

Licensing Sub-Committee

Monday 30 January 2017

10.00 am

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor David Hubber
Councillor Lorraine Lauder MBE

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: 20 January 2017



Licensing Sub-Committee

Monday 30 January 2017
10.00 am

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	REVOCAION OF TRADING LICENCES	1 - 19
6.	LICENSING ACT 2003: LOST RIVERS (LAND ADJACENT TO ARTWORKS), ELEPHANT ROAD, LONDON SE17 1AY	20 - 84
7.	LICENSING ACT 2003: BREW BY NUMBERS, RAILWAY ARCH, 75 ENID STREET, LONDON SE6 3RA	85 - 128

Item No.	Title	Page No.
8.	LICENSING ACT 2003: ROCK ISLAND (FORMERLY THOMAS A BECKET), 320-322 OLD KENT ROAD, LONDON SE1 5UE	129 - 185

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.”

9. REVOCATION OF TRADING LICENCES

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

Date: 20 January 2017

Item No. 5.	Classification: Open	Date: 30 January 2017	Meeting Name: Licensing Sub-Committee
Report title:		Revocation of Trading Licences	
Ward(s) or groups affected:		East Walworth	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the market trading licences of the traders identified in the closed report have their licences fully revoked or conditions added to their licenses for non-payment of fees.

BACKGROUND INFORMATION

2. Markets established under Section 60 of the Food Act 1984, applicable to all markets listed in the schedule of market locations contained at Appendix A, operate under agreed byelaws for markets, and under standard licence conditions.
3. Section 27 of the standard licence conditions states "Any trader in arrears with their licence fee in excess of two months may have his/her licence revoked as per the agreed revocation procedure".
4. The sub-committee can decide to:
 - a) revoke the licence
 - b) vary the licence (to reduce the number of trading hours, change the trading location or restrict the goods which can be sold)
 - c) add a condition to a licence
 - d) not revoke the licence.
5. Traders in arrears by eight weeks or more are identified by the senior market officer. Debt letters are sent out by post to traders. Traders should then contact the Street Trading Manager to either pay up in full, or agree a payment plan. If the trader does not contact the office regarding payment a further letter is sent to inform the trader that a report will be put before the licensing sub committee proposing their trading licence is revoked for non-payment.
6. Traders trading on markets which are governed under the Food Act 1984 do not have a right of appeal at the magistrates' court.
7. If a street trading licence is revoked, the resultant vacancy will be advertised and the licence granted in accordance with council policy. Once the vacancy is filled then any revenue generated will be paid into the markets and street trading account.

KEY ISSUES FOR CONSIDERATION

8. The sub-committee must be satisfied that the trader has failed to pay the fees connected with their licence for a period of two or more months.
9. The sub-committee must also be satisfied that the trader has been given 21 days notice in writing of the hearing, and take into account any representations received.

10. Initial debt notices were sent to all the traders identified in the closed report on 8 December 2016. Notices of proposal to revoke were sent on 23 December 2016.

Policy implications

11. To advise the committee of trader's non-compliance with his/her trading licence conditions, non-exercising of trading rights and to seek the committee's authority to revoke his/her street trading licence.

Resource implications

12. To mitigate the loss new casual traders' will be recruited to fill vacancies paying a higher daily fee and debt for revoked traders will be pursued by the in-house debt recovery team.
13. Debt for revoked traders will be pursued by the in-house debt recovery team following the councils debt recovery process.

Community impact statement

14. This decision has been judged to have no or a very small impact on local people and communities. Each application is 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

15. Under part 3 of the council's constitution, decisions on the council's licensing policies and registration are reserved to licensing committee.
16. Markets established under section 60 of the Food Act 1984, operate under agreed byelaws for markets, and under standard licence conditions. A copy of the byelaws for markets will be available to the sub-committee at the hearing. A copy of the standard licence conditions are annexed at Appendix B.
17. Section 27 of the standard licence conditions states "Any trader in arrears with their licence fee in excess of two months may have his/her licence revoked as per the agreed revocation procedure".
18. The sub-committee must be satisfied that the trader has failed to pay the fees connected with their licence for a period of two or more months.
19. The sub-committee must also be satisfied that the trader has been given 21 days notice in writing of the hearing, and take into account any representations received.
20. The sub-committee can decide to:
 - a) revoke the licence
 - b) vary the licence (to reduce the number of trading hours, change the trading location or restrict the goods which can be sold)
 - c) add a condition to a licence
 - d) not revoke the licence.
21. Traders trading on markets which are governed under the Food Act 1984 do not have a right of appeal at the magistrates court.

22. The council must have due regard to its public sector equality duty (“PSED”) under the Equality Act 2010 (“the 2010 Act”), in particular the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity for those with protected characteristics and foster good relations between those with and without such characteristics. The list of protected characteristics is set out in the 2010 Act.

Strategic Director of Finance and Governance

23. This report recommends that street trading licences of certain traders be revoked or conditions added to their licenses for non-payment of fees. The financial implications are contained in paragraphs 12 to 13.
24. The strategic director of finance and corporate services confirms that no bad debt provision is made in the street market trading account. It is expected that every reasonable effort will be made to recover these debts, following the council protocols. Should any debt be deemed irrecoverable, it’s write off will be carried out in line with council procedures.
25. It is noted that replacement casual traders should ensure no overall loss of income to the street trading account. Any variances will be identified during budget monitoring and action will need to be taken as appropriate.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The Food Act 1984	Street Trading Section SAST House Dawes Street London SE17 1EL	Lisa York 0207 525 6000
Byelaws	As above	As above
Standard licence conditions	As above	As above

APPENDICES

No	Title
Appendix A	Markets’ schedule
Appendix B	Food Act 1984 licence conditions
Appendix C	Template of notice of proposal to revoke

AUDIT TRAIL

Lead Officer	Nicky Costin, Road Network and Parking Business Manager	
Report Author	Hannah Lilley, Senior Market Officer	
Version	Final	
Dated	16 January 2017	
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	19 January 2017	

MARKETS SCHEDULE IN THE LONDON BOROUGH OF SOUTHWARK

LOCATION	COMMODITIES	TRADING DAYS
Bermondsey Antiques Market Bermondsey Square SE1 1UN	Antiques	Friday only
East Street Market East Street SE17 1EL	General	Tue – Sun
Westmoreland Road Market SE17 2AX	General / Bric-a-brac	Mon – Sat
The Blue Market Southwark Park Road SE16 3TT	General	Mon – Sat
Choumert Road Market Peckham SE15 4SE	General	Mon – Sat
Blackwood Street Flower Market Blackwood Street SE17 1DA	Flowers / Plants / Trees / Shrubs	Sunday only
Dawes Street SE17 1EL	General	Sunday only
London Bridge Approach SE1	General	Mon – Sat
Atwell Road Peckham SE15 4TW	General	Mon – Sat
Albion Street SE16	General	Mon – Sat
North Cross Road Market Northcross Road SE22 9EU	Arts & Craft / Handmade / Vintage / Organic	Mon – Sat
Highshore Road, Peckham, SE15	General	Mon - Sat
Parkstone Road, Peckahm SE15	General	Mon - Sat
Peckham Square SE15	Arts & Craft / Handmade / Vintage / Organic	Mon - Sun
Camberwell Green, London, SE5	General	Mon - Sat
Canada Water, London, SE16	General	Mon - Sat

PART III FOOD ACT 1984**SOUTHWARK MARKET TRADING LICENCE CONDITIONS****General**

1. The operation of Southwark markets shall be governed by Part III of the Food Act 1984 where the number of pitches are five or greater.
2. The Council may charge such fees for the grant or renewal of a markets trading licence, the grant of a temporary licence or for the variation of the conditions of a trading licence.
3. The Council may levy from licence holders such charges as may be sufficient for the effective operation of Southwark market activities.
4. The Council will establish in any location the days, trading times, class or class of articles to be displayed for sale in respect of that market.

Licensing of Traders

5. The Licence is personal to a trader and shall be in the name of the registered trader only. At the written request of the registered trader and provided an Agreement has been completed by the Council at the cost of the trader, the licence shall be deemed to include a spouse or cohabitee.
6. When the holder of a licence has specified a relative to whom they desire the licence to be granted dies or retires or notifies the Council that owing to ill health they are unable to continue trading, the licence can be transferred by way of a next of kin transfer. For the purposes of this section a person shall be treated as being related to another if the latter is the wife, husband, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-brother, half-sister, uncle, aunt of the former and shall be deemed to be so related notwithstanding that he is so related only through an illegitimacy or in consequence of an adoption.
7. Any application for a proposed partnership must include details of the trader who shall be present on trading days. This person shall be regarded as the registered trader in the event of a breach of these terms and conditions.
8. A registered trader may, at the discretion of the relevant Council Committee and payment of the relevant application fee, be able to

transfer his/her licence to his partner or registered assistant subject to the following conditions having first been met:

- (i) Formal written request from the exiting trader giving details of the new trader to be submitted to the Markets & Street Trading Manager.
 - (ii) The new trader has not previously had a licence terminated by the Council on any Market within the Borough.
9. Traders wishing to surrender a licence are required to give four week's written notice to the Markets Manager of their intention so to do. The same also applies to traders wishing to surrender a second pitch. Surrender will take effect from the last day of the calendar month.
10. Each trading licence renewal (permanent and temporary) shall be valid for a period three years for permanent traders.
11. Temporary traders are required to register on an annual basis.

Applications for licenses / Licence Renewals

12. When applying for a licence to trade, a trader shall provide his full name and address, national insurance number, and any other details as may be reasonably required.
13. The Council may refuse an application for a licence or refuse to renew a licence subject to appeal as set out in the appeals process.
14. All pitches surrendered by existing traders will be offered in the first place to existing traders through a length of service priority process.
15. Subsequently any existing temporary traders may make applications.

Allocation of trading pitches

16. Traders holding a permanent trading licence shall be allocated a fixed permanent pitch from which to trade, subject to the agreed clashing rule.
17. In the event of a licensed trader failing to inform the Market & Street Trading Manager of his / her absence by such time as set down for each market shall first be offered to licensed traders, subject to the agreed clashing rule:- (i) as a move up (ii) as an additional pitch provided it is immediately adjacent (i.e. 101, 103).

An additional fee shall be payable by a permanent trader wishing to take up such pitch.

18. Should such vacant pitch not be occupied by a licensed trader, it shall then be offered to casual traders for the payment of a temporary fee.

Payment of Licence fees

19. Licence fees shall be paid by one of the following two methods only:

- (i) By standing order or direct debit (monthly, in advance).
- (ii) By payment to the Council via a prepaid invoice. The trader must arrange for payment to be made before the commencement of trading hours using the Council's 24 hour payment line, on-line payment provision or at any of the Council's cash offices

20. Market officers are not authorised to accept cash from traders.

21. Temporary traders who do not pay pitch fees by specified time will not be permitted to trade on the Market.

22. Licence fees shall only be refunded in line with the refund policy.

23. Permanent licence holders are required to make full licence fee payments irrespective of whether the trader attends the Market. Waivers may be issued according to individual circumstances where proof has been submitted.

24. The above exceptions do not apply where a trader is in arrears with their rent on the relevant date in question.

25. The Council reserves the right to charge interest on arrears at a rate of 4.% above the Bank of England basic rate to be calculated on an annual basis.

26. Where a trader is absent from the Market all arrears must be paid within two weeks of their return to the Market. Failure to comply will result in enforcement action.

27. Any trader in arrears with their licence fee in excess of 2 months may have his/her licence revoked as per the agreed revocation procedure.

28. Any trader who has had their trading licence revoked for non-payment of fees and who intend to appeal will be entitled to trade from that day until the determination of their appeal for a daily fee

or pay all outstanding arrears, any amount which is paid daily in excess of the monthly fee will be set aside against the balance of the outstanding arrears.,

29. Any permanent trader paying by standing order or direct debit who has made payments on time each month and has not accumulated any arrears between Jan and December of any year shall receive up to one half of their January monthly trading fee refunded.

Absence

30. Permanent Traders are required to advise the Markets Manager if they will not be attending the market before commencement of trading if possible.

Insurance

31. Traders, including temporary traders, MUST provide evidence of third party public liability insurance to the Councils minimum requirement at the time but, without prejudice to the foregoing, subject to the minimum of £2,000,000 (TWO MILLION POUNDS) and a trader shall show the Markets Manager on demand such policy of insurance.
32. Traders will indemnify the Council against all costs, claims and damages arising from their use of the stall/pitch, car park or any other facility provided by the Council in respect of the market operation. Traders not producing evidence of insurance will not be permitted to trade until this has been rectified and will be required to vacate the market immediately. No rebate of stall rent will be given in these circumstances.

Conduct

33. All traders are expected to conduct themselves whilst on the market, in relation to the public, other traders, and council officers in a polite and courteous manner. .
34. Traders are responsible for the behaviour of their employees whilst they are on the market. A breach of the regulations by assistants will be deemed to be a breach by the trader.
35. No alcohol, tobacco or illegal substances will be consumed on the Market by traders or by their assistants within the pitch area.

Hours of Operation

36. The market shall operate between the hours set down for that particular market location. There shall be no trading in the event

of Christmas Day, Boxing Day or New Years Day falling on a market day unless a prior agreement has been reached by all parties.

37. All traders must vacate the market area by the end of the trading day including the packing up time. No trader shall vacate their pitch before 2pm other than Bermondsey Antiques Market which will be 1pm.
38. The Market & Street Trading Manager shall have the right to close the market at his/her absolute discretion on the grounds of public safety. Refunds of pitch fees will only be made if the market is closed prior to 10.00hrs on the day of trading.

Temporary Traders

39. The Council will, at its discretion, permit temporary traders to trade from a vacant pitch, including those where the permanent trader is absent, subject to agreed allocation policies.
40. Pitches will be allocated by the Allocation Officers on a daily basis.
41. Once allocated a pitch, temporary traders are required to comply with all the Market Regulations, including the requirement to remove vehicles from the market area by the specified time set down by that market.

Emergency Access

42. During market hours emergency access must be readily available for use by emergency vehicles attending incidents within the market area and for vehicles requiring to access adjacent premises via the market area.
43. The minimum width required for a fire appliance to pass between stalls is 3.1m.
44. Fire hydrants together with their identifying plates should be kept clear of obstruction and available for use at all times.

Obstruction

45. When loading/unloading their vehicles, all traders shall cause the minimum amount of obstruction and inconvenience to the general public, other traders or council employees and contractors. In particular traders must comply with requirements to ensure emergency access as the Market & Street Trading Manager/Officer deems necessary.

46. No trader shall allow or cause any goods to be placed on any stall/pitch or space such that they encroach beyond the allotted limits of the stall/pitch.
47. The trader must not do or permit anything which may be or become a nuisance to any member of the public, neighbouring business or any occupiers of neighbouring or adjoining stalls/pitches and to use the stall/pitch in a diligent and business like manner.
48. The stalls are erected in accordance with pitch layout held by the Market & Street Trading Manager and as delineated in the Traders Licence Agreement.
49. Stalls are not to be moved from their respective markers/allocated space.
50. During construction /unloading /dismantling /loading operations, traders must ensure that they carry out such in such a manner to safeguard themselves, their colleagues and members of the public.

Identity

51. All traders are to display in a prominent and conspicuous location on their stall/pitch. This sign must remain in position throughout the trading day.
52. All traders' permanent addresses must be registered with the Market & Street Trading Manager who must thereafter be notified of any changes. Two forms of documentary evidence of the new address must be supplied.
53. Traders are required to inform the market office of an intended move and submit documentary evidence of their new address.

Electricity

54. You must ensure that any connection for supplying artificial light to your stall is readily detachable. It must be approved by the Council and not obstruct the carriageway.
55. Except for any special arrangements for high risk food stalls and refreshment stalls, electricity must be used only for lighting, operating electrical sales and tills, and testing electrical goods. Any other uses must have our written consent.
56. The use of fires, kettles or any type of cooking facility of any description is forbidden. If you use or permit the use of such

equipment, you will be guilty of gross misconduct and your licence will be revoked without further warning

57. The electrical installation on each stall must be protected by an RCD (residual current device). All electrical equipment must comply with the HSE Electricity at Work Regulations 1989, the IEE Wiring Regulations as amended (or any legislation that supersedes these rules) and the requirement of the electricity provider.
58. You will be held liable for any damage to any installation that we provide to supply electricity if the damage is shown to have been caused by your actions or neglect.
59. You must not use a mobile electricity generator without our written consent.
60. You must not use or permit to be used any radio or other audio equipment or public address system in any licensed market except to demonstrate a particular piece of equipment to a prospective buyer.

Waste Management and Litter

61. Every trader on the market shall ensure that his/her stall and any adjoining passages, whether used by them alone or in conjunction with other traders, is properly cleared throughout the day so as to ensure that litter is not allowed to accumulate and will be removed from the stall / pitch at the end of the day.
62. you or your assistant must put all refuse arising from your business in suitable containers that you or we supply. The containers must be kept exclusively for that purpose and must be removed or emptied from time to time as necessary into a vehicle or container provided for the purpose.
63. You or your assistant must ensure that all wastewater is collected in a secure container and discharged in a way that does not cause a nuisance.
64. You and your assistant must give every assistance to any contractor employed in refuse or cleaning services. Any arrangements we make to clean trading areas do not take away the responsibilities of you or your assistant under the Environmental Protection Act 1990 (or any subsequent or superseding legislation).
65. Litter bins where provided for use by the general public only and not trade litter.

66. Traders providing containers for food or drink consumption on the market place shall make such additional arrangements for litter as shall be deemed necessary.

Food Stalls

67. All traders operating food stalls shall comply with the provisions of the Food Safety (General Food Hygiene) Regulations 1995 or such other legislation or modification for the time being in force (a copy of which is available to read from the market & street trading office).
68. A first aid box shall be provided and any cuts and abrasions shall be covered by a blue, waterproof dressing.
69. Waste water from sinks, wash hand basins etc must be discharged to the discharge points located near the standings in accordance with the requirements of the Market & Street Trading Manager.
70. Food handlers should keep their clothing and all parts of the person likely to touch the food clean.
71. Food handlers should wear clean, washable over-clothing, preferably a coat or overall.
72. No unbagged refuse, waste or unfit food is to be allowed to accumulate on or about the stall/pitch. It must be bagged securely on a regular basis throughout the day.

Stalls

73. Any proposed stalls are to be subject to the prior approval of the market authority. It shall be the responsibility of the Council to consult with traders and/or their representative body prior to any changes to existing arrangements.
74. Inevitably, during the stall erection and dismantling process, members of the public will cross the site. Stall erectors must, therefore, take additional care if members of the public are in the immediate vicinity in order to avoid injuring members of the public.
75. Traders are to provide awnings for their stall/pitch as appropriate. The market authority reserves the right to require traders to use a agreed style, brand or colour of awning.

LICENCE CONDITIONS FOR ENFORCEMENT AND APPEALS

Penalty Points System Procedure

Where a trader is in breach of licence conditions the following procedure must be followed:

1. The officer will issue a verbal warning in first instance. The verbal warning will be noted in the officers note book, dated and timed and when possible supported with photographic evidence. The offender at this point in time, has the right to inspect the notes relating to the offence.
2. Persistent offenders will be informed that the matter will be reported by means of a penalty point notice.
3. The officer shall complete a written warning slip at the time of the inspection and the white copy handed to the trader after they have been offered the opportunity to sign it. If they refuse to sign then 'refused to sign' shall be written where their signature would normally be placed.
4. If the behaviour of the trader does not enable the officer to hand the white copy to the trader both the white copy and the pink copy should be handed to the Market & Street Trading Manager. In all other circumstances the pink copy only shall be handed to the Markets & Street Trading Manager.
5. The Market & Street Trading Manager will write to the trader within 3 days of receipt pointing out the nature of the breach, the number of penalty points incurred and the likely outcome of future breaches i.e. revocation.
6. The officer will record on the penalty point's database the details of the trader and the number of penalty points incurred. Should the total number of penalty points reach or exceed the number stated for the trader to be called before the Licensing Sub Committee then the officer shall be informed by the Market & Street Trading Manager, if not already aware, in order that such a panel hearing can be arranged.
7. Where the Council considers that a serious breach of any trading licence condition has taken place, the trader responsible for the alleged breach is liable to be required to attend a hearing notwithstanding the penalty point system. **This includes where the licence holder has persistently refused or neglected to pay charges due from him to the Council.**
8. At the hearing officers should note that they might be required to attend in person to give evidence of the breach of licence conditions.

London Borough of Southwark-Breach of Licence Conditions

<u>Code</u>	<u>Narrative of Breach</u>	<u>Penalty Points</u>
BLC1	Violent behaviour/assault	Court Proceedings
BLC2	Non-compliance with food/health & safety acts	Court Proceedings
BLC3	Abusive or racist behaviour	Court Proceedings
BLC4	Offer for sale of falsely described, illegal or counterfeit goods	Court Proceedings
BLC5	Trading on days & times other than on licence	15
BLC6	Failure to display licence name plate	5
BLC7	Setting up prior to commencement times	10
BLC8	Commodities other than on licence being sold	10
BLC9	Stalls & goods not removed after trading	10
BLC10	Prices not displayed for goods on sale	10
BLC11	Using receptacles as defined not approved by council	10
BLC12	No amplified music unless playing goods sold	10
BLC13	Contravention to EPA 1990 regarding waste disposal	5
BLC14	Obstruction of fire path	5
BLC15	Failure to produce trading licence within 7 days	5
BLC16	Traders vehicle not removed/entering before time	5
BLC17	Oversized trading	5
BLC18	Failure to trade from position indicated on licence	5
BLC19	Failure to supply copy of public liability insurance	5
BLC20	Staff not courteous & helpful	5
BLC21	Display of advertisement other than for goods on sale	5
BLC22	Notification of change of address not given	5
BLC23	Notification of change of assistant not given	5
BLC24	Failure to give assistance to council officers	5
BLC25	When approved mobile electrical generators not positioned correctly	5
BLC26	Unfounded/malicious allegation	5
BLC27	Failure to notify food stall storage address details	5
BLC28	Breach of any other standard licence condition not listed above	5

Traders receiving 30 penalty points within a rolling twelve-month period will be invited for interview by the Markets & Street Manager at which time consideration will be given as to whether special conditions should be attached to their licence or whether their licence should be considered for revocation.

Serious breaches of the licence conditions may result in legal action. If convicted this could result in a fine of up to £1000 per breach and be followed by revocation of the trading licence.

Appeals against penalty points issued should be made in writing to the Markets & Street Trading Manager. The appeal will be placed before the Licensing Sub Committee for consideration and the trader notified of the outcome of the appeal.

Where the Council considers that a serious breach of any trading licence condition has occurred, the trader responsible for the alleged breach is liable to be required to attend the Committee hearing notwithstanding the above penalty point system.

Please note that failure by any assistant employed by a licenced holder to comply with any of the conditions of the trading licence held by the licence holder shall be deemed to be a failure of the licence holder.

I have read the London Borough of Southwark's Standard Licence Conditions as set out above and agree to abide by them.

Signature:.....**Date:**

Print Name: **Licence No.**

NOTES

The Council may revoke or vary or refuse to renew this licence if (1) on account of misconduct, arrears, or any other sufficient reason the holder is in the opinion of the Council unsuitable to hold it; or (2) the space available in the market is insufficient; or (3) the street specified is not a designated market; or (4) the articles specified are of a class which, under the terms of a resolution passed by the Council may not be sold or exposed or offered for sale in the market specified; or (5) the holder has persistently refused or neglected to pay charges due from him to the Council. These payments must be made in advance of trade; (6) the holder has for a period of not less than four weeks not fully excised his rights under the licence.

Notwithstanding any time specified in the final column of the Schedule, this licence does not authorise the holder to trade at anytime in contravention of any Order made under the Shops Acts or any other statutory enactment.

In the event of a trader being unable to trade in the market by-reason of ill health, a medical certificate should be submitted to the Market & Street Trading Manager, as the Council will consider waiving the payment of weekly charge. Payment waiver will only be considered for illness covered by medical certificate for periods of illness in excess of four weeks. The first certificate must be submitted within two weeks of the first day of the period of illness. Except in extenuating circumstances as decided by the Council.

Where the holder of a trading licence is not for the time being exercising his rights under the licence, a temporary licence authorising trading in the position or place prescribed by the street trading licence may be granted to any other person but shall be subject to the condition that it shall cease to be valid if during the currency thereof the holder of the licence desires to resume the exercise of his rights and gives the appropriate notice to the council, and for the purposes of this subsection 'the appropriate notice means:

- (a) in the case of a holder of a licence who has not exercised his rights under the licence for a period of at least 14 days, 7 days' notice;
- (b) in any other case 24 hours' notice.

This licence must be produced on demand whilst trading and produced to a police officer or authorised official of the Borough Council on demand. Should this licence be lost, immediate application must be made for a duplicate for which an administration charge will be levied.

APPENDIX C



Name xx
Address xx

Markets & Street Trading Team
Regulatory Services
@southwark.gov.uk
Tel: 0207 525 6000
Date xxxxxx

Dear Mr xx,

RE: STATUTORY NOTICE – SECTION 60 OF THE FOOD ACT 1984 & SECTION 27 OF THE STANDARD LICENCE CONDITIONS - PROPOSALS TO REVOKE STREET TRADING LICENCE

I refer to my letter dated xxx in respect of non payment of trading fees.

In accordance with the requirements of the Food Act 1984, and related standard licence conditions, I hereby notify you that an item will be presented to the Licensing Sub Committee at their meeting on xxxxx at 160 Tooley Street, London, SE1 2TZ proposing to revoke your trading licence, in accordance with the revocation process.

To date, you have not settled the outstanding arrears on your trading account. Your arrears as of DATE xxxxx amount to: xxxx.

The revocation of your street trading licence is being recommended on the grounds that for a period of 2 months or more, you failed to pay fees or charges due to Southwark Council in connection with your trading licence.

Section 27 of the standard licence conditions states:-

“Any trader in arrears with their licence fee in excess of 2 months may have his/her licence revoked as per the agreed revocation procedure”.

You will have the opportunity to appear before the Licensing Sub-Committee, and to be heard in this matter. A representative may accompany you if you wish.

You may also make a written representation on this matter. This must be received in the market office no later than Tuesday 24th January 2017 and must be addressed to: Lisa York, **Markets & Street Trading Manager, SAST House, 47 – 53 Dawes Street, London, SE17 1EL.**

If you pay all outstanding arrears prior to the Licensing Sub Committee meeting, the report proposing the revocation of your trading licence will be withdrawn. **May I remind you that your account will need to have a zero balance to be withdrawn prior to the Licensing Sub Committee.**

Any payment must be showing on your account prior to the hearing. If paying at a bank you should ensure five clear working days before the date of hearing. If you have not left 5 clear days, you will need to bring proof of payment to the Market Office.

You have not been charged for this letter but you will be charged £25.00 for any further correspondence regarding this debt.

Yours sincerely,

Hannah Lilley
Markets & Street Trading Team
47 – 53 Dawes Street
London
SE17 1EL

Item No. 6.	Classification: Open	Date: 30 January 2017	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Lost Rivers (Land Adjacent to Artworks), Elephant Road, London SE17 1AY	
Ward(s) of group(s) affected		East Walworth	
From		Strategic Director of Environment	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Nicholas James Boland for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Lost Rivers (land adjacent to artworks), Elephant Road, London SE17 1AY.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from responsible authorities and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 12 to 19 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted and the related correspondence are attached to this report in Appendix B.
 - d) Paragraph 21 deals with licensed premises within a 100 metre 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 licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.

5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.

6. In carrying out its licensing functions, a licensing authority must also have regard to
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.

7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 18 October 2016 Nicholas James Boland applied to this council for the grant of a premises licence in respect of Lost Rivers (land adjacent to Artworks), Elephant Road, London SE17 1AY. The premises is described as a box park style multi-use construction with main focuses on serving craft beers, offering high quality food and providing entertainment suitable for all ages main in a modern circus.

9. The application is summarised as follows: (as amended through conciliation)
 - Plays (indoors)
Monday to Thursday from 10:00 to 00:00
Friday and Saturday from 10:00 to 01:00
Sunday from 10:00 to 23:00

 - Films (indoors)
Monday to Thursday from 10:00 to 00:00
Friday and Saturday from 10:00 to 01:00
Sunday from 10:00 to 23:00

 - Recorded Music (indoors)
Monday to Thursday from 10:00 to 00:00
Friday and Saturday from 10:00 to 01:00
Sunday from 10:00 to 23:00

- Performance of dance (indoors)
Monday to Thursday from 10:00 to 00:00
Friday and Saturday from 10:00 to 01:00
Sun 10:00 to 23:00
 - Anything similar to the above (indoor)
Monday to Thursday from 10:00 to 00:00
Friday and Saturday from 10:00 to 01:00
Sunday from 10:00 to 23:00
 - Late Night Refreshment (indoors and outdoors)
Monday to Thursday from 23:00 to 00:00
Friday and Saturday from 23:00 to 01:00
 - The supply of alcohol (on and off the premises)
Monday to Thursday from 11:00 to 00:00
Friday and Saturday from 01:00
Sunday from 11:00 till 23:00
 - Operating hours
Monday to Thursday from 10:00 to 00:30
Friday and Saturday from 10:00 to 01:30
Sunday from 10:00 to 23:30.
10. The proposed designated premises supervisor of the premises is Nicholas James Boland who holds a personal licence issued by Lambeth Council.
11. The premises licence application form provides the applicant's operating schedule. Parts A, B, E, F, G, H, I, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application is attached to this report in Appendix A.

Representations from responsible authorities

12. Representations have been submitted by the Metropolitan Police Service, the environmental protection team (EPT), licensing (as a responsible authority), trading standards and public health.
13. The representation from the Metropolitan Police Service states that the operating schedule indicates that this is a multi-functional, multi-use space that will contain a variety of businesses, some of which will be selling alcohol and food for consumption on and off the premises and have offered conditions to be considered for the promotion of the four licensing objectives, in particular the prevention of crime and disorder. Some of the conditions have been offered as part of the operating schedule but the wording is crucial to negate ambiguity. The conditions have been agreed and as such the police representation has been withdrawn.
14. The EPT representation is made under the grounds of prevention of public nuisance. They state that there is inadequate detail in the application on how a public nuisance would be prevented. There is no detail of measures that would be used to prevent

public nuisance. The applicant has not conducted a risk assessment of the likelihood of their outdoor music activities causing public nuisance to nearby residents, and has therefore not followed Section 216 of the statement of licensing policy. The EPT have suggested conditions for amending the operating schedule if necessary

15. Licensing (as a responsible authority) has submitted representations in respect of the prevention of crime and disorder; the prevention of public nuisance, public safety and the protection of children from harm. This premises is situated within the Elephant and Castle major town centre area and under the Southwark statement of licensing policy 2016 - 2020 the appropriate closing times for public houses, wine bars or other drinking establishments from Sunday to Thursday is 23:00 and for Friday and Saturday 00:00. The representation seeks further information and has offered conditions and request the applicant amend the operating schedule.
16. Trading standards welcome the statements in the application about addressing sales of alcohol to children in order to promote the four licensing objectives but for completeness and clarity have suggested conditions which have been agreed upon by the applicant and will therefore form part of the licence conditions. Trading standards has therefore withdrawn the representation.
17. The public health representation has been submitted in respect of the prevention of crime and disorder, the prevention of public nuisance and the protection of public safety licensing objectives. The representation is concerned with the proposed hours for the sale of alcohol and states that that increased hours of alcohol sales are associated with increased alcohol consumption, alcohol related injuries and alcohol related harm. Research suggests that increased hours of alcohol sales are associated with increased alcohol consumption, increased alcohol-related injuries, and increased alcohol-related harm. Southwark's statement of licensing policy recommends a closing time for alcohol sales of 23:00 on Sundays to Thursdays and 00:00 on Fridays and Saturdays for an establishment in this location and therefore the public health authority recommend that the end time for alcohol sales be changed to 23:00 on Sundays to Thursdays and 00:00 on Fridays to Saturdays as per Southwark's statement of licensing policy.
16. Copies of the representations submitted by the responsible authorities and related trading standards and police withdrawal emails are attached in Appendix B.

Representations from other persons

17. There are no representation from other persons.

Conciliation

18. The representations were forwarded to the applicant and, through conciliation, conditions offered by both the police and trading standards have been agreed by the applicant and the operating schedule has been amended. However, other representations remain outstanding and the licensing sub committee will be updated of any developments on 30 January 2017. The conciliation statement is attached as Appendix C.

Deregulation of entertainment

19. 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 and recorded amplified music is deregulated between 08.00 and 23.00 at on-licensed premises provided the audience does not exceed 500 people. 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').

Map of the local area

20. A map showing the location of the premises is attached to this report as Appendix D. The premises are identified at the centre of the map by a pink triangle. The following licensed premises are also shown on the map and have closing times as stated:

- Bola 8, 122 Elephant Road, London SE1 (Monday to Sunday till 06:00)
- Corsica Studios, Unit 4 & 5 Farrell Court, Elephant Road, London SE1 (Sunday to Wednesday till 03:00, Thursday till 04:00 and Friday 24 hours)
- Distrindina, Unit 6 Farrell Court, Elephant Road, London SE1 (Sunday to Thursday till 03:00, Friday and Saturday till 04:40)
- Long Wave Bar and Café, 1 The Artworks, Elephant Road, London SE1 (Monday to Sunday till 01:00)
- Naranjo Restaurant, 113 Elephant Road, London SE1 (Monday to Sunday till 23:00)
- Coronet, Railway Arch 3,4,5 & 6, Elephant Road, London SE1 (Monday to Sunday till 07:30)
- La Chatica, Unit 2, Farrell Court, Elephant Road, London SE1 (Monday to Saturday till 22:00 and Sunday till 20:00).

Southwark council statement of licensing policy

21. 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.
22. 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.
23. 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:
- Public houses, wine bars or other drinking establishments: Sunday to Thursday 23:00 and Friday and Saturday 00:00.

Resource implications

24. A fee of £315.00 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band C.

Consultation

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

Community impact statement

26. 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

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

Principles for making the determination

29. 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.
30. 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.
31. 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

32. 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.
33. The four licensing objectives are:
 - The prevention of crime and disorder
 - Public safety

- The prevention of nuisance
 - The protection of children from harm.
34. 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.
35. 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.
36. 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

37. 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

38. 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.

39. 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

40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.
46. 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.

47. 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

48. Members are required to have regard to the Home Office revised 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

49. 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	Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Application for a premises licence
Appendix B	Representations submitted by responsible authorities and withdrawal emails
Appendix C	Conciliation statement
Appendix D	Map of local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Dorcas Mills, Principal Licensing Officer	
Version	Final	
Dated	18 January 2017	
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		18 January 2017

20/10/2016

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

Ref No. 701922

Name of Applicant

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

	Nicholas James Boland
--	-----------------------

Premises Details

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

£	£33,001
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises

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

Address Line 1	Land Adjacent to Artworks
Address Line 2	
Town	Elephant and Castle
County	
Post code	SE17 1AY
Ordnance survey map reference	
Description of the location	
Telephone number	07753689132

Applicant Details

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

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

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

	I am making the application pursuant to a statutory function
--	--------------------------------------------------------------

Other Applicants

Personal Details - First Entry

Name	The Lost Rivers Ltd
------	---------------------

Address - First Entry

Street number or building name	20
Street Description	Kersley Hall Road
Town	Radcliffe
County	Manchester
Post code	M26 1AT
Registered number (where applicable)	09820661
Description of applicant (for example, partnership, company, unincorporated association etc)	Limited Company

Contact Details - First Entry

Telephone number	[REDACTED]
Email address	[REDACTED]

Operating Schedule

When do you want the premises licence to start?

	14/11/2016
--	------------

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

--	--

General description of premises (see guidance note 1)

	A box park style multi use construction with main focuses being serving our craft beers, offering high quality food, providing entertainment suitable for all ages mainly in a modern circus style
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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

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

Operating Schedule part 2

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

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

Provision of regulated entertainment

	a) plays
	b) films
	e) live music
	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
--	----------------------

A - Plays

Will the performance of a play take place indoors or outdoors or both? (Please read guidance note 2)

	Both
--	------

Please give further details here (Please read guidance note 3)

	Potential film showings for all ages.
--	---------------------------------------

Standard days and timings for Plays (Please read guidance note 6)

Day	Start	Finish
Mon	10:00	17:00
	17:00	00:00
Tues	10:00	17:00
	17:00	00:00
Wed	10:00	17:00
	17:00	00:00
Thur	10:00	17:00
	17:00	00:00
Fri	10:00	17:00
	17:00	01:00
Sat	10:00	17:00
	17:00	01:00
Sun	10:00	17:00
	17:00	23:00

State any seasonal variations for performing plays (Please read guidance note 4)

	None
--	------

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

	N/A
--	-----

B- Films

Will the exhibition of films take place indoors or outdoors or both? (Please read guidance note 2)

	Both
--	------

Please give further details here (Please read guidance note 3)

	In the future we would like to option to show film footage
--	------------------------------------------------------------

Standard days and timings for Films (Please read guidance note 6)

Day	Start	Finish
Mon	10:00	17:00
	17:00	00:00
Tues	10:00	17:00

	17:00	00:00
Wed	10:00	17:00
	17:00	00:00
Thur	10:00	17:00
	17:00	00:00
Fri	10:00	17:00
	17:00	01:00
Sat	10:00	17:00
	17:00	01:00
Sun	10:00	17:00
	17:00	23:00

State any seasonal variations for the exhibition of films (Please read guidance note 4)

	None intended
--	---------------

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

	None intended
--	---------------

E - Live Music

Will the performance of live music take place indoors or outdoors or both? (Please read guidance note 2)

	Both
--	------

Please give further details here (Please read guidance note 3)

	We hope to support local emerging music talent
--	------------------------------------------------

Standard days and timings for Live Music (Please read guidance note 6)

Day	Start	Finish
Mon	10:00	17:00
	17:00	00:00
Tues	10:00	17:00
	17:00	00:00
Wed	10:00	17:00
	17:00	00:00
Thur	10:00	17:00
	17:00	00:00
Fri	10:00	17:00

	17:00	01:00
Sat	10:00	17:00
	17:00	01:00
Sun	10:00	17:00
	17:00	23:00

State any seasonal variations for the performance of live music (Please read guidance note 4)

	None planned
--	--------------

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed. (Please read guidance note 5)

	None planned
--	--------------

F - Recorded Music

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 2)

	Both
--	------

Please give further details here (Please read guidance note 3)

	Mainly background music if there is no live entertainment on at the time, to add to the atmosphere
--	----------------------------------------------------------------------------------------------------

Standard days and timings for Recorded Music (Please read guidance note 6)

Day	Start	Finish
Mon	10:00	17:00
	17:00	00:00
Tues	10:00	17:00
	17:00	00:00
Wed	10:00	17:00
	17:00	00:00
Thur	10:00	17:00
	17:00	00:00
Fri	10:00	17:00
	17:00	01:00
Sat	10:00	17:00
	17:00	01:00
Sun	10:00	17:00
	17:00	23:00

State any seasonal variations for playing recorded music (Please read guidance note 4)

	none planned
--	--------------

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 5)

	none planned
--	--------------

G - Performances of Dance

Will the performances of dance take place indoors or outdoors or both? (Please read guidance note 2)

	Both
--	------

Please give further details here (Please read guidance note 3)

	We hope to provide dance performances as entertainment ranging from kids productions during the school holidays to potential shows in the evenings
--	----------------------------------------------------------------------------------------------------------------------------------------------------

Standard days and timings for Performance of dance (Please read guidance note 6)

Day	Start	Finish
Mon	10:00	17:00
	17:00	00:00
Tues	10:00	17:00
	17:00	00:00
Wed	10:00	17:00
	17:00	00:00
Thur	10:00	17:00
	17:00	00:00
Fri	10:00	17:00
	17:00	01:00
Sat	10:00	17:00
	17:00	01:00
Sun	10:00	17:00
	17:00	23:00

State any seasonal variations for the performance of dance (Please read guidance note 4)

	none planned
--	--------------

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 5)

	none planned
--	--------------

H - Anything of a similar description to that falling within (e), (f) or (g)

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

	Unknown as of yet. We anticipate the previous activities to cover the extent of the entertainment
--	---------------------------------------------------------------------------------------------------

Will the entertainment take place indoors or outdoors or both? (Please read guidance note 2)

	Both
--	------

Please give further details here (Please read guidance note 3)

	Unknown as of yet but only similar to the previous entertainment
--	------------------------------------------------------------------

Standard days and timings for Anything of a similar description to that falling within (e), (f) or (g) (Please read guidance note 6)

Day	Start	Finish
Mon	10:00	17:00
	17:00	00:00
Tues	10:00	17:00
	17:00	00:00
Wed	10:00	17:00
	17:00	00:00
Thur	10:00	17:00
	17:00	00:00
Fri	10:00	17:00
	17:00	01:00
Sat	10:00	17:00
	17:00	01:00
Sun	10:00	17:00
	17:00	23:00

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (Please read guidance note 4)

	none expected
--	---------------

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 5)

	none expected
--	---------------

I - Late Night Refreshment

Will the provision of late night refreshment take place indoors or outdoors or both? (Please read guidance note 2)

	Both
--	------

Please give further details here (Please read guidance note 3)

	Just being able to provide food whilst people maybe drinking
--	--------------------------------------------------------------

Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 6)

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

State any seasonal variations for the provision of late night refreshment (Please read guidance note 4)

	none expected
--	---------------

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 5)

	none expected
--	---------------

J - Supply of Alcohol

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

	Both
--	------

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

Day	Start	Finish
Mon	11:00	00:00
Tues	11:00	00:00
Wed	11:00	00:00
Thur	11:00	00:00
Fri	11:00	01:00
Sat	11:00	01:00
Sun	11:00	23:00

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

	none expected
--	---------------

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

	none expected
--	---------------

Please upload the consent form completed by the proposed premises supervisor

[Consent form]	
----------------	--

Premises Supervisor

Full name of proposed designated premises supervisor

First names	Nicholas James
Surname	Boland

Address of proposed designated premises supervisor

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

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

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

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 public

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

Day	Start	Finish
Mon	10:00	00:30
Tues	10:00	00:30
Wed	10:00	00:30
Thur	10:00	00:30
Fri	10:00	00:30
Sat	10:00	01:30
Sun	10:00	23:30

State any seasonal variations (Please read guidance note 4)

	none expected
--	---------------

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

	none expected
--	---------------

M - Steps to promote four licencing objectives

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

	<p>Strong management controls and staff training so that they are fully aware of premises licence and what is required to meet the four licencing objectives</p> <ul style="list-style-type: none"> - no selling of alcohol to underage people - no drunk and disorderly behaviour on the premises - vigilant in preventing the use and / or sale of drugs - no violent or anti social behaviour - no hard to children
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

b) the prevention of crime and disorder

	<ul style="list-style-type: none"> - CCTV in and outside and sensitive areas - Security on site at all times, with numbers increasing as suitable to the size of crowd and the time of night - clear notices warning guests of theft - refusing service to drunk customers - no external solicitation outside or nearby - prevention and vigilance in illegal drug use - train staff in requesting guests to act respectfully
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

c) public safety

	<ul style="list-style-type: none"> - Internal and external lighting fixed to promote the objective - EH issues adhered to by trained staff - staff to be trained in underage checks, with a refusal log - log of incidents, inspections etc for any licencing officers - Well maintained FF&E, notices, heating, AC etc
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

d) the prevention of public nuisance

	<ul style="list-style-type: none"> - Noise prevention measures to address the public nuisance objective - Clear signage asking the guests to leave quietly and swiftly - Deliveries between 8am and 6pm only - Challenge 25 in operation and staff training in - Training log to be kept on the premises
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

e) the protection of children from harm

	<ul style="list-style-type: none"> - Photo ID only if suspected of attempted underage drinking
--	---------------------------------------------------------------------------------------------------------------

Please upload a plan of the premises

	P02-Proposed-Site-Plan..pdf
--	---------------------------------------------

Please upload any additional information i.e. risk assessments

	additional-Elephant-info.docx
--	-----------------------------------------------

Checklist

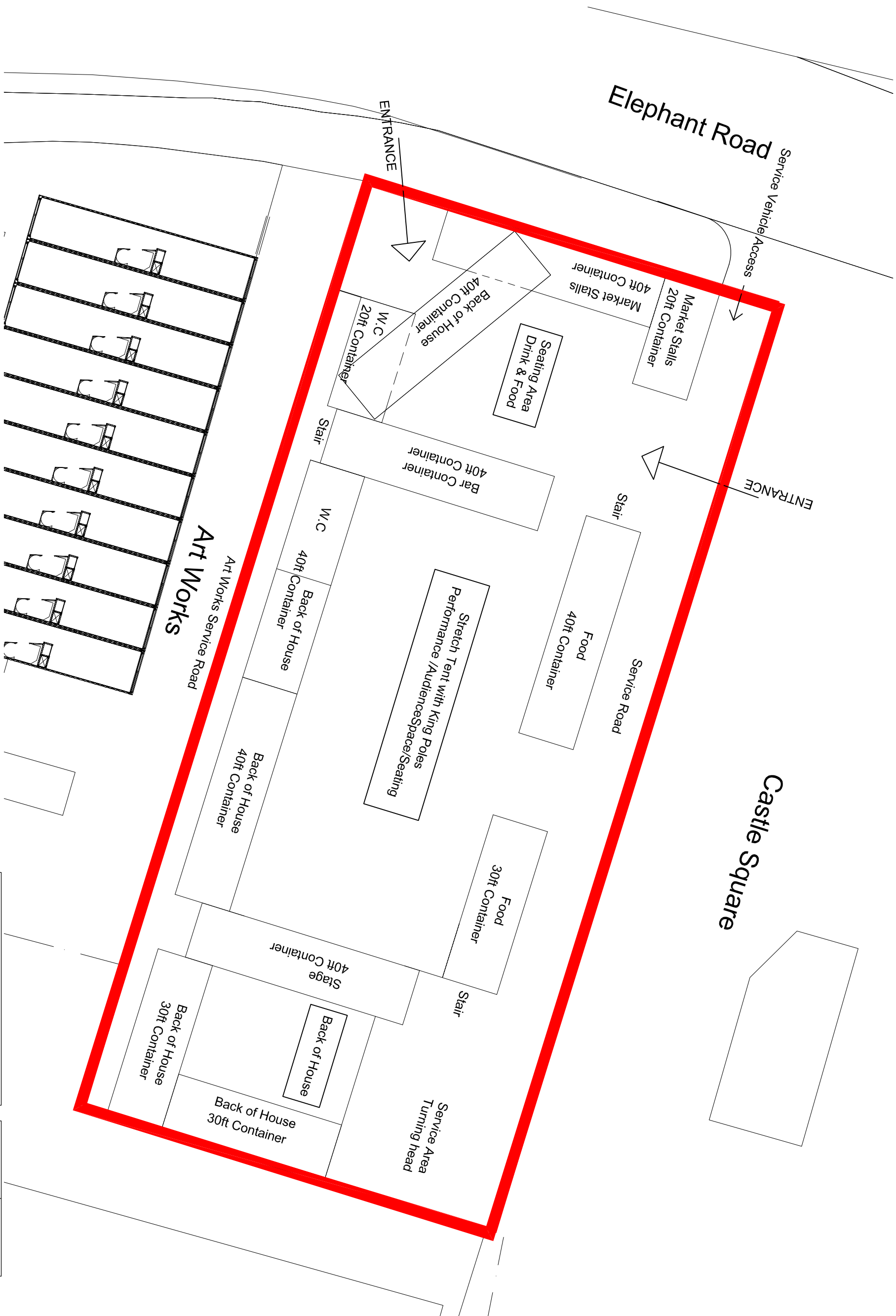
	<p>I have enclosed the plan of the premises. I understand that I must now advertise my application. I understand that if I do not comply with the above requirements my application
 will be rejected.</p>
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------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

Declaration

I agree to the above statement

	I agree
PaymentDescription	, ,
AuthCode	517480
LicenceReference	LPA-94212-254
PaymentContactEmail	

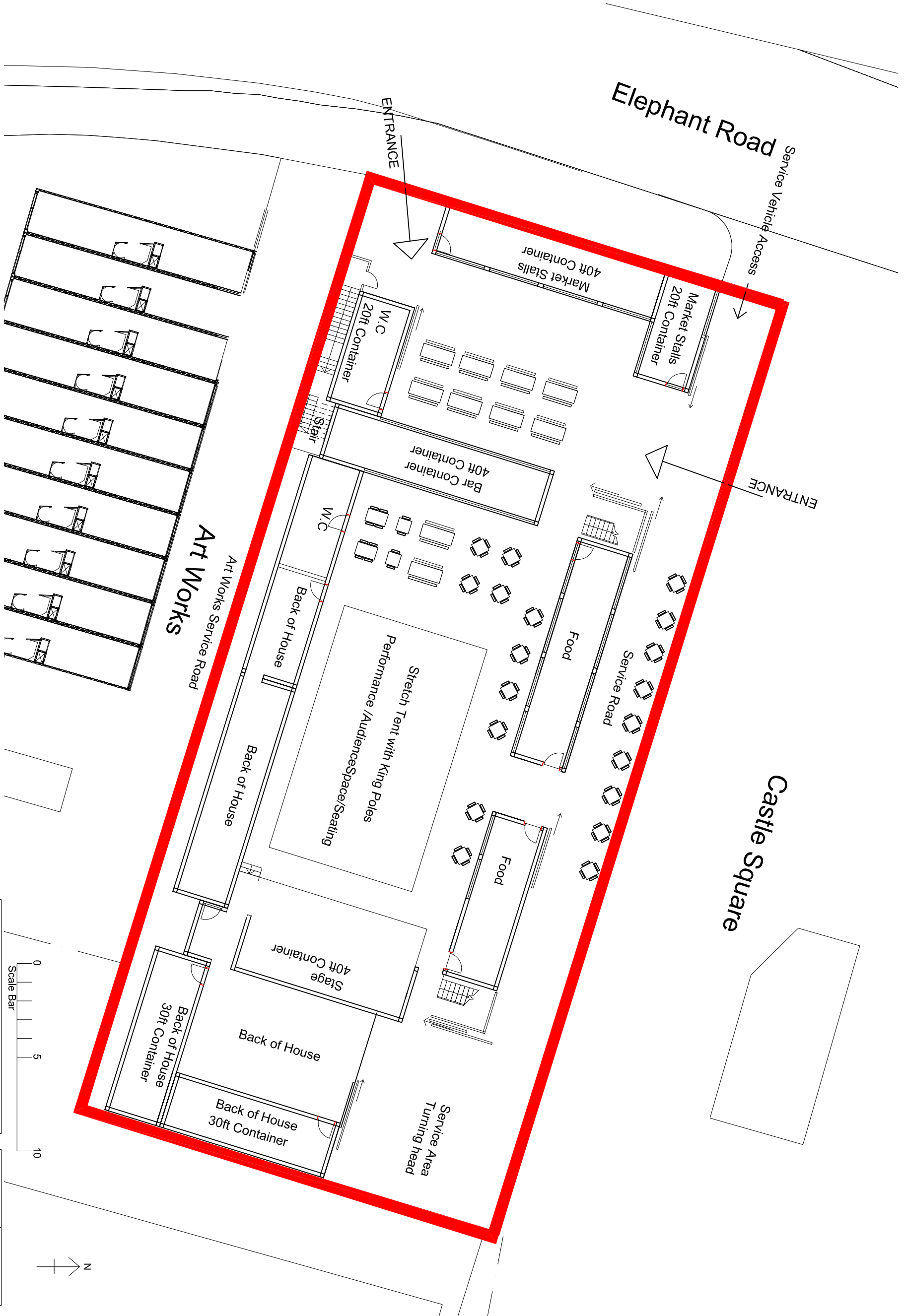
The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.



project title	Lost Rivers, Elephant	
drawing title	Proposed Site Plan	

date	10-2016	project no.	1625
scale	1:200@A3	drawing no.	P02
status	Planning	revision no.	/

Guy Wal
 New Oliv
 High Str
 Uckfield
 East Sus
 TN22 1C
 Tel: 0776



Castle Square

Elephant Road

Art Works
Art Works Service Road

ENTRANCE

ENTRANCE

Market Stalls
40ft Container

Market Stalls
20ft Container

W.C
20ft Container

Bar Container
40ft Container

Food

Service Road

Stretch Tent with King Poles
Performance /AudienceSpace/Seating

W.C

Back of House

Back of House

Food

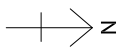
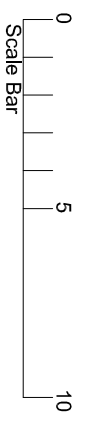
Stage
40ft Container

Back of House

Back of House
30ft Container

Back of House
30ft Container

Service Area
Turning head



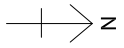
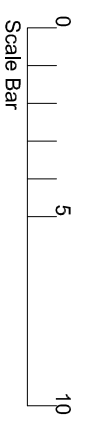
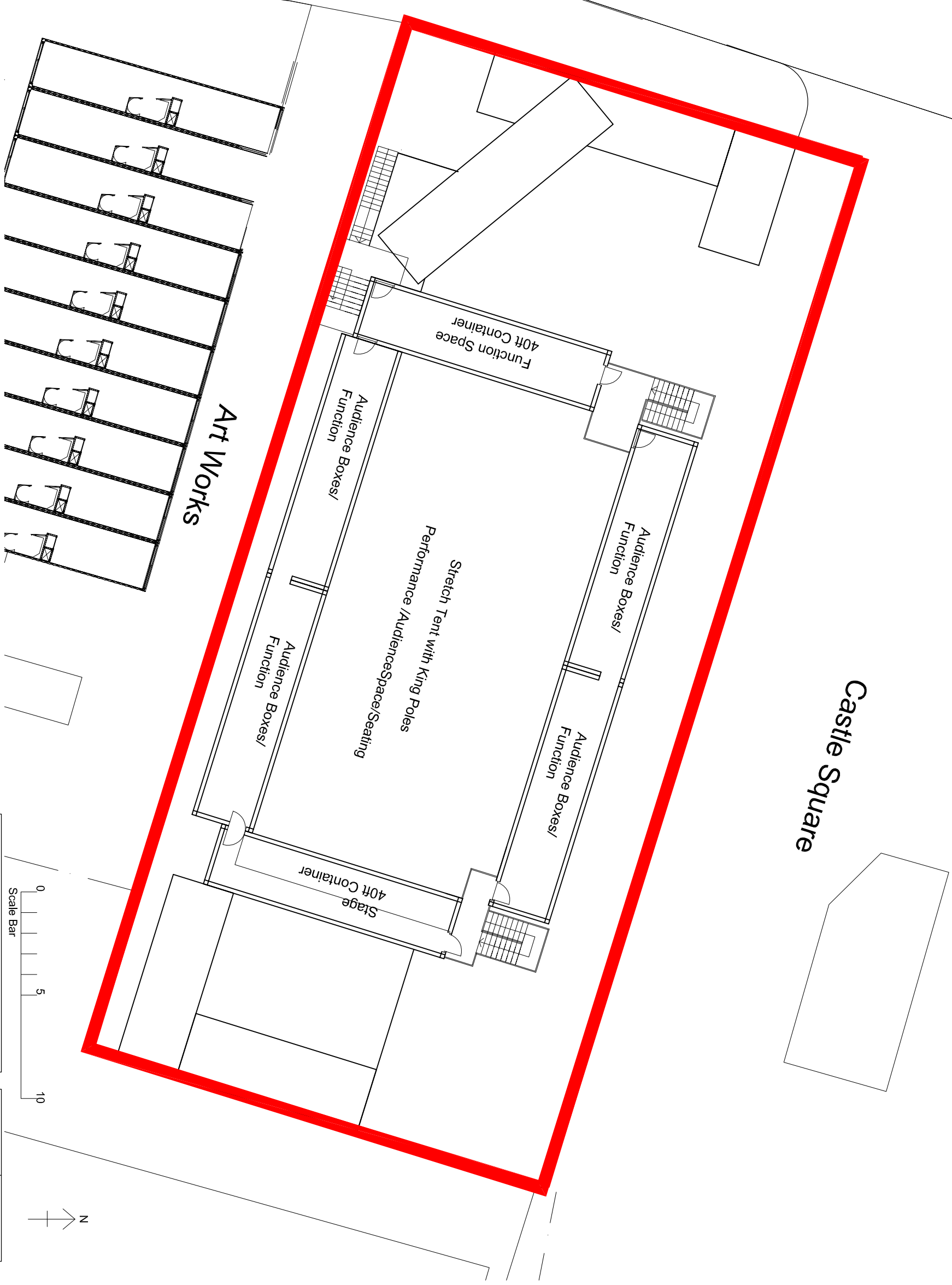
project title	Lost Rivers, Elephant
drawing title	Proposed Ground Floor Plan

date	10-2016	project no.	1625
scale	1:200@A3	drawing no.	P03
status	Planning	revision no.	/

Guy Walker Architects
 New Olives
 High Street
 Uckfield
 East Sussex
 TN22 1QE
 Tel: 0779 9061715

Elephant Road

Castle Square



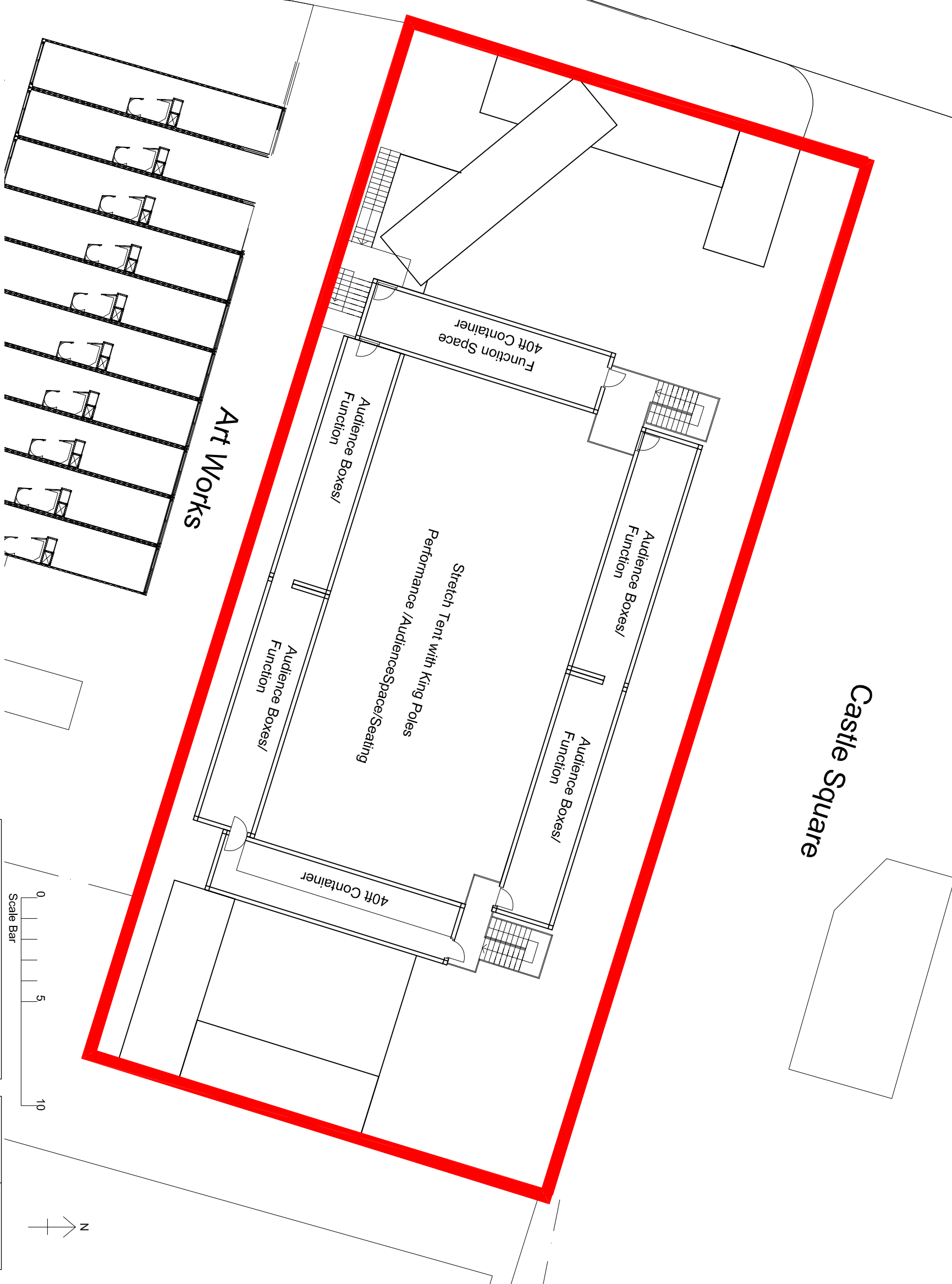
project title	Lost Rivers, Elephant
drawing title	Proposed First Floor Plan

date	10-2016	project no.	1625
scale	1:200@A3	drawing no.	P04
status	Planning	revision no.	/

Guy Walker Architects
 New Olives
 High Street
 Uckfield
 East Sussex
 TN22 1QE
 Tel: 0779 9061715

Elephant Road

Castle Square



project title
Lost Rivers, Elephant

drawing title
Proposed Second Floor Plan

date
10-2016

scale
1:200@A3

status
Planning

project no.
1625

drawing no.
P05

revision no.
/

Guy Walker Architects

New Olives
High Street
Uckfield
East Sussex
TN22 1QE
Tel: 0779 9061715

Risk Assessment

Lost Rivers

Date: 20th October 2016

Lost Rivers Bar

Date: 20/10/2015

Risk Assessment

Hazard	Likelihood of risk	Level of Risk	Risk Control Measures	Management Review
Manual Handling				
Moving Equipment: Muscle strains Collisions Crushing Falls	Med	Med	Adequate training given and documented. Use of correct lifting techniques & lifting aids. Assistance with difficult / awkward items. Wearing protective gloves / safety shoes.	Ensure adequate training has been given to all employees and has been documented. Check availability of lifting aids.
Moving Chemicals: Muscle strains Collisions Crushing Falls Chemical Splashes	Low	Med	As above and wearing eye protection where necessary. Ensure containers are secure / leak free. Spillages cleared immediately.	Observe working practices regarding: a) Lifting techniques; b) Use of PPE; c) Spillage clearance procedures; d) Refuse removal.
Moving Refuse: Muscle strains Collisions	Med	Med	Check refuse bags, before lifting, for splits or sharp protrusions.	Are notices displayed requesting sharps / breakages not to be deposited in refuse

Crushing Falls Cuts			Ask clients not to deposit sharps into refuse bins. Use of correct lifting techniques & lifting aids. Assistance with difficult / awkward items. Wearing protective gloves / safety shoes.	bins? Ensure individuals tasked with manual handling are capable.
Movement of Heavy / Awkward Food Items e.g. Kegs, trays of drinks	High	High	Break down in to smaller quantities where possible, or use alternative products. Use of correct lifting techniques & lifting aids. Getting help with difficult / awkward items. Wearing protective gloves / safety shoes. Store Heavy items on shelving at waist height.	As Above. Also check to see if smaller quantities / alternatives can be purchased. Check Storage of heavy items.
Movement of Hot Food / Liquids: Muscle strains Collisions Falls Burns / Scalds	Med	High	As above and if load is too heavy split it into smaller pots - do not overfill. Pots to be moved / lifted ensure they have a lid or are cling filmed to prevent spills. Warn other staff that hot food is being moved and clear the route in advance if possible. Ensure hands are adequately protected from the heat.	
Unloading Of Containers	Med	High	Follow advice above. Also hold a briefing with employees on safety aspects prior to commencement. Getting help with difficult / awkward items.	
C.O.S.H.H				
Storage of chemicals. Fire Risks Spillage Splashes to Eyes/Skin Fumes Swallowing Manual Handling Food Contamination	Low	Low	Ensure employees have COSHH training in use of PPE. Store highly flammable chemicals in a fire resistant cupboard. Check tops/lids of containers are secure prior to storage. Ensure containers are not	Ensure adequate training has been given to all employees, and has been documented. Check availability of lifting aids. Observe working practices regarding: a) Lifting technique

			<p>stored on their side - always store upright. Ensure people handling opened containers are wearing PPE. Ensure the Chemical Store has adequate ventilation. Ensure spillages are cleared immediately. Ensure chemicals are never mixed. Store chemicals away from food and food packaging / utensils.</p> <p>Use of correct lifting techniques & aids. Getting help with difficult / awkward items.</p>	<p>b) Spillage clearance procedure c) Storage conditions d) Decanting practices e) Use of PPE</p> <p>Ensure COSHH signage is displayed.</p>
<p>Moving Chemicals: Muscle Strains Collisions Toe / Finger Crush Trip / Slip / Fall Chemical Splashes</p>	Low	Med	<p>Wearing protective gloves / safety shoes / eye protection where necessary. Ensure containers are secure / leak free. Spillages cleared immediately.</p>	<p>Check information contained on cleaning schedule.</p>
<p>Use of Chemicals: Fire Risks Spillages Splashes to eyes / skin Fumes Swallowing Manual Handling Food Contamination</p>	Med	Med	<p>As above and cleaning schedule should state chemical(s) in use, PPE to wear and method. Eye wash station should be readily accessible. Only authorized chemicals must be used.</p>	<p>Check availability of eye wash station.</p> <p>Safety data sheets must be available for all chemicals available for use.</p>
Stacking Kegs				
<p>Handling Kegs: Back Injury Muscle strains Collisions Crushing Falls</p>	Med	Med	<p>Ensure adequate training has been given to all employees and has been documented. Use correct lifting techniques & aids. Getting help with difficult / awkward items. Wearing protective gloves / safety shoes.</p>	<p>Ensure adequate training has been given to all employees and has been documented. Including fork lift truck training - certificate must be on employee file Check availability of lifting aids/fork lift truck.</p>
Moving Kegs:	Med	Med	Ensure kegs are secure / leak	Observe Manual Handling

Back Injury Muscle strains Collisions Crushing Falls			free. Spillages cleared immediately.	poster in cellar a) Lifting technique; b) Use of PPE;
Stacking Kegs: Back Injury Muscle strains Collisions Crushing Falls Cuts	Med	Med	Use of correct lifting techniques & aids. Getting help with difficult / awkward items. Wearing protective gloves / safety shoes. If lifting aid not used two men must carry out this task.	Ensure individuals tasked with manual handling are capable. SAFETY SHOES MUST BE WORN AT ALL TIMES.
Working with mobile units				
Moving mobile units: Muscle strains Collisions Crushing	Med	High	Before trailers are being erected or moved on site, adequate training to be given to all employees and has been documented, to all employees. Use of correct lifting / moving techniques. Use of lifting aids. Getting help with awkward lifts. Protective Gloves / strong shoes.	Check availability of lifting aids. Observe working practices regarding: a) lifting b) Use of PPE Ensure individuals tasked with manual handling are capable.
Use and storage of Knives: Cuts or wound, injuries caused by contact with blade during use.	High	High	Ensure knives are kept sharp and in good condition. Knives should only be used for the purpose for which they were designed.	Ensure adequate training has been given to all employees, and has been documented.
Cuts caused by inadvertent contact with blades.	Med	Med	When finished with a knife it should be washed or placed somewhere where it cannot cause injury. Knives must never be placed in a sink and left there, they should be washed separately. Knives should be stored in such a way as to ensure they can be safely picked up (I.e.	Observe working practices regarding: a) Use of knives b) Storage of knives

			on a magnetic knife rack, in a knife block etc.) If stored in a drawer, all handles must be at the front of the drawer.	
Chiller/ Freezer				
Electric Shock.	Low	Low	Ensure that equipment is regularly serviced and well maintained by a competent person.	Ensure adequate training has been given to all employees, and has been documented.
Person trapped inside.	Med	Med	Ensure adequate means of escape is available from inside the walk-in chiller / freezer. Doors should be openable from the inside. Before locking shut walk-in chiller / freezer, ensure a visual and verbal check for occupants is made inside.	Observe working practices regarding the locking of the walk-in chiller / freezer. Check internal door release mechanisms. Check equipment PAT tested within last 12 months.
Gas – CO2				
Toe crushing injuries from CO2 cylinders.	Low	Low	Cylinders must be secured when in use and during transit. Cylinders must be stored on their side or secured if stored upright. Ensure safety footwear is worn.	Ensure adequate training has been given to all employees, and has been documented.
Breathing in CO2 in confined areas.	Low	Low	As above	Observe working practices regarding: a) CO2 security b) CO2 storage c) Wearing of PPE
Use of plumbed in Water Boilers				
Contact with hot equipment and water. Spillages Electrical hazards Pressure vessels Burns and scalds Slips and falls Electric shock	Med	Med	Water boilers only to be used by trained staff. Follow manufacturer's instructions where these are available Water boilers to be maintained by competent persons and in accordance with manufacturer's guidance. Water boilers to be suitably positioned away from busy	Ensure correct training of staff

			<p>circulation routes etc. and at a convenient height for the user.</p> <p>Sufficient clearance between the tap and surface to allow the equipment being filled to be placed directly beneath the dispense tap</p> <p>Spillages to be cleaned up as they occur and wet floor warning signs used when appropriate.</p> <p>Power sockets and leads to electrical equipment to be positioned where they will not be affected by accidental spillages.</p>	
Floor Cleaning				
Slips on wet surface.	Med	Med	<p>Provide full training to appropriate employees in the use of cleaning equipment and the procedures to adopt.</p> <p>Ensure precautions are taken prior to starting, i.e. display warning signs / wet floor notices; restrict access to area by segregation / locking doors; clean busy areas during quiet periods etc.</p> <p>Ensure that excess moisture is removed from the floor prior to moving on. Where possible it should be mopped dry.</p>	<p>Ensure adequate training has been given to all employees, and has been documented.</p> <p>Observe working practices regarding:</p> <ul style="list-style-type: none"> a) Mopping techniques b) Use of signage c) Spillage clearance procedures d) creation of tripping hazards
Trips and falls.	Med	Med	<p>Ensure sufficient warning signs are available.</p> <p>Ensure equipment does not create a tripping hazard, i.e. electrical leads should not be left across passageways; equipment should not be left near corners or stairways.</p>	
Cleaning of Electrical Equipment				

Electric shock / Burn	Low	Med	<p>Ensure equipment is isolated before attempting cleaning.</p> <p>Ensure employees are trained in the correct cleaning procedure for the equipment.</p> <p>Ensure that a competent person has properly maintained the equipment.</p> <p>Ensure employees visually check the condition of the equipment / flex / and plug as part of the task.</p> <p>Ensure employees are aware of the hazard reporting procedure.</p>	<p>Ensure adequate training has been given to all employees, and has been documented.</p> <p>Check condition of equipment / flex / plug.</p> <p>Check equipment PAT tested within last 12 months.</p> <p>Observe working practices regarding Cleaning procedure.</p>
Cleaning of Tables				
Injuries caused by contact with chemicals	Low	Low	Ensure employees have a COSHH training and training in use of PPE.	Ensure adequate training has been given to all employees, and has been documented.
Cuts from debris on tables	Med	Med	<p>Ensure the correct personal protective equipment is worn where appropriate.</p> <p>Cleaning schedule should state chemical(s) to use, PPE to wear and method.</p> <p>Only authorised chemicals must be used.</p> <p>Safety data sheets must be available for all chemicals available for use</p> <p>Ensure spillages are cleared immediately.</p> <p>Ensure chemicals are never mixed.</p> <p>Ensure all decanted chemicals must be in correctly labelled and suitable containers and at the correct dilution.</p>	<p>Ensure adequate training has been given to all employees, and has been documented.</p> <p>Observe working practices regarding</p> <p>a) Spillage clearance procedures</p> <p>b) Decanting practices</p> <p>c) Dilution practices</p> <p>d) Use of PPE</p> <p>Ensure COSHH signage is displayed.</p> <p>Check information contained on cleaning schedule.</p> <p>Check availability of eye wash stations</p>
Washing of glasses and utensils				
Injuries caused by contact with sharps or chemicals.	Low	Low	Use mechanical washing wherever possible.	Ensure adequate training has been given to all employees, and has been documented.
Cuts from glass or debris in sink	Med	Med	<p>Do not put sharp objects in sink and leave.</p> <p>Always wash glass separate</p>	<p>Observe working practices regarding:</p> <p>a) Sharps cleaning</p>

			<p>from crockery. Ensure employees have training in use of PPE. Ensure the correct personal protective equipment is worn Cleaning schedule should state chemical(s) to use, PPE to wear and method. Only authorised chemicals must be used.</p>	<p>b) Use of PPE</p> <p>Ensure COSHH signage is displayed.</p> <p>Check availability of eye wash station.</p>
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Safety Data Sheet

Product Name: Purple Beer Line Cleaner

Supplier: Staples Disposables Ltd

Description

A purple sterilising liquid with a hypochlorite odour

Benefits and Features

A very effective and safe sterilising cleaner which when used as directed, maintains beer lines, pipes and valves in top condition. Can be used to sterilise all types of liquid pump line systems in the food industry

Directions of Use

Dilute the solution to 1:100 (50ml per 5 litres of water)

Run through the lines.

If the exiting colour is green it is a sign of contamination. Keep running through lines until it flows through purple.

Leave in lines for 10 minutes.

When cleaned out, if the solution remains purple the system is then clean.

If the solution is slightly green or even clear, repeat the process again.

Wash lines through thoroughly with water after use.

Risk Phrases:

R36/38: Irritating to eyes and skin.

R31: Contact with acid liberated toxic gas

R34: Causes burns

R50: Very toxic to aquatic organisms.

R22: Harmful if swallowed

Due to the high concentration of chemicals, the bottles used may expand

Safety Phrases:

S2: Keep out of reach of children.

S46: If swallowed, seek medical advice immediately and show container or this Safety Sheet.

Hazardous Ingredients:

Sodium Hydroxide

Potassium Permanganate

Warning

DO NOT mix with other products. May release dangerous gas (chlorine)

First Aid Measures (symptoms)

Skin Contact : There may be irritation and redness at the site of contact.

Eye Contact : There may be pain and redness. The eyes may water profusely. There may be severe pain. The vision may become blurred. May cause permanent damage.

Ingestion : There may be soreness and redness of the mouth and throat. Nausea and stomach pain may occur.

Inhalation : There may be irritation of the throat with a feeling of tightness in the chest.

First Aid Measures (Action)

Skin Contact : Remove all contaminated clothes and footwear immediately unless stuck to skin. Wash immediately with plenty of soap and water.

Eye Contact : Bathe the eye with running water for 15 minutes. Transfer to hospital for specialist examination.

Ingestion : Wash out mouth with water. Do not induce vomiting. If conscious, give half a litre of water to drink immediately. Consult a doctor.

Inhalation : Remove casualty from exposure ensuring one's own safety whilst doing so.

Fire Fighting Measures

Extinguishing Media : Suitable extinguishing media for the surrounding fire should be used. Use water spray to cool containers.

Exposure hazards: In combustion emits toxic fumes.

Protection of fire-fighters : wear self-contained breathing apparatus. Wear protective clothing to prevent contact with skin and eyes.

Accidental Release Measures

Personal Precautions: Mark out the contaminated area with signs and prevent access to unauthorized personnel. Do not attempt to take action without suitable protective clothing. Turn leaking containing leak-side up to prevent the escape of liquid.

Environmental Precautions: Do not discharge into drains and rivers. Contain the spillage using bunding.

Clean-Up Procedures: Absorb into dry sand or earth. Transfer to a closable, labeled salvage container for disposal by appropriate method.

Handling and Storage

Handling requirements: Avoid direct contact with the substance. Ensure there is sufficient ventilation of the area. Avoid the formation or spread of mists in the air.

Storage Conditions: Store in cool, well ventilated area. Keep container tightly closed.

Exposure Control/ Personal Protection

Engineering measures: Ensure there is adequate ventilation in the area.

Respiratory protection: Self contained breathing apparatus must be available in case of emergency.

Hand protection: Protective gloves.

Eye protection: Tightly fitting safety goggles. Ensure eye bath is to hand.

Skin Protection: Protective clothing

Physical and chemical properties

State: Liquid

Colour: Purple

Odour: Characteristic Odour

Solubility in Water: Soluble

Viscosity: Non-viscous

pH: Approx 14

Stability and Reactivity

Stability: Stable under normal conditions

Conditions to avoid: Heat

Materials to avoid: Strong oxidizing agents. Strong acids.

Haz. Decomp, products: In combustion emits toxic flames.

Ecological Information

Mobility: Readily absorbed into soil.

Persistence and degradability: Biodegradable

Bioaccumulative potential: No bioaccumulation potential.

Other adverse effects: Negligible ecotoxicity

Legal Disclaimer

The above information is believed to be correct but does not purport to be all inclusive and should be used only as a guide. The company shall not be held liable for any damage resulting from handling or from contact with the above product.

LOST RIVERS BREWING COMPANY LTD

ALCOHOL MANAGEMENT PLAN CONTENTS

Introduction

Section 1

Policy Statement

Section 2

Staff Training & Management

Section 3

Procedures for the sale of alcohol

Section 4

Weights and Measures

Section 5

SIA Security Personnel

Section 6

Selling Alcohol Responsibly

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As a responsible events caterer, Lost Rivers Brewing Company Ltd is committed to providing the most responsible retail of alcohol. Our company operates to all current legislation and takes stringent measures to satisfy these criteria. To ensure that our license stays granted we provide responsible management of our bar services at all times for visitors, staff and event organisers.

Since the formation of our company in 1999, we have enforced a rigid policy to provide the responsible sale of alcohol. Our policy aims to ensure that our licensed bar services are managed responsibly and safely. Whilst complying with licensing laws and controlling the consumption of alcohol.

Five Star Catering Ltd is highly aware of our role as a retailer of alcohol and the responsibility this brings. Continual training and liaison with councils and licensing authorities allows us to deter drunkenness, binge drinking and underage drinking.

ALCOHOL MANAGEMENT PLAN

Section 1

Policy Statement

Lost Rivers Brewing Company Ltd are committed to providing our bar services in a responsible, law abiding manner. This is done in accordance with the main objectives of the Licensing Act 2003: the Mandatory Licensing Condition – Selling Alcohol Responsibly.

The main licensing objectives being:

☐☐ THE PREVENTION OF CRIME AND DISORDER

☐☐ PUBLIC SAFETY

☐☐ THE PREVENTION OF PUBLIC NUISANCE

☐☐ THE PROTECTION OF CHILDREN FROM HARM

To comply with these objectives Lost Rivers Brewing Company Ltd liaises with licensing authorities to offer best practice. We promote the importance of responsible alcohol retail as a key part of our role. We understand the importance of professional management of our bar services and the impact this has on ensuring the safety of our customers and operations. As a pre requisite we insist that any bar service offered is manned by SIA licensed security personnel. Lost Rivers Brewing Company Ltd ensures compliance to licensing laws pertaining to the sale of alcohol by conducting the following procedures:

☒☒ Enforce a strict “Think 25” policy

☒☒ Refuse service to underage persons (Under 18)/those with no ID/persons whom we suspect of purchasing alcohol illegally

☒☒ Refuse service to intoxicated individuals

☒☒ To remove intoxicated/abusive members of the public

☒☒ Do not provide offers/incentives to our customers that promote irresponsible drinking

☒☒ Conduct “Mystery shopper” analysis to check for staff compliance

☒☒ Training of our staff on licensing laws and objectives, units of alcohol and alcohol volume – and the promotion of these aspects to our customers

☒☒ Compliance with the licensing laws main objectives

ALCOHOL MANAGEMENT PLAN

Section 2

Staff Training & Management

Staff Training

As a responsible retailer Lost Rivers Brewing Company Ltd are committed to training our bar staff and managers. This training provides the staff member with the knowledge to carry out their duties with confidence and in accordance to our A.M.P and applicable licensing laws.

Management

Effective management of our bar services provides licensing authorities and event organisers the reassurance that Lost Rivers Company Ltd are obligated to providing the responsible retail of alcohol. This is done through our core bar management structure:

Bar Supervisor

Our Bar Supervisors are responsible for the event day/daily supervision of our bar services and staffing. Their priority is to provide effective management of our bar operations and adherence to current legislation.

Operations Manager

Our Operations Manager is responsible for coordinating our bar operations. It is their duty to ensure all aspects of our bar services are constructed to the correct specifications and that they comply with Local Authority guidelines and national legislation. They are also required to resolve any bar related problems that may arise.

ALCOHOL MANAGEMENT PLAN

Section 3

Procedures for the sale of alcohol

Lost Rivers Brewing Company Ltd takes the responsible sale of alcohol seriously. We will not under any circumstance tolerate the following:

☒☒ Underage alcohol consumption

☒☒ Drunk and disorderly behaviour We have in place the following procedures for the sale and supply of alcohol when our bar services are in use:

☒☒ 'Think 25' signage on prominent display throughout the bar set up and at points of sale

☒☒ No alcohol to be sold to persons under the age of 18. Staff will request ID from the customer should they happen to look under the age of 25. Only the following forms of ID are acceptable:

1) Driving license

2) Passport

3) 'PASS' Prove it cards

☒☒ Use of false/stolen ID will be reported to SIA Security personnel for their attention

☒☒ Lost Rivers Brewing Company Ltd reserve the right to refuse service at our discretion

☒☒ All alcohol sales will be done in accordance with the Premises License

☒☒ Designated Personal License holders – Responsible for the supply of alcohol and the management of our bar services

☒☒ Lost Rivers Brewing Company Ltd will not tolerate rude and abusive behaviour

☒☒ SIA personnel will remove anyone posing a potential threat to members of the public /staff and the Police will be informed if necessary

☒☒ All drinks will be served in their correct measures in accordance with the law

☒☒ The ABV of all drinks being sold will be clearly displayed

☒☒ In the interest of public safety all glass containers are to be decanted – No glass should go over the counter to a customer

☒☒ Lost Rivers Brewing Company Ltd will not provide incentives that encourage excessive drinking

or allow customers to partake in drinking games.

ALCOHOL MANAGEMENT PLAN

Section 4

Weights and Measures

Lost Rivers Brewing Company Ltd will only supply alcohol in approved measures as required by the Weights and Measures Act. These being:

☐☐ Pints, half pints (or half pint multiples)

☐☐ Multiples of 25 milliliters for gin, rum, whisky and vodka except when they're served as part of a cocktail

☐☐ 125 milliliters or 175 milliliters for glasses of wine

☐☐ Only Crown or CE marked measures, metering equipment or glasses will be used. For example,

beer can be served using metered pumps or in stamped glasses

☐☐Spirits will be measured through stamped optics or using stamped measures

☐☐The tariff will always denote what quantities drinks are sold in and the ABV will be clearly displayed

ALCOHOL MANAGEMENT PLAN

Section 5

SIA Security Personnel

Lost River Brewing Company Ltd employs SIA security personnel at all bar operations that we provide. They are always present during bar opening times and are highly visible to everyone. All security personnel will have their SIA license on display. Their duties include but are not limited to:

- ☐☐Protect staff
- ☐☐Carry out ID checks in compliance with our Think 25 policy
- ☐☐Refuse service to underage persons/those with no ID
- ☐☐To remove intoxicated/abusive members of public
- ☐☐Protect property and income
- ☐☐Enforcement of the Premises License laws
- ☐☐Provide effective response to any given emergency

- ☐☐ Liaise with the local authorities and Police
- ☐☐ Maintain public order
- ☐☐ Control queue numbers and customer flow
- ☐☐ Close down Bar services effectively at requested times

ALCOHOL MANAGEMENT PLAN

Section 6

Selling Alcohol Responsibly

- ☐☐ Usage of an Age Verification Policy – “Think 25”
- ☐☐ Drinking games are forbidden at all of our bar operations
- ☐☐ No alcohol is to be dispensed directly into the mouth of customer. Provide customers with the option to choose smaller measures of beers, ciders, spirits and wine. All alcoholic drinks sold or supplied will be available in the following measures:
 - ☐☐ Beer/Cider/Ale: Pint or 1/2 pint
 - ☐☐ Gin, rum, vodka or whisky: 25ml
 - ☐☐ Still wine in a glass: 125ml and 175ml

Cash Handling Procedures

All cash handling will be done on site inside the container.

Cash Collection Points

- Assigned where the till points shall be positioned
- Will only be assigned where there is evidence that the applicant receives and/or handles cash on a regular basis.

Cash Handling Staff Authorisation

- Cash may only be handled by a staff member after approval has been granted by another staff member with the appropriate authority to do so, typically by the Operations Manager.

Safekeeping of Cash

Storage of Cash

- During business hours all cash should be securely stored in a locked cash register, cash drawer, or similar, with access restricted to authorised cash handling staff.
- For staff security, during business hours the amount of cash securely stored in a locked cash register, cash drawer, or similar, will be monitored. Where necessary cash will be transferred into a safe or similar for secure storage.
- Outside of business hours, all cash will be securely stored in a safe or similar, away from where cash is typically handled. Cash WILL NOT be stored in an obvious place, such as in a locked cash tin on the cashier counter.

Credit Card Transactions

Authorised cash handlers must exercise due care to ensure that the:

- Cardholder is the rightful owner of the credit card, typically by verifying the cardholder's signature against that on the credit card; and
- Credit card is active by checking the expiry date printed on the credit card.

Deposit of Cash & Frequency of Deposit

- Cash drops to the bank will be made sporadically once a day by the Manager or Operations Manager.
- Outside of business hours anything over the value of £10,000 will be moved from the safe to Head Office in Bermondsey.
- Safe will be monitored every day at the start of business and close of business.
- Nominated bank is Metro

Cashing Up

- All cashing up will take place back of house inside the container away from the public in a safe and secure environment
- During this time, a staff member and security personnel will be on site whilst cash up is completed.



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

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

Tel: 020 7232 6756
Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/ 2840/16

Date: 15th November 2016

Re:- The Lost Rivers, The Artworks, Elephant Road SE17 1AY

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.

This is a multi function multi use space that will contain a variety of businesses, some of which will be selling alcohol and food for consumption on and off the premises.

The following conditions are to be considered for the promotion of the four licensing objectives, in particular the prevention of crime and disorder. Some of the conditions have been offered as part of the operating schedule but the wording is crucial to negate ambiguity.

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the licenced area and all areas used for licensable activities.
2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council. There will be at least one person on duty at all times that is familiar with the operation of the CCTV and able to download the footage upon request.
3. That all staff involved in the sale of alcohol are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
4. That two SIA registered door supervisors will be engaged when the premises are in operation. They will be employed at all times the licence is in operation until the end of business and all patrons have vacated the premises they will

be engaged to monitor admission and re-admissions to the premises, security, protection, screening and dealing with conflict.

5. That four SIA registered door supervisors will be engaged when the premises are in operation and DJ or MC are performing to recorded music or Live music is being played.
6. That no spirits (alcohol containing more than 20% ABV) shall be sold by the bottle or half bottle.
7. That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents

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

Yours Sincerely

PC Graham White 288 MD

Southwark Police Licensing Unit

From: Earis, Richard
Sent: Thursday, October 27, 2016 9:08 AM
To: Regen, Licensing
Cc: 'njb@lostriversbrewery.co.uk'; Newman, Paul
Subject: License application 701922: The Artworks Elephant Road

**RE: New premises license - The Lost Rivers Ltd
 CMU 843383**

I have considered the above application and I wish to object to this license application on the grounds of public nuisance.

I strongly recommend that the license is refused for the following reasons:

The application includes live and recorded music, plays, films and performance of dance until 23:00 Sundays, 00:00 Monday to Thursday and 01:00 on Fridays and Saturdays, outdoors in a semi-open arena with a tented cover. This is extremely likely to result in a Public Nuisance. Most usual measures and standard conditions to control noise breakout from premises would be impossible to apply. It would be impossible to run most events regularly to the hours proposed in this outdoor arena as the noise limits necessary to prevent public nuisance would be so low as to make the events unfeasible.

There is inadequate detail in the application on how a public nuisance would be prevented. There is no risk assessment and almost no detail of measures that would be used to prevent public nuisance. The sub-committee's attention is drawn to s.111 of the Statement of Licensing Policy, and the matters that indicate whether the applicant can demonstrate a commitment to high standards of management, and to the lack of any reference in the application to best practice in the operation of open air music venues. The applicant has not conducted a risk assessment of the likelihood of their outdoor music activities causing public nuisance to nearby residents, and has therefore not followed s.216 of the Statement of Licensing Policy. The sub-committee's attention is drawn to relevant considerations listed at s.217, particularly controlling disturbance that may be caused by the use of external areas. The application does not comply with Southwark's Licensing Policy in relation to outdoor areas which at S.224 states (amongst other relevant points) '*Some simple management controls can be put into place which can significantly reduce the risk of nuisance caused to local residents by customers outside of licensed premises. Consideration should be given to placing controls on*':

- *The hours of operation of any licensed external area, requiring customers to return back into the premises at a specific time. In residential areas it is suggested that a closing time no later than 22.00 is appropriate.*
- *Whether it is appropriate to relay music into any external area (licensees must take care not to cause nuisance at any time of the day or night)*

It is not appropriate to have events externally in this location on more than a few days each year and certainly not to the hours proposed at all.

The premises are not in a cumulative impact area, however I would invite the sub committee to note the changing character of the area due to new and recent residential development, and to consider

whether an open air live music venue is appropriate at all in a densely populated residential area. We have a complaint on file from 2015 from a previous event externally in this area which caused nuisance to Strata Tower. Since that time a large number of new flats have been built overlooking and directly adjacent to the site on Elephant Road, shortly to be occupied, with further residential development planned for the South East side of the site. We are in the process of a review of the License of 16 Elephant and Castle as a result of noise problems from people drinking outside which demonstrates the sensitivity of this area. The application does not detail the capacity of this venue so I would recommend that this is clarified however from the licensable area it is clear that there is also a risk of public nuisance from people drinking in external areas and dispersing from the premises. There does not appear to be a Planning Consent for D4 use at this location, which is outside of the consented area of the neighbouring Artworks site.

I would draw the sub committee's attention to the Live Music Act 2012. If the application is granted, subject to confirmation of the licensed capacity of the venue and irrespective of any conditions placed, then the premises could hold amplified live music events externally until 23:00 on any day, 365 days per year.

If in light of the above, the sub committee still be minded to grant permission, I would recommend that all regulated entertainment is removed from the license. This would restrict live music under the Live Music Act to acoustic acts only to 23:00 and hence somewhat reduce risk of nuisance. I would also recommend that the following conditions are attached:

- All live music performances shall be acoustic, other than an electric keyboard with volume control to be used for accompaniment of an artist, with no amplified voice or loud instruments e.g. brass, drums or pipes, permitted
- When licensed entertainment is being provided the premises management shall carry out hourly checks to monitor the sound level at the closest noise sensitive location(s) to the premises and shall ensure that the sound level of the entertainment does not cause a public nuisance in the vicinity of the premises at the/those location(s). A written record of sound level checks shall be kept and shall contain details of: the time, date and location of each check, the person who undertook the check and any actions taken as a result of the check. Each check shall be signed in the record by the person who made the check. The monitoring record shall be kept at the premises and made available to Officers of the Police or Council on request.
- Any background music played shall remain at a volume that permits normal conversation and that the volume control of any music is behind the bar/counter and is in the full control of staff at all times.
- External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 20.00hrs.
- There shall be no movement of musical or amplification equipment to and from the premises between the hours of 23.00hrs and 08.00hrs.
- Suitably qualified or experienced persons shall be employed at all times, whilst the entertainment is being provided, and shall take all reasonable steps to ensure that patrons do not cause a nuisance in the vicinity of the premises.

- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- The premises licence holder shall display telephone numbers for local taxi companies and permit patrons to wait inside the premises until the arrival of the taxi.
- The premises licence holder shall display a telephone number for local residents to contact management of the premises as and when necessary.
- A comprehensive Dispersal Policy shall be produced and implemented at the premises, with all staff trained on the most up to date policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and training records be made available to the council or police on request.
- Drinks must only be served in polycarbonate/plastic or toughened glass drinking vessels
- The Premises licence Holder must comply with the Noise Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Noise Management Plan without the prior written consent of the Licensing Authority.
- All staff working at the premises shall be trained in the content of the Noise Management Plan and be aware of their responsibilities and duties under it. Records of relevant training shall be kept with the Noise Management Plan.
- The Noise Management Plan shall be reviewed annually, or whenever there is a significant change at the premises, whichever is sooner. For example, a significant change could include a new Licensee or DPS, change to premises layout, a refit, a change to the type or style of licensed entertainment, etc. The Noise Management Plan shall be reviewed after any substantiated complaint to reflect any relevant recommendations from any investigation.

Kind Regards,

Richard

Richard Earis

Principal Environmental Protection Officer

Environmental Protection Team

020 7525 2469

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

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

www.southwark.gov.uk

MEMO: Licensing Unit

To	Licensing Unit	Date	17 November 2016	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax 020 7525 5705
Email	Jayne.tear@southwark.gov.uk			

Subject Re: The Lost Rivers Ltd, The Artworks, Elephant Road, London, SE17 1AY -
Application for a premises Licence.

I write with regards to the above application submitted under the licensing act 2003 for a premises licence by Mr Nicholas James Boland (the application is not clear as to whether Mr Boland is the applicant or The lost Rivers Ltd are the applicant as both parts of the application have been filled in and this needs clarification) .

The application seeks the follows licensable activities:

- Plays, films, live music, recorded music, performance of Dance and anything of a similar description to live music; recorded music and performance of dance (all indoors and outdoors) on Monday to Thursday from 10:00 to 00:00, Friday and Saturday from 10:00 to 01:00 and on Sunday from 10:00 to 23:00
- Late night refreshment (indoors and outdoors) on Monday to Thursday from 23:00 to 00:00 and on Friday and Saturday from 23:00 to 01:00
- Supply of alcohol (on and off the premises) on Monday to Thursday from 10:00 to 00:00, Friday and Saturday from 10:00 to 01:00 and on Sunday from 10:00 to 23:00
- Opening Hours to be on Monday to Friday from 10:00 to 00:30, Saturday from 10:00 to 01:30 and on Sunday from 10:00 to 23:30

The premises is described as a *'box park style multi use construction with main focus being serving our craft beers, offering high quality food, providing entertainment suitable for all ages mainly in a modern style circus'*.

This premise is situated within in he Elephant and Castle Major Town Centre Area and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times Public Houses Wine bars or other drinking establishments: Sunday to Thursday is 23:00 hours and for Friday and Saturday 00:00 hours

I submit this representation with regards to the prevention of crime and disorder and the prevention of public nuisance as the later operation and of people leaving the premises later than at night could 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 behavior or crime and disorder. Furthermore the operating schedule is lacking and the applicant has not provided any controls measures to address the impact of any regulated entertainment that will take place outdoors will have on local residents living nearby.

Due to the limited information on the application I ask the applicant to provide the following information:

- That an accomodation limit of the premises is provided with details of how that will be controlled.
- To provide a written dispersal policy for the premises (depending on the accomodation limited).

To consider amending the application in line with the policy to promote the licensing objectives so that the operating times shall be as follows:

- Amend the hours for Plays, films, live music, recorded music, performance of Dance and anything of a similar description to live music; recorded music and performance of dance (change to indoors only) and late night refreshment **to cease** on Sunday to Thursday to 23:00 and on Friday and Saturday to 00:00
- Amend closing times on Sunday to Thursday to 23:00 and on Friday and Saturday to 00:00
- Amend Alcohol 'on sales' to cease at least 20 minutes before the closing times on each day.

To add a further conditions to the operating schedule:

- That alcohol for consumption off the premisies is not sold for immediate consumption in the area around the premises and is supplied in sealed containers that require a tool such as a bottle opener or corkscrew to be opened.
- That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that alcohol sold as off sales should not be opened and consumed in the vicinity of the premises
- That clear legible signage shall be prominently displayed at all patrons exits, where it can be easily seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours

I therefore submit this representation and welcome any discussion with the applicant to consider my suggestions to promote the licensing objectives

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

From: Masini, Bill

Sent: Wednesday, November 16, 2016 3:06 PM

To: Regen, Licensing

Cc: Tear, Jayne

Subject: Application for new premise Licence - The Lost Rivers Ltd - The Artworks Elephant Road SE17 1AY

As a Responsible Authority under The Licensing Act, Trading Standards are in receipt of the application for a premise licence for The Lost Rivers Ltd at The Artworks Elephant Road SE17 1AY and respond accordingly under the Licensing objectives of The Protection of Children from harm.

Trading Standards note from the application under General description of premises to be "a box park style multi use construction with main focuses being serving craft beers, offering high quality food, providing entertainment suitable for all ages mainly in a modern circus style"

Trading Standards note the requested hours for the supply of alcohol to be between 11:00 and 00.00 Sunday to Thursday and 11:00 and 01:00 Friday and Saturday. The premises are to be open to the public for 30 minutes after these terminal hours for alcohol sales.

Trading Standards welcome the statements in the application about addressing sales of alcohol to children in order to promote the four licensing objectives but for completeness and clarity would like to see the following conditions on the licence.

- 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.
- 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 such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
- That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.

However, the application fails to address the issue of children being on the premise and their supervision. The application, as presented, seeks to allow unsupervised children on the premise up to 1.30AM. Trading Standards say that is not acceptable and therefore objects to the licence application under the licensing objective of the Protection of Children from Harm. The applicant is invited to address this.

Bill Masini - Trading Standards Officer

Southwark Council Trading Standards | Environment & Leisure

3rd Floor Hub 1, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 2629 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Visit our web pages www.southwark.gov.uk/TradingStandards

Need clear practical consumer advice? Visit Consumer Direct at www.direct.gov.uk/consumer



From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Wednesday, November 09, 2016 11:05 AM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: RE: The Lost Rivers - The Artworks, Elephant Road

To whom it may concern:

Re: the Lost Rivers, Elephant Road, London SE17 1AY

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 11:00 – 00:00 on Mondays to Thursdays, 11:00-01:00 on Fridays and Saturdays and 1100-23:00 on Sundays. I have concerns regarding the hours of alcohol sales requested. Research suggests that increased hours of alcohol sales are associated with increased alcohol consumption, increased alcohol-related injuries, and increased alcohol-related harm. Moreover, Southwark's statement of licensing policy recommends a closing time for alcohol sales of 23:00 on Sundays to Thursdays and 00:00 on Fridays to Saturdays for an establishment in this location.

Recommendations

- I recommend the end time for alcohol sales be changed to 23:00 on Sundays to Thursdays and 00:00 on Fridays to Saturdays as per Southwark's Statement of Licensing Policy

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: Ian.Clements@met.pnn.police.uk [mailto:Ian.Clements@met.pnn.police.uk]

Sent: Thursday, December 22, 2016 12:47 PM

To: Mills, Dorcas

Subject: RE: FAO PC WHITE - LOST RIVERS RESPONSE TO POLICE OBJECTIONS TO THE ELEPHANT LICENCE APPLICATION

Thank you Dorcas

It looks like we are in a position to withdraw our representation then.

Kind regards

Ian

From: Nick Boland [REDACTED]
Sent: Thursday, December 22, 2016 12:32 PM
To: SouthwarkLicensing@met.pnn.police.uk
Cc: Mills, Dorcas
Subject: RE: FAO PC WHITE - LOST RIVERS RESPONSE TO POLICE OBJECTIONS TO THE ELEPHANT LICENCE APPLICATION

Dear PC White,

Just to confirm that we agree to all of the below.

Thank you very much for your time and attention.

Kind regards,

NJB



Nick Boland
 Operations Director



From: Graham.S.White@met.pnn.police.uk [<mailto:Graham.S.White@met.pnn.police.uk>] **On Behalf Of** SouthwarkLicensing@met.pnn.police.uk
Sent: 05 December 2016 11:52
To: Nick Boland <nick.boland@lostriversbrewery.com>
Subject: RE: FAO PC WHITE - LOST RIVERS RESPONSE TO POLICE OBJECTIONS TO THE ELEPHANT LICENCE APPLICATION

Nick,
 Please see amendment below and full list of agreed conditions.
 If happy please let me know and I can withdraw my objection.

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the licenced area and all areas used for licensable activities.

2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council. There will be at least one person on duty at all times that is familiar with the operation of the CCTV and able to download the footage upon request.
3. That all staff involved in the sale of alcohol are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
4. That two SIA registered door supervisors will be engaged when the premises are in operation. They will be employed at all times **after 19.00hrs Thursday to Sunday when** the licence is in operation until the end of business and all patrons have vacated the premises they will be engaged to monitor admission and re-admissions to the premises, security, protection, screening and dealing with conflict.
5. That no spirits (alcohol containing more than 20% ABV) shall be sold by the bottle or half bottle.
6. That suitable notices shall be displayed requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents

Regards

Graham

PC Graham White 288MD

Southwark Police Licensing Unit

323 Borough High Street

London

SE1 1JL

Tel: 0207 232 6756 (726756)

SouthwarkLicensing@met.police.uk

From: Masini, Bill
Sent: Monday, December 19, 2016 1:19 PM
To: 'Nick Boland'
Cc: Mills, Dorcas
Subject: RE: LOST RIVERS RESPONSE TO TS OBJECTIONS TO ELEPHANT ROAD APPLICATION

Thanks Nick

Dorcas, TS withdraws its rep now!

Bill Masini - Trading Standards Officer

Southwark Council Trading Standards | Environment & Leisure

3rd Floor Hub 1, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 2629 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Visit our web pages www.southwark.gov.uk/TradingStandards

Need clear practical consumer advice? Visit Consumer Direct at www.direct.gov.uk/consumer

From: Nick Boland [<mailto:> [REDACTED]]
Sent: Monday, December 19, 2016 1:18 PM
To: Masini, Bill; Mills, Dorcas
Subject: RE: LOST RIVERS RESPONSE TO TS OBJECTIONS TO ELEPHANT ROAD APPLICATION

Of course,

I accept the conditions below

Thank you very much

Kind regards,

NJB



Nick Boland

[Operations Director](#)

[Lost Rivers Brewing Co.](#)

[HISTORY | BEER |](#)

[CULTURE](#)

I

Lost Rivers Application

Amendments to the operating schedule

1. the section of the application requesting performance of Plays, films, live music, recorded music, performance of Dance and anything of a similar description to live music; recorded music and performance of dance to **indoors only**
2. to remove the live music part of the application, as previously stated

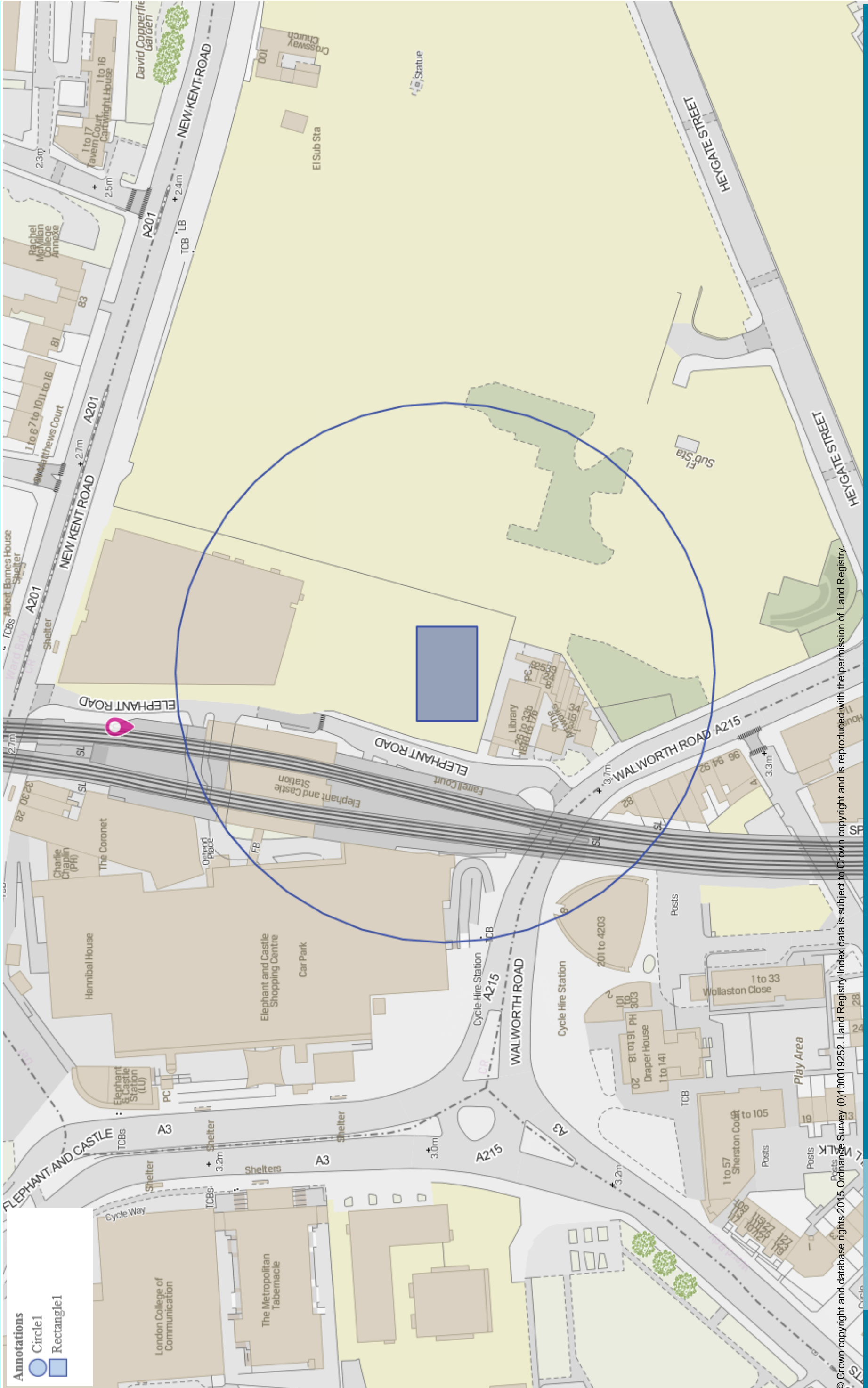
Agreed police conditions (Lost Rivers)

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the licenced area and all areas used for licensable activities.
2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council. There will be at least one person on duty at all times that is familiar with the operation of the CCTV and able to download the footage upon request.
3. That all staff involved in the sale of alcohol are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
4. That two SIA registered door supervisors will be engaged when the premises are in operation. They will be employed at all times **after 19.00hrs Thursday to Sunday when** the licence is in operation until the end of business and all patrons have vacated the premises they will be engaged to monitor admission and re-admissions to the premises, security, protection, screening and dealing with conflict.
5. That no spirits (alcohol containing more than 20% ABV) shall be sold by the bottle or half bottle.
6. That suitable notices shall be displayed requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents

Agreed Conditions with Trading Standards

1. 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.
2. 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 such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
3. That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
4. That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.
5. All children must be accompanied and supervised by a responsible adult
6. There shall be no children on the premise after 23:00 hours

Lost Rivers, (Land adj to Artworks, Elephant Rd, SE17



- Annotations**
- Circle1
 - Rectangle1

50 m

Scale = 1 : 1323,000

17-Jan-2017

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Item No. 7.	Classification: Open	Date: 30 January 2017	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Brew By Numbers, Railway Arch, 75 Enid Street, London SE6 3RA	
Ward(s) or groups affected:		Grange	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Brew By Numbers Ltd, for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Brew By Numbers, Railway Arch, 75 Enid Street, London SE16 3RA.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from responsible authorities and 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 representation and the withdrawal email from the responsible authorities, and the representations from other persons are attached as Appendices B and C.
 - d) Paragraph 20 deals with licensed premises within a 100 metre radius of the premises. A map of the area is attached as Appendix E.
 - 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 17 November 2016, Brew By Numbers Ltd applied to this council for the grant of a new premises licence in respect of the premises known as Brew By Numbers, Railway Arch 75 Enid Street, London SE16 3RA.

9. The premises is described as the front 18 metres of a railway arch, which is situated on Enid Street and runs perpendicular to the street. The premises will have a bar along one side of the space and seating and standing areas on the other. The licensed premises will include a modest outdoor area to the front of the archway. Entry and exit will be by a roller shutter door which will be open at all times they are trading. The licensed premises will include a modest outdoor area to the front of the archway consisting of a small driveway and two raised curb areas.

10. The application is summarised as follows:
 - The supply of alcohol (for consumption on and off the premises)
Monday to Sunday from 08:00 to 23:00
 - Operating hours
Monday to Sunday from 08:00 to 23:00.

11. The premises licence application form provides the applicant operating schedule. Parts J, K, L, and M set out the proposed operating hours and operating controls in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the

information provided in part M of the operating schedule will form the basis of conditions that will be attached to the licence. A copy of the application is attached to this report as Appendix A.

Designated premises supervisor

12. The proposed designated premises supervisor of the premises is David Anthony Seymour, who holds a personal licence issued by Lewisham Council.

Representations from responsible authorities

13. Representations were submitted by the environmental protection team (EPT) and licensing (as a responsible authority).
14. The EPT are concerned with the capacity of the premises which is set at 253 persons and that part of Enid Street is quiet at night and is substantially overlooked by residential flats. Activity from 08.00 to 23.00 seven days a week would cause public nuisance unless it is well contained and managed. The proposed hours of operation are excessive for the premises design in this location. The EPT suggested conditions which have been agreed by the applicant and as such they have withdrawn their representation.
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. They state that the premises is in a residential area. There is limited information provided within the application regarding the accommodation limit and dispersal policy of the premises and have requested further information. They have also suggested that the applicant considers amending the operating schedule to reflect issues raised in the representation.
16. The representations, withdrawal statement and agreed conditions are attached as Appendix B.

Representations from other persons

17. Three representations were submitted by other persons. They state that they live very close to the premises and there are already issues related to noise, car parking. They also state that the two residential areas opposite this premises have a large number of children living and playing there. On a Saturday, particularly, the children play outside or on their balconies and because of lack of toilets some men urinate in full view of the children. These issues explicitly increase the risk of nuisance, crime and disorder and threaten public safety.
18. Copies of the representations are attached as Appendix C.

Conciliation

19. The applicant was forwarded the representations received and responded by submitting a conciliation statement and amendments to the operating schedule which is attached as Appendix D. This has been forwarded to parties concerned. The licensing committee shall be updated at the hearing on 30 January 2017.

The local area

20. A map of the area is attached to this report as Appendix E. 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 is one licensed premises within this 100 metre radius.
- Brew by Numbers, 79 Enid Street, London SE16 (Monday to Sunday till 23:00).

Deregulation of entertainment

21. On 6 April 2015 entertainment became deregulated and as a result:
- Live unamplified music is deregulated between 08:00 to 23:00 on any premises.
 - Live amplified music is deregulated between 08.00 and 23.00 provided the audience does not exceed 500 people.
22. 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

23. 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.
24. 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.
 25. 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:
 - Public houses, wine bars or other drinking establishments: Monday to Sunday 23:00 hours.

Resource implications

26. 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 B.

Consultation

27. 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

28. 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

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

Principles for making the determination

31. 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.
32. 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.
33. 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

34. 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.
35. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
36. 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.
37. 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.
38. 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

39. 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

40. 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.
41. 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

42. 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.
43. 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.

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

50. Members are required to have regard to the Home Office revised 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

51. 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	Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Application for a premises licence
Appendix B	Representations from responsible authorities and withdrawal email
Appendix C	Representations from other persons
Appendix D	Conciliation statement
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	18 January 2017	
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	18 January 2017	

17/11/2016

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

Ref No. 717862

Name of Applicant

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

	Brew By Numbers Ltd.
--	----------------------

Premises Details

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

£	16088.60
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	No

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

Address Line 1	RAILWAY ARCH 75 ENID STREET
Address Line 2	
Town	LONDON
County	
Post code	SE16 3RA
Ordnance survey map reference	
Description of the location	
Telephone number	02072379794

Applicant Details

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

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

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

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

Other Applicants

Personal Details - First Entry

Name	Brew By Numbers Ltd.
------	----------------------

Address - First Entry

Street number or building name	79
Street Description	Enid Street
Town	London
County	
Post code	SE16 3RA
Registered number (where applicable)	07985804
Description of applicant (for example, partnership, company, unincorporated association etc)	Limited company

Contact Details - First Entry

Telephone number	(0207) 2379794
Email address	[REDACTED]

Operating Schedule

When do you want the premises licence to start?

	01/01/2017
--	------------

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

--	--

General description of premises (see guidance note 1)

	The premises is the front 18m of a railway arch. The arch is situated on Enid Street and runs perpendicular to the street. Entry and exit to the premises are made through a roller shutter door, which will be open at all times of trading. The premises will have a bar along one side of the space and seating and standing areas on the other. The licensed premises will include a modest outdoor area to the front of the archway. Consisting of a small driveway and two raised curb areas.
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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

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

Operating Schedule part 2

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

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

Provision of regulated entertainment

Provision of late night refreshment

--	--

Supply of alcohol

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

J - Supply of Alcohol

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

	Both
--	------

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

Day	Start	Finish
Mon	08:00	23:00
Tues	08:00	23:00
Wed	08:00	23:00
Thur	08:00	23:00
Fri	08:00	23:00
Sat	08:00	23:00
Sun	08:00	23:00

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

--	--

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

--	--

Please upload the consent form completed by the proposed premises supervisor

	[Consent form]
--	----------------

Premises Supervisor

Full name of proposed designated premises supervisor

First names	David Anthony
Surname	Seymour

Address of proposed designated premises supervisor

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

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

Personal licence number (if known)	██████████
Issuing authority (if	London Borough of Lewisham

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 public

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

Day	Start	Finish
Mon	08:00	23:00
Tues	08:00	23:00
Wed	08:00	23:00
Thur	08:00	23:00
Fri	08:00	23:00
Sat	08:00	23:00
Sun	08:00	23:00

State any seasonal variations (Please read guidance note 4)

--	--

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

--	--

M - Steps to promote four licencing objectives

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

	Premises will be covered by CCTV cameras. Premises, in particular the outside area, will be monitored by licensed security personnel. Outside area will be separated from the roadway by a barrier.
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

b) the prevention of crime and disorder

	Premises will be covered by CCTV cameras. Premises, in particular the outside area, will be monitored by licensed security personnel.
--	------------------------------------------------------------------------------------------------------------------------------------------

c) public safety

	Outside area will be separated from the roadway by a barrier. Any areas of the premises usually used for the day-to-day workings of the business - other than that of the licensed areas - will be separated from visitors by barriers.
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

d) the prevention of public nuisance

	Premises, in particular the outside area, will be monitored by licensed security personnel. Additional toilet facilities will be provided for visitors to the premises.
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------

e) the protection of children from harm

	Outside area will be separated from the roadway by a barrier. Any areas of the premises usually used for the day-to-day workings of the business - other than that of the licensed areas - will be separated from visitors by barriers.
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Please upload a plan of the premises

	Brew-By-Numbers-Arch-75-Plan-1-100.pdf
--	--------------------------------------------------------

Please upload any additional information i.e. risk assessments

	Brew-By-Numbers-Arch-75-Fire-Risk-Assessment-COMPLETE.pdf
--	---------------------------------------------------------------------------

Checklist

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







Declaration

I agree to the above statement

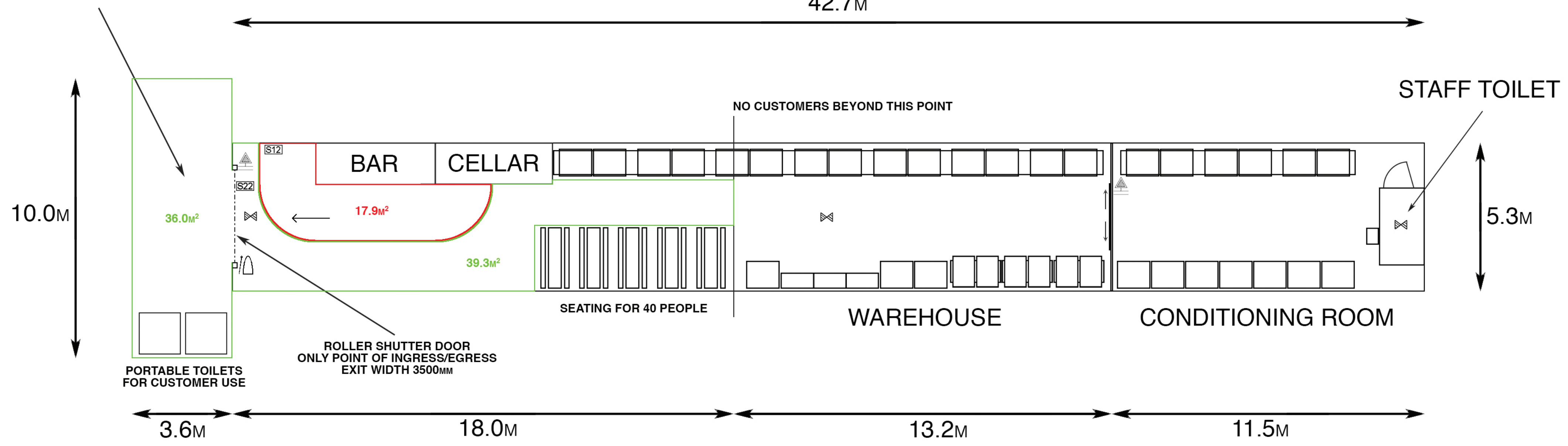
	I agree
PaymentDescription	200003407669, ,
AuthCode	017154
LicenceReference	LPA-94212-269
PaymentContactEmail	

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

KEY:

-  EMERGENCY LIGHTING
-  MANUAL FIRE ALARM
-  WALL MOUNTED CO2 FIRE EXTINGUISHER
-  FIRE ACTION SIGN
-  FIRE EXIT SIGN
-  MEANS OF ESCAPE

OUTDOOR AREA



PLAN OF 75 ENID STREET, SE16 3RA
SCALE 1:100

Fire Risk Assessment

1

Premises particulars

Premises Name Brew By Numbers

Address 75 Enid Street,
London,
SE16 3RA.

Tel no: 0207 237 9794

Use of Premises Warehousing,
office space and
brewery tap room

**Owner/Employer/Person in control of
the workplace**

David Seymour
Tom Hutchings

**Date of Risk
Assessment** 20 April 2016

**Date of
Review** 20 April 2017

Name & relevant details of the person who carried out the Fire Risk Assessment

David Seymour – director and brewer.

2

General statement of policy

Statement: It is the policy of Brew By Numbers to protect all persons including employees, customers, contractors and members of the public from potential injury and damage to their health which might arise from work activities.

The company will provide and maintain safe working conditions, equipment and systems of work for all employees, and to provide such information, training and supervision as they need for this purpose.

The company will give a high level of commitment to health and safety and will comply with all statutory requirements.

Signed: David Seymour

Date: 20 April 2016

3**Management systems****Commentary:**

Planning: Carry out a detailed inspection and identify the hazards.

Organisation: Two working directors plus employees.

Control: The two directors control all elements.

Monitoring: Regular checks will be carried out by one or both of the directors at intervals of six months.

Review: Reviews will be undertaken annually or in the event of major alterations to the premises layout.

4 General description of premises

Description: Premises consists of brick build railway arch with concrete floor, lined with steel profile sheet. Ceiling lined with profile polypropylene sheet. Building over 100 years ago. Lining circa 10 years old.

Premises dimensions: 43.3m x 5.3m

Occupancy

Times the Premises are in use: 08:00 to 18:00
until 23:00 during tap

The Total Number of persons Employed within the premises at any one time: room hours
6-10

The Total Number of persons who may resort to the premises at any one time: 100 visitors
during tap room hours

Size

Building footprint (Metres x Metres): 229m²

Number of floors: One

Number of Stairs: None

5 Fire safety systems within the premises

Fire Warning System: (i.e. automatic fire detection, break-glass system to BS 5839, other)
Manual fire alarm at entrance/exit.

Emergency Lighting: (i.e. maintained/non-maintained, 1hr/3hr duration to BS 5266)
Battery operated emergency lighting fitted.

Other: (i.e. Sprinkler system to LPC rules BS 5306)

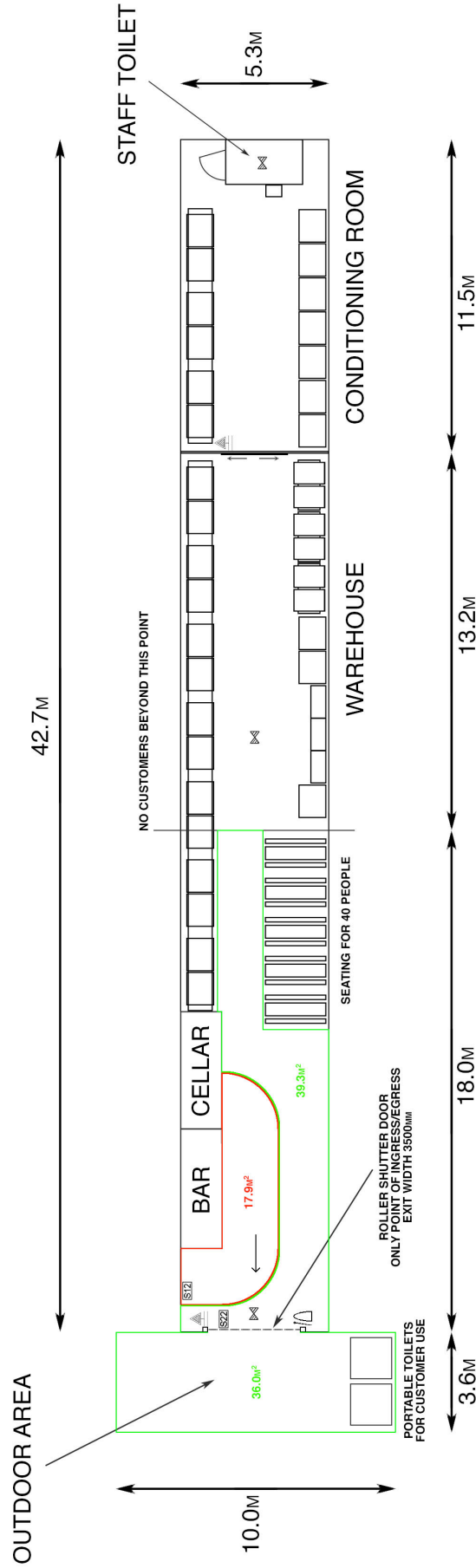
None. Limited open area, commencement and propagation hazard minimal.

6

Plan drawing

KEY:

	EMERGENCY LIGHTING
	MANUAL FIRE ALARM
	WALL MOUNTED CO2 FIRE EXTINGUISHER
	FIRE ACTION SIGN
	FIRE EXIT SIGN
	MEANS OF ESCAPE



PLAN OF 75 END STREET, SE16 3RA
SCALE 1:100

7**Identify fire hazards****Sources of Ignition:**

Small electric domestic oven, rarely used.

Fixed lighting.

Arson risk minimal. Only ingress through single roller shutter door. No windows.

3-phase electrical supply.

Wall mounted 15kW space heater.

Sources of Fuel:

Pallet storage of beer in cases to 2.5 pallets high.

Waste materials are removed to outside locked wheelie bins.

Stacked empty pallets

Small office area with usual fittings.

Cardboard cartons.

Work Processes:

Storage rack.

Office space.

Structural features that could promote the spread of fire:

Minimal combustible materials in structure.

Single workspace with incombustible partition walls.

8**Identify people at risk**

Identify and specify the likely location of people at significant risk in case of fire, indicating why they are at risk, and what control's are or need to be in place:

- Staff – 6-10 people max.
- Occasional visitors.
- Taproom visitors/customers – in the front 18m only.
- Contractor personnel – as required.
- Rear toilet is potential isolation zone, but manual fire alarm is clearly audible therein.
- Roller shutter door always open during taproom hours.
- Use of external portaloos only then.

9**Evaluate, remove, reduce and protect from risk**

Evaluate: Commencement risk minimal.
Propagation risk minimal.

Remove: Fire hazards already minimal.

Reduce: As above.

Protect from risk: Ensure all staff are fully trained and briefed on hazards.

10**Means of escape – horizontal evacuation****Commentary:**

Warehouse:

- Maximum travel distance to exit is 43m.
- Single escape route, easily visible and available at all times.
- One exit: During working hours – wicket gate, 620 x 1670 mm
Roller shutter up for access/goods & open in summer
6-10 persons max.
- Independent door to toilet.
- Twin sliding doors to conditioning room.
- Exit leads directly to safe area outside.
- Open area completely wheelchair accessible.

11**Means of escape – vertical evacuation****Commentary:**

Me z zanine may be installed in warehouse for office use.

12 Fire safety signs & notices**Commentary:**

Signs installed.
Fire fighting equipment clearly labelled.

13 Fire warning system**Commentary:**

Manual alarm by escape exit. Clearly audible throughout premises.

14 Emergency lighting system**Commentary:**

Battery operated emergency lighting installed.

15 Fire fighting equipment**Commentary:**

Fire extinguishing appliances to be positioned appropriately.
Extinguisher maintenance contract in place.

16**Management - maintenance**

Is there a maintenance programme for the fire safety provisions in the premises **Yes / No**

Commentary:

Are regular checks of fire resisting doors, walls & partions carried out **Yes / No**

Commentary: Not applicable.

Are regular checks of escape routes & exit doors carried out **Yes / No**

Commentary: Visual inspection on ad hoc basis.

Are regular checks of fire safety signs carried out **Yes / No**

Commentary: Visual inspection.

Is there a maintenance regime for the fire warning system **Yes / No**

Commentary: Weekly test of manual fire alarm. **Weekly** Yes
Annually

Is there a maintenance regime for the emergency lighting system **Yes / No**

Commentary: On site monthly checks. **Weekly**
Annual system maintenance. **Monthly** Yes
Annually Yes

Is there maintenance of the fire fighting equipment (By competent person?) **Yes / No**

Commentary: On site monthly visual checks. **Weekly**
Annual service of replacement by qualified technician **Annually**

Are records kept & their location identified **Yes / No**

Commentary: To be kept on site, in office.

17 Method for calling the fire service

Specify: Telephone call by personnel.

18 Emergency Action Plan (EAP)**Commentary:**

Please see Fire Emergency Action Plan attached at end of document.
Directors both understand and agree to this action plan.

19 Training**Commentary:**

New employees given on-site training upon employment.

20**Fire safety deficiencies to be rectified**

Deficiency/Rectification	Priority	Date to be Rectified	Date Rectified
Position and appropriately mount fire extinguishing equipment.	HIGH	28/04/16	26/04/16
Site plan to be updated and included	HIGH	28/04/16	28/04/16 14/11/16
Emergency lighting system to be inspected	MID	31/05/16	
*Insert additional pages as required			

21

Significant findings

Significant Finding	Control Measure/Action
<p>Rear 25m of premises beyond building regulations maximum travel distance requirements.</p> <p>Staff toilet is located at the back of the premises in the rear 25m of the premises</p> <p>Wicket door alone not suitable for open days.</p> <p>*Insert additional pages as required</p>	<p>During taproom hours, barriers will be in place to prevent customers from going beyond 18m from the point of egress.</p> <p>All taproom visitors use external portaloos. Internal toilet used by staff, occasional visitors and contracted personnel only.</p> <p>Roller shutter door will be raised for the entirety of taproom hours, year round. No customers will enter or exit via the wicket door, nor will this be the only exit at any time a customer may be within the premises.</p>

22**Additional hazards****Specify:**

No additional hazards.

Need to consult fire service**Yes / No**

From: Newman, Sarah
Sent: Thursday, December 01, 2016 10:19 AM
To: Regen, Licensing
Cc: [REDACTED]
Subject: FW: Brew By Numbers, Arch 75 Enid Street

Hi Licensing

EPT object to this premises license application.

- The capacity of the premises has been calculated as up to 253 persons.
- This part of Enid Street is quiet at night and is substantially overlooked by residential flats. Activity from 08.00 -23.00hrs 7 days a week would cause public nuisance unless well contained and managed. The proposed hours of operation are excessive for the premises design in this location.
- The arch has no solid frontage when the shutter door is raised, therefore there is no physical containment of noise from patrons and activity either inside or outside the arch.
- The WC provision for patrons is inadequate for the maximum calculated capacity.
- The applicant will need to show the licensing authority that they have control over the area where they intend to locate the WCs/portaloos and site the external patron area. If these areas are not within the curtilage of the premises further permission/s would be required from Southwark's Highway licensing and it would need to be in place before the application could be considered as lack of control/permission would fundamentally compromise the application by removing the proposed patron welfare facilities.

If the applicant would like to provide:-

- further information with regard to proposals for the containment of sound, or
- reduce the opening hours, and
- evidence of their control of, or permission to, use the frontage

EPT would be happy to re-consider the objection to the application.

Best regards

Sarah Newman

Team Leader – Environmental Protection Team

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

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

Tel : 020 7525 4320 | Fax : 020 7525 5705 | Email : sarah.newman2@southwark.gov.uk

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

MEMO: Licensing Unit

To	Licensing Unit	Date	15 December 2016	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

Subject Re: Brew By Numbers, Railway Arch 75 Enid Street, London, SE16 3RA
 – Application for a premises licence

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

- Supply of alcohol (on and off the premises) on Monday to Sunday from 08:00 to 23:00
- Overall opening times shall be on Monday to Sunday from 08:00 to 23:00

The premises is described as a *'The front 18m of a railway arch. The arch is situated on Enid Street and runs perpendicular to the street. Entry and exit to the premises are made through a roller shutter door, which will be open at all times of trading. The premises will have a bar along one side of the space and seating and standing areas on the other. The licensed premises will include a modest outdoor area to the front of the archway consisting of a small driveway and two raised curb areas'*.

This premises is in a residential area and my representation is submitted under the prevention of crime and disorder and the prevention of public nuisance licensing objectives and has regard to the Southwark Statement of Licensing Policy.

Due to the limited information on the application form and to promote the licensing objectives I ask the applicant to provide the following information:

- An accomodation limit for the outside area as indicated on the plans and an accomodation limit for the inside of the premises. (to be conditioned)
- To provide a written dispersal policy for the premises. (to be conditioned)
- Consider amending the licensable activities so that the 'off sales' of alcohol shall cease at least half hour before the closing time of the premises.

Add a condition to the operating schedule as follows:

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

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 the Licensing Responsible Authority

From: Newman, Sarah
Sent: Monday, January 09, 2017 4:15 PM
To: Mills, Dorcas
Subject: FW: Brew By Numbers - 75 Enid Street

I have heard from the applicant – for the record EPT withdraw our objection to the application.

Best

S

From: [REDACTED]
Sent: Wednesday, December 21, 2016 3:36 PM
To: Newman, Sarah
Cc: Mills, Dorcas; Regen, Licensing
Subject: Re: Brew By Numbers - 75 Enid Street

Hi Sarah,

Thanks for your email. We are happy to comply with the conditions laid out in your email below. I am still waiting to hear from Network Rail regarding permission to use the outdoor area. Once I receive written permission from them I shall forward it to you, Dorcas and the licensing team.

Best regards and seasons greetings to you too.

Dave Seymour

Co-Founder & Brewer
Brew By Numbers

79 Enid Street, London, SE16 3RA

www.brewbynumbers.com

Brewery: +44 (0)207 2379794 ext. 1
[REDACTED]

On 21 Dec 2016, at 12:22, Newman, Sarah wrote:

Hi Dave,

Following your proposed changes to the application could you please consider the following proposed conditions to permit EPT withdraw our objection. I'm on A/L from today until 5th Jan so please copy any email in to all parties to minimise any delay.

- Before the license takes effect the licensee shall install an industrial grade overlapping PVC curtain that covers the entirety of the premises entrance when the roller shutter door is open.
- Between 18:00-22:00 Wednesday-Friday and 11:00-20:00 on Saturday the maximum capacity of the premises shall be 100 patrons.
- Between 18:00-22:00 Wednesday-Friday and 11:00-20:00 on Saturday there shall be a minimum of 1 SLA qualified security staff at the premises.
- Security staff shall be briefed to ensure loud or boisterous patrons do not remain in the external area for any length of time but either go inside or leave the vicinity of the premises.
- At all other times the premises is open to the public the maximum capacity of the premises shall be 30 patrons.
- Any music, speech or song broadcast within the premises shall not be audible on the opposite pavement of Enid Street at any time.
- The external toilet facilities shall be serviced at a frequency that ensures foul waste overflow or local odour nuisance are prevented at all times.
- The external area shall be limited to the land within control of the licensee.

Best regards & seasons greetings

Sarah Newman

Team Leader – Environmental Protection Team

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

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

Tel : 020 7525 4320 | Fax : 020 7525 5705 | Email : sarah.newman2@southwark.gov.uk

Visit : <http://www.southwark.gov.uk/air-quality>

<image001.jpg>

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

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

From: [REDACTED]
Sent: Thursday, December 15, 2016 4:47 PM
To: Regen, Licensing
Subject: Objection to license for premises reference 856737 no 75 Enid Street

[REDACTED]
Chairperson Neckinger Estate TRA

[REDACTED]
London
SE16 3QH.

Telephone: [REDACTED]

Dear Sir/Madam

I am Chairperson of Neckinger Estate Tenants and Residents Association. As Chair over the last two years I have had many complaints regarding Brew by Numbers and the premises 79 Enid Street so was concerned when I heard of this second licence for 75 Enid Street.

I would like to point out that Neckinger Estate Residents were never informed of the original licence for 79 Enid Street so we're never given an opportunity to object and again no notice has been given to neighbours for the new licence.

On Tuesday 13th December 2016 we held our AGM and Brew by Numbers new licence for 75 Enid Street was discussed. The meeting concluded that a second premises would only add to our problems the reasons being as follows:-

1. Crime and disorder. Antisocial behaviour and urinating in a public place are both crimes.
2. Nuisance, the customers are not supervised in any way, there is very limited internal space, so they use the road, the pavement and wall of our Estate to the point where the road is completely blocked at times. They employ one security guard who is mostly ineffective and unable to control some people. We have even had people run into tenants gardens when it has started to rain to shelter under the balconies. We feel that another premises would just make it worse.

They only have 2 mobile toilets outside and no hand wash facilities and our Estate is used as a toilet, mostly men use our bin houses as a toilet and some don't even hide they just use a spare wall with no concern that anyone can see them.

Noise is a real problem, again because of a lack of interior space most customers are outside and the noise level can get very high especially when they start singing. Friday night events are particularly noisy lasting till midnight or later again a second premises will just make the problem worse.

Cars parked in Enid Street are used to sit on put drinks on etc and Tenant complained of damage having being done to their vehicle.

3. Safety, it is an accident waiting to happen, most customers are in the road, even mother's with babies in prams and buggies. The traffic flows both ways and cars find it difficult to pass safely when customers are wandering around stepping backwards not looking using the road as a pedestrian area.

Some customers can be quite aggressive towards cars especially when they are drunk or tipsy. This is also true of walking down the street entering and leaving our Estate.

4. The protection of children from harm. The two area's opposite this premises have a large number of children living and playing there. On a Saturday especially the children play outside or on their balconies and because of lack of toilets as previously mentioned some men urinate in full view of the children, this is very unpleasant and against the law. During the summer months it is particularly bad not happening just once in the day but 5 to 10 times possibly even more.

For all the above reasons we feel that this license should not be allowed and would ask you to take into consideration all of our points. Thanking you in anticipation.

Sincerely,

██████████

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Telephone: [REDACTED]

Dear Sir/Madam

Objection to license for premises reference 856737 No. 75 Enid Street

As a resident living opposite 75 Enid Street I am very concerned about the new license application for Brew by Number. Our lives are already very disturbed by this Companies other premises 79 Enid Street on Friday and Saturdays especially.

1. Crime and disorder. Antisocial behaviour and urinating in a public place are both crimes.

2. Nuisance, the customers are not supervised in any way, there is very limited internal space, so they use the road, the pavement and wall of our Estate to the point where the road is completely blocked at times. They employ one security guard who is mostly ineffective and unable to control some people. We have even had people run into tenants gardens when it has started to rain to shelter under the balconies. We feel that another premises would just make it worse.

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For all the above reasons I feel that this license should not be allowed and would ask you to take into consideration all of our points. Thanking you in anticipation.

If you require any photographic evidence of the problems we have plenty we can provide.

Sincerely,

A solid black rectangular box used to redact the signature of the sender.

11th December 2016

RE: Objection to licence application

Licence number: 856737
 Brew By Numbers
Trading name and address: 75 Railway Arch Enid Street
 SE16 3RA
Ward: Grange

To whom it may concern

I wish to object to the above licence application on the basis of the prevention of nuisance and public safety.

The application is lodged by the current owners of the arch at 79 Enid which already has a licence. This establishment attracts very noisy and boisterous customers who stand outside the premises, spilling out onto the road. The loud noise of their boisterous shouting, including singing, can last well into the evening causing noise nuisance to the local residents in the Neckinger Estate. This noise would be increased with a further licence.

Along with the noise, the current licensed premises at Arch 79 sees many customers over spilling into the road. This causes a danger to public safety by narrowing a busy street. With the main purpose of the business being the selling of strong alcohol, the customers standing in the way are by definition of reduced judgement due to alcohol intake (a rather polite way of putting it, as the premises is marketed as part of the 'Bermondsey Beer Mile' – a ridiculous euphemism for attracting those wishing to take part in a middle class pub crawl) and so often move/sway unaware into the path of traffic causing them to swerve. This will only intensify should a further licence be granted four arches away. In an attempt to block off patrons from milling onto the road the owner places pallets on the highway. I am totally unsure what highway regulation allows them to do so and I would have thought this is a breach of highway regulations and takes up valuable parking space – noting that the premises are located in controlled parking zone. These pallets are then used by customers for sitting on – raising questions as to whether they are street furniture and therefore eligible for a street furniture licence? On one occasion in the summer a very large

marquee was erected blocking over half the highway. I remonstrated with the owner over this and he finally relented and moved it back slightly so it only blocked a third of the

highway. As I pointed out to him at the time the fact it was only moved on complaint did not portray a responsible licensee.

Critically the premises at Arch 79 nor at the proposed licence Arch 75 have inside toilet facilities for customers. This has resulted in the owner placing two portable toilets cubicles on the pavement outside its premises. They sit there all week as a noxious health hazard to the local community. On occasions they have been left unlocked – a safety hazard for children and pets. Should the licence be granted for Arch 75 then I presume more toilets will be placed. They are a blight on the local area. The toilets are so basic, undesirable and insufficient that on almost every weekend the customers of the establishment use the rubbish chutes and boundary wall of the Neckinger Estate to urinate and vomit on. In the summer this can be in full view of children playing in the estate. Due to the intake of alcohol, remonstrating with people in the act of urinating can result in verbal assaults. The response of the licensee has been to have a single agency security guard on duty, but their patrolling is futile and lackadaisical. They often appear more interested in sitting with the operators of the various food stalls that seem to accompany the business (licensed or unlicensed?) than actually managing the customers noise or behaviour.

Additionally, due the nature of the business the owner sees fit to install a burglar alarm. This alarm has regularly gone off through the night (evidenced by calls to the Southwark Noise and Nuisance team). Increased use of Arch 75 should the licence be granted will lead to more setting of the alarm and further nuisance for residents. The owner's attitude towards this alarm nuisance is ambivalent at best. Once activated it goes off for twenty minute on off intervals through the night. It is often activated on being set around closing time.

A further licence granted at Arch 75 will only exacerbate all the problems mentioned above. Licence premises this close to the Neckinger Estate are a noise nuisance and provide no benefit to the local area. A large number of pubs once existed in the surrounding streets. They all closed as there was not demand. The premises at Arch 75, like Arch 79 will not be serving local customers – I would defy them to get a petition of more than 10 customers from the estate supporting their application, but instead provides demand for people travelling from outside the are. These people do not provide any cost benefit to the local area. The business does not employ local people nor is demanded by local people.

I urge the licensing committee not to let the nuisance to the local residents intensify and not grant the licence in respect of 75 Enid Street.

Yours sincerely



Picture of pallets and bins blocking highway – very quiet December day. (Portaloos on right)

Amendments to the operating schedule**From:** [REDACTED]**Sent:** Friday, December 09, 2016 8:15 AM**To:** Mills, Dorcas**Subject:** Brew By Numbers - 75 Enid Street

Hi Dorcas,

I hope you are well. Following the remarks by Sarah Newman I would like to submit the following alterations to my license application:

Capacity has been reduced to 100 visitors plus staff. I have altered this on the fire risk assessment, which is attached to this email.

Although the supply of alcohol for both on- and off- site consumption should be licensed between the hours of 08:00 and 23:00 Monday to Sunday the bulk of this time we will be operating with low level impact as visitors will be infrequent and in small groups of wholesale customers or customers visiting for private tastings.

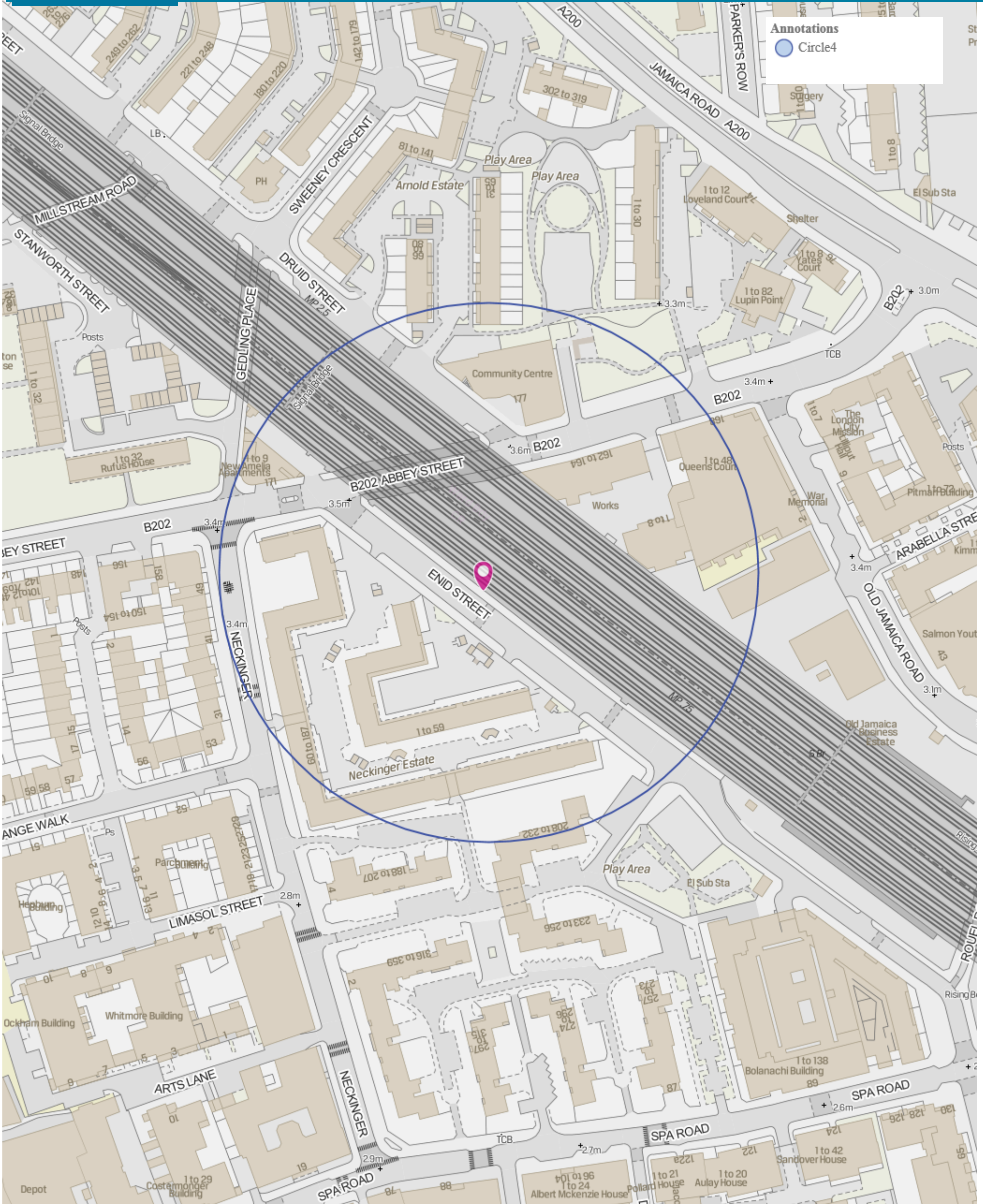
High level impact operating hours - when the premises will be open to the stated capacity of 100 people - will be 18:00-22:00 Wednesday-Friday, inclusive, and 11:00-20:00 on Saturday.

In order to better address the licensing objective of prevention of public nuisance we will install a windowed PVC curtain across the roller shutter door opening. This will reduce noise escaping onto the street while not impeding egress in case of emergency.

Would you be so kind as to update my application to reflect these alterations? Please don't hesitate to contact me for further information or clarification.

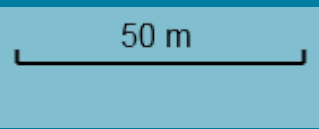
Best regards,

Dave Seymour



Annotations

- Circle4



Scale = 1 :
1323.000
17-Jan-2017

Item No. 8.	Classification: Open	Date: 30 January 2017	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Rock Island (formerly Thomas A Becket), 320-322 Old Kent Road, London SE1 5UE	
Ward(s) of group(s) affected		East Walworth	
From		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Paul Anthony Scarborough for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Rock Island (formerly Thomas A Becket), 320-322 Old Kent Road, London SE1 5UE.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from responsible authorities and 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 20 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted are attached to this report in Appendices B and C.
 - d) Paragraph 39 deals with licensed premises within a 100 metre radius of the premises.
 - 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 licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.

5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.

6. In carrying out its licensing functions, a licensing authority must also have regard to
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.

7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 15 November 2016 Paul Anthony Scarborough applied to this council for the grant of a premises licence in respect of Rock Island, (Thomas A Becket), 320-322 Old Kent Road, SE1 5UE. The premises is described as a restaurant. The applicant is partnered up with the Rock Island Cyprus and intends to turn the venue into a premises like TGI Friday or Steak House without losing its heritage. The premises is situated at the corner of Old Kent Road and Albany Road. The plans submitted with the application indicate the use of the outside area marking six tables seating 24 persons.

9. The application is summarised as follows:
 - Late Night Refreshment (indoors)
Monday to Sunday from 23:00 to 00:30

 - The supply of alcohol (on the premises)
Monday to Sunday from 11:00 to 00:00

 - Operating hours
Monday to Sunday from 11:00 to 01:00

10. The proposed designated premises supervisor (DPS) of the premises is Mahir Kilic who holds a personal licence issued by Hackney. The proposed DPS, Mahir Kilic is a licensing consultant from Narts, who advised the applicant Paul Anthony

Scarborough in the September 2016 premises licence application (which was withdrawn).

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

Representations from responsible authorities

12. Representations have been submitted by the Metropolitan Police Service, the environmental protection team (EPT), licensing (as a responsible authority) and public health.
13. The representation from the Metropolitan Police Service states that the operating schedule indicates that this is for a restaurant premises. However, the premises is subject to a community order and designated an asset of community value and should remain a public house. Public houses are permitted to serve food but the schedule indicates that the venue would solely be for food and alcohol only served as ancillary to food. Unless the community order is removed and the planning permission changed then the operation as described would not be allowed under the order.
14. The representation also makes reference to this council's statement of licensing policy and noted that the proposed closing hours in respect of the premises fall outside of the closing hours suggested in the statement of licensing policy. The representation has suggested conditions that should be in place regardless of terminal hour and also conditions that should be in place if the terminal hour falls after midnight.
15. The EPT representation is made under the grounds of prevention of public nuisance and that the hours applied for fall beyond the recommended hours for a restaurant or public house within the Southwark statement of licensing policy of 23:00 for public houses. They EPT note that the premises is structurally connected to residential premises. The proposed conditions to prevent public nuisance are insufficient to address this concern and they ask for the recommended terminal hour of 23:00 to be imposed.
16. Licensing (as a responsible authority) has submitted a representation in respect of the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. The representation makes reference to the issues that led to the revocation of the previous premises licence and submits a copy of the notice of decision for that hearing. It also requests reassurance that the previous licensees or management would have no control over the premises and the licensable activities that may take place at the premises. They have asked if the applicant could provide a lease to show this at the committee hearing. The representation also recommends a closing time of 23:00 in line with the recommended closing times in the Southwark statement of licensing policy.
17. The public health representation has been submitted in respect of the prevention of crime and disorder, the prevention of public nuisance and the protection of public

safety licensing objectives. The representation is concerned with the proposed hours for the sale of alcohol and states that that increased hours of alcohol sales are associated with increased alcohol consumption, alcohol related injuries and alcohol related harm. The representation requests an earlier end time in regards to the sale of alcohol of 23:00. Additionally, this application is for a premises located within a residential area. Southwark's statement of licensing policy recommends that the closing time for such a premises be 23:00 daily.

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

Representations from other persons

19. There have been five representations from other persons. They cite all four of the licensing objectives. They are mostly local residents who have suffered with noise, disturbances and anti-social behaviour in the past from the premises and its past patrons and also persons loitering in the immediate area whilst the premises was open.
20. Copies of the representations submitted by other persons are attached as Appendix C.

Conciliation

21. The representations were forwarded to the applicant. However, there has been no response to any of the representations at the time of the writing of this report.

Premises history

22. The premises has previously held a licence and operated as a nightclub. The previous licence was revoked by the licensing sub-committee on 10 March 2015 following an expedited review submitted by the Metropolitan Police Service under serious crime and disorder. There were further representations regarding persistent breaches of the premises licence and antisocial behaviour associated with the premises. The notice of decision is attached as appendix D.
23. The premises was listed as an asset of community value on 22 June 2015. A building or piece of land is deemed to be of community value if, in the opinion of the council:
 - An actual current main (non-ancillary)use of the building or land furthers the social interests or social wellbeing of the local community, and it is realistic to think that there can continue to be a main use of the building or land which will further the social interests or social wellbeing of the local community, although not necessarily in the same way, or
 - A main use of the building or land in the recent past furthered the social interests or social wellbeing of the local community and it is realistic to think that the building or land can be brought back into use in the future.
24. The licensee, as of April 2012 was Mohammed Abdul Kashim. The DPS of this licence was Mohammed Abdul Kashim.

25. On the 28 September 2012, the licence was then transferred to Thomas A Becket Leisure Investments Ltd, 1st Floor, 86 Whitechapel High Street, London, E1 7QX. Mohammed Abdul Kashim remained as the DPS.
26. As of 1 September 2016, Abdul Kashim was listed as an owner of the property, according to the Land Registry.
27. On 4 December 2014, two temporary event notices (TENs) were served by Mr Mohammed Abdul Kashim (the DPS at the premises) in respect of events intended to be held at the Thomas A Becket, 320-322 Old Kent Road, London SE1 5U3.
28. Both TENs received objections from the Metropolitan Police Service and were determined at a hearing of the licensing sub-committee
29. The TENs are summarised as follows:
 - TEN – 846929 giving notice of intended ‘private parties’ to include the retail sale of alcohol and the provision of regulated entertainment on
 - Wednesday 24 December from 05:30 to 10:00
 - Thursday 25 December from 05:30 to 10:00
 - Friday 26 December from 05:30 to 07:00
 - Saturday 27 December from 05:30 to 07:00
 - Sunday 28 December from 02:30 to 10:00
 - Monday 29 December 2014 from 05:30 to 10:00.
30. The maximum number of people expected at any one time at the premises is 499. Licensable activities are to take place on the premises only.
31. The decision was made to serve a counter notice to prevent the use of the premises under the TEN 846929.
 - TEN – 846930 giving notice of intended ‘private parties’ to include the retail sale of alcohol and the provision of regulated entertainment on
 - Wednesday 31 December 2014 from 05:30 to 10:00
 - Thursday 1 January 2015 from 05:30 to 10:00.
32. The maximum number of people expected at any one time at the premises is 499. Licensable activities are to take place on the premises only.
33. The TEN for New Years Eve/Day was permitted with conditions taken from the premises licence imposed. The notice of decision regarding this TEN is attached as Appendix E.
34. On 5 August 2016 Paul Anthony Scarborough applied for a new premises licence in respect of this premises. The hours applied for were 11:00 until 02:00 the following day each day of the week and for late night refreshment until 02:00 the following day each day of the week.
35. This application was met with representations from responsible authorities and other persons. The application was withdrawn after discrepancies between the hours applied for and the hours advertised was noted.

36. On 13 September 2016 another application was made and met with similar objection, this application was also withdrawn as the plans submitted did not comply with permissions sought.
37. Some of the other persons have indicated that their original representations stand in regards to the new application.

Deregulation of entertainment

38. 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 and recorded amplified music is deregulated between 08.00 and 23.00 at on-licensed premises provided the audience does not exceed 500 people, 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').

Map of the local area

39. A Due to software issues it has not been possible to provide a map of the local area in this report however it can be confirmed that the licensed premises within 100 metres of the premises are:

Off licences

- Tesco, 107 Dunton Road, London SE1 (Monday to Saturday till 00.00 and Sunday till 17:00)

Late night refreshment

- El Turkistan, 304 Old Kent Road 49-51, London SE1 (Sunday to Thursday till 02.00 and Friday and Saturday till 03.00)
- Super Pizza, 292 Old Kent Road, London SE1 (Sunday to Thursday till 01.00 and Friday and Saturday till 02.00).

Southwark council statement of licensing policy

40. 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.
41. 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.
42. Within Southwark's statement of licensing policy, the premises are identified as being within a residential area. Relevant closing times recommended in the statement of licensing policy for licensed premises in residential areas are as follows:
- Restaurants, pubs and wine bars
Monday - Sunday to 23:00
 - Night clubs (with Sui Generis planning classification) are not considered appropriate for residential areas.

Resource implications

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

Consultation

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

Community impact statement

45. 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

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

Principles for making the determination

48. 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.
49. 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.
50. 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

51. 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.

52. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
53. 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.
54. 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.
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 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

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

BACKGROUND DOCUMENTS

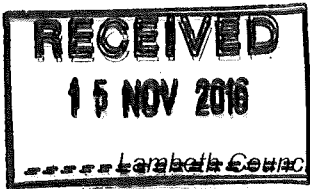
Background Papers	Held At	Contact
Licensing Act 2003 Home Office revised guidance to the Act Secondary Regulations Southwark statement of licensing Policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH	Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Application for a premises licence
Appendix B	Representations submitted by responsible authorities
Appendix C	Representations submitted by other persons
Appendix D	Notice of Decision for licence review on 15 March 2015
Appendix E	Notice of Decision for temporary event notice hearing on 12 December 2014

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Dorcas Mills, Principal Licensing Officer	
Version	Final	
Dated	19 January 2017	
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		19 January 2017



Lambeth Council, 6th Floor International House, Canterbury Crescent, Brixton, London SW9 7QE

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Paul Anthony Scarborough

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Rock Island 320-322 Old Kent Road			
Post town	London	Postcode	SE1 5UE
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£20,100	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

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

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

Please tick yes



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

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Scarborough			First names Paul Anthony		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town	London			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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	1	1	2	2	0	1	6

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

DD		MM		YYYY			
┐	┐	┐	┐	┐	┐	┐	┐

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

Premises will be used as a restaurant. The applicant is partnered up with the Rock Island Cyprus to turn the venue a premises like TGI Fridays or Steak House without losing its heritage.

Please refer to the plans submitted with the application.

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

N/A

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2) N/A	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 3) N/A	
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4) none		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5) none		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2) N/A	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3) N/A		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) none		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5) none		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3) N/A
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) none
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5) none
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2) N/A	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 3) N/A	
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4) none		
Thur					
Fri			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) none		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3) Live traditional Somali music will be played in the basement of the premises.		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4) none		
Thur					
Fri			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) none		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3) Traditional Somali music		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4) none		
Thur					
Fri			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) none		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Traditional Somali dance in the basement of the premises as hot food will be served upstairs. Ladies evenings of dance and music. <u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) none <u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5) none		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing N/A		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) N/A	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3) N/A		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) none		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) none		
Sun					




I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	00:30	<u>Please give further details here</u> (please read guidance note 3)		
Tue	23:00	00:30			
Wed	23:00	00:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) none		
Thur	23:00	00:30			
Fri	23:00	00:30	<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) none		
Sat	23:00	00:30			
Sun	23:00	00:30			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	11:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 4) N/A		
Tue	11:00	00:00			
Wed	11:00	00:00			
Thur	11:00	00:00			
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	11:00	00:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) N/A		

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

Name Mr Mahir Kilic	
Address 	
<i>(Please note that the DPS details for Mr Kilic provided for administrative purposes only. The applicant will be appointing his own DPS once she is granted a Personal Licence)</i>	
Postcode	
Personal licence number (if known) 	
Issuing licensing authority (if known) L.B of Hackney	

K

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

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) none
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) none
Mon	11:00	01:00	
Tue	11:00	01:00	
Wed	11:00	01:00	
Thur	11:00	01:00	
Fri	11:00	01:00	
Sat	11:00	01:00	
Sun	11:00	01:00	

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)

- 1- Suitable beverages other than alcohol (including drinking water) shall be equally available for consumption with or otherwise as ancillary to table meals.
- 2- The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal there and for the consumption by such a person as ancillary to their meal.
- 3- A personal licence holder shall be present on the premises and supervise the sale of alcohol from 19:00 hours daily until close.
- 4- The applicant is excluding Mr Mohammed Abdul Kashim and any other named staff, management or owners that may be proposed by any interested parties or responsible authorities.
- 5- One SIA door staff to be employed from 22:00 to the closing on Friday and Saturdays.

b) The prevention of crime and disorder

- 1) THE DPS, A PERSONAL LICENCE HOLDER OR TRAINED MEMBER OF STAFF NOMINATED IN WRITING BY THE DPS SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.
- 2) A) A CCTV SYSTEM COVERING THE INTERIOR & EXTERIOR OF THE PREMISES WILL BE INSTALLED TO CURRENT METROPOLITAN POLICE / HOME OFFICE STANDARDS AND SHALL BE KEPT OPERATIONAL AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.
 B) IT SHALL BE CAPABLE OF TAKING A HEAD & SHOULDERS SHOT OF PERSONS ENTERING THE PREMISES, OF RECORDING IMAGES TO AN EVIDENTIAL STANDARD IN ANY LIGHT AND BE CAPABLE OF STORING IMAGES FOR A MINIMUM OF 31 DAYS.
 C) ALL STAFF WHO MAY WORK FRONT OF HOUSE SHALL BE TRAINED TO OPERATE THE CCTV SYSTEM AND DOWNLOAD IMAGES.
 D) AT LEAST ONE MEMBER OF STAFF TRAINED TO OPERATE THE CCTV SYSTEM & DOWNLOAD IMAGES SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC. FOOTAGE SHALL BE SHOWN TO THE POLICE AND SCREENSHOTS PROVIDED TO THEM ON REQUEST. COPIES OF DOWNLOADED IMAGES SHALL BE PROVIDED TO THE POLICE ON A USB STICK, CD OR OTHER ACCEPTABLE MEANS AS SOON AS POSSIBLE AND IN ANY CASE WITHIN 24 HOURS OF THE REQUEST
- 3) CHALLENGE 25 SHALL BE OPERATED AS THE PROOF OF AGE POLICY.
- 4) ALL STAFF WHO WORK AT THE TILL WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING EVERY SIX MONTHS. WRITTEN TRAINING RECORDS WILL BE KEPT FOR EACH STAFF MEMBER AND BE PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE & CHECKING IT, MAKING & RECORDING A REFUSAL, AVOIDING CONFLICT & RESPONSIBLE ALCOHOL RETAILING.
- 5) AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES, AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS, WHICH WILL RECORD THE FOLLOWING:

- A) ALL CRIMES REPORTED,
- B) LOST PROPERTY,
- C) ALL EJECTIONS OF CUSTOMERS,
- D) ANY COMPLAINTS RECEIVED,
- E) ANY INCIDENTS OF DISORDER,
- F) ANY SEIZURE OF DRUGS OR OFFENSIVE WEAPONS,
- G) ANY FAULTS IN THE CCTV,
- H) ANY REFUSAL IN THE SALE OF ALCOHOL.
- I) ANY VISIT BY A RELEVANT AUTHORITY OR EMERGENCY SERVICE

6) NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE) ADVISING CUSTOMERS:

- A) THAT CCTV & CHALLENGE 25 ARE IN OPERATION;
- B) ADVISING CUSTOMERS OF THE PROVISIONS OF THE LICENSING ACT REGARDING UNDERAGE & PROXY SALES;
- C) OF THE PERMITTED HOURS FOR LICENSABLE ACTIVITIES & THE OPENING TIMES OF THE PREMISES;
- D) NOT TO DRINK IN THE STREET;
- E) TO RESPECT RESIDENTS, LEAVE QUIETLY, NOT TO LOITER OUTSIDE THE PREMISES OR IN THE VICINITY AND TO DISPOSE OF LITTER LEGALLY.

c) Public safety

A FIRE RISK ASSESSMENT AND EMERGENCY PLAN WILL BE PREPARED AND REGULARLY REVIEWED. ALL STAFF WILL RECEIVE APPROPRIATE FIRE SAFETY TRAINING AND REFRESHER TRAINING

d) The prevention of public nuisance

Prevention of nuisance from noise / vibration

All doors and windows will remain closed during the licensed regulated entertainment activities or in any event after 11pm. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary adequate and suitable mechanical ventilation should be provided to public areas

Entrance/exit from the premises whilst regulated entertainment licensable activities are ongoing shall be via a lobbied door to minimise noise breakout.

Structure borne noise

All speakers are mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties

Outside Areas

No music will be played in, or for the benefit of patrons in external areas of the premises

No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises

Signs shall be displayed in the external areas/on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours

Deliveries and collections.

Deliveries and collections associated with the premises will be arranged between the hours 08:00 and 20:00 so as to minimise the disturbance caused to the neighbours. This will include refuse collections.

Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed

Plant and machinery

All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise

Dealing with complaints

A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainant's name, location, date time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers

Patrons entering/exiting premises.

There will be no queuing outside the premises.

Where people queue to enter the premises a licensed door supervisor shall supervise and ensure the potential patrons behave in an acceptable manner.

Signs should be displayed requesting patrons to respect the neighbours and behave in a courteous manner

Prevention of Nuisance from Odour

All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour.

Prevention of nuisance from light

Illuminated external signage shall be switched off when the premises is closed

- 1) THE FRONT OF THE PREMISES SHALL BE KEPT TIDY AT ALL TIMES AND BE SWEEPED AT CLOSE.
- 2) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE)
- 3) ANY MUSIC PLAYED WILL ONLY BE PLAYED AT BACKGROUND LEVEL.
- 4) AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS --SEE BOX B CONDITION 5 FOR FULL DETAILS OF THE INFORMATION TO BE RECORDED.
- 5) A PHONE NUMBER FOR THE PREMISES SHALL BE MADE AVAILABLE IF REQUIRED UPON REQUEST TO THE POLICE, ANY OTHER RESPONSIBLE AUTHORITY OR ANY LOCAL

RESIDENT TO EXPRESS ANY CONCERNS CAUSED BY THE OPERATION OF THE PREMISES. ANY COMPLAINTS AND THE OUTCOME WILL BE RECORDED IN THE INCIDENT BOOK

e) The protection of children from harm

- 1) CHALLENGE 25 SHALL BE OPERATED AS THE PROOF OF AGE POLICY AND ONLY A VALID PASSPORT, PHOTO DRIVING LICENCE, HM FORCES PHOTOGRAPHIC ID CARD OR PROOF OF AGE CARD WITH THE PASS LOGO OR HOLOGRAM ON IT MAY BE ACCEPTED AS PROOF OF AGE.
- 2) ALL REFUSALS OF THE SALE OF ALCOHOL SHALL BE RECORDED IN THE REFUSALS SECTION OF THE INCIDENT BOOK. THE INCIDENT BOOK SHALL BE KEPT AND PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST –SEE SECTION B CONDITION 5 FOR FULL DETAILS.
- 3) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE AS APPROPRIATE– SEE SECTION B CONDITION 6 FOR FULL DETAILS.
- 4) ALL STAFF WHO WORK FRONT OF HOUSE WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING EVERY SIX MONTHS. WRITTEN TRAINING RECORDS WILL BE KEPT FOR EACH STAFF MEMBER AND BE PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE & CHECKING IT, MAKING & RECORDING A REFUSAL, AVOIDING CONFLICT & RESPONSIBLE ALCOHOL RETAILING.
- 5) WRITTEN TRAINING RECORDS WILL BE KEPT FOR ALL STAFF MEMBERS AND MADE AVAILABLE TO POLICE OR AUTHORISED COUNCIL OFFICERS ON REQUEST.
- 6) UNLESS AN EPOS SYSTEM WITH AN AUTOMATIC PROOF OF AGE CHECK REMINDER INCORPORATED IN IT IS IN USE A MANUAL PROMPT WILL BE DISPLAYED BY THE TILL(S) TO REMIND STAFF TO CHECK PROOF OF AGE WHERE APPROPRIATE

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	Y. Uyan
Date	10.11.2016
Capacity	Licensing agent

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)

Narts Licensing Team
 53 Stoke Newington High Street

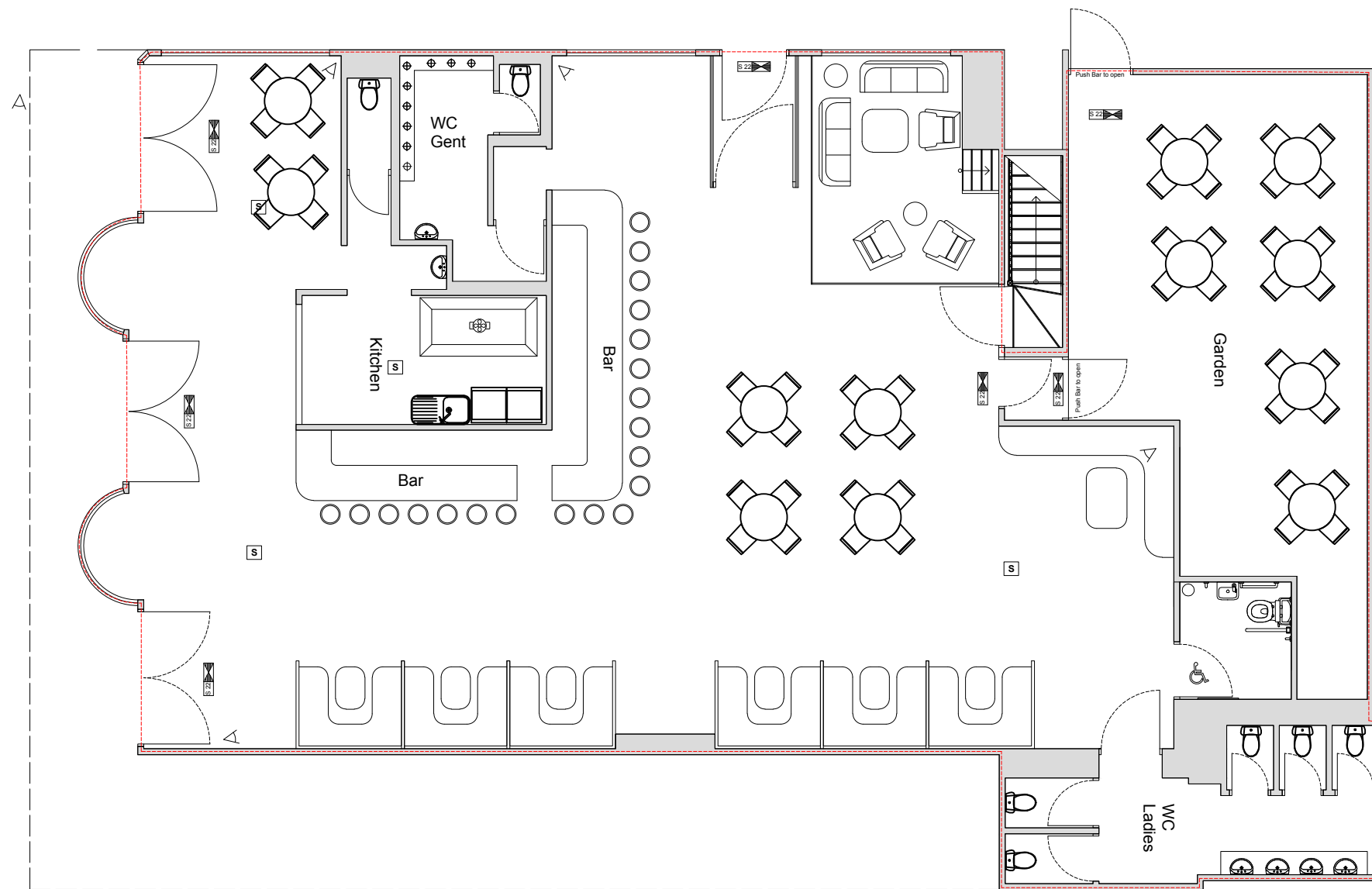
Post town	London	Postcode	N16 8EL
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








Telephone number (if any)	020 3745 6500
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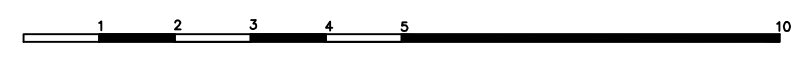
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
 licensing@narts.org.uk

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.



- LEGEND**
-  WC AREA
 -  FRIDGES
 -  AMBIT OF LICENSED PREMISES
 -  SAFETY LIGHTS
 -  SMOKE DETECTOR
 -  CCTV
 -  FIRE ESCAPE KEEP CLEAR
 -  INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
 -  CARBON DIOXIDE FIRE EXTINGUISHER
 -  9 LT. WATER FIRE EXTINGUISHER
 -  FAN
 -  BUILDING OUTLINE



RevNo	Revision note	Date	Itemref	Quantity	Title/Name, designation, material, dimension etc	Reference
1	Add a Disabled WC	13.Jan.2017	Designed by EDE	Checked by MHR	Approved by - date 01/11/2016	Filename SE15UE
320-322 Old Kent Road, SE1 5UE						Date 01/11/2016
Proposed Ground Floor Plan			Total Area 203sqm	Sheet 4	Scale 1:100 @A3	

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Voice of Turkish & Kurdish Food Industry in Britain

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APPENDIX B



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/21/2895/16

Date: 8th December 2016

Dear Sir/Madam

Thomas A Becket, 320-322 Old Kent Road SE1 5BA

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

Premises open to the public	Mon-Sun	11.00hrs – 01.00hrs
Sale/Supply of alcohol on/off	Mon-Sun	1100hrs – 00.00hrs
Late Night Refreshment	Mon-Sun	2300hrs – 00.30hrs

The operating schedule indicates that this is for restaurant premises, the application contains a number of control measures that would assist in the prevention of crime and disorder or assist in public safety. However the premises is subject to a community order and designated an asset of Community Value and should remain a public house. Therefore in its current format police object to the licence being granted.

Public houses are permitted to serve food but the schedule indicates that the venue would solely be for food and alcohol only served as ancillary to food. Unless the community order is removed and the planning permission changed then the operation as described would not be allowed under the order.

The hours applied for are outside the Southwark council Licensing Policy for a public house. Using the guidance provided by the Policy for a Public House, Wine Bar, or other drinking establishment that is situated in a residential area we would like to see the requested times changed to reflect a terminal hour of 23.00hrs 7 days a week.

Below are conditions to which police believe would assist in the prevention of crime and disorder and assist in public safety .The following wording of each condition is essential in order to negate any ambiguity, the following should be considered as conditions of the premises licence if granted.

It should be noted that the previous licence holder at the venue was the subject of a premises licence review, on the grounds of an unacceptable level of serious crime and disorder, and serious failings by the management in the reporting of serious incidents. The premises licence was revoked as a result.

The premises was owned by the previous licence holder and at this time I have had no confirmation of the sale of the building or seen copies of any lease or tenancy agreement. If the licence is granted it would be possible for the previous licence holders to start operating the premises by transferring the licence. We would like to see conditions the condition offered in the schedule placed on the licence excluding all previous management from the premises and see copies of any documents relating to its use. All responsible authorities should be consulted as to names placed within this condition.

The applicants have provided an operating schedule and Police welcome this however we feel that there are some further matters that need addressing. Only 1 SIA have been offered within a limited time period.

Using the guidance provided by Southwark's Licensing Policy this premises falls outside of the acceptable criteria. The applicants as far as I can see have not addressed this matter sufficiently and have not evidence the exceptional reasons why the licensing sub committee should deviate from their policy.

If consideration is given to the granting of a premises licence with hours of operation similar to those as per the application, a significant number of control measures would be required in order to address the promotion of the licensing objectives.

Should be place on the licence irrespective of the terminal hour

1. The premises will install a CCTV system and maintain this system in good working order, the system will be of evidential quality in all lighting conditions and should be able to capture a clear facial image of all persons that enter the venue. All public areas will be covered including the bar and smoking areas. 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
2. There shall be at least one member of staff on duty at all times the premises are in operation under its licence trained and proficient in the operation of the CCTV system capable of operating and retrieving footage on request of the Police or other authorised officer.
3. That all staff concerned in the sale or supply of intoxicating liquor undergoes a 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.
4. That all incidents of violence and or disorder that result in an injury to another will be reported to the Police as soon as practicable. The reasoning behind any delayed report will be recorder in the incident report book. This report book will be made available for inspection by any authorised officer from the Police or local authority.
5. That a Personal Licence holder is on the premises and on duty at all times after 20:00 when intoxicating liquor is supplied

6. That two SIA registered door supervisors will be engaged when the premises are in operation. They will be employed Thursday, Friday, Saturday and Sunday at all times after 20:00 until the end of business and all patrons have vacated the premises they will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented.
7. SIA when engaged at the premises will be issued mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.
8. That no spirits (alcohol containing more than 20% ABV) shall be sold by the bottle or half bottle.
9. That all spirits (alcohol containing more than 20% ABV) shall be sold by the measure of 25ml or 35ml at a maximum of two measures per container/glass
10. All children on the premises shall be accompanied by a responsible adult

If hours are granted past 23.00hrs the following condition should be placed on the licence.

11. There shall be no new entry or re-entry to the premises after 23.00am

Submitted for consideration

PC Graham White 288MD
Southwark Police Licensing Unit

From: Newman, Paul
Sent: Monday, November 21, 2016 3:21 PM
To: Regen, Licensing
Cc: 'londonurban1@gmail.com'; Newman, Sarah
Subject: RE: Thomas A Becket

Thank you for the copy of the resubmitted application received by email on 16 November 2016 and resubmission of amended hours received by email 21 November 2016 for a premises licence at Thomas A Becket, 320-322 Old Kent Road, London, SE1 5UE.

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

The hours applied for are too late having regard to both the framework hours in the Statement of Licensing Policy and to the proximity of residential accommodation, particularly the residential accommodation located above in the same building;

The applicant wishes to provide;

- on sales of alcohol until midnight; and
- Late Night Refreshment for consumption on the premises from 11.00 up until 00.30

Regulated entertainment has not been applied for.

The premises are located in a residential area as defined by the Statement of Licensing Policy Table 2, paragraph 153, on page 38.

According to the Statement, premises licences to permit pubs, wine bars, restaurants, and cafes are only considered appropriate in residential areas up until 23.00 hours.

This premises is located directly underneath residential accommodation in the same building consisting of flats and bedsits.

The building is known to have particular problems with flanking transmission of noise between the commercial premises and the residential premises above which in the past caused as serious statutory nuisance, and due to the conservation restrictions on altering the building, there appears not to be any practicable solution to effectively reduce sound transmission from the commercial property to the residential properties. The only mitigation available is therefore the operating hours.

The Statement says at section 149 (page 37), that these hours are not pre-determined, and that each application will be decided on its own merits.

At section 150, (also page 37), the Statement sets out matters that will be taken into consideration when deciding the merits of the application. Applicants for licences incorporating hours that fall outside of those set out in Table 2 (page 38) are expected to explain fully within their application, the arrangements intended to be put in place to ensure that the premises does not add to cumulative impact, including detailed measures specified in the operating schedule to mitigate against public nuisance.

Applicants are invited by section 150 to take the following matters into account when detailing the arrangements to avoid creating cumulative impact;

- The location of the premises and the character of the local area
- The proposed hours during which the licensable activities are proposed to take place
- The adequacy of the proposed control measures intended to promote the licensing objectives
- The availability of local public transport, and
- The proximity of the premises to other licensed premises of a similar nature and the hours of operation of those premises.

The operating schedule supplied to address the prevention of public nuisance contains some provisions that may assist with compliance with the Statement policy in section 150;

- All staff shall be instructed and trained to ensure customers are discouraged from congregating outside the premises
- All staff shall be instructed and trained to ensure the sale or supply of alcohol is prohibited to any person who is intoxicated.
- All staff shall be instructed and trained to ensure no deliveries of stock are made to the premises between 22:00 and 08:00 on any day.

There are some additional provisions relating to signage and refuse disposal.

The provisions in the operating schedule are not adequate, because they do not sufficiently address the likely impact of operation of the premises after 23.00 on public nuisance in nearby residential properties, especially the flats and bedsits in the same building, and therefore the applicant has not demonstrated that their application has sufficient merit to set aside the default position indicated by Table 2.

If the sub-committee is minded to grant this application, I would ask that;

- hours of operation are limited to 23.00 hours in line with the Licensing Authority's own policy.

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

Kind regards

Paul Newman, EHO
Principal Environmental Protection Officer

Paul Newman
Principal Environmental Health Officer

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

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

Tel: 020 7525 3551 | Fax: 020 7525 5705 | e mail: paul.newman@southwark.gov.uk

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

MEMO: Licensing Unit

To	Licensing Unit	Date	14 December 2016	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

Subject Re: Rock Island (aka Thomas A Beckett), 320-322 Old Kent Road, London, SE1 5UE -

Application for a premises licence

I write with regards to the above application for the grant of a premises licence under the Licensing Act 2003 submitted by Paul Anthony Scarborough which seeks the following licensable activities:

- Provision of late night refreshment (indoors) on Monday to Sunday from 23:00 to 00:30 the following day
- The supply of alcohol (on the premises) on Monday to Sunday from 11:00 to 00:00 the following day
- Overall opening times shall be from Monday to Sunday from 11:00 to 01:00 the following day

In the premises description it is stated '*The premises will be used as a restaurant. The applicant is partnered up with the Rock Island Cyprus to turn the venue a premises like TGI Fridays or Steak House without losing its heritage.*'

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 protection of children from harm and public safety.

This premises is situated within **a residential area** and under the Southwark Statement of Licensing Policy the closing times recommended for public houses, wine bars or other drinking establishments and restaurants and cafes is 23:00 hours daily. Night clubs (with sui generis planning classification) are not considered appropriate for this area.

This premises has previously held a licence and operated as a nightclub. The previous licence was revoked by the licensing sub-committee on 10 March 2015 following an expedited review submitted by the Metropolitan Police under serious crime and disorder. There were further representations regarding persistent breaches of the premises licence and antisocial behaviour associated with the premises. A copy of the notice of decision from the review hearing is attached to this representation.

Although this application is submitted by a different person to the previous licensee, to promote the prevention of crime and disorder; the prevention of public nuisance, public safety and the protection of children from harm and to promote those licensing objectives I would want reassurance that the previous licensees or management would have no control over the premises and the licensable activities that may take place at the premises.

It would be useful if the applicant could provide a lease to show this at the committee hearing

In the operating schedule under paragraph d) the applicant refers to 'all windows and doors being closed during the licensed regulated entertainment', yet the applicant has not applied for any regulated entertainment within this application. It is then stated further on in the paragraph '3) any music played will only be played at background level'. This information is confusing and conflicting and needs clarification.

If the licensing sub - committee are of a mind to grant the application I would request the following information and amendments to the operating schedule to promote the four licensing objectives:

- That the premises provide and accommodation limit and explain how that will be controlled
- That a written dispersal policy is provided, and if any licence is granted that the dispersal policy shall be kept at the premises and made available for inspection by the police and authorised council officers.
- That the premises shall close at 23:00 (in line with the hours deemed appropriate for a residential area within the licensing policy) and all licensable activities shall cease at least half an hour before the closing time

I therefore submit this representation and welcome any discussion with the applicant to address my concerns

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

Attached: Notice of Decision from 10 March 2015



NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 10 MARCH 2015

LICENSING ACT 2003: THOMAS A BECKET, 320-322 OLD KENT ROAD, LONDON SE1 5UE

1. Decision

The council's licensing sub-committee, having had regard to the application made under Section 53C by the Metropolitan Police for a review of the premises granted under the Licensing Act 2003 in respect of the premises known as Thomas A Becket, 320-322 Old Kent Road, London SE1 5UE and having had regard also to all other relevant representations has decided it necessary for the promotion of the licensing objectives to revoke the licence.

2. Reasons

The reasons for this decision are as follows:

The thrust of the representation from the Metropolitan Police Service, the applicant for the review, concerned a serious assault that occurred at the premises on 7 February 2015 at around 02.50 where the victim was slashed in the side of the neck with a broken bottle by the suspect during an altercation. The victim received serious neck injuries and medical staff informed the police that it nearly hit a major artery, which could have proved fatal.

During the investigation it had been established that the premises were in breach of the premises licence conditions and this had hindered the investigation of the crime. The premises were found to be in breach of the following conditions: Condition 303 (696 risk assessment was not submitted to the police 14 days in advance of the event), Condition 308 (No entry or re-entry after 02.00) Condition 341 (ID scanning system to scan and store identification of patrons to be used to enter the premises was not being used to scan all customers and as a result the suspect's name and address, which would have been stored on the system was not). Furthermore, the premises had failed to preserve the crime scene, and failed to contact the emergency services and obstructed the police from entering. The police were only able to gain access once the ambulance service had arrived. The ambulance service had been called by a member of the public.

The police also referred to nine other incidents of violence that had taken place at the premises in the past year. The commonality of these incidents was that the parties involved were heavily intoxicated, demonstrating the fact that there was no responsible sale of alcohol policy at the premises. Concerning the promotion event risk assessment forms 696, these were consistently provided late, if at all. During October to November 2014, there were 12 events involving external promoters at the premises and only four of the form 696s were provided on time. The importance of these forms is to allow the police time to carry out the necessary research to be completed and any advice or recommendations from the police to be implemented.

The police advised that their position remained the same and that the licence should be revoked.

The sub-committee felt that it was clear that whilst there may be a change in management at the premises, the existing management team, Kazim Abdul, Kashim Abdul (and Baian Abdul) would remain the freehold owners of the premises. In a letter dated 22 December 2014 the licensing team received a letter from Thomas A Becket accepting the licensing breaches and gross mismanagement of the business. The letter advised that they intended to make right the misconduct by working with the licensing team and the police. They provisionally agreed that they would overhaul the current management staff, including Mr Kashim Abdul and that Mr Kazim Abdul and Gerrado Romero would assume management responsibilities for the premises. This never transpired, as evidenced by the fact that the premises was represented by Mr Kashim Abdul and Mr Kazim Abdul at the expedited review hearing on 12 February 2015, rather than the majority shareholder and the premises licence holder of Thomas A Becket Leisure Investments Ltd, Mr M. Chowdhury.

The licensing sub-committee also noted that there was no new management agreement with the new team and the premises licence holder. Furthermore, the two proposed DPSs had yet to pass the DPS exams thus, no variation of DPS applications have been submitted to date. The sub-committee felt that the new management team presented as a smoke screen for the old management team, which was compounded by wanting a continuation of the existing licence, despite the alleged new management direction. Particularly, despite the promise of having no external promoters at the premises, external promoters events remain advertised on social media.

In all the circumstances, the sub-committee felt that there is no alternative but to revoke the premises licence in order to fulfil the licensing objectives.

In reaching this decision the sub committee had regard to all the relevant considerations and the four licensing objectives and considered that its decision was appropriate and proportionate in order to address the licensing objectives.

3. **Appeal rights**

This decision is open to appeal by either:

- a) The applicant for the review
- b) The premises licence holder
- c) Any other person who made relevant representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either:

- a) The end of the period for appealing against this decision
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

In accordance with the Licensing Act and guidance issued in 2007, the interim steps agreed on 12 February 2015 must remain in effect until the time for appealing the review has expired and any appeal determined.

Issued by the Constitutional Team on behalf of the Director of Legal Services

Date: 10 March 2015

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Wednesday, October 05, 2016 10:27 AM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: Consultation New premises Thomas a Becket LDO 11.10.2016

To whom it may concern:

Re: 320-322 Old Kent Road, London SE1 5UE

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 licence for the sale of alcohol on the premises between the hours of 1100 and 0200 on Sundays to Wednesdays and 1100 and 0400 on Thursdays to Saturdays. I have concerns regarding the hours of alcohol sales requested. Research suggests that increased hours of alcohol sales are associated with increased alcohol consumption, increased alcohol-related injuries, and increased alcohol-related harm. Moreover, Southwark's statement of licensing policy recommends a closing time for alcohol sales of 2300 daily for an establishment in this location.

Recommendations

- I recommend the end time for alcohol sales be changed to 2300 for all days of the week

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 | 07921998107
Public Health Officer (People & Health Intelligence), London Borough of Southwark, 160 Tooley Street, London SE1 2QH

The Licensing Service
C/O Southwark Environmental Health and Trading Standards
3rd Floor Hub 2
160 Tooley Street
London
SE1 5LX
E- [REDACTED]



Dear Licensing Team

We are local residents of a flat adjacent to the Thomas-A-Becket (situated at 320 Old Kent Road) and strongly oppose a licence being granted for this premises to serve alcohol and to open extended hours.

The previous licence was revoked in March 2014. At that hearing it was clear that any subsequent licence application would be subject to stringent requirements and was unlikely to be granted to the current owners or their associates. To my knowledge, the owners of the premises have not changed.

We wish to make representations to oppose a licence being granted in respect of the following:

- The prevention of crime and disorder

As you will be aware, the licensing law plays a key role in both preventing and controlling alcohol related crime and anti-social behaviour by ensuring, amongst other things that the premises is well-managed and hours of operation of the premises are regulated. Essentially, the current owner of the premises did not respect this and it is why the previous licence was revoked and they are no longer able to trade. We have no confidence that the most recent licence applicant has any further insight into these issues and the significant crime and disorder that is likely to prevail if they operate under a licence at the proposed extended opening hours.

In the previous hearing, there were examples of various crimes that had been reported to the police; some extremely serious. These examples were just the tip of the iceberg as they were the crimes that were reported on the premises, and not the glassing of a girl in our car park, or the regular assaults and abuse experienced by ambulance staff or the fights between patrons. Many petty crimes were not reported at all to avoid adding to the already substantial workload of the police.

Due to these events, some residents moved and/or sold their properties as a result of feeling intimidated by patrons of the Thomas-A-Becket and lack of support from the management/owners. This was exacerbated by reports of violent behaviour regularly exhibited at the premises due to excessive drinking that was not controlled by the licensee or appointed personnel. In some cases the victims almost died.

The documents that we would expect to be available for this application to even be considered are:

- a) A crime prevention strategy document
- b) A risk assessment that states potential consequences of extended operating hours combined with alcohol licence, including risk to local property and people and how these will be mitigated (not just risk on the premises).

- The prevention of public nuisance

The extended hours pose an issue for local residents due to noise nuisance from patrons leaving or arriving at the premises at unsocial hours. A late alcohol licence inevitably leads to drunk patrons leaving a premises with impaired judgement and lack of inhibition. In turn, problems we have previously experienced and have no desire to be repeated are:

- Trespass into the car park at the rear of Riddell Court
- Litter being left, including broken bottles, flyers and syringes
- People urinating in our car park
- People vomiting in our car park and neighbouring vicinity
- People having sex in our car park and public areas in the vicinity of our property
- Noisy conversations / arguments / swearing / fighting in the car park, near residents windows
- Loud music from cars parked up waiting for others to leave the premises at all hours
- Cars double parked in Shornecliffe Road so that other drivers have to sound their horns to pass

Equally, the bass from music at the premises and noise from patrons gathering in external areas of the premises, e.g. garden, smoking area, front of property etc. could be heard by local residents.

At a minimum, we would expect the licence application decision to be based on documented strategy to prevent recurrence of such issues, particularly any noise after 10pm on any night of the week. It is also important that an acoustic consultant's report is completed in order for the applicant to be able to mitigate further noise pollution from the premises.

- The protection of children from harm

There are children resident in the flats and we are also next to Walworth Academy. Children should not be exposed to any moral, psychological or physical harm from activities resulting from intoxication at the premises. This would include exposure to expletives, fighting and sexual activity of patrons; broken glass, discarded syringes and litter as a consequence of patrons frequenting the local vicinity; noxious smells (from public urination and marijuana smoking); gang-related activity and inappropriate flyers advertising events at the venue.

- Public safety

There is limited public transport in the early hours of the morning which confounds the problem of extended opening hours; people are more likely to drive (potentially under the influence of alcohol / drugs) thus causing a danger to themselves and the public.

Due to the nature of our jobs in healthcare, we need to ensure that we are able to sleep at night (weeknights and at the weekend) in order to be able to function safely for the benefit of patients and the public. There is a danger of this being jeopardised if this licence application is granted as we are likely to experience sleep deprivation and stress.

We would be grateful if you note our objections to this application and sincerely hope that the licence is not granted.

Yours faithfully

████████████████████

The Licensing Service
C/O Southwark Environmental Health and Trading Standards
3rd Floor Hub 2
160 Tooley Street
London
SE1 5LX
E-mail: [\[REDACTED\]](mailto: [REDACTED])

Dear Sirs,

We, [REDACTED], local residents of a flat next to the Thomas-a-Becket public house on Old Kent Road.

A licence application for the premises at 320 Old Kent Road to open as public house / restaurant has been submitted and we wish to make representations to oppose a licence being granted on the grounds of:

- The prevention of crime and disorder
- The prevention of public nuisance
- The protection of children from harm (we are next to Walworth Academy)
- Public safety

The problems that have been previously been experienced by residents when a late licence was granted include:

- Noise nuisance when people leave the public house
- Trespass in to the car park at the rear of Riddell Court
- Litter being left, including broken bottles, flyers, used condoms and syringes
- People urinating in our car park
- People having sex in our car park and public areas in the vicinity of our property
- Noisy conversations / arguments / swearing / fighting in the car park, near residents windows
- Loud music from cars parked up waiting for others to leave the premises at all hours
- Cars double parked in Shorncliffe Road so that taxi drivers have to sound their horns to pass

To date, the owners of the premises have not changed. We have no confidence that the new licensee will be any different to the previous licensee, particularly in respect of being family-friendly or community oriented and this is supported by the proposed opening hours.

In relation to the new application I would argue the following points

- Why is there a need for a late opening application (to 1am) for a restaurant? Most restaurants are open to 11pm, with alcohol sales to 10.30pm. I have no objection to this application alteration, but anything after this would appear to promote a drinks venue
- If food is a necessity of alcohol purchase within the venue, then why is there a need for a security guard on site? It would appear to promote the sale of alcohol as a main item of business

In all the application appears to be for a late night bar, fronted as a restaurant. I have no objection to a restaurant application with normal, consistent working hours (until 11pm). But this application would appear to be a way of starting a business and then later applying for extended operational hours to make it a nightclub again.

I would be grateful if you note our objections to this application and sincerely hope that the licence is not granted.

Yours faithfully

[Redacted signature]

[Redacted signature]

3

request to re submit

The Licensing Service
c/o Southwark Environmental Health
& Trading Standards
3rd Floor Hub 2
160 Tooley Street
London SE1 5LX

1st September 2016

Dear Sirs,

I am writing to oppose the Licence Application for the following premises.

Name of Applicant **Paul Scarborough**

Premise **Thomas a Beckett**
 320 Old Kent Road
 London SE1 5UE

Date of Application **22/08/2016**



The reasons for my opposition are as follows.

The noise from the Thomas A Beckett would be disruptive to us, as it has been in the past, when the premises was open. I live in Cobourg Road opposite Burgess Park where the music has been horrendous and given the applicants late night/morning opening hours it would be with out any shadow of a doubt cause problems for us.

Myself and the residents of Cobourg Road are at the moment in consultation with Burgess Park Management about the anti-social behaviour in Burgess Park and late night revellers, if this Application is to be allowed to go ahead, once again, apart from the noise in the Thomas A Beckett, this will as usual spill out into the Park where the drinking and anti-social behaviour would continue.

Given what has happened previously ie the violence and anti social behaviour, I request that you refuse this Application.

Yours Faithfully



The Licensing Service
C/O Southwark Environmental Health and Trading Standards
3rd Floor Hub 2
160 Tooley Street
London
SE1 5LX
E-mail: licensing@southwark.gov.uk



Dear Sir/Madam,

I am a local resident(s) of a flat next to the Thomas-a-Becket public house on Old Kent Road.

A licence application for the premises at 320 Old Kent Road to open as public house has been submitted and I wish to make representations to oppose a licence being granted on the grounds of:

- The prevention of crime and disorder
- The prevention of public nuisance
- The protection of children from harm (we are next to Walworth Academy)
- Public safety

The problems that have been previously been experienced by residents when a late licence was granted include:

- Noise nuisance when people leave the public house
- Trespass in to the car park at the rear of Riddell Court
- Litter being left, including broken bottles, flyers, used condoms and syringes
- People urinating in our car park
- People having sex in our car park and public areas in the vicinity of our property
- Noisy conversations / arguments / swearing / fighting in the car park, near residents windows
- Loud music from cars parked up waiting for others to leave the premises at all hours
- Cars double parked in Shornecliffe Road so that taxi drivers have to sound their horns to pass

In addition, some residents moved and/or sold their properties due to feeling intimidated by the clientele and lack of support from the management / owners. This was exacerbated by reports of violent (almost to the point of fatality) behaviour regularly exhibited at the premises due to excessive drinking and drug taking that was not controlled by the licensee or appointed personnel.

I note that the new licence application proposes extended opening hours, akin to the previous hours. Due to the anti-social behaviour, noise issues, crime and public safety concerns that

lead to stress of residents, this is a major concern. We are strongly against a licence being granted, particularly with the proposed opening hours.

To date, the owners of the premises have not changed. We have no confidence that the new licensee will be any different to the previous licensee, particularly in respect of being family-friendly or community oriented and this is supported by the proposed opening hours.

I would be grateful if you note my objections to this application and sincerely hope that the licence is not granted.

Yours faithfully

A solid black rectangular redaction box covering the signature area.

From: [REDACTED]
Sent: Wednesday, September 21, 2016 10:31 AM
To: Regen, Licensing
Subject: Thomas A Beckett licensing application - representations

Dear Sir/Madam,

I am writing as I am a tenant in [REDACTED], London SE5 ODS and have been prompted for representations to the Licensing Service regarding the application to reopen the **Thomas A Beckett pub**.

Firstly, I note representations were requested by 19 September 2016. I have just returned from holiday so was unable to respond in the given timeframe. Nevertheless I am hoping the contents of this email will still be considered before a decision is made.

I would like the decision maker(s) to be aware that **I cannot object strongly enough to the pub being reopened** by the same owner and I am stunned by their audacity to even make an application given the history violent incidents on the premises. Since the pub was forced to close the area has been far safer and more pleasant for local residents and visitors to the Old Kent Road end of Burgess Park.

While the pub was open I and other residents had to endure:

- Constant noise throughout the night from:
 - Music from the club (above agreed limits)
 - Punters leaving late at night (noisy conversations/arguments/fighting)
 - Sirens from emergency services responding to fights in the bar
 - Loud music from cars waiting in Shorncliffe Road
 - Taxis attempting to navigate a maze of waiting cars
- People trespassing in the carpark to the rear of Riddell Court to urinate, damage property, buy/sell/take drugs
- Bottles/glasses being broken in the street and carpark

I believe the current owner of the pub to be a general threat to public safety and community cohesion. The pub did nothing for the benefit of the local community and; if anything, created issues that the area is far better off without.

Given the general Old Kent Road area has been earmarked for regeneration it would be mindless to allow the Thomas A Beckett to reopen before it changes ownership.

Many thanks for your time,

[REDACTED]



NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 10 MARCH 2015

LICENSING ACT 2003: THOMAS A BECKET, 320-322 OLD KENT ROAD, LONDON SE1 5UE

1. Decision

The council's licensing sub-committee, having had regard to the application made under Section 53C by the Metropolitan Police for a review of the premises granted under the Licensing Act 2003 in respect of the premises known as Thomas A Becket, 320-322 Old Kent Road, London SE1 5UE and having had regard also to all other relevant representations has decided it necessary for the promotion of the licensing objectives to revoke the licence.

2. Reasons

The reasons for this decision are as follows:

The thrust of the representation from the Metropolitan Police Service, the applicant for the review, concerned a serious assault that occurred at the premises on 7 February 2015 at around 02.50 where the victim was slashed in the side of the neck with a broken bottle by the suspect during an altercation. The victim received serious neck injuries and medical staff informed the police that it nearly hit a major artery, which could have proved fatal.

During the investigation it had been established that the premises were in breach of the premises licence conditions and this had hindered the investigation of the crime. The premises were found to be in breach of the following conditions: Condition 303 (696 risk assessment was not submitted to the police 14 days in advance of the event), Condition 308 (No entry or re-entry after 02.00) Condition 341 (ID scanning system to scan and store identification of patrons to be used to enter the premises was not being used to scan all customers and as a result the suspect's name and address, which would have been stored on the system was not). Furthermore, the premises had failed to preserve the crime scene, and failed to contact the emergency services and obstructed the police from entering. The police were only able to gain access once the ambulance service had arrived. The ambulance service had been called by a member of the public.

The police also referred to nine other incidents of violence that had taken place at the premises in the past year. The commonality of these incidents was that the parties involved were heavily intoxicated, demonstrating the fact that there was no responsible sale of alcohol policy at the premises. Concerning the promotion event risk assessment forms 696, these were consistently provided late, if at all. During October to November 2014, there were 12 events involving external promoters at the premises and only four of the form 696s were provided on time. The importance of these forms is to allow the police time to carry out the necessary research to be completed and any advice or recommendations from the police to be implemented.

The police advised that their position remained the same and that the licence should be revoked.

The licensing sub-committee heard from the licensing officer representing the council as a responsible authority supporting the review of the premises licence. The officer said that the premises had breached the licence conditions before and had also opened beyond the terminal hour granted in the licence. Specifically, the officer referred to nine incidents in 2014, of complaints of loud music, breaches of the premises licence conditions and opening hours in addition to advertising unlicensed events. The complaints also referred to public nuisance from people arguing in the street, sounding car horns and racing up and down the street in their cars, after leaving the premises. The licensing sub-committee were informed that further enforcement action was currently being considered. The officer recommended that the licence should be revoked.

The licensing sub-committee heard from other persons supporting the review, namely two local residents and an officer from the private sector housing enforcement team.

The officer from the private sector housing enforcement team advised the sub-committee that the premises at 320-322 Old Kent Road is owned by Mr Kashim Abdul, Mr Kazim Abdul and Mr Baian Abdul. They informed the sub-committee that here is a large high risk houses in multiple occupation (HMO) above the Thomas A Becket premises and that the freeholders have consistently breached the HMO licensing regime, under the Housing Act 2004. The officer advised that the freeholders had pleaded guilty in November 2013 to offences under the Housing Act 2004 and a further prosecution is ongoing in the magistrates' court. The officer had personally experienced aggressive behaviour from the freeholders on numerous occasions. The officer supported the police application and recommended that the licence be revoked.

The local residents advised that it had been a nightmare for at least two years, particularly at weekends when residents were experiencing loud arguments and fights, people urinating in public, loud noise caused by patrons leaving the premises, cars revving loudly and music being played loudly in cars after 4am, broken glass and rubbish being left all over the street and trespassing in the car park at Riddell Court. Since the licence had been suspended on 12 February 2015, the residents described that they were able to sleep and that the peace and quiet was blissful. Both residents stated that they felt intimidated in approaching the management of the premises.

The licensing sub-committee heard from the representatives of Thomas A Becket who advised that there was now a new management team in place who would concentrate on compliance with licensing conditions. They informed the sub-committee that premises were going to take a new direction, would be family orientated and focus on the provision of food and evening events. A new external security company would be put in place, 80% of staff would be replaced and the rest retrained. The representative referred to a management plan, which would reflect the future plan of the premises. They accepted that there was no excuse for the previous non-compliance of the licence and that the two proposed designated premises supervisors (DPS) were confident of turning the premises around by the security changes, the training of all staff, the refurbishment of the premises, good working relationships with the authorities and working closely with the community.

The sub-committee felt that it was clear that whilst there may be a change in management at the premises, the existing management team, Kazim Abdul, Kashim Abdul (and Baian Abdul) would remain the freehold owners of the premises. In a letter dated 22 December 2014 the licensing team received a letter from Thomas A Becket accepting the licensing breaches and gross mismanagement of the business. The letter advised that they intended to make right the misconduct by working with the licensing team and the police. They provisionally agreed that they would overhaul the current management staff, including Mr Kashim Abdul and that Mr Kazim Abdul and Gerrado Romero would assume management responsibilities for the premises. This never transpired, as evidenced by the fact that the premises was represented by Mr Kashim Abdul and Mr Kazim Abdul at the expedited review hearing on 12 February 2015, rather than the majority shareholder and the premises licence holder of Thomas A Becket Leisure Investments Ltd, Mr M. Chowdhury.

The licensing sub-committee also noted that there was no new management agreement with the new team and the premises licence holder. Furthermore, the two proposed DPSs had yet to pass the DPS exams thus, no variation of DPS applications have been submitted to date. The sub-committee felt that the new management team presented as a smoke screen for the old management team, which was compounded by wanting a continuation of the existing licence, despite the alleged new management direction. Particularly, despite the promise of having no external promoters at the premises, external promoters events remain advertised on social media.

In all the circumstances, the sub-committee felt that there is no alternative but to revoke the premises licence in order to fulfil the licensing objectives.

In reaching this decision the sub committee had regard to all the relevant considerations and the four licensing objectives and considered that its decision was appropriate and proportionate in order to address the licensing objectives.

3. **Appeal rights**

This decision is open to appeal by either:

- a) The applicant for the review
- b) The premises licence holder
- c) Any other person who made relevant representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either:

- a) The end of the period for appealing against this decision
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

In accordance with the Licensing Act and guidance issued in 2007, the interim steps agreed on 12 February 2015 must remain in effect until the time for appealing the review has expired and any appeal determined.

Issued by the Constitutional Team on behalf of the Director of Legal Services

Date: 10 March 2015

**NOTICE OF DECISION****LICENSING SUB-COMMITTEE – 12 DECEMBER 2014****LICENSING ACT 2003: THOMAS A BECKET, 320-322 OLD KENT ROAD, LONDON, SE1 5U3 -
TEMPORARY EVENT NOTICE****1. Decision**

That a counter notice not be issued subject to a notice of statement of conditions (listed below) under Section 105 of the Licensing Act 2003 in respect of the Temporary Event Notice given by Mr Mohammed Abdul Kashim in respect of the premises known as Thomas A Becket, 320-322 Old Kent Road, London, SE1 5U3 for the retail sale of alcohol and the provision of regulated entertainment on Wednesday 31 December 2014 from 05.30 to 10.00 and on Thursday 1 January 2015 from 05.30 to 10.00.

2. Statement of conditions

1. That before the premises license can take effect a sound limiting device shall be installed and using a qualified sound engineer shall set maximum volume and bass levels to ensure that any music, speech or song from licensed entertainment is not audible in the residential premises above or will cause a public nuisance in the vicinity of the premises.
2. That the sound limiting device be maintained at the set level there-after.
3. That should there be any change to the equipment involved in the broadcast or limiting of sound from licensed entertainment that the sound limiters be re-set, using a qualified sound engineer, to ensure that any music, speech or song from licensed entertainment is not audible in nearby residential premises or will cause a public nuisance in the vicinity of the premises.
4. That all speakers for the broadcast of sound shall be isolated from the structure of the premises by anti-vibration mountings or mats.
5. That any additional amplification equipment imported on to the premises by third parties be connected to and use the sound limited circuit wherever possible.
6. That no additional front-of-house amplification shall be imported onto the premises by third parties.

7. Live music performers may bring backline amplification onto the premises subject to the following limitations:
 - Guitar amplifiers: no more than one speaker cabinet per performer, containing no more than two speakers of up to 12" diameter.
 - Bass and keyboard amplifiers: no more than one speaker cabinet per performer, containing no more than one speaker of diameter 15", or no more than two speakers of diameter 12", or no more than 4 speakers of diameter up to 10".
8. That loud acoustic instruments (for example brass, drums, pipes, etc.) shall be muted or muffled.
9. That there shall be no more than 6 persons permitted on the frontage to smoke between 07.00 and 22.00. Smokers shall use the rear smoking area at all other times.
10. That external waste handling, collections, deliveries (including performer's equipment) and the cleaning of external areas shall only occur between the hours of 07.00 and 22.00.
11. That all exit doors for patrons will be fitted with clearly legible, noticeable signs requesting that patrons leave quietly.
12. That the premises will operate a cab ordering service for patrons and permit them to wait inside the premises until they are picked up.
13. That when licensed entertainment is taking place all doors, lobby doors and windows shall remain closed (except for access or egress).
14. That before the premises license can take effect the applicant shall submit details of the noise insulation and containment proposed for the premises, for approval by the licensing authority, and shall have undertaken all the approved works.
15. That before the premises license can take effect all entrance doors and acoustic lobby doors shall be fitted with self-closers (in accordance with BS 6459 Pt. 1 1984), flexible seals and brushes.

3. Reasons

This was a Temporary Event Notice (TEN) given by Mr Mohammed Abdul Kashim the premises user, in respect of the premises known as Thomas A Becket, 320-322 Old Kent Road, London, SE1 5U3.

The licensing sub-committee heard evidence from the premises user who advised that the TEN application had been made to bring them in line with immediate competitors, all of whom would be open until 10.00. In addition, there would be appropriate transport available, which would not ordinarily be at 05.30. They assured the sub-committee that they would be complying with all the usual conditions on their licence and would not open beyond their allocated extended hours. They stated that they would close at 10.00 and reopen at lunchtime. Concerning the works detailed in the notice of decision dated 8 August 2014, the premises user stated that these were 80% complete and were awaiting an inspection by the environmental protection team.

The licensing sub-committee heard evidence from the Metropolitan Police Service who advised that they had concerns that the TEN would increase alcohol related crime. They referred incidents of alcohol related crime that took place over the Christmas and New Year period in 2013/14. Furthermore, the police made reference to an additional five occasions during 2013/14 when the premises were found to be operating beyond their terminal hour including, the issue of Section 19 closure notices on 16 September 2014 and 2 November 2014.

The licensing sub-committee noted that because the works detailed in the notice of decision dated 8 August 2014 had not been completed, no new licence had been issued and the premises user was operating under the licence dated 28 September 2012. However, the sub-committee considered the reasons for the decision on 8 August 2014. Whilst no representations had been received from the environmental protection team, the sub-committee were concerned not only with the potential for alcohol related crime and disorder but also public nuisance, in particular noise nuisance. Since the premises user has advised that 80% of the works have been completed, this sub-committee agree not to issue a counter notice if all of the works are implemented, inspected and signed off in advance of the event.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

4. Appeal rights

Where the relevant counter notice under Section 105(3) is given the premises user may appeal against the decision. Where counter notice is not given, the chief officer of the environmental protection team may appeal against that decision. The appeal must be made 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. No appeal may be brought later than five working days before the day on which the event begins.

Issued by the Constitutional Team on behalf of the Director of Legal Services

Date: 12 December 2014

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

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

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