

Licensing Sub-Committee

Wednesday 7 December 2016
10.00 am

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

Membership

Councillor Renata Hamvas (Chair)
Councillor Eliza Mann
Councillor Charlie Smith

Reserves

Councillor Sunny Lambe

INFORMATION FOR MEMBERS OF THE PUBLIC

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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: 29 November 2016



Licensing Sub-Committee

Wednesday 7 December 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 dispensations in respect of any item of business to be considered at this meeting.	
5.	LICENSING ACT 2003: BRICK HOUSE ARTISAN BREAD AND PASTRY LTD, 1 ZENORIA STREET, LONDON, SE22 8HP	1 - 34
	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

Date: 29 November 2016

Item No. 5.	Classification: Open	Date: 7 December 2016	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London SE22 8HP	
Ward(s) or groups affected:		East Dulwich	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Brick House Artisan Bread and Pastry Ltd to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as: Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London SE22 8HP.
2. Notes:
 - The application seeks to vary the premises licence held under current legislation in respect of the premises known as: Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London SE22 8HP, under section 34 of the Licensing Act 2003. Existing permitted licensable activities are not under consideration at this meeting. The variation application is subject to representations submitted by responsible authorities and / or other persons and is therefore referred to the sub-committee for determination.
 - Paragraphs 9 to 13 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 B. A map showing the location of the premises is attached as Appendix F.
 - Paragraphs 15 to 17 of this report deal with the representations submitted in respect of the application. (Copies of the representations and related correspondence are attached in Appendices C & D).

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 received royal assent on 10 July 2003. The Act provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, this council wholly administers the licensing responsibility.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:

- 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 interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The current premises licence

8. The current premises licence issued in respect of the premises known as Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London SE22 8HP was issued on 28 August 2015 and allows the following licensable activities:
- **The sale of alcohol to be consumed on the premises:**

Tuesday to Friday	between 11:00 and 16:00
Saturday	between 11:00 and 17:00
Sunday	between 11:00 and 16:30
 - **Opening hours:**

Tuesday to Friday	between 08:00 and 16:30
Saturday	between 08:00 and 18:00
Sunday	between 08:00 and 17:00

A copy of the existing premises licence is attached as Appendix A.

The variation application

9. On 6 October 2016 Brick House Artisan Bread and Pastry Ltd applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence issued in respect of the premises known as Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London SE22 8HP.
10. The application is summarised as follows:
- To allow off-sales at the premises

- To amend the opening hours of the premises and the hours permitted for the sale of alcohol at the premises to:

Monday	between 00:00 and 00:00 (24 hours)
Tuesday to Friday	between 08:00 and 16:00
Saturday	between 08:00 and 17:00
Sunday	between 09:00 and 17:00

11. The premises licence application form provides the applicant's operating schedule. Part M sets out the proposed operational control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should An amended 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 included in the licence.
12. N.B. Further to the above, the applicant contacted the Licensing Unit to inform that the application is only to allow the addition of off sales at the premises during the existing hours and that there is to be no change to the operating days or times.
13. A copy of the application and related correspondence are attached to this report as Appendix B.

Designated premises supervisor

14. The designated premises supervisor (DPS) under the existing premises licence is Sharmin Jackson.

Representations from responsible authorities

15. The Metropolitan Police Service submitted a representation which suggested control measures to be included in the application and which the Metropolitan Police Service proposed should become conditions of any licence issued subsequent to the application. The applicant agreed to the inclusion of the suggested control measures into the application and the Metropolitan Police Service withdrew their representation. A copy of the Metropolitan Police Service's representation and related correspondence is attached as Appendix C.

Representations from other persons

16. A local ward councillor and one local resident submitted representations objecting to the application. The local ward councillor and local resident have been informed of the amendment to the application (i.e. that the application is solely to allow off sales of alcohol at the premises) and have been invited to provide any further comments they have in regards to the application. At this time their representations remain outstanding and must be considered by the licensing sub-committee.
17. Copies of the local ward councillor and local resident's representations and related correspondence are attached as Appendix D

Conciliation

18. The applicant was sent copies of the representations received and subsequently contacted the Licensing Unit to correct the application. Objectors to the application were informed of the corrections made to the application and were invited to provide

any further comments they may have. At this time the objector's representations remain outstanding and must be considered by the licensing sub-committee.

19. The applicant agreed to the inclusion of control measures as suggested by the Metropolitan Police Service into the application and the Metropolitan Police Service withdrew their representation.

Operating history

20. The current premises licence in respect of the premises was issued in 28 August 2015.
21. On 6 October 2016 Brick House Artisan Bread and Pastry Ltd applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence issued in respect of the premises known as Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London SE22 8HP.
22. No complaints have been received by the licensing unit in regards to the premises.
23. A list of all Temporary Event Notices submitted in respect of the premises is attached in Appendix E.

Map

24. A map of the area is attached to this report as appendix F. The premises are identified at the centre of the map. For purposes of scale the circle on the map has a 100 metre radius. The following premises are within the 100 metre radius shown on the map and are permitted to sell alcohol between the hours stated:

- Mirash Tandoori, 94 Grove Vale, London SE22 8DY (Monday to Saturday from 11:00 to 00:30 and Sunday from 12:00 to 00:00)
- EDT, 1 Lordship Lane, London SE22 8EW (Monday to Thursday from 08:00 to 00:30, Friday and Saturday from 08:00 to 01:30 and Sunday from 09:00 to 00:30)
- Organic Village Market, 18 Lordship Lane, London SE22 8HN (Monday to Saturday from 08:00 to 23:00 and Sunday from 10:00 to 22:30)
- Payless Food & Wine / Costcutter, 24 Lordship Lane, London SE22 8HN (24 hours, 7 days a week)
- Kebab & Wine, 19 Lordship Lane, London SE22 8EW (Monday to Thursday from 10:00 to 03:00, Friday and Saturday from 10:00 to 05:00 and Sunday from 10:00 to 02:00)
- Franco Manca, 21 Lordship Lane, London SE22 8EW (Sunday to Wednesday from 07:00 to 00:30 and Thursday to Saturday from 07:00 to 01:30)
- The Bishop, 27 Lordship Lane, London SE22 8EW (Monday to Thursday from 11:00 to 01:30, Friday and Saturday from 11:00 to 02:30 and Sunday from 12:00 to 01:30)
- Toast E. D., 38 Lordship Lane, London SE22 8HJ (Monday to Saturday from 07:00 to 00:00 and Sunday from 07:00 to 23:00).

Southwark council statement of licensing policy

25. Council Assembly approved Southwark's statement of licensing policy 2016 -2020 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.

Resource implications

27. A fee of £190.00 being the statutory fee payable for premises within non-domestic rateable value band A has been paid by the applicant company in respect of this application.

Consultation

28. Consultation has been carried out in respect of 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 at the premises for a period of 28 consecutive days.

Community impact statement

29. 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

30. The sub-committee is asked to determine the application to vary the premises licence under Section 34 of the Licensing Act 2003.
31. The principles which sub-committee members must apply are set out below.

Principles for making the determination

32. 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.
33. 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.
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 other 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
- Add to, omit, and/or alter the conditions of the licence or,
 - Reject the whole or part of the application for variation.

Conditions

36. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the variation, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
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 late night refreshment and take away aspect of the licence must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
40. 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.
41. Members are also referred to the Home Office guidance on conditions.

Reasons

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

Hearing procedures

43. Subject to the Licensing Hearing Regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives.
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.

- In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
44. This matter relates to the determination of an application 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.

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

45. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
46. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
47. As a quasi-judicial body, the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
48. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
49. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
50. 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 Home Office 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	Copy of the existing premises licence
Appendix B	Copies of the application and related correspondence
Appendix C	Copies of the representation submitted by the Metropolitan Police Service and related correspondence
Appendix D	Copies of the representations submitted by other persons and related correspondence
Appendix E	List of temporary event notice submitted in respect of the premises
Appendix F	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	24 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		24 November 2016

Licensing Act 2003

Premises Licence



Environmental Health & Trading Standards
Licensing Unit
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

848711

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Brick House Artisan Bread and Pastry Ltd 1 Zenoria Street	
Ordnance survey map reference (if applicable): 175228533791	
Post town London	Post code SE22 8HP
Telephone number	

Where the licence is time limited the dates
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Licensable activities authorised by the licence
Sale by retail of alcohol to be consumed on premises

The opening hours of the premises
For any non standard timings see Annex 2
Tuesday 08:00 - 16:30
Wednesday 08:00 - 16:30
Thursday 08:00 - 16:30
Friday 08:00 - 16:30
Saturday 08:00 - 18:00
Sunday 08:00 - 17:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies
Sale by retail of alcohol to be consumed on premises

The times the licence authorises the carrying out of licensable activities
For any non standard timings see Annex 2 of the full premises licence
Sale by retail of alcohol to be consumed on premises
Tuesday 11:00 - 16:00
Wednesday 11:00 - 16:00
Thursday 11:00 - 16:00
Friday 11:00 - 16:00
Saturday 11:00 - 17:00
Sunday 11:00 - 16:30

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

Brick House Artisan Bread &
Pastry Ltd

[REDACTED]

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

[REDACTED]

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

Sharmin Jackson

[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. [REDACTED]

Authority [REDACTED]

Licence Issue date 28/08/2015

Anti-Social Behaviour, Noise Nuisance &
Licensing Manager
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

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;
- (d) "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

340 We will train our staff in conflict resolution and first aid

341 We will not promote customers to drink large quantities of alcohol

342 We will introduce dispersal policies

Annex 3 - Conditions attached after a hearing by the ¹⁶licensing authority

788 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.

789 All CCTV footage to be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council

840 That alcohol shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal and by consumption of such persons as an ancillary to their meal

841 Noise from plant, patrons and activities at the premises shall not cause a public nuisance in the vicinity of the premises.

842 Notices shall be provided on all doors/routes that patrons use to exit the premises to request that patrons leave in a quiet and orderly manner that is respectful to neighbours.

8AA The premises shall operate an age check 'Challenge 25' policy whereby customers taking pre-paid alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Proof of Age London (PAL) card

8AB All staff involved in the sale of alcohol shall be trained with regards to the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the council's authorised officers or the police

8AC Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required.

Licence No. 848711

Plan No. C100

Plan Date 06.06.2015

06/10/2016

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

Ref No. 693854

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

	Brick House Artisan Bread and Pastry Ltd
Premises licence number	84811

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

£	39,000
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Postal address of premises or, if none, ordnance survey map reference or description

Address Line 1	1 ZENORIA STREET
Address Line 2	
Town	LONDON
County	
Post code	SE22 8HP
Ordnance survey map reference	
Description of the location	Bakery and Cafe
Telephone number	██████████

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

Daytime contact telephone number	██████████
Email address	████████████████████
Postal Address if different from premises address	
Town / City	
Postcode	

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)

	We would like to sell wine and beer (retail)
--	--

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

Provision of late night refreshment

--	--

Supply of alcohol

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

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

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

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

Day	Start	Finish
Mon	00:00	00:00
Tues	08:00	16:00
Wed	08:00	16:00
Thur	08:00	16:00
Fri	08:00	16:00
Sat	08:00	17:00
Sun	09:00	17:00

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

	We would like to sell our natural wines and craft beers to our customers during the busy Christmas Season. These will sold closed, given as gifts or taken home to drink
--	--

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)

	Not applicable
--	----------------

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

Day	Start	Finish
Mon	00:00	00:00
Tues	08:00	16:00
Wed	08:00	16:00
Thur	08:00	16:00
Fri	08:00	16:00
Sat	08:00	17:00
Sun	09:00	17:00

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.

--	--

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

	No supply of alcohol to be made when there is no Designated Premises Supervisor on the premises.
--	--

b) the prevention of crime and disorder

	Brick House will not promote irresponsible drinking with drinking promotions, and do not serve drunk people.
--	--

c) public safety

	We have CCTV in place.
--	------------------------

d) the prevention of public nuisance

	We stop serving alcohol an hour before our closing time. We also tell our customers to respect our neighbors and be quiet when leaving the premises.
--	--

e) the protection of children from harm

	We check ID and do not serve alcohol to anyone under the age of 18 years old.
--	---

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	[REDACTED]
AuthCode	[REDACTED]
LicenceReference	[REDACTED]
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	Sharmin Jackson
Date (DD/MM/YYYY)	06/10/2016
Capacity	Company Director

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	Sharmin Jackson [REDACTED]
Telephone No.	[REDACTED]
If you prefer us to correspond with you by e-mail, your email address (optional)	[REDACTED]

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.

From: Brick House Bakery [REDACTED]
Sent: Monday, November 14, 2016 8:10 PM
To: McArthur, Wesley
Subject: Re: Application to vary a premises licence - Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London, SE22 8HP (our ref: L1U 856007)

Dear Mr McArthur,

Thanks for your e-mail.

There seems to have been a pretty major misunderstanding relating to our license application.

We would like to make the following clear to you, and would appreciate it if you could also pass this information on to the residents who have complained:

We are categorically not looking to extend the hours during which we sell alcohol, we merely wanted to alter our license so that we can offer our customers off sales as an additional revenue stream for our business.

I would add that we have no intention of trying to gain an extended license in the future. We are not looking to extend our opening hours (we close at 4pm Tues - Fri / 5pm on Saturday & Sunday), and have no desire to become a bar or nightclub. We are a bakery & cafe.

We have applied a couple of TENs over the last year, which have allowed us to have a few evening events, which we are well within our right to do, and have all been approved by the council.

My wife has already left a message on your voicemail, hopefully we can speak tomorrow.

Kind regards

Fergus & Sharmin Jackson
 Brick House

From: Brick House Bakery [REDACTED]
Sent: Thursday, November 17, 2016 2:42 PM
To: McArthur, Wesley
Cc: Fergus Jackson; Sharmin Nordien
Subject: Re: Application to vary a premises licence - Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London, SE22 8HP (our ref: L1U 856007)

Hello Wesley,

Many thanks for your email.

To be very clear, **we do not wish to change our opening hours or trading days.**

To confirm we would just like to apply for **off sales of alcohol at our premises during our existing hours only.** These are:

Tuesday	11:00 - 16:00
Wednesday	11:00 - 16:00
Thursday	11:00 - 16:00
Friday	11:00 - 16:00
Saturday	11:00 - 17:00
Sunday	11:00 - 16:30

A public notice has appeared in Southwark Newspaper, I have requested an electronic copy which I will send on to you as soon as I receive it.

Finally, please reiterate to the local residents and local Councillor:

1. Brick House is an independent bakery and cafe with a A1/A3 License. In order to obtain this license Southwark Council asked us to conduct an acoustic test and amend our designs accordingly which we did before we opened in March 2015.
2. As the current lease holders we have no intention of becoming a nightclub or bar, any events held outside our trading hours will not be conducted without an approved TEN from Southwark. Any issues with the development of the building need to be directed to Park Hill Estates, Mr Paul Tuck.
3. Following our correspondence with PC Ian Stewart and PC Mark Lynch at Southwark Police on we have agreed to the control measures suggested. These include CCTV being installed and our staff is trained in their responsibilities under the 2003 Licensing act as per our premises license.
4. We have had an open dialogue with the Southwark Noise and Nuisance team, including a meeting today with Peter Magbadelo, and are very open to working with the community and contributing to the vibrant and unique neighborhood that is East Dulwich.

If you need more information or need to visit myself or my husband Fergus at Brick House please do not hesitate to contact me. Please do pass my invitation onto the residents and local councilor also.

Best wishes,
Sharmin Jackson
Company Director & Owner (& Local Resident)

--

Brick House

From: Brick House Bakery [REDACTED]
Sent: Thursday, November 17, 2016 2:52 PM
To: McArthur, Wesley
Subject: Re: Application to vary a premises licence - Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London, SE22 8HP (our ref: L1U 856007)

Hi Wesley,

Please pass on [REDACTED].[\[REDACTED\].com](mailto:[REDACTED].com) and 0208 [REDACTED] (the bakery phone number)

We are more than happy to be contacted.

Best wishes,
Sharmin

--

Brick House



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

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

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/ 2878/16

Date: 28/10/2016

Re:- Brick House Artisan,1 Zenoria Street SE22 8HP

Dear Sir/Madam

Police are in possession of an application for a variation to the above premises licence. The application is for the sale of alcohol for consumption off the premises only between the following.

Sale of alcohol off sales Mon: Closed
 Tue-Fri: 0800-1600
 Sat: 0800-1700
 Sun: 0900-1700

The application contains a number of control measures and Police welcome this response, however the wording of each condition is important as to negate and ambiguity.

1. 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 and cover the main areas.
2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council. There will be at least one person on duty at all times that is familiar with the operation of the CCTV and able to download the footage upon request.
3. 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.

The Following is submitted for your consideration, Police would welcome the opportunity to conciliate should the need arise.

Yours Sincerely

Pc Mark Lynch246MD
 Southwark Police Licensing Unit
 Tel: 0207 232 6756

From: Brick House Bakery [REDACTED]
Sent: 31 October 2016 13:46
To: Lynch Mark A - MD [REDACTED]
Subject: Re: Application for variation to licence

Dear Mr Lynch,

Many thanks for your response.

I agree and am more that willing to comply with your suggestions.

Please let me know next steps and what you require from me.

Kind regards,
Sharmin Jackson

From: [REDACTED]
Sent: Wednesday, November 02, 2016 8:41 AM
To: Regen, Licensing
Subject: Application for variation to licence

Sir/Madam

The applicant has agreed to the police wording of conditions as below and in view of this police would like to withdraw their objections to the application

1. 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 and cover the main areas.
2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council. There will be at least one person on duty at all times that is familiar with the operation of the CCTV and able to download the footage upon request.
3. 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.

Regards
Pc Mark Lynch 246MD
Southwark Licensing/NTE
Southwark Police Station
323 Borough High Street
SE1 3JL
0207 232 6756

APPENDIX D

From: CLLR James Barber [<mailto:cllrjamesbarber@gmail.com>]
Sent: Friday, October 14, 2016 6:27 PM
To: Regen, Licensing
Cc: Shimell, Rosie
Subject: 856007 Brick House Bajers, 1 Zenobia Street, SE22 8HP

On behalf of Cllr Rosie Shimell and myself we would like to object to this licensing application.

If the below issues can;t be resolved we request a full licence review.

The Prevention of Nuisance

Talking to residents the bakery has single glazed windows often left open through which, whether closed or open, allow significant noise disturbance for neighbouring properties. However, if the applicant were to commit to keep Bakery sound levels 10dB(A) below the ambient noise levels without the bakers in operation this would solve this problem. TO do this the wondiwos would need to remain shut and be as a minimum double glazed and fixed and unable to be opened. The roof may need sound proofing achieve this.

A voluntary agreement between neighbours and the bakery was agreed by email which the bakery within a fortnight reneged upon.

Ihefront doors should be kept closed and ideally a lobby created. The front door is located on a very residential street and the front doors being left open when fully operational has caused noise disturbance.

The bakery also places benches on the street outside where customers sit, smoke and drink. This isn;t acceptable and should specifically have a licence condition to stop.

I'd very much like to attend any licensing committee deciding this application.variation.

Regards James Barber - *Fighting your corner*
 Liberal Democrat Councillor for East Dulwich ward



www.jamesbarber.org.uk
 @cllrjamesbarber

From: Regen, Licensing
Sent: Monday, October 17, 2016 8:41 AM
To: Jerrom, Charlie
Cc: McArthur, Wesley
Subject: FW: 856007 Brick House Bajers, 1 Zenobia Street, SE22 8HP

From: McArthur, Wesley
Sent: Thursday, November 17, 2016 6:23 PM
To: 'cllrjamesbarber@gmail.com'
Subject: Application to vary a premises licence - Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London, SE22 8HP (our ref: L1U 856007)
Importance: High

Dear Cllr Barber,

Please note that after being made aware of your representation (and other representations) the applicant has contacted us to confirm the following:

1. Errors were contained in the application that was submitted. There was no intention to extend the hours permitted for the sale of alcohol or to amend the opening hours of the premises.
2. There was no intention to allow for the premises to open on Mondays or allow the sale of alcohol at the premises on Mondays.
3. The application was only intended to allow off-sales of alcohol at the premises to sell natural wines and craft beers which will be sold in closed containers to be taken home to drink.
4. The current opening hours of the premises are:

Tuesday	08:00 - 16:30
Wednesday	08:00 - 16:30
Thursday	08:00 - 16:30
Friday	08:00 - 16:30
Saturday	08:00 - 18:00
Sunday	08:00 - 17:00

There is to be no change to the above days / times.

5. The current hours permitted for the sale of alcohol are:

Tuesday	11:00 - 16:00
Wednesday	11:00 - 16:00
Thursday	11:00 - 16:00
Friday	11:00 - 16:00
Saturday	11:00 - 17:00
Sunday	11:00 - 16:30

There is to be no change to the above days / times.

Your representation objects to the application (as submitted) in its entirety.

Baring in mind that the application is solely to allow off sales of alcohol at the premises as described in point 3 above, please return any further comments you may have (e.g. suggested conditions in relation to the off sales of alcohol at the premises) or confirm whether you wish to withdraw your representation.

Should conciliation of your representation not be possible a Licensing Sub-Committee hearing has been scheduled for 10:00am on 7 December 2016 in room G02B of our offices. Please find attached guidance to the hearing procedure.

It is noted that some of the representations received state concerns over the bakery / café operation of the premises. Please note that the bakery / café operation of the premises cannot be taken into consideration in the determination of the application. Baking / the consumption of food are not a licensable activities. The only licensable activity permitted by the current premises licence is the sale of alcohol. Any representations or further comments must specifically relate to concerns you have in respect of the proposal to allow off sales of alcohol at the premises. If you maintain your representation and wish to attend the hearing you will only be permitted to speak on matters pertaining to the application (i.e. the proposal to allow off sales of alcohol) and not concerns about the bakery / café operation of the premises.

If any of your constituents are suffering noise nuisance as a result of the bakery / café operation of the premises you should advise them to contact our Noise and Nuisance Team (NaNT). Details as to the NaNT service can be found via: http://www.southwark.gov.uk/a_to_z/service/2008/noise_problems

It is further noted that you refer to the possible review of the current premises licence issued in respect of the premises. Please note that the review process is separate to the variation application process. More information in respect of licence reviews is available via: https://www.southwark.gov.uk/downloads/download/272/licensing_act_2003-review_of_premises_licences_and_certificates

If Cllr Shimell wishes you to represent her in this matter please request that she confirms so to me via email, thanks.

On another matter, the applicant has stated that they are keen to engage with their neighbours and should you or your constituents wish to discuss the operation of the premises please contact them via [\[REDACTED\].com](#)

Regards,

Wesley McArthur

Principal Enforcement Officer
London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Fax: 020 7525 5705

Address: Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2TZ

From: McArthur, Wesley

Sent: Wednesday, November 23, 2016 11:04 AM

To: 'cllrjamesbarber@gmail.com'

Subject: RE: Application to vary a premises licence - Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London, SE22 8HP (our ref: L1U 856007)

Importance: High

Dear Cllr Barber,

Further to my email below please return any comments you have ASAP, thanks.

Regards,

Wesley McArthur

Principal Enforcement Officer
London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Fax: 020 7525 5705

Address: Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2TZ

From: [REDACTED]
 Sent: Friday, November 11, 2016 7:49 PM
 To: Regen, Licensing
 Subject: Application 856007: Brick House, Zenoria Street, SE22

Dear Sirs

We would like to object to the above licensing application on the grounds of 'Prevention of Nuisance' noise disturbance and 'Protection of Children from Harm' noise disturbance. We also request a review of existing noise levels at the Brick House premises. Our family home is adjacent to the Brick House kitchen.

Current issues:

- staff and cleaners are in the premises daily (including weekends) from as early as 3am to as late as 11pm operating machinery, playing loud music, clattering pans and making general kitchen noise. We have numerous videos as evidence that we can provide, for example of loud music blaring through open windows at 3:38am. Such noise levels may well be normal for a commercial kitchen, however, Brick House has situated itself in what is otherwise a residential street flanked by family homes to the front, back and side. The current noise levels encroach on the enjoyment of our home and, we fear, would only be further aggravated should this application be granted. Despite repeated pleas from multiple neighbours to reduce existing noise and to be considerate when opening windows to the kitchen, the duration and levels of noise persist.
- single-glazed, cracked windows left open throughout the day and night which, whether closed or open, allow significant noise disturbance for neighbouring properties (both personally as well as professionally - I am a lawyer who works from home and daily hear Brick House noise during my various conference calls, such that I cannot leave any windows in my home office open).
- window permanently smashed open to allow for an extractor fan, blowing air directly into our property and also allowing further noise
- windows open outwards into our garden, i.e. across our property boundary line Proposed solutions.
- windows to be as a minimum double-glazed and fixed (i.e. unable to be opened). They are currently too small to be useful in the event of a fire (no person could fit through them) and, until the last few months ago, were not opened due to ivy growing over them – so cannot be necessary for the ventilation of the bakery
- windows to remain shut (else double glazing would be redundant) - a voluntary agreement has already been reached between ourselves and the bakery via email (we can provide copies), which the bakery within a fortnight reneged upon.
- music levels to be lowered - these are wholly unreasonable and unnecessary to the success of the business, yet significantly negatively impact our ability to enjoy our home.

Conclusion:

Brick House is already an extremely busy licenced café, shop and commercial bakery. It now also advertises itself for evening parties, and its latest application is for longer licensing hours to serve

alcohol - effectively operating as an off-licence as well (moving further away from its primary business as a bakery). We have real concerns that approval of this application would exacerbate the already significant noise levels from this busy venue, and constitute a slippery slope for applications for even longer alcohol licencing hours and loud evening events down the line.

We have no wish to curb the evident success of Brick House but simply hope that, as its business continues to thrive, this success is not at the cost to local residents' enjoyment of their homes.

Kind regards

[REDACTED]

From: McArthur, Wesley

Sent: Thursday, November 17, 2016 5:37 PM

Subject: Application to vary a premises licence - Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London, SE22 8HP (our ref: L1U 856007)

Importance: High

Dear Sir / Madam,

Please note that after being made aware of your representations the applicant has contacted us to confirm the following:

1. Errors were contained in the application that was submitted. There was no intention to extend the hours permitted for the sale of alcohol or to amend the opening hours of the premises.
2. There was no intention to allow for the premises to open on Mondays or allow the sale of alcohol at the premises on Mondays.
3. The application was only intended to allow off-sales of alcohol at the premises to sell natural wines and craft beers which will be sold in closed containers to be taken home to drink.
4. The current opening hours of the premises are:

Tuesday	08:00 - 16:30
Wednesday	08:00 - 16:30
Thursday	08:00 - 16:30
Friday	08:00 - 16:30
Saturday	08:00 - 18:00
Sunday	08:00 - 17:00

There is to be no change to the above days / times.

5. The current hours permitted for the sale of alcohol are:

Tuesday	11:00 - 16:00
Wednesday	11:00 - 16:00
Thursday	11:00 - 16:00
Friday	11:00 - 16:00
Saturday	11:00 - 17:00
Sunday	11:00 - 16:30

There is to be no change to the above days / times.

6. The applicant wishes to allay concerns that the premises are to become a bar and the applicant states that the main concern of the business is, and will remain, being an artisan bakery.

Your representation objects to the application (as submitted) in its entirety.

Baring in mind that the application is solely to allow off sales of alcohol at the premises as described in point 3 above, please return any further comments you may have or confirm whether you wish to withdraw your representation.

Should conciliation of your representation not be possible a Licensing Sub-Committee hearing has been scheduled for 7 December 2016. Please find attached a hearing notification and guidance to the hearing procedure. You can reply to the hearing notification by return email.

It is noted that some of the representations received state concerns over the bakery operation of the premises. Please note that the bakery operation of the premises cannot be taken into consideration in the determination of the application. Baking is not a licensable activity. The only licensable activity permitted by the current premises licence is the sale of alcohol. Any representations or further comments must specifically relate to concerns you have in respect of the proposal to allow off sales of alcohol at the premises. If you maintain your representation and wish to attend the hearing you will only be permitted to speak on matters pertaining to the application (i.e. the proposal to allow off sales of alcohol) and not concerns about the bakery operation of the premises.

If you are suffering noise nuisance as a result of the bakery operation of the premises you should contact our Noise and Nuisance Team (NaNT). Details as to the NaNT service can be found via: http://www.southwark.gov.uk/a_to_z/service/2008/noise_problems

On another matter, the applicant has stated that they are keen to engage with their neighbours and should you wish to discuss the operation of the premises please contact them via [\[REDACTED\].com](#)

Regards,

Wesley McArthur

Principal Enforcement Officer
London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Fax: 020 7525 5705

Address: Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2TZ

From: McArthur, Wesley

Sent: Wednesday, November 23, 2016 11:07 AM

To: [REDACTED]

Subject: RE: Application to vary a premises licence - Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London, SE22 8HP (our ref: L1U 856007)

Importance: High

Dear [REDACTED]

Further to my email below, please return any further comments you have ASAP, thanks.

Regards,

Wesley McArthur

Principal Enforcement Officer
London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

APPENDIX E

Start date	End date	Times	Max no. of people	Alcohol	Entertainment	LNR	Police objection?	EPT objection?	Rejected?
05/05/2016	05/05/2016	17:00 - 22:30	80	No	Yes	Yes	No	No	Yes, late
06/08/2016	06/08/2016	17:00 - 00:00	130	No	Yes	Yes	No	No	
02/12/2016	02/12/2016	19:00 - 00:00	40	Yes	No	No	No	No	
16/12/2016	16/12/2016	19:00 - 00:00	40	Yes	No	No	No	No	



LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2016-17

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

Name	No of copies	Name	No of copies
Members		Officers	
Councillor Renata Hamvas (Chair)	1	Debra Allday, Legal team	1
Councillor Eliza Mann	1	Wesley McArthur, Licensing team	1
Councillor Charlie Smith	1		
Reserve			
Councillor Sunny Lambe	By Email	Andrew Weir (spares)	5
		Total printed copies: 10	
		Dated: 29 November 2016	