

Licensing Sub-Committee

Thursday 15 December 2016

10.00 am

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

Membership

Councillor Renata Hamvas (Chair)
Councillor Lorraine Lauder MBE
Councillor Adele Morris

Reserves

Councillor Sandra Rhule

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

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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: 6 December 2016



Licensing Sub-Committee

Thursday 15 December 2016
10.00 am

Ground Floor Meeting Room G02C - 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.	
1.	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: TOWER BRIDGE AUTOGRAPH COLLECTION HOTEL,(FORMER MAGISTRATES COURT AND POLICE STATION) 209-211 TOOLEY STREET, LONDON SE1 2JY	1 - 62
6.	LICENSING ACT 2003: TROPICAL, 186-188 OLD KENT ROAD, LONDON SE1 5TY	63 - 107

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: 6 December 2016

Item No. 5.	Classification: Open	Date: 15 December 2016 10am	Meeting Name: Licensing sub-committee
Report title:		Licensing Act 2003: Tower Bridge Autograph Collection Hotel,(Former magistrates court and police station) 209-211 Tooley Street, London SE1 2JY	
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 Dominvs Hotels UK Limited, for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Tower Bridge Autograph Collection Hotel, 209-211 Tooley Street, London SE1 2JY.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from a responsible authority and other persons and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 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 19 of this report deals with the representations received regarding the premises licence application. Copies of the representations from the responsible authorities are attached as Appendix B. Copies of the relevant representations from other person/s is attached are Appendix C.
 - d) Paragraph 21 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 premises licence application

8. On 11 October 2016, Dominvs Hotels UK Limited applied to this council for the grant of a new premises licence in respect of the premises known as Tower Bridge Autograph Collection Hotel Limited, 209-211 Tooley Street, London SE1 2JY.
9. The premises is described as 191 Bedroomed 4 star hotel with lounge bar and restaurant facilities. The premises is still under construction.
10. The application is summarised as follows:
 - **Films (indoors)**
Monday to Sunday from 06:30 to 01:00
 - **Live music (indoors)**
Monday to Sunday from 06:30 to 01:00
 - **Recorded music (indoors)**
Monday to Sunday from 06:30 to 01:00
 - **Performance of dance (indoors)**
Monday to Sunday from 06:30 to 01:00
 - **Anything of similar description to the above**

Monday to Sunday from 06:30 to 01:00

- **Late night refreshment (indoors)**
Monday to Sunday from 23:00 to 01:00
- **The supply of alcohol (for consumption on and off the premises)**
24 hours (the supply of alcohol to one resident is restricted by condition)
- **Operating hours**
The opening and closing times of the premises shall not be prescribed by this licence.
- **Non standard timings**
That all licensable activities may continue from the finish to the start time on New Year's Day.

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

Designated premises supervisor

12. The designated premises supervisor (DPS) is yet to be confirmed.

Representations from responsible authorities

13. Representations were submitted by the Metropolitan Police Service, licensing (as a responsible authority) and public health.
14. The police state that the operating schedule indicates that this is a hotel type venue. The application contains a number of suggested control measures in order to sufficiently restrict the operation to this specific manner and the wording of these measures has been agreed with them and as such do not object to the application.
15. The licensing 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 and the prevention of public nuisance. The application proposes a condition which states: 'Alcohol shall only be sold or supplied to non residents who are not bona fide guests of resident's between the hours of 06:30 and 23:00 Monday to Sunday inclusive'.
16. There is limited information provided within the application regarding the accommodation limit of the premises and they have requested further information. They have also suggested that the applicant considers adding the recommended conditions as set out within Appendix B to the operating schedule of the application to promote the licensing objectives.
17. The public health authority have concerns regarding the hours of alcohol sales requested for non-residents and suggest a later start time of 10:00 daily for alcohol sales for non residents.

18. The representations are attached as Appendix B.

Representations from other persons

19. Twelve representations have been received from other persons. They state that they live very close to the premises and the other existing licensed premises. The hotel is to have four entertainment areas two of which are on the ground floor and one of which has an exit directly opposite homes on Queen Elizabeth Street. These issues explicitly increases the risk of nuisance, crime and disorder and threaten public safety.
20. Copies of the representations are attached as Appendix C.

Conciliation

21. The applicant has been forwarded the representations received and has been advised to address the concerns within the representations submitted. The licensing committee shall be updated at the hearing on 15 December 2016.

The local area

22. A map of the area is attached to this report as Appendix D. The premises is identified at the centre of the map. For purposes of scale only the circle on the map has a 100 metre radius. There are several licensed premises within this 100 metre radius.

Public house

- Pommeler's Rest, 196-198 Tower Bridge Road, London SE1 (Sunday to Thursday till 01.30 and Friday and Saturday till 02.00)
- Draft House Public House, 206 Tower Bridge Road, London SE1 (Monday to Thurs till 01:00; Fri & Sat till 02:00; Sun till 23:30)

Off licence

- Krystals Tower Bridge, 210 Tower Bridge Road, (24 Hrs)

Deregulation of entertainment

23. On 6 April 2015 entertainment became deregulated and as a result:
- Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
 - Live amplified music is deregulated between 08:00 and 23:00 provided the audience does not exceed 500 people.
24. 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

25. This premises is situated within the Bankside Borough and London Bridge strategic cultural area and there are no restrictions of opening hours for residents of the hotel under the Southwark Statement of Licensing policy 2016 – 2020.
26. 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.
 - 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.
27. 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

28. 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 B.

Consultation

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

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 Revised 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	Kirby Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Application for a premises licence
Appendix B	Representations from responsible authorities
Appendix C	Representations from other persons
Appendix D	Map of the local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Dorcas Mills, Principal Licensing Officer	
Version	Final	
Dated	2 December 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	2 December 2016	

RECEIVED
11 OCT 2016

Application for a Premises Licence to be Granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

(1) Delete as applicable.
(2) Insert name(s) of applicant.

(1) ~~[I]~~(2) **DOMINVS HOTELS UK LIMITED**

9:07
G

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

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description TOWER BRIDGE AUTOGRAPH COLLECTION HOTEL FORMER MAGISTRATES COURT AND POLICE STATION 209-211 TOOLEY STREET SOUTHWARK			
Post town	LONDON	Postcode	SE1 2JY
Telephone number at premises (if any)	TBC		
Non-domestic rateable value of premises	£ TBC		

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- (a) an individual or individuals*
- (b) a person other than an individual*
 - (i) as a limited company
 - (ii) as a partnership
 - (iii) as an unincorporated association or
 - (iv) other (for example a statutory corporation)
- (c) a recognised club
- (d) a charity
- (e) the proprietor of an educational establishment
- (f) a health service body
- (g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- (ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England

Please tick as appropriate

- please complete section (A)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)

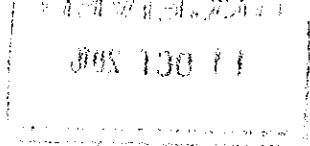
(h) the chief officer of police of a police force in England and Wales

please complete section (B)

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

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative



(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name	DOMINVS HOTELS UK LIMITED
Address	1 LONDON STREET READING RG1 4QW
Registered number (where applicable)	08789742
Description of applicant (for example, partnership, company, unincorporated association etc.)	PRIVATE LIMITED COMPANY
Telephone number (if any)	
E-mail address (optional)	

Part 3 - Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)
191 BEDROOMED, 4* HOTEL WITH LOUNGE BAR AND RESTAURANT FACILITIES

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

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

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

Provision of regulated entertainment

Please tick any that apply

(a) plays (if ticking yes, fill in box A)

(b) films (if ticking yes, fill in box B)

(c) indoor sporting events (if ticking yes, fill in box C)

(d) boxing or wrestling entertainment (if ticking yes, fill in box D)

(e) live music (if ticking yes, fill in box E)

(f) recorded music (if ticking yes, fill in box F)

(g) performances of dance (if ticking yes, fill in box G)

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

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

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

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0630	0100	Non-live TV, promotional and educational films etc		
Tue	0630	0100			
			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed	0630	0100			
Thur	0630	0100			
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	0630	0100	This activity may continue from the finish to the start time on New Year's Day		
Sat	0630	0100			
Sun	0630	0100			

C

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

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0630	0100	Acoustic or amplified performances by solo artists or groups		
Tue	0630	0100			
Wed	0630	0100	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	0630	0100			
Fri	0630	0100	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0630	0100	This activity may continue from the finish to the start time on New Year's Day		
Sun	0630	0100			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0630	0100	Recorded music as entertainment		
Tue	0630	0100			
Wed	0630	0100	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	0630	0100			
Fri	0630	0100	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0630	0100	This activity may continue from the finish to the start time on New Year's Day		
Sun	0630	0100			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0630	0100	Performances of dance as entertainment		
Tue	0630	0100			
Wed	0630	0100	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	0630	0100			
Fri	0630	0100	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0630	0100	This activity may continue from the finish to the start time on New Year's Day		
Sun	0630	0100			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
			Will this entertainment take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0630	0100			
Tue	0630	0100			
Wed	0630	0100	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur	0630	0100			
Fri	0630	0100			
Sat	0630	0100	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	0630	0100	This activity may continue from the finish to the start time on New Year's Day		

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both - please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	2300	0100	Hot food and drink		
Tue	2300	0100			
Wed	2300	0100	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	2300	0100			
Fri	2300	0100			
Sat	2300	0100	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) This activity may continue from the finish to the start time on New Year's Day		
Sun	2300	0100			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption - please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon	0000	0000			
Tue	0000	0000			
Wed	0000	0000			
Thur	0000	0000	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5) The supply of alcohol to non-residents is restricted by condition		
Fri	0000	0000			
Sat	0000	0000			
Sun	0000	0000			

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

Name To be confirmed	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) The opening and closing time of the premises shall not be prescribed by this licence
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5)
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

M

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

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

Having had regard to the locality and the four licensing objectives, the Applicant considers the conditions described in the attached schedule to be appropriate, proportionate and necessary.

(b) The prevention of crime and disorder

(c) Public safety

(d) The prevention of public nuisance

(e) The protection of children from harm

--

Checklist:

Please tick to indicate agreement

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

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

Part 4 - Signatures (please read guidance note 10)

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

Signature	[Redacted]		
Date	10 October 2016		
Capacity	Solicitor for the Applicant		
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.			
Signature			
Date			
Capacity			
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Richard Arnot, Ward Hadaway Sandgate House 102 Quayside Newcastle upon Tyne Newcastle upon Tyne 30 - DX 730360			
Post town	Newcastle upon Tyne	Postcode	NE1 3DX
Telephone number (if any)	0191 204 4342		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) richard.arnot@wardhadaway.com			

CONDITIONS

1. CCTV

- 1.1 CCTV shall be installed and maintained at the premises providing coverage of all areas to which the public have access (excluding toilet areas and the gym).
- 1.2 CCTV shall continually record whilst the premises are open to the public and recordings shall be kept for a minimum of 31 days.
- 1.3 A staff member who is able to operate the CCTV system shall be present at all times that they are open to the public.
- 1.4 CCTV footage shall be provided to the Police or an authorised Officer of the Licensing Authority in an easily downloadable format following the receipt of a request.
- 1.5 The CCTV system shall be in operation whilst licensable activities are taking place at the premises.
- 1.6 Images recorded by the CCTV system shall be of evidential quality.
- 1.7 The CCTV system shall be capable of recording a facial image of every person entering the premises.

2. INCIDENT LOG

- 2.1 An incident log (whether in written or electronic form) shall be maintained and kept for not less than 6 months.
- 2.2 The following incidents shall be recorded
 - (a) all alcohol related crimes reported to the management of the premises
 - (b) any alcohol related incidents of disorder
 - (c) any refusal of the sale of alcohol.

3. TRAINING

- 3.1 All relevant staff shall receive training in respect of their responsibilities under the Licensing Act 2003.
- 3.2 No relevant member of staff shall be permitted to sell alcohol until such time as they have successfully completed training.
- 3.3 Training records shall be kept for each relevant member of staff for a minimum of one year and shall be made available for inspection by the Police or an authorised Officer of the Licensing Authority.
- 3.4 Refresher training shall be given regularly and a record of such training kept.

4. **PROOF OF AGE**

- 4.1 The Premises Licence Holder shall operate a proof of age scheme, such as Challenge 25, whereby the only forms of acceptable identification shall either be a photographic driving licence, a passport, military identification or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the Secretary of State.
- 4.2 The Premises Licence Holder will display a sign in the premises which explains that it is an offence to buy or attempt to buy alcohol for a person under the age of 18 and for a person under the age of 18 to buy or attempt to buy alcohol.

5. **NOISE**

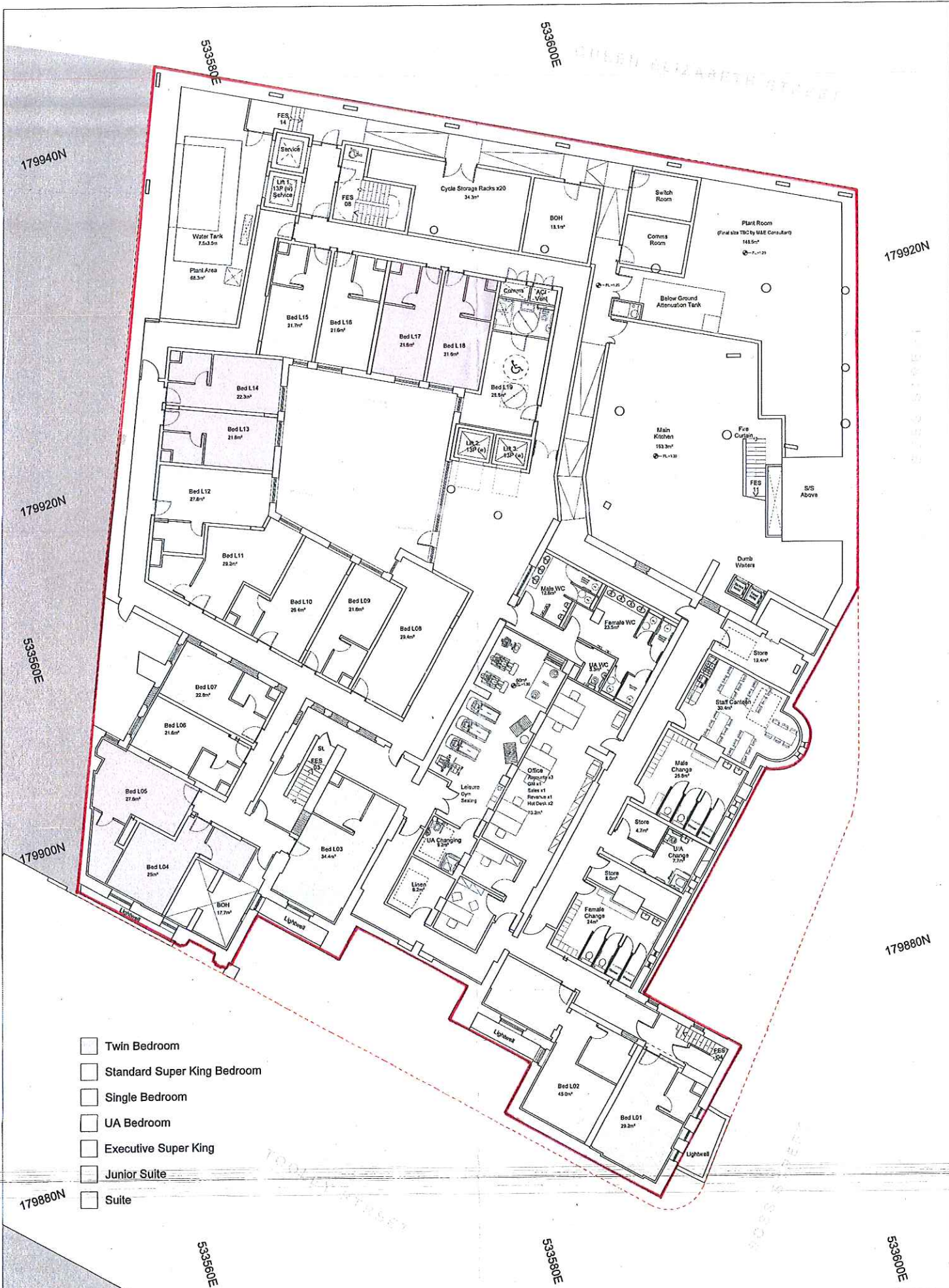
- 5.1 No noise shall emanate from the premises nor vibration transmitted through the structure of the premises as a consequence of a licensable activity permitted by this licence which gives rise to a nuisance.

6. **SMOKING**

- 6.1 The Premises Licence Holder shall implement a smoking policy, a copy of which shall be deposited with the Licensing Authority.

7. **GENERAL**

- 7.1 No time restriction shall apply to the sale or supply of alcohol to residents or their bona fide guests.
- 7.2 Alcohol shall only be sold or supplied to non-residents who are not bona fide guests of residents between the hours of 0630 and 2300 Monday to Sunday inclusive.
- 7.3 No alcohol shall be stored in a bedroom occupied solely by an individual or individuals under the age of 18.



- Twin Bedroom
- Standard Super King Bedroom
- Single Bedroom
- UA Bedroom
- Executive Super King
- Junior Suite
- Suite

revision	drawn	approved	date	description
A	DC	MK	20.01.14	Updated following Client meeting 20th January 2014
B	DC	MK	23.02.14	Updated following Client meeting 17th February 2014
C	DC	MK	14.06.15	General layout updates to design team information

Notes:
 These drawings are entirely based on the original scheme design architectural layouts for the proposed building to RIBA Stage C. Further development required with all Consultants and Interior Designer to progress integrated design to both the listed building and the new built element especially in terms of structure, building services, acoustic and thermal performance.
 These drawings should not be relied upon for construction purposes.

PROJECT	Tower Bridge Magistrates Court	CLIENT	McAlister and Rushe Ltd.
DATE	14.12.2015	FOR INFORMATION ONLY	
SCALE	1:100	DATE	14.12.2015
DESIGN	DC	APPROVED	MK
DC	MK	DATE	14.12.2015
PROJECT NO.		B151933	
DRAWING NO.		LOD1	
SCALE		1:100	
DATE		14.12.2015	

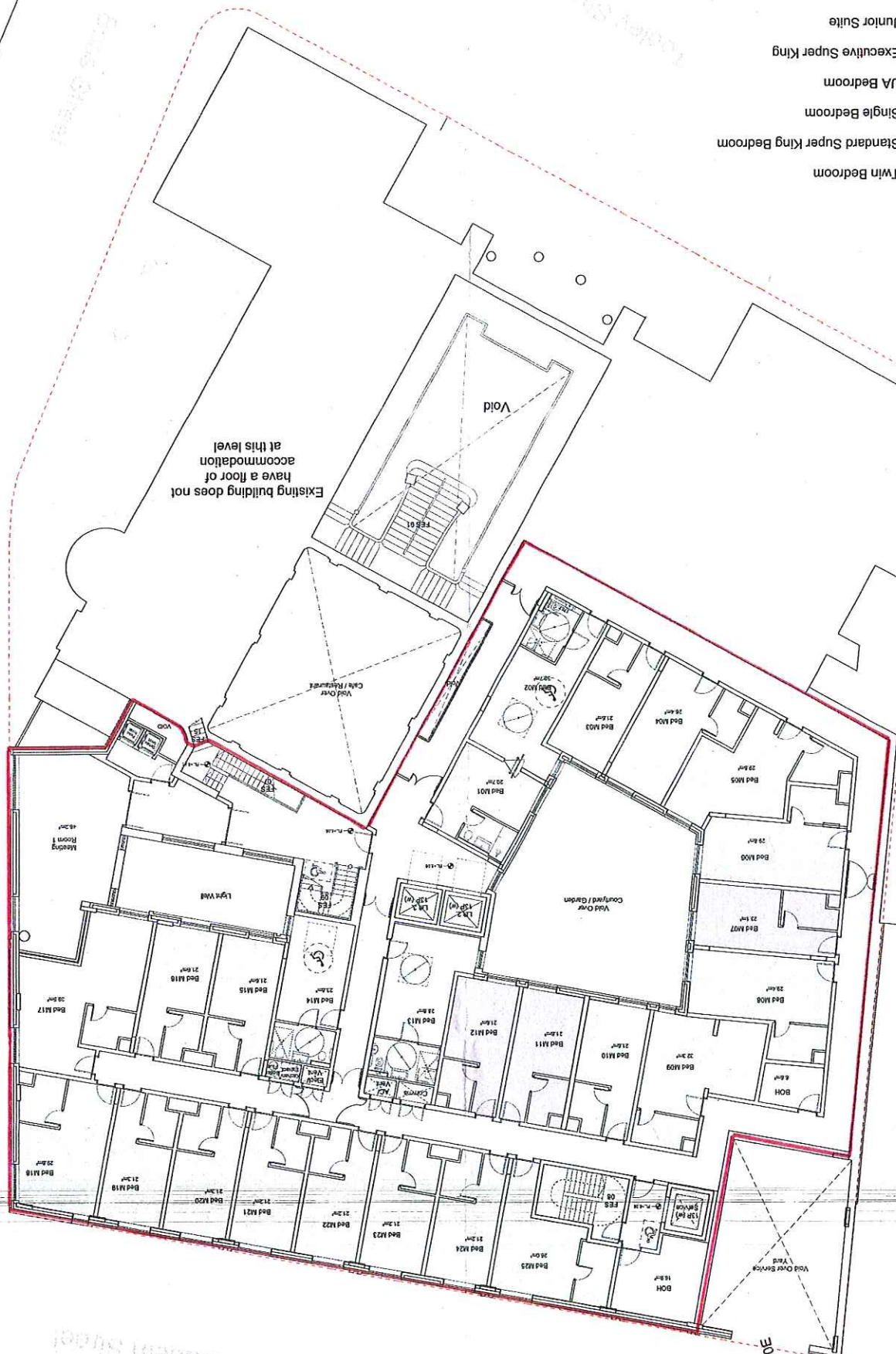
CONSARC ARCHITECTURE
 10th Floor, 100, The Strand, London WC2R 0EL
 Tel: +44 (0)20 7593 8000 | Fax: +44 (0)20 7593 8001

Notes: These drawings are entirely based on the original scheme design architectural layout for the proposed building in Block Stage 6. It is to be developed in accordance with all Conditions and Interior Design to be agreed with the Council and the relevant planning authorities. These drawings should not be relied upon for construction purposes.

Structure, building services, acoustic and thermal performance. These drawings are entirely based on the original scheme design architectural layout for the proposed building in Block Stage 6. It is to be developed in accordance with all Conditions and Interior Design to be agreed with the Council and the relevant planning authorities. These drawings should not be relied upon for construction purposes.

Project Name: **CONSARC**
 Project No: **1003**
 Date: **14.12.2015**
 Scale: **1:100**
 Drawing No: **1003**
 Drawing Title: **FOR PERMIT ONLY**

- Twin Bedroom
- Standard Super King Bedroom
- Single Bedroom
- UA Bedroom
- Executive Super King
- Junior Suite
- Suite



Existing building does not have a floor of accommodation at this level.

Crown Apartments

179880N
 179880N
 179880N

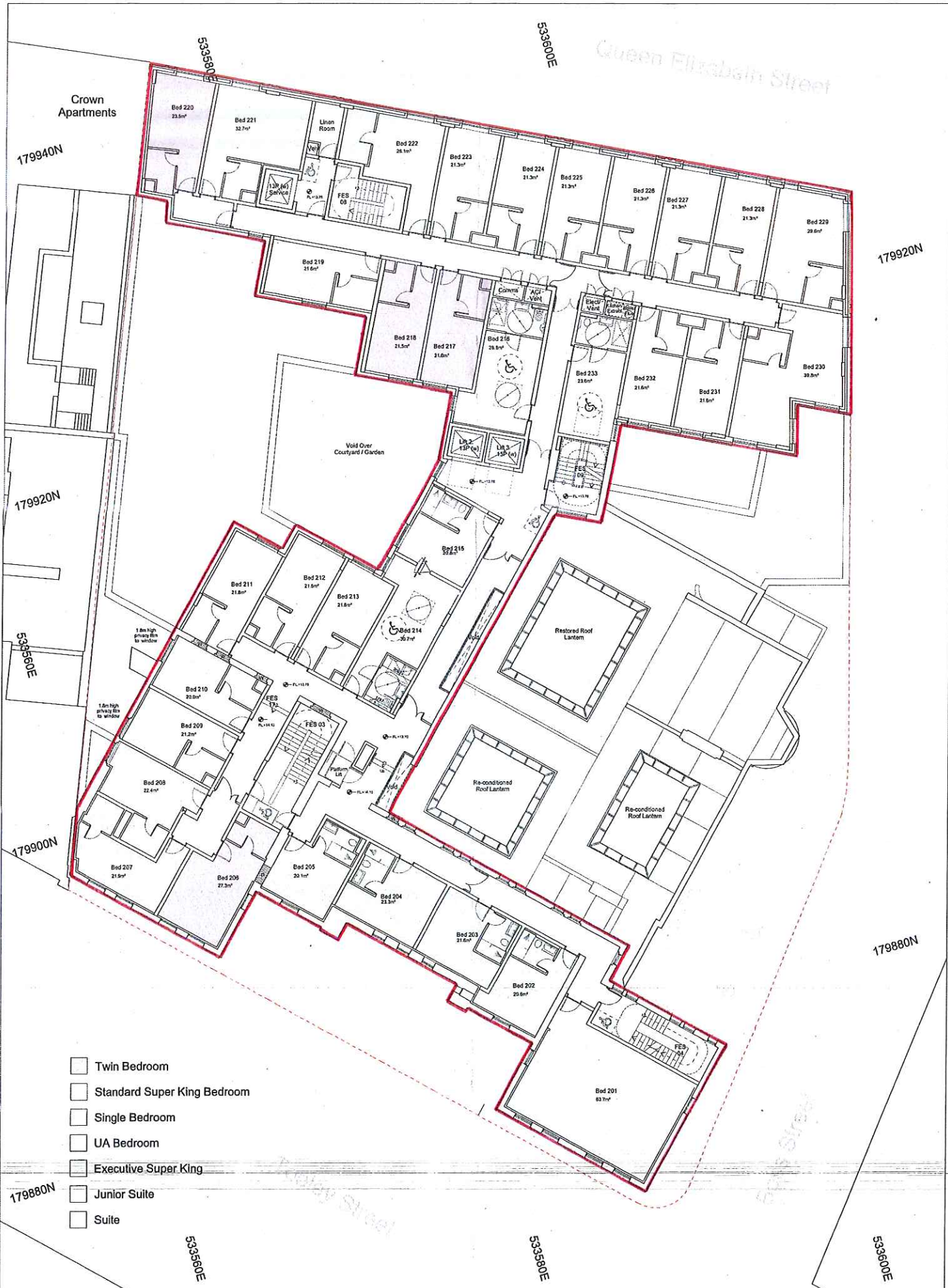
179900N

179920N

179940N

Queen Elizabeth Street



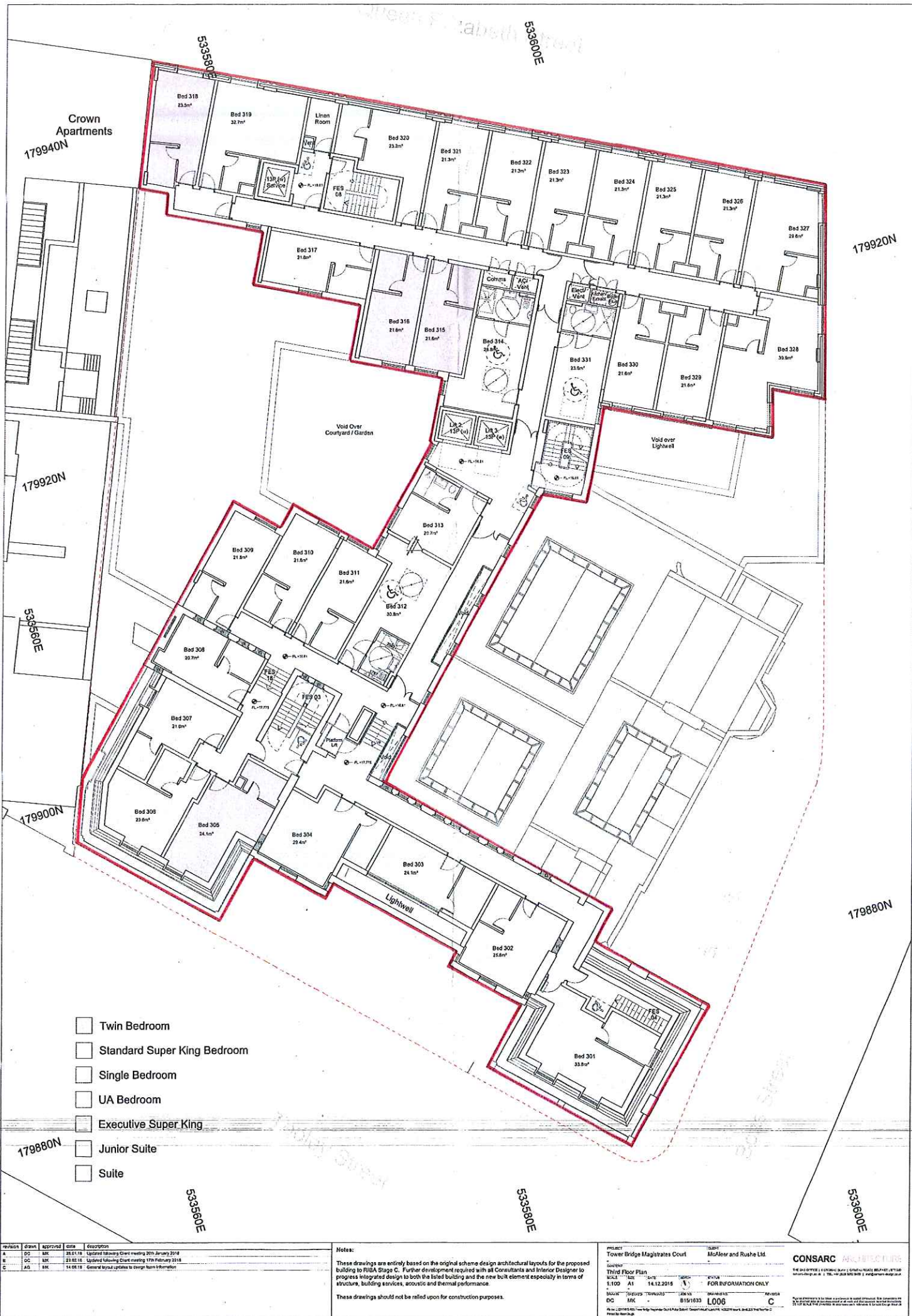


- Twin Bedroom
- Standard Super King Bedroom
- Single Bedroom
- UA Bedroom
- Executive Super King
- Junior Suite
- Suite

Revision	Drawn	Approved	Date	Description
A	DC	AK	20.01.18	Updated following Client meeting 20th January 2018
B	DC	AK	23.02.18	Updated following Client meeting 17th February 2018
C	DC	AK	23.02.18	Revised and more refined. (Finalised)
D	DC	AK	23.04.18	Existing building identified to match survey & drawings
E	AD	AK	14.06.18	Additional bedrooms to client request
F	AD	AK	14.06.18	General layout updates to align team information

Notes:
 These drawings are entirely based on the original scheme design architectural layouts for the proposed building to RIBA Stage C. Further development required with all Consultants and Interior Designer to progress integrated design to both the listed building and the new built element especially in terms of structure, building services, acoustic and thermal performance.
 These drawings should not be relied upon for construction purposes.

DRAWN BY: DC CHECKED BY: AK APPROVED BY: AK DATE: 14.12.2015 SCALE: 1:100 PROJECT: Tower Bridge Magistrates Court DRAWING NO: B151033.L005 REVISION: F	CLIENT: Tower Bridge Magistrates Court ARCHITECT: McAlister and Ruske Ltd FOR INFORMATION ONLY	CONSARC ARCHITECTURE THE OLD OFFICE, 1 SPRING GARDEN, HOVE, BRIGHTON, BN1 1PQ TEL: 01323 810000 FAX: 01323 810001 WWW.CONSARC.CO.UK
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- Twin Bedroom
- Standard Super King Bedroom
- Single Bedroom
- UA Bedroom
- Executive Super King
- Junior Suite
- Suite

Rev/No	Drawn	Approved	Date	Description
A	DC	MK	26.01.18	Updated following Client meeting 26th January 2018
B	DC	MK	23.02.18	Updated following Client meeting 17th February 2018
C	AS	MK	14.03.18	General layout updates to comply with information

Notes:

These drawings are entirely based on the original scheme design architectural layouts for the proposed building to RIBA Stage C. Further development required with all Consultants and Interior Designer to progress integrated design to both the listed building and the new built element especially in terms of structure, building services, acoustic and thermal performance.

These drawings should not be relied upon for construction purposes.

PROJECT	Tower Bridge Magistrates Court	CLIENT	McAfee and Rushe Ltd
DATE	14.12.2015	SCALE	1:100
DRAWN	DC	CHECKED	AS
DATE	14.12.2015	DATE	14.12.2015
PROJECT	Tower Bridge Magistrates Court	CLIENT	McAfee and Rushe Ltd
DATE	14.12.2015	SCALE	1:100
DRAWN	DC	CHECKED	AS
DATE	14.12.2015	DATE	14.12.2015

CONSARC ARCHITECTURAL

FOR INFORMATION ONLY

0151 633 006

L006

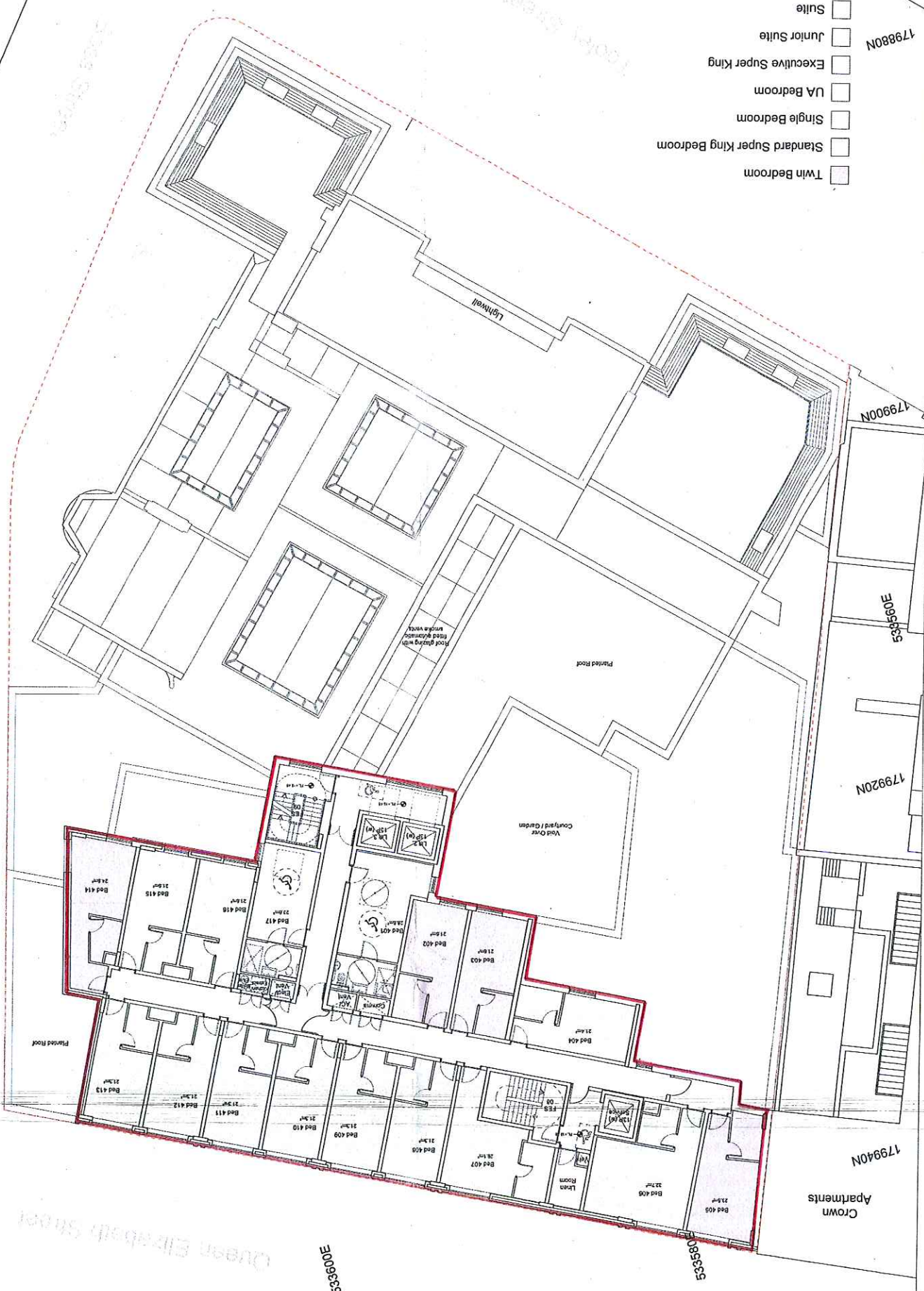
C

Revision	Date	Description
1	14.02.18	Overall layout and design
2	14.02.18	Structural design
3	14.02.18	MEP design
4	14.02.18	Final design

Notes:
 These drawings are entirely based on the original scheme architectural layouts for the proposed building on Plot 509, C. Further development required all Consultants and Member to progress design to both the final building and the new built elements especially in terms of structure, building services, acoustic and thermal performance.
 These drawings should not be relied upon for construction purposes.

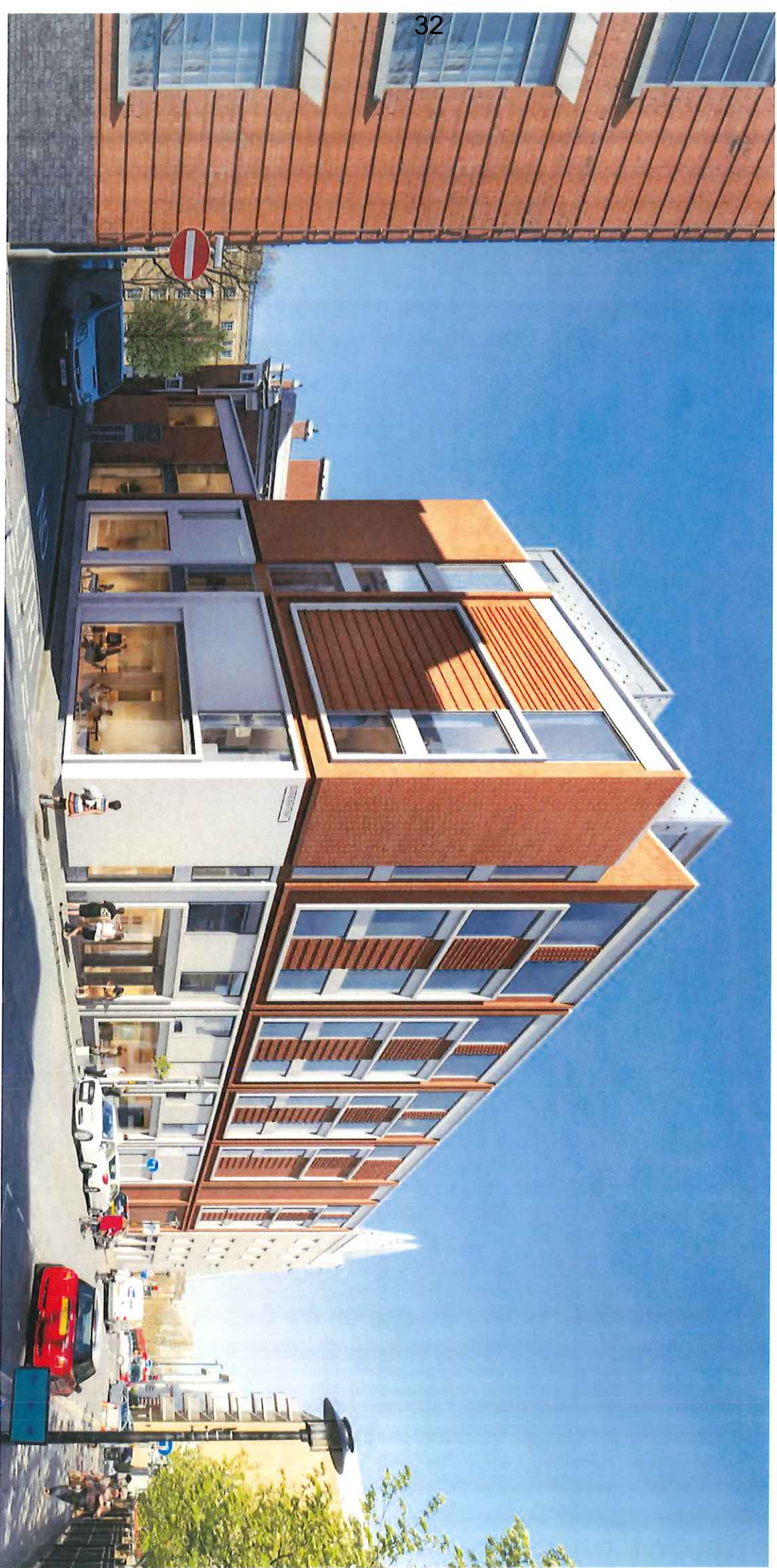
Project Name: Tower Bridge Magistrates Court
 Client: Mather and Rumba Ltd.
 Architect: CONSARC ARCHITECTS
 Date: 14.12.2015
 Scale: 1:100
 Drawing No: B15/133
 Revision: L007
 For INFORMATION ONLY

- Twin Bedroom
- Standard Super King Bedroom
- Single Bedroom
- UA Bedroom
- Executive Super King
- Junior Suite
- Suite



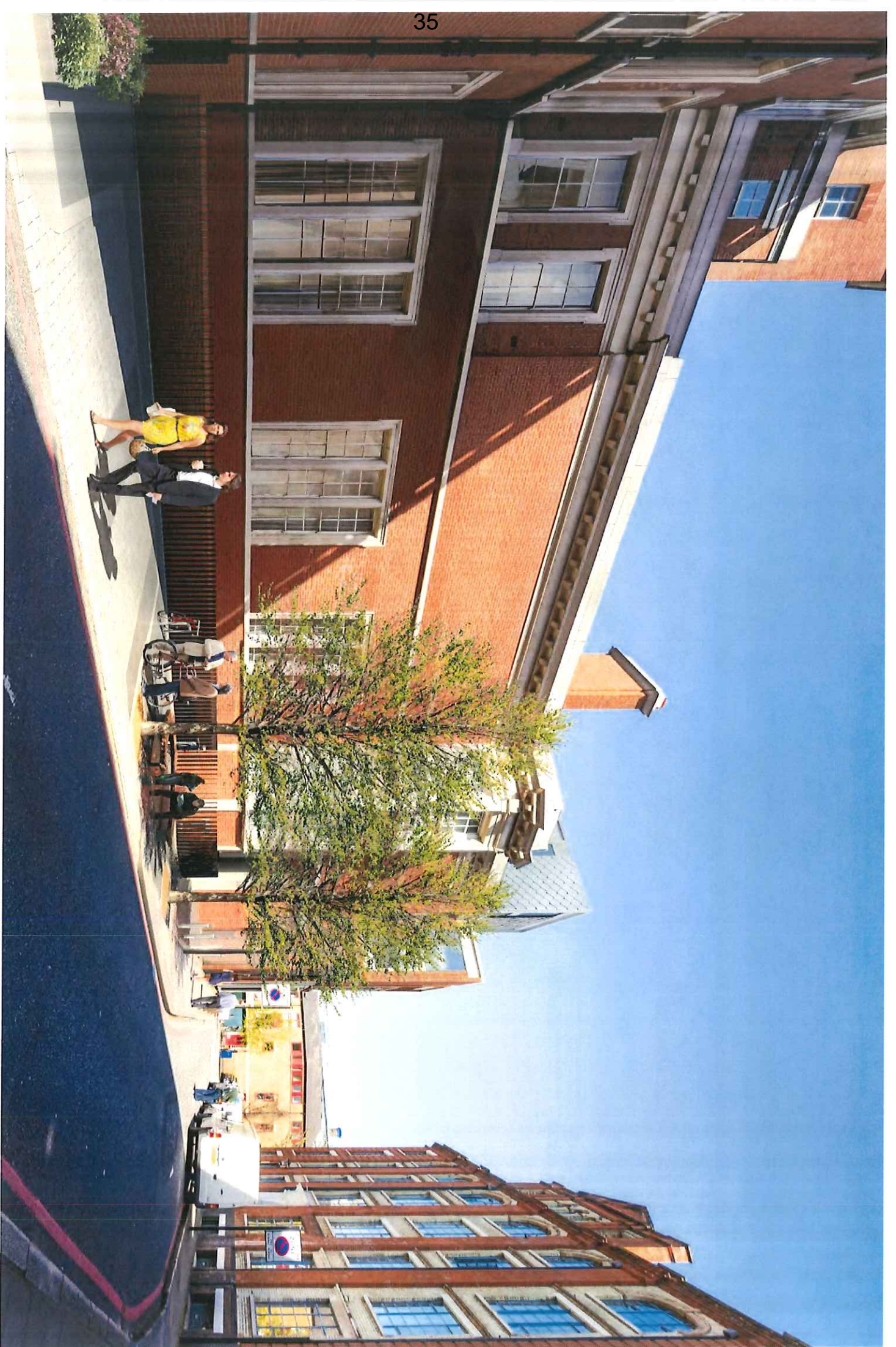
Overan Elibabab Sheet

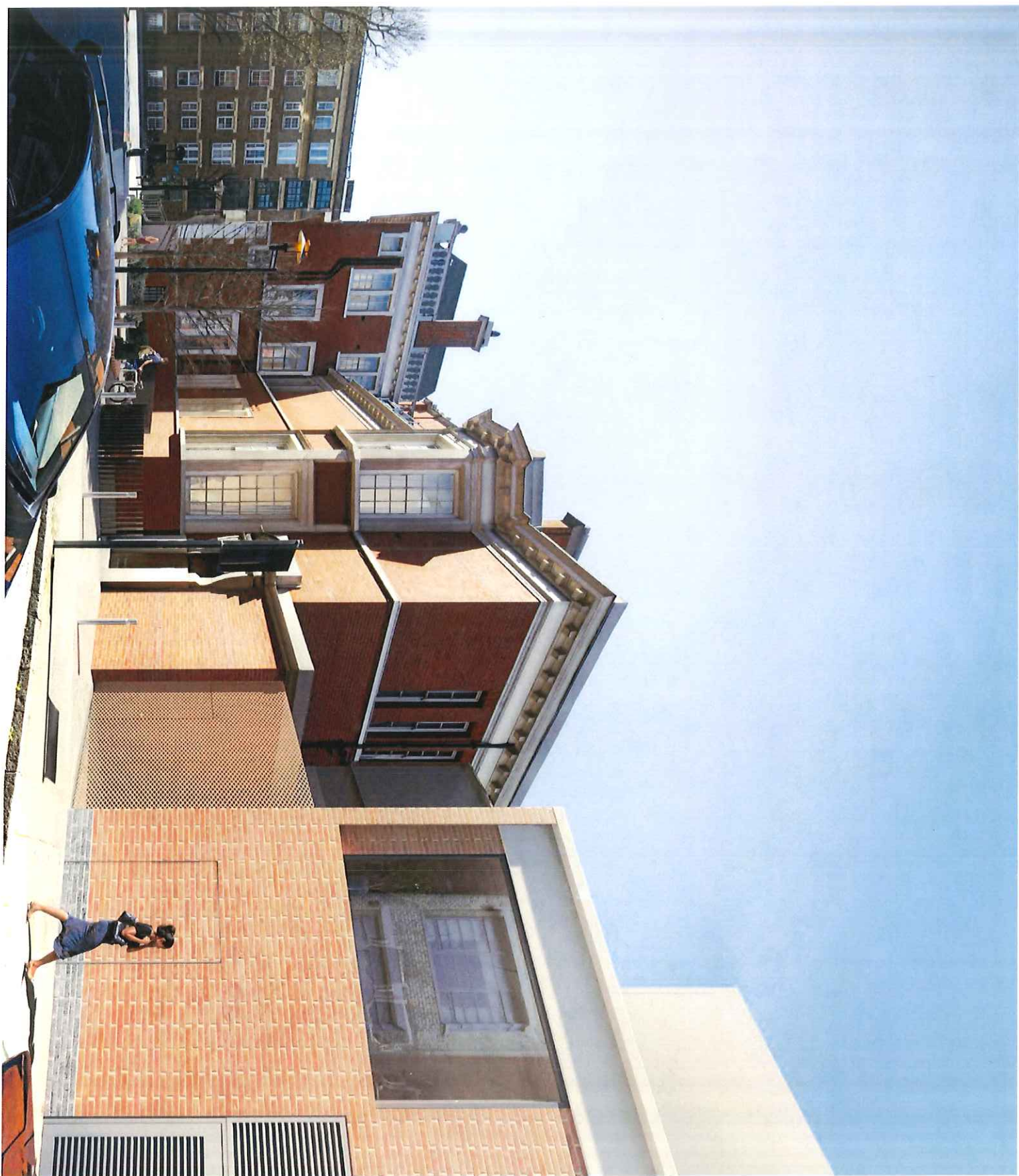






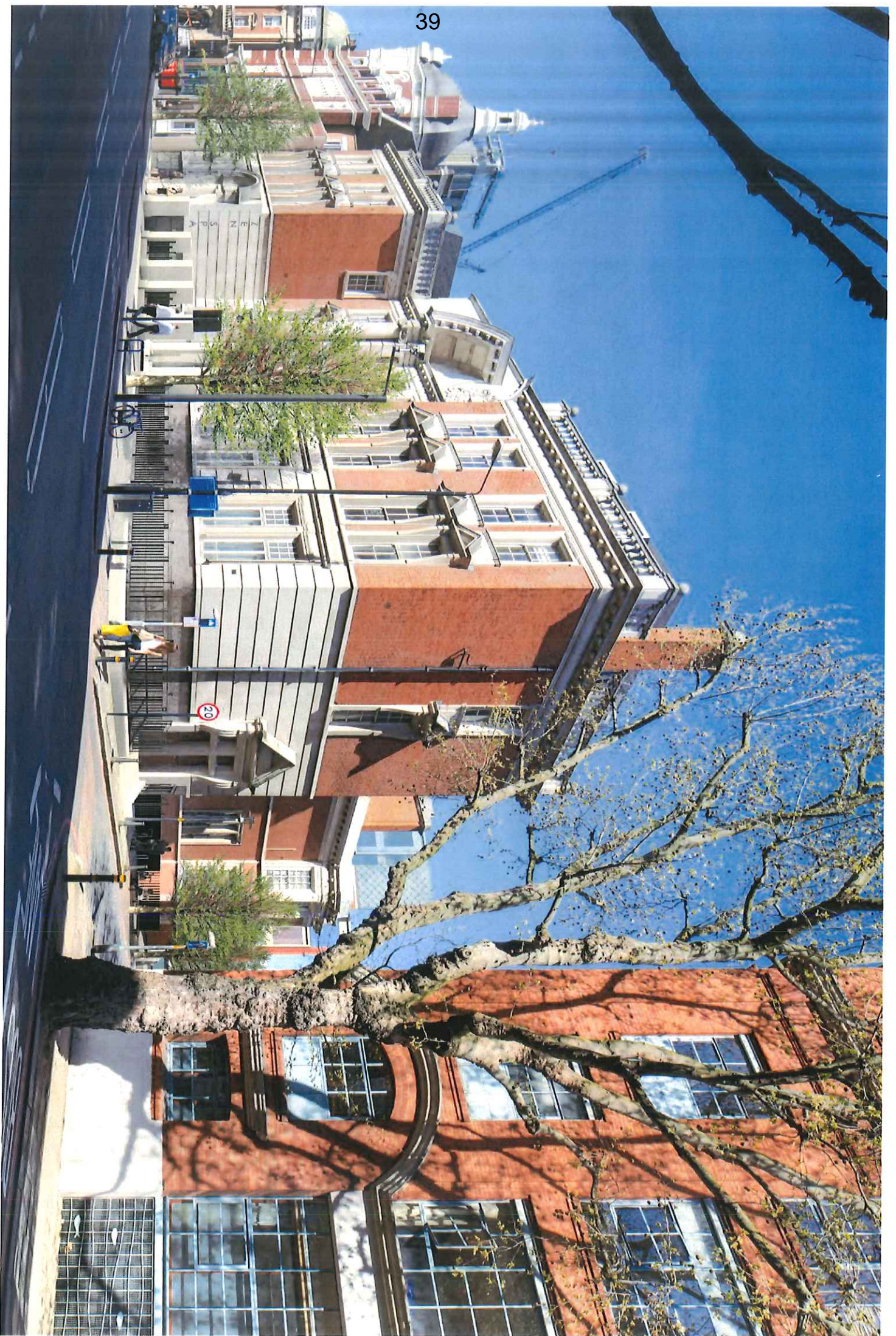


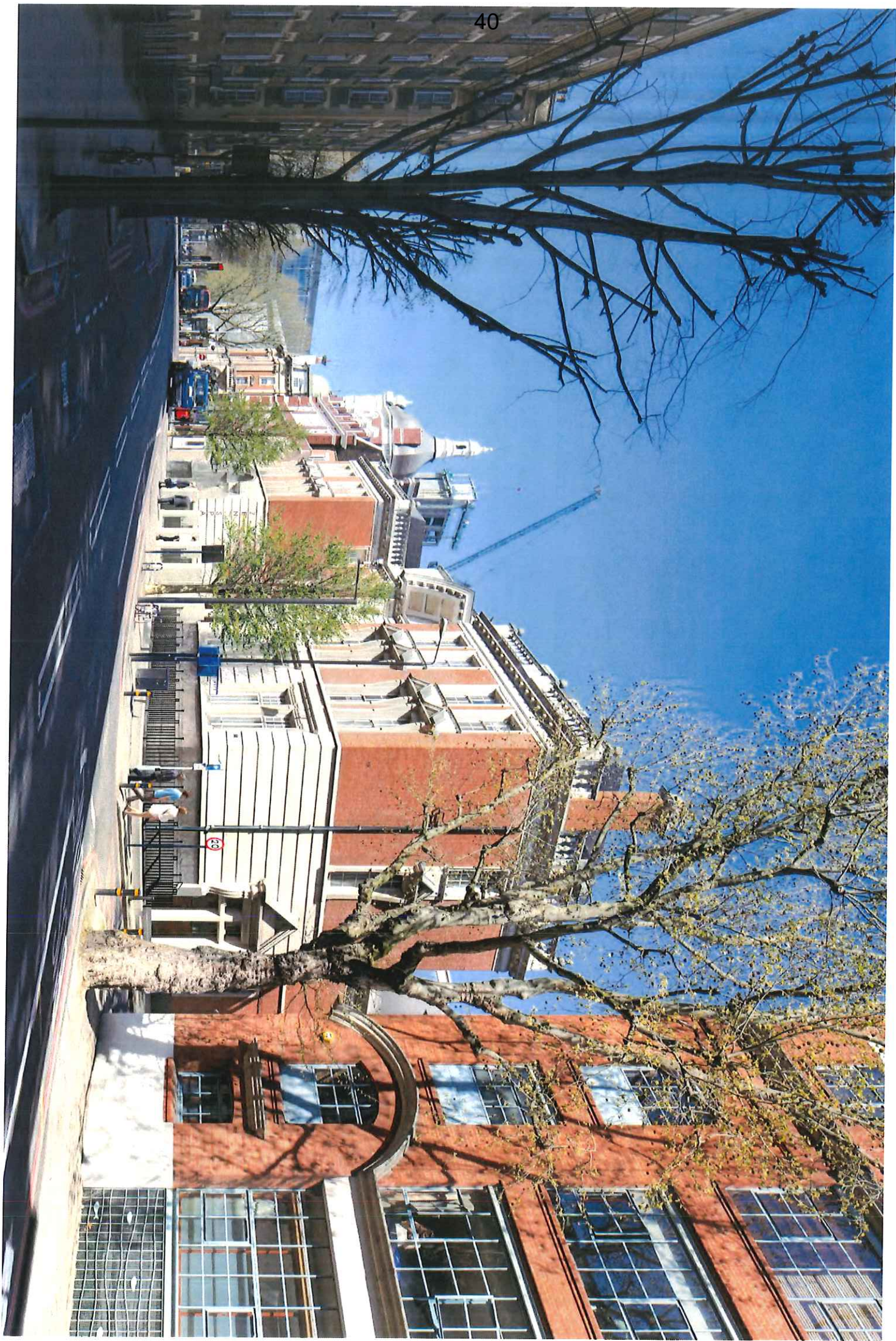














The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

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/2880/16

Date: 03rd October 2016

Re:- Tower Bridge Autograph Collection Hotel, 209-211 Tooley Street London
SE1 2JY

Dear Sir/Madam

Police are in receipt of an application from the above for a new premises licence to be granted under the licensing act 2003.

The operating schedule indicates that this is Hotel type venue, the application contains a number of suggested control measures in order to sufficiently restrict the operation to this specific manner and the wording of these measures has been agreed with police. In view of this police have no objections to the application.

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

Yours Sincerely

PC Mark Lynch 246MD
Southwark Police Licensing Unit
Tel: 0207 232 6756

MEMO: Licensing Unit

To Licensing Unit **Date** 8 November 2016

Copies

From Jayne Tear **Telephone** 020 7525 0396

Email jayne.tear@southwark.gov.uk

Subject Re: Tower Bridge Autograph Collection Hotel, 209-211 Tooley Street, London, SE1 2JY
– Application to for a premises licence

I write with regards to the above application to for a premises licence submitted by Dominvs Hotels UK Limited under the Licensing Act 2003, which seeks the following licensable activities:

- Films (indoors) on Monday to Sunday from 06:30 to 01:00 the following day
- live music, recorded music, performance of dance and anything of a similar description to all of these (indoors) on Monday to Sunday from 06:30 to 01:00 the following day
- Late night refreshment (indoors) on Monday to Sunday from 23:00 to 01:00 the following day
- Supply of alcohol (on and off the premises) on Monday to Sunday 24hrs
- Overall opening times have not been added to the application although I would assume it is 24hrs a day.

Non standard timings requested for licensable activities:

That all activities may continue from the finish to the start time on New Year's Day

The premises is described as a '191 Bedroomed, 4* Hotel with Lounge Bar and Restaurant facilities'

This premise is situated within the Bankside Borough and London Bridge Strategic Cultural Area and there are no restrictions of opening hours for residents of the hotel under the Southwark Statement of Licensing policy 2016 – 2020.

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 and the prevention of public nuisance.

The application proposes a condition which states: *'Alcohol shall only be sold or supplied to non-residents who are not bona fide guests of resident's between the hours of 06:30 and 23:00 Monday to Sunday inclusive'*

There is limited information provided within the application regarding the accommodation limit of the premises, how many guests of residents will be allowed and how the dispersal of patrons will be controlled. To address my concerns I ask the applicant to provide the following further information and to consider adding the the recommended conditions below to the operating schedule of the application to promote the licensing objectives:

.

Recommended conditions

- Any 'off sales' of alcohol shall be sold in closed containers and taken away from the premises.
- Dated records of the names of persons that are residents and their bone fide guests , shall be kept at the premises for inspection by the police or authorised officers of the council.
- That the accomodation limit of the premises shall not exceed xxxxxxxx?
- To provide a written dispersal policy for the premises.

I therefore submit this representation and welcome any discussion with the applicant to consider the above representation

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 Licensing Authority as a Responsible Authority

Subject: FW: Dominvs Hotel - 209-211 Tooley Street

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Friday, November 04, 2016 2:24 PM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: Dominvs Hotel - 209-211 Tooley Street

To whom it may concern:

Re: Dominv's Hotel UK Limited, 209-211 Tooley Street, London SE1 2JY

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 a new license for the sale of alcohol on and off the premises between the hours of 00:00 – 00:00 daily for residents and 06:30 – 23:00 daily for non-residents. I have concerns regarding the hours of alcohol sales requested for non-residents. I would suggest a later start time for alcohol sales. Early-morning alcohol purchasers are more likely to be alcohol misusers and thereby contribute to the burden of alcohol-related harms.

Recommendations

- I recommend the start time for alcohol sales be changed to 10:00 daily

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

From: Tahir, Sarah

[REDACTED]

[REDACTED]
London SE1 2LX

8th November 2016

Dear Sir/Madam,

Licence application number 856115 Dominvs Hotel UK Limited

I am writing to object to the licence application 856115.

Local residents, including families with young children and elderly residents, already suffer high levels of nuisance and anti social behaviour in our vicinity. The worst case of this was the death of a young man on Queen Elizabeth Street in 2015. It is no coincidence that much of this behaviour is fuelled by alcohol.

I understand that objections can only be made in relation to the four licensing objectives, prevention of crime and disorder, public safety, prevention of nuisance and protection of children from harm. I argue that they are all an issue on this occasion and in particular the prevention of nuisance.

The hotel is to have four entertainment areas two of which are on the ground floor and one of which has an exit on Queen Elizabeth Street. It is proposed that all are licensed to operate until 1am every day of the week and for the "sale of alcohol on and off the premises" 24 hours a day, every day of the week. This is clearly antagonistic and provocative to neighbours. It explicitly increases the risk of nuisance, crime and disorder and threatens public safety.

That the hotel says it will close the Queen Elizabeth Street exit at 10 -10.30pm does not provide the locality with adequate protection from nuisance etc. Other local bars flout similar commitments with impunity. Even if this exit were to be closed at this time there is still the matter of people loitering noisily on the street and/or returning noisily to cars parked on or collecting from Queen Elizabeth Street.

It is my opinion that any license should be limited to 11pm Monday to Saturday and 10.30pm on Sunday, consistent with the nearest neighbouring bar, the Draft House.

Please advise as to when a decision will be made on this application and if we as neighbours can attend any meetings at which this will be discussed.

Regards
[REDACTED]

Subject: FW: Licence application no 856115 Dominus Hotel UK limited

Importance: High

From: [REDACTED]
Sent: Tuesday, November 08, 2016 8:08 PM
To: Regen, Licensing
Cc: Al-Samerai, Anood
Subject: Licence application no 856115 Dominus Hotel UK limited
Importance: High

I write to object to the above application. I am currently travelling overseas so cannot provide a signed letter as you require according to your website. I can provide this if absolutely necessary when I return later this week.

Residents, including families with young children and elderly residents, of Queen Elizabeth Street (QES) have, for literally decades, suffered from high levels of nuisance and anti social behaviour immediately outside their homes. The worst case of this was the death of Tommy Blackmore in June 2015. The area is saturated with licensed bars, restaurants and clubs. It's no coincidence that much of this behaviour is fuelled by alcohol yet I cannot recall a single occasion when a license has been refused by Southwark or significantly modified to the benefit of residents. The area is poorly policed.

The planning approval given to build this hotel dealt a devastating blow to the residents of Queen Elizabeth Street for various reasons and we expect to have a serious and negative impact on our quality of life.

I understand that objections can only be made in relation to the four licensing objectives, prevention of crime and disorder, public safety, prevention of nuisance and protection of children from harm. I argue that they are all an issue on this occasion and in particular the prevention of nuisance.

The hotel is to have four entertainment areas two of which are on the ground floor and one of which has an exit directly opposite our homes on Queen Elizabeth Street. It is proposed that all are licensed to operate until 1am every day of the week and for the "sale of alcohol on and off the premises" 24 hours a day, every day of the week. This is clearly antagonistic and provocative to neighbours. It explicitly increases the risk of nuisance, crime and disorder and threatens public safety.

That the hotel says it will close the QES exit at 10 -10.30pm does not provide neighbours with adequate protection from nuisance etc. . Even if this exit were to be closed at this time there is still the matter of people loitering noisily on the street and/or returning noisily to cars parked on or collecting from QES.

It is my opinion that any license should be limited to 11pm Monday to Saturday and 10.30pm on Sunday, consistent with the nearest neighbouring bar, the Draft House. Our right to a quiet family life should not be diminished.

I would be grateful if you would advise when a decision will be made on this application and if neighbours can attend any meetings at which this will be discussed.

Yours faithfully



[Redacted text block consisting of eight horizontal black bars of varying lengths, obscuring the body of the letter.]

Subject: FW: Magistrates Court licensing application865115

From: [REDACTED]
Sent: Monday, October 17, 2016 9:56 AM
To: Regen, Licensing
Cc: Al-Samerai, Anood; Mann, Eliza
Subject: Magistrates Court licensing application

Dear Sir

I would like to object to the above application on the following grounds:

1. It represents a public safety issue with potential revellers leaving the premises en masse at 1:00am on to a main highway with limited pavement space.
2. Permanent licensing to 1:00am seven days a week will create unreasonable noise/unsocial behaviour for residents in the neighbouring areas
3. It creates a negative precedent for other establishments to apply for extended licensing hours in what is predominantly a residential area.

Could you please acknowledge receipt of this objection.

Thank you

[REDACTED]

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4

8 November 2016

Subject: Licence application number 856115 Dominvs Hotel UK LimitedPlease confirm this email will suffice to lodge my objection.

I write to object to the above application because it will increase crime and disorder in the area, impact public safety and increase nuisance.

The hotel is surrounded on all four sides by residential properties. This area has been beset by noise and alcohol related disorder for years. This has included noise, violence, urination and defecation in the surrounding areas. A sad and extreme example was the alcohol related murder on Queen Elizabeth Street of a young man.

A licence that facilitates drinking past 11pm is unnecessary. The licence should be limited to 11pm Monday to Saturday and 10.30pm on Sunday in line with other local bars.

I would also request that a condition be added where the Queen Elizabeth entrance to and from the hotel is closed after 9pm. The main entrance on the busy Jamaica Road should be used as the entrance after 9pm.

I would be grateful if you would advise when a decision will be made on this application and if neighbours can attend any meetings at which this will be discussed.

Yours faithfully,



5

Subject: FW: Licence application number 856115 Dominvs Hotel UK Limited
Date: 08 November 2016 10:18:36

On Behalf Of Regen, Licensing
Sent: Tuesday, November 08, 2016 10:09 AM
To: Jerrom, Charlie
Subject: FW: Licence application number 856115 Dominvs Hotel UK Limited

From: [REDACTED]
Sent: Tuesday, November 08, 2016 9:55 AM
To: Regen, Licensing; Al-Samerai, Anood
Subject: Licence application number 856115 Dominvs Hotel UK Limited

To whom it may concern

I write to object to the above application. I am currently travelling overseas so cannot provide a signed letter as you require according to your website. I can provide this if absolutely necessary when I return later this week.

Residents, including families with young children and elderly residents, of Queen Elizabeth Street (QES) have, for literally decades, suffered from high levels of nuisance and anti social behaviour immediately outside their homes. The worst case of this was the death of Tommy Blackmore in June 2015. The area is saturated with licensed bars, restaurants and clubs. It's no coincidence that much of this behaviour is fuelled by alcohol yet I cannot recall a single occasion when a license has been refused by Southwark or significantly modified to the benefit of residents. The area is poorly policed.

The planning approval given to build this hotel dealt a devastating blow to the residents of Queen Elizabeth Street for various reasons and we expect to have a serious and negative impact on our quality of life.

I understand that objections can only be made in relation to the four licensing objectives, prevention of crime and disorder, public safety, prevention of nuisance and protection of children from harm. I argue that they are all an issue on this occasion and in particular the prevention of nuisance.

The hotel is to have four entertainment areas two of which are on the ground floor and one of which has an exit directly opposite our homes on Queen Elizabeth Street. It is proposed that all are licensed to operate until 1am every day of the week and for the "sale of alcohol on and off the premises" 24 hours a day, every day of the week. This is clearly antagonistic and provocative to neighbours. It explicitly increases the risk of nuisance, crime and disorder and threatens public safety.

That the hotel says it will close the QES exit at 10 -10.30pm does not provide neighbours with adequate protection from nuisance etc. Other local bars flout similar commitments with impunity. Even if this exit were to be closed at this time there is still the matter of people loitering noisily on the street and/or returning noisily to cars parked on or collecting from QES.

It is my opinion that any license should be limited to 11pm Monday to Saturday and 10.30pm on Sunday, consistent with the nearest neighbouring bar, the Draft House. Our right to a quiet family life should not be diminished.

I would be grateful if you would advise when a decision will be made on this application and if neighbours can attend any meetings at which this will be discussed.

Yours faithfully

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
Sent: Tuesday, November 08, 2016 10:09 AM
To: Jerrom, Charlie
Subject: FW: Licence application number 856115 Dominvs Hotel UK Limited

[REDACTED]
Sent: Tuesday, November 08, 2016 9:40 AM
To: Regen, Licensing
Cc: Al-Samerai, Anood
Subject: Licence application number 856115 Dominvs Hotel UK Limited

I write to object to the above application. I am currently travelling overseas so cannot provide a signed letter as you require according to your website. I can provide this if absolutely necessary when I return later this week.

Residents, including families with young children and elderly residents, of Queen Elizabeth Street (QES) have, for literally decades, suffered from high levels of nuisance and anti social behaviour immediately outside their homes. The worst case of this was the death of Tommy Blackmore in June 2015. The area is saturated with licensed bars, restaurants and clubs. It's no coincidence that much of this behaviour is fuelled by alcohol yet I cannot recall a single occasion when a license has been refused by Southwark or significantly modified to the benefit of residents. The area is poorly policed.

The planning approval given to build this hotel dealt a devastating blow to the residents of Queen Elizabeth Street for various reasons and we expect to have a serious and negative impact on our quality of life.

I understand that objections can only be made in relation to the four licensing objectives, prevention of crime and disorder, public safety, prevention of nuisance and protection of children from harm. I argue that they are all an issue on this occasion and in particular the prevention of nuisance.

The hotel is to have four entertainment areas two of which are on the ground floor and one of which has an exit directly opposite our homes on Queen Elizabeth Street. It is proposed that all are licensed to operate until 1am every day of the week and for the "sale of alcohol on and off the premises" 24 hours a day, every day of the week. This is clearly antagonistic and provocative to neighbours. It explicitly increases the risk of nuisance, crime and disorder and threatens public safety.

That the hotel says it will close the QES exit at 10 -10.30pm does not provide neighbours with adequate protection from nuisance etc. Other local bars flout similar commitments with impunity. Even if this exit were to be closed at this time there is still the matter of people loitering noisily on the street and/or returning noisily to cars parked on or collecting from QES.

It is my opinion that any license should be limited to 11pm Monday to Saturday and 10.30pm on Sunday, consistent with the nearest neighbouring bar, the Draft House. Our right to a quiet family life should not be diminished.

I would be grateful if you would advise when a decision will be made on this application and if neighbours can attend any meetings at which this will be discussed.

Yours faithfully

[REDACTED]

7

[REDACTED]

[REDACTED]

[REDACTED]

Sent: Tuesday, November 08, 2016 10:22 AM
To: Regen, Licensing
Cc: Al-Samerai, Anood
Subject: Licence application number 856115 Dominvs Hotel UK Limited

I write to object to the above application. I am currently travelling overseas so cannot provide a signed letter as you require according to your website. I can provide this if absolutely necessary when I return later this week.

Residents, including families with young children and elderly residents, of Queen Elizabeth Street (QES) have, for literally decades, suffered from high levels of nuisance and anti social behaviour immediately outside their homes. The worst case of this was the death of Tommy Blackmore in June 2015. The area is saturated with licensed bars, restaurants and clubs. It's no coincidence that much of this behaviour is fuelled by alcohol yet I cannot recall a single occasion when a license has been refused by Southwark or significantly modified to the benefit of residents. The area is poorly policed.

The planning approval given to build this hotel dealt a devastating blow to the residents of Queen Elizabeth Street for various reasons and we it expect to have a serious and negative impact on our quality of life.

I understand that objections can only be made in relation to the four licensing objectives, prevention of crime and disorder, public safety, prevention of nuisance and protection of children from harm. I argue that they are all an issue on this occasion and in particular the prevention of nuisance.

The hotel is to have four entertainment areas two of which are on the ground floor and one of which has an exit directly opposite our homes on Queen Elizabeth Street. It is proposed that all are licensed to operate until 1am every day of the week and for the "sale of alcohol on and off the premises" 24 hours a day, every day of the week. This is clearly antagonistic and provocative to neighbours. It explicitly increases the risk of nuisance, crime and disorder and threatens public safety.

That the hotel says it will close the QES exit at 10 -10.30pm does not provide neighbours with adequate protection from nuisance etc. Other local bars flout similar commitments with impunity. Even if this exit were to be closed at this time there is still the matter of people loitering noisily on the street and/or returning noisily to cars parked on or collecting from QES.

It is my opinion that any license should be limited to 11pm Monday to Saturday and 10.30pm on Sunday, consistent with the nearest neighbouring bar, the Draft House. Our right to a quiet family life should not be diminished.

I would be grateful if you would advise when a decision will be made on this application and if neighbours can attend any meetings at which this will be discussed.

Yours faithfully

[REDACTED]

[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]

[Redacted]
[Redacted]

[Redacted]

Sent: Tuesday, November 08, 2016 3:10 PM
To: Regen, Licensing
Cc: Al-Samerai, Anood
Subject: Fw: Licence application number 856115 Dominvs Hotel UK Limited

Dear Sirs/ Mesdames

Further to [Redacted] email set out below and as a resident living in [Redacted] [Redacted] - so near to the hotel development and the proposed exit from the hotel's entertainment area - I can only agree wholeheartedly and in total with [Redacted] [Redacted].

We already suffer from a great deal of noise, rubbish, uncivilised behaviour and disbursements after 11pm from nearby licensing premises - there has been a murder and the other problems created are unacceptable. To increase this by another licensed premises with late hours must not be agreed by the Council who should take into consideration the residents health safety and well being.

Thus if any license has to be agreed it should be limited to the business reasonable hours - perhaps 11pm Monday to Saturday and 10.30pm on Sunday, consistent with the nearest neighbouring bar, the Draft House.

All our rights to a quiet family life should not be diminished any further..

I would be grateful if you would advise when a decision will be made on this application.

Yours faithfully

[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted]
[Redacted]
[Redacted]

Subject: Fwd: Licence application number 856115 Dominvs Hotel UK Limited

Southwark nx 2

Date: 8 November 2016 at 16:36:57 GMT+7

To: "licensing@southwark.gov.uk"

<licensing@southwark.gov.uk>

Cc: Anood Al-Samerai <anood.al-samerai@southwark.gov.uk>

Subject: Licence application number 856115 Dominvs Hotel UK Limited

I write to object to the above application. I am currently travelling overseas so cannot provide a signed letter as you require according to your website. I can provide this if absolutely necessary when I return later this week.

Residents, including families with young children and elderly residents, of Queen Elizabeth Street (QES) have, for literally decades, suffered from high levels of nuisance and anti social behaviour immediately outside their homes. The worst case of this was the death of Tommy Blackmore in June 2015. The area is saturated with licensed bars, restaurants and clubs. It's no coincidence that much of this behaviour is fuelled by alcohol yet I cannot recall a single occasion when a license has been refused by Southwark or significantly modified to the benefit of residents. The area is poorly policed.

The planning approval given to build this hotel dealt a devastating blow to the residents of Queen Elizabeth Street for various reasons and we expect to have a serious and negative impact on our quality of life.

I understand that objections can only be made in relation to the four licensing objectives, prevention of crime and disorder, public safety, prevention of nuisance and protection of children from harm. I argue that they are all an issue on this occasion and in particular the prevention of nuisance.

The hotel is to have four entertainment areas two of which are on the ground floor and one of which has an exit directly opposite our homes on Queen Elizabeth Street. It is proposed that all are licensed to operate until 1am every day of the week and for the "sale of alcohol on and off the premises" 24 hours a day, every day of the week. This is clearly antagonistic and provocative to neighbours. It explicitly increases the risk of nuisance, crime and disorder and threatens public safety.

That the hotel says it will close the QES exit at 10 -10.30pm does not provide neighbours with adequate protection from nuisance etc. Other local bars flout similar commitments with impunity. Even if this exit were to be closed at this time there is still the matter of people loitering noisily on the street and/or returning noisily to cars parked on or collecting from QES.

It is my opinion that any license should be limited to 11pm Monday to Saturday and 10.30pm on Sunday, consistent with the nearest neighbouring bar, the Draft House. Our right to a quiet family life should not be diminished.

I would be grateful if you would advise when a decision will be made on this application and if neighbours can attend any meetings at which this will be discussed.

Yours faithfully

A black rectangular redaction box covering the signature of the sender.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]
Sent: Tuesday, November 08, 2016 12:39 PM
To: Jerrom, Charlie
Subject: FW: Magistrates Court Hotel License application

From: [REDACTED]
Sent: Tuesday, November 08, 2016 12:28 PM
To: Regen, Licensing
Subject: Magistrates Court Hotel License application

Magistrates Court Hotel License application

Dear Sirs

I am writing to object to the above application. I am currently away and therefore cannot provide a signed letter as you require (according to your website). However, I will be happy to provide this on my return should it be necessary.

Residents of Queen Elizabeth Street, including families with young children and the elderly, have for decades suffered high levels of nuisance and anti social behaviour immediately outside their homes.

This includes fights, drug dealing, piles of vomit, car doors slamming, and general drunken anti-social behaviour. The worst case of this was, the murder of Tommy Blackmore in June 2015.

The area is saturated with licensed bars, restaurants and clubs.

Despite this, I cannot recall a single occasion when a license has been refused by Southwark or significantly modified to the benefit of the residents living here.

The planning approval given to build the hotel dealt a devastating blow to the residents of Queen Elizabeth Street, we expect it to have a serious and negative impact on our quality of life.

I understand that objections can only be made in relation to the four licensing objectives; prevention of crime and disorder, public safety, prevention of nuisance and protection of children from harm. I would argue that all are an issue on this occasion, in particular, the prevention of nuisance.

The hotel is to have four entertainment areas, two of which are on the ground floor and one of which has an exit directly opposite our homes on Queen Elizabeth Street. It is proposed that all are licensed to operate until 1am every day of the week and for the "sale of alcohol on and off the premises" 24 hours a day, every day of the week. This is clearly antagonistic and provocative to neighbours. It explicitly increases the risk of nuisance, crime and disorder and threatens public safety.

The hotel says it will close the Queen Elizabeth Street exit at 10 -10.30pm, this does not

provide neighbours with adequate protection from nuisance. Other local bars, regularly flout similar commitments, with complete impunity. Even if the exit were to be closed at this time, there is still the matter of people loitering noisily on the street and returning to cars/taxis parked on Queen Elizabeth Street.

It is my opinion that any license should be limited to 11pm Monday to Saturday and 10.30pm on Sunday. Consistent with the nearest neighbouring bar, the Draft House. Our right to a quiet family life should not be diminished.

I would be grateful if you would advise when a decision will be made on this application and if residents can attend any meetings during which this matter will be discussed.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Subject: FW: Licence application number 856115 Dominvs Hotel UK Limited

From: [REDACTED]

Sent: Tuesday, November 08, 2016 9:55 AM

To: Regen, Licensing; Al-Samerai, Anood

Subject: Licence application number 856115 Dominvs Hotel UK Limited

To whom it may concern

I write to object to the above application. I am currently travelling overseas so cannot provide a signed letter as you require according to your website. I can provide this if absolutely necessary when I return later this week.

Residents, including families with young children and elderly residents, of Queen Elizabeth Street (QES) have, for literally decades, suffered from high levels of nuisance and anti social behaviour immediately outside their homes. The worst case of this was the death of Tommy Blackmore in June 2015. The area is saturated with licensed bars, restaurants and clubs. It's no coincidence that much of this behaviour is fuelled by alcohol yet I cannot recall a single occasion when a license has been refused by Southwark or significantly modified to the benefit of residents. The area is poorly policed.

The planning approval given to build this hotel dealt a devastating blow to the residents of Queen Elizabeth Street for various reasons and we it expect to have a serious and negative impact on our quality of life.

I understand that objections can only be made in relation to the four licensing objectives, prevention of crime and disorder, public safety, prevention of nuisance and protection of children from harm. I argue that they are all an issue on this occasion and in particular the prevention of nuisance.

The hotel is to have four entertainment areas two of which are on the ground floor and one of which has an exit directly opposite our homes on Queen Elizabeth Street. It is proposed that all are licensed to operate until 1am every day of the week and for the "sale of alcohol on and off the premises" 24 hours a day, every day of the week. This is clearly antagonistic and provocative to neighbours. It explicitly increases the risk of nuisance, crime and disorder and threatens public safety.

That the hotel says it will close the QES exit at 10 -10.30pm does not provide neighbours with adequate protection from nuisance etc. Other local bars flout similar commitments with impunity. Even if this exit were to be closed at this time there is still the matter of people loitering noisily on the street and/or returning noisily to cars parked on or collecting from QES.

It is my opinion that any license should be limited to 11pm Monday to Saturday and 10.30pm on Sunday, consistent with the nearest neighbouring bar, the Draft House. Our right to a quiet family life should not be diminished.

I would be grateful if you would advise when a decision will be made on this application and if neighbours can attend any meetings at which this will be discussed.

Yours faithfully

[REDACTED]

[REDACTED]



8 November 2016

Dear Sirs,

OBJECTION to Premises Licence Application No: 856115

Dominvs Hotel UK Ltd
Tower Bridge Autograph Collection Hotel SE1 2JY

On behalf of my elderly mother and myself, as a concerned neighbour living in the vicinity immediately opposite the proposed restaurant and delicatessen part of this new hotel, I object to the above Premises Licence Application in relation to the blanket 0630-01.00 hours seven days a week application.

Prevention of nuisance:

This part of Queen Elizabeth Street routinely experiences night noise from people leaving other bars in the vicinity on foot, and from cars picking up and putting down when vehicles park on the yellow lines, often parking across the entrance to our houses. This application will increase the volume of nuisance and traffic to its neighbours, unless a restriction is put on its application hours, doors and windows to be kept closed. Sunday closing time in a residential neighbourhood should be nearer 10.30pm. Monday to Thursday closing time should be restricted to 11pm like the surrounding public houses and restaurants.

Prevention of crime and disorder:

The 'sale of alcohol on and off the premises' 24 hours a day is not a sensible idea and its sale should be subject to the guidelines applicable to responsible sellers of alcohol, in regard to potential issues of crime and disorder.

Public safety

The public will be safer, if the sale of alcohol and amenities surrounding its sale, are conditional. The late selling of alcohol is likely to have contributed to the fatality last year (June 2015), on the pavement in Queen Elizabeth Street practically opposite one of the new Hotel exits.

Living opposite the former Magistrates Court did not generate noise or nuisance to any degree. It will now be completely different facing a five storey building with entertainment facilities potentially being carried on 24/7. Please place stringent conditions on the hotel's operations in respect of residents who have lived here for more than thirty years.

Yours faithfully,



Orton, Mark

Subject: FW: OBJECTION - licence application

Importance: High

From: [REDACTED]

Sent: Monday, November 07, 2016 9:46 AM

To: Regen, Licensing

Subject: OBJECTION - licence application

Importance: High

Licence Application:

856115

Trading name and address:

Dominvs Hotel UK Limited
Tower Bridge Autograph Collection Hotel
SE1 2JY

We would like to object to this application. [REDACTED] apartments in Boss House that all overlook this development [REDACTED] Boss House).

The Magistrates Court building is located within a highly residential area where sound/noise echo & carry. There are approx 35 residential apartments within Boss House looking onto this building along Boss Street / up to the corner of Queen Elizabeth Street. All of which have bedrooms facing onto the property.

Our concern is that if the property is able to have such a late night licence for alcohol, live music, recorded music & dance 7 days per week this will be detrimental to us & the residents of Boss House. There is a door at the side of the proposed hotel development that can be used for private functions. If guests of the hotel are using this door to enter/leave the premises & also come outside onto Boss Street to smoke, this will be very disruptive.

We feel that by granting this application it will be adding to what is already a noisy area & having to put up with this potentially 7 days per week until 01:00hrs (or later by the time hotel guests leave), would be unfair on residents.

Kind regards

[REDACTED]

[REDACTED]

tower bridge collection hotel, 209-211 tooley st, se1 2jy

Date 30/11/2016



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Item No. 6.	Classification: Open	Date: 15 December 2016	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Tropical, 186-188 Old Kent Road, London SE1 5TY	
Ward(s) or groups affected:		East Walworth	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Carlos Fernando Delgado Armijos to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Tropical 186-188 Old Kent Road, London SE1 5TY.
2. Notes:
 - a) This application seeks to vary existing licensable activities held under current legislation in respect of the premises known as Tropical 186-188 Old Kent Road, London SE1 5TY, 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) Paragraphs 23 to 32 of this report deals with the visits and complaints made to the premises and warning letter/s issued. Copies of documents are attached as Appendix D.
 - e) Paragraph 34 deals with licensed premises within a 100 metre radius of the premises. A map of the area is attached as Appendix E.
 - f) 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 licence was first issued in 2006 when the premise was called Parrilladus Del Sur. The premises licence was transferred on 11 May 2015 to the current premises licence holder Carlos Fernando Delgado Armijos.
9. The premises licence allows for the following activities and times:
 - **Recorded music**
Monday to Sunday from 23:00 to 00:00
 - **Performance of dance**
Monday to Sunday from 20:00 to 00:00
 - **Entertainment Similar to live/recorded music - Indoors**
Monday to Sunday from 20:00 to 00:00
 - Late night refreshment
Monday to Sunday from 23:00 to 00:00

- **Sale of alcohol for consumption on the premises**
Monday to Sunday from 11:00 to 00:00
- **Operating hours**
Monday to Sunday from 10:00 to 00:30.

10. A copy of the premises licence is provided as Appendix B.

The variation application

11. On 20 October 2016, applied to this council to vary the premises licence issued in respect of the premises known as tropical, 186-188 Old Kent Road, London SE1 5TY. The premises is a 'Bar/Restaurant with a South American cultural feel and serving South American cuisine.

The application is summarised as follows:

- **Recorded music**
Friday and Saturday from 00:00 to 02:00
- **Performance of dance**
Friday and Saturday from 00:00 to 02:00
- **Entertainment Similar to live/recorded music - Indoors**
Friday and Saturday from 00:00 to 02:00
- **Late night refreshment**
Friday and Sat 00:00 to 02:00
- **Sale of alcohol for consumption on the premises**
Friday and Saturday from 00:00 to 02:00
- **Operating hours**
Friday and Saturday from 12:00 to 02:30.

12. The variation to the premises application form provides the applicant operating schedule. Parts F, , H, 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

13. The proposed designated premises supervisor (DPS) is Carlos Fernando Delgado Armijos who has a personal licence issued by Southwark Council.

Representations from responsible authorities

14. Representations have been submitted by the Metropolitan Police Service, licensing (as a responsible authority), planning and public health.

15. The police representation state that the premises are situated in a residential area as designated by the Southwark statement of licensing policy 2016-2020. The guidance suggests for this location being a residential area and the venue being a restaurant the latest terminal hour is 23:00 daily, therefore the premises current opening hours are very generous with a closure time of 00:30 and sale of alcohol until 00:00.
16. There is also an outstanding police investigation into a violent incident involving the DPS and partner whilst on duty at the premises which brings into question his credibility to manage.
17. The Licensing representation reiterates that the premises is situated in a residential area as described in Southwark's statement of licensing policy and the appropriate closing times for restaurants, public houses, wine bars or other drinking establishments in this area is 23:00 daily. Night clubs (with sui generis planning classification) are not considered appropriate for this area.
18. They are also concerned with crime and disorder and public nuisance as the later operation of the premises and of people leaving the premises later a night would impact upon local residents living nearby and in the surrounding streets. The management would have no control of patrons that have left the premises if it were allowed to open later and the possible impact of any rowdy and anti-social behaviour or crime and disorder.
19. The planning representation states that the site is subject to planning permission that conditions the terminal hour of the restaurant to 23:00. There are three flats immediately above the restaurant and the condition relating to the permitted hours is to protect their residential amenity. Allowing the hours to be extended beyond 23:00 and the licensing statement of policy hours of 00:00 is not justified and they object on the grounds that it is likely to result in nuisance for those living in the vicinity.
20. The public health representation have concerns regarding the hours of alcohol sales requested. They state that given the applicant already holds a licence to sell alcohol until 00:00 daily, they already are in possession of a very permissive licence and recommend that this application for a variation is rejected.
21. The representations are attached as Appendix C.

Representation from other persons

22. There are no representations from other persons.

Conciliation

23. The representations were forwarded to the applicant. The licensing sub committee will be updated of any developments on 15 December 2016.

Complaint and visit history

24. Application to vary the premises licence to extend the hours for licensable activities and operational hours was submitted on 23 February 2016. This was met with representations from responsible authorities and was resolved through conciliation by a reduction in the hours sought. The agreed hours are reflected under the current premises licence (para 8).

25. On 17 June 2015 a licensing officer visited the premises and conducted an induction meeting with the premises licence holder Mr Armijos. Mr Armijos was given advice on the Licensing Act 2003 and how to be compliant with the terms and conditions of his premises licence.
26. There have been a number visits made to the premises by licensing officers working on the night time economy team since the current licence holder transferred the premises licence.
27. The first two visits were both on the morning of the Sunday 6 December 2015 at 01:28 and 02:30. Council officers met the police on site and observed an intoxicated man being put into an ambulance on a stretcher and that the premises was open and operating. The manager showed the officer a temporary event notice for the next week and was therefore advised to close and disperse her clientele in a quiet and safe way. They observed the police serve a Section 19 closure notice.
28. A visit made on 8 January 2016 at 21:52. Licensing officers were accompanied by a police officer. An inspection of the premises was carried out and observed two breaches of the premises licence conditions, namely notices were not displayed stating "No Drugs" (condition 298) and notices were not displayed requesting customers to "leave the premises in a quiet and orderly manner (condition 311). The police were observed to serve another section 19 closure notice.
29. The council licensing officer sent a warning letter with regard to the offences observed on 8 January 2016.
30. Further visits were made to the premises by licensing officers on, and subsequent to, 30 January 2016 the premises was found to be compliant or closed.
31. The council's licensing team investigated alleged offences under the section 136 of the Licensing Act 2003 in relation to police visits made on 3 January 2016 at 03:15. The premises was found to be providing licensable activities beyond permitted hours and officers interviewed Mr Armijos who admitted the offences and gave assurances that they would not be repeated. A simple caution was offered as a resolution.
32. A copy of the council's night time economy team's visit reports to the premises, the signed induction visit document and the warning letter are attached to this report as Appendix D.
33. No complaints have been received in respect of the operation of the premises from members of the public.

Temporary events

34. Nine temporary event notices detailed below have been submitted this year

Date	Times
13 Feb 2016	23:00 to 03:00
27 Feb 2016	23:00 to 03:00
25 Mar 2016	23:00 to 03:00
21 May 2016	23:00 to 03:00
28 May 2016	23:00 to 03:00
11 Jun 2016	23:00 to 03:00

Date	Times
30 Jul 2016	23:00 to 03:00
8 Oct 2016	23:00 to 03:00
29 Oct 2016	23:00 to 03:00

The local area

35. A map of the area is attached to this report as Appendix E. 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:

- Costa Azul, 190-192 Old Kent Road, London SE1 (Monday to Wednesday till 02:00, Friday and Saturday till 04:00 and Sunday till 01:30)
- Euro Traveller Hotel, 190-194 Old Kent Road, London SE1(24 hours)
- Daniels Bar, 207 Old Kent Road, SE1 (Monday to Sat till 00.30 and Sunday till 00.00)
- Le Joint, 193 Old Kent Road, London SE1 (Monday to Sunday till 03:00)
- New Wing Fu, 227 Old Kent Road, London SE1 (Monday to Sunday till 00:00)
- Metelica, 229 Old Kent Road, SE1 (Monday to Sunday till 21:00).

Deregulation of entertainment

36. On 6 April 2015 entertainment became deregulated and as a result:

- Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
- Live amplified music is deregulated between 08:00 and 23:00 provided the audience does not exceed 500 people.

37. 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

38. 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 is 23:00 daily
- Closing time for Public Houses Wine bars or other drinking establishments is 23:00 daily
- Closing time for Hotel bars and guest houses : No restrictions for residents
- Night Clubs (with sui generis planning classification) are not considered appropriate for this area
- Off Licences and alcohol sales in grocers and supermarkets are considered appropriate for this area
- Takeaways are not considered appropriate for this area

39. 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.
 - 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.
40. 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

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

Consultation

42. 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

43. 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

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

Principles for making the determination

46. 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.
47. 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.
48. 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.
49. 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

50. 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.
51. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.

52. 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.
53. 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.
54. 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.
55. 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

56. 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

57. 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.
58. 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

59. 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.
60. 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.
61. 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.
62. 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.
63. 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.
64. 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.
65. 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.

66. 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

67. 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

68. 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	Variation application
Appendix B	Current licence
Appendix C	Representations from responsible authorities
Appendix D	Licensing information
Appendix E	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	2 December 2016	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law & Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		2 December 2016

19/10/2016

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

Ref No. 701648

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

	Carlos Fernando Delgado Armijos
Premises licence number	848596

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

£	16000
---	-------

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

Address Line 1	Tropical
Address Line 2	186 - 188 Old Kent Road
Town	Southark
County	
Post code	SE1 5TY
Ordnance survey map reference	
Description of the location	Ground Floor licensed restaurant premises
Telephone number	02077015360

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)

	To extend all licensable activities on the premises licence to 02:00hrs on Friday and Saturday.
	To extend the closing time of the premises to 02:30hrs on Friday and Saturday to allow for a 30 minute drinking up time and dispersal of customers.

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

	f) recorded music
	g) performance of dance
	h) anything of a similar description to that falling within (e), (f) or (g)

Provision of late night refreshment

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

Supply of alcohol

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

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)

	Amplified recorded music for the enjoyment of restaurant customers.
--	---

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

Day	Start	Finish
Mon		
Tues		
Wed		
Thur		
Fri	16:00	
		02:00
Sat	16:00	
		02:00
Sun		

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)

	On New Year's Eve the premises shall be opened from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
--	---

Will the performances of dance take place indoors or outdoors or both? (Please read guidance note 3)

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

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

	Customers will be permitted to dance at weddings, birthdays, christenings and funerals.
--	---

Standard days and timings for Performance of dance (Please read guidance note 7)

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

Mon		
Tues		
Wed		
Thur		
Fri	16:00	
		02:00
Sat	16:00	
		02:00
Sun		

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

--	--

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

	On New Year's Eve the premises shall be opened from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
--	---

Please give a description of the type of entertainment you will be providing

	Recorded music through a speaker system, dancing and live music for the enjoyment of our customers at the restaurant.
--	---

Will the entertainment take place indoors or outdoors or both? (Please read guidance note 3)

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

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

	Recorded music will be CD tracks played through speakers and dancing within the restaurant and on some occasions singing and music played on a piano
--	--

Standard days and timings for Anything of a similiar description to that falling within (e), (f) or (g) (Please read guidance note 7)

Day	Start	Finish
Mon		
Tues		
Wed		
Thur		
Fri	16:00	
		02:00

Sat	16:00	
		02:00
Sun		

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed. (Please read guidance note 6)

	On New Year's Eve the premises shall be opened from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
--	---

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)

	South American food will be provided to customers and any alcohol purchased at the restaurant will be ancillary to the sale of food.
--	--

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

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

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)

	On New Year's Eve the premises shall be opened from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
--	---

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

	On the premises
--	-----------------

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

Day	Start	Finish
Mon		
Tues		
Wed		
Thur		
Fri	12:00	
		02:00
Sat	12:00	
		02:00
Sun		

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)

	On New Year's Eve the premises shall be opened from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
--	---

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)

	We are a South American family restaurant and no nudity or gambling will be permitted to take place at the restaurant at any time.
--	--

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

Day	Start	Finish
Mon		
Tues		
Wed		
Thur		
Fri	12:00	

		02:30
Sat	12:00	
		02:30
Sun		

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)

	On New Year's Eve the premises shall be opened from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
--	---

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)

	<p>In preparation for this application the applicant has had regard to the Southwark Council statement of licensing policy, section 182 Guidance and the Licensing Act 2003.</p> <p>The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times.</p>
--	--

b) the prevention of crime and disorder

	<p>A CCTV system will 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.</p> <p>CCTV cameras will cover key areas including headshots of persons entering the premises, the till and entrance and toilet entrance area.</p> <p>All CCTV footage must 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.</p> <p>Digital recording CCTV comprising a multi camera system will be operational within the premises. The head unit (recorder) for storing the images will store such data on a hard drive or a similar quality medium. A CD or DVD burner will also form part of the system to facilitate making copies of the images.</p> <p>Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such person ancillary to their meal.</p>
--	---

	<p>The Licensee may authorize in writing a Duty Manager, to deputise for him/her. This written authorization shall be kept on the premises and shall be readily available for inspection by any Authorised Officer of the Council or Police.</p> <p>The Licensee must be satisfied that anyone appointed as a Duty Manager understands the need to comply with the conditions of the licence and is competent to perform the functions of Duty Manager.</p> <p>All staff involved in the sale of alcohol shall be trained in the responsible retailing of alcohol. 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.</p> <p>An incident log book will be operated at all times the premises is in operation. This incident log book will record any incidents of crime and disorder and will be available immediately upon request by a police officer or an authorized officer of the council.</p> <p>Free easily accessible drinking water will be available to customers of the premises in the bar area.</p>
--	---

c) public safety

	<p>A fire log book shall be kept at the premises. The details of any outbreak of fire at the premises and any subsequent action taken shall be recorded in the fire log book. The fire log book shall be made available to officers of the council, police or fire brigade on request</p> <p>All fire extinguishers at the premises will be checked annually.</p> <p>Sufficient portable fire - fight equipment of a type suitable in respect of the operation of the premises shall be kept at the premises in unobstructed and easily accessible locations.</p> <p>Staff shall be trained in the use of the fire fighting equipment and a record of such training (including the date of the training, and the names and signatures of the trainee and trainer) shall be kept in the fire log book.</p> <p>The fire alarm system at the premises shall be maintained and kept in full working order.</p> <p>The Licensee / Duty Manager shall ensure that all necessary safety checks have been carried out before the admission of the public</p> <p>The Licensee / Duty Manager shall ensure that all necessary safety checks have been carried out before the admission of the public</p> <p>All escape routes and exits including external exits shall be maintained unobstructed, in good order with non- slippery and even surfaces, free of trip hazards and clearly identified in accordance with the approved arrangements.</p> <p>Security lighting will be in operation at the front of the premises whilst licensable activities are taking place at the premises. The security lighting will be set at a level that does not cause light pollution.</p>
--	--

d) the prevention of public nuisance

	<p>A private hire company number will be clearly advertised at the premises for patrons to book a taxi home.</p> <p>A daily designated member of staff will manage the booking service of private hire vehicles for patrons use.</p> <p>A duty managers mobile contact number will be visible and on display to members of the public / patrons to raise any complaints in relation to the operation of the premises.</p>
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	<p>No parts of the outside exterior area of the restaurant shall be used for the purpose of entertainment.</p> <p>The licensees shall ensure that a suitable person will be designated with the duty and responsibility to inspect the immediate vicinity of the restaurant and neighborhood at regular periods / intervals for loud singing, playing musical instruments, playing amplified music or amplified voices emanating from the said premises. Where loud singing, playing musical instruments, playing amplified music or amplified voices are audible in the neighborhood, the licensee shall take all reasonable steps and endeavours to ensure that no noise nuisance / statutory noise nuisance is caused which is likely to affect local resident(s).</p> <p>At the end closing hour for the premises announcements shall be made requesting customers leave the premises in a quiet and orderly manner.</p> <p>Notices regarding noise nuisance shall be displayed on the premises door.</p> <p>A zero tolerance approach to noise disturbance by patrons will be in operation at the premises which will be enforced strictly by SIA staff employed and in operation at the premises.</p> <p>All doors and windows to the premises shall be fully closed during any licensed entertainment, other than for the access and egress of patrons to and from the premises.</p> <p>The licensee shall ensure that no noise or vibration associated with the licensable activities emanating from the licensed premises including external areas is perceptible at or within the site boundary of any adjoining residential accommodation.</p> <p>The licensee shall arrange to join a pub watch scheme if in operation in the local area.</p> <p>No food or drinks obtained from the premises will be permitted to be consumed outside of the premises at anytime.</p> <p>That all staff shall receive training on the contents of the premises licence and their roles and responsibilities to uphold the premises licence conditions.</p> <p>That all staff shall receive training on the contents of the premises licence and their roles and responsibilities to uphold the premises licence conditions.</p> <p>Excessive noise will not be tolerated at the premises. Customers who cause excessive noise will be asked to leave the premises.</p>
--	---

e) the protection of children from harm

	<p>Children will only be permitted into the premises after 19:00hrs accompanied with an adult. Children will be required to leave the premises by 00:00hrs</p> <p>That an age identification scheme shall be established and maintained. The scheme shall require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol</p> <p>Regular staff meetings shall be held to discuss underage drinking, the laws attached and any updates.</p> <p>That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.</p> <p>That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. 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.</p>
--	--

	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 Challenge 21 policy applies and proof of age may be required.
--	--

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	001309
LicenceReference	LPV-94212-32
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	Carlos Fernando Delgado Armijos
Date (DD/MM/YYYY)	18/10/2016
Capacity	Premises Licence Holder / DPS

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	Mr Richard Vanmarle 186 - 188 Old Kent Road London SE1 5TY
Telephone No.	██████████9
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.

Licensing Act 2003 Premises Licence

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APPENDIX B



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

Premises licence number

851458

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Tropical 186-188 Old Kent Road London SE1 5TY	
Ordnance survey map reference (if applicable), 178567533318	
Post town London	Post code SE1 5TY
Telephone number	

Where the licence is time limited the dates
--

Licensable activities authorised by the licence
Recorded Music - Indoors Performance of Dance - Indoors Entertainment Similar to live/recorded music - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises

The opening hours of the premises
For any non standard timings see Annex 2
Monday 10:00 - 00:30
Tuesday 10:00 - 00:30
Wednesday 10:00 - 00:30
Thursday 10:00 - 00:30
Friday 10:00 - 00:30
Saturday 10:00 - 00:30
Sunday 10:00 - 00:30

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

The times the licence authorises the carrying out of licensable activities

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

Recorded Music - Indoors

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

Performance of Dance - Indoors

Monday	20:00 - 00:00
Tuesday	20:00 - 00:00
Wednesday	20:00 - 00:00
Thursday	20:00 - 00:00
Friday	20:00 - 00:00
Saturday	20:00 - 00:00
Sunday	20:00 - 00:00

Entertainment Similar to live/recorded music - Indoors

Monday	20:00 - 00:00
Tuesday	20:00 - 00:00
Wednesday	20:00 - 00:00
Thursday	20:00 - 00:00
Friday	20:00 - 00:00
Saturday	20:00 - 00:00
Sunday	20:00 - 00:00

Late Night Refreshment - Indoors

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

Sale by retail of alcohol to be consumed on premises

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 00:00
Friday	11:00 - 00:00
Saturday	11:00 - 00:00
Sunday	11:00 - 00:00

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licenceCarlos Fernando Delgado Armijos
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]**Registered number of holder, for example company number, charity number (where applicable)****Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**Carlos Fernando Delgado Armijos
[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. [REDACTED]
Authority L.B. Southwark

Licence Issue date 21/04/2016

[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).

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

487 The responsible person 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

172 a.The Licensee / Duty Manager shall ensure that an adequate and appropriate supply of first aid equipment and materials is available on the premises.

b.If required, at least one suitably trained first aider shall be on duty when the public are present. If more than one suitably trained first-aider is present, each person's responsibilities shall be clearly identified.

255 a.Fire extinguishers and equipment as approved by the Council shall be efficiently maintained in satisfactory working order and kept available for instant use. They shall be in the charge of a suitable person specially nominated for the purpose.

b.Portable fire extinguishers shall be examined at least once a year and periodically tested in accordance with the current British Standard by a competent person and the date of such test shall be clearly marked on the appropriate extinguishers or on stout tabs securely attached to them. Extinguishers which incorporate an antifreeze agent shall be examined and recharged in compliance with manufacturer's instructions.

c.Where provided hydraulic hose reels shall be tested once a year to check that they are in working order and produce a satisfactory jet of water, and the test shall be recorded in a log book.

d.All testing of fire extinguishers and equipment shall be at the expense of the licensee.

296 Only responsible drinks promotions will be allowed at the premises.

298 That suitable notices shall be displayed stating "No Drugs".

311 That notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner

312 That no parts of the outside curtilage, including the patio area, shall be used for the purpose of entertainment; either live performance or recorded performance provided via speaker.

332 All children on the premises under 18 will be accompanied by a parent or responsible adult at all times

340 No entertainment will be allowed in the exterior patio area by way of either live performance; or recorded performance provided via speakers.

112 Non standard timing on New Years Eve to finish at 06:00 for permitted licensable activities.

113 Non standard timing on New Years Eve to finish at 07:00 for operating hours.

288 The premises will install a CCTV system and maintain this system in good working order, the system will be of evidential quality and should be able to capture a clear facial image of all persons that enter the venue.

289 That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available for inspection to Officers of the Police and the Council.

341 There shall be at least one member of staff on duty at all times the premises are in operation under its licence trained and proficient in the operation of the CCTV system capable of operating and retrieving footage and able to download the footage to a removal device on request of the Police or other authorised officer.

326 That all staff concerned in the sale or supply of intoxicating liquor undergoes a recognised training scheme for such duties. Records of such training should be kept and made available for inspection, on request by Police or other authorised officer.

342 On each night the premises are in operation under the premises licence, there will be no new entry or re-entry to the premises one hour prior to the terminal hour for the provision of licensable activities, save for those that leave the premises for the purpose of smoking.

343 Premises management shall regularly monitor outside the premises to ensure that the volume and bass levels of any licensed entertainment is kept at a level that does not cause disturbance at the closest or most exposed noise-sensitive facade to ensure compliance with the licensing objective regarding the prevention of public nuisance.

4AG The premises shall operate an agecheck 'Challenge 25' policy whereby customers purchasing 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.

4AB All staff involved in the sale of alcohol shall attend a recognised training scheme which will include training in the agecheck 'Challenge 25' policy. They must obtain a certificate of competence. 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.

4AC Agecheck 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 agecheck 'Challenge 25' policy applies and proof of age may be required.

4AI Condition 4AI A register of refused sales of alcohol and if applicable, cigarette sales which is clearly marked with details of the premises, address and name of licence holder shall be maintained in order to demonstrate effective operation of the policy. On a monthly basis, The Designated Premises Supervisor shall check the register to ensure it is being properly completed. He/she shall sign and date the register to that effect and, where appropriate, take corrective action if the register is not being completed correctly and in a timely manner. The register shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

344 There shall be no children on the premises after 10pm on Sundays to Thursdays

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

841 That the rear door to the premises is to be kept closed after 20:00 Hours.

842 That Stock and Refuse are not to be moved at the rear of permises after 20:00 Hours.

Annex 4 - Plans - Attached

Licence No. 851458

Plan No. N/A

Plan Date N/A



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 2ER
Tel: 020 -7232 6756
SouthwarkLicensing@met.police.uk

Our reference: MD/2887/16
Date: 16th November 2016

Dear Sir/Madam

Tropical 186 Old Kent Road London SE1 5TY

This application for a licence variation to Tropical Restaurant was received by Southwark Council on the 20th October 2016.

The current application is for the following extension of hours

Opening Hours-	1200hrs to 0230hrs Fri-Sat
Sale of Alcohol -	1200hrs to 02.00hrs Fri-Sat

The premises falls within the period for Southwark Councils New Licensing Policy 2016 to 2020.

This policy details a schedule of closing times for licensed premises depending on their geographical location and the business type.

The guidance suggests for this location being a residential area and the venue being a restaurant the latest terminal hour is 2300hrs daily, therefore the premises current opening hours are very generous with a closure time of 0030hrs and sale of alcohol until 0000hrs.

There is also an outstanding police investigation into a violent incident involving the DPS and partner whilst on duty at the premises which brings into question his credibility to manage. In regards to this current police investigation we object to the application in full.

Submitted for consideration

PC Mark Lynch 246MD
Southwark Police Licensing Unit

MEMO: Licensing Unit

To Licensing Unit **Date** 17 November
2016

Copies

From Jayne Tear **Telephone** 020 7525 0396 **Fax**
Email jayne.tear@southwark.gov.uk

Subject Re: Tropical, 186-188 Old Kent Road, London, SE1 5TY –
Application to vary a premises licence

I write with regards to the above application to vary the premises licence submitted by Carlos Armijos under the Licensing Act 2003, which seeks to extend the following licensable activities:

- To extend recorded music, performance of dance and anything of a similar description to live music, recorded music and performance of dance (indoors) on Friday and Saturday from 00:00 to 02:00 the following day
- To extend Late Night refreshment (indoors) on Friday and Saturday from 00:00 to 02:00 the following day
- To extend the supply of alcohol (on the premises) on Friday and Saturday from 00:00 to 02:00 the following day
- Overall opening times shall be extended on Friday and Saturday from 00:30 to 02:30 the following day

Non Standard Timings requested for all activities are:

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day

The premises is a *'Bar/Restaurant with a South American cultural feel and cuisine'*.

This premises is situated in **a residential area**.

Under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times for Restaurants, Cafes, Public Houses, Wine bars or other drinking establishments is 23:00 hours and Night Clubs (with sui generis planning classification) are not considered appropriate for this area.

I therefore submit this representation with regards to crime and disorder and public nuisance as the later operation of the premises and of people leaving the premises later a night would impact upon local residents living nearby and in the surrounding streets. The management would have no control of patrons that have left the premises if it were allowed to open later and the possible impact of any rowdy and anti-social behaviour or crime and disorder.

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

**Chief executive's department**

Planning division

5th floor, hub 2

PO Box 64529

LONDON SE1P 5LX

EH & TS Licensing Unit
Hub 2 3rd Floor Tooley Street

X

Your Ref:**Our Ref:** 16-CE-01016**Contact:** Gavin Blackburn**Telephone:** 020 7525 7007**Fax:** 020 3357 3101**E-Mail:** planning.enquiries@southwark.gov.uk**Web Site:** <http://www.southwark.gov.uk>**Date:** 17/11/2016

Dear Sir/Madam

Premises Licensing re:

186-188 OLD KENT ROAD, LONDON, SE1 5TY

Summary description: Variation**Date Received:** 21/10/2016

The site is subject to planning permission 12/AP/3234 that conditions the terminal hour of the restaurant to 23:00. There are three flats immediately above the restaurant and the hours condition is to protect their residential amenity. Allowing the hours to be extended beyond 23:00 and the Licensing statement hours of midnight is not justified and objected to on the grounds that it is likely to result in nuisance for those living in the vicinity.

Yours faithfully

Gavin Blackburn

Senior Enforcement Officer

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Wednesday, November 09, 2016 10:57 AM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: RE: Variation - Tropical, 186-188 Old Kent Road

To whom it may concern:

Re: Tropical, 186-188 Old Kent Road, London SE1 5TY

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 an end time of 00:00 daily to an end time of 02:00 daily. 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. Given the applicant already holds a license to sell alcohol until 00:00 daily, I believe they already are in possession of a very permissive license.

Recommendations

- I recommend that this application for a variation is rejected outright

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

Licensing Unit induction checklist for new licensees / management.

Premises Name: Tropical

Address: 186 - 188 Old Kent Road

Licensee: Carlos Fernando Delgado Armiqos

DPS: Carlos Fernando Delgado Armiqos

1. INTRODUCTION

- Who staff are.
- Why meeting is being held – to ensure every licensee is fully aware of his / her responsibilities from the onset

2. THE LICENCE

- Introduce the licence document & the Annexes.
- Explain the mandatory conditions in Annex 1.
- Explain the special conditions in Annex 2 and 3.
- Give details of what happens if the conditions are breached.
- Explain about responsible authorities or interested parties, what their role is and how they can call a review. Give full details of what is involved with a review and what the outcomes can be.
- Explain that there is an annual maintenance fee to be paid for the licence.
- What must be done if the licensee decides to alter the premises
- Other circumstances in which a variation application may be necessary
- Explain in detail about when you need to apply for a variation, what is involved and what the procedure is. Also about varying the dps.
- Advise them that if they leave about surrendered the licence and the consequences for the licensee and the dps if they leave without surrendered the licence.
- Door Supervisors requirements that must be SIA registered.
- Drugs Misuse, drug policy.
- Challenge 25, suitable identification.
- Covert inspections by police, licensing and trading standards.
- Noise nuisance.

3. INSPECTIONS

- Reason for inspections and why conducted without warning and during performance
- Early inspection(s) conducted and thereafter risk-assessed. Give details of what we look for and what documents we will need to see. Also: the outcome if we find things wrong – what happens next?

- Will conduct additional inspections where problems found and complaints made.
- Will listen to proposals for putting right. Will give timescale for matters that cannot be rectified easily.
- Explain inspections aim to help but that continually to operate outside of the terms of the licence will result in action
- The potential consequences of licence contravention – formal caution / legal proceedings / licence revocation
- Make sure any special arrangements at premises are understood (i.e. lobby door arrangements / removal of bolts / numbers control etc)

4. ASSISTANCE

- Emphasise that if the licensee has any problems he should contact the office and discuss

Provided the following:

Licence and summary,
 Fire risk assessment advice booklet,
 Age signage - 18 & challenge 25,
 Trading standards training pack, refusal log and pass accredited sample cards.

Officer(s) Attending: (Sign) 

(Print) *P. J. [unclear]*

Persons Present: (Sign) 

(Print) *CARLOS FERNANDO DELGADO*

Date of Meeting: *17/06/2015*

Mr Carlos Fernando
Delgado Armijos
Tropical
186-188 Old Kent Road
London
SE1 5TY

Licensing Unit
Direct Line: 020 7525 0396
Direct Fax: 020 7525 5705

12 January 2016

Dear Mr Armijos

**RE: THE LICENSING ACT 2003 – WARNING LETTER
(Tropical, 186-188 Old Kent Road, London, SE1 5TY)**

On 8 January 2016 at 21:52 hours Licensing Enforcement Officers carried out an inspection to determine whether the licensable activities at the above premises were carried out in accordance with your authorisation.

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

During the inspection the officers witnessed the following:

- 1. Notices were not displayed stating "No Drugs". This is contrary to condition 298 on the premises licence.**
- 2. Notices were not displayed requesting customers to 'leave the premises in a quiet and orderly manner'. This is contrary to condition 311 on the premises licence.**

Each of the matters listed above potentially constitutes a breach of the licence issued by the Council under the Licensing Act 2003.

You must ensure that licensable activities and hours of operation are in accordance with those listed on your premises licence. You must also ensure that the conditions attached to your licence are adhered to. A further visit will be made to check on these matters.

If compliance is not achieved the Council may take formal action that may affect your license or lead to a prosecution. A person found guilty of an offence under the above section is liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding £20,000.

Licensing Unit – Regulatory Services – Environment & Leisure, Hub 2, Floor 3, 160 Tooley Street, London, SE1 2QH **Switchboard** - 020 7525 5000 Website - www.southwark.gov.uk
Strategic Director Environment & Housing - Deborah Collins
Register to vote. Complete the forms delivered to your home. Information: 020 7525 7373

I hope this warning will ensure that compliance is achieved and no further action will be required.

Thank you in anticipation of your co-operation. Should you wish to discuss this matter with a Licensing Enforcement Officer Please contact us by email at licensing@southwark.gov.uk or by telephone on 020 7525 0396 between the hours of 9.00 and 17.00, Monday to Friday. Alternatively you can write or visit us at the above address.

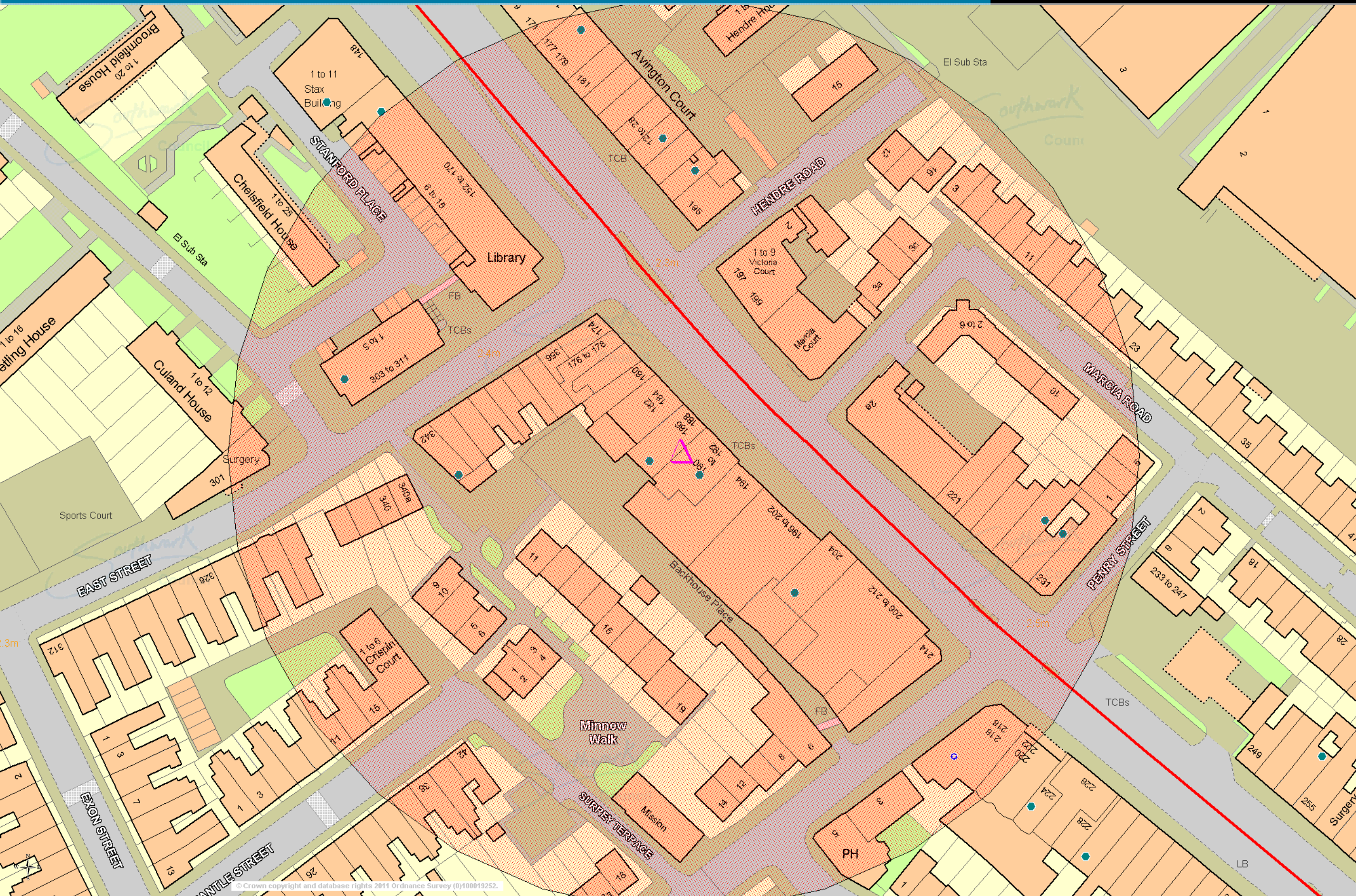
Yours sincerely,

Jayne Tear
Principal Licensing Officer
Licensing@southwark.gov.uk

Council's Night Time Economy Visits - Tropical

adate	desc	officerS	adtext
06/12/2015	01:28 NTE Visit	RC & SN	Drive past premises with SN from EPT team. Noted a number of patrons outside the front of the premises drinking and loud music coming from premises. Call made to Police NTE and advised them that that it was my belief that there was unlicensed activity at the premises. Requested NTE Police visit the premises.
06/12/2015	02:30 NTE Visit	RC & SN	Visit to premises with SN from EPT after a receiving a call from NTE Police that they have visited the premises following the information I provided that the premises was being operated outside of permitted premises licence hours of trade and that there is unlicensed activity at the premises. Police NTE police requested that we visit the premises. When we arrived outside the premises there was an ambulance and members of the Police NTE team standing at the front of the premises. X1 male was being pushed to an ambulance on a stretcher. It was unclear if he was a patron from Costa Azul. The male who was clearly highly intoxicated and I was advised by NTE Police that he had fallen in a stupor in a phone box outside the premises. Requested management come out of the premises and we were shown a TEN which was for the following week upon closer inspection. Advised the manager who identified herself as Lucia Da Silva that she had got the dates wrong and what was taking place was an unlicensed event at her premises. I gave advice that she should cease all activity immediately. As there were approximately 100 people within the premises I advised Lucia Da Silva to slowly turn the music down so she could begin to disperse customers slowly. I advised her that she should not just turn the music off and ask everyone to leave as it would cause a health & Safety issue as everyone would be exiting at once which could lead to unrest amongst her patrons. Myself and NTE Police agreed that this would be the most practical and sensible approach to take and we allowed 10 min for dispersal. NTE police myself and Sar Sentered the premises and gave words of advice. The Police issued a S19 closure Notice and I have advised Lucia Da Silva that I will follow this up with her next week.
08/01/2016	21:52 NTE Visit	JT & KMA	21:52 on 8/1/2016 JMT & AXB arrived at Tropical, 186-188 Old Kent Road, London, SE1 5TY –Carried out a full inspection and was assisted by Mr Carlos Armijos the licensee and DPS. Found the following: Breach of 298- no signage re drugs Breach of 311 – no signage asking costumers to leave quietly Discussed also the 2 occasions where by he was opened past the hours allowed on his premsies licence and the police served a section 19 notice. He said it was his wife and the people in the premsies were her friends and that they were not open to the public. He said that he always put in TENS if he wanted to do anything different.(I did notice TENS applications and previous TENS notifications in his file whilst I was helping him look for his copy of the premises licence)I went over all conditions on the licence with him and warned him that he could be prosecuted should there be breaches of the licence conditions or hours. Action – warning letter
30/01/2016	20:15 NTE Visit	JT & KMA	20:15 on 30/01/2016 JMT & KMA at Tropical, 186-188 Old Kent Road, London, SE1 5TY – REVISIT (2 ITEMS OUTSTANDING RE SIGNAGE). Spoke to the manager Mr Carlos Armijos all signage required is now in situ .Premises compliant

date	desc	officers	adtext
30/01/2016	02:04 NTE Visit	JMT & COT	02:04 on 30/01/2016 JMT & COT and PC MARK LYNCH CC LOUNGE 26 New Kent Road, London, SE16TJ – Premises closed ATOV
05/03/2016	23:15 NTE Visit	FRC	5/ 3/2016 23:15 FRC Notice check, taken photo.
12/03/2016	21:15 NTE Visit	FRC	12/ 3/2016 21:31 FRC doors shut, all quiet, will visit later.
13/03/2016	00:56 NTE Visit	FRC	13/ 3/2016 00:56 FRC all shut, closed no noise.
19/03/2016	00:01 NTE Visit	JMT & COT	00:01 on 19/3/2016 JMT, COT & MQ3 at Club Tropical, 186-188 Old Kent Road, London, SE1 5TY. Lights on in premises although no patrons or staff in premises (premises is glass fronted and whole premises barring the toilets can be seen from the pavement) – premises appears to be closed. Will check again once finished at Costa Azul next door.
19/03/2016	00:25 NTE Visit	JMT & COT	00:25 on 19/3/2016 JMT, COT & MQ3 at Club Tropical, 186-188 Old Kent Road, London, SE1 5TY. All lights off – premises closed
27/03/2016	00:21 NTE Visit	FRC	27/ 3/2016 FRC closed no activity quiet



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