Licensing Sub-Committee

Thursday 5 August 2021
10.00 am
Online/Virtual: please contact andrew.weir@southwark.gov.uk for a link to the meeting and the instructions for joining the online meeting

Membership
Councillor Renata Hamvas (Chair)
Councillor Sunil Chopra
Councillor Adele Morris

Reserves
Councillor Margy Newens

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.

Babysitting/Carers allowances
If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access
The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council’s web site: www.southwark.gov.uk or please contact the person below.

Contact
Andrew Weir by email: andrew.weir@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly
Chief Executive
Date: 28 July 2021
Licensing Sub-Committee
Thursday 5 August 2021
10.00 am
Online/Virtual: please contact andrew.weir@southwark.gov.uk for a link to the meeting and the instructions for joining the online meeting

Order of Business

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<td>APOLOGIES</td>
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<td>To receive any apologies for absence.</td>
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<td>2.</td>
<td>CONFIRMATION OF VOTING MEMBERS</td>
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<td>A representative of each political group will confirm the voting members of the committee.</td>
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<td>3.</td>
<td>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</td>
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<td>In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.</td>
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<td>4.</td>
<td>DISCLOSURE OF INTERESTS AND DISPENSATIONS</td>
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<td></td>
<td>Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.</td>
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<td>5.</td>
<td>LICENSING ACT 2003: LA CANTAleta, 176-178 Old Kent Road, London SE1 5TY</td>
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<td>6.</td>
<td>LICENSING ACT 2003: PASAJE PRIMAVERA, Arch 146, Eagle Yard, Hampton Street, London SE1 6SP - REVIEW</td>
<td>46 - 84</td>
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</table>
ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

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

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

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

Date: 28 July 2021
RECOMMENDATION

1. That the licensing sub-committee considers an application made by La Cantaleta Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as La Cantaleta, 176-178 Old Kent Road, London SE1 5TY.

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 representation submitted by the responsible authorities are attached to this report in Appendix B and by other persons in Appendix C. A map showing the location of the premises is attached to this report as Appendix D.
   d) A copy of the Council’s approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
   - The sale of and supply of alcohol
   - The provision of regulated entertainment
   - The provision of late night refreshment.

4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:

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

6. In carrying out its licensing functions, a licensing authority must also have regard to:

- The Act itself
- The guidance to the act issued under Section 182 of the Act
- Secondary regulations issued under the Act
- The licensing authority’s own statement of licensing policy
- The application, including the operating schedule submitted as part of the application
- Relevant representations.

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

**KEY ISSUES FOR CONSIDERATION**

**The premises licence application**

8. On 11 June 2021 La Cantaleta Limited applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as La Cantaleta – 176-178 Old Kent Road, London, SE1 5TY. The premises are described in the application as simply being:

“Licensed bar/restaurant. Any off sales will only be limited to customers consuming alcohol in an area specified for this activity on the plan…”

9. The hours applied for are summarised as follows:

- The sale by retail of alcohol (both on and off on sales):
  - Sunday to Thursday: 12:00 to 23:30
  - Friday and Saturday: 12:00 to 01:00 the following day

- The provision of late night refreshment (both indoors and outdoors):
  - Sunday to Thursday: 23:00 to 23:30
  - Friday to Sunday: 23:00 to 01:00 the following day

- The provision of regulated entertainment in the form of live and recorded music, performances of dance and anything similar (all indoors):
  - Sunday to Thursday: 12:00 to 23:30
Friday and Saturday: 12:00 to 01:00 the following day

- Additional non-standard timings for all licensable activities:
  - On New Year's Eve from the end of permitted hours until the start of permitted hours on the following day.
  - The permitted hours may be extended until 03:00hrs on Christmas Eve and Boxing Day

- Opening hours:
  - Sunday to Thursday: 12:00 to 00:00
  - Friday and Saturday: 12:00 to 01:30 the following day

10. The designated premises supervisor is to be Rafael Valencia Arroyo who holds a personal licence with the London Borough of Southwark.

11. The premises licence application form provides the applicant's operating schedule. Parts A, B, C, 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 part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application and premises plan is attached to this report in Appendix A.

Representations from responsible authorities

12. Representations have been submitted by four responsible authorities.

13. A representation has been made by the Metropolitan Police Service under the licensing objective of the prevention of crime and disorder, stating that the hours are excessive for the area and asks for additional information specifically in relation to dispersal.

14. A representation has been made by Southwark's environmental protection team under the licensing objective of the prevention of public nuisance. There are concerns regarding late-night noise egress from music in an area surrounded by local residents.

15. A representation has been made by Southwark's trading standards team under the prevention of crime and disorder licensing objective. It is stated that the Land Registry for the premises shows that the freeholder is associated with other premises within the borough where previous enforcement action has been taken.

16. A representation has been submitted by the licensing authority, in their role as a responsible authority. The licensing authority has asked for additional conditions, a dispersal policy. They also state that the hours applied for are outside of the Southwark statement of licensing policy.

17. All four representations area available in Appendix B.
Representations from other persons

18. A representation has been made by the Council’s Highway Licensing and Enforcement Department on the ground of public safety and the prevention of public nuisance under concerns with use of licensing the external area on the public highway.

Conciliation

19. All representations were sent to the applicant and at the point of publication of the report; none of the representations had been conciliated.

Premises history

20. This address has not been licensed before, it was previously a pharmacy. There is no history of complaints to this address.

21. The premises has had a number of recent temporary events notices.

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Activities</th>
<th>Times</th>
<th>Counter Notice?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rafael Valencia Arroyo</td>
<td>Alcohol on sales and regulated entertainment</td>
<td>21/05/2021-22/05/2021 from 23:00 to 23:00 both days</td>
<td>No</td>
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<td>Rafael Valencia Arroyo</td>
<td>Alcohol on sales and regulated entertainment and late night refreshment</td>
<td>28/05/2021 to 31/05/2021 from 12:00 to 02:00 on 28/05, 29/05 and 30/05 and 12:00 to 23:45 on 31/05.</td>
<td>Yes (Late TEN)</td>
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<td>Late TEN</td>
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<tr>
<td>Rafael Valencia Arroyo</td>
<td>Alcohol on sales and regulated entertainment and late night refreshment</td>
<td>04/06/2021 to 06/06/2021 from 12:00 to 02:00 on 04/06 and 05/06 and 12:00 to 23:45 on 06/06</td>
<td>Application to LSC, however, Police withdrew their representation before Hearing.</td>
</tr>
<tr>
<td>Rafael Valencia Arroyo</td>
<td>Alcohol on sales and regulated entertainment and late night refreshment</td>
<td>12/06/2021 to 13/06/2021. 12/06 from 13:00 to 01:30 and on 13/06 from 12:00 to 23:45</td>
<td>No</td>
</tr>
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<td>Rafael Valencia Arroyo</td>
<td>Alcohol on sales and regulated entertainment and late night refreshment</td>
<td>18/06/2021 to 20/06/2021. On 18 and 19/06 from 12:00 to 02:00 and on 20/06 from 12:00 to 23:50</td>
<td>No</td>
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<td>Rafael Valencia Arroyo</td>
<td>Alcohol on sales and regulated entertainment and late night refreshment</td>
<td>25/06/2021 to 27/06/2021. On 25 and 26/06 from 13:00 to 02:30 and on 27/06 from 12:00 to 23:50</td>
<td>No</td>
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<td>Rafael Valencia Arroyo</td>
<td>Alcohol on sales and regulated entertainment</td>
<td>02/07/2021 to 04/07/2021. On 02/07</td>
<td>No</td>
</tr>
<tr>
<td>Applicant</td>
<td>Activities</td>
<td>Times</td>
<td>Counter Notice?</td>
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<tr>
<td>Rafael Valencia Arroyo</td>
<td>Alcohol on sales and regulated entertainment and late night refreshment</td>
<td>09/07/2021 to 11/07/2021. On 09/07 and 10/07 from 13:00 to 05:15 and on 11/07 from 12:00 to 23:59</td>
<td>No</td>
</tr>
<tr>
<td>Rafael Valencia Arroyo</td>
<td>Alcohol on sales and regulated entertainment and late night refreshment</td>
<td>16/07/2021 to 18/07/2021. On 156/07 and 17/07 from 13:00 to 03:30 and on 18/07 from 13:00 to 23:59</td>
<td>Rejected – too many days (one day left)</td>
</tr>
<tr>
<td>Rafael Valencia Arroyo</td>
<td>Alcohol on sales and regulated entertainment and late night refreshment</td>
<td>25/07/2021 to 25/07/2021 from 00:01 to 25:59</td>
<td>Applications withdrawn by Applicant</td>
</tr>
<tr>
<td>Rafael Valencia Arroyo Late TEN</td>
<td>Alcohol on sales and regulated entertainment and late night refreshment</td>
<td>25/07/2021 to 25/07/2021 from 00:01 to 25:59</td>
<td>Unissued at time of report composition</td>
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</tbody>
</table>

Map

22. A map showing the location of the premises is attached to this report as Appendix D. The following are a list of licensed premises in the immediate vicinity (100 metres) of the application:

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

- Recorded music - indoors:
  - Monday to Sunday from 23:00 to 00:00
- Performance of dance - indoors:
  - Monday to Sunday from 20:00 to 00:00
- Entertainment similar to live/recorded music - indoors:
  - Monday to Sunday from 20:00 to 00:00
- Late night refreshment - indoors:
  - Monday to Sunday from 23:00 to 00:00
- Sale by retail of alcohol to be consumed on premises:
  - Monday to Sunday from 11:00 to 00:00
Costa Azul Mexican Bar & Grill, 190-192 Old Kent Road, London SE1 5TY:

- Live music - indoors:
  - Monday to Thursday from 11:00 to 00:00
  - Friday and Saturday from 11:00 to 03:30
  - Sunday from 11:00 to 11:00 to 02:00

- Recorded music - indoors:
  - Monday to Thursday from 11:00 to 00:00
  - Friday and Saturday from 11:00 to 03:30
  - Sunday from 11:00 to 11:00 to 02:00

- Performance of dance - indoors:
  - Monday to Thursday from 18:00 to 00:00
  - Friday from 17:00 to 01:00
  - Saturday from 17:00 to 02:00
  - Sunday 17:00 to 00:00

- Entertainment similar to live/recorded music - indoors:
  - Monday to Thursday from 17:00 to 00:00
  - Friday and Saturday from 17:00 to 03:00
  - Sunday from 12:00 to 01:00

- Facilities for dancing - indoors:
  - Monday to Thursday from 17:00 to 00:00
  - Friday and Saturday from 17:00 to 03:00
  - Sunday from 12:00 to 01:00

- Late night refreshment - indoors:
  - Sunday to Thursday from 23:00 to 01:00
  - Friday and Saturday from 23:00 to 02:00

- Sale by retail of alcohol to be consumed on premises:
  - Monday to Wednesday from 11:00 to 00:00
  - Thursday from 11:00 to 01:00
  - Friday and Saturday from 10:00 to 03:00
  - Sunday from 10:00 to 01:00

Eurotraveller Hotel, 194-202 Old Kent Road, London SE1 5TY

- Live music - indoors:
  - Monday to Saturday from 11:00 to 23:00
  - Sunday from 11:00 to 22:00
• Recorded music - indoors:
  o Monday to Saturday from 11:00 to 23:00
  o Sunday from 11:00 to 22:00

• Performance of dance - indoors:
  o Monday to Saturday from 11:00 to 23:00
  o Sunday from 11:00 to 22:00

• Facilities for dancing - indoors:
  o Monday to Saturday from 11:00 to 23:00
  o Sunday from 11:00 to 22:00

• Provisions similar to making music and dancing - indoors:
  o Monday to Saturday from 11:00 to 23:00
  o Sunday from 11:00 to 22:00

• Sale by retail of alcohol to be consumed on premises bar and restaurant:
  o Monday to Saturday from 09:00 to 23:00
  o Sunday from 09:00 to 22:00

• Hotel bar only:
  o Monday to Sunday from 00:00 to 00:00

**Modern Supermarket - 177-179 Old Kent Road, London SE1 5NA:**

• Sale by retail of alcohol to be consumed off premises:
  o Monday to Saturday from 08:00 to 23:00
  o Sunday from 10:00 to 22:30

**Daniels Bar & Restaurant - 207 Old Kent Road, London SE1 5NA:**

• Late night refreshment - indoors:
  o Monday to Saturday from 23:00 to 00:30
  o Sunday from 23:00 to 00:00

• Sale by retail of alcohol to be consumed on premises:
  o Monday to Saturday from 11:00 to 00:00
  o Sunday from 12:00 to 23:30
Le Joint Wine & Snacks Bar - 193 Old Kent Road, London SE1 5NA:

- The sale by retail of alcohol to be consumed on the premises:
  - Monday to Sunday from 10:00 to 02:30
- Late night refreshment - indoors:
  - Monday to Sunday from 23:00 to 02:30

Southwark Council statement of licensing policy


24. 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.

25. 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.

Cumulative impact area (CIA)

26. The premises is not situated in any of Southwark’s CIAs. The premises is situated in a residential area.

27. Under the Southwark statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within this area for these categories of premises:
   - Closing time for restaurants, cafes, public houses, wine bars and other drinking establishments:
     - Monday to Sunday 23:00.

Resource implications

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

Consultation

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

Community impact statement

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

31. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.

32. The principles which sub-committee members must apply are set out below.

Principles for making the determination

33. The sub-committee is asked to determine the application for a premises licence under section 17 of the Licensing Act 2003.

34. The principles which sub-committee members must apply are set out below.

35. 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.

36. 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.

37. 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**

38. 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.

39. The four licensing objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of nuisance
- The protection of children from harm.

40. 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.

41. 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.

42. 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

43. 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

44. 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.

45. 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

46. 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.

47. 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.

48. 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.

49. 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.

50. 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.

51. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.

52. 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.

53. 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**

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

**Strategic Director of Finance and Governance**

55. 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**

<table>
<thead>
<tr>
<th>Background Papers</th>
<th>Held At</th>
<th>Contact</th>
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<tbody>
<tr>
<td>Licensing Act 2003</td>
<td>Southwark Licensing, C/O</td>
<td>Mrs Kirty Read</td>
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<tr>
<td>Home Office Revised</td>
<td>Community Safety and Enforcement, 160 Tooley Street,</td>
<td>Tel: 020 7525 5748</td>
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<tr>
<td>Guidance to the Act</td>
<td>London SE1 2QH</td>
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<td>Secondary Regulations</td>
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<td>Southwark statement of licensing policy Case file</td>
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**APPENDICES**

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<th>Name</th>
<th>Title</th>
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<tr>
<td>Appendix A</td>
<td>Application for a premises licence and plans</td>
</tr>
<tr>
<td>Appendix B</td>
<td>Representations submitted by Responsible Authorities</td>
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<td>Appendix C</td>
<td>Representations submitted by Other Persons</td>
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<tr>
<td>Appendix D</td>
<td>Map of the locality</td>
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<tr>
<td>Officer Title</td>
<td>Comments sought</td>
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<td>-------------------------------------------</td>
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<tr>
<td>Director of Law and Governance</td>
<td>Yes</td>
</tr>
<tr>
<td>Strategic Director of Finance and Governance</td>
<td>Yes</td>
</tr>
<tr>
<td>Cabinet Member</td>
<td>No</td>
</tr>
<tr>
<td>Date final report sent to Constitutional Team</td>
<td>26 July 2021</td>
</tr>
</tbody>
</table>
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.

LA CANTALETA LTD

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. In terms of specific regulated entertainments please note that:
   - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
   - Films: no licence is required for ‘not-for-profit’ film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
   - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
   - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
   - Live music: no licence permission is required for:
     - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
     - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
     - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
     - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
     - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
   - Recorded Music: no licence permission is required for:
     - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
     - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
     - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
   - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
   - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
     - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
     - any entertainment taking place on the hospital premises of the health care provider where the
entertainment is provided by or on behalf of the health care provider;

- any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and

- any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. 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.

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.

6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

7. 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.

8. If you wish people to be able to consume alcohol on the premises, please tick ‘on the premises’. If you wish people to be able to purchase alcohol to consume away from the premises, please tick ‘off the premises’. If you wish people to be able to do both, please tick ‘both’.

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.

11. The application form must be signed.

12. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.

14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:
A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

• does not have the right to live and work in the UK; or

• is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their ‘share code’ to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

• An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].

• An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.

• A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.

• A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.

• A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.

• A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
• A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.

• A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.

• A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.

• A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.

• A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

• A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relating to the carrying on of a licensable activity.

• A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.

• A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.

• A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a
European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

• Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

• Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
  o evidence of the applicant’s own identity – such as a passport,
  o evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  o evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    (i) working e.g. employment contract, wage slips, letter from the employer,
    (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

(i) any page containing the holder’s personal details including nationality;

(ii) any page containing the holder’s photograph;

(iii) any page containing the holder’s signature;
(iv) any page containing the date of expiry; and

(v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at https://www.gov.uk/prove-right-to-work) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Premises Details

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

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

<table>
<thead>
<tr>
<th>£</th>
<th>24000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises</td>
<td></td>
</tr>
<tr>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

Premises trading name

| LA CANTALET AlTD |
Postal address of premises or, if none, ordnance survey map reference or description

<table>
<thead>
<tr>
<th>Do you have a Southwark postcode?</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address Line 1</td>
<td>176-178 OLD KENT ROAD</td>
</tr>
<tr>
<td>Address Line 2</td>
<td></td>
</tr>
<tr>
<td>Town</td>
<td>LONDON</td>
</tr>
<tr>
<td>Post code</td>
<td>SE1 5TY</td>
</tr>
<tr>
<td>Ordnance survey map reference</td>
<td></td>
</tr>
<tr>
<td>Description of the location</td>
<td>LA CANTALETA RESTAURANT AND BAR</td>
</tr>
<tr>
<td>Telephone number</td>
<td></td>
</tr>
</tbody>
</table>

Applicant Details

Please select whether you are applying for a premises licence as

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

If you are 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

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.

Personal Details - First Entry

<table>
<thead>
<tr>
<th>Name</th>
<th>LA CANTALETA LTD</th>
</tr>
</thead>
</table>

Address - First Entry

<table>
<thead>
<tr>
<th>Street number or building name</th>
<th>176-178</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Description</td>
<td>Old Kent Road</td>
</tr>
<tr>
<td>Town</td>
<td>London</td>
</tr>
<tr>
<td>County</td>
<td>Essex</td>
</tr>
<tr>
<td>Post code</td>
<td>SE1 5TY</td>
</tr>
<tr>
<td>Registered number (where applicable)</td>
<td>13368799</td>
</tr>
</tbody>
</table>
Description of applicant (for example, partnership, company, unincorporated association etc)

Private Limited Company

Contact Details - First Entry

<table>
<thead>
<tr>
<th>Telephone number</th>
<th></th>
</tr>
</thead>
<tbody>
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<table>
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<tr>
<th>Email address</th>
<th></th>
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</table>

Operating Schedule

When do you want the premises licence to start?

10/07/2021

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)

Licensed bar/restaurant
Any off sales will only be limited to customers consuming alcohol in an area specified for this activity on the plan.

If 5,000 or more people are expected to attend the premises at any one time please use the drop down below to select the number.

Less than 5000

Note 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.

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 of the Licensing Act 2003)
Provision of regulated entertainment (Please read guidance note 2)

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>e) live music</td>
<td></td>
<td></td>
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<tr>
<td>f) recorded music</td>
<td></td>
<td></td>
</tr>
<tr>
<td>g) performance of dance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>h) anything of a similar description to that falling within (e), (f) or (g)</td>
<td></td>
<td></td>
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</tbody>
</table>

Provision of late night refreshment

| j) Late night refreshment |   |   |

Supply of alcohol

| j) Supply of alcohol |   |   |

In all cases please complete boxes K, L and M.

E - Live Music

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

| Indoors |   |   |

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

The applicant wishes to have the facility for the provision of live music whether as the principal entertainment provided or in conjunction with dancing or any other permitted activity.

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

<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>Finish</th>
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</thead>
<tbody>
<tr>
<td>Mon</td>
<td>12:00</td>
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<tr>
<td>Sun</td>
<td>12:00</td>
<td>23:30</td>
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</tbody>
</table>
State any seasonal variations for the performance of live music (Please read guidance note 5)

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

- On New Year’s Eve from the end of permitted hours until the start of permitted hours on the following day. The permitted hours may be extended until 3am on Christmas Eve and Boxing Day

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.

F - Recorded Music

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

- Indoors

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

The applicants wish to have the facility for the provision of recorded music whether as the principal entertainment provided or in conjunction with dancing or any other permitted activity.

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

<table>
<thead>
<tr>
<th>Day</th>
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</thead>
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</table>

State any seasonal variations for playing recorded music (Please read guidance note 5)
Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. (Please read guidance note 6)

On New Year’s Eve from the end of permitted hours until the start of permitted hours on the following day. The permitted hours may be extended until 3am on Christmas Eve and Boxing Day

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. 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.

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.

6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

7. 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.

G - Performances of Dance

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

Indoors

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

The applicants wish to provide such performance of dance as may be required from time to time to complement the range of entertainment or in conjunction with dancing or any other permitted activity

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

<table>
<thead>
<tr>
<th>Day</th>
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State any seasonal variations for the performance of dance (Please read guidance note 5)
Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed. (Please read guidance note 6)

<p>| | |</p>
<table>
<thead>
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<tbody>
<tr>
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3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. 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.

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.

6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

7. 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.

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

<p>| | |</p>
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<tbody>
<tr>
<td>The applicant wishes to provide such other entertainment of a kind as may be required from time to time to complement the range of entertainment or in conjunction with dancing or any other permitted activity</td>
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</tbody>
</table>

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

Indoors

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

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<table>
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</tr>
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</table>

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

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

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

- On New Year’s Eve from the end of permitted hours until the start of permitted hours on the following day.
- The permitted hours may be extended until 3am on Christmas Eve and Boxing Day

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.

I - Late Night Refreshment

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

- Both

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

The applicants wish to be able to provide facilities for late night refreshment as may be required from time to time to complement the range of activities (whether licensable or not) being provided at the premises whether as principal or in conjunction any other permitted activity

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

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

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

- On New Year’s Eve from the end of permitted hours until the start of permitted hours on the following day. The permitted hours may be extended until 3am on Christmas Eve and Boxing Day

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. 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.

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.

6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

7. Please give timings in 24 hour clock (e.g. 23:00) and only give details for the days of the week when you intend the premises to be used for the activity. Start time begins from 23:00

J - Supply of Alcohol

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

- Both

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

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<tr>
<th>Day</th>
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State any seasonal variations for the supply of alcohol (Please read guidance 5)

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, (Please read guidance note 6)
On New Year’s Eve from the end of permitted hours until the start of permitted hours on the following day. The permitted hours may be extended until 3am on Christmas Eve and Boxing Day.

Please download and then upload the consent form completed by the designated proposed premises supervisor.

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.

6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

7. 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.

8. If you wish people to be able to consume alcohol on the premises, please tick ‘on the premises’. If you wish people to be able to purchase alcohol to consume away from the premises, please tick ‘off the premises’. If you wish people to be able to do both, please tick ‘both’.

Premises Supervisor

State the name and details of the individual whom you wish to specify on the licence as the designated premises supervisor (Please see declaration about the entitlement to work in the check list at the end of the form)

Full name of proposed designated premises supervisor

<table>
<thead>
<tr>
<th>First names</th>
<th>RAFAEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surname</td>
<td>VALENcia ARROYO</td>
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DOB

| Date Of Birth | 0000 |

Address of proposed designated premises supervisor

<table>
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<tr>
<th>Street number or Building name</th>
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<tr>
<td>Street Description</td>
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<tr>
<td>Town</td>
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<td>County</td>
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<td>Post code</td>
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Personal licence number of proposed designated premises supervisor, if any.

| Personal licence number ( if known ) |  |

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

Issuing authority ( if known )

<table>
<thead>
<tr>
<th></th>
<th>LONDON BOROUGH OF SOUTHWARK</th>
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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 9)

| THERE WILL BE NO ACTIVITY OF THIS NATURE |

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

L - Hours premises are open to public

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.

6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

7. 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.

<table>
<thead>
<tr>
<th>Hours premises are open to the public ( standard timings Please read guidance note 7 )</th>
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<td>Day</td>
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State any seasonal variations ( Please read guidance note 5 )

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

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On New Year’s Eve from the end of permitted hours until the start of permitted hours on the following day.
The permitted hours may be extended until 3am on Christmas Eve and Boxing Day

M - Steps to promote four licencing objectives
The applicant offers the following proposed Schedule of Conditions to support the promotion of the licensing objectives at the premises.

1. The premises licence holder shall ensure that reasonable and adequate staff training shall be carried out and properly documented in relation to:
   (i) dealing with incidents and the prevention of crime and disorder;
   (ii) the responsible sale of alcohol (i.e. preventing sales to underage persons or persons over 18 purchasing for underage persons, recognising signs of drunkenness) prior to being allowed to sell alcohol; and
   (iii) that within six weeks of any appointment of a member of staff, as a salesperson, they receive adequate training to Responsible Alcohol Retailing standards or equivalent.

2. The premises licence holder shall ensure that refresher training shall be completed every twelve months for all relevant staff.

3. The premises licence holder shall ensure that records for all training and refresher training shall be retained for no less than 12 months and made available to police and local authority officers upon reasonable request.

4. The premises licence holder shall ensure that the premises shall install and maintain a CCTV system. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises and all areas where the sale/supply of alcohol occurs.

5. The premises licence holder shall ensure that in the event of a failure of the CCTV, it is repaired as quickly as possible.

6. The premises licence holder shall ensure that the CCTV system shall continually record whilst the premises is open to members of the public.

7. The premises licence holder shall ensure that all CCTV recordings shall be stored for a minimum period of 31 days. Recordings shall be made available upon reasonable request to police or local authority officers within 48 hours, subject to Data Protection legislation.

8. The premises licence holder shall operate a ‘Challenge 25’ scheme at the premises whereby anyone who appears to be under the age of 25 shall be asked to provide proof of age that he or she is over 18. Proof of age shall only comprise of a passport, a photo-card driving licence or an industry approved proof of age identity card.

9. The premises licence holder shall ensure that notices shall be displayed at the premises, advising:
   • CCTV is in operation
   • a ‘Challenge 25’ scheme operates on these premises
   • customers leave the premises in a quiet and orderly manner

10. The premises licence holder shall ensure that any refusals of sale of age-related products are recorded in a refusals log. The log should show:
    (i) the date and time of the refusal;
    (ii) the product(s) attempted to be purchased;
    (iii) a description of the customer; and
    (iv) the signature of the staff member who made the refusal.

11. Any ‘off sales’ of alcohol shall be provided in sealed containers and taken away from the premises.

12. A written dispersal policy shall be kept at the premises with the licence and made available for inspection by authorised council officers or the police. All relevant staff shall be trained in the implementation of the dispersal policy and the conditions of the licence.
b) the prevention of crime and disorder

please see the schedule of conditions in box (a)

c) public safety

please see the schedule of conditions in box (a)

d) the prevention of public nuisance

please see the schedule of conditions in box (a)

e) the protection of children from harm

please see the schedule of conditions in box (a)

Guidance note 10

Please list here steps you will take to promote all four licensing objectives together.

Please upload a plan of the premises

Please upload any additional information i.e. risk assessments

Checklist

I have enclosed the plan of the premises. I understand that if I do not comply with the above requirements my application will be rejected. I understand that I must now advertise my application (in the local paper within 14 days of applying)

Home Office Declaration

Please tick to indicate agreement

I am a company or limited liability partnership

Declaration
I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK.

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work.

I/We hereby declare the information provided is true and accurate.

I agree to the above statement

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

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<thead>
<tr>
<th>Full name</th>
<th>David Dadds</th>
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<tr>
<td>Date (DD/MM/YYYY)</td>
<td>11/06/2021</td>
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<tr>
<td>Capacity</td>
<td>Applicant's Solicitor</td>
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Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 13). If completing on behalf of the applicant state in what capacity.

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

Telephone No.

If you prefer us to correspond with you by e-mail, your email address (optional)

GUIDANCE NOTES
12. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.

14. This is the address which we shall use to correspond with you about this application.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

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.
The red line delineates the area within which licensable activities will be undertaken.

The yellow line delineates the area within which food and drink can be consumed within the agreed pavement licence regulations.
Dear Sir/Madam

**Re: La Canteleta Ltd 176-178 Old Kent Road SE1 5Ty**

Police are in possession of an application from the above for a new premises licence for the sale of alcohol on & off the premises, regulated entertainment by way of live & recorded music, the provision for dancing and late night refreshment. The terminal hour as per the application is outside the guidelines set out in the Southwark’s Statement of Licensing. The recommended terminal hour as per policy is 2300 for each day of the week.

The applicant has requested a terminal hour of midnight Sunday to Thursday and 0130 for Friday & Saturday nights. Although the premises sits on a busy main road, there are residential properties directly above, opposite and surrounding the venue. A premises of this type with a terminal hour of 0130 is therefore likely to have a negative impact on local residents when patrons are leaving the venue.

The applicant has offered a control measure within the operating schedule with regard to a dispersal policy being in place, however I have not had sight of this dispersal policy and am therefore unable to assess if it would be suitable for a venue of this type. It is also difficult to assess if this premises would be suitable for the employment of SIA door supervisors as no accommodation limit has been supplied.

A number of other control measures have been offered by the applicant within the operating schedule, and the application. Police welcome this approach and if the committee are minded to grant a premises licence they should form conditions on the premises licence.

As I am unable to fully assess the potential impact of this premises on the prevention of crime and disorder licensing objective I object to this application. The applicant should consider a reduction in the hours of operation to bring it in line with policy hours, a dispersal policy needs to be supplied and assessed and an accommodation
limit provided in order to fully assess the requirement for the employment of SIA door supervisors.

Submitted for your consideration.
Yours Sincerely

PC Ian Clements 2362AS
Southwark Police Licensing Unit
Tel: 0207 232 6756
MEMO: Environmental Protection Team

To: Regen.licensing;

Date: 09/07/2021

Copies: [ ]

From: Ken Andrews

Telephone: 020 7525 54258

Fax: 020 7525 5728

Email: ken.andrews@southwark.gov.uk

Subject: Premises Licence Application-CMU 953499-176-178 Old Kent Road SE1 5TY

Environment Protection Responsible Authority (EPRA) has considered a new premises licence application for the address mentioned above and would like to make a representation under the prevent public nuisance licensing objectives of the Licensing Act.

The premise is close to residential addresses. The applicant proposes to provide regulated entertainment consisting of live and recorded music, dance performance, and anything of a similar description.

The premises were not purpose-built to contain noise escape from these activities, and the applicant did not address this in the schedule of conditions in section (a) of the application.

There are residential units to the upper floors of the premises and adjacent premises 174 Old Kent Road and on East Street.

In addition, the operation times go beyond the regulated hours to 01:00 on Fridays and Saturdays and 23:30 on Sundays.

Recorded music is proposed for up to 01:00 on Fridays to Sundays. There is also seasonal variation around Christmas and New Year’s Eve, and Boxing Day that will go beyond these hours to the early hours of the morning.

The applicant offered to have a dispersal policy that may be considered the only measure that can address noise and public nuisance caused by patrons. There is no indication of how the applicant will control amplified music or entertainment noise on the premises not to cause a public nuisance.

EPRA is concerned that licensable activities beyond 23:00, including alcohol sales and consumption during early morning hours, can cause a public nuisance.

Should the committee decide to permit this application, EPRA would request that the applicant submit a noise and insulation assessment of the premises for approval. The report should contain any proposed mitigating works to improve the sound insulation of the premises for the proposed uses.
Kind regards

Ken

Ken Andrews - Principal Environmental Health Officer
Trading Standards as a responsible authority are in receipt of a new premises license application for La Canteleta Ltd at 176-178 Old Kent Road, SE1 5TY. Trading Standards as a responsible authority are making representation in respect of this application primarily under the licensing objective, the prevention of crime and disorder but also under all the licensing objective.

The application is for alcohol; late night refreshment; live music; recorded music; performance of dance; anything of a similar description to that falling within (e), (f) or (g).

The opening hours applied for are 12:00 hrs to 00:00 hrs (Sunday to Thursday) and 12:00 hrs to 01:30 hrs Friday and Saturday. The intended Designated Premises Supervisor is

The premises license holder would be La Canteleta Ltd (Co No 13368799) – the current Director of this company is

The land registry for the premises shows that the freehold is owned by Tulsi Investments Ltd (Co No 08849527). The sole director for this business is is also the owner of the Eurotraveller Hotel at 194 202 Old Kent Road, SE1 5TY and the Eurotraveller Hotel at 18 Amelia Street, SE17 3PY.

It had been stated that the two businesses that were the cause of the review had been removed from their subsequent premises and that the owner of the businesses had no idea what was happening. This was not the case.

Trading Standards will produce copies of land registry and companies house documents for the above company. Trading Standards also intend to produce all the documents produced for the initial review of the Eurotraveller Hotels. Documents with respect to the conciliation of the previous reviews will also be produced.

A further company called LNA PRIVATE HALL FOR HIRE LTD (Company number 12385210) also appears to operate from the premises. The directors for this are.. It is not clear what role this company plays. However, was running a premises in Eagle Yard that was selling alcohol without a license and operating in contravention of COVID regulations last year. Ray MOORE from trading
Standard has had previously dealt with when an under age test purchase of a knife was made from his premises on Old Kent Road on 19/01/2019. There was also a large quantity of counterfeit goods in the shop. The seller was non co-operative and ended up being arrested as an over stayer. She was deported the next day to Peru using a large quantity of money that was in her bag at the shop. signed a caution for all these offences on 13/02/2019.

The business at this address, La Canteleta Ltd is effectively being run by and They were the same two running the Eurotraveller nightclub at 18 Amelia Street which was in breach of COVID legislation in October 2020 when it was both operating as a nightclub and outside of curfew hours at that time. When conciliated Mr MOORE was told by legal representative that they had been removed from the premises and that had no idea that they were running the nightclub in this way. Licensing subsequently received an application from them to run the club again at that address. They have been running this business on TENS over recent weeks and Night Time Economy Police visited but there were few customers at the time.

This was not the case as a recent visit showed that they were still there and had a group of Chinese students in one of the Karaoke rooms breaching COVID legislation.

This business was also subject to a police raid in 2020 when a wedding reception was being held there in breach of COVID legislation.

This application is effectively to run a nightclub at the premises.

All options are open to the Licensing subcommittee with respect to this application.

Ray MOORE
Principal Trading Standards Enforcement Officer
MEMO: Licensing Unit

To Licensing Unit Date 9 July 2021
From Jayne Tear
Email jayne.tear@southwark.gov.uk

Subject Re: La Cantaleta, 176-178 Old Kent Road, London, SE1 8TY – Application for a premises licence

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

- Live music (indoors) on Sunday to Thursday from 12:00 to 23:30 and on Friday and Saturday from 12:00 to 01:00 the following day
- Recorded music (indoors) on Sunday to Thursday from 12:00 to 23:30 and on Friday and Saturday from 12:00 to 01:00 the following day
- Performance of dance (indoors) on Sunday to Thursday from 12:00 to 23:30 and on Friday and Saturday from 12:00 to 01:00 the following day
- Anything of a similar description to live music; recorded music and performance of dance on Sunday to Thursday from 12:00 to 23:30 and on Friday and Saturday from 12:00 to 01:00 the following day
- Late night refreshment (indoors and outdoors) on Sunday to Thursday from 23:00 to 23:30 and on Friday and Saturday from 23:00 to 01:00 the following day
- Supply of alcohol (on and off the premises) on Sunday to Thursday from 12:00 to 23:30 and on Friday and Saturday from 12:00 to 01:00 the following day
- Overall opening times shall be on Sunday to Thursday from 12:00 to 00:00 and on Friday and Saturday from 12:00 to 01:30 the following day

- Non Standard Timings
  For all licensable activities - On New Year's Eve from the end of permitted hours until the start of permitted hours on the following day. The permitted hours may be extended until 3am on Christmas Eve and Boxing Day
  Opening times - On New Year's Eve from the end of permitted hours until the start of permitted hours on the following day. The permitted hours may be extended until 3am on Christmas Eve and Boxing Day

The premises is described within the application as 'Licensed bar/restaurant - Any off sales will only be limited to customers consuming alcohol in an area specified for this activity on the plan'.

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 2021 – 2026.

The premises is situated in a residential area and under the Southwark Statement of Licensing policy 2021 - 2026 the appropriate closing times for restaurants; cafes, public houses, wine bars or other drinking establishments is 23:00 daily.
This application seeks in excess of the appropriate closing times within the licensing policy 2021 -2026 for this area therefore to promote the licensing objectives I ask the applicant to consider amending the opening hours applied for to bring them in line with the licensing policy, and in turn the licensable activities, allowing half an hour drinking-up time for ‘on sales’ of alcohol as follows:

- Live music (indoors) on Monday to Sunday to cease at 23:00
- Recorded music (indoors) on Monday to Sunday to cease at 23:00
- Performance of dance (indoors) on Monday to Sunday to cease at 23:00
- Anything of a similar description to live music; recorded music and performance on Monday to Sunday to cease at 23:00
- Supply of alcohol (off the premises) on Monday to Sunday to cease at 23:00
- Supply of alcohol (on the premises) on Monday to Sunday to cease at 22:30
- Overall opening times shall be on Monday to Sunday from 12:00 at 23:00

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 accommodation limit for the premises. (to be conditioned)
- To provide a written dispersal policy for the premises. (Although there is a condition offered within the operating schedule regarding a dispersal policy, this has not been provided with the application and I ask the applicant to provide this information).

And to add the following conditions to the operating schedule to promote the licensing objectives 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 would also recommend that the use of the outside area for licensable activities is to cease at 22:00 daily. This would be in line with the statement of licensing policy recommendations in section 10 of the licensing policy.

- Patrons shall not be permitted to use the external area to the front/of the premises (as defined on the premises plan) after 22:00 apart for access and egress and those who temporarily leave to smoke.

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

Southward’s Statement of Licensing Policy 2021 – 2026 can be found on the following link: https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy

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

**New Premises 176-178 Old Kent Road 874949**

On behalf of Southwark Council Highway Licensing and Enforcement, I make the following representation regarding application 874949 at La Cantaleta, 176-178 Old Kent Road, London, SE1 8TY pursuant to the following Southwark licensing objectives:

- Public safety, regarding the obstruction of the public highway of the Old Kent Road.
- Prevention of public nuisance, regarding the terminal hour if tables and chairs are used by the business on the public highway.

To facilitate the use of the public highway by the business, any tables, chairs or other items of street furniture must only be used once a Pavement or Street Furniture licence is granted under either the Business and Planning Act 2020 or Section 115e of The Highways Act 1980. Any tables and chairs or other street furniture used as part of a licence must not impede the use of the pedestrian crossing or tactile paving outside the premises.

A condition of a Pavement or Street furniture licence issued by Southwark Council is a standard end time of 22:00 hours, in line with the Southwark Statement of Licensing Policy 2021-2026, an end time of 22:00 would be applied to the premises at 176-178 Old Kent Road. For reference purposes, the relevant Pavement licence condition is as follows:

*No outside area will be permitted for use outside the hours of 08:00 and 22:00. All items should be removed from the highway to a secure location or be rendered un-useable by 22:00. Items on the highway must only be used in line with the hours of opening stated on the relevant premises licence*

Yours sincerely

Craig Taylor
Highways Licensing and Enforcement Manager
RECOMMENDATION:

1. That the licensing sub-committee considers an application made under Section 53A of the Licensing Act 2003 by the Chief of Police for the Metropolitan Police area, of the premises licences issued in respect of the premises known as the Pasaje Primavera – Arch 146, Eagle Yard, Hampton Street, London, SE1 6SP.

2. Notes

   a) A copy of the current premises licences issued in respect of the premises are attached to this report as Appendix A.

   b) The grounds for the review are stated in paragraphs 16 to 27 of this report. A copy of the full application and certificate are provided as Appendix B with an additional extract of the crime report.

   c) A copy of the notice of decision from the previous hearing held on 15 July 2021 is in Appendix D.

   d) A copy of the council’s approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:

   • The sale of and supply of alcohol
   • The provision of regulated entertainment
   • The provision of late night refreshment.

4. Within Southwark, the licensing responsibility is wholly administered by this council.

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

6. In carrying out its licensing functions, a licensing authority must also have regard to

• The Act itself
• The guidance to the act issued under Section 182 of the Act
• Secondary regulations issued under the Act
• The licensing authority’s own statement of licensing policy
• The application, including the operating schedule submitted as part of the application
• Relevant representations.

7. The summary review powers under sections 53A to 53C of the Act allow the police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both); and the licensing authority to respond by taking interim steps quickly, where appropriate, pending a full review.

KEY ISSUES FOR CONSIDERATION

The premises licence

8. The premises licence issued in respect of the ground floor premises known as Pasaje Primavera, Arch 146, Eagle Yard, Hampton Street, London SE1 6SP.

9. The premises licence was first issued on 01 August 2011. On 14 September 2018 Pasaje Primavera Limited applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence. This was heard at a licensing sub-committee Hearing on 12 November 2018, at which point the variation was granted.

10. On 20 December 2018 the Metropolitan Police Service applied to the licensing authority for a summary review of the premises licence. The application refers to a serious incident witnessed by police officers at 20:00 on Friday 15 December 2018 and draws from further CCTV evidence acquired later. The matter involved a large fight with armed participants. One of the armed males was the son of the premises’ owner whom was in charge of the premises that night, Mr Ian Gualavisi.

11. As a result, the licensing sub-committee put a number of measures in place, namely:

i. That Mr Ian Gualavisi (Person A) and Mr Ronalo Palacios (Person B) be excluded from the premises.
ii. Tha all staff shall receive conflict management training within 28 days.
iii. That all staff are retrained in the use of CCTV and their obligations in respect of conditions 288 and 289 of the premises licence within 28 days.

12. A copy of the notice of decision from the full hearing is attached in Appendix C.
13. The current licence allows the following licensable activities as follows:

- Opening hours:
  - Sunday to Thursday from 06:00 to 01:00
  - Friday and Saturday from 06:00 to 03:00

- The sale by retail of alcohol (on sales only):
  - Sunday to Thursday from 11:00 to 00:00
  - Thursday and Friday from 11:00 to 02:30

- The provision of late night refreshment (indoors):
  - Sunday to Thursday from 23:00 to 00:00
  - Friday and Saturday from 23:00 to 02:30

- Regulated entertainment in the form of live music and recorded music (indoors) and facilities for making music (indoors):
  - Monday to Sunday from 06:00 to 00:00

14. A copy of the current premises licence is attached as Appendix A.

**Designated premises supervisor**

15. The designated premises supervisor (DPS) of the premises is Segundo Vicente Gualavisi Carlosama who has been DPS since the licence was first issued in 2011 and holds a personal licence issued by the London Borough of Lambeth.

**The review application and certificate**

16. On 13 July 2021 the Metropolitan Police Service applied to this licensing authority for the summary review of the premises licence issued in respect of the premises known as the Pasaje Primavera, Arch 146, Eagle Yard, Hampton Street, London SE1 6SP.

17. On 13 July 2021 a Superintendent for the Metropolitan Police Service certified that in the Superintendent’s opinion the premises are associated with serious crime, serious disorder or both.

18. On Saturday 10 July 2021 at approximately 02:40 a number of calls were made to the police stating that a fight was taking place at or near Rincon Costeno, Arch 146 Eagle Yard. This premises currently holds a premises licence 869693 under the business name of Pasaje Primavera. Shortly after this police received a call from the London Ambulance Service (LAS) stating they were dealing with a male victim with significant head injuries and a possible machete wound to his back.

19. Police arrived on scene to speak with the victim, who was uncooperative towards Police. He apparently could not remember where or how he received his injuries and wanted the matter forgotten. Police discovered that the incident took place at 146 Eagle Yard, they attended the venue and found it to locked and secure with no staff or patrons inside. A key holder attended the premises and allowed police
access. Inside the venue Police found a significant amount of blood, tables and chairs turned over and smashed glass all over the floor. It should be noted that no calls were made to the emergency services from the premises or staff at the premises.

20. The police managed to gain access to the CCTV which was viewed at the scene. The CCTV shows between 6 and 8 persons inside the venue sat at a table drinking what appears to be bottles of beer. One view shows the victim bending down behind the bar area, the suspect comes up from behind the victim and smashes a glass bottle across the back of the victims head. A fight then starts between the two males. The other people inside then attempt to break up the fight. It is not entirely clear what happened after this but the victim was attended to by the LAS outside the Elephant & Castle tube station. From the details contained in the crime report and CAD messages the victim was treated for a significant head injury and what is described by the LAS as a machete wound to his back. He was conveyed to hospital for further treatment.

21. The police in their application also refer to the incident on Saturday 18 December 2018 detailed in paragraph 10 of this report. The investigation of this incident established the suspect as the son of the premises licence holder. Following a review of the premises licence the licensing sub-committee came to a decision that the suspect would be permanently barred from the premises. See condition 846 of the premises licence.

22. It was also agreed that SIA door supervisors would be employed on Friday and Saturday nights when the premises operates after midnight. It is not clear at this stage if any SIA were employed on 10 July 2021. By allowing this same individual into the licensed premises they have breached the conditions of the premises licence, as a result a serious crime was committed inside the premises. No calls to the emergency services calls were received from the premises or staff. On attending the venue it was found to be locked and secured with a crime scene unattended inside.

23. The Metropolitan Police Service are of the opinion that this was a deliberate act from those at the premises to cover up the fact a serious crime had occurred on their licensed premises and ask the licensing sub-committee to consider immediate interim steps to promote the prevention of crime and disorder licensing objective and to suspend the premises licence, pending a full review hearing.

24. A copy of the review application is attached to this report as Appendix A along with an extract of the crime report.

25. The premises licence was subsequently reviewed at an interim steps hearing on 15 July 2021. A copy of the notice of decision is available in Appendix D.

26. As a result, the premises licence was suspended by the licensing sub-committee.

27. At the time this report was published, the Metropolitan Police Service has not provided additional supporting documentation.
Representations from responsible authorities

28. At the time that this report was published, a supporting representation has been made only by environmental health in their role as a responsible authority under the licensing objective of public safety for failing to contact emergency services following the violent incident and for moving the victim.

Representations from other persons

29. Representations have not been made by other persons.

Operating history

30. Paragraphs 8-14 give the recent history of the premises.

31. On 25 May 2019, the Police visited the premises and found the premises operating beyond hours. A warning letter was issued and is available in Appendix F.

32. In addition, on 28 August 2019, a transfer application was received and granted to the current licence holder, Rincon Costeno Limited.

33. There is no history of TENS and no complaints have been received specifically about this premises, however, there are generic complaints from local residents of anti-social behaviour in the immediate vicinity caused by patrons of the various premises in Eagle Yard.

The local area

34. A map of the local area is attached at Appendix G. There are a number of other licensed premises in the locality, namely:

**Ivory Arch, 80-82 Walworth Road, London SE1 6SW:**

- The sale by retail of alcohol (both on and off sales):
  - Monday to Sunday from 11:00 to 00:00 (midnight)

- The provision of late night refreshment (both indoors and outdoors):
  - Monday to Sunday from 23:00 to 00:00 (midnight).

- The provision of regulated entertainment in the form of live music, recorded music, films and plays:
  - Monday to Sunday from 11:00 to 00:00 (midnight).

**Mamuska, 16 Elephant and Castle, London SE1 6TH**

- The sale by retail of alcohol (both on and off sales):
  - Monday to Saturday from 10:00 to 02:00 (the following day)
  - Sunday from 12:00 (midday) to 23:00.
The provision of late night refreshment (both indoors and outdoors):
  o Monday to Saturday from 23:00 to 02:30 (the following day)
  o Sunday from 23:00 to 23:30.

The provision of regulated entertainment in the form of live music, recorded music, and performances of dance:
  o Monday to Saturday from 09:00 to 02:00 (the following day)
  o Sunday from 09:00 to 23:00.

Chatkhara Restaurant, 84 Walworth Road, London SE1 6SQ

The provision of late night refreshment (indoors):
  o Monday to Sunday from 23:00 to 02:00 (the following day).

Corporation Ponce, Arch 144, Eagle Yard, Hampton Street, London SE1 6SP

The sale by retail of alcohol (on sales):
  o Sunday to Monday from 14:00 to 22:30
  o Friday and Saturday from 14:00 to 23:30.

The provision of late night refreshment (indoors):
  o Friday and Saturday from 23:00 to 23:30.

The provision of regulated entertainment in the form of live music and recorded music:
  o Friday to Saturday from 14:00 to 23:30
  o Sunday from 14:00 to 22:30.

La Barra (Downstairs), Arch 147, Eagle Yard, Hampton Street, London SE1 6SP

The sale by retail of alcohol (on sales):
  o Sunday to Thursday from 10:00 to 23:30
  o Saturday and Sunday from 10:00 to 00:00.

The provision of late night refreshment (indoors):
  o Sunday to Thursday from 23:00 to 23:30
  o Saturday and Sunday from 23:00 to 00:00.
Rincon Tropical (Upstairs), Arch 147, Eagle Yard, Hampton Street, London SE1 6SP

- The sale by retail of alcohol (on sales):
  - Sunday to Thursday from 10:00 to 23:30
  - Saturday and Sunday from 10:00 to 00:00.

- The provision of late night refreshment (indoors):
  - Sunday to Thursday from 23:00 to 23:30
  - Saturday and Sunday from 23:00 to 00:00.

Chill Out Billards Pool Limited, Arch 148, Eagle Yard, Hampton Street, London SE1 6SP:

- The sale by retail of alcohol (on sales):
  - Sunday to Thursday from 10:00 to 23:30
  - Saturday and Sunday from 10:00 to 00:30

- The sale by retail of alcohol (off sales):
  - Sunday to Thursday from 10:00 to 00:00
  - Saturday and Sunday from 10:00 to 01:00

- The provision of late night refreshment (indoors):
  - Sunday to Thursday from 23:00 to 23:30
  - Saturday and Sunday from 23:00 to 00:30

Southwark Council statement of licensing policy


36. 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.

37. 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.

Cumulative impact area (CIA)

38. Within Southwark’s statement of licensing policy, the premises are identified as being outside of a cumulative impact zone but situated in the Elephant and Castle major town centre area.

39. Under the Southwark statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within this area for these categories of premises:

• Closing time for restaurants and cafes:
  o Sunday to Monday to 00:00 (midnight)
  o Friday and Saturday to 01:00 (the following day)

• Closing time for public houses, wine bars or other drinking establishments:
  o Sunday to Monday to 23:00
  o Friday and Saturday to 00:00 (midnight)

• Closing time for night clubs (with sui generis planning classification):
  o Monday to Thursday to 01:00 (the following day).

Resource implications

40. There is no fee associated with this type of application.
Consultation

41. The premises licence holder has been informed of the application for review and of the details of the interim hearing.

Community impact statement

42. 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 Governance

43. The sub-committee is asked to consider interim steps following an application to review the premises licence under Section 53A of the licensing act 2003.

44. The principles, which sub-committee members must apply, are set out below.

Principles for making the determination

45. The licensing authority must hold a hearing to consider interim steps within 48 hours of receiving an application for review of a premises licence where.

- The application is properly made in accordance with Section 53A of the Act.
- The licensing authority has considered the ground(s) of review to be relevant to the licensing objective for prevention of crime and disorder.

46. The four licensing objectives are:

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

47. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:

- Modify the conditions of the licence by altering, omitting or adding any condition
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises supervisor
- Suspend the premises licence.

48. The steps will remain in place until the review application is determined at a full hearing of the licensing sub-committee.

49. The authority may decide to take no action is if it finds no interim steps are appropriate to promote the licensing objectives.
50. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

51. It is of particular importance that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

Reasons

52. Where the authority takes interim steps an application for review it must notify the determination and reasons why for making it to:

- The holder of the licence
- The chief officer of police for the area (or each police area) in which the premises are situated.

Hearing procedures

53. 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:
  
  o Address the authority
  o If given permission by the committee, question any other party
  o 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:
  
  o To the particular application before the committee
  o To 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.

- This matter relates to the review of the premises licence under section 53A of the Licensing Act 2003.

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

54. 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.

55. 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.

56. 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.

57. 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.

58. 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.

59. The sub-committee can consider matters within the application that have been raised through representations from other persons and responsible authorities.

60. 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.
61. There is no right of appeal to a Magistrates’ Court against the licensing authority’s decision regarding the setting of interim steps at this stage.

**Guidance**

62. 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**

63. The head of community safety and enforcement has confirmed that the costs of this process are borne by the service.

**BACKGROUND DOCUMENTS**

<table>
<thead>
<tr>
<th>Background Papers</th>
<th>Held At</th>
<th>Contact</th>
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<tbody>
<tr>
<td>Licensing Act 2003</td>
<td>C/O Southwark Licensing, Community Safety &amp; Enforcement, 3rd Floor Hub C, 160 Tooley Street PO Box 64529 SE1 5LX</td>
<td>Mrs Kirty Read Tel: 020 7525 5748</td>
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<tr>
<td>Home Office Revised Guidance to the Act</td>
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<td>Secondary Regulations</td>
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<td>Southwark Statement of Licensing Policy Case file</td>
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**APPENDICES**

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<tr>
<td>Appendix A</td>
<td>Copy of current premises licence</td>
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<td>Appendix B</td>
<td>Copy of the review application</td>
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<tr>
<td>Appendix C</td>
<td>Copy of the Notice of Decision from 16 January 2019</td>
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<td>Appendix D</td>
<td>Copy of the Notice of Decision from 15 July 2021</td>
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<td>Appendix E</td>
<td>Representation from Environmental Health</td>
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<td>Appendix F</td>
<td>Warning letter from Police May 2019</td>
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<td>Appendix G</td>
<td>Map showing the location of the premises</td>
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AUDIT TRAIL

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<tr>
<th>Lead Officer</th>
<th>Caroline Bruce, Strategic Director of Environment and Leisure</th>
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<tbody>
<tr>
<td>Report Author</td>
<td>Andrew Heron, Principal Licensing Officer</td>
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<tr>
<td>Version</td>
<td>Final</td>
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<td>Dated</td>
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**CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER**

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<tr>
<th>Officer Title</th>
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<tr>
<td>Director of Law and Governance</td>
<td>Yes</td>
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<td>Strategic Director of Finance and Governance</td>
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<td>Yes</td>
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<td>Cabinet Member</td>
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<td>Date final report sent to Constitutional Team</td>
<td>26 July 2021</td>
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Licensing Act 2003
Premises Licence

Premises licence number

869693

Part 1 - Premises details

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

Pasaje Primavera
Arch 146, Eagle Yard
Re-Instate Issued (Licensing)
SE1 6SP

Ordnance survey map reference (if applicable),
532056178732

Post town
London

Post code
SE1 6SP

Telephone number

Where the licence is time limited the dates

L licensable activities authorised by the licence

Recorded Music - Indoors
Facilities for Making Music - Indoors
Late Night Refreshment - Indoors
Sale by retail of alcohol to be consumed on premises

The opening hours of the premises
For any non standard timings see Annex 2

Monday 06:00 - 01:00
Tuesday 06:00 - 1:00
Wednesday 06:00 - 01:00
Thursday 06:00 - 01:00
Friday 06:00 - 03:00
Saturday 06:00 - 03:00
Sunday 06:00 - 01:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Sale by retail of alcohol to be consumed on premises

The times the licence authorises the carrying out of licensable activities
For any non standard timings see Annex 2 of the full premises licence

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<td>Saturday</td>
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<td>Sunday</td>
<td>11:00 - 00:00</td>
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### Part 2

<table>
<thead>
<tr>
<th>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</th>
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<tbody>
<tr>
<td><strong>RINCON COSTENO LIMITED</strong></td>
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<td>[Redacted]</td>
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<thead>
<tr>
<th>Registered number of holder, for example company number, charity number (where applicable)</th>
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<tbody>
<tr>
<td><strong>11689338</strong></td>
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<thead>
<tr>
<th>Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</th>
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<tbody>
<tr>
<td><strong>Segundo Vicente Gualavisi Carlosama</strong></td>
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<tr>
<td>[Redacted]</td>
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<thead>
<tr>
<th>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Licence No. 02539</strong></td>
</tr>
<tr>
<td><strong>Authority</strong></td>
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<tr>
<td><strong>L B of Lambeth</strong></td>
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</tbody>
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Licence Issue date 30/08/2019

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Head of Regulatory Services  
Hub 1, 3rd Floor  
PO Box 64529  
London, SE1P 5LX  
020 7525 5748  
licensing@southwark.gov.uk
Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

(a). At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or

(b). At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

485 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and

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

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

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either
   (a) a holographic mark; or
   (b) an ultraviolet feature.

489 The responsible person shall ensure that -
   (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
      (i) Beer or cider: 1/2 pint;
      (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
      (iii) Still wine in a glass: 125 ml;
   (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
   (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

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

2. For the purpose of the condition set out in paragraph (1):
   (a) "duty" is to be construed in accordance with the Alcoholic Liqour Duties Act 1979;
   (b) "permitted price" is the price found by applying the formula

\[ P = D + (D \times V), \]

where-
   (i) P is the permitted price,
   (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
   (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
   (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
   (i) the holder of the premises licence:
(ii) the designated premises supervisor (if any) in respect of such a licence; or
(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
(v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;
(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
Annex 2 - Conditions consistent with the operating Schedule

4AA The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.

255 That fire extinguishers shall be kept at the premises and kept in unobstructed and easily accessible locations.

288 That a CCTV system shall be installed at the premises and shall be maintained in full working order and be continually recording at all times that the premises is in use under this licence. The CCTV system must be capable of capturing an image of every person who enters the premises.

289 That all CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available to officers of the police or council on request.

293 That staff shall be trained in regards to all aspects of public safety at the premises.

298 That clearly legible signs shall be prominently displayed to the satisfaction of the council stating "Drug Free Zone".

309 That no electronically amplified instruments shall be played in the premises.

310 That after 21:00 hours the front entrance doors shall be kept closed when regulated entertainment is taking place.

311 That clearly legible signs shall be prominently displayed to the satisfaction of the council requesting that customers leave the premises in a quiet and orderly manner.

332 That all persons under 18 years old attending the premises must be accompanied by a parent, guardian or responsible adult at all times.

340 That a fire alarm system shall be installed at the premises and shall be maintained in full working order and be in operation at all times that the premises is in use under this licence.

341 Maximum persons to be allowed at any one time including staff to be 80.

342 A fire risk assessment and a evacuation plan will be implemented in case of fire or other emergencies.

343 The management will ensure that all staff receive appropriate training and development to carry out their job in an effective manner - to ensure that all the policies including health & safety are consistently maintained.

344 No bottles or glasses shall be taken off the premises.

345 A specified time between last sales and the close of the premises shall be displayed.

346 A display will set out conditions of entry to the premises in the vicinity of any entrance to the premises. a secure deposit box will be kept on the premises for the retention of confiscated items and ensure
that the police are informed of any item which require safe disposal.

347 Windows and doors will always be kept closed acoustically treated ventilation/air conditioning will be utilised.

348 Management will ensure that staff, DJs and artists understand the noise control requirements, and regularly monitor noise levels during operating hours.

349 A complaints and incidents book would be held on the premises to record details of any complaints received from neighbours for inspection by council officers.

4AB All staff will receive documented training in relation to the licensing act 2003, and the 'Challenge 21' policy and the training shall be repeated every six months. Records of this training and written policies relating to it will be kept and made available to police or council officers on request.

4AG That the premises adopts the 'challenge 21 scheme' whereby any person that appears under 21 year of age has to prove they are 18 or over by providing identification bearing their photograph, date of birth and a holographic mark and/or ultraviolet feature. examples of appropriate identification include passport, photo card driving licence, military ID and proof of age card bearing the pass hologram.

350 A Refusals Log be kept and maintained and be available to Police or Council Officers on request.
Annex 3 - Conditions attached after a hearing by the licensing authority

840 That substantial food to be served at all times that alcohol is supplied on Fridays and Saturdays after 00:00;
841 That a minimum of one SIA licensed door supervisors shall be on duty at the premises at all times when the premises are open between 00:00 and 03:00;
842 That patrons admitted after midnight must have been invited;
843 That there shall be no more than 80 patrons shall be present on the premises between 00:00 and 03:00;
844 That no more than six patrons may use the outside smoking area at any one time. No drinks may be taken into this area;
845 That no alcohol may be taken off the premises.
846 That Mr Ian Gualavisi (Person A) and Mr Ronalo Palacios (Person B) be excluded from the premises.
847 All staff to receive conflict management training with 28-days.
848 All staff are retrained in the use of CCTV and their obligations in respect of Conditions 288 and 289 of the premises licence within 28-days
Annex 4 - Plans - Attached

Licence No. 869693
Plan No. 221102(lic)01
Plan Date May 2011
Form for Applying for a Summary Licence Review
Application for the review of a premises licence under section 53A of the Licensing Act 2003
(premises associated with serious crime, serious disorder or both)

**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 the 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.

<table>
<thead>
<tr>
<th><strong>Insert name and address of relevant licensing authority and its reference number:</strong></th>
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<tbody>
<tr>
<td><strong>Name:</strong></td>
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<td><strong>Address:</strong></td>
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<td><strong>Post town:</strong></td>
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<td><strong>Post code:</strong></td>
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<td><strong>Ref. No.:</strong></td>
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I, PC Ian Clements (Licensing Officer) on behalf of the chief officer of police for the Metropolitan Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. **Premises details**

Postal address of premises or club premises, or if none, ordnance survey map reference or description:
Pasaje Primavera, Arch 146 Eagle Yard, Hampton Street

| **Post town:** | London |
| **Post code:** | SE1 6SP |

2. **Premises licence details**

Name of premises licence holder or club holding club premises certificate (if known):
Rincon Costeno Limited

Number of premises licence or club premises certificate (if known):
869693

3. **Certificate under section 53A(1)(b) of the Licensing Act 2003 (Please read guidance note 1)**

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

Please tick the box to confirm: ☒

4. **Details of association of the above premises with serious crime, serious disorder or both (Please read guidance note 2)**
On Saturday the 10th July 2021 at approximately 0240 a number of calls were made to the Police stating that a fight was taking place at or near Rincon Costeno Arch 146 Eagle Yard. This premises currently holds a premises licence 869693 under the business name of Pasaje Primavera.

Shortly after this Police received a call from the London Ambulance Service (LAS) stating they were dealing with a male victim with significant head injuries and a possible machete wound to his back. Police arrived on scene to speak with the victim, the victim was uncooperative towards Police, he apparently could not remember where or how he received his injuries and wanted the matter forgotten.

Police discovered that the incident took place at 146 Eagle Yard, they attended the venue and found it locked and secure with no staff or patrons inside. A key holder attended the premises and allowed Police access. Inside the venue Police found a significant amount of blood, tables and chairs turned over and smashed glass all over the floor.

It should be noted that no calls were made to the emergency services from the premises or staff at the premises.

Police managed to gain access to the CCTV which was viewed at the scene. The CCTV shows between 6 and 8 persons inside the venue sat at a table drinking what appears to be bottles of beer. One view shows the victim bending down behind the bar area, the suspect comes up from behind the victim and smashes a glass bottle across the back of the victims head. A fight then starts between the two males. The other people inside then attempt to break up the fight.

It is not entirely clear what happened after this but the victim was attended to by the LAS outside the Elephant & Castle tube station. From the details contained in the crime report and CAD messages the victim was treated for a significant head injury and what is described by the LAS as a machete wound to his back. He was conveyed to hospital for further treatment.

On Saturday the 18th December 2018 Police came across a fight outside 146 Eagle Yard. This incident triggered a summary review of the above premises for 146 Eagle Yard, then known as Pasaje Primavera. It was established the suspect for this incident was the son of the premises licence holder. Following a review of the premises licence the licensing sub committee came to a decision that would be permanently barred from the premises. See condition 846 of the premises licence. It was also agreed that SIA door supervisors would be employed on Friday & Saturday nights when the premises operates after midnight. It is not clear at this stage if any SIA were employed on this night in question.

By allowing into the licensed premises they have breached the conditions of the premises licence, as a result a serious crime was committed inside the premises. No calls to the emergency services calls were received from the premises or staff. On attending the venue it was found to locked and secured with a crime scene unattended inside. I am of the opinion that this was a deliberate act from those at the premises to cover up the fact a serious crime had occurred on their licensed premises.

I ask the licensing sub committee to consider immediate interim steps to promote the prevention of crime and disorder licensing objective and to suspend the premises licence, pending a full review hearing.

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<th>Signature of applicant</th>
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<tr>
<td>Signature:</td>
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<tr>
<td>Date:</td>
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<tr>
<td>Capacity:</td>
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<tr>
<td>Police Licensing Officer</td>
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<tr>
<th>Contact details for matters concerning this application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surname: Clements</td>
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<tr>
<td>Address:</td>
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Notes for guidance

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer’s opinion that the premises in question are associated with serious crime, serious disorder or both. Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:
   • conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
   • conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.
   Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Retention Period: 7 years
MP 146/12
Certificate under Section 53A(1)(b) of the Licensing Act 2003

Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG

I hereby certify that in my opinion the premises described below are associated with: Serious Crime

**Premises** (Include business name and address and any other relevant identifying details):

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

Rincon Costeno (Pasaje Primavera) Arch 146 Eagle Yard Hampton Street

<table>
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<tr>
<th>Post town:</th>
<th>London</th>
<th>Post code:</th>
<th>SE1 6SP</th>
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Premises licence number (if known):

869693

Name of premises supervisor (if known):

Sugundo Vicente Gualavisi Carlosama

I am a Superintendent* in the Metropolitan Police Service: Det. Supt Clair Kelland

*Insert rank of officer giving the certificate, which must be superintendent or above.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case because:

(Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned)

On 10th July 2021 at approximately 0230 a serious assault took place inside this premises, one victim was hit over the head with a glass bottle causing injuries consistent with grievous bodily harm. The victim also sustained slash injuries to his back, described by the LAS as a potential machete injury. The victim of this incident has been previously barred from the premises following an incident at the venue in December 2018. Following this incident in 2018 a summary review of the premises licence led to the premises licence being modified to include a specific condition barring Mr Ian Gualavisi from entering the premises. Mr Gualavisi is the victim of this most recent assault.

On attending the premises Police found it to be locked and secure with no staff or patrons on scene. After eventually gaining entry, a crime scene with a significant amount of blood had been left unattended. This premises was operating in breach of its premises licence and has been the subject of a previous summary review. The incident was not reported to Police. It is for these reasons that I consider a summary review the most appropriate course of action.

Signature
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<th>Signature:</th>
<th>Date:</th>
<th>13th July 2021</th>
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Retention Period: 7 years
MP 147/12
DS Duncan and DC Charlesworth attended The Victim’s home address at 0900hrs. He was uncooperative and refused to provide a statement or sign a 172 even when it was explained to him. When asked about the incident he said he couldn’t remember what started the incident or what happened other than the fact he had asked for an ambulance. He said he had never seen the people involved before and wouldn’t recognise them again, nor could he describe them or their clothing. He was unsure exactly where the incident happened stating it was either inside or outside a restaurant in the area. We asked the victim what he was wearing at the time but he couldn’t remember except for a pair of jeans and a rucksack. The Victim said he just wanted to move on and didn’t want the matter investigated.

SCENE
Scene was not established for some time after the initial incident due to lack of obvious blood. Scene was discovered sometime after 0300HRS as blood seen on step of COSTENO RESTAURANT. Restaurant has rolling shutters and was mostly closed. Owner of restaurant arrived at scene and provided key to open the shutters. Once open, it was clear there was significant blood inside the restaurant, including large blood smudges on the near right side wall, a pillar mid-way through the restaurant, and overturned tables, chairs, broken bottles and blood on the floor. Despite the significant quantities of blood inside the premises, no blood trail has been found.
NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 16 JANUARY 2019

SECTION 53C LICENSING ACT 2003: PASAJE PRIMAVERA, ARCH 146, EAGLE YARD, HAMPTON STREET, LONDON SE1 6SP

1. That the council’s licensing sub-committee, having considered an application made under Section 53 C of the Licensing Act 2003 by the Metropolitan Police Service for the review of the premises licence issued in respect of the premises known as Pasaje Primavera, Arch 146, Eagle Yard, Hampton Street, London SE1 6SP and having had regard to all other relevant representations has decided it necessary for the promotion of the licensing objectives to modify the conditions on the licence by adding:

   i. That Mr Ian Gualavisi (Person A) and Mr Ronalo Palacios (Person B) be excluded from the premises.

   ii. All staff to receive conflict management training with 28-days.

   iii. All staff are retrained in the use of CCTV and their obligations in respect of conditions 288 and 289 of the premises licence within 28-days

2. Reaso ns for the Decision.

The reasons for this decision are as follows:

On 22 December 2018 the Metropolitan Police Service applied to the licensing authority for a summary review of the premises licence issued in respect of the premises known as Pasaje Primavera, Arch 146, Eagle Yard, Hampton Street, London SE1 6SP. The application refers to a serious incident witnessed by police officers at 20:00 on Friday 15 December 2018 and draws from further CCTV evidence acquired later. The matter involved a large fight with armed participants. One of the armed males was the son of the premises’ owner whom was in charge of the premises that night. Further to the summary review application, interim steps were put in place that Ian Gualavisi and Mr Ronalo Palacios be excluded from the premises.

The representative for the Metropolitan Police Service accepted that the incident was a domestic incident and that alcohol was not a contributing factor. The officer also advised the Licensing Sub-Committee that there was an on-going investigation and criminal charges were likely and in the circumstances, recommended that the interim steps remain in place.

The premises licence holder was assisted by his daughter and 2-friend, one of which acted as a translator. On 15 December 2018, the premises were being managed by a family friend. It was incorrect that the licence holder’s son was in charge. Ronalo Palacios was the ex-boyfriend of the licence holder, with whom she had a child. The relationship between him and the licence holder’s daughter is acrimonious and the police have been called at least 3-times.

NOTICE OF DECISION - LICENSING SUB-COMMITTEE 16 JANUARY 2019
the ex-boyfriend unexpectedly turned up at the premises with their child. The licence holder’s son instinctively went to defend and protect his sister, but over-reacted in making threats with a knife in a public area. This Licensing Sub-Committee were told that the likelihood of a reoccurrence of an incident of this type was nil. The premises had been operating for approximately 5-years as a family restaurant and there had been no previous incidents of this type, nor had there been any complaint regarding the premises management. The premises licence holder assisted his father greatly in doing the shopping and deliveries to the restaurant. Excluding his son would put a greater burden on the licence holder. The sub-committee reassured the licence holder that there was no reason why the son could not continue helping his father, but he could not enter the restaurant under any circumstances.

The Licensing Sub-Committee notes the representations from the other persons who were not present.

The Licensing Sub-Committee were concerned that no one from the premises who was also present during the incident at the sub-committee meeting and the explanation given by the premises of the events of 15 December differed from that given at the interim steps meeting. The members of the sub-committee also had concerns that the translator friend for the licence holder was not translating accurately and a tainted view of the incident was being given.

This was an extremely serious incident and those in charge of the premises failed to take any preventative action. The licence holder’s son retaliated by wielding a knife and the police were not contacted immediately. Licensing Sub-Committee also strongly recommend that independent legal advice is sought with a view to obtaining an injunction against the ex-boyfriend to prevent him from approaching the licence holder’s family, particularly his daughter and also to prevent him from approaching the premises.

Knife crime is at an all time high and it is necessary and proper that measures are put in place to prevent it. This

3. **Appeal Rights**

This decision does not have effect until either

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

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

NOTICE OF DECISION - LICENSING SUB-COMMITTEE 16 JANUARY 2019
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.

4. **Review of interim steps pending appeal**

   At the conclusion of the review hearing the licensing sub-committee reviewed the interim steps to determine which interim steps were appropriate for the promotion of the licensing objectives, pursuant to section 53D of the Licensing Act 2003. The sub-committee concluded that these interim steps were appropriate:

   - To modify the premises licence by adding: That Mr Ian Gualavisi (Person A) and Mr Ronalo Palacios (Person B) be excluded from the premises

   The interim steps are open to appeal by:

   a) The chief officer of police for the police area in which the premises is situated; or
   b) The holder of the premises licence

   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.

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

   Date: 16 January 2019
NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 15 JULY 2021

LICENSING ACT 2003: SECTION 53A: PASAJE PRIMAVERA, ARCH 146, EAGLE YARD, HAMPTON STREET, LONDON SE1 6SP

1. Decision

That as interim steps to promote the licensing objectives pending the determination of the review application at the full hearing, to be held on 5 August 2021 the premises licence is suspended.

2. Reasons

To follow within 5 working days.

3. Appeal Rights

This was a hearing to consider if it is appropriate to take interim steps to promote the licensing objectives upon receipt of an application by the Metropolitan Police for an expedited summary review of the premises.

The licensing sub-committee were satisfied that the interim steps set out above were necessary in addition to being appropriate and proportionate in order to promote the licensing objectives.

There is no right of appeal to a Magistrates’ Court against the licensing authority’s decision at this stage.

The premises licence holder may make representation against any interim steps imposed and a hearing to consider the representation will be held within 48 hours of receipt of the representation. The holder of the premises licence may only make further representations if there has been a material change in circumstances since the authority made its determination.

Any representation should be in writing and cannot be received outside of normal office hours.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 15 July 2021
NOTICE OF DECISION

LICENSESING SUB-COMMITTEE – 15 JULY 2021

LICENSESING ACT 2003: SECTION 53A: PASAJE PRIMAVERA, ARCH 146, EAGLE YARD, HAMPTON STREET, LONDON SE1 6SP

1. Decision

That as interim steps to promote the licensing objectives pending the determination of the review application at the full hearing, to be held on 5 August 2021 the premises licence is suspended.

2. Reasons

This was an application made by the Metropolitan Police Service to consider whether it was appropriate to take interim steps pending the determination of an application for a summary review, made under s.53A of the Licensing Act 2003 in respect of the premises known as the Pasaje Primavera, Arch 146, Eagle Yard, Hampton Street, London SE1 6SP.

The licensing sub-committee heard from the Metropolitan Police Service. The officer representing the Metropolitan Police advised that on 13 July 2021 a Superintendent for the Metropolitan Police Service certified that the premises were associated with serious crime, serious disorder or both. The application concerned an incident that occurred on 10 July 2021 at approximately 02:40 after a number of calls were made to the police stating that a fight was taking place at or near the premises.

Shortly after this the police received a call from the London Ambulance Service stating they were dealing with a male victim with significant head injuries and a possible machete wound to his back. The police arrived on scene to speak with the victim, who was uncooperative towards the police. The victim said that he could not remember where nor how he received his injuries and wanted the matter forgotten. The police discovered that the incident had taken place at the premises.

On the police arrival at the premises the premises was found to be empty, locked and secure. A key holder attended the premises and allowed police entry. Inside the premises, police found a significant amount of blood, tables and chairs turned over and smashed glass all over the floor. No calls appeared to have been made to the emergency services from the premises or by staff.

The police officer showed the sub-committee excerpts from the premises CCTV from the night. The CCTV clearly showed a number of people drinking alcohol and the alleged suspect going behind the bar area and take what appeared to be a beer from a fridge. The alleged suspect then struck the victim from behind and a fracas then ensued, seriously injuring the victim.

The police officer also referred to a serious incident that took place on 15 December 2018 and involving a large fight with armed participants. One of the armed males was the son of the premises’ owner whom was in charge of the premises that night. The son was the victim on 10 July 2021 and had been excluded from the premises at a review of the premises licence on 16 January 2019.

The licensing sub-committee then heard from the legal representative for the premises who conceded the application. They advised that the premises licence holder and the premises licence holder’s niece (who would be translating for the premises licence holder were present with him at the premises. They advised that the premises licence holder was unable to
recognise any of the people in the premises at the time of the incident, which was over two hours after the premises had been closed. The premises licence holder accepted that he had allowed his son to enter the premises shortly before closing (at midnight), despite his son being excluded by virtue of condition on the premises licence. It was unclear how the premises were locked, given that the son did not have any keys.

The incident was extremely serious. The premises was uncooperative with the emergency services. The premises licence holder had allowed a person onto the premises when they had been excluded by way of a condition on the licence. The premises licence holder was also unable to explain how the premises came to be secured after the incident. The legal representative for the premises representative conceded the application.

The licensing sub-committee felt it appropriate and proportionate to suspend the premises licence.

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.

3. Appeal Rights

This was a hearing to consider if it is appropriate to take interim steps to promote the licensing objectives upon receipt of an application by the Metropolitan Police for an expedited summary review of the premises.

The licensing sub-committee were satisfied that the interim steps set out above were necessary in addition to being appropriate and proportionate in order to promote the licensing objectives.

There is no right of appeal to a Magistrates’ Court against the licensing authority’s decision at this stage.

The premises licence holder may make representation against any interim steps imposed and a hearing to consider the representation will be held within 48 hours of receipt of the representation. The holder of the premises licence may only make further representations if there has been a material change in circumstances since the authority made its determination.

Any representation should be in writing and cannot be received outside of normal office hours.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 15 July 2021
I write regarding the operation of the premises at 146 Eagle Yard. ‘Recon Cosrono’ ‘Pasage Primavera’ arch 146 Eagle Yard, Hampton St, SE16SP.

It has come to the attention of the health and safety team of environmental health that the police have called for an expedited review of the licence for this premises following a stabbing on the premises.

As the responsible authority for public safety, I write to express concern that this incident indicates a lack of management control of the premises, as would be required under the Health and Safety at Work Act 1974. And the Management of Health and Safety at Work Regulations 1999.

In that Management:-
failed to call an ambulance,
failed to call the police,
&The injured person was carried from the premises.

It is also understood that the injured person was previously banned from the premises and is named as such on the license. This would further indicate that the management were not in control of the premises.

With these details in mind I wish to make a representation to the licensing authority on behalf of environmental health, as the responsible authority for public safety.

Kind regards
Ian Farrington
Principal Environmental Health Officer (Workplace Health and Safety)
Dear Mr Carlosama,

**Re:- Pasaje Primavera, Arch 146 Eagle Yard, Hampton Street SE1 6SP**

I am writing to you following my visit to the venue on Saturday 25th May 2019, with Southwark Council officers, and thank you for your cooperation on this.

We arrived approximately 0130 hours and were met at the entrance by SIA door supervisor. Although the door was closed, I could hear clearly music emanating from inside the venue. The door supervisor then went inside for you.

As music was being played, and your granted licensable activity for recorded music, is until 00:00, I asked if there was Temporary Event Notice in place. You replied "No".

I asked to see your personal licence, and you asked if he could get your daughter to assist with interpreting, as English was not good. As your daughter joined you, I asked for a copy of the premises licence and through your daughter, you said did not have it. I explained it was an offence to not have the licence on the premises, and you then went to a vehicle parked nearby, and from a folder showed me a copy of your personal licence issued by Lambeth council. I said I wanted to see the premises licence, and this was then produced. I went through the licence asking what you understood Challenge 25 to be. You said you thought this meant that if people look under 18 they should not be let in the premises. Challenge 25 was explained to you.

I then asked about the CCTV condition and how long it was kept. Mr Carlosama was a little confused and a female went inside the venue and a male then joined us. He said he had installed the CCTV and could show us on his phone. He said it could record for months, and tried to show us on his mobile phone. It did not show any recordings. I then said I would like to go inside the venue and check other parts of the licence and the CCTV. The male who knew about CCTV showed us recordings from the month before, and this was compliant with licence. I had also noticed Challenge 25 poster at the bar.
I asked Mr Carlosama if he had training records for his staff as condition 4AB, and there appeared to be none available at time.

I then explained and reminded you of the activities conditions and timings, and that his licence permitted recorded music until midnight. You said through your daughter that music was planned regularly. I explained how a Temporary Event Notice worked and the application process, and police and council are able to put in objections to these if appropriate. I also explained the licence variation process and advised him to contact Southwark council Tuesday 28th May 2019, should he wish to consider this, although police and council would have sight of this and make representations.

Although this was not a full inspection, I informed you that you had breached a number of conditions and I would write to inform you, and on this occasion would offer words of advice. We then left the premises to continue patrols of the borough.

You are reminded that licensable activity for recorded music is 00:00, and failure to comply with this or other conditions, may result in prosecution or a review of licence.

There were approximately 30 persons in the premises.

Yours sincerely

PS Keith Dempster 216 AS
Southwark Police Night Time Economy Team
0207 232 6758
**LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2021-22**

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

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**Dated:** 28 July 2021