has been trading for a number of years. I have carried out a company's house check on the applicant and the sole director is Mary Abimbola ADEJUMO.



The police object to the application in full.

Kind Regards

PC Graham White 288MD

From: Masini, Bill

Sent: Thursday, September 08, 2016 9:49 PM

To: Regen, Licensing

Cc: Tear, Jayne

Subject: Application for premise licence - Bims Africa Food Ltd, 102 Rye Lane London SE15 4RZ

As a Responsible Authority under The Licensing Act, Trading Standards are in receipt of the application for a premise licence for Bims Africa Food Ltd at 102 Rye Lane SE15 4R and respond accordingly under the Licensing objective of The Prevention of Crime and Disorder.

[REDACTED]

Trading Standards therefore objects to the application.

[REDACTED]

Bill Masini - Trading Standards Officer

MEMO: Licensing Unit

To: Licensing Unit
Date: 12 September 2016
Copies:
From: Jayne Tear
Telephone:
Email:
Subject: Re: Bims, African Food, 102 Rye Lane SE5 4RZ – Application to for a premises licence

I write with regards to the above application to for a premises licence submitted by Bims African Food Ltd under the Licensing Act 2003, which seeks the following licensable activities:

- Supply of alcohol (off the premises) on Monday to Sunday from 08:30 to 00:00
- Overall opening times shall be on Monday to Sunday from 08:30 to 00:00

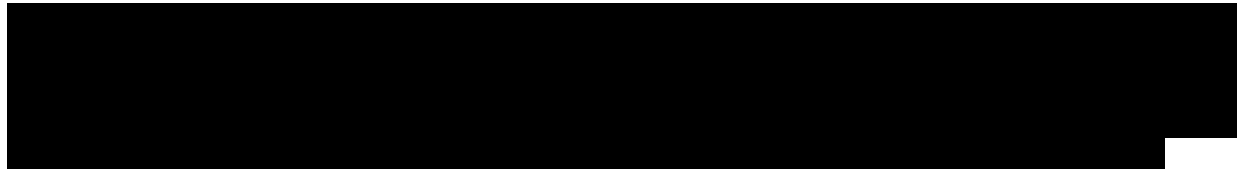
The premises is described as *'This African themed food shop established in 1998. This application is to allow the off sales of pre-packaged alcoholic drinks to compliment the existing food offer. It is situated on a busy street with many similar themed specialist shops and major high street brands all around'.*

The operating schedule is inadequate and has not addressed the prevention of crime and disorder; the prevention of public nuisance or public safety licensing objectives.

My representation is based on the Southwark Statement of Licensing policy 2016 – 2020 and relates to the licensing objectives for the prevention of crime and disorder, the prevention of public nuisance and public safety.

Section six of the policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Peckham policy area as defined in paragraph 135 of the policy and, as an off licence this premises falls into the class of premises in 136 of the policy. Therefore under 119 of the policy there is a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations. In such circumstances, it is for the applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

The applicant has not addressed the presumption to refuse this application within the operating schedule. I would recommend refusal of this application unless the applicant can demonstrate that the premises will not contributing to crime and disorder and public nuisance within the policy area.



I therefore submit this representation and recommend that the application is refused. Southwark's Statement of Licensing Policy 2016 – 2020 can be found on the following link:

http://www.southwark.gov.uk/downloads/download/4399/licensing_act_2003_-_southwark_statement_of_licensing_policy_2016_-_2020

Jayne Tear
Principal Licensing officer
In the capacity of Licensing Authority as a Responsible Authority



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Item No. 6.	Classification: Open	Date: 24 November 2016	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Unit 60 Druid Street and Arches 30-33 Tanner Street, London SE1 2HQ	
Ward(s) or groups affected:		Riverside	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Doodle Bar Ltd for a premises licence to vary the premises granted under the Licensing Act 2003 in respect of the premises known as Tanner Street Doodle Bar, Unit 60 Druid Street and Arches 30-33 Tanner Street, London SE1 2HQ.
2. Notes:
 - a) This application seeks to vary existing licensable activities held under current legislation in respect of the premises known as Tanners Street Doodle Bar Unit 60 Druid Street and Arches 30-33 Tanner Street, London SE1 2HQ 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 responsible authorities and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 10 to 11 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. A copy of the existing premises licence is attached as Appendix B.
 - c) Paragraphs 13 to 22 of this report deals with the representations received to the premises licence application and conciliations progress made. Copies of the relevant representations from responsible authorities are attached as Appendix C.
 - d) Paragraph 25 deals with licensed premises within a 100m radius of the premises. A map of the area is attached as Appendix D.
 - e) 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 provides a 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 current premises licence

8. The current premises licence was issued in September 2016 to Doodle Bar Ltd.
 - The premises licence allows for the following activities and times:
Sale of alcohol for consumption on/off the premises
Monday to Sunday 10:00 - 22:30 hours
 - Opening hours
Monday to Sunday 10:00 - 23:00 hours.
9. A copy of the premises licence is provided as Appendix B.

The variation application

10. On 27 September 2016, Doodle Bar Ltd. applied to this council to vary the premises licence issued in respect of the premises known as Tanner Street Doodle Bar Unit 60 Druid Street and Arches 30-33 Tanner Street, London SE1 2HQ. The initial application for a grant described the premises as being a market, gallery, street food restaurant, bar and exhibition space. The site covers a series of interconnected railway arches that border the junction of Druid Street and Tanner Street.

The application is summarised as follows:

- To extend recorded music (indoors) from the deregulated finish time of 23:00 hours to;
Sunday to Thursday 23:00 to 01:00 hours
Friday and Saturday 23:00 to 02:00 hours
 - To extend live music (indoors) from the deregulated finish time of 23:00 hours to;
Sunday to Thursday 23:00 to 01:00 hours
Friday and Saturday 23:00 to 02:00 hours
 - To extend late night refreshment (indoors) on;
Sunday to Thursday 23:00 to 01:00 hours
Friday and Saturday 23:00 to 02:00 hours
 - To extend sale of alcohol hours for consumption on/off the premises on;
Sunday to Thursday 22:30 to 01:00 hours
Friday and Saturday 22:30 to 02:00 hours
 - To extend the opening hours of the premises to
Sunday to Thursday 23:00 to 01:30 hours
Friday and Saturday 23:00 to 02:30 hours.
11. The variation to the premises application form provides the applicant operating schedule. Parts E, F, I, J, K, L, M, N O and P set out the proposed operating hours and operating controls in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part P 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 is Vincent Barbe who has a personal licence issued by Westminster Council.

Representations from responsible authorities

13. There are four representations submitted by the Metropolitan Police service (MPS), environmental protection team (EPT), licensing (as a responsible authority) and public health.
14. The police representation states that the premises are situated in a residential area as designated by the Southwark statement of licensing policy 2016-2020. The doors to the venues entrances, both in Druid Street and Tanner Street, exit immediately onto the public highway. It is also noted that adjacent to both entrances are residential buildings. No additional control measures have been offered and they believe that any extension to the hours could give rise to crime and disorder and public nuisance
15. The EPT state that the premises is in several railway arches, the current design and layout of these arches premises will not prevent the possibility of a public nuisance when live or recorded music is being played in the premises to the neighbouring

residential premises. The application does not offer any further control measures to address the public nuisance objectives in the operating schedule.

16. The licensing representation is concerned with public nuisance and the prevention of crime and disorder as the application does not offer any further control measures to address those objectives in the operating schedule. The premises is situated in a residential area and under the Southwark statement of licensing policy 2016 – 2020 the appropriate closing times for restaurants, public houses, wine bars or other drinking establishments in this area is 23:00 daily.
17. They recommend refusal of this application unless the applicant can demonstrate that the premises will not be contributing to crime and disorder and public nuisance within the policy area.
18. Furthermore the licensing authority have reiterated conditions which relate to the signage of consumption alcohol off sales, accommodation limit and dispersal policy that were requested and submitted/agreed upon, but however do not show on the current licence.
19. The public health section have concerns regarding the hours of alcohol sales requested. Southwark's statement of licensing policy recommends an end time for alcohol sales of 23:00 daily for this type of establishment in this location and recommend that this application for a variation is rejected.
20. The representations are attached as Appendix C.

Representation from other persons

21. There are no representations from other persons.

Conciliation

22. The representations were forwarded to the applicant. The licensing sub-committee will be updated of any developments on 24 November 2016.

Temporary events

23. The premises has submitted temporary event notices this year (between 27 July and 25 August 2016 10:00 – 23:00) for 21 days spread over eight events.

Complaints

24. There have been no complaints specifically related to the premises received by the licensing team within the last 12 months.

The local area

25. A map of the area is attached to this report as Appendix D. The premises is identified by a triangle at the centre of the map. For purposes of scale-only the circle on the map has a 100-metre radius. The following licensed premises terminal hours are also shown on the map.

Public houses/restaurants

- Marquis of Wellington PH, 21 Druid Street, SE1 (Monday – Wednesday until 23:00; Thursday until 00:00; Friday & Saturday until 01:00; Sunday until 00:00) - Currently closed for operation.
- Elmadero, Railway Arch 840, 30 Druid Street SE1 (Monday – Sunday until 23:00)
- Southwark Brewing Company Limited, 46 Druid Street, SE1 (Monday – Sunday until 23:00)
- St John Bakery Company Ltd, 72 Druid Street, SE1 (Monday – Sunday until 23:00)
- Bea's of Bloomsbury Railway Arch, 76 Druid Street, SE1 (Monday – Sunday until 22:00)
- Maltby & Greek wholesalers, Railway Arch, 76 Druid Street, SE1 (Monday – Sunday until 22:00)
- Comptoir Gourmand, 98 Druid Street, SE1 (Monday – Sunday until 23:00)
- Anspach & Hobday, 116 - 118 Druid Street, SE1 (Monday – Sunday until 23:00)
- Bottles, 128 Druid Street, SE1 (Monday – Sunday until 23:00)
- Lemporio, 134 Druid Street, SE1 (Sunday - Wednesday until 22:00 and Thursday – Saturday until 23:00)

Deregulation of entertainment

26. On 6 April 2015 entertainment became deregulated and as a result:
- Live unamplified music is deregulated between 08:00 – 23:00 on any premises.
 - Live amplified music is deregulated between 08:00 and 23:00 provided the audience does not exceed 500 people.
27. 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').

Southwark Statement of Licensing Policy

28. Within the Southwark statement of licensing policy 2016 - 2020 the following closing times are recommended as appropriate within this area for this categories of premises as follows:
- Closing time for restaurants and cafes: Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours
 - Closing time for public houses, wine bars or other drinking establishments: Sunday to Thursday is 23:00 hours and for Friday and Saturday 00:00 hours
 - Closing time for hotel bars and guest houses : No restrictions for residents

- Closing time for night clubs (with sui generis planning classification) : Monday to Thursday is 01:00 hours and for Friday and Saturday 03:00 hours and for Sunday 00:00 hours
 - Closing time for off-licences and alcohol sales in grocers and supermarkets is 00:00 hours daily
 - Closing time for take-away establishment: Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours
 - Closing time for cinemas and theatres is 02:00 hours daily
 - Closing time for vessels is 23:00 hours daily
 - Closing time for qualifying members club is 02:00 hours daily.
29. Council assembly approved Southwark's statement of licensing policy 2016-20 on 25 November 2015. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
 - Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
 - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification. To be read in conjunction with Appendix B to the policy.
 - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective
 - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
30. 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

31. A fee of £315 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band A.

Consultations

32. 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

33. 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 Law and Democracy

34. The sub-committee is asked to determine the variation application for a premises licence under section 34 of the Licensing Act 2003.
35. The principles which sub-committee members must apply are set out below.

Principles for making the determination

36. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.
37. The general principle is that applications for variation must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
38. Relevant representations are those which
 - Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an other party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
39. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to
 - Add to, omit, and/or alter the conditions of the licence or,
 - Reject the whole or part of the application for variation

Conditions

40. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the 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.
41. The four licensing objectives are:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
42. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
43. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
44. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors. The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2003 introduced 3 new conditions in respect of irresponsible promotions, the oral dispensing of alcohol and free tap water. In October 2010 an additional 2 conditions will come into force – age verification policy and smaller measures for alcoholic drinks.
45. 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

46. 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

47. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
 - The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.

- The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives.
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
 - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
48. This matter relates to the determination of an application to vary a premises licence under section 34 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

49. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
50. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
51. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
52. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to

be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.

53. Members will be aware of the council's code of conduct 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.
54. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
55. 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.
56. 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

57. Members are required to have regard to the Home Office 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.

Strategic Director of Finance and Governance

58. The head of regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

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	Mrs Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Variation application
Appendix B	Current licence
Appendix C	Representations from responsible authorities
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	12 November 2016	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	12 November 2016	

29/09/2016

Business - Application to vary a premises licence under the Licensing Act 2003

Ref No. 689870

Please enter the name(s) of the premises licence holders who is applying to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

	Doodlebar Ltd
Premises licence number	TBC

Non-domestic rateable value of premises in order to see your rateable value click here (opens in new window)

£	0
---	---

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

Address Line 1	Tanner Street Doodle Bar
Address Line 2	Unit 60 Druid Street and Arches 30-33 Tanner Street
Town	London
County	
Post code	SE1 2HQ
Ordnance survey map reference	
Description of the location	Railway arches
Telephone number	07710 [REDACTED]

Please select the capacity in which you are applying to convert your existing licence

Daytime contact telephone number	020704 [REDACTED]
Email address	acatlin@[REDACTED]
Postal Address if different from premises address	Thomas and Thomas Partners LLP, 38A Monmouth Stree
Town / City	London
Postcode	WC2H 9EP

Do you want the premises licence to have effect as soon as possible?

Please tick	Yes
-------------	-----

If not from what date do you want the variation to take effect?

(DD/MM/YYYY)	
--------------	--

Please describe briefly the nature of the proposed variation (see guidance note 2)

	<p>The variation is to</p> <p>a) extend the permitted hours for the sale of alcohol until 01:00 Sunday to Thursday and 02:00 the morning following Friday and Saturday.</p> <p>b) permit late night refreshment, recorded music and live music between 10:00 and 01:00 Sunday to Thursday and between 10:00 and 02:00 Friday to Saturday.</p>
--	---

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

Please select number from range	Less than 5000
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	

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

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

Provision of regulated entertainment

	e) live music
	f) recorded music

Provision of late night refreshment

	i) Late night refreshment
--	---------------------------

Supply of alcohol

	j) Supply of alcohol
--	----------------------

Will the performance of live music take place indoors or outdoors or both? (Please read guidance note 3)

	Indoors
--	---------

Please give further details here (Please read guidance note 4)

	occasional performances of live music
--	---------------------------------------

Standard days and timings for Live Music (Please read guidance note 7)

Day	Start	Finish
Mon	10:00	01:00
Tues	10:00	01:00
Wed	10:00	01:00
Thur	10:00	01:00
Fri	10:00	02:00
Sat	10:00	02:00
Sun	10:00	01:00

State any seasonal variations for the performance of live music (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed. (Please read guidance note 6)

--	--

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 3)

	Indoors
--	---------

Please give further details here (Please read guidance note 4)

	playing of recorded music
--	---------------------------

Standard days and timings for Recorded Music (Please read guidance note 7)

Day	Start	Finish
-----	-------	--------

Mon	10:00	01:00
Tues	10:00	01:00
Wed	10:00	01:00
Thur	10:00	01:00
Fri	10:00	02:00
Sat	10:00	02:00
Sun	10:00	01:00

State any seasonal variations for playing recorded music (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. (Please read guidance note 6)

--	--

Will the provision of late night refreshment take place indoors or outdoors or both? (Please read guidance note 3)

	Indoors
--	---------

Please give further details here (Please read guidance note 4)

	provision of hot food and hot drinks
--	--------------------------------------

Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 7)

Day	Start	Finish
Mon	23:00	01:00
Tues	23:00	01:00
Wed	23:00	01:00
Thur	23:00	01:00
Fri	23:00	02:00
Sat	23:00	02:00
Sun	23:00	01:00

State any seasonal variations for the provision of late night refreshment (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed. Please list, (Please read guidance note 6)

--	--

Will the supply of alcohol be for consumption (Please read guidance note 8)

	Both
--	------

Standard days and timings for Supply of alcohol (Please read guidance note 7)

Day	Start	Finish
Mon	10:00	01:00
Tues	10:00	01:00
Wed	10:00	01:00
Thur	10:00	01:00
Fri	10:00	02:00
Sat	10:00	02:00
Sun	10:00	01:00

State any seasonal variations for the supply of alcohol (Please read guidance 5)

--	--

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, (Please read guidance note 6)

--	--

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 9)

	None
--	------

Hours premises are open to the public (standard timings Please read guidance note 7)

Day	Start	Finish
Mon	10:00	01:30
Tues	10:00	01:30
Wed	10:00	01:30
Thur	10:00	01:30
Fri	10:00	02:30
Sat	10:00	02:30
Sun	10:00	01:30

State any seasonal variations (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, (Please read guidance note 6)

--	--

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.

	None.
--	-------

a) General - all four licensing objectives (b,c,d,e) (Please read guidance note 10)

	The licensee will continue to abide by all the conditions currently on the premises licence that already promote the four licensing objectives and are already abiding by relevant legislation in other areas. Nothing beyond these conditions and the existing Health and Safety/Fire Safety etc. requirements is required. The applicant has considered the licensing objectives and has come to the decision that they have nothing additional to do (as per the Government Guidance)
--	--

b) the prevention of crime and disorder

	The licensee will continue to abide by all the conditions currently on the premises licence that already promote the four licensing objectives and are already abiding by relevant legislation in other areas. Nothing beyond these conditions and the existing Health and Safety/Fire Safety etc. requirements is required. The applicant has considered the licensing objectives and has come to the decision that they have nothing additional to do (as per the Government Guidance)
--	--

c) public safety

	The licensee will continue to abide by all the conditions currently on the premises licence that already promote the four licensing objectives and are already abiding by relevant legislation in other areas. Nothing beyond these conditions and the existing Health and Safety/Fire Safety etc. requirements is required. The applicant has considered the licensing objectives and has come to the decision that they have nothing additional to do (as per the Government Guidance)
--	--

d) the prevention of public nuisance

	The licensee will continue to abide by all the conditions currently on the premises licence that already promote the four licensing objectives and are already abiding by relevant legislation in other areas. Nothing beyond these conditions and the existing Health and Safety/Fire Safety etc. requirements is required. The applicant has considered the licensing objectives and has come to the decision that they have nothing additional to do (as per the Government Guidance)
--	--

e) the protection of children from harm

	The licensee will continue to abide by all the conditions currently on the premises licence that already promote the four licensing objectives and are already abiding by relevant legislation in other areas. Nothing beyond these conditions and the existing Health and Safety/Fire Safety etc. requirements is required. The applicant has considered the licensing objectives and has come to the decision that they have nothing additional to do (as per the Government Guidance)
--	--

If the plan of the premises are varying please upload a plan of the premises,

Upload proposed plans	
Upload existing plans	

Checklist

	I understand that I must now advertise my application. I understand that if I do not comply with the above requirements my application will be rejected.
--	---

I agree to the above statement

	I agree
PaymentDescription	, ,
AuthCode	047609
LicenceReference	LPV-94212-██████████
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If completing on behalf of the applicant, please state in what capacity.

Full name	Thomas & Thomas Partners LLP
Date (DD/MM/YYYY)	29/09/2016
Capacity	Solicitors on behalf of the applicant

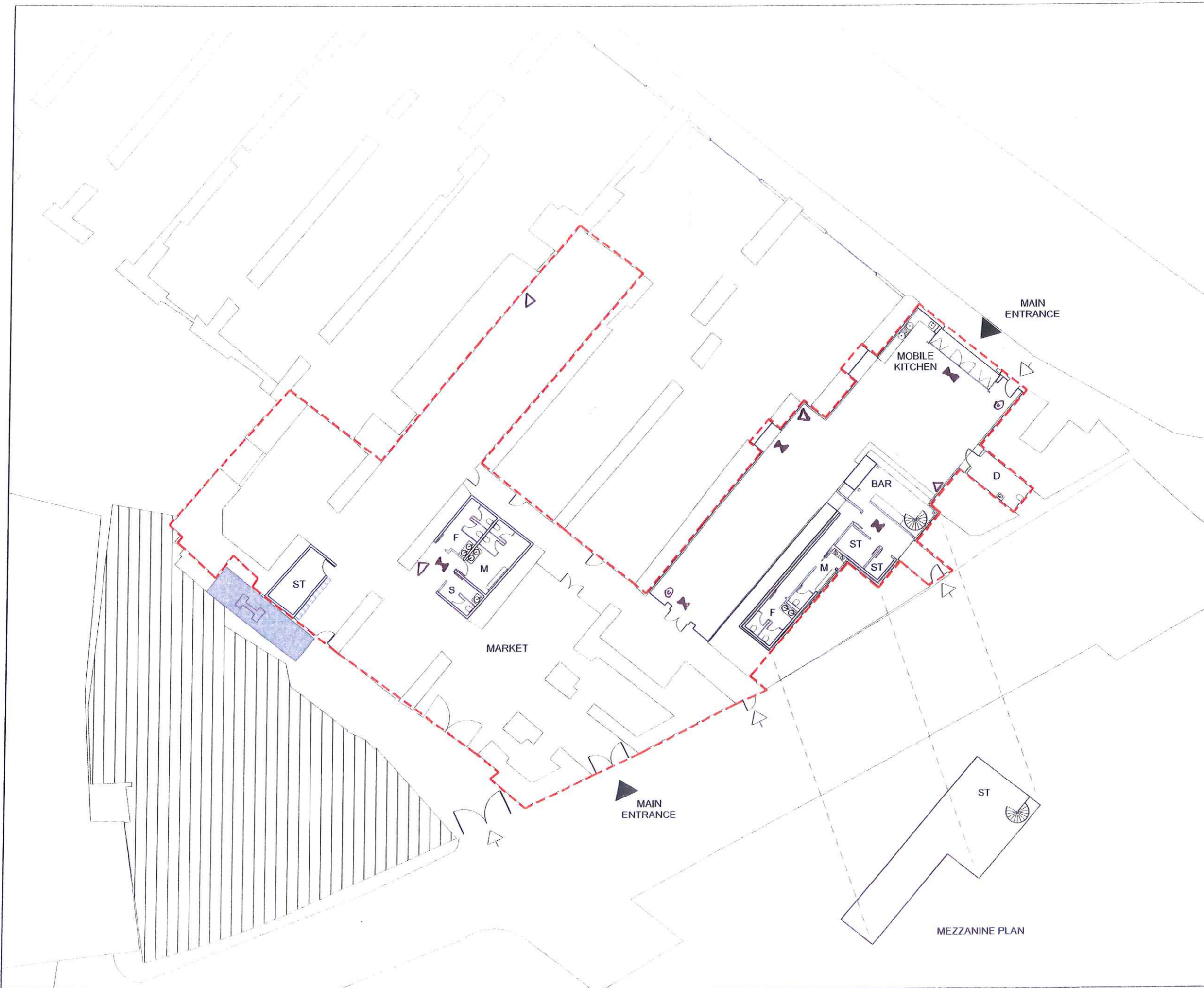
Where the premises licence is jointly held, please enter the 2nd applicants name (the current premises licence holder) or 2nd solicitor or other authorised agent (please read guidance note 13). If completing on behalf of the applicant, please state i

Full name	
Date (DD/MM/YYYY)	
Capacity	

Contact name (where not previously given) an address for correspondence associated with this application (please read guidance note 14)

Contact name and address for correspondence	
Telephone No.	
If you prefer us to correspond with you by e-mail, your email address (optional)	

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.



- Notes
1. Do not scale off this drawing
 2. All dimensions are in millimetres unless otherwise stated
 3. This drawing is to be read in conjunction with all relevant architectural, civil/structural, and service engineers' drawings and specifications

- Licensed activity area
- M** Male toilets
- F** Female toilets
- S** Staff toilet
- D** Disabled toilet
- ST** Storage
- Entrances
- FIRE Extinguisher
- Emergency Lighting
- C CALL point

Note: Non-fixed furniture and position of fire safety Equipment Indicative only.

Drawing Status Concept		
Project Title Foot Lane		
Drawing Title PROPOSED LAYOUT		
Date 15/07/16	Scale at A3 1 : 250	
Drawn	Checked LL	Approved
ALL Design 33 Parkgate Road London SW11 4NP T + 44(0)20 7095 0500 W all-worldwide.com LONDON CHONGQING TORONTO		
Job No. A0372	Drawing No. A101	Rev.

Licensing Act 2003 Premises Licence

47



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

855123

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Tanner Street Doodle Bar Unit 60 Druid Street Arches 30-33 Tanner Street London SE1 2HQ	
Ordnance survey map reference (if applicable),	
Post town London	Post code SE1 2HQ
Telephone number	

Where the licence is time limited the dates
--

Licensable activities authorised by the licence
Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

The opening hours of the premises
For any non standard timings see Annex 2
Monday 10:00 - 23:00
Tuesday 10:00 - 23:00
Wednesday 10:00 - 23:00
Thursday 10:00 - 23:00
Friday 10:00 - 23:00
Saturday 10:00 - 23:00
Sunday 10:00 - 23:00

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 Sale by retail of alcohol to be consumed off 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

Sale by retail of alcohol to be consumed on premises

Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 22:30
Saturday	10:00 - 22:30
Sunday	10:00 - 22:30

Sale by retail of alcohol to be consumed off premises

Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 22:30
Saturday	10:00 - 22:30
Sunday	10:00 - 22:30

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Doodle Bar Ltd
1-5 Vyner Street,
London,
E2 9DG

Registered number of holder, for example company number, charity number (where applicable)

0693 [REDACTED]

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Vincent Barbe
[REDACTED]
[REDACTED]
[REDACTED]

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. 10/03569/LIPERS
Authority L.B Westminster

Licence Issue date 29/09/2016

[REDACTED]

Head of Regulatory Services
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX
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 must ensure that staff 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 -

(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 in a manner which carries a significant risk of undermining a licensing objective;

(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 in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster 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; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

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

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

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

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: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence:
 - (ii) the designated premises supervisor (if any) in respect of such a licence; or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

288 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 a clear facial image of every person who enters the premises via each entrance. It should cover all areas within the premises including the smoking area.

340 A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device.

289 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.

341 That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.

342 That the Druid Street entrance of the premises shall be used as entry/exit only and customers shall not use this area to congregate or smoke.

343 That the Tanner Street entrance is used to enter/exit only with the exception of those who temporarily leave the premises to smoke a cigarette and No more than 15 people at one any time which shall be supervised by staff.

344 That alcohol for consumption off the premises is not sold for immediate consumption in the area around the premises and is supplied in sealed containers that for example require a tool such as a bottle opener or corkscrew to be opened or are screw top. Screw top bottles shall be restricted to bottles of wine that are at least 750ml or to bottles of spirits.

136 That food and non-intoxicating beverages, other than intoxicating liquor shall be available during trading hours.

305 That clear legible signage shall be prominently displayed requesting that patrons leave the premises in a quiet and orderly manner.

4AA That the premises shall operate a 'Challenge 21' policy whereby customers purchasing alcohol who appear to be less than 21 years old will be asked for an approved form of proof of age. Approved forms of proof of age comprise of a driving licence, passport or a Proof of Age Standards Scheme (PAL) approved proof of age card.

4AB That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons and drunken persons and the challenge 21 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request.

4AC That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 21 policy is in operation at the premises.

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

Annex 4 - Plans - Attached

Licence No. 855123
Plan No. A0372A101
Plan Date 15/07/16



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/2877 /16

Date: 24th October 2016

Dear Sir/Madam

Re:- Tanner Street Doodle Bar Unit 60- Druid Street

Police are in possession of an application from the above for a variation to the premise licence. The premises licence was only recently granted with the current hours and as such only have a limited operating history associated with the premises to evaluate.

The premises are situated in a residential area as designated by the Southwark statement of Licensing policy 2016-2020. The premises is described as a Market, Gallery, Restaurant, Bar, exhibition space and the venue does not benefit from any outside space and the doors to the venues entrances both in Druid Street and Tanner Street SE1 exit immediately onto the public highway. It is also noted that adjacent to both entrances are residential buildings.

The hours applied for do not fall within the current council policy as 23.00hrs is specified as the latest opening for this type of premises. The area has a number of licensed premises located in the near vicinity some of which have been subject of licensing review and complaints by local residents for ongoing noise and public nuisance.

No additional control measures or exceptional circumstances have been offered by the applicant that would give cause to deviate from the policy and the police believe that any extension to the hours could give rise to crime and disorder and public nuisance.

We object to any extension to the hours at this time.

The Following is submitted for your consideration.
Yours Sincerely

PC Graham White 288MD
Southwark Police Licensing Unit
Tel: 0207 232 6756

From: Legassick, Bill
Sent: Thursday, October 27, 2016 7:59 PM
To: Regen, Licensing
Cc: Mills, Dorcas
Subject: Application to vary a premises licence at Tanner Street Doodle Bar, Unit 60 Druid Street & Arches 30-31 Tanner Street, London, SE1 2HQ

Dear Licensing

I write with regards to the above application to vary the licence submitted by Doodlebar Ltd which seeks the following licensable activities:

- Live music (indoors) on Sunday to Thursday from 10:00 to 01:00 the following day and on Friday and Saturday from 10:00 to 02:00 the following day
- Recorded Music (indoors) on Sunday to Thursday from 10:00 to 01:00 the following day and on Friday and Saturday from 10:00 to 02:00 the following day
- Late night refreshment (indoors) on Sunday to Thursday from 23:00 to 01:00 the following day and on Friday and Saturday from 23:00 to 02:00 the following day
- To extend the supply of alcohol (on & off the premises) on Sunday to Thursday from 22:30 to 01:00 the following day and on Friday and Saturday from 22:30 to 02:00 the following day
- To extend the hours the premises shall be open to the public on Sunday to Thursday from 23:00 to 01:30 the following day and on Friday and Saturday from 23:00 to 02:30 the following day

I have examined the application and the Environmental Protection Team is objecting to this variation application on the grounds of public nuisance. The premises is in several railway arches, the current design and layout of these arches premises will not prevent the possibility of a public nuisance when Live or Recorded music is being played in the premises to the neighbouring residential premises. The application does not offer any further control measures to address the public nuisance objectives in the operating schedule.

As the premises is situated in a residential area and under the Southwark Statement of Licensing Policy 2016 - 2020 the appropriate closing times for Restaurants, Public Houses, Wine bars or other drinking establishments in this area is 23:00 daily.

Bill Legassick
Principal Environmental Health Officer

Postal address: Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | PO Box 64529 | London | SE1P 5LX.

Office address (By appointment only): Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

Tel: 020 7525 4253 | Fax: 020 7525 5705 | e mail: Bill.Legassick@southwark.gov.uk

visit: <http://beta.southwark.gov.uk/air-quality>



Please consider the environment - do you really need to print this email?

MEMO: Licensing Unit

To Licensing Unit **Date** 27 October 2016

From Jayne Tear **Telephone** 020 7525 0396

Email Jayne.tear@southwark.gov.uk

Subject Re: Tanner Street Doodle Bar, Unit 60 Druid Street & Arches 30-31 Tanner Street, London, SE1 2HQ

Application to vary a premises licence

I write with regards to the above application to vary the licence submitted by Doodlebar Ltd which seeks the following licensable activities:

- To add live music (indoors) on Sunday to Thursday from 10:00 to 01:00 the following day and on Friday and Saturday from 10:00 to 02:00 the following day
- To add recorded music (indoors) on Sunday to Thursday from 10:00 to 01:00 the following day and on Friday and Saturday from 10:00 to 02:00 the following day
- To add late night refreshment (indoors) on Sunday to Thursday from 23:00 to 01:00 the following day and on Friday and Saturday from 23:00 to 02:00 the following day
- To extend the supply of alcohol (on & off the premises) on Sunday to Thursday from 22:30 to 01:00 the following day and on Friday and Saturday from 22:30 to 02:00 the following day
- To extend the hours the premises shall be open to the public on Sunday to Thursday from 23:00 to 01:30 the following day and on Friday and Saturday from 23:00 to 02:30 the following day

The premises was described in the original application for a premises licence which was granted on 29/9/2016 as *'market, gallery, street food restaurant, bar and exhibition space. The application site covers a series of interconnected railway arches that border the junction of Druid Street and Tanner Street. The viaduct is owned by Network Rail who lease other arches within the vicinity of the application site for a variety of uses including storage, workshops, offices, retail, restaurants, and bars. The premises mission is to create a Launchpad for new emerging chefs and to showcase local food and drink producers. During weekdays, breakfasts and brunch, the premises will be run as a co-working café style environment, with the provision of free - high band width WIFI to encourage local businesses and local community to use the premises as a social and working hub. It is the intention that local businesses and residents will also be offered discounted hire rates for meetings, product launches, art shows and exhibitions'*

I submitted a representation to the original application on 7 September 2016 asking for conditions to be added to the premises licence to address the licensing objectives and further asked for an accommodation limit and dispersal policy to be provided during conciliation. Although conditions '344 and 305' have been added to the current licence, a condition agreed which states:

- That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that alcohol sold as off sales should not be opened and consumed in the vicinity of the premises

is missing from the licence.

Furthermore, there are no conditions regarding the accommodation limit or dispersal policy. Therefore the original case is unresolved. I would expect to see the following conditions also on the granted licence stating the following:

- That the accommodation limit of the premises shall not exceed 250 persons
- That the dispersal policy provided shall be kept at the premises and made available for inspection by authorised officers

My representation concerning this current variation is concerned with public nuisance and the prevention of crime and disorder as the application as the does not offer any further control measures to address those objectives in the operating schedule.

The premises is situated in a residential area and under the Southwark Statement of Licensing Policy 2016 - 2020 the appropriate closing times for Restaurants, Public Houses, Wine bars or other drinking establishments in this area is **23:00 daily**.

I therefore submit this representation and recommend that the application is refused.

Southwark's Statement of Licensing Policy 2016 – 2020 can be found on the following link:

[http://www.southwark.gov.uk/downloads/download/4399/licensing_act_2003 -
_southwark_statement_of_licensing_policy_2016 - 2020](http://www.southwark.gov.uk/downloads/download/4399/licensing_act_2003_-_southwark_statement_of_licensing_policy_2016_-_2020)

Jayne Tear
Principal Licensing officer
In the capacity of the Licensing Responsible Authority

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Wednesday, October 19, 2016 10:14 AM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: Major Variation for Tanner Street Doodle Bar Druid Street

To whom it may concern:

Re: Doodle Bar, Unit 60 Druid Street, London SE1 2HQ

On behalf of the Acting Director of Public Health for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

The representation is made in respect of the following licensing objective(s):

- The prevention of crime and disorder
- Prevention of public nuisance
- Public safety

General Comments

The applicant requests to vary his current license and extend the hours of alcohol sales from 10:00 – 22:20 daily to an end time for alcohol sales of 01:00 on Sundays to Thursdays and 02:00 on Fridays and Saturdays. I have concerns regarding the hours of alcohol sales requested. Southwark's statement of licensing policy recommends an end time for alcohol sales of 23:00 daily for this type of establishment in this location. The policy also recommends a 30 minute drink up time between the close of licensable activities and the venue closing time.

Recommendations

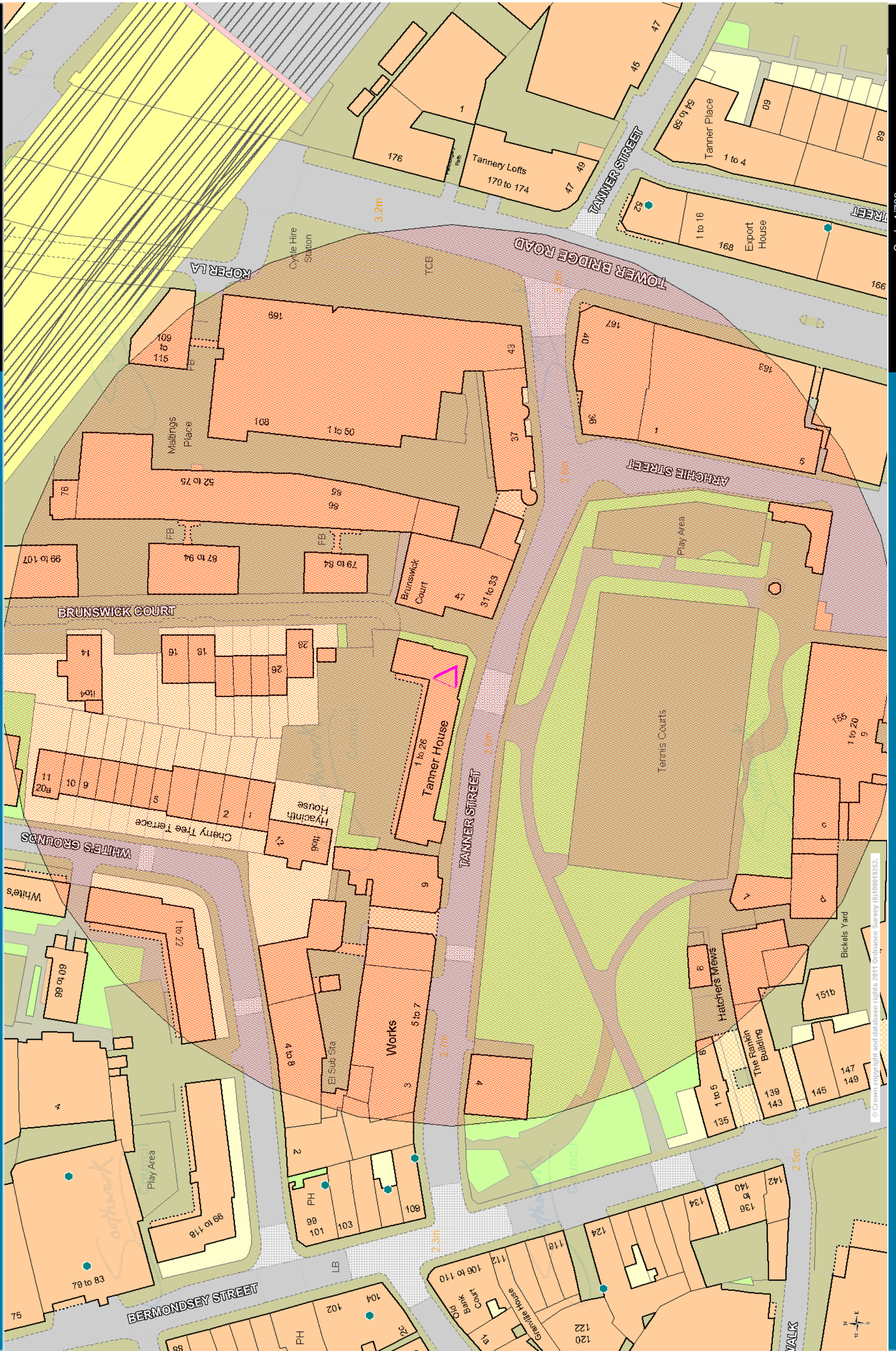
- Since the applicant already holds a license in line with Southwark's Statement of Licensing Policy, I recommend that this application for a variation is rejected.

If you have any further questions, please do not hesitate to contact me.

Carolyn Sharpe
on behalf of Dr Jin Lim, Acting Director of Public Health

Carolyn Sharpe | carolyn.sharpe@southwark.gov.uk | 02075250025
Public Health Officer (People & Health Intelligence), London Borough of Southwark, 160 Tooley Street, London SE1 2QH

Tanner St Doodle bar Unit 60 Druid St, 30-33 Tanner St SE1



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