

## Licensing Sub-Committee

Tuesday 2 August 2022

10.00 am

Online/Virtual: please contact [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk) for a link to the meeting and the instructions for joining the online meeting

### Membership

Councillor Renata Hamvas  
Councillor Andy Simmons  
Councillor Ian Wingfield

### Reserves

Councillor Barrie Hargrove

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Contact

Andrew Weir by email: [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Althea Loderick**

Chief Executive

Date: 25 July 2022



## Licensing Sub-Committee

Tuesday 2 August 2022  
10.00 am

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### Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting.	
5.	<b>LICENSING ACT 2003 : THE LUNCHEONETTE AND GIUSEPPES RESTORANTE ITALIANO - 47-49 BOROUGH HIGH STREET, LONDON, SE1 1NB</b>	1 - 77
6.	<b>LICENSING ACT 2003 : SOUTHBANK NIGHTCLUB T/A/ LA ESTACION - 57-59 CAMBERWELL ROAD, LONDON, SE5 0EZ</b>	78 - 156

**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: 25 July 2022

<b>Item No.</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 2 August 2022	<b>Meeting Name</b> Licensing Sub-Committee
<b>Report title:</b>		Licensing Act 2003: The Luncheonette and Giuseppes Restorante Italiano – 47-49 Borough High Street, London, SE1 1NB - Review	
<b>Ward(s) or groups affected:</b>		North Walworth	
<b>From:</b>		Strategic Director of Environment and Leisure	

### RECOMMENDATION:

1. That the licensing sub-committee considers an application made under Section 53CA 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 The Luncheonette and Giuseppes Restorante Italiano – 47-49 Borough High Street, London, SE1 1NB.
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 12 to 25 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 08 August 2022 is in Appendix C.
  - d) A copy of the Council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

### BACKGROUND INFORMATION

#### The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
  - The sale of and supply of alcohol
  - The provision of regulated entertainment
  - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.

5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
  - The prevention of crime and disorder
  - The promotion of public safety
  - The prevention of nuisance
  - The protection of children from harm.
  
6. In carrying out its licensing functions, a licensing authority must also have regard to
  - The Act itself
  - The guidance to the act issued under Section 182 of the Act
  - Secondary regulations issued under the Act
  - The licensing authority's own statement of licensing policy
  - The application, including the operating schedule submitted as part of the application
  - Relevant representations.
  
7. The 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 The Luncheonette and Giuseppes Restorante Italiano – 47-49 Borough High Street, London, SE1 1NB.
  
9. The premises licence was first issued on 25 April 2006 to Mr Giuseppe Vincenzo Rossi for the basement. In March 2018 the licence holder applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence to add the ground floor.
  
10. The current licence allows the following licensable activities as follows:
  - Opening hours - Basement:
    - Monday to Sunday from 09:00 to 04:30
  
  - Opening hours - Ground Floor:
    - Sunday to Thursday from 06:00 to 00:00
    - Friday and Saturday from 06:00 to 01:00
  
  - The sale by retail of alcohol (on sales) - Basement:
    - Monday to Saturday from 10:00 to 04:00
    - Sunday from 12:00 to 04:00

- The sale by retail of alcohol (on sales) – Ground Floor:
  - Sunday to Thursday from 11:00 to 00:00
  - Friday and Saturday from 11:00 to 01:00
- The sale by retail of alcohol (off sales) - Basement:
  - Monday to Saturday from 10:00 to 04:00
  - Sunday from 12:00 to 04:00
- The sale by retail of alcohol (off sales) – Ground Floor:
  - Sunday to Thursday from 11:00 to 00:00
  - Friday and Saturday from 11:00 to 01:00
- The provision of late night refreshment (indoors) – Basement:
  - Monday to Sunday from 23:00 to 04:00
- The provision of late night refreshment (indoors) – Ground Floor:
  - Sunday to Thursday from 23:00 to 00:00
  - Friday and Saturday from 23:00 to 01:00
- Regulated entertainment in the form of live music, recorded music, performances of dance, anything similar, facilities for making music, facilities for dancing and anything similar (indoors)
  - Monday to Sunday from 09:00 to 04:00.

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

### **The review application and certificate**

12. On the 02 July at around 02:40hrs, a bottle was thrown during a fight inside the premises, missing the intended victim but smashed next to the victim, cutting his arm, requiring hospital treatment. The victim approached staff at the premises and asked them to call Police as the suspect was still present. The staff refused to call emergency services and asked the victim to leave, the suspect was also allowed to leave the premises. The victim called the Police from outside. At the same time the suspect returned and was arrested for GBH at the scene.
13. Police attended the premises to view and retrieve CCTV but staff were unable to operate it, this evidence is still outstanding. Licensing officers attended the venue later that evening and issued the premises operator with a notification of offences, as they were unable to operate the CCTV, a requirement of the premises licence.
14. On the 03 July 04:15hrs, Police were flagged down by the London Ambulance Service (LAS) attending to a male with serious head injuries outside The Luncheonette and Giuseppes Restorante Italiano – 47-49 Borough High Street, London, SE1 1NB. The male and a group of his friends had been involved in a large fight inside the premises. The main victim then left the premises, he was further

attacked in the alleyway next to the premises. At the time of LAS attending the victim was bleeding from his ears and involuntary shaking, taken to Kings College Hospital with suspected fractured jaw and potential brain injury.

15. A witness recorded the victim laying on the floor bleeding whilst the security staff rushed to clear up outside and closed the premises before Police arrived. As of 09:30hrs on the 04 July 2022 Police have still been unable to access the crime scene.
16. Hertfordshire Police contacted the owner of the premises at the request of the Metropolitan Police. The apparent owner contacted them back stating that he had attended the premises but was unable to get in as no one was there. At the time this call was made Police had been outside the premises managing the crime scene
17. The Police consider these are two incidents to be very serious. It is believed that the actions of the staff at the premises delayed any investigation into the assaults. It is thought that the staff appear to have deliberately closed the premises in an attempt to cover up what might have occurred inside the premises.
18. The first incident required the attendance of at least six Police Officers in three vehicles, in addition to one Police van to convey the suspect. This amounts to a large quantity of resources for an incident that was not initially reported to the Police by the venue. Due to a lack of LAS resources the victim was taken to Hospital by the Police.
19. The second incident required nine Police officers and one crew from the ambulance service, Police had to remain on scene for nearly eight hours as access to the premises could not be made.

#### Previous operating History & Compliance

20. 04 September 2021: GBH stabbing at premises, premises crime scene locked, staff later unable to operate CCTV, issued with a notification of offences.
21. 12 December 2021: Victim hit with a bottle outside premises, staff refused him entry to collect belongings no CCTV available.
22. 30 December 2021: Victim assaulted with a bottle, staff unable to operate CCTV.
23. 06 February 2022: Large fight inside premises 15 persons involved.
24. 01 May 2022: Victim called Police stating she and a friend had been assaulted by door staff.
25. A copy of the review application is available in Appendix A.
26. An interim hearing was held on 08 July 2022. As a result, the Licensing Sub Committee put a number of measures in place, namely:
  - i. That Artur Cami and Massimo Olmo be excluded from the premises and are not involved in anyway whatsoever with the running or operation for the premises. That no alcohol shall be served other than to patrons who

are seated and are taking a substantial table meal. All service shall be by waiter/waitress service.

- ii. That there shall be no vertical-drinking permitted in the premises.
- iii. The operational hours for the premises were also reduced:

Alcohol (on sales)

- Ground Floor: Sunday to Saturday from 11:00 to 23:30
- Basement: Sunday to Saturday from 11:00 to 23:30

The provision of late night refreshment (indoors)

- Ground Floor: Sunday to Saturday from 23:00 to 23:30
- Basement: Sunday to Saturday from 23:00 to 23:30

Opening Hours:

- Ground Floor: Sunday to Saturday from 06:00 to 00:00
- Sunday from 09:00 to 00:00

27. A copy of the Notice of Decision from the full hearing is attached in Appendix C.
28. The Applicant's representative provided documentation for Members for the interim hearing, which is now available for information in Appendix F.

### **Designated premises supervisor**

29. The designated premises supervisor (DPS) of the premises is the licence holder, Mr Giuseppe Vincenzo Rossi who has been DPS since the licence was first issued and holds a personal licence issued by Broxbourne Council.

### **Representations from responsible authorities**

30. At the time that this report was written, no representations from Responsible Authorities had been forthcoming, though the consultation period was not complete.

### **Representations from other persons**

31. Representations have been made by 9 other persons, supporting the premises licence holder. The other persons refer to supplying a 'character reference' for Mr Rossi, the premises licence holder. Much of the content of the representations are irrelevant as they do not draw upon the four licensing objectives. The representations are considered by the Licensing Authority to be borderline in validity and therefore are referred to Members of the Licensing Sub Committee to consider their relevance.
32. The representations presented state that no issues with safety were witnessed while the authors have been present at the venue.
33. Representations from other persons are available in Appendix E.

### **Operating history**

34. Paragraphs 08-10 give the recent history of the premises.



35. There is no history of temporary event notices (TENS) and no complaints have been received specifically about this premises to the Licensing Department.

### **The local area**

36. A map of the local area is attached at Appendix E. Being in the Cumulative Impact Area, there are a significant number of other licensed premises in the locality, some in the very immediate vicinity are:

#### **Londis – 523 Borough High Street**

##### The sale by retail of alcohol (off sales)

- Monday to Sunday from 08:00 to 02:00

#### **Café Rossi – 57 Borough High Street, SE1 1NE**

##### The provision of late night refreshment (both indoors and outdoors)

- Monday to Sunday from 23:00 to 05:00

##### The provision of regulated entertainment in the form of live music, recorded music, and performances of dance

- Monday to Saturday from 09:00 to 02:00 (the following day)
- Sunday from 09:00 to 23:00

#### **Bunch of Grapes – 2 St Thomas Street, SE1 9RS**

##### The sale by retail of alcohol (on and off sales)

- Monday to Sunday from 18:00 to 00:00

##### The provision of late night refreshment (indoors)

- Monday to Sunday from 23:00 to 00:00

##### The provision of regulated entertainment in the form of films, live music and recorded music

- Monday to Sunday from 12:00 to 22:30

#### **The Old Kings Head – 45 Borough High Street, SE1 1NA**

##### The sale by retail of alcohol (on and off sales)

- Monday to Saturday from 10:00 to 00:00
- Sunday from 12:00 to 00:00

##### The provision of late night refreshment (indoors)

- Monday to Sunday from 23:00 to 00:00

##### The provision of regulated entertainment in the form of films

- Monday to Thursday from 10:00 to 00:00
- Friday and Saturday from 10:00 to 01:00
- Sunday from 12:00 to 00:00

##### The provision of regulated entertainment in the form of indoor sporting events, live music, recorded music and anything similar

- Sunday to Thursday from 10:00 to 00:00
- Friday and Saturday from 10:00 to 01:00

## Southwark Council Statement of Licensing Policy

37. Council assembly approved Southwark's statement of licensing policy 2021 - 2026 on 25 November 2020. The policy came into effect on 1 January 2021. 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.
38. 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.
39. Members should take into consideration both the Southwark Statement of Licensing Policy and the Section 182 Guidance when making decisions. Links are below:
- Southwark Policy:  
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>
  - Section 182 Guidance:  
<https://assets.publishing.service.gov.uk/government/uploads/system/upload>

[s/attachment\\_data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_1\\_82\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018\\_.pdf](s/attachment_data/file/705588/Revised_guidance_issued_under_section_1_82_of_the_Licensing_Act_2003_April_2018_.pdf)

### **Cumulative Impact Area (CIA)**

40. The premises is situated within the Borough and Bankside CIP Area.
41. Closing times under the Southwark Statement of Licensing Policy 2021 - 2026 the Local CIP applies to the following premises:-
- Closing time for Restaurants: Sunday to Thursday is 00:00hrs and for Friday and Saturday is 01:00hrs;
  - Closing time for Public Houses Wine bars or other drinking establishments: Sunday to Thursday is 23:00hrs and for Friday and Saturday 00:00hrs;
- Night clubs (with 'sui generis' planning classification): Monday to Thursday 01:00hrs, Friday and Saturday 03:00hrs and Sunday 00:00hrs

### **Climate Change Implications**

42. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
43. Climate change is not a legal factor in the consideration of a grant of a premises license under the current licensing objectives, however members can make enquiries and request an agreement from applicants to promote the reduction of the impact of climate change that may be caused by the operation of the premises.
44. Examples of such an undertaking may be:
- Not use single use plastics, such as disposable plastic glasses, when selling alcohol at the premises.
  - Encourage patrons not to drive to venues by providing details of public transport on their webpages/tickets.
45. The council's climate change strategy is available <https://www.southwark.gov.uk/assets/attach/48607/Climate-Change-Strategy-July-2021-.pdf>

### **Community, equalities (including socio-economic) and health impacts**

#### **Community impact statement**

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

#### **Equalities (including socio-economic) impact statement**

47. This report does not result in a policy decision and each application is required to be considered upon its own individual merits with all relevant matters taken into account. In considering the recommendations of this report, due regard must be given to the public sector equality duty set out in section 149 of the Equality Act 2010. This requires the Council to consider all individuals when carrying out its functions.

48. Importantly, the Council must have due regard to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct; advance equality of opportunity and foster good relations between people with protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The public sector equality duty also applies to marriage and civil partnership, but only in relation to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct.
49. The equalities impact statement for licensing decisions is contained within the Southwark Statement of Licensing Policy 2021 – 2026 <https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>.

### **Health impact statement**

50. Health impacts cannot be considered by law when making decisions under the Licensing Act 2003.

### **Resource implications**

51. There is no fee associated with this type of application.

### **Consultation**

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

### **Community impact statement**

53. 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**

54. 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.
55. The principles, which sub-committee members must apply, are set out below.

### **Principles for making the determination**

56. 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.
57. 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.
58. 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.
59. The steps will remain in place until the review application is determined at a full hearing of the licensing sub-committee.
60. The authority may decide to take no action if it finds no interim steps are appropriate to promote the licensing objectives.
61. 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.
62. 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**

63. 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**

64. 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
  - 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**

65. 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.
66. 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.
67. 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.

68. 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.
69. 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.
70. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
71. 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.
72. 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**

73. 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**

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

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Licensing Act 2003 Home Office Revised Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	C/O Southwark Licensing, Community Safety & Enforcement, 3rd Floor Hub C, 160 Tooley Street PO Box 64529 SE1 5LX	Mrs Kirty Read Phone Tel:02075255748

**APPENDICES**

<b>Name</b>	<b>Title</b>
Appendix A	Copy of current premises licence and plans
Appendix B	Copy of the review application
Appendix C	Copy of the Notice of Decision from 08 July 2022
Appendix D	Copies of representations from other persons
Appendix E	Map showing the location of the premises
Appendix F	Documentation from the PLH representative

**AUDIT TRAIL**

<b>Lead Officer</b>	Caroline Bruce, Strategic Director of Environment and Leisure	
<b>Report Author</b>	Andrew Heron, Principal Licensing Officer	
<b>Version</b>	FINAL	
<b>Dated</b>	20 July 2022	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	20 July 2022	



# Licensing Act 2003 Premises Licence



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

Premises licence number

862827

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
THE LUNCHEONETTE AND GIUSEPPE'S RISTORANTE ITALIANO 47-49 Borough High Street London SE1 1NB  Ordnance survey map reference (if applicable), 180153532678	
<b>Post town</b> London	<b>Post code</b> SE1 1NB
<b>Telephone number</b> [REDACTED]	

<b>Where the licence is time limited the dates</b>
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<b>Licensable activities authorised by the licence</b>
Live Music - Indoors Recorded Music - Indoors Performance of Dance - Indoors Entertainment Similar to live/recorded music - Indoors Facilities for Making Music - Indoors Facilities for Dancing - Indoors Provisions Similar to making music and dancing - indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

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

Monday	09:00 - 04:30
Tuesday	09:00 - 04:30
Wednesday	09:00 - 04:30
Thursday	09:00 - 04:30
Friday	09:00 - 04:30
Saturday	09:00 - 04:30
Sunday	09:00 - 04:30

**The opening hours of the premises - Ground Floor deli/sandwich bar**

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

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

Sale by retail of alcohol to be consumed on premises

Sale by retail of alcohol to be consumed off premises

**The times the licence authorises the carrying out of licensable activities**

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

**Live Music - Indoors**

Monday	09:00 - 04:00
Tuesday	09:00 - 04:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 04:00
Saturday	09:00 - 04:00
Sunday	09:00 - 04:00

**Recorded Music - Indoors**

Monday	09:00 - 04:00
Tuesday	09:00 - 04:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 04:00
Saturday	09:00 - 04:00
Sunday	09:00 - 04:00

**Performance of Dance - Indoors**

Monday	09:00 - 04:00
Tuesday	09:00 - 04:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 04:00
Saturday	09:00 - 04:00
Sunday	09:00 - 04:00

**Entertainment Similar to live/recorded music - Indoors**

Monday	09:00 - 04:00
Tuesday	09:00 - 04:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 04:00
Saturday	09:00 - 04:00
Sunday	09:00 - 04:00

**Facilities for Making Music - Indoors**

Monday	09:00 - 04:00
Tuesday	09:00 - 04:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 04:00
Saturday	09:00 - 04:00
Sunday	09:00 - 04:00

**Facilities for Dancing - Indoors**

Monday	09:00 - 04:00
Tuesday	09:00 - 04:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 04:00
Saturday	09:00 - 04:00
Sunday	09:00 - 04:00

**Provisions Similar to making music and dancing - indoors**

Monday	09:00 - 04:00
Tuesday	09:00 - 04:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 04:00
Saturday	09:00 - 04:00
Sunday	09:00 - 04:00

**Late Night Refreshment Basement - Indoors**

Monday	23:00 - 04:00
Tuesday	23:00 - 04:00
Wednesday	23:00 - 04:00
Thursday	23:00 - 04:00
Friday	23:00 - 04:00
Saturday	23:00 - 04:00
Sunday	23:00 - 04:00

**Late Night Refreshment - Ground Floor deli/sandwich bar**

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 00:00
Friday	23:00 - 01:00
Saturday	23:00 - 01:00
Sunday	23:00 - 00:00

**Sale by retail of alcohol to be consumed on premises - Basement**

Monday	10:00 - 04:00
Tuesday	10:00 - 04:00
Wednesday	10:00 - 04:00
Thursday	10:00 - 04:00
Friday	10:00 - 04:00
Saturday	10:00 - 04:00
Sunday	12:00 - 04:00

**Sale by retail of alcohol to be consumed on premises - Ground Floor deli/sandwich bar**

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 00:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 00:00

**Sale by retail of alcohol to be consumed off premises - Basement**

Monday	10:00 - 04:00
Tuesday	10:00 - 04:00
Wednesday	10:00 - 04:00
Thursday	10:00 - 04:00
Friday	10:00 - 04:00
Saturday	10:00 - 04:00
Sunday	12:00 - 04:00

**Sale by retail of alcohol to be consumed off premises - Ground Floor deli/sandwich bar**

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 00:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 00:00

**Part 2**

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

MR GUISEPPE VINCENZO ROSSI

[REDACTED]  
[REDACTED]  
[REDACTED]

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

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

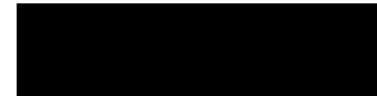
GUISEPPE VINCENZO ROSSI

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

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence No. [REDACTED]  
Authority Broxbourne Council

Licence Issue date 09/05/2018



Head of Regulatory Services  
Hub 1, 3rd Floor  
PO Box 64529  
London, SE1P 5LX  
020 7525 5748  
[licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)

## Annex 1 - Mandatory conditions

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

- a. At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- b. At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**489** The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

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

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

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

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

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

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula  $P = D + (D \times V)$ , where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence;
- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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



## **Annex 2 - Conditions consistent with the operating Schedule**

**109** Alcohol shall not be sold or supplied except during permitted hours as stated elsewhere on this licence and on:

a. On New Year's Eve, except on a Sunday, 1000 to 2300 hours

b. On New Year's Eve on a Sunday, 1200 to 2230 hours

c. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit;

i) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;

ii) The sale of alcohol to a trader or club for the purposes of the trade or club;

iii) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

iv) The taking of alcohol from the premises by a person residing there; or

v) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by the persons so supplied; or

vi) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the alcohol is supplied at the expense of their employer or the person carrying on, or in charge of, the business on the premises

**111** This licence provides for the provision of private music and dancing entertainment that is promoted for private gain;

**158 a.** The Licensee / Duty Manager shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises.

b. If required, legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

**166** The Licensee / Duty manager shall ensure that the accommodation limit(s) specified on the licence are not exceeded and shall be aware of the number of the public on the premises. This information shall be provided to any authorized officer immediately on request.

**170** Refuse receptacles shall be emptied regularly.

**171** Access for emergency vehicles shall be kept clear and free from obstruction.

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

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

**173 a.** Toilet accommodation shall be provided free of charge and be kept clean and in proper working order.

b. An adequate supply of hot and cold (or warm) water, toilet paper in holders or dispensers, soap and suitable hand and face drying facilities shall be provided in toilet accommodation.

**180 a.** The premises shall be effectively ventilated.

b. Where the ventilation system is designed to maintain a positive air pressure within that part of the premises, that pressure shall be maintained whenever the public are present in that part of the premises.

**181 a.** Ventilation ducting and other shafts shall be kept clean.

b. Any air filters shall be periodically cleaned or replaced so as to maintain a satisfactory air supply.

c. All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned as frequently as necessary to prevent the accumulation of grease and fat and at least once per year.

d. Grease filters in extract ventilation hoods in kitchens and serveries shall be cleaned weekly or at other intervals as required.

**307** That the maximum number of persons that may be accommodated within the licensed area at any one time shall not exceed 70 (seventy) in the basement area of the premises

**138** That substantial food and suitable beverages other than intoxicating liquor (including free drinking water) shall be available during the whole of the permitted hours in all parts of the premises.

**136** That suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals supplied in the premises.

**122** Any Children on the premises shall be accompanied and supervised by a responsible adult.

**288** (Condition covers both the ground floor and basement floors). That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises.

**289** (Condition covers both the ground floor and basement floors). All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the Council.

**293** (Condition covers the Ground Floor Sandwich Deli bar only). That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.

**340** (Condition covers both the ground floor and basement floors). Any children on the premises after 20:00 shall be accompanied and supervised by a responsible adult.

**341** (Condition covers both the ground floor and basement floors). A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.

**342** (Condition covers the Ground Floor Sandwich Deli bar only). Intoxicating liquor shall not be sold or supplied as off sales unless otherwise than to persons taking take away meals and for consumption by such person as an ancillary to his take away meal.

**343** (Condition covers the Ground Floor Sandwich Deli bar only). Any 'off sales' of alcohol shall be provided in sealed containers and taken away from the premises

**344** (Condition covers the Ground Floor Sandwich Deli bar only). 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

**4AA** (Condition covers the Ground Floor Sandwich Deli bar only). That a challenge 25 scheme shall be maintained at the premises requiring that- staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards scheme (PASS) accredited card such as the Proof of Age London (PAL) card.

**4AB** (Condition covers the Ground Floor Sandwich Deli bar only). That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept I be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, .the signature of the trainer, the date(s) of training and a declaration that the training has been received.

**4AC** (Condition covers the Ground Floor Sandwich Deli bar only). That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25.policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. The signage shall be kept free from obstructions at all times.

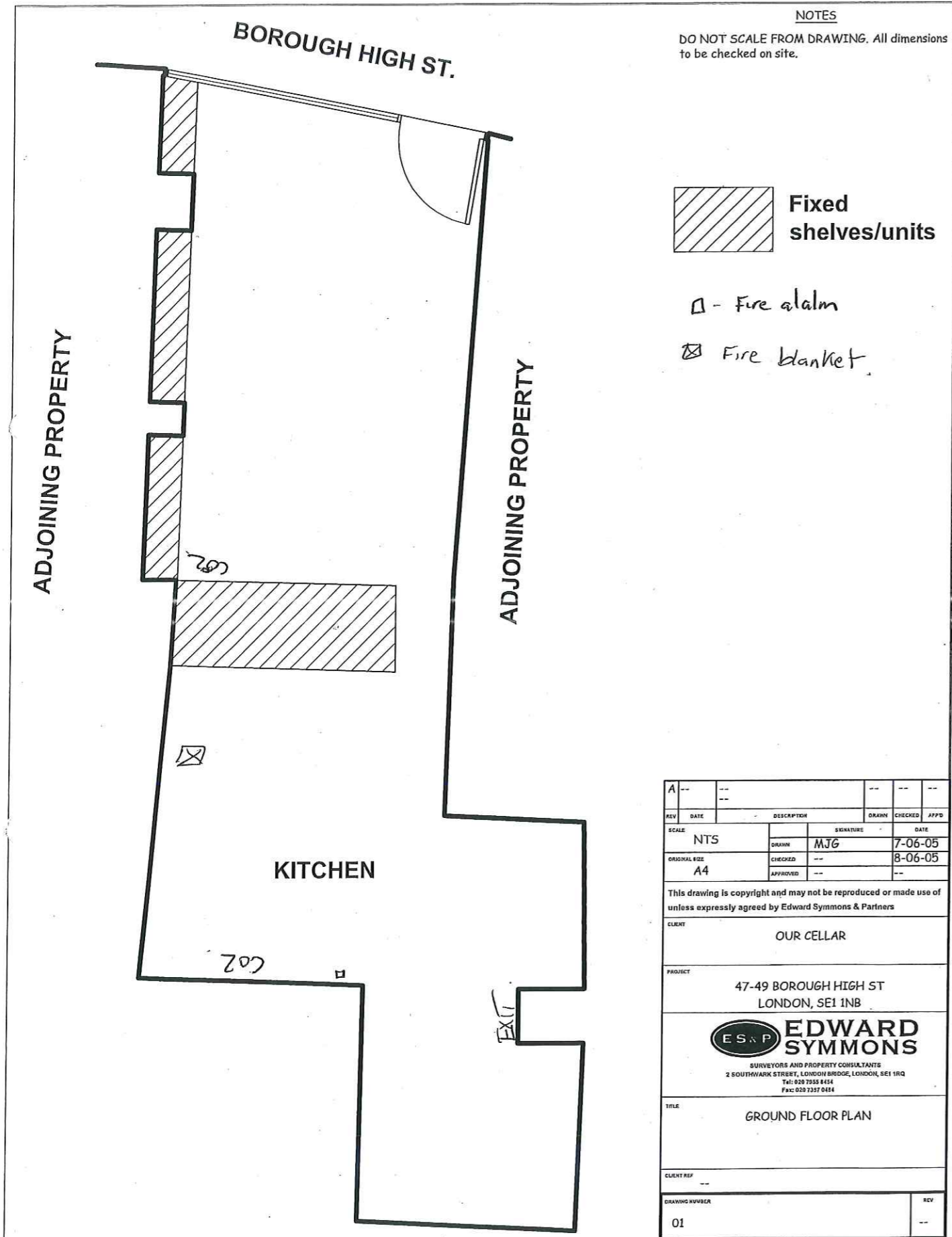
**4AI** (Condition covers the Ground Floor Sandwich Deli bar only). That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be made immediately available for inspection at the premises to Council or Police Officers on request.

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

**Annex 4 - Plans - Attached**

Licence No. 862827  
Plan No. Ground Floor 01 (7-06-05) and  
Basement  
Plan Date 28.03.2018

PLAN PROPOSED FOR  
GROUND FLOOR DELI/SANDWICH BAR.




NOTES

DO NOT SCALE FROM DRAWING. All dimensions to be checked on site.

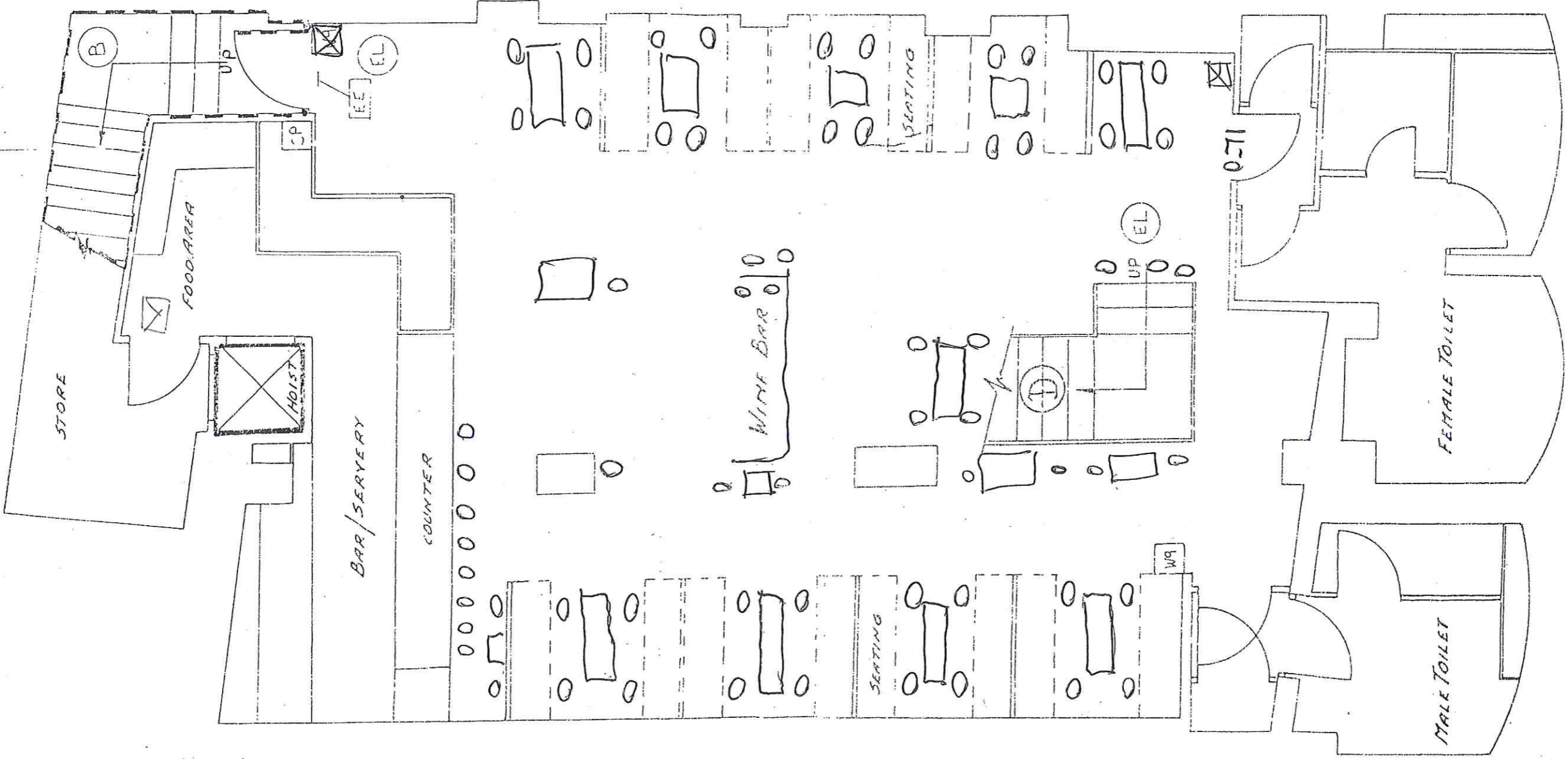
 Fixed shelves/units

 Fire alarm

 Fire blanket

REV	DATE	DESCRIPTION	DRAWN	CHECKED	APP'D
A	--	--	--	--	--
SCALE		NTS	SIGNATURE		DATE
ORIGINAL SIZE		A4	DRAWN	MJG	7-06-05
			CHECKED	--	8-06-05
			APPROVED	--	--
This drawing is copyright and may not be reproduced or made use of unless expressly agreed by Edward Symmons & Partners					
CLIENT OUR CELLAR					
PROJECT 47-49 BOROUGH HIGH ST LONDON, SE1 1NB					
 <b>EDWARD SYMMONS</b> <small>SURVEYORS AND PROPERTY CONSULTANTS 2 SOUTHWARK STREET, LONDON BRIDGE, LONDON, SE1 1RQ Tel: 020 7335 8434 Fax: 020 7337 0434</small>					
TITLE GROUND FLOOR PLAN					
CLIENT REF --					
DRAWING NUMBER 01					REV --

EXISTING PLAN



 CO2  
 water

BASMENT PLAN

"OUR CELLAR"  
 47/49 BROUGH HIGH S  
 SEL

Scale = 1:50


**METROPOLITAN  
POLICE**
**TOTAL POLICING**

Form 693

## 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.

#### Insert name and address of relevant licensing authority and its reference number:

Name: **Southwark Licensing Team**

Address:

**3rd Floor 160 Tooley Street**

Post town: **Southwark**

Post code:

**SE1 2QH**

Ref. No.:

#### I **Police Constable Ian Clements 2362AS**

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:

**The Luncheonette & Giuseppe's Ristotante Italiano Basement & Ground Floor 47-49 Borough High Street.**

Post town:

**London**

Post code:  
(if known)

**SE1 1NB**

#### 2. Premises licence details

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

**Mr Giuseppe Vincenzo Rossi**

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

**862827**

#### 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:





**PROTECTIVE MARKING**

**4. Details of association of the above premises with serious crime, serious disorder or both**  
(Please read guidance note 2)

**PROTECTIVE MARKING**

This application for a summary review is as a result of two serious incidents associated with the licensed premises known The Luncheonette & Giuseppe's Ristorante Italiano 47-49 Borough High Street.

On the 2<sup>nd</sup> July at around 0240 A bottle was thrown during a fight inside the premises, missing the intended victim but smashing next to the victim and cutting his arm requiring hospital treatment. The victim approached staff at the premises and asked them to call Police as the suspect was still there. The staff refused to call emergency services and asked the victim to leave, the suspect was also allowed to leave the premises. The victim called the Police from outside. At the same time the suspect returned and was arrested for GBH at the scene. Police attended the premises to view and retrieve CCTV but staff were unable to operate, this evidence is still outstanding. Licensing officers attended the venue later that evening and issued the premises operator with a notification of offences, as they were unable to operate the CCTV a requirement of the premises licence.

On the 3<sup>rd</sup> July 04.15, Police were flagged down by LAS attending to a male with serious head injuries outside Giuseppe's. The male and a group of his friends had been involved in a large fight inside the premises. The main victim then left the premises, he was further attacked in the alleyway next to the premises. At the time of LAS attending the victim was bleeding from his ears and involuntary shaking, taken to KCH with suspected fractured jaw and potential brain injury. A witness recorded the victim laying on the floor bleeding whilst the security staff rushed to clear up outside and closed the premises as quick as they could before Police arrived. As of 09:30 on the 4<sup>th</sup> July 2022 Police have still been unable to access the crime scene.

Hertfordshire Police contacted the owner of Giuseppe's at the request from the Metropolitan Police. The apparent owner contacted them back stating that he had attended the premises but was unable to get in as no one was there. At the time this call was made Police had been outside the premises managing the crime scene. No one had attended, this could not be the case. These are two very serious incidents, the actions of the staff at the premises have delayed the investigation into two serious assaults. The staff appear to have deliberately closed the premises in an attempt to cover up what might have occurred inside the premises.

The first incident required the attendance of at least six Police officers in three vehicles, in addition to one Police van to convey the suspect. A huge amount of resources for an incident that was not initially reported to the Police by the venue. Due to a lack of LAS resources the victim was taken to Hospital by the Police.

The second incident required nine Police officers and one crew from the ambulance service, Police had to remain on scene for nearly eight hours as access to the premises could not be made.

**Previous operating History & Compliance**

04/09/2021 GBH stabbing at premises, premises crime scene locked, staff later unable to operate CCTV, issued with a notification of offences.

12/12/2021 Victim hit with a bottle outside premises, staff refused him entry to collect belongings no cctv available

30/12/2021 Victim assaulted with a bottle, staff unable to operate CCTV





06/02/2022 Large fight inside premises 15 persons involved

01/05/2022 Victim called Police stating she and a friend had been assaulted by door staff.

This premises appears to be operating as a night club venue rather than the restaurant the licence was intended for, although not restricted as such by the conditions on the premises licence.

I ask the sub committee to suspend the premises licence with immediate effect, pending the outcome of a full review hearing.

## PROTECTIVE MARKING

Signature of applicant			
Signature:		Date:	6 <sup>th</sup> July 2022
Capacity:	P 		
Contact details for matters concerning this application			
Surname:	Ian	First Names:	Clements
Address:			
Southwark police station, 323 Borough High Street			
Post town:	London	Post code:	SE1 1JL
Tel. No.:		Email:	

## Notes for guidance

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



**METROPOLITAN  
POLICE**

**TOTAL POLICING**

Form 693A

## 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 and Serious Disorder**

**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:

**Giuseppe's Basement & Ground Floor 47-49 Borough High Street SE1 1NB**

Post town:	<b>Southwark</b>	Post code: (if known)	<b>SE1 1NB</b>
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Premises licence number (if known):

**862827**

Name of premises supervisor (if known):

**Mr Giuseppe Vincenzo Rossi**

I am a Superintendent\* in the Metropolitan Police Service.

\*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)

**PROTECTIVE MARKING**

Two serious incidents occurred inside this premises, the first on the morning of the 2<sup>nd</sup> July 2022, the second on the morning of the 3<sup>rd</sup> July 2022. Both incidents resulted in victims receiving injuries consistence with gevious bodily harm.

On the 2<sup>nd</sup> of July the Police investigation was delayed as staff were unable to operate their CCTV, in breach of the ir premises licence. The emergency services were not called by staff at the premises. Licensing attended the premises and issued the operator with a notification of offences and explained what is expected of the to promote the licensing objectives.

On the 3<sup>rd</sup> July, staff at the premises failed to call the emergency services to a male that had been seriously assaulted, both inside and outside the premises. Whilst the victim was bleeding on the floor outside of the premises, the security staff were seen clearing away security barriers and closing the premises before Police arrived. Police were unable to gain access to a potential crime scene and or view vital CCTV.

**Previous operating History & Compliance**

04/09/2021 GBH stabbing at premises, premises crime scene locked, staff later uable to operate CCTV, issued with a notification of offences.

12/12/2021 Victim hit with a bottle outside premises, staff refused him entry to collect belongings no cctv available


30/12/2021 Victim assaulted with a bottle, staff unable to operate CCTV

06/02/2022 Large fight inside premises 15 persons involved

01/05/2022 Victim called Police stating she and a friend had been assaulted by door staff.

This premises appears to be operating as a night club venue rather than the restaurant the licence was intended for.

I am of the opinion that the safety of patrons attending this venue could be compromised, a standard review is not suitable due to the statutory time limits. Immediate action is required to ensure the safety of the public.

**Signature**Signature: 

Date:

7<sup>th</sup> July 2022

**APPENDIX C****NOTICE OF DECISION****LICENSING SUB-COMMITTEE – 8 JULY 2022****SECTION 53A LICENSING ACT 2003: THE LUNCHEONETTE AND GIUSEPPES RISTORANTE ITALIANO - 47-49 BOROUGH HIGH STREET, LONDON SE1 1NB****Decision**

That as an interim step to promote the licensing objectives, pending the determination of the review application in respect of the premises known as The Luncheonette and Giuseppe's Ristorante Italiano - 47-49 Borough High Street, London SE1 1NB at the full hearing, to be held on 2 August 2022, the licence be modified as follows:

Alcohol (on-sales only)	<u>Ground Floor</u> Sunday to Saturday: 11:00 to 23:30  <u>Basement</u> Sunday to Saturday: 11:00 to 23:30
The provision of late night refreshment (indoors):	<u>Ground Floor</u> Sunday to Saturday: 23:00 to 23:30  <u>Basement</u> Sunday to Sunday: 23:00 to 23:30
Opening	<u>Ground Floor</u> Sunday to Saturday: 06:00 to 00:00  <u>Basement</u> Sunday to Sunday: 09:00 to 00:00

**Modified Conditions**

1. That Artur Cami and Massimo Olmo be excluded from the premises and are not involved in anyway whatsoever with the running or operation for the premises.
2. That no alcohol shall be served other than to patrons who are seated and are taking a substantial table meal. All service shall be by waiter/waitress service.

3. That there shall be no vertical-drinking permitted in the premises.

### **Reasons**

This was an application made by the Chief of Police for the Metropolitan Police area as to whether it was appropriate to take interim steps pending the determination of an application for a summary review made under Section 53A of the Licensing Act 2003 in respect of the premises known as The Luncheonette and Giuseppes Ristorante Italiano of 47-49 Borough High Street, London SE1 1NB, the full hearing of which will be heard on 2 August 2022.

The licensing sub-committee heard from an officer for the Metropolitan Police who informed the committee that on 7 July 2022 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.

The first of the two incidents that resulted in this application happened on 2 July 2022 at approximately 02:40. A bottle was thrown during a fight inside the premises, missing the intended victim but smashed next to the victim, cutting his arm, which required hospital treatment. The victim approached staff at the premises and asked them to call the police as the suspect was still present. The victim said that staff refused to call emergency services and asked the victim to leave. The suspect was then also allowed to leave the premises. The victim called the police from outside the premises. At the same time, the suspect returned and was subsequently arrested for grievous bodily harm (GBH) at the scene.

Police attended the premises to retrieve and view the CCTV, but staff were unable to operate it. This evidence remains outstanding. Police licensing officers attended the venue later that evening and issued the premises operator with a notification of offences, as they were unable to operate the CCTV, a condition on the premises licence.

The second incident took place on 3 July at approximately 04:15. Police were flagged down by the London Ambulance Service (LAS) who were attending to a male with serious head injuries outside the premises. It was understood that the male victim and a group of his friends had been involved in a large fight within the premises. The victim then left the premises and was further attacked in the alleyway next to the premises. The victim was bleeding from his ears and shaking involuntarily. He was taken to Kings College Hospital with suspected fractured jaw and potential brain injury. A witness recorded the victim laying on the floor bleeding whilst the security staff rushed to clear up outside and closed the premises before police arrived.

As of 09:30 hours on 4 July 2022 police had still been unable to access the crime scene. They advised that Hertfordshire Police contacted the owner of the premises at the request of the Metropolitan Police Service. The apparent owner contacted them back stating that he had attended the premises but was unable to get in as no one was there. At the time this call was made, police had been outside the premises managing the crime scene

The police considered both incidents to be serious. It is believed that the actions of the staff at the premises delayed any investigation into the assaults. The staff appeared to have deliberately closed the premises in an attempt to cover up what might have occurred inside the premises.

The licensing sub-committee heard from the legal representative for the premises who accepted interim steps were appropriate, whilst the investigation was on-going. The premises was bought in the 1990s and had operated under a justices' licence. The premises licence holder had been the designated premises supervisor since 2005 and since that time, there had been no issues.

Concerning the two incidents that occurred, the premises licence holder was not aware of the extent of the incidents until the summary review application was received on Thursday 7 July. The premises licence holder was particularly surprised by the incident that occurred on 3 July as the police had not contacted with him. He had keys to the premises, so there would never had been a problem accessing the property.

Ordinarily, the premises licence holder would be present whenever the premises was open late. He was not present on the Friday as he was having a 40<sup>th</sup> birthday party for his daughter. Because trains were not operating on the Saturday, he was unable to get into London and be present on the Saturday. Once the premises licence holder became aware of the incident that had occurred on the Friday, he had instructed Complete Licensing (licensing consultants) to undertake an investigation, as he had been told of a different version of events.

It was explained that there were essentially three different aspects of the premises operation. On the ground floor there was a snack bar/delicatessen that closed in the late afternoon. A restaurant was in the basement which operated from lunchtime until approximately 23:00 or 00:00. On Thursdays, Fridays and Saturdays a late night bar/disco also operated in the basement.

The legal advisor for the premises advised the sub-committee that it would be appropriate for the snack bar/delicatessen and the restaurant to continue to operate; the operation of these two aspects of the premises had no bearing on the issues raised by the police.

They advised that late night events had taken place at the premises on Fridays and Saturdays for 20 years. Like all licensed premises, Covid had a significant impact on his business and following the relaxation of the Covid restrictions, the late night events were extended to Thursday nights also.

During the informal discussion the premises advised the sub-committee that having reviewed the CCTV from the 2 July, no bottle had been seen being thrown, nor was a fight caught on CCTV. However, it was accepted that staff cleared broken glass from the dance floor area for the safety of patrons. The broken glass was in the middle of the dance floor, not near the wall, as suggested by the police.

However on 2 July, staff did not refuse entry to the emergency services. The victim was asked to go outside with staff, where the lighting was better to assist the victim. It was the premises that contacted the emergency services. Four or five staff were employed when the premises operated as restaurant. This figure increased to the premises licence holder, three bar staff and four security when the premises was open for the late nights. The security were positioned at the following locations: one outside in the alleyway, one on the door, one at the door downstairs



and one roaming the premises. Since the incident, the security company had been dismissed and a new CCTV system was being installed.

Concerning the second incident (3 July), the premises licence holder believed that the off-duty manager must have been contacted (by the police), as he most definitely was not. The premises licence holder on his own volition, had made contact with the police and was told the relevant officers would contact him, but no one had been in contact. Again, there was a contradictory versions of events, which the premises was investigating.

When asked whether the premises had an incident book, the sub-committee were informed that there was a brief note of the incident that occurred on 2 July. There were managers in the premises licence holder's place who were in charge when the premises licence holder was not present. Of the additional alleged incidents referred in the police application (4 September 2021, 12 December 2021, 30 December 2021, 6 February 2022 and 1 May 2022), the premises licence holder was only aware of the 4 September 2021 incident. A police officer (believed to be PC Lynch) had previously attended the premises and said that he was keeping an eye on the premises, but no details of the incidents were disclosed by him.

In deliberations, the members indicated that at the full review, in view of the contradictory version of events provided by the premises licence holder, the sub-committee would expect clarification from the police on the precise timeline(s) of the 2 and 3 July 2022 incidents. Further details were requested as to the additional incidents referred to in the police application.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and the licensing sub-committee agreed that it was appropriate and proportionate to put these interim steps in place.

### **Appeal rights**

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: 8 July 2022

**APPENDIX D****OTHER PERSON A**

**From:** [REDACTED]  
**Sent:** Thursday, July 14, 2022 6:05 PM  
**To:** Heron, Andrew <Andrew.Heron@southwark.gov.uk>  
**Subject:** Fwd: Rep acknowledgment

Dear Mr Heron, I do not understand your response as my letter did not refer to "prevention of public nuisance" and was in support of Mr Rossi and his restaurant. On all the occasions I was at the restaurant I never observed any disorder or nuisance.

I am on holiday at the moment and will not be returning home until mid August so when you respond please use email or text.

Regards,

[REDACTED]

[REDACTED]

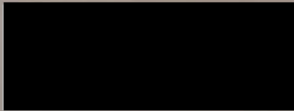
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**From:** [REDACTED]  
**Sent:** Wednesday, July 13, 2022 6:37 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Photo from Robert Bick

I have attached this reference regarding "The luncheonette and Giuseppe's ristorante Italian". I have known Giuseppe Rossi for many years and although I now live in Norfolk I go to his restaurant every time I go to London.

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

I have known Giuseppe Rossi and his family for over 40 years and have had the pleasure of eating in his restaurant on many occasions. It is a family run restaurant and I have always found the atmosphere and ambience are the reasons why it is such a special restaurant to visit (as well as the quality and value of the meals). Giuseppe is a genuine host and will always spend time with his customers to make them feel special and I would recommend his restaurant to anyone.

 (previously a district councillor for the Borough of Broxbourne).

**OTHER PERSON B**

[REDACTED]  
**Sent:** Monday, July 18, 2022 8:33 AM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** The Luncheonette and Giuseppe's Ristorante Italiano

Good Morning,

It has been brought to my attention that Giuseppe's Ristorante Italiano in Southwark is at risk of losing their licence due to crime and disorder.

I would like to write a few words in defence of Giuseppe Rossi and Giuseppe's restaurant.

We as a company and my family have been coming to this restaurant for many years.

On the countless occasions we came to visit the restaurant we have enjoyed outstanding service and Italian cuisine.

Giuseppe's restaurant is well known as a safe family restaurant with cosy and exciting atmosphere, customers are made to feel that they are in safe hands because it is clear to all that Giuseppe and his well managed team's main objective is public safety.

After mid night Giuseppe's transforms from restaurant to disco which is an exciting and unique experience that many establishments do not provide. In the countless occasions where myself and colleagues have stayed partying through the night we have not ever witnessed any trouble or unruly behaviour which got out of hand, I feel that this certainly due to the presence of the security staff, and visible CCTV cameras.

Giuseppe himself is one of the most warm, welcoming and honest restaurant managers I have met which is why we return time and time again.

It saddens me to think that our favourite place could now be at risk of surviving due to isolated incidences.

Kind regards

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



7<sup>th</sup> July 2022

## **OTHER PERSON C**

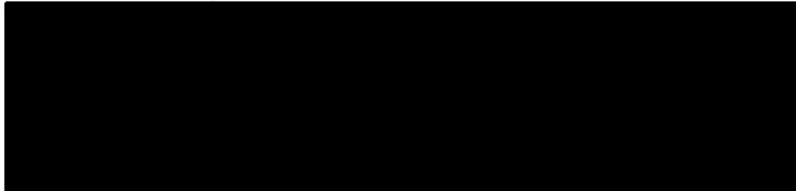
To whomsoever it might concern

Dear Sirs

I want to make clear that my wife and I have patronised the restaurant "Giuseppe's" on a number of occasions and have always found it a very safe and comforting place to pass an evening. Never has there been even a hint of trouble – all the clientele like ourselves being there purely to enjoy a first class meal accompanied with the usual modicum of alcoholic refreshment.

I wish the management well in the continuation of a first-class business

Yours faithfully



Retired Bank Manager

**OTHER PERSON D**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Thursday July 7, 2022

**Character Reference: Giuseppe Rossi**

Dear Sir/Madam,

I am writing to provide a character reference for Giuseppe Rossi, the proprietor of Giuseppe's Place on Borough High Street in South East London. I have known Giuseppe for over twenty years as part of my extended family and I have visited his restaurant numerous times with friends and family alike.

Each of these visits have been characterized by a warm and hospitable welcome from the staff; I have always found the staff to be both polite and attentive to their customers. Part of the restaurant's charm is that it is family-run and therefore, it has an inviting, family-friendly atmosphere. Our family gatherings span generations and children are always welcome and well-looked after by the staff. I would have no concerns about their safety in the restaurant. On occasions, I have also visited on a Friday or Saturday night for the disco and have never felt unsafe or threatened. The atmosphere is friendly and Giuseppe and the staff ensure that all in attendance have an enjoyable evening but they do not hesitate to take action if anyone is drinking irresponsibly.

The restaurant's ethos and values are typified by Giuseppe himself. He is a family man and always asks after the health and wellbeing of my family upon each visit. He has been running the restaurant for many years and establishing its fine reputation has been a labour

Recipient Name

Thursday July 7, 2022

Page 2

of love. I have no doubt that and I have experienced firsthand that it is a restaurant that is both friendly and run to the highest standards.

I hope that you take note of my letter of recommendation for Giuseppe Rossi. He is a good friend, a principled man and a true family man.

Sincerely,

A solid black rectangular redaction box covering the signature area.

**OTHER PERSON E**

**From:** [REDACTED]  
**Sent:** Sunday, July 17, 2022 7:58 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** The Luncheonette and Giuseppe's Ristorante Italiano

Dear Sir or Madam,

I, [REDACTED] have known Giuseppe Rossi as a friend of our family ever since I was a boy. In my adult life I have been to see Giuseppe at many of the catering establishments he has owned or worked at in The City, at one stage he was also business partner with my father at The Guild.

Giuseppe has always been a very kind, professional and responsible host in all of this restaurants, always looking out for both his staff and his customers. He has personally been like an Uncle to me and great support to me and my family.

More recently I have often been to see Giuseppe at his restaurant in Borough High Street whereby I can only say that he manages all situations and evenings with great pride and responsibility regardless of how busy the place is. I have taken both work colleagues and friends to Giuseppe's and as CEO of a Biotech company, I would only take my work colleagues to a place whereby I know I can trust the management.

I have also been to Giuseppe's after midnight whereby the place is managed responsibly as an after hours drinking place with music and dancing. Table are moved out of the way, care is taken with glasses and service and security is placed on the door to keep the crowd under control and filter who comes in.

I have to say I have been on many an occasion and am surprised to hear there has been trouble having been there both before and after hours many a time in the last 10 years and never witnessed any problems.

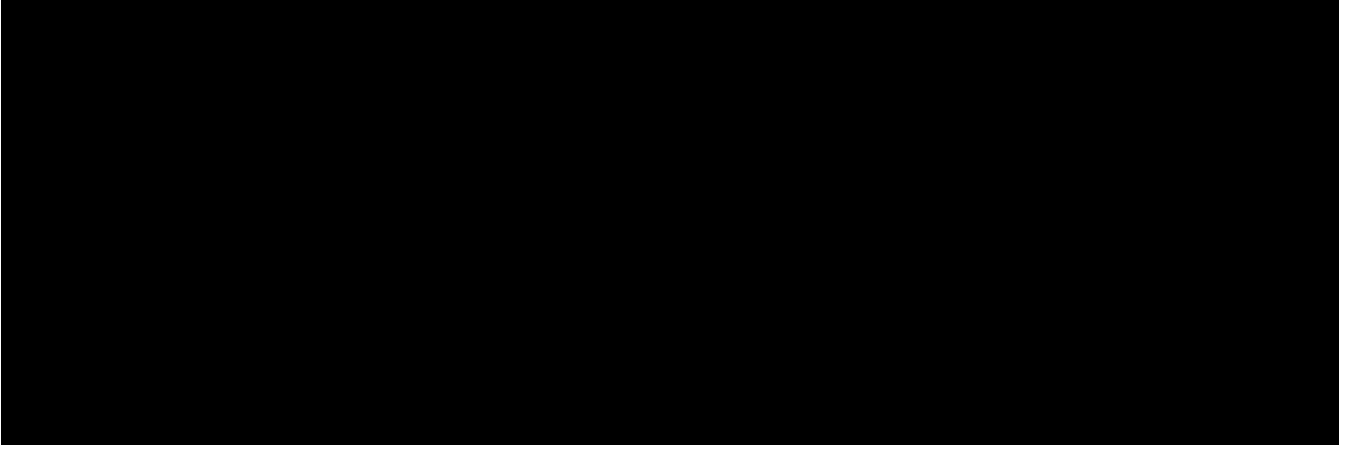
I can therefore vouch for Giuseppe and his staff, having had over 20 plus years of good experiences whenever at his various premises.

Kind Regards,

[REDACTED]

[REDACTED]  
[REDACTED]





**OTHER PERSON F**

**From:** [REDACTED]  
**Sent:** Saturday, July 16, 2022 3:33 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** The Luncheonette and Giuseppe's Ristorante Italiano

To whom it may concern,

I have known Mr Rossi and visited his restaurant/ bar on many occasions over more than 30+ years.

Giuseppe and his staff have always created a friendly atmosphere - I have never known or witnessed any trouble - in fact, the vibe has always been one of fun and music in a throwback to a typical Italian family run business.

I have never ever felt unsafe and any hint of a problem has been proactively dealt with by the management.

It would be completely naive to think that an F&B business in the heart of London would never experience any problems but I've always considered that the business has been responsibly managed.

I am aware that the disco is immensely popular, an integral part of the business, and good for the area - without these Friday and weekend events I doubt this small family business would be viable, particularly after the massive challenges presented by Covid. Moreover, any future restrictions would diminish its appeal as one of the few remaining traditional food, drink and occasional dance venues.

Surely the irresponsible actions of a few cannot impact on a business that has operated without major incidents at Borough market well before the market regeneration and well before the presence of ubiquitous multiple chains offering the same old same.

I trust these points will be fully reflected in any decision.

Regards

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

  
**OTHER PERSON G**

To whom it may concern

7 July 2022

Re: Giuseppe's Ristorante Italiano & Pizzeria  
47/49 Borough High Street, London, SE1 1NB  
Owned by Guiseppe

We have known Guiseppe for over twenty years. He is an honourable, upstanding member of the community who acts with integrity and honesty. He is charitable and has always contributed to many worthwhile causes via his membership of Ambresbury Lodge. This is how we first got to know him, many years' ago.

We recently attended his restaurant for a reunion of old friends after Covid restrictions. The ambience, food and service were all excellent. The restaurant was fully booked, most of the visitors were regular customers like us, who come back again and again for what is a fabulous dining experience. There was no drunkenness or bad behaviour from anyone; just everyone enjoying a great night out. The restaurant has an excellent reputation, being a stone's throw from London Bridge station, so is ideally situated for both locals, commuters and tourists.

Guiseppe's is a well-known London landmark (as the reviews on Trip Advisor will confirm), famous for it's good, homemade Italian food and it would be sorely missed if it were to shut.

We would have no hesitation in recommending Guiseppe and his restaurant.



**OTHER PERSON H****Reference    Guiseppe Ristorante****Date 7<sup>th</sup> July 2022**

[REDACTED]

[REDACTED]

As a long standing and frequent customer of the restaurant and as a result being a personal friend of the owner Guiseppe I have been asked to provide a reference for Guiseppe and the restaurant itself as I believe the restaurant is subject to a licensing review.

I first went to the restaurant in about 2008 when I used to work in the City Of London Police, the restaurant was not in the jurisdiction of the City and was therefore somewhere to go local to the City but independent of my role in the City and therefore without possibility of compromise and a safe place to socialise.

Many of my management teams social occasions were spent at the restaurant and in the course of those occasions I was introduced to the Manager and licensee Guiseppe.

I retired from the Police in 2014 and have frequented the premises many times over the last eight years for lunch, dinner and some fairly late-night drinks always within licensing hours. I have introduced many business partners of mine to the venue all of whom greatly enjoyed themselves in safety.

In the 14 years I have been attending this restaurant I have never seen a fight inside or outside the premises. The atmosphere in the restaurant is that of a family restaurant frequented by business people , tourists and local people all who seem to mix seamlessly in an efficient well controlled space.

The bar staff, servers and management are always polite, helpful and nothing is too much, in short, the service is excellent.

Of course, in any environment where alcohol is served there is always the potential for anti-social behaviour or disagreement between paying customers. Guiseppe's is no different but whenever I have seen any sign of conflict the staff have always intervened early and nipped it in the bud. I have found the professional security officers employed at the premises to be helpful, polite and efficient.

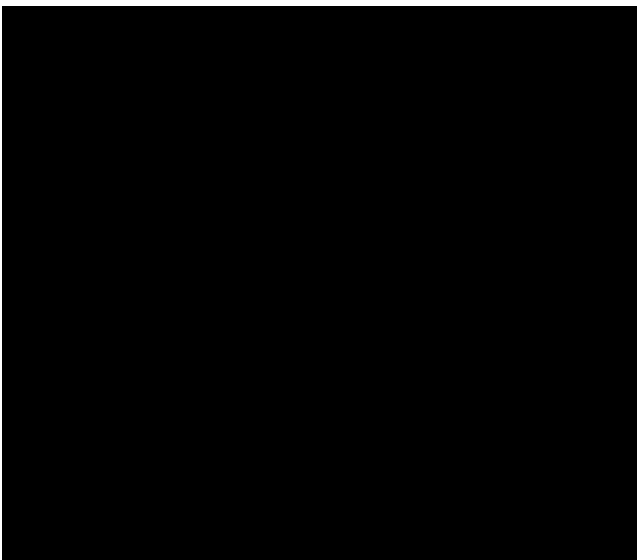
My wife who is a professional Director and HR consultant regularly visits the premises for lunch and dinner and has stayed for evening entertainment. It is one of the only places in London she is prepared to arrive before me and wait due to her feeling of safety and security at the premises.

I have visited the establishment at least three times in the last two months and have had a fantastic evening in a friendly and sociable atmosphere with dancing and singing in a very busy space, again no trouble whatsoever.

With regard to Guiseppe himself, he is in my opinion an excellent licensee who does his utmost to run a safe and proper establishment. He engages with customers and gets to know them personally in the intimate setting of his restaurant. Because of his excellent inter personal skills he is able to diffuse situations before they escalate and constantly scans his patrons to look for signs of conflict. He is a hands on licensee and takes pride in the restaurants excellent reputation in London.

The restaurant itself I believe is still ranked number 6 as the best Italian restaurant and bar on Trip Advisor which is lower than my personal ranking would be.

I am unaware of the reasons for the review, what I do know is that any closure or restrictions would be extremely damaging to Guiseppe and his family who have put their lifelong efforts and finances into this venture. I am sure that Guiseppe will take any steps necessary and address any issues raised or required to continue the success of what I consider to be one of the best restaurants in London.



**OTHER PERSON I**

**From:** [REDACTED]  
**Sent:** Friday, July 15, 2022 2:16 AM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** Representation The Luncheonette And Giuseppees Ristorante Italiano

**To Whom It May Concern**

I write this Reference in respect of Mr Giuseppe Rossi.

Mr Giuseppe Rossi and I have known each other for over 40 year. Since 1980. We have neen close friends all that time.

Mr Giuseppe Rossi has been a close, good, loyal and supportive person in my life.

Mr Giuseppe Rossi has a natural love of people and that is returned by those who meet him.

Mr Giuseepe Rossi is a successful restanranteur. His success is due to his hard work, personable friendly character.

Mr Giuseepe Rossi has a natural affinity with people and this makes him perfect in his chosen career.

His desire is to give clients a warm welcome, good food and a good happy experience.

Mr Giuseppe Rossi has many many regular clients who return time and time again to his restaurant again for the good food and friendly atmosphere of the restaurant. Nothing is too much effort for Mr Guiseppe Rossi in his effots to give his clients a time of enjoyment.

Whenever we have visited the restaurant the atmosphere has always been friendly and cheerful. We have never felt at risk or unsafe. Staff are always conscientious and aware of what is happening in the restaurant.

Yours

[REDACTED]



**COMPLETE  
LICENSING**

**APPENDIX E**

# **GIUSEPPE'S RISTORANTE ITALIANO**

Southwark

07.07.22



## **ROBERT SUTHERLAND**

**CONSULTANT SOLICITOR, COMPLETE LICENSING**

Robert is a highly experienced solicitor specialising in all forms of licensing and gambling issues for operators and landlords. His clients include one of the most prestigious concert venues in the country, well-known nightclubs in the West End, gentlemen's clubs across the country, music festivals including the Secret Garden Party, and sports venues for cricket and football. He has dealt with all aspects of outdoor music festivals including working with safety advisory groups in the planning and setting up of large events such as Gay Pride.

Robert also acts for a number of leading sexual entertainment venue operators, both independent and multi-national brands around the country, and has been actively involved in dealing with local authorities in their determination of sexual entertainment venue policies. Robert is a solicitor advocate and is able to represent clients in the higher courts. During his career he has held roles which have provided him with great insight into and understanding of the court system, including Licensing Justices' Clerk for North and South Westminster for a number of years. Robert is also a Fellow of the Institute of Licensing.



## **RICHARD BUNCH**

**CRIME & DISORDER EXPERT, COMPLETE LICENSING**

Richard joined the police in 1990 and retired in 2016. He retired with the Certificate of service signed by the Commissioner, stating his service had been "Exemplary". He was Westminster Police Licensing Sergeant working in City Hall with the Westminster Local Authority Licensing Team, Environmental Health and supervised the Westminster Police Licensing Team. He was responsible for crime, disorder, licensing applications and reviews covering 6,500 varied Westminster Borough Licensed premises.







## **RICHARD VIVIAN**

**ACOUSTIC EXPERT, BIG SKY ACCOUSTICS**

Richard Vivian is founder of Big Sky Acoustics. Established in 2002, Big Sky specialises in entertainment noise control and works closely with licensed premises operators, event organisers and local authorities on the management and control of noise associated with live and pre-recorded music entertainment. The company can provide support for both licensing and planning noise matters including detailed surveys, assessment, noise monitoring and expert witness evidence for applications, appeals, inquiries and hearings.



## **JIM SOLLARS**

**COMPLIANCE EXPERT, COMPLETE LICENSING**

Jim retired from the Metropolitan Police in 2019, having joined in 1980. During his police service, he worked in a number of uniform and non-uniform roles, including a long spell as the 'village policeman' for Soho and then as office manager for Westminster Police Licensing Team, based in Westminster City Hall.





COMPLETE  
LICENSING

# GIUSEPPE'S RISTORANTE ITALIANO

Southwark

## 1. INTRODUCTION

I have been asked to attend Giuseppe's Ristorante in my role as a Compliance Specialist for Complete Licensing.

The reason for my attendance was to gain first-hand knowledge of the premises and to ensure compliance with the Premises Licence, and to help the staff understand the conditions on the licence.

I retired from the Metropolitan Police in 2019, having joined in 1980. During my police service, I worked in a number of uniform and non-uniform roles, including a long spell as the 'village policeman' for Soho and then as office manager for Westminster Police Licensing Team, based in Westminster City Hall. Whilst working in Soho I was frequently called upon to mediate in conflicts between licensed premises and residents.

During my time, based at West End Central, I was commended twice, once for professionalism, initiative and dedication leading to the arrest of prolific burglars and a second for sensitivity and detective ability when uncovering and dealing with vulnerable women, trafficked for prostitution and closing a brothel.

Whilst managing the Westminster police Licensing Team, I was responsible for dealing with all aspects of licensing, including processing and dealing with hundreds of licence applications, tens of thousands of TEN notices and many Expedited Reviews, including Amika, South Molton Street; Madam Jo Jo's, Brewer Street; Studio Valbonne, Kingly Street; Avalon, Shaftesbury Avenue; along with other premises in Dean Street and Piccadilly. All of these were closed as a result of serious crime and disorder, often coupled with management which failed to engage with us. In addition to these late night bars and nightclubs, which were formally closed, I was responsible for closing the Embassy Club in Old Burlington Street and Jalouse in Hanover Square on the basis of the police cases that I was able to build, as a result of serious crime and disorder. In both cases the Club management realised that Reviews would follow, so they surrendered their licences and closed voluntarily and permanently. I have also worked with well known night clubs to prevent the need for Review, including Novikov, Berkeley Street; Whisky Mist in the Hilton, Park Lane; and Dystrkt, in Soho, to name but a few. It is very important from my experience for the police to work with business operators to identify problems and resolve issues in a collaborative approach whenever possible.



I represented the Metropolitan Police at weekly licensing hearings in front of Westminster Licensing Committee. I have extensive experience in licensing applications, compliance, and Reviews. I worked with premises which caused the Metropolitan Police concern, suggesting action plans or minor variations to promote the licensing objectives. I was responsible for training new staff in Westminster and provided training in licensing across the metropolitan police area. Frequently officers from other licensing teams would come and spend time with me to gain knowledge and experience.

Whilst working in Westminster Police Licensing Team, for several years, I sat on Gold Advisory Groups at both Scotland Yard and at the Mayor's Office at London City Hall, for both Gay Pride and Notting Hill Carnival. I then later acted as licensing advisor to Sector Commanders at both events for multiple years.

As a student, I worked as a barman. During a career break from the police, I spent four years working as duty manager in a Bahamian dive resort. Currently, I am a consultant for a group of ice cream franchises, a restaurant and an hotel. I therefore have hands on experience of the hospitality sector as well as enforcement experience.



## 2. COMPLIANCE VISIT 26<sup>TH</sup> MAY

I went into the trattoria, which is in a basement, accessed from an alley, off the main road.

It was like walking into a time warp. I worked as the community police officer in Soho from the mid 80s. Soho has become corporate and trendy. In the 80's there were many Italian premises, most of which looked a lot like Giuseppe's today. Giuseppe told me that he had worked in a soho restaurant which I knew.

The premises was set to tables and chairs, as a trattoria or Italian restaurant. In fact most tables were full with people taking late or extended lunches. There was a very mixed clientele; from tourist families to city types. Many of the diners appeared to be known personally to the staff. There was a happy, lively atmosphere.

I was introduced to Giuseppe, and we sat at a table, accompanied by his head doorman, [REDACTED] of Pop security.

I went through all of the conditions on the premises licence, from mandatory, to those imposed on the licence. Some of the bar and waiting staff listened in, when not performing their duties.

Giuseppe was able to answer questions about how he ran the premises, but had no written policies to show.

I spoke at some length with [REDACTED]. I was told that 4 security staff were employed. I was told that all four wore smart black clothing and that two had body worn video cameras. [REDACTED] thought the premises had a capacity of 40, but the licence shows 70. I told him that I felt that all security staff should wear body worn video. I further suggested that security on the door or when outside in the street, should wear hi viz yellow jackets to assist in their duties and to allow for ease of identification. [REDACTED] was under the impression that once customers were outside, they were no longer his concern. I told him that this wasn't the case and he was responsible for patrons in the vicinity.

In conclusion:

The premises has a charming character which was clearly being enjoyed by the many patrons.



However, some of the trading practices need to be brought up to date. I believe that written policies on all trading aspects would help regulate and manage the premises.

I believe the security should be more visible and better equipped. They should all be wearing body worn video for evidential purposes and hi viz clothing outside. I also advised that the security keep a running total of patrons, recording them every half hour, to monitor capacity. I also suggested that no new patrons enter after midnight, to prevent migration from elsewhere when the patrons drinking history is unknown.

### 3. FOLLOW UP PHONE CALL WITH SOUTHWARK LICENSING

The morning after I visited Giuseppe's, I phoned Southwark Licensing Team on [REDACTED] I spoke to [REDACTED] who was familiar with Giuseppe's. I explained that I had been employed to ensure licence compliance and asked if he had any concerns. [REDACTED] explained that he had no specific concerns and that he had a good working relationship with a lady from the premises who he thought was Giuseppe's daughter. [REDACTED] only concern was of the possibility of migration to the premises from nearby premises with earlier closing times.





COMPLETE  
LICENSING

# GIUSEPPE'S RISTORANTE ITALIANO

Virtuocity – CCTV



07-July 2022

Virtuocity has been designing, installing and maintaining CCTV systems since the late 90's.

Former BBC trained engineers were asked to design a system for joint venture between MTV and Planet Hollywood, a new flagship site 'Sound Republic' in the old Swiss centre Leicester square and a sister venue in Times square NY. The challenge was to design a system that could be used for direct to air broadcast for many MTV and BBC shows that were based at the sites.

Nothing like this had been attempted before as CCTV technology, as it exists now, was not on the market. The system design was used to great effect for future shows like Big Brother.

It was very successful, and Westminster Licensing used the Swiss centre site (140 cameras) as a case study on how CCTV could be employed within the London Club and night life scene.

Sound Republic was a super-club spread over four floors with a capacity of 2,750 as well as a broadcast TV studio.

Since then Virtuocity has continued innovating and has installed many systems in Clubs, Bars, Hotels, Restaurants and commercial premises.

We offer many levels of service from design and installation through to re-active remote monitoring and gathering of footage for Police and Licensing across the UK.

Virtuocity operates more than 30 CCTV systems for licenced prem. There is no need for the venue to get involved or train staff, just inform us of an incident. We deal with all CCTV requests from the police for these venues, remotely downloading, and sending the CCTV to officers directly.





Some of our clients:

HP

IBM

Microsoft

BBC

Jamies Bars

Sound Republic

Planet Hollywood

MTV

Sky

Gabeto

Shaka-Zulu

Camden Market

The Cuban

Blacks gentleman's club

Chicago Rib Shack

Ginza

Schooner Bar

MJL hire/construction

Gipsy Queen PH

Victoria Stakes PH

Block Soho

26 leake street venue/club

Redwood Hotel

Tewkesbury Park Hotel

Penn Club

Dingwalls

Comedy Club

The Scotch club

Poppy cottage care homes

Licensed Solutions

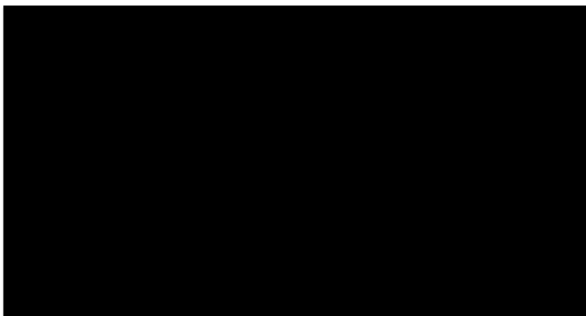




**COMPLETE  
LICENSING**

# **GIUSEPPE'S RISTORANTE ITALIANO**

Letters of Supporting  
Version 1.0





7 July 2022

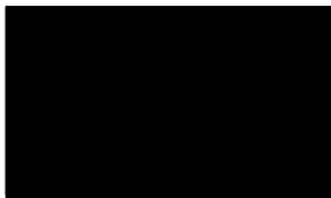
To Whom it May Concern

**Character Reference for 'Giuseppe's' Restaurant and Mr Giuseppe Rossi**

I am a partner with the firm of accountants, Azets (formerly Wilkins Kennedy) now at the above address but previously at Bridge House in Borough High Street. I have known Mr Rossi both personally and professionally for over 12 years and have visited his restaurant on many occasions.

I have always found the atmosphere at the restaurant to be very convivial. Giuseppe's is a lovely, family run business which, in my opinion, is a credit to the area. I have never been aware of any trouble or rowdy behaviour in or around the restaurant at any time during my frequent visits to the establishment.

Yours faithfully,



**Partner  
Azets Holdings Limited**

**Reference    Guisepes Ristorante**  
**47-49 Borough High Street SE1 1NB**

**Date 7<sup>th</sup> July 2022**

**████████████████████ (Company Director)**

As a long standing and frequent customer of the restaurant and as a result being a personal friend of the owner Guiseppe I have been asked to provide a reference for Guiseppe and the restaurant itself as I believe the restaurant is subject to a licensing review.

I first went to the restaurant in about 2008 when I used to work in the City Of London Police, the restaurant was not in the jurisdiction of the City and was therefore somewhere to go local to the City but independent of my role as a in the City and therefore without possibility of compromise and a safe place to socialise.

Many of my management teams social occasions were spent at the restaurant and in the course of those occasions I was introduced to the Manager and licensee Guiseppe.

I retired from the Police in 2014 and have frequented the premises many times over the last eight years for lunch, dinner and some fairly late-night drinks always within licensing hours. I have introduced many business partners of mine to the venue all of whom greatly enjoyed themselves in safety.

In the 14 years I have been attending this restaurant I have never seen a fight inside or outside the premises. The atmosphere in the restaurant is that of a family restaurant frequented by business people , tourists and local people all who seem to mix seamlessly in an efficient well controlled space.

The bar staff, servers and management are always polite, helpful and nothing is too much, in short, the service is excellent.

Of course, in any environment where alcohol is served there is always the potential for anti-social behaviour or disagreement between paying customers. Guisepes is no different but whenever I have seen any sign of conflict the staff have always intervened early and nipped it in the bud. I have found the professional security officers employed at the premises to be helpful, polite and efficient.

My wife who is a professional Director and HR consultant regularly visits the premises for lunch and dinner and has stayed for evening entertainment. It is one of the only places in London she is prepared to arrive before me and wait due to her feeling of safety and security at the premises.

I have visited the establishment at least three times in the last two months and have had a fantastic evening in a friendly and sociable atmosphere with dancing and singing in a very busy space, again no trouble whatsoever.

With regard to Guiseppe himself, he is in my opinion an excellent licensee who does his utmost to run a safe and proper establishment. He engages with customers and gets to know them personally in the intimate setting of his restaurant. Because of his excellent inter personal skills he is able to diffuse situations before they escalate and constantly scans his patrons to look for signs of conflict. He is a hands on licensee and takes pride in the restaurants excellent reputation in London.

The restaurant itself I believe is still ranked number 6 as the best Italian restaurant and bar on Trip Advisor which is lower than my personal ranking would be.

I am unaware of the reasons for the review, what I do know is that any closure or restrictions would be extremely damaging to Guiseppe and his family who have put their lifelong efforts and finances into this venture. I am sure that Guiseppe will take any steps necessary and address any issues raised or required to continue the success of what I consider to be one of the best restaurants in London.

Signed

[REDACTED]

Director Stewart Risk Solutions

[REDACTED]

[REDACTED]

[REDACTED]



## Fwd: Giuseppe

---

From [REDACTED]

To [REDACTED]

Date Thursday, July 7th, 2022 at 14:41

---

Forwarded message

From: [REDACTED]

Date: Thu, 7 Jul 2022, 13:35

Subject: Giuseppe

To: [REDACTED]

Myself and my father (deceased) have known Giuseppe for over 35 years and have always found him to be a polite upstanding gentleman and was recently also at his restaurant with a few friends on which we had a thoroughly delightful evening attended on by attentive polite staff I could not recommend him his restaurant and staff more highly. [REDACTED]

Sent from my iPhone



## Fwd: Character Reference Giuseppe Rossi

---

From: [REDACTED]

To: [REDACTED]

Date: Thursday, July 7th, 2022 at 20:48

---

Forwarded message

From: [REDACTED]

Date: Thu, Jul 7, 2022 at 6:24 PM

Subject: Character Reference Giuseppe Rossi

To: [REDACTED]

### To Whom It May Concern

I write this Reference in respect of Mr Giuseppe Rossi.

Mr Giuseppe Rossi and I have known each other for over 40 year. Since 1980. We have neen close friends all that time.

Mr Giuseppe Rossi has been a close, good, loyal and supportive person in my life.

Mr Giuseppe Rossi has a natural love of people and that is returned by those who meet him.

Mr Giuseepe Rossi is a successful restanranteur. His success is due to his hard work, personable friendly character.

Mr Giuseepe Rossi has a natural affinity with people and this makes him perfect in his chosen career.

His desire is to give clients a warm welcome, good food and a good happy experience.

Mr Giuseppe Rossi has many many regular clients who return time and time again to his restaurant again for the good food and friendly atmosphere of the restaurant. Nothing is too much effort for Mr Guiseppe Rossi in his effots to give his clients a time of enjoyment.

Yours

[REDACTED]

To whom it may concern

7 July 2022

Re: Giuseppe's Ristorante Italiano & Pizzeria  
47/49 Borough High Street, London, SE1 1NB  
Owned by Guiseppe

We have known Guiseppe for over twenty years. He is an honourable, upstanding member of the community who acts with integrity and honesty. He is charitable and has always contributed to many worthwhile causes via his membership of Ambresbury Lodge. This is how we first got to know him, many years' ago.

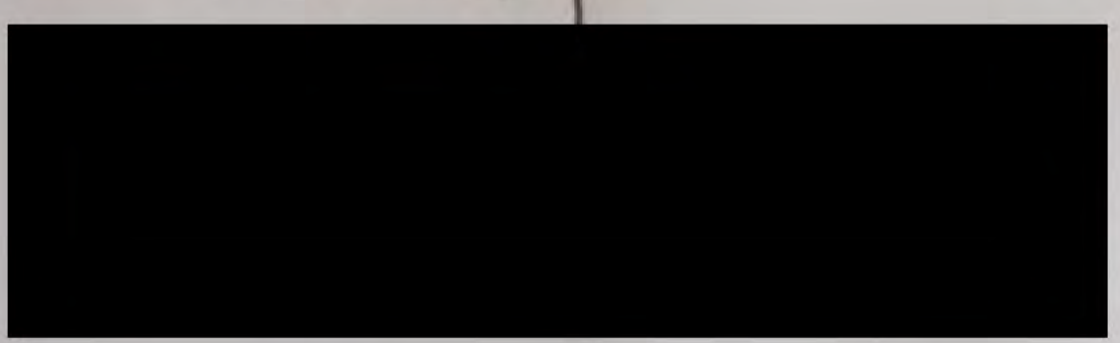
We recently attended his restaurant for a reunion of old friends after Covid restrictions. The ambience, food and service were all excellent. The restaurant was fully booked, most of the visitors were regular customers like us, who come back again and again for what is a fabulous dining experience. There was no drunkenness or bad behaviour from anyone; just everyone enjoying a great night out. The restaurant has an excellent reputation, being a stone's throw from London Bridge station, so is ideally situated for both locals, commuters and tourists.

Guiseppe's is a well-known London landmark (as the reviews on Trip Advisor will confirm), famous for it's good, homemade Italian food and it would be sorely missed if it were to shut.

We would have no hesitation in recommending Guiseppe and his restaurant.

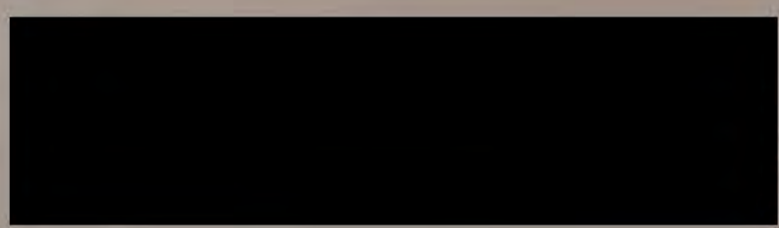
[Redacted signature]

I have known Giuseppe Rossi for over 40 years. His restaurant is family run and provides excellent value for money. The food is delicious and the ambience is second to none. Giuseppe always makes his clients feel very special and valued. This is not an act it is very genuine. The restaurant is a little gem in Borough and I would recommend it unreservedly. This is all down to the hard work and dedication of Giuseppe and his family.



(retired headteacher)

I have known Giuseppe Rossi and his family for over 40 years and have had the pleasure of eating in his restaurant on many occasions. It is a family run restaurant and I have always found the atmosphere and ambience are the reasons why it is such a special restaurant to visit (as well as the quality and value of the meals). Giuseppe is a genuine host and will always spend time with his customers to make them feel special and I would recommend his restaurant to anyone.



(previously a district councillor for the Borough of Broxbourne).

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
7<sup>th</sup> July 2022

To whomsoever it might concern

Dear Sirs

I want to make clear that my wife and I have patronised the restaurant “Giuseppe’s” on a number of occasions and have always found it a very safe and comforting place to pass an evening. Never has there been even a hint of trouble – all the clientele like ourselves being there purely to enjoy a first class meal accompanied with the usual modicum of alcoholic refreshment.

I wish the management well in the continuation of a first-class business

Yours faithfully

[REDACTED]  
Retired Bank Manager

## Fwd: Guispee's Restaurant

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From [REDACTED]

To [REDACTED]

Date Thursday, July 7th, 2022 at 21:01

---

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

Subject: Fwd: Guispee's Restaurant

Date: 2022-07-07 19:58

From: [REDACTED]

Sent from my iPhone

Begin forwarded message:

> From: [REDACTED]

> Date: 7 July 2022 at 19:51:06 BST

> To: [REDACTED]

> Subject: Guispee's Restaurant

> To whom it may concern

> I have visited the above restaurant on many occasions over the past  
> ten years and have enjoyed many enjoyable nights in the restaurant ,  
> Gusipee and his staff provide a very welcoming and secure atmosphere  
> at all times. I held my 60th birthday celebrations in February and  
> could not have wished for a more enjoyable time . [REDACTED]

> Sent from my iPhone

## Fwd: Character Reference

---

From [REDACTED]

To [REDACTED]

Date Thursday, July 7th, 2022 at 21:05

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Forwarded message

From: [REDACTED]

Date: Thu, Jul 7, 2022 at 7:59 PM

Subject: Character Reference

To: <[REDACTED]>

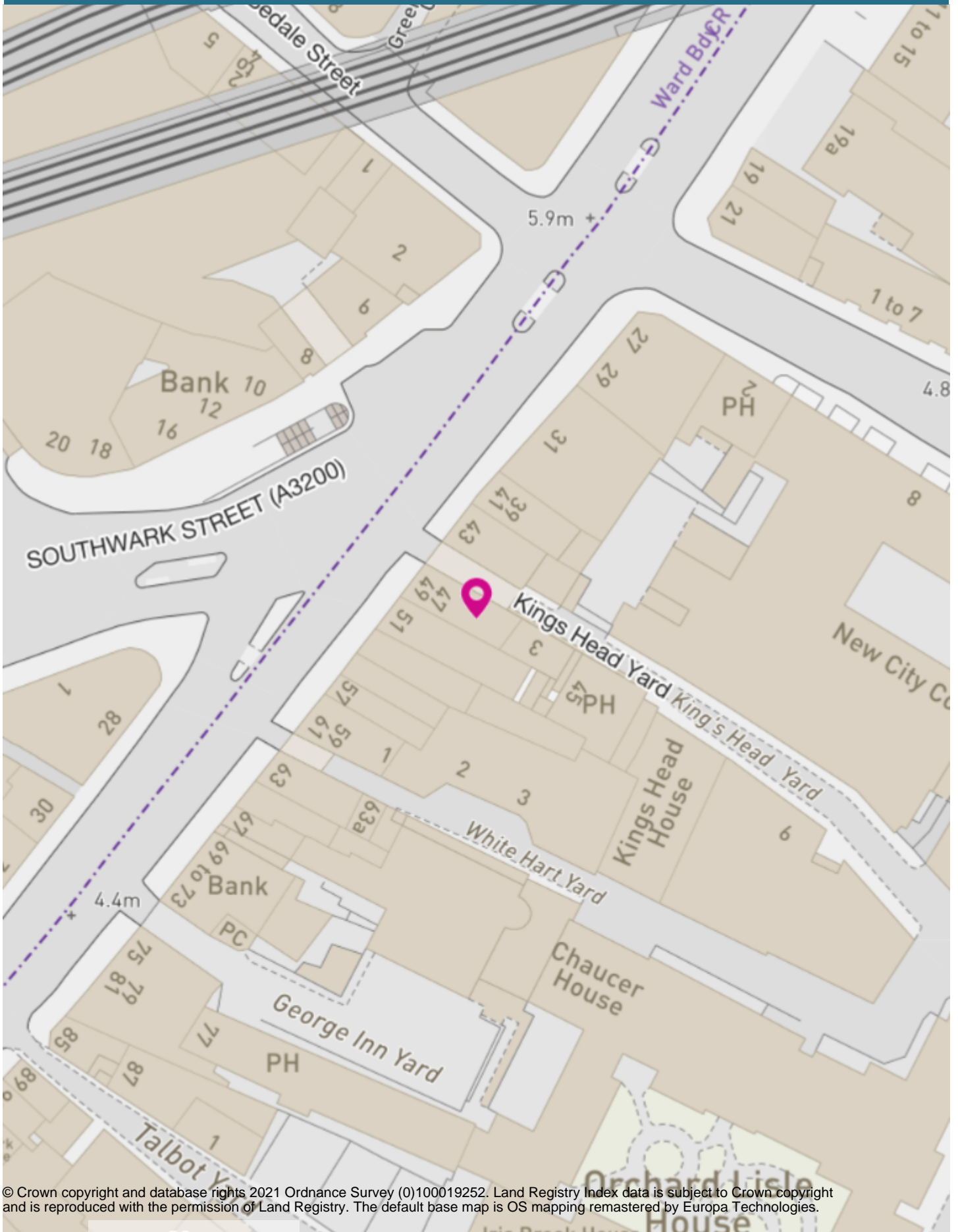
[REDACTED] have known Giuseppe Rossi since 1980 having worked with him at this time in The city, London across the years, and also having been business partner with him at "The Guild" restaurant and winebar.

I can vouch that Giuseppe is a responsible and professional caterer through and through, and has had a long history of catering experience in various venues both of his own, and working for others, without ever having any problems or issues in his work with the public in over 40 years of knowing him.

I am happy to vouch for Giuseppe as a character reference with this letter, as is my son Robert Perin who has also known him since he was a boy.

Kind Regards,  
[REDACTED]

# APPENDIX F



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<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 2 August 2022	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report title:</b>		Licensing Act 2003 – Southbank Nightclub t/a/ La Estacion – 57-59 Camberwell Road, London, SE5 0EZ	
<b>Ward(s) or groups affected:</b>		Faraday	
<b>From:</b>		Strategic Director of Environment and Leisure	

## RECOMMENDATION

1. That the licensing sub-committee considers an application submitted by Azaria Quin under Section 51 of the Licensing Act 2003 (the Act) for the review of the premises licence held by Uwa Enri Julius, in respect of the premises known as Southbank Nightclub t/a/ La Estacion – 57-59 Camberwell Road, London, SE5 0EZ.
2. Notes:
  - a) The grounds for the review are stated in paragraphs 12 to 14 of this report. A copy of the premises licence review application is attached as Appendix A.
  - b) The review application is supported by representations submitted by Responsible Authorities in Appendix B and by other persons in Appendix C and D. Details of the representations are provided in paragraphs 15 to 20.
  - c) A copy of the current premises licence issued in respect of the premises is attached to this report as Appendix E. A map of the area that the premises are located in is attached as Appendix G.
  - 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 applications 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. 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.
8. The premises licence once issued remains valid for the life of the business unless surrendered or revoked. However, under section 51 of the Act it remains open to any Responsible Authority or other person to apply to the local Licensing Authority for a review of the premises licence where there are ongoing concerns regarding one or more of the four stated licensing objectives.

## KEY ISSUES FOR CONSIDERATION

### The premises licence

9. The premises licence allows the provision of licensable activities as follows:
- The sale of alcohol to be consumed on the premises -
    - Sunday to Wednesday 10:00 to 00:00
    - Thursday 10:00 to 02:30
    - Friday and Saturday 10:00 to 04:30
  - The provision of late night refreshment (indoors and outdoors) -
    - Sunday to Wednesday 23:00 to 00:00
    - Thursday 23:00 to 02:30
    - Friday and Saturday 23:00 to 04:30
  - The provision of regulated entertainment in the form of films, live music, recorded music, performances of dance and anything similar(indoors) -
    - Sunday to Wednesday 10:00 to 00:00
    - Thursday 10:00 to 02:30
    - Friday and Saturday 10:00 to 04:30
  - Opening Hours
    - Sunday to Wednesday 10:00 to 00:30
    - Thursday 10:00 to 03:00
    - Friday and Saturday 10:00 to 05:00

10. The licence is subject to the mandatory conditions set down under the Act and further conditions consistent with the operating schedule submitted with the application for the licence. A copy of the full premises licence is attached as Appendix E.

### **Designated premises supervisor (DPS)**

11. The current Designated Premises Supervisor (DPS) named on the licence is Uwa Enri Julius, who holds a personal licence with Lewisham and is also the premises licence holder.

### **The review application**

12. On 28 May 2022, an application was submitted by Azaria Quin under Section 51 of the Licensing Act 2003, for the review of the premises known as Southbank Nightclub t/a/ La Estacion – 57-59 Camberwell Road, London, SE5 0EZ.
13. The review application was submitted in respect of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm licensing objectives and in summary states that the following has been witnessed and / or taken place at the premises:
- Excessive noise from patrons and loud music;
  - Antisocial behaviour including fights on the street outside;
  - Feeling unsafe in the immediate vicinity;
  - Detritus left by patrons;
  - The length of hours currently granted to the premises;
  - The proximity to local residents.
14. Full details of the grounds for the review are provided within review the application. A copy of the review application is attached as Appendix A.

### **Representations from Responsible Authorities**

15. There are supporting representations submitted in relation to the review application by the Metropolitan Police, Environmental Protection and the Licensing Authority in their roles as Responsible Authorities.
16. The representation from the Police is made under the licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance. It evidences disturbance incidents that have arisen at the premises and a breach of COVID Regulations. This representation is available in Appendix B.
17. The representation from Environmental Protection in relation to the public nuisance aspect of the application. Complaints have been made to the Southwark Noise Team, but it is stated that the level of noise complained about did not constitute a public nuisance.
18. The Licensing Authority's representation is made in support of the review under the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance; and draws attention to a history of complaints emanating from the premises and a number of licence breaches. The representation refers to supporting

information which was not available at the point this report was written. This representation is available in Appendix B.

### Representations from Other Persons

19. Eight supporting representations have been received from other residents in the vicinity, citing excessive noise from patrons and music, crowds of patrons on the street causing antisocial behaviour and spreading into neighbouring streets, drunken behaviour, public urination, breaches of licence conditions and the subsequent impact on local families and their properties. The representation is attached as Appendix C.
20. There are four representations in support of the premises licence holder. They state that the premises is being run properly. Members may wish to consider the validity of these representations as they may be borderline in validity as they fail to address one or more of the four licensing objectives. The representations are available in Appendix D.

### Operating History

21. The premises was originally licensed under the previous Justices' system from March 2006, initially to Knightriders Entertainment Limited. The licence covered the ground floor and basement. In September 2013, it was transferred to Edo Entertainments Limited.
22. On 14 July 2014, Enri Julies (the current premises licence holder and DPS) applied for a new premises licence for the basement only, to change the premises into a nightclub and to use the basement only. The application received representations from Responsible Authorities and local residents and was hearing by the Licensing Sub Committee on 08 September 2014. A copy of the Notice of Decision is included for Members information in Appendix F.
23. Mr Uwa Enri Julius (the premises licence holder) became the DPS as of May 2015.
24. A local resident initiated a review of the premises licence on 29 May 2022. This was withdrawn a week later on 01 June 2022.
25. On 08 June 2022 On 31 January 2022, an application was submitted by Azaria Quin for the review of the premises licence.
26. There is no recent history of temporary events notices for the premises.
27. The following is a table of most recent complaints regarding the premises, received by the Licensing Authority, over the past 12 months:

<b>Date</b>	<b>Complainant</b>	<b>Complaint</b>	<b>Outcome</b>
05/07/2021	Local Resident	Complaint of noise on egress of patrons at 05:00hrs with no attempt from security to control.	Written warning to premises
27/09/2021	Local Resident	Excess noise from premises including music and noise from patrons.	Verbal advice to premises from EO

29/11/2021	Local Resident via Noise Team	Complaint of loud music.	Visit from Noise Team, no action taken.
28/03/2022	Local Resident	Excess noise from premises including music and noise from patrons.	Response to Complainant, referred to NTE.

### The local area

28. A map of the local area is attached as Appendix G. There are the following licensed premises in the immediate vicinity (100m):

- **Emukay Restaurant – 91 Camberwell Road, SE5 1EZ**, licenced for:
  - The sale by retail of alcohol (on and off sales)
    - Monday to Sunday 10:00 to 02:30 (the following day)
  - The provision of late night refreshment (indoors)
    - Monday to Sunday 23:00 to 03:00 (the following day)
  - The provision of regulated entertainment in the form of performances of dance, live music, recorded music and anything similar (indoors)
    - Monday to Sunday 20:00 to 02:30 (the following day)
  
- **Red Sea – 85 Camberwell Road, SE5 0EZ**, licensed for:
  - The sale by retail of alcohol (both on and off sales)
    - Sunday to Thursday 12:00 to 23:00
    - Friday 12:00 to 00:00 (midnight)
    - Saturday 12:00 to 02:00 (the following day)
  - The provision of late night refreshment (indoors)
    - Friday 23:00 to 00:00 (midnight)
    - Saturday 23:00 to 02:00 (the following day)
  
- **Legacy Restaurant – 53 Camberwell Road SE5 0EZ**, licenced for:
  - The sale by retail of alcohol (on sales only)
    - Monday to Thursday 10:00 to 00:30 (the following day)
    - Friday to Sunday 10:00 to 02:30 (the following day)
  - The provision of late night refreshment (indoors)
    - Monday to Thursday 23:00 to 00:30 (the following day)
    - Friday to Sunday 23:00 to 02:30 (the following day)
  - The provision of regulated entertainment in the form of performances of dance, live music and recorded music (indoors)
    - Monday to Thursday 18:00 to 00:30 (the following day)
    - Friday to Sunday 18:00 to 02:30 (the following day)
  
- **Abokobi Ghanaian Restaurant – 33 Camberwell Road, SE5 0EZ**, licensed for:
  - The sale by retail of alcohol (both on and off sales)
    - Monday to Sunday 12:00 to 23:30
  - The provision of late night refreshment (indoors)
    - Monday to Sunday 23:00 to 23:30

- **Dallas Chicken and Ribs – 30 Camberwell Road, SE5 0EN**, licensed for:  
The provision of late night refreshment (indoors)
  - Monday to Sunday 23:00 to 01:00 (the following day)
- **Astra Newsagents – 22 Camberwell Road, SE5 0EN**, licensed for:  
The sale by retail of alcohol (off sales only)
  - Monday to Sunday 06:00 to 22:00
- **Costcutter Supermarket – 25 Camberwell Road, SE5 0EZ**, licensed for:  
The sale by retail of alcohol (off sales only)
  - Monday to Sunday 24hours-a-day

### **Southwark Council Statement of Licensing Policy**

29. Council assembly approved Southwark's statement of licensing policy 2021-2026 received assent on 25 November 2020 and came into effect on 1 January 2021. 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 – Which 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 - Which 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 – Which 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 – Which 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 – Which provides general guidance on the promotion of the first licensing objective
  - Section 9 – Public Safety – Which provides general guidance on the promotion of the second licensing objective
  - Section 10 – The Prevention of Nuisance – Which provides general guidance on the promotion of the third licensing objective
  - Section 11 – The Protection of Children from Harm – Which provides general guidance on the promotion of the fourth licensing objective.
30. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining

applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

### **Cumulative Impact Area (CIA)**

31. Within Southwark's Statement of Licensing Policy, the premises is outside of a Cumulative Impact Policy Area and in a residential area. Under the Southwark Statement of Licensing policy 2016 - 2020 the following closing times are recommended as appropriate within this area for this categories of premises indicated:

- Closing time for restaurants and cafes is 23:00hrs daily;
- Closing time for public houses is 23:00hrs daily;
- Closing time for Night Clubs (with 'sui generis' planning classification) are not considered appropriate for this area

### **Climate Change Implications**

32. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.

33. Climate change is not a legal factor in the consideration of a grant of a premises license under the current licensing objectives, however members can make enquiries and request an agreement from applicants to promote the reduction of the impact of climate change that may be caused by the operation of the premises.

34. Examples of such an undertaking may be:

- Not use single use plastics, such as disposable plastic glasses, when selling alcohol at the premises.
- Encourage patrons not to drive to venues by providing details of public transport on their webpages/tickets.

35. The council's climate change strategy is available:

<https://www.southwark.gov.uk/assets/attach/48607/Climate-Change-Strategy-July-2021-.pdf>

### **Community, equalities (including socio-economic) and health impacts**

#### **Community impact statement**

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

#### **Equalities (including socio-economic) impact statement**

37. This report does not result in a policy decision and each application is required to be considered upon its own individual merits with all relevant matters taken into account. In considering the recommendations of this report, due regard must be given to the public sector equality duty set out in section 149 of the Equality Act

2010. This requires the Council to consider all individuals when carrying out its functions.

38. Importantly, the Council must have due regard to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct; advance equality of opportunity and foster good relations between people with protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The public sector equality duty also applies to marriage and civil partnership, but only in relation to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct.
39. The equalities impact statement for licensing decisions is contained within the Southwark Statement of Licensing Policy 2021 – 2026 <https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>.

### **Health impact statement**

40. Health impacts cannot be considered by law when making decisions under the Licensing Act 2003.

### **Resource implications**

41. There is no fee associated with this type of application.

### **Consultations**

42. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003.

### **Community impact statement**

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

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law & Governance**

44. The sub-committee is asked to determine, under Section 51 of the Licensing Act 2003, following an application, made under Section 51 of the same act, for a review of premises licence. At any stage, following the grant of a premises licence, a responsible authority or any other person may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
45. The principles, which sub-committee members must apply, are set out below.

### **Principles for making the determination**

46. Under s.52 the licensing authority must hold a hearing to determine the review and any relevant representations.



47. 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.

48. 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 licence for a period not exceeding three months
- Revoke the licence.

49. For the purpose of determining a relevant representation under section 52 of the Act a “relevant representation” means representations which:

- Are relevant to one or more of the licensing objectives
- Are made by the holder of the premises licence, a responsible authority or an other person within the prescribed period
- Have not been withdrawn
- If made by another person (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority frivolous or vexatious.

50. Modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months.

51. The authority may decide that no action is necessary if it finds that the review does not require it to take any steps appropriate to promote the licensing objectives.

52. 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.

53. 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**

54. Where the authority determines an application for review it must notify the determination and reasons why for making it to:

- The holder of the licence

- The applicant
- Any person who made relevant representations
- The chief officer of police for the area (or each police area) in which the premises are situated.

### **Hearing procedures**

55. 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.

56. This matter relates to the review of the premises licence under section 51 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**

57. 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.

58. 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.
59. 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.
60. 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.
61. 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.
62. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities.
63. 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.
64. 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**

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

## Strategic Director of Finance & Governance

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

### BACKGROUND DOCUMENTS

Background papers	Held At	Contact
Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	Southwark Licensing, C/o Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH	Kirty Read Phone number: 020 7525 5748

### APPENDICES

No.	Title
Appendix A	Copy of the review application and supporting documentation
Appendix B	Representation from Responsible Authorities
Appendix C	Representations from Other Person supporting the review
Appendix D	Representations from Other Person supporting the PLH
Appendix E	Copy of the current premises licence
Appendix F	Copy of Decision Notice from 08 September 2014
Appendix G	Map of local area

### AUDIT TRAIL

<b>Lead Officer</b>	Caroline Bruce, Strategic Director of Environment and Leisure	
<b>Report Author</b>	Andrew Heron, Principal Licensing Officer	
<b>Version</b>	FINAL	
<b>Dated</b>	21 July 2022	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
Date final report sent to Constitutional Team	21 July 2022	

## APPENDIX A

01/06/2022

Application for a review of a premises licence or club premises certificate under the Licensing Act  
Ref No. 1851645

Please enter the name of applicant who is applying for the review of a premises licence under section 51/  
applying for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the  
premises described in part 1

	Azaria Quin
--	-------------

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Please submit the completed form to along with the payment either by cheque or postal order made payable to London Borough of Southwark and dispatch to the following address below.

Environment and Social Regeneration  
Regulatory Services – Licensing Team  
160 Tooley Street  
3rd Floor Hub 1  
PO Box 64529  
London  
SE1P 5LX  
E-mail: [licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)  
Tel 020 7525 4261

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

Address Line 1	57-59 CAMBERWELL ROAD
Address Line 2	
Town	LONDON
County	
Post code	SE5 0EZ
Ordnance survey map reference or description	

Name of premises licence holder or club holding club premises certificate (if known)

--	--

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

--	--

I am

	1) an individual, body or business which is not a responsible authority (please read guidance note 1)
--	---

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.

Personal Details

Title	Mrs
If other, please specify	
Surname	Quin (nee Murray)
Forenames	Azaria
I am 18 years old or over	Yes

Current Address

Address Line 1	████████████████████
Address Line 2	
Town	██████
County	
Post code	██████

Contact Details

Daytime contact telephone number	██████████
E-mail address (optional)	████████████████████

Would you like to add a second applicant?

	No
--	----

This application to review relates to the following licensing objective(s)

	Please select one or more as appropriate
	<ul style="list-style-type: none"> <li>1) the prevention of crime and disorder</li> <li>2) public safety</li> <li>3) the prevention of public nuisance</li> </ul>

Please state the ground(s) for review (please read guidance note 2)

	<p>continued noise on weekends not only in our places of home but on Walworth Road                  The noise has become so unbearable that I often have to move out on weekend nights as I cannot sleep through it                  The noise has prevented me from renting my flat for market rate                  The presence of the nightclub has prevented me from selling my flat to a buyer that requires a mortgage, as lenders now do not want to take the risk of lending above a nightclub (the reason we want to sell is due to the nightclub)                  Antisocial behaviour including fights breaking out in the street most weekends                  As a young female, I feel very unsafe to attempt to stop said antisocial behaviour and fights                  We wake up to find smashed bottles, litter, defecation on our entrance way on most weekends                  There is a safety threat on our cars which are parked outside - we frequently see smashed wing mirrors and windscreens which we assume is a result of drink-driving from club-goers                  There is often rubbish dumped in the entrance alleyway                  The nightclub hugely affects our community - the quality of our living, ability to sleep</p>
--	---

Please provide as much information as possible to support the application (please read guidance note 3)

	<p>I would like to emphasis the distress, increase in crime, loss in earnings and future earnings and impact on mental health that this ongoing issue has caused. The issue is not with the length of the license per say but the nightclub license itself. Therefore, I do not think the issues will be resolved by changing the licence to stop at 3am rather than 5am for example. I would like the licence to be revoked in its entirety.</p>
--	---

Notes for Guidance

2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.

Have you made an application for review relating to this premises before?

	No
--	----

If yes, please state the date of the application

--	--

If you have made representations before relating to these premises please state what they were and when you made them

	<p>Multiple calls to the noise compliants team - often with no answer from them                  Escalation to local MPs                  Discussions with the nightclub owner</p>
--	--

Checklist

	I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate. I understand that if I do not comply with the above requirements my application will be rejected.
--	--

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 CONVICTION TO A FINE OF ANY AMOUNT

Declaration (please read guidance note 5)

Applicant Full Name	Azaria Quin
Applicant or Applicant's solicitor or other duly authorised agent	
Date	01/06/2022
Capacity	resident

Notes for guidance

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

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Full name	Azaria Quin
-----------	-------------

Address (please read guidance note 6)

Address Line 1	[REDACTED]
Address Line 2	[REDACTED]
Town	[REDACTED]
County	[REDACTED]
Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]
Email	a[REDACTED]

Notes for Guidance

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



**From:** azaria murray [REDACTED]  
**Sent:** Monday, July 11, 2022 9:48 AM  
**To:** Heron, Andrew <Andrew.Heron@southwark.gov.uk>  
**Subject:** Re: Premises Licence Review

Dear Mr Heron

Thank you for the update.

Just to explain, I am in frequent contact with Enri the nightclub owner to check the days that the nightclub is on (as unfortunately we try to move out on those nights and stay elsewhere). Copies of communication attached for reference and full transparency.

Would other residents be able to join the hearing on 2nd august?

Please may I clarify - are the three Responsible Authorities, namely the Police, Licensing and Environmental Protection, supporting the application to revoke the licence or supporting the continuation of the licence and club?

Lastly please find attached evidence of drug use occurring behind the nightclub after it was on this Saturday night.

Look forward to speaking at the hearing.

Best regards  
Azaria



09:44



Connecting...

[Missed voice call at 20:16](#)

Henry Nightclub turned on disappearing messages. All new messages will disappear from this chat 24 hours after they're sent. Tap to change

You turned off disappearing messages. Tap to change

Thu 30 Jun

Hey Enri! Is the nightclub on both days this weekend? 12:23 ✓✓

Friday

Hello Enri - just checking if the club is both nights this weekend? 18:08 ✓✓

Henry Nightclub turned on disappearing messages. All new messages will disappear from this chat 90 days after they're sent. Tap to change

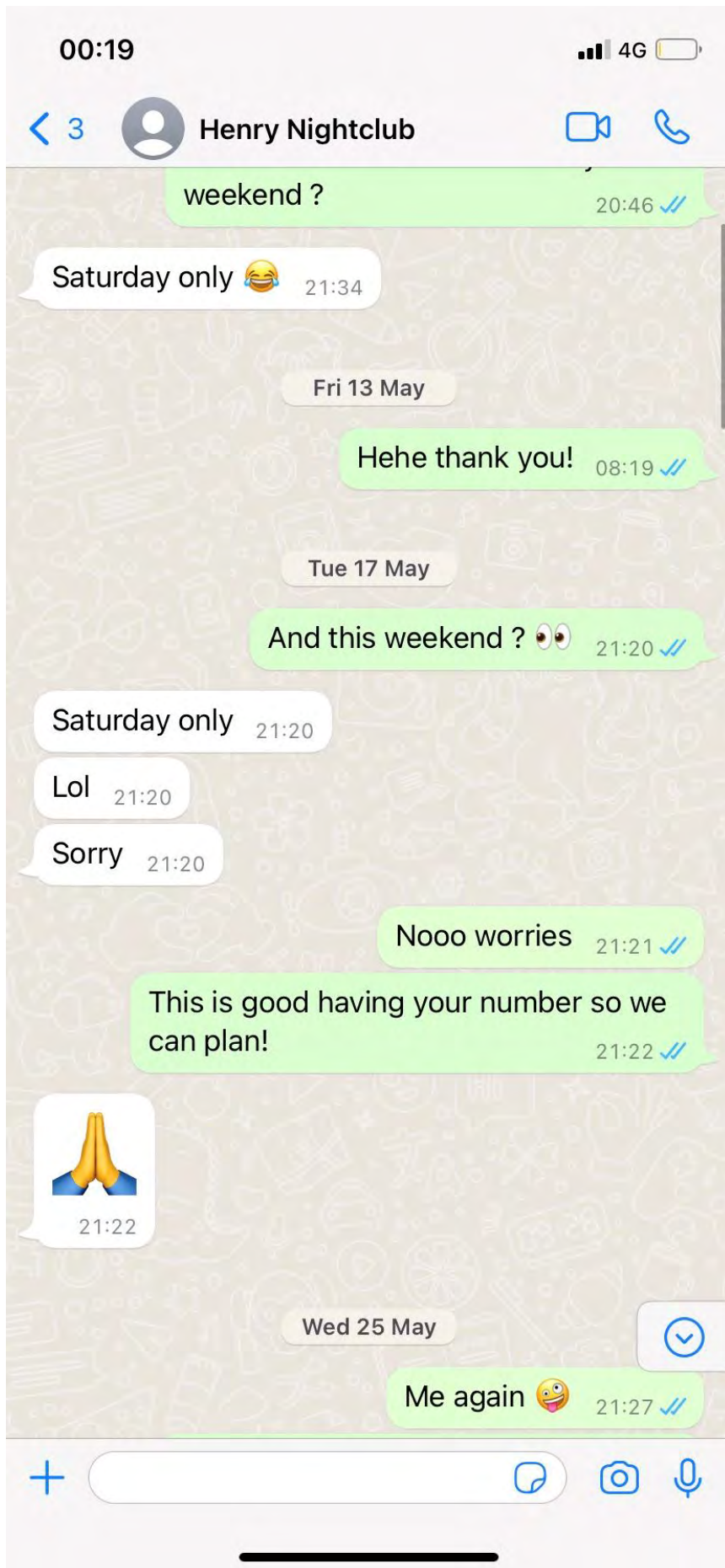
**You**  
Hello Enri - just checking if the club is both nights this weekend?  
Sorry only Saturday 18:18

Thank you!! 18:27 ✓✓



Message input field





00:19

4G

< 3



Henry Nightclub



21:22

Wed 25 May

Me again 😁 21:27 ✓✓

Friday and sat this weekend ? 21:27 ✓✓

lol 😂 Saturday 21:29

Only 21:29

Bank holiday am doing 3 nights sorry 21:30

Ok no probs ! 21:30 ✓✓

Thanks for letting us know 21:30 ✓✓

And still let me know if you wanna buy the flat ! 21:31 ✓✓

When are you coming again with your beautiful friend? 21:31

You

And still let me know if you wanna buy the flat !

Deffo 21:31



[Message input field]





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

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

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

**Our reference:** MD/21/106/22

**Date:** 6<sup>th</sup> July 2022

Dear Sir/Madam

**Re:- 57-59 Camberwell Road, London SE5 0EZ**

Police are in possession of an application for a review of the above premises licence in relation to the following licensing objectives.

The prevention of crime and disorder, public safety, the prevention of public nuisance

The application provides details of the concerns they have with regard to the operation of the premises, the continued noise and nuisance disturbance caused by patrons most weekends and allegations of potential crime and disorder associated with the premises.

The police have the following comment to make in relation to this application to review the premises licence.

I have carried out searches on the police intelligence and recording systems and found the following in the last three years.

An inspection was carried out on the 12<sup>th</sup> June 2022 and as a result the premises was issued with a notification of offences (see attached) for breaches of the premises licence.

In May 2021 a complaint was received from a local resident, I am unaware if it is the same resident that has submitted the review. The complaint is about fighting in the street, shouting and crowds of people causing disturbances.

On the 18<sup>th</sup> September 2020 police officers attended the premises and found that the premises was operating in breach of the Covid regulations in force at the time.  
(Statement attached)

Two crime reports for Common Assault have been reported associated with people either at or outside the premises. The first in June 2020 and the second in January 2022.

I found a number of calls and incidents in the locality of the premises but could not directly link them to the operation of 57-59 Camberwell Road as a number of premises operate in the area.

This is submitted for the information of the licensing subcommittee.

The Following is submitted for your consideration.

Yours Sincerely

**PC Graham White 2288AS**

Southwark Police Licensing Unit

Tel: 0207 232 6756

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

**Statement of** Mark Lynch Pc 2246AS ..... URN: 

--	--	--	--

Age if under 18 Over 18 ..... (if over 18 insert 'over 18') Occupation: Police Officer .....

This statement (consisting of: ..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: ..... Date: 24/09/2020.....

Tick if witness evidence is visually recorded  (supply witness details on rear)

On Friday 18<sup>th</sup> September 2020 I was on duty in plain clothes in the company of Pc Ducker 2494AS, we are attached to the Night Time Economy team and my duties were to visit licensed premises to ensure that they are complying with their premises licence and current Health Protection Regulations 2020. At 0103hrs we visited a venue by the name of SOUTHBANK nightclub 57-59 Basement Camberwell Road SE5 0EZ, as we entered the venue and walked down the stairs there was loud amplified music coming from the basement, on reaching the bottom and walking into the club area there were at least 2 people dancing on a dance floor area and there were also flashing coloured lights and a DJ operating from a small booth area. We walked through the venue and noted groups of males and females sat together and some tables were intermingling. We requested to speak to the manager and were joined by [REDACTED], we attempted to speak to him however the music level was so high that we had to shout so we asked him to join us outside. We all went outside and we informed [REDACTED] that he cannot operate as a nightclub due to current covid legislation and that even if operating as a pub or bar there are restrictions as to amplified music and social distancing to which he stated he understood, he was advised that he cannot operate as a night club and that if he continued to do so he would be issued with a prohibition notice. [REDACTED] took on board the advice and we left the venue.

Signature: ..... Signature witnessed by: .....



**Witness contact details**

Home address: .....  
..... Postcode: .....  
Home telephone number ..... Work telephone number .....  
Mobile/pager number ..... Email address: .....  
Preferred means of contact: .....  
Male / Female (delete as applicable) Date and place of birth: .....  
Former name: ..... Ethnicity Code (16+1): ..... Religion/belief: .....

**Dates of witness non-availability** .....  
.....

**Witness care**

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?  
Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

**Witness Consent (for witness completion)**

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes  No
- b) I have been given the Victim Personal Statement leaflet Yes  No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes  No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes  No  N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes  No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: ..... Print name: .....  
Signature of parent/guardian/appropriate adult: ..... Print name: .....  
Address and telephone number if different from above: .....

Statement taken by (print name): ..... Station: .....

Time and place statement taken: .....



**METROPOLITAN  
POLICE**

0207 232 6756

Book 694

Police Copy

# Notification of alleged offences under the Licensing Act 2003

Venue Name: ESTACION (SOUTH BANK NIGHTCLUB) REF: (CAD/CRIS etc.) \_\_\_\_\_

Address: 57-59 CARBONATE ROAD \_\_\_\_\_

Date: 120822 Time: 0100

Details of person in charge at the relevant time: \_\_\_\_\_

DPS  Personal Licence Holder

### Summary of alleged offences identified

- Section 57(4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence.
- Section 57 (7) Failure to produce a premises licence or a certified copy. ✓
- Section 109 (4) Failure to secure that a copy of the Temporary Event Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an appropriate person.
- Section 109 (8) Failure to produce a TEN to a police officer.
- Section 135 (4) Failure to produce a personal licence to a police officer.
- Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec19 issued Y  No )
- Section 137 (1) Exposing alcohol for retail without an authorisation. (Sec19 issued Y  No )
- Section 138 (1) Keeping alcohol on a premises for an unauthorised sale. (Sec19 issued Y  No )
- Section 140 (1) Knowingly allowing disorderly conduct on a licensed premises.
- Section 141 (1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- Section 144 (1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on premises.
- Section 145 (1) Allowing an unaccompanied child on a premises (used primarily or exclusively for the sale of alcohol).
- Section 146 (1) Selling alcohol to an individual aged under 18.
- Section 147 (1) Knowingly allowing the sale of alcohol to an individual under 18.
- Section 153 (1) knowingly allowing an individual under 18 to make a an unsupervised sale of alcohol.
- Section 179 (4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

Details of alleged offence(s) including relevant Cad and Crime report details:

286-289-353 - CCTV NOT RECORDING.

311 - NO STAFF TRAINING RECORDS.

361 - NO SIGAUS -

367 - NO CHALLENGE 25 ASKS.

Issuing officer: \_\_\_\_\_ Print: \_\_\_\_\_

I acknowledge receipt of this form: (venue) \_\_\_\_\_

The purpose of this notice is to inform you that the failure to comply with the Licensing Act 2003 may result in the police initiating criminal proceedings against the DPS, premises licence holder, or both. This notice may also be used in evidence to support a review of the premises licence pursuant to section 51 Licensing Act 2003 and/or an application for a closure order under section 20 Criminal Justice and Police Act 2001



level of noise was not considered a nuisance. They also suggested that perhaps the sound insulation can be improved.

Based on the file notes, EPRA cannot deduce that the venue is causing a public nuisance

Kind regards

Ken

Ken Andrews - Principal Environmental Health Officer

# MEMO: Licensing Unit

---

**To** Licensing Unit                      **Date** 6 July 2022  
**From** Jayne Tear                      **Telephone** 020 7525 0396  
**Email** [jayne.tear@southwark.gov.uk](mailto:jayne.tear@southwark.gov.uk)

---

**Subject** Re Southbank Nightclub (t/a La Estacion), 57-59 Camberwell Road,  
London, SE5 0EZ - Application to review the premises licence

I write with regards to the above application to review the premises licence submitted by an Other Person under the Licensing Act 2003.

The application is submitted under the prevention of public nuisance; the prevention of crime and disorder and public safety and the grounds for the review are concerned with:

*'Continued noise on weekends not only in our places of home but on Walworth Road. The noise has become so unbearable that I often have to move out on weekend nights as I cannot sleep through it. The noise has prevented me from renting my flat for market rate. The presence of the nightclub has prevented me from selling my flat to a buyer that requires a mortgage, as lenders now do not want to take the risk of lending above a nightclub (the reason we want to sell is due to the nightclub) Antisocial behaviour including fights breaking out in the street most weekends. As a young female, I feel very unsafe to attempt to stop said antisocial behaviour and fights. We wake up to find smashed bottles, litter, defecation on our entrance way on most weekends. There is a safety threat on our cars which are parked outside - we frequently see smashed wing mirrors and windscreens which we assume is a result of drink-driving from club-goers. There is often rubbish dumped in the entrance alleyway. The nightclub hugely affects our community - the quality of our living, ability to sleep. I would like to emphasis the distress, increase in crime, loss in earnings and future earnings and impact on mental health that this ongoing issue has caused. The issue is not with the length of the license per say but the nightclub license itself. Therefore, I do not think the issues will be resolved by changing the licence to stop at 3am rather than 5am for example. I would like the licence to be revoked in its entirety.'*

My representation is concerned with 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.

There have been numerous complaints to the council regarding noise and antisocial behaviour from the patrons of the premises. Furthermore officers working on the Night Time Economy Team (NTET) have witnessed breaches of the premises licence conditions. Licensing officers are currently investigating recent complaints received and I shall provide further information regarding the complaints at a later stage.

In spite of the management of the premises being given advice and warnings from council officers and the police it would appear that the premises have not rectified these issues.

I therefore submit this representation in full support of the applicant as I have no confidence that the management of the premises are promoting any of the licensing objectives.

I will provide further supporting information to this representation at a later stage.

Jayne Tear

Principal Licensing Officer

In the capacity of the Licensing Authority as a Responsible Authority

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# OTHER PERSONS SUPPORTING APPLICANT OTHER PERSON A

**From:** [REDACTED]  
**Sent:** Tuesday, July 5, 2022 6:18 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Support for licence review: Southbank Nightclub

## APPENDIX C

Dear Sir/madam,

I wish to submit representation for the revocation of the licence for Southbank nightclub. My partner lives in a flat above the nightclub, and I often stay over, including at weekends. On Saturday nights this results in me not being able to sleep, due to the noise and vibrations that emanate throughout the flat. My partner has called the noise complaints team multiple times, to no avail. Furthermore, the area around the entrance to the flats is often very dirty on a Sunday morning (when the nightclub has been in operation on a Saturday night), with broken glass bottles, red plastic cups and at times, urine and faeces in the area. Lastly, when returning to the building on a couple of occasions on Saturday night it feels quite unsafe and I have been harassed verbally by people drinking on the streets around the building before they enter the club.

I think that the loud music late into the night is a massive nuisance to myself, partner and many others in the building, despite speaking to the owner and calling the noise team. It feels quite unsafe, and as described above, sometimes dangerous. I am in full support for revocation of the licence on the grounds of causing a public nuisance and safety in the area, promoting antisocial behaviour.

If you need any more information, please do let me know.

Kind regards,

[REDACTED]  
[REDACTED]

**OTHER PERSON B**

From: [REDACTED]  
 Sent: Wednesday, June 29, 2022 3:49 PM  
 To: Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
 Subject: License Review - Southbank nightclub 57-59 Camberwell Road SE5 0EZ

Dear Sirs,

License review for Southbank nightclub, 57-59 Camberwell Road, SE5 0EZ  
 Licence Number: 877673

My husband and I would like to register our representation for the review of the license for Southbank nightclub 57-59 Camberwell Road SE5 0EZ. The basis for our representation is that these premises do not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

The nightclub lies within a heavily residential area, and enabling the premises to operate would be detrimental to its aims and objectives. Crime, disorder and public nuisance in this area have already reached problem levels for the local police.

Like ourselves many residents in this area already suffer noise nuisance and antisocial behaviour, especially on Friday and Saturday nights, due to licenses granted to a number of restaurants and clubs operating until the early hours at a time when most respectable local residents are in bed and trying to sleep. We live in a very busy residential area with young families, children and older people. Families for all ages live here and many have young children who need to have established sleep patterns, uninterrupted by noise in the small hours, regardless of days of the week, not just school days.

As a result of the late opening hours we have experienced the following anti-social behaviour:

- Increase in the number incidents of anti-social behaviour such as swearing and shouting on the street until the early hours, fighting and aggression, loitering, urination and defecation in the street and on the pavement in front of Roffo Court residence.
- People lingering on the pavement and in the corners between Red Lion Row, Boyson Road and Boundary Lane after the nightclub closure, playing loud music, shouting and fighting in the middle of the night. The noise has become so unbearable that we often feel very tired over the weekend, not to mention the level of anxiety this has caused us.
- People parking their car on the pavement in front of our flat until the early hours. In the summer we have to sleep with our windows tight shut and heads under our pillows as groups of "customers" returning to their cars tend to linger on the pavement talking loudly amongst themselves or on their mobile phones, arguing, or playing loud music from their car. The nightclub immensely affects our community, the quality of our living, and our ability to sleep.



- Increase in litter left on the pavement and our patio wall, particularly from takeaway wrappers, cigarette butts and empty beer bottles and cans. We believe this has contributed to the increase in the number of rats in the area. Rats have recently caused damage to our internet connection and that of our neighbour. This has caused stress and inconvenience, as we need the internet connection to be able to work from home. Furthermore, we had to pay for a pest controller and a plumber after rats chewed on our toilet pipe and entered the bathroom.

In view of the above, the level of mental stress, financial loss and antisocial behaviour caused by Southbank nightclub we would urge the Licensing Authority to revoke the license in its entirety, as we feel that changing the hours would not solve the issue.

Yours faithfully,

[Redacted signature]

[Redacted address]

**OTHER PERSON C**

**From:** [REDACTED]  
**Sent:** Monday, June 13, 2022 4:55 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Revocation request: Nightclub La Estacion 57-59 Camberwell Road SE5 0EZ

Dear Sir/Madam

I am writing to you in relation to the licence review for the nightclub 'La Estacion' at 57-59 Camberwell Road, SE5. I am pleased to see that a review is going to take place as the nightclub has caused me and the other residents living above or near it numerous problems over the years.

I have resided at [REDACTED] since the summer of 2000. I am not completely certain when the nightclub first opened, but it has taken a variety of forms over the years. To be fair, La Estacion is not the worst incarnation in terms of noise, but that isn't saying a great deal as the music (particularly drumming and bass sounds) keeps me awake at night (usually until well after 3am) when the club is open. Even worse, after the club shuts its doors people congregate outside around the back in Red Lion Row, where there are often screaming matches and drunken arguments long into the night, before the crowd heads off amidst much slamming of car doors. As well as the disturbance caused to sleep we frequently wake up the next morning to find litter, smashed bottles and an unpleasant whiff of urine in the immediate area by our communal entrance (off Boundary Lane). I appreciate there are other nightclubs in the area which may be contributing to these issues, however I don't believe that the customers at La Estacion are devoid of blame.

So, for the reasons expressed above. I would support the revocation of the licence for La Estacion.

kind regards

[REDACTED]  
[REDACTED]

**OTHER PERSON D**

**From:** [REDACTED]  
**Sent:** Thursday, June 9, 2022 3:16 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** REVOCATION REQUEST: Southbank Nightclub t/a La Estacion - 57-59 Camberwell Road London SE5 0EZ

Dear Licensing Team,

Please receive this as my written representation supporting the revocation of the premises licence issued in respect of the Southbank Nightclub t/a La Estacion - 57-59 Camberwell Road London SE50EZ.

My details are:

[REDACTED]

Submitted: 9th June 2022

Actions taken to date:

- I first raised concerns to the Noise & Nuisance - 8th January 2021 - via Martin Talbot Team Leader, Noise & Nuisance Team, Southwark Council. Since then I have continued to raise noise complaints to the same team.
- In total, I have had three visits from the team, the first two of which they would not enter the property due to covid.
- On the third visit, the team attended the street but did not enter the flat as they felt unsafe as they had witnessed fighting in the street - on calling them again they returned as the fight had concluded and they entered the flat. They deemed that the noise was at unacceptable levels but that the issue was beyond their control as the establishment had a licence for music. They advocated that I needed to be raised with noise complaints with the licensing board. NB: the flat is 3 levels above the supposedly-sound proofed nightclub, our flat is double-glazed and our neighbour directly below us has done extensive soundproofing to their own flat. There is not much more we can do or invest in to further sound proof our flat.

As a result of the noise disturbance we now contact Henry, the owner, on a weekly basis to establish if the club is open on Friday and Saturday. If it is open, I leave our flat to stay with family, friends or at a hotel, as the level of noise and the vibrations from the music are beyond sleeping and lead to significant disturbances.

My concerns relate to:

- Violence (as witnessed by the noise team on their visit)
- Repeated drunkenness and anti-social behaviour (including people urinating and defecating in the alleyway off the Boundary Lane which is effectively the entrance to our property)
- The level of noise coming from the queueing crowd, car horns of people trying to park on the one-way Boundary Lane
- The general large crowds around the property at 5am - we frequently have to step around broken glass, vomit puddles and general litter as a result of the drunken behaviour of the patrons of the establishment.
- MOST significantly, the noise generated by the loud music from the nightclub itself.

I see from the application that the licence permits music to be played until 04:30 but the music plays until 05:00 EVERY weekend. I would welcome Henry, the premises owner, and representatives from the council to spend time in our flat when the club is open to witness first-hand the level of disruption caused.

Thank you for taking this all into consideration - I strongly request that you consider the impact it would have on your wellbeing were you having to leave your home every weekend purely for the purpose of getting a normal night's sleep. As a GP I am well placed to inform you of the health implications that chronic sleep deprivation has on peoples' well-being both from a Chronic Metabolic Disease point of view and a Mental Health point of view - it's not sustainable and I worry for the well-being of my neighbours (including a child suffering with ASD) and myself that this premises is having on us all in its current state.

Yours faithfully,

██████████

**OTHER PERSON D  
Part 2**

**From:** [REDACTED]  
**Sent:** Monday, June 13, 2022 9:58 AM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>; Talbot, Martin <[REDACTED]>  
[REDACTED]  
**Subject:** REVOCATION REQUEST: Southbank Nightclub t/a La Estacion - 57-59 Camberwell Road London SE5 0EZ

Dear Licensing Team,

Please see attached the record of my contacts with the noise team as evidence to the content of my revocation request email.

I would just like to highlight a few things mentioned in the report of the last visit:

- Unless the noise officer attending could speak Spanish then they would not be able to identify the lyrics to the music they heard on their last visit.
- Shazam recognises singular tracks officially released for commercial sale and would not be able to identify South/Central American House music being actively mixed by a DJ as was the case (and remains the case) at L'Estacion.
- When mentioning my wife sleeping at the time of the visit; this was with ear plugs in her ears, noise cancelling headphones on and playing white noise to try and block out the music. Unfortunately one still feel the vibrations of the bass through the floor and the bed.
- Would it be possible to provide the noise cancelling team Decibel Meters to use when making their assessments? Shazam is not a validated measure of the volume of music being played. It means they are relying on human reporting, which is hugely subjective.

Many thanks for your continued work on this matter.

[REDACTED]  
[REDACTED]

**OTHER PERSON D SUPPLIMENTARY****From:****Sent:** Monday, July 11, 2022 12:29 PM**To:** Heron, Andrew**Cc:****Subject:** EPT report incorrect - see formal noise team review on 28th Nov 2021

Dear Mr Heron,

Thank you for your efforts in collating the accounts for the licence review.

I strongly contest the summary from the EPT rep that on the 28th Nov 2021 there was "no nuisance noted and the noise was not of a level that would cause an issue as documented in the written summary NOT the table.

Please see attached the formal report on that date which specifically highlights intrusive noise and nuisance.

The team were unwilling to make an assessment initially as there was fighting outside and they felt unsafe. When they returned later they stated the noise levels in the bedroom "would be intrusive if ongoing repeatedly". This happens every weekend so I would deem that repeatable and sometimes up to three times on a w/e for example on a bank holiday (as evidenced by my wife's WhatsApp message thread with the owner).

I would request that Ken who completed the summary for EPT be asked to review and correct his submission. It makes me very concerned that he could have such an oversight that on the one occasion the noise team actually assessed from our bedroom is not taken into account.

Please can you review the attached document and advise me of what action will be taken in regards to this error, it's unacceptable.

I would finish by highlighting that whilst we are labelled as being on the second floor, we are actually three stories above the nightclub as it is in the basement of the building.

Thank you for your time and consideration.

Kind regards,

CMU V8.9.x.0

REPORT PREPARED ON 13/ 6/22 AT 08:37

NAME AND ADDRESS DETAILS

PREMISES REF: E16PB257-5/1                      TRADER:    Southbank nightclub

ADDRESS: 57-59 Camberwell Road  
          London  
          SE5 0EZ

AREA: Borough, Bankside & Walworth  
WARD: Faraday

UPRN/USRN:200003453322  
EASTING:     532435  
NORTHING:    177758

PRINCIPAL USAGE:                    E16    - Night-Club  
PREMISES TYPE:                      P      - Property

ACTION DETAILS

ACTION TYPE:                        A01   - Service Request/Complaint Follow  
SOURCE DATABASE:                    COMPLAINTS  
  Record number 967180  
INVESTIGATING OFFICER:            OA2   - Omomayowa Alabi

DATE ACTION OPENED:                28/11/2021  
DATE ACTION CLOSED:                28/11/2021

ACTION EVENT DETAILS

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
1	A99	1325449-L6X7 DO NOT AMEND THE ABOVE CRM REFERENCE				
2	AAH	Email Sent to noise 2 @ 03:02	28/11/2021	28/11/2021	6AG	
3	A04	Telephone call received nuisance is still on @ 03:20	28/11/2021	28/11/2021	6AG	
4	A05	Telephone call made		28/11/2021	OA2	
5	NVV	Noise Visit		28/11/2021	OA2	
6	AAH	Email Sent to Licensing		28/11/2021	OA2	
7	AAB	Email Received from Licensing		07/12/2021	OA2	

ACTION EVENT DETAILS

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
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<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
1	A99	1325449-1,6X7 DO NOT AMEND THE ABOVE CRM REFERENCE 1325449-1,6X7				
2	AAH	Email Sent to noise 2 @ 03:02 28/11/2021 3:02 6AG	28/11/2021	28/11/2021	6AG	
3	A04	Telephone call received nuisance is still on @ 03:20 28/11/2021 3:21 6AG	28/11/2021	28/11/2021	6AG	
4	A05	Telephone call made Tctc 03.40am- I had a long conversation with the fbo. I advised him that officers had been there and following an assessment and witnessing people fighting along boundary way 40 mins ago they didn't think it appropriate to approach. I advised that I was okay to enter his premises but will not be making assessments from the balcony of his bedroom as he suggested neither will I compromise his identity as I owed him a duty of care. Visit arranged		28/11/2021	OA2	
5	NVV	Noise Visit Arrived at 4.15am Observations made from the sole bedroom in the premises which is two levels above the nightclub and is separated from the nightclub via another set of flats on the level directly below the complainant's but within the same building block. Access inside the building block is on Boundary Lane The music was audible inside the bedroom but at a normal blurred level. I believe the wife was asleep but she did wake up and say something while the assessment was going on. I was not familiar with the lyrics I heard. The complainant alleged that the music was coming from lestacion 57 which appears to be above the coconcerned premises when facing the main road and stood in the office room. The music in the bedroom would be deemed intrusive if ongoing repeatedly as it is audible and can become an issue. I will refer this to licensing and explained this to the complainant.  The complainant moved in 2020 to join his wife who moved in 2017 and this was an issue pre lockdown but it got quiet during the lockdown becuase of the restrictions. I was unable to pick the lyrics even with Shazam  There were two security men on passing by the premises to go into the complainants premises but on my return there was just one security man at 4.39am. I noticed that the front glass door was wide open. I asked him whether it was common to leave this door open to which he replied that yes as the second door located at the basement level access into the club was usually kept shut. Will refer to licensing as the club appears not to suitably sound proofed		28/11/2021	OA2	
6	AAH	Email Sent to Licensing Ref: APP 967180  Thomas Quin of 59b Camberwell Road, London SE5 0EZ (tel- 07866368301) called to report La Estacion located at 57 Camberwell Road from which loud music was being played and transferred into 59B. I visited		28/11/2021	OA2	



<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
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earlier today and can understand how this music level can disturb a person especially when disturbed repeatedly over days.

I walked by La Estacion and noticed that the single glass door at the front entrance was left wide open. I asked the security man about this and he replied that the door is left open but the inner access door is kept shut.

As a licensed premises please will you look at this premises? I am unsure whether there is adequate sound proofing inside the premises or whether the premises is complying with the granted licence.

I informed the complainant that I will refer this to your Department for further action.

Kind regards,

Mayowa

Omomayowa Alabi  
Noise Enforcement Officer  
Tel- 0207 525. 5777

7	AAB	Email Received from Licensing		07/12/2021	OA2	
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From: Franklin, David <David.Franklin@SOUTHWARK.GOV.UK>  
Sent: Wednesday, December 1, 2021 3:47 PM  
To: Alabi, Omomayowa <Omomayowa.Alabi@southwark.gov.uk>  
Subject: FW: Service referral

Hi Mayowa,

Thanks for alerting us to your visit, we are interested in noise nuisances from licensed premises, particularly in this area as part of a larger action related to noise and ASB in the street.

From looking at your visit notes the noise was not a nuisance in this instance, the relevant licensing objective is "prevention of a public nuisance," therefore we are unlikely to be able to assist at this time and advising the client that it will be referred to us is not very helpful as we usually advise them to call yourselves if there is a noise problem.

If there is a nuisance, or the likelihood of a nuisance, and it could affect more than one household, then the Environmental Protection Team or Licensing could look at reviewing the premises licence under that objective and with a view to condition sound containment and/or management practices to reduce noise escape. The service of a warning letter or abatement notice would assist with this.

The residents can also review the premises licence, however we do advise them to call the Noise & Nuisance Team first to try to resolve a noise nuisance issue.

Please continue to let us know of any noise visits to licensed premises, we do find them helpful.

Kind regards

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
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David

David Franklin  
Team Leader Licensing

From: Alabi, Omomayowa <Omomayowa.Alabi@southwark.gov.uk>  
Sent: Sunday, November 28, 2021 11:31 PM  
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>  
Subject: Service referral

Ref: APP 967180

called to report La Estacion located at 57 Camberwell Road from which loud music was being played and transferred into 59B. I visited earlier today and can understand how this music level can disturb a person especially when disturbed repeatedly over days.

I walked by La Estacion and noticed that the single glass door at the front entrance was left wide open. I asked the security man about this and he replied that the door is left open but the inner access door is kept shut.

As a licensed premises please will you look at this premises? I am unsure whether there is adequate sound proofing inside the premises or whether the premises is complying with the granted licence.

I informed the complainant that I will refer this to your Department for further action.

Kind regards,

Mayowa

Omomayowa Alabi  
Noise Enforcement Officer  
Tel- 0207 525 5777

NAME AND ADDRESS DETAILS

PREMISES REF: E16PB257-5/1                      TRADER: Southbank nightclub

ADDRESS: 57-59 Camberwell Road  
          London  
          SE5 0EZ

AREA: Borough, Bankside & Walworth  
WARD: Faraday

UPRN/USRN: 200003453322  
EASTING: 532435  
NORTHING: 177758

PRINCIPAL USAGE:                      E16 - Night-Club  
PREMISES TYPE:                         P - Property

CMU V8.9.x.0

REPORT PREPARED ON 13/ 6/22 AT 08:38

NAME AND ADDRESS DETAILS

PREMISES REF: L09RA5BOUN/2                      TRADER:    THE STREET

ADDRESS: Street Blpu  
          Boundary Lane  
          London

AREA: Camberwell  
WARD: Faraday

UPRN/USRN: 010009789278  
EASTING:    532407  
NORTHING:  177723

PRINCIPAL USAGE:            L09    - Highway  
PREMISES TYPE:              R       - Road / Highway

PREMISES ALARM STATUS: N

ACTION DETAILS

ACTION TYPE:                    A01    - Service Request/Complaint Follow  
SOURCE DATABASE:               COMPLAINTS  
                                      Record number 965399  
INVESTIGATING OFFICER:        6HB    - Nancy Kulube

DATE ACTION OPENED:        31/10/2021  
DATE ACTION CLOSED:        31/10/2021

ACTION EVENT DETAILS

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
1	A99	1320403-BODO DO NOT AMEND THE ABOVE CRM REFERENCE				
2	A05	Telephone call made @ 06:15. Noise has stopped so job closed		31/10/2021	6HB	

ACTION EVENT DETAILS

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
1	A99	1320403-BODO DO NOT AMEND THE ABOVE CRM REFERENCE 1320403-BODO				

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
2	A05	Telephone call made @ 06:15. Noise has stopped so job closed		31/10/2021	6HB	

NAME AND ADDRESS DETAILS

PREMISES REF: L09RA5BOUN/2      TRADER: THE STREET

ADDRESS: Street Blpu  
Boundary Lane  
London

AREA: Camberwell

WARD: Faraday

UPRN/USRN: 010009789278

EASTING: 532407

NORTHING: 177723

PRINCIPAL USAGE: L09 - Highway  
PREMISES TYPE: R - Road / Highway

PREMISES ALARM STATUS: N

CMU V8.9.x.0

REPORT PREPARED ON 13/ 6/22 AT 08:38

NAME AND ADDRESS DETAILS

PREMISES REF: R08PB257CC/2

TRADER:

ADDRESS:



AREA: Borough, Bankside & Walworth  
WARD: Faraday

UPRN/USRN: 200003467225  
EASTING: 532427  
NORTHING: 177749

PRINCIPAL USAGE: R08 - HMO - Flat Conversion  
PREMISES TYPE: P - Property

PREMISES ALARM STATUS: N

ACTION DETAILS

ACTION TYPE: A01 - Service Request/Complaint Follow  
SOURCE DATABASE: COMPLAINTS  
Record number 964042  
INVESTIGATING OFFICER: SAL - Samuel Lam

DATE ACTION OPENED: 10/10/2021  
DATE ACTION CLOSED: 10/10/2021

ACTION EVENT DETAILS

ITEM	EVENT	DESCRIPTION	SCH. DATE	ACT. DATE	OFF	ACTIVITY
1	A99	1316691-X2X9 DO NOT AMEND THE ABOVE CRM REFERENCE				
2	A05	Telephone call made		10/10/2021	SAL	
3	NCV	Visit to location		10/10/2021	SAL	
4	NON	no nuisance witnessed		10/10/2021	SAL	

ACTION EVENT DETAILS

ITEM	EVENT	DESCRIPTION	SCH. DATE	ACT. DATE	OFF	ACTIVITY
1	A99	1316691-X2X9				

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
		DO NOT AMEND THE ABOVE CRM REFERENCE 1316691-X2X9				
2	A05	Telephone call made Telephone call made to complainant. He says music from La Estacion 57 is becoming a regular problem, the music is too loud.		10/10/2021	SAL	
3	NCV	Visit to location Arrived and assessed from outside at 3.15hrs. music could be heard when assessing directly at the front doors of the club but rapidly faded as I walked away, barely audibly 10-15m from the front entrance.  Also assessed from as close to the complainants premises as possible, the music was faint and barely audible, I called the complainant to update him, he let me into the entrance of the communal area, the music was louder in the communal area but not loud enough at this time to be considered a stat nuisance.  Advised complainant to keep using the service.		10/10/2021	SAL	
4	NON	no nuisance witnessed		10/10/2021	SAL	

NAME AND ADDRESS DETAILS

PREMISES REF: R08PB257CC/2                      TRADER:

ADDRESS: 

AREA: Borough, Bankside & Walworth  
WARD: Faraday

UPRN/USRN: 200003467225  
EASTING: 532427  
NORTHING: 177749

PRINCIPAL USAGE: R08 - HMO - Flat Conversion  
PREMISES TYPE: P - Property

PREMISES ALARM STATUS: N

CMU V8.9.x.0

REPORT PREPARED ON 13/ 6/22 AT 08:38

NAME AND ADDRESS DETAILS

PREMISES REF: R015B261BC/1

TRADER:

ADDRESS:



AREA: Borough, Bankside & Walworth  
WARD: Faraday

LPIKEY: 5840L000137813  
UPRN/USRN:200003454049  
EASTING: 532435  
NORTHING: 177758

PRINCIPAL USAGE: R01 - Flat  
PREMISES TYPE: 5 - Privately Owned Rented

PREMISES ALARM STATUS: N

ACTION DETAILS

ACTION TYPE: A01 - Service Request/Complaint Follow  
SOURCE DATABASE: COMPLAINTS  
Record number 942718  
UNIT: NTT - Noise Team  
INVESTIGATING OFFICER: MTT - Martin Talbot

DATE ACTION OPENED: 08/01/2021  
DATE ACTION CLOSED: 08/01/2021

ACTION EVENT DETAILS

ITEM	EVENT	DESCRIPTION	SCH. DATE	ACT. DATE	OFF	ACTIVITY
1	A99	1260152-W3M5 DO NOT AMEND THE ABOVE CRM REFERENCE				
2	AAH	Email Sent to		08/01/2021	MTT	

ACTION EVENT DETAILS

ITEM	EVENT	DESCRIPTION	SCH. DATE	ACT. DATE	OFF	ACTIVITY
1	A99	1260152-W3M5 DO NOT AMEND THE ABOVE CRM REFERENCE 1260152-W3M5				



<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
2	AAH	Email Sent to Dear Thomas		08/01/2021	MTT	

The Council deals with noise and associated problems by means of Statutory Nuisance or under Anti-Social Behaviour. In that the problem is witnessed by an authorised officer, and in their opinion, the nuisance from one property would in the opinion of the officer, affect the average person's use or enjoyment of that property, or be detrimental to the locality.

Various criteria are taken into consideration, volume and characteristic of the noise, time of day and duration, as well as the area.

Only what the officer witness's during their visit can be taken into consideration, allowing for the time of day and other variables. The pertinent point is that all problems have to be witnessed by the authorised officer, if we are to take action.

If the issues witnessed, are not matters that fall within the remit of nuisance, the information will be passed onto any relevant department if any.

If you feel that you are being disturbed at any time, whilst the problem is ongoing, you should contact us via the Environmental Call Centre on 0207 525 5777.

The Noise Rapid Response operation times are as follows:

7.00 am Friday through to 2.30 am Tuesday, and then 7.00am through to 2.30am the following morning on Tuesday, Wednesday & Thursday.

If the problem can then be witnessed by an authorised officer, the appropriate action will be taken by us.

Martin Talbot, Team Leader  
Noise & Nuisance Team  
Southwark Council  
132 Queens Road  
SE15 2HP  
direct tel: 0207 525 2450  
team tel : 0207 525 3171  
martin.talbot@southwark.gov.uk

NAME AND ADDRESS DETAILS

PREMISES REF: R015B261BC/1

TRADER:

ADDRESS:

AREA: Borough, Bankside & Walworth  
WARD: Faraday

LPIKEY: 5840L000137813

UPRN/USRN:200003454049

EASTING: 532435

NORTHING: 177758

PRINCIPAL USAGE: R01 - Flat

PREMISES TYPE: 5 - Privately Owned Rented

PREMISES ALARM STATUS: N

**OTHER PERSON E**

**From:** [REDACTED]  
**Sent:** Wednesday, July 6, 2022 7:08 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** Licensing Review for Southbank Nightclub / L'Estacion 57

To Whom It May Concern,

We are writing to support the licensing review which has been brought against Southbank Night Club/L'Estacion 57 (57-59 Camberwell Road, London, SE5 0EZ.)

We live in close proximity to this venue, and are regularly disturbed by noise and anti-social behaviour from the club, particularly around 5am on Saturday & Sunday mornings when the club closes and people leave.

We've also witnessed very serious outbreaks of violence from club-goers, which at times has spilled over onto our street. For example:

- 16th October 2021 - a fight, where a large group of young people were seen to threaten one another with broken beer bottles
- 31st October 2021 - a large fight involving 20 or more young people. We also witnessed one of them smashing up a car that was parked on our street.

Both of these incidents were reported to the Met's 101 number, and I have video evidence of the 31st October incident.

As well as the disturbed sleep, the proximity of this kind of behaviour makes us fearful for our personal safety. The overall negative effect on our quality of life - and that of the community as a whole - is huge. We don't believe that this establishment is suitable for a residential area, and support the application for the licence to be revoked.

Yours sincerely,

[REDACTED]  
[REDACTED]

**OTHER PERSON F**

**From:** [REDACTED]  
**Sent:** Sunday, June 12, 2022 9:57 AM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** [REDACTED]  
[REDACTED]

**Subject:** South bank Nightclub/Camberwell Road serious disorder

Hi There,

There was serious mass disorder at around 3am this morning behind the south bank nightclub, on red lion row, involving roughly 30 people and numerous smaller groups fighting in the street. This went on from 3:00am until about 4am. Police arrived at 3:30am so I would assume they can provide details of the disorder and any arrests made. I have been informed that numerous complaints have been submitted by local residents after this and previous incidents.

There was also anti social noise on the previous night until 3am on the same road.

I don't understand how a late night license is still in place for this club and other late night locations nearby. It has been the source of serious disruption to residents for years. I have lived here since 2015 and it has never been dealt with adequately.

I note that the attached licensing form expresses concerns in September 2014 regarding management of nuisance and that the EP team objected to the license. Nothing has been put in place and it is disgraceful that the council thinks it is acceptable for this level of disruption to continue to disrupt and endanger local residents.

I also note that a new application has been submitted for the same address. The entire premises urgently needs to be put under review. We should not have to wait for a serious crime to take place for this to be properly reviewed. There is already sufficient evidence that the closing time of the club is causing misery for residents.

Thanks,

[REDACTED]

**OTHER PERSON G**

Date: 28<sup>th</sup> June 2022

Dear Licensing Team,

**Re: Licence Number: 877673**

<b>Trading name and address:</b>	Southbank nightclub 57-59 Camberwell Road SE5 0EZ
----------------------------------	---

I would like to indicate how SouthBank Nightclub are NOT meeting the councils 4 licensing objectives and specific conditions.

**1. The prevention of crime and disorder.**

- Illegal parking around Red Lion Row, Boyson road and surround areas around clubs.
- Antisocial behaviour - crowd noise, car horns , car music, shouting, screaming, fighting along Boundary Lane, Boyson Rd, Camberwell Rd & Red Lion Row.
- Public drinking all night in and around Boundary Lane, Boyson Road/Camberwell/Red Lion Row every Friday and Saturday Evenings.
- Alcohol bottles smashed in street after they leave to enter the bars.
- Properties/Cars damaged after fights in street
- Fights in street after leaving Southbank Night Club

**2. Public Safety**

- Peeing in street everywhere around local area on Boyson Road, Red Lion Row, John Ruskin Rd.
- Public drinking and drunken behaviour
- Fighting after leaving clubs - happened twice in three weeks (see below)
- Safety issue for women in and around nightclub
- Broken bottles in street and kids falling into it potentially

**3. The prevention of public nuisance**

- All of the above where they are clearly not meeting this objective.

**4. The Protection of Children from Harm**

- Impact kids and families being woken up as patrons entering and leaving the venues and Antisocial Behaviour
  - o Impact to family life due to being continually woken up and exhaustion / mental health
  - o Impact to families due to lack of sleep
  - o Broken bottles on street and danger
  - o The disgusting amount of urine on the street and local area

**Example:**

By 5:00am as Southbank Nightclub is closing the last 3 weekends alone:

- 30th October - major fight in street
- 23rd October - very noisy patrons in street
- 16th October - major fight in street

Southbank Nightclub has time and time again they are open, and continue to make excessive noise, beyond their licensed hours and they seem to make no effort to abide by some of their other terms or respect their neighbours, namely against these licensing terms and conditions:

**347** - That there shall be no drinks permitted outside on the frontage.

**348** - That there shall be no more than 5 persons permitted outside on the frontage, to smoke only.

**352** - That announcements shall be made and notices provided to request that patrons leave in a quiet and orderly manner that is respectful to neighbours.

**360** - Alcoholic drinks may only be consumed within the premises. The management must ensure that no alcohol is consumed outside the premises.

**Impact To My Life and family:**

- Stress knowing that Antisocial Behaviour (**ASB**) will happen every weekend
- Cannot enjoy your own home with all the noise and ASB
- o Had my daughter ask what the noise is all about at 5am in the morning one time
- o Had my son wake up from noise during horns beeping
- o Had my wife wake up with me on literally all occasions when this happens
- Lack of sleep due to being woken up multiple times an evening impacting not only weekend but working week
- o Stressing my wife as she doesn't want me to get injured by having to go out to take footage
- Fear due to the violence in streets
- Fear of drunken people
- Worried my car/property will be smashed up
- Safety from smashed bottles and glass around my local area and kids having to dodge hit when going to the shops
- Extreme Exhaustion from total lack of sleep really impacting my working week
- Extreme anger at the situation and helplessness
- Causing arguments between myself and wife and kids due to extreme fatigue
- Stress of having to ring 101, submit noise complaints, being on calls to complain and online submissions at all hours in the evening
- Worried of health due to all the public peeing

- Anxiety of knowing every week you will be kept up by noise and Antisocial Behaviours
- Anxiety due to fight and safety fears
- I have yelled abuse and confronted at patrons when I cant take it anymore when they are too noisy.

Regards,

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

**OTHER PERSON H**

<[Andrew.Heron@southwark.gov.uk](mailto:Andrew.Heron@southwark.gov.uk)>; Regen, Licensing

<[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>

**Cc:** [harriet.harman.mp@parliament.uk](mailto:harriet.harman.mp@parliament.uk); [neil.coyle.mp@parliament.uk](mailto:neil.coyle.mp@parliament.uk); Foster, Sam

<[Sam.Foster@southwark.gov.uk](mailto:Sam.Foster@southwark.gov.uk)>

**Subject:** Southbank Nightclub Licence review representation

Dear all,

I have seen that there has been a licensing review initiated for Southbank Nightclub (Licence number 848589). I wish to provide **representation in support of revocation of this licence**, on the grounds of:

1. The prevention of public nuisance
2. The prevention of crime and disorder
3. Public Safety

**Noise:**

I have been living in my residence for around 4 years. I often work away at weekends (more previously than currently), hence sporadic previous complaints to the noise team about the loud noise throughout the night on Fridays and Saturdays. The noise is loud, vibrations can be felt and I am unable to sleep and unable to enjoy my property. I am having to move away on weekends just to be able to sleep due to the noise. This is affecting my sleep, my ability to work, drive and function on following days and ultimately my quality of life.

I refurbished my flat in 2019 and even installed soundproofing (evidence of which can be provided upon request), yet there is still noise and vibrations in the flat from the nightclub.

There have been noise complaints made by myself to the noise team, since 14/10/2018 to this weekend, having called over 10 times (Reference numbers of these calls can be provided upon request).

I have spoken with the owner on a couple of occasions (03/10/2021; 16/10/2021) to kindly ask to turn the music down, explaining my concerns and that it is causing disturbance and is loud in my flat. Both times, I was told explicitly by the owner (Henry/Julius) that he would not turn the music down and that I would need to contact the council if I had any issues. He had a defensive and aggressive affect which made me feel unable to approach him again about this. He attributed the increased noise to the building work being done in the premises above (and lack of soundproofing there), yet there is still noise and the work is almost complete, nullifying this theory. Measuring the noise levels in my flat using my phone (03/06/2022) shows a background noise level of 32dB, and music from the nightclub raising this to between 38-51dB, averaged at 43dB.

The noise team, as you may be aware, are both informally and formally, well known to be ineffective and have not visited my flat (attributed partly to covid and partly to not them getting in contact after me calling, on multiple occasions). I have raised these issues with the licensing team too (emails 05/11/2018; 26/09/2021; 15/10/2021 can be provided upon request).



I have shown that I have spoken with all the necessary teams/parties, on multiple occasions and progressed my concerns in a logical, stepwise manner and have spoken to the owner too, yet nothing has happened.

**Prevention of crime and disorder; Public Safety:**

There has been crowds of people from the nightclub audible on the street (both on camberwell road and behind, where the entrance to the flats are), during nights when the club is functioning. There is a visible increase in litter on Sunday morning compared to on Saturday night around the entrance to the flats and in the bin area, with multiple plastic cups and broken glass bottles, which pose a safety issue when entering/leaving the flat. This is a very regular occurrence. There have also been occasions in the past (none recently though) where the bins (with glass bottles) have been emptied at 05:30 in the morning, which is loud enough to wake me up (with earplugs in).

It is clear to me that Southbank Nightclub has been regularly breaking terms of their licence agreement, under the following conditions:

347 - That there shall be no drinks permitted outside on the frontage.

351 - That suitably qualified or experienced persons shall be employed at all times whilst the entertainment is being provided and shall take all reasonable steps to ensure that patrons will not cause a nuisance to the neighbourhood.

352 - That announcements shall be made and notices provided to request that patrons leave in a quiet and orderly manner that is respectful to neighbours.

360 - Alcoholic drinks may only be consumed within the premises. The management must ensure that no alcohol is consumed outside the premises.

362 - Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.

368 - That should there be any change to the equipment involved in the broadcast or limiting of sound from licensed entertainment the sound limiter shall be re-set, in conjunction with a qualified sound engineer, to ensure that any music, speech or song from licensed entertainment is not audible in nearby residential premises nor will cause a public nuisance in the vicinity of the premises.

4A1 - That the sound limiting device/s shall be set to ensure that the maximum levels of volume and bass permitted by the system ensure any music, speech or song from licensed entertainment is not audible in nearby residential premises or causes a public nuisance in the vicinity of the premises.

For the consideration of the sub-committee, it should be noted that the area is predominantly residential, with relatively few (less than 5) other nighttime establishments in the vicinity- as such, the opening and close times do not correlate with that recommended in the Southwark Councils "statement of licensing policy 2021-2026 (ref. page 43).

**In summary:**

I would like to provide full support for revocation of the licence, based on the factors above, my personal experience and having gone through all reasonable steps prior

to this. The nightclub is a considerable cause of distress. I wish to be involved with any hearing and if possible at the sub-committee meeting. I would also like this submission to be kept anonymous from the owner, to prevent any future risk of confrontation or harassment from him.

If you require anything further, please get in touch.

Yours sincerely,

██████████  
██

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# OTHER PERSONS SUPPORTING PLH OTHER PERSON 1

Natasha Nunn

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**From:** [REDACTED]  
**Sent:** 16 June 2022 16:59  
**To:** [REDACTED]  
**Subject:** Fwd: License review

## APPENDIX D

[EXTERNAL EMAIL] Beware – This email originated outside Dadds LLP and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED]  
**Date:** 16 June 2022 at 16:48:03 BST  
**To:** [REDACTED]  
**Subject:** Fwd: License review

[REDACTED]

Begin forwarded message:

**From:** [REDACTED]  
**Date:** 16 June 2022 at 16:46:52 BST  
**To:** [liscensing@southwark.gov.uk](mailto:liscensing@southwark.gov.uk)  
**Subject:** License review

Dear sir/madam

I write in regards to the notice posted outside 57/59 camberwell road se5 0ez I think it is wrong to treat the only Latin American club that provides entertainment for we the Latino in the community because I own the barbershop next door and we all go there after work and never experience any disrespect to the neighbours. I have been here 4 years and there has been any trouble and honestly think it should be stopped and review should not go ahead

Regards ,

Oscar barbershop

[REDACTED]

**OTHER PERSON 2**

**From:** [REDACTED]  
**Sent:** Thursday, June 30, 2022 2:54 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:**

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

30th June 2022

I would like to stress I want to be kept anonymous to any public record.

Dear/madam,

I write to give my opinion on the notice posted outside 57/59 Camberwell road  
I live directly above the night [REDACTED] and the noise is not  
that bad to be asking to revoke the license that provides food for his family and also  
the staff

I think the complaint is highly exaggerated and should be treated as false

I have not experienced any trouble and I would like to stress that la estacion should  
be allowed to continue serving the local community

Kind regards.

[REDACTED]

**OTHER PERSON 3**

**From:** [REDACTED]  
**Sent:** Sunday, June 26, 2022 10:44 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Southbank Nightclub La Estacion

Dear Sir/Madam

Regarding the notice posted on and about 57/57 Camberwell Road. It is my belief that the complaint is not fair. I have been his next door neighbour at the furniture shop for about ten years. In all of that time I have not had any problems with him and my experience of him has only been positive. From my perspective it appear he runs a good business.

Regards

[REDACTED]



# Licensing Act 2003 Premises Licence

140



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

## APPENDIX E

Premises licence number

848589

### Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Southbank nightclub 57-59 Camberwell Road London SE5 0EZ	
Ordnance survey map reference (if applicable), 177758532435	
<b>Post town</b> London	<b>Post code</b> SE5 0EZ
<b>Telephone number</b>	

<b>Where the licence is time limited the dates</b>
--

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

<b>The opening hours of the premises</b>
For any non standard timings see <b>Annex 2</b>
Monday            10:00 - 00:30
Tuesday           10:00 - 00:30
Wednesday       10:00 - 00:30
Thursday          10:00 - 03:00
Friday             10:00 - 05:00
Saturday           10:00 - 05:00
Sunday             10:00 - 00:30

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

**Films - Indoors**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 02:30
Friday	10:00 - 04:30
Saturday	10:00 - 04:30
Sunday	10:00 - 00:00

**Live Music - Indoors**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 02:30
Friday	10:00 - 04:30
Saturday	10:00 - 04:30
Sunday	10:00 - 00:00

**Recorded Music - Indoors**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 02:30
Friday	10:00 - 04:30
Saturday	10:00 - 04:30
Sunday	10:00 - 00:00

**Performance of Dance - Indoors**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 02:30
Friday	10:00 - 04:30
Saturday	10:00 - 04:30
Sunday	10:00 - 00:00

**Entertainment Similar to live/recorded music - Indoors**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 02:30
Friday	10:00 - 04:30
Saturday	10:00 - 04:30
Sunday	10:00 - 00:00

**Late Night Refreshment - Indoors and outdoors**

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 02:30
Friday	23:00 - 04:30
Saturday	23:00 - 04:30
Sunday	23:00 - 00:00



**Sale by retail of alcohol to be consumed on premises**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 02:30
Friday	10:00 - 04:30
Saturday	10:00 - 04:30
Sunday	10:00 - 00:00

## Part 2

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

Uwa Enri Julius

██████████  
 ██████████  
 ██████████  
 ██████████

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

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

Uwa Enri Julius

██████████  
 ██████████  
 ██████████  
 ██████████

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence No. ██████████  
 Authority L.B. of Lewisham

Licence Issue date 28/05/2015



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

## 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.

**102** The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself.

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

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

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula  $P = D + (D \times V)$ ,

where-

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

officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

**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,

**Annex 2 - Conditions consistent with the operating Schedule**

**340** That the applicant shall have an appropriate sound limiting device fitted to the basement.

**368** That should there be any change to the equipment involved in the broadcast or limiting of sound from licensed entertainment the sound limiter shall be re-set, in conjunction with a qualified sound engineer, to ensure that any music, speech or song from licensed entertainment is not audible in nearby residential premises nor will cause a public nuisance in the vicinity of the premises.

**341** That the sound limiting device shall be maintained at the set level there-after.

**342** That all audio and musical equipment used in the premises shall be played through the installed sound limiting device.

**343** That any additional amplification equipment imported on to the premises by third parties shall be connected to and use the installed sound limited circuit.

**344** That all doors, including fire doors, shall be kept closed during licensed entertainment except when allowing access and egress.

**345** That all speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or mats.

**346** That all live music performances shall be acoustic, other than an electric keyboard with volume control to be used for accompaniment of an artist, with no loud instruments e.g. brass, drums or pipes permitted.

**347** That there shall be no drinks permitted outside on the frontage.

**348** That there shall be no more than 5 persons permitted outside on the frontage, to smoke only.

**349** That external waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 20.00hrs.

**350** That there shall be no movement of musical equipment from the premises between the hours of 00.00hrs midnight and 08.00hrs.

**351** That suitably qualified or experienced persons shall be employed at all times whilst the entertainment is being provided and shall take all reasonable steps to ensure that patrons will not cause a nuisance to the neighbourhood.

**352** That announcements shall be made and notices provided to request that patrons leave in a quiet and orderly manner that is respectful to neighbours.

- 311** All staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated on a regular basis.
- 353** CCTV shall be installed, operated and maintained in agreement with the police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities.
- 288** All CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council
- 289** That the toilets in the premises shall be checked regularly by staff to ensure that no illegal activities are taking place in them.
- 354** That 'Club Scan', 'Smoke Screen' and biometric monitoring equipment will be installed at the premises and shall be in operation at all times that the premises is in use.
- 355** That the Licensee shall require any outside promoter hiring the premises to complete the Metropolitan Police Venue Hire Agreement provided by the police, and provide a copy of the completed agreement to the Police a minimum of 14 days prior to the date of the event.
- 356** That all regulated entertainment noise levels will be reduced 30 minutes before terminal operating hours.
- 358** All instances of crime and disorder shall be reported to the police.
- 359** An incident book shall be used to record all instances of public disorder.
- 360** Alcoholic drinks may only be consumed within the premises. The management must ensure that no alcohol is consumed outside the premises.
- 361** Clear and prominent notices shall be displayed on the premises advising customers to report any concerns to the management.
- 362** Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
- 363** Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the area quietly.
- 364** A dedicated licensed taxi/mini cab service shall be available for customers. Customers are to be encouraged to remain on the premises until the arrival of the taxi/mini cab.
- 365** No refuse may be placed into receptacles outside the premises between 22.00 (10pm) and 08.00 (8am).

**366** The contact number for the duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.

**367** The premises shall operate a challenge 25 policy on service and training. Anyone who looks under the age of 25 will be asked for proof of ID. Only valid driving licence, passport or PASS approved age verification cards shall be accepted..

**4AG** A refusals log shall be maintained at the premises. The refusals log shall be made available to an authorised officer or a police officer on request.

**4AI** That the sound limiting device/s shall be set to ensure that the maximum levels of volume and bass permitted by the system ensure any music, speech or song from licensed entertainment is not audible in nearby residential premises or causes a public nuisance in the vicinity of the premises.

**113** This licence allows for the premises to remain open for the sale or supply of alcohol for non standard timings as stated below on the following days: New Years Eve 10.00-04.30

**114** This licence allows for the premises to extend the following licensable activities for non standard timings as stated below on the following days: Provision of regulated entertainment  
Films, Live Music, Recorded Music, Performances of Dance, Anything of a similar discription. New Years Eve 10.00-04.30

**115** This licence allows for the premises for the provision of late night refresherment for non standard timings stated below on the following days: New Years Eve 23.00-04.30

**367** 'Bottling' outside of the premises is prohibited between 18.00 (6pm) and 10.00 (10am)

**112** This licence allows for the premises to remain open for non standard timings stated below on the following days: New Years Eve 10.00-05.00



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

**607** That three (3) SIA registered door staff be employed from 2200 on Thursday, Friday, Saturday and New Year's Eve until the terminal hour.

**840** That the rear fire exit shall not be used as an entrance or exit except in emergencies.

**841** That the rear fire exit be alarmed.

**842** That the rear fire exit have a sign posted stating 'No entrance or exit except in emergencies' inside and out.

**Annex 4 - Plans - As per application of July 2014**

**APPENDIX F****NOTICE OF DECISION****LICENSING SUB-COMMITTEE – 8 September 2014**

LICENSING ACT 2003 – Southbank Night Club, 57-59 Camberwell Road, London, SE5

1. That the application by Enri Julius for a grant of a Premises Licence issued under the Licensing Act 2003 in respect of Southbank Night Club, 57-59 Camberwell Road, London, SE5 is granted as follows:

Licensable Activity	
Films (indoors)	Sun – Wed from 10.00 – 00.00 Thurs from 10.00 to 02.30 Fri, Sat and New Year's Eve from 10.00 – 04.30
Live music (indoors)	Sun – Wed from 10.00 – 00.00 Thurs from 10.00 to 02.30 Fri, Sat and New Year's Eve from 10.00 – 04.30
Recorded Music (indoors)	Sun – Wed from 10.00 – 00.00 Thurs from 10.00 to 02.30 Fri, Sat and New Year's Eve from 10.00 – 04.30
Performance of dance (indoors)	Sun – Wed from 10.00 – 00.00 Thurs from 10.00 to 02.30 Fri, Sat and New Year's Eve from 10.00 – 04.30
Late night refreshment	Sun – Wed from 23.00 – 00.00 Thurs from 23.00 to 02.30 Fri, Sat and New Year's Eve from 23.00 – 04.30
Sale and supply of alcohol on the premises	Sun – Wed from 10.00 – 00.00 Thurs from 10.00 to 02.30 Fri, Sat and New Year's Eve from 10.00 – 04.30
Opening hours	Sun – Wed from 10.00 – 00.30 Thurs from 10.00 to 03.00 Fri, Sat and New Year's Eve from 10.00 – 05.00

2. **Conditions**

In addition to the decision as above, the following conditions, as determined by the subcommittee, will apply:

1. That three (3) SIA registered door staff be employed from 2200 on Thursday, Friday, Saturday and New Year's Eve until the terminal hour.
2. That the rear fire exit shall not be used as an entrance or exit except in emergencies.

3. That the rear fire exit be alarmed.
4. That the rear fire exit have a sign posted stating 'No entrance or exit except in emergencies' inside and out.

That the following conditions, as conciliated with the environmental protection team, will apply:

#### **Works conditions**

5. That before the premises license can take effect install self-closers, acoustic seals and brushes to the doors/fire doors to the external, to the ground floor and at the top and bottom of the entrance stairs (self closers shall be in accordance with BS 6459 Pt. 1 1984).
6. That all doors shall open in the direction of escape.
7. That before the premises license can take effect sound insulation shall be installed to baffle the ventilation and air extraction inlets and outlets to prevent sound escape from the premises.
8. That before the premises license can take effect the licensee shall install noise insulation of an adequate specification to party walls, floors and ceilings.
9. That before the premises license can take effect install noise insulation to any air handling plant/condensers/etc. to ensure sound output is 10 dB(A) below the lowest L90 15 min relevant in the period the plant will be operational.
10. That before the premises license can take effect the applicant shall submit details of the noise insulation and containment proposed for the premises, for approval by the EP Team, and, shall undertake the approved works. (Note – specification – 100mm Polystyrene, 150mm Acoustic Rockwool & Marine Plywood.)

#### **Management conditions**

11. That the applicant shall have an appropriate sound limiting device fitted to the basement.
12. That the sound limiting device/s shall be set to ensure that the maximum levels of volume and bass permitted by the system ensure any music, speech or song from licensed entertainment is not audible in nearby residential premises or causes a public nuisance in the vicinity of the premises.
13. That should there be any change to the equipment involved in the broadcast or limiting of sound from licensed entertainment the sound limiter shall be re-set, in conjunction with a qualified sound engineer, to ensure that any music, speech or song from licensed entertainment is not audible in nearby residential premises nor will cause a public nuisance in the vicinity of the premises.
14. That the sound limiting device shall be maintained at the set level there-after.
15. That all audio and musical equipment used in the premises shall be played through the installed sound limiting device.
16. That any additional amplification equipment imported on to the premises by third

parties shall be connected to and use the installed sound limited circuit.

17. That all doors, including fire doors, shall be kept closed during licensed entertainment except when allowing access and egress.
18. That all speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or mats.
19. That all live music performances shall be acoustic, other than an electric keyboard with volume control to be used for accompaniment of an artist, with no loud instruments e.g. brass, drums or pipes permitted.
20. That there shall be no drinks permitted outside on the frontage.
21. That there shall be no more than 5 persons permitted outside on the frontage, to smoke only.
22. That external waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 20.00hrs.
23. That there shall be no movement of musical equipment from the premises between the hours of 00.00hrs midnight and 08.00hrs.
24. That suitably qualified or experienced persons shall be employed at all times whilst the entertainment is being provided and shall take all reasonable steps to ensure that patrons will not cause a nuisance to the neighbourhood.
25. That announcements shall be made and notices provided to request that patrons leave in a quiet and orderly manner that is respectful to neighbours.

### 3. Reasons for the Decision

The reasons for the decision are as follows:

The licensing sub-committee heard evidence from the applicant's representative, the council's environmental protection team and a local resident.

The applicant's representative advised that he had taken over the premises in October 2013. It was his intention to separate the ground floor and the basement, and to surrender the current licence (no. 844738). The new application was in respect of the basement only, which they intend to operate as a nightclub.

The applicant advised that licensing officers inspected the premises shortly after his arrival in November 2013, and found a number of breaches to the licensing conditions. The applicant advised that the premises is now fully compliant with the conditions of the current licence. In response to the written objections from local residents, the applicant advised that the majority of complaints related to incidents which took place prior to his taking over management of the premises. He had operated six temporary event notices which terminated as late as 0500 and there has been no complaints. The applicant advised that as only the basement will be operating, this will reduce the maximum number of patrons from 440 to 220, and further protect local residents from noise nuisance. In response to complaints regarding patrons congregating outside the venue and on Boundary Lane, the applicant advised the rear fire exit would only be used in case of emergency.

The applicant advised that they had further discussions with the environmental protection

team and had agreed to their suggested conditions. The representative of the environmental protection team noted that the team do not have any problems with the new management, and there had been no complaints received from the TENs run by the applicant. The environmental protection team offered 21 conditions which had been agreed by the applicant, and were sufficient to satisfy their concerns.

The local resident advised that there had been issues relating to noise nuisance and patrons congregating outside the premises. He noted that the historical issues were with noise from the basement, which he hoped would be mitigated by the conditions suggested by the environmental protection team. He advised that he had no complaints in relation to the new management of these premises. The sub-committee noted the written representations of the other six local residents.

The sub-committee noted that the applicant intended to surrender the current licence (no. 844738) as soon as this licence comes into effect.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives.

The licensing sub-committee considered that the conditions determined by the sub-committee above are necessary and proportionate for the prevention of public nuisance and crime and disorder.

#### 4. Appeal Rights.

The applicant may appeal against any decision –

- a) to impose conditions on the licence
- b) to exclude a licensable activity or refuse to specify a person as premises supervisor

Any person who made relevant representations in relation to the application who desire to contend that

- That the licence ought not to be been granted; or
- That on granting the licence, the Licensing Authority ought to have imposed different or additional conditions to the conditions of the licence, or ought to have modified them in a different way.

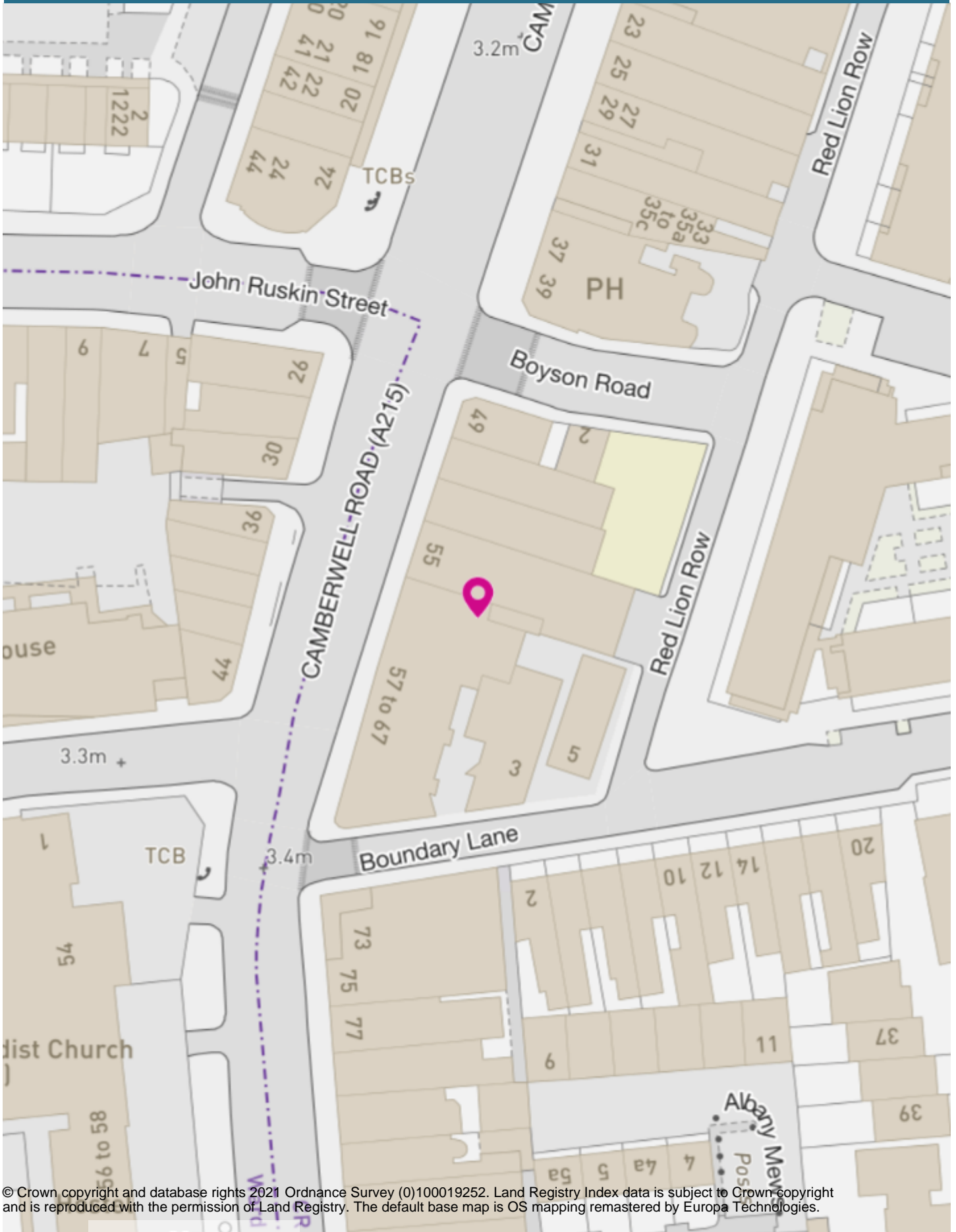
may appeal against the decision

Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

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

Date: 8 September 2014

# APPENDIX G



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