

Licensing Sub-Committee

Thursday 13 October 2022

10.00 am

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

Membership

Councillor Renata Hamvas (Chair)
Councillor Natasha Ennin
Councillor Kath Whittam

Reserves

Councillor Margy Newens

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

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

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 4 October 2022



Licensing Sub-Committee

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Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	LICENSING ACT 2003: COOL & COZZY LOUNGE, THE FLYING DUTCHMAN, 156 WELLS WAY, LONDON SE5 7SY	1 - 99

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: 4 October 2022

Item No. 5.	Classification: Open	Date: 13 October 2022	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Cool & Cozzy Lounge, The Flying Dutchman, 156 Wells Way, London SE5 7SY	
Ward(s) or groups affected:		St Giles	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application submitted by an ‘other person’ under Section 51 of the Licensing Act 2003 (the Act) for the review of the premises licence held by FDN Arts and Events Limited in respect of the premises known as Cool & Cozzy Lounge, The Flying Dutchman, 156 Wells Way, SE5 7SY.
2. Notes:
 - a) The grounds for the review are stated in paragraphs 12 and 13 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 a responsible authority (copy attached as Appendix B) and by other persons (copies attached as Appendix C). 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 D. A map showing the location of the premises is attached as Appendix E.
 - 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 and off the premises:
 - Monday to Thursday: 10:00 to 00:00
 - Friday and Saturday: 10:00 to 06:00
 - Sunday: 11:00 to 01:00
 - Films (indoors) and indoor sporting events:
 - Monday to Thursday: 10:00 to 00:00
 - Friday and Saturday: 10:00 to 06:00
 - Sunday: 11:00 to 01:00
 - Live music and recorded music (indoors):
 - Monday to Thursday: 10:00 to 23:30
 - Friday and Saturday: 10:00 to 06:00
 - Sunday: 11:00 to 01:00

- Late night refreshment (indoors):
 - Monday to Thursday: 23:00 to 00:00
 - Friday and Saturday: 10:00 to 05:00
 - Sunday: 11:00 to 01:00
- Opening hours:
 - Monday to Thursday: 10:00 to 00:30
 - Friday and Saturday: 10:00 to 06:30
 - Sunday: 11:00 to 01:30.

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 D.

Designated premises supervisor (DPS)

11. The current designated premises supervisor (DPS) named on the licence is Francis Kpandeh.

The review application

12. On 24 July 2022, an application was submitted by an 'other person', under Section 51 of the Licensing Act 2003, for the review of the premises known as Cool & Cozzy Lounge, The Flying Dutchman, 156 Wells Way, London SE5 7SY.

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:

- It is alleged that the operation of the premises gives rise to serious noise nuisance, anti-social behaviour and crime and disorder in the locale
- That customers engage in fighting outside of the premises
- That the police have had to attend the premises on numerous occasions one of which led to a customer being tasered by the police
- That women attending the premises appear to have been forced into cars on occasion
- That a customer armed with a knife attempted to gain entry to the applicant's home
- That the premises is very poorly managed
- That the operation of the premises gives rise to litter and broken glass in the locale
- That the council's noise and nuisance team has had to be called in regard to the premises on multiple occasions
- That the applicant's families' health has been severely affected by the operation of the premises.

14. Copies of the review application, and further correspondence from the review applicant, are attached to this report as Appendix A. The applicant has also provided recordings of noise nuisance allegedly arising from the premises. These recordings have been made available to all relevant parties and may be played during the hearing to determine this application.

Representations from responsible authorities

15. This council's trading standards service has submitted a representation regarding the review application.
16. The representation from the trading standards service references visits made to the premises on 19 September 2020 (regarding a check on compliance with COVID-19 restrictions at the time), 29 July 2022 (regarding an inspection of the premises to check compliance with the conditions of the premises licence issued in respect of the premises) and 6 August 2022 (regarding an inspection of the premises to check compliance with the conditions of the premises licence issued in respect of the premises). The representation also refers to a public meeting held at the premises on 9 August 2022.
17. During the visit to the premises of 19 September 2020 (and subsequent visits made in respect of COVID-19 restrictions) the premises appeared to be operating in compliance with the COVID-19 restrictions.
18. On the visit of 29 July 2022 the premises were not in operation, however council and police officers conducted a licensing inspection. As the premises were closed, it was not possible to ascertain compliance with the conditions of the premise licence issued in respect of the premises.
19. On the visit of 6 August 2022 the premises were in operation and a licensing inspection was undertaken. It was observed that the CCTV system installed at the premises was not operating properly as the dates were incorrect and there did not appear to be the requisite number of days being recorded (in possible breach of conditions 288 and 289 of the premises licence issued in respect of the premises).
20. Three local residents attended the public meeting of 9 August 2022. Matters pertaining to the review process were discussed. The three local residents said they were not aware of issues with noise from the business.
21. A copy of the representation submitted by the trading standards service is attached as Appendix B.

Representations from Other Persons

22. 22 representations have been submitted on behalf of 24 other persons (hereafter referred to as other persons 1 to 24).
23. 13 of the other persons support the review application.
24. 11 of the other persons oppose the review application.
25. All of the other persons live in very close proximity to the premises aside from other persons 1, 4, 10, 13, 16 and 23.

26. Copies of the representations submitted by other persons, and related correspondence, are attached as Appendix C.

Operating History

27. The premises has operated as a drinking establishment since 1878 and operated under prior licensing legislation until 2005 when the Justices Licence held under the Licensing Act 1964 was converted into a premises licence held under the Licensing Act 2003.
28. On 13 February 2015 the licence was transferred to FDL Arts Ltd. The company directors were Antonio Mori and Manuela Codo.
29. On 25 February 2015 the licence was transferred to FDL Arts and Events Limited. The company directors were Antonio Mori and Manuela Codo.
30. On 18 March 2015 an application to vary the premises licence was submitted. The application sought to extend the premises operating hours. The application was granted and allowed for the current operating hours.
31. On 4 September 2019 Francis Kpandeh was specified as the designated premises supervisor in respect of the premises.
32. On 3 October 2020 an application to review the premises licence issued in respect of the premises was submitted by a local resident (other person 3). They withdrew their review on 6 October 2020 as they wished to preserve their anonymity.
33. On 4 September 2021 the licence was transferred to FDN Arts and Events Limited. The company director is Manuela Codo.
34. On 24 July 2022, an application was submitted by an other person, under Section 51 of the Licensing Act 2003, for the review of the premises known as Cool & Cozzy Lounge, The Flying Dutchman, 156 Wells Way, London SE5 7SY.
35. No temporary event notices have been submitted in respect of the premises within the last 12 months.
36. The table set out below is a table of complaints submitted directly, or referred by another party, to the licensing unit regarding the premises. The table does not include complaints made directly to the noise team or the environmental protection team).
37. The licensing unit has received complaints from six separate complainants (numbered 1 to 6 in the table below) some of whom are other persons who have submitted representations in support of the review application. If a complainant is also an other person who submitted a representation regarding the review application it is indicated so in the table.

Date	Complainant number	Complaint sent to / referred from	Details
26/09/2019	1 (other person 8)	SASBU referral	<p>SASBU (ASB): My family lives at XXX Wells Way in Camberwell.</p> <p>On the corner of our road, about 25 meters from our front door, is an establishment called the flying Dutchman, although it recently appears to have been rebranded as Cool Cozzy.</p> <p>As the Flying Dutchman, on average about once every 3 months, there would be a late night event at a weekend that went on until the very early hours of the morning (5am ish). When it's that infrequently we just used to Put up with it. The venue has a new sign outside now saying Cool Cozzy and it's been loud enough to stop my family from sleeping for the last two weekends.</p> <p>From reading on the internet it seems the premises has a permanent licence until 6am at the weekend. How can this possibly be appropriate in a residential area where it's stopping families from sleeping? It stops my family sleeping and there's at least half a dozen houses closer to the venue than mine. Plus there's flats under construction closer than our house.</p> <p>Can you please have a look at this as soon as possible?</p> <p>It's can't be appropriate to give this venue a 6am licence in a residential area where it's adversely impacting the lives of families.</p> <p>The venue has very few customers and it's just not right.</p>
23/04/2021	2 (other person 3)	Licensing	<p>Hello Southwark Council,</p> <p>I'm the neighbour XXXXXXXXXXXXX to the pub.</p>

			<p>I'm deeply concerned about developments.</p> <p>I have a small 3 year old son and our front door opens straight onto the street where XXXXXXXX intends to start hosting outdoor parties.</p> <p>I've also seen the extra seating he has put in the smoking area directly outside my back garden. It will be noisy and judging by past events likely very drunken and potentially violent. I've had people fighting literally on my doorstep on at least 5 occasions since he took over, sometimes very late at night. The fact that the partying is now moving to the street is very worrying.</p> <p>Last summer the place was operated like a nightclub with no social distancing measures.</p> <p>Please take this matter seriously, we have tried every way possible to reason with this man but he nods along then does what he pleases.</p>
21/06/2021	3	Licensing	<p>Hello, we are neighbours to the 'club' The Flying Dutchman, aka Cool and Cozzy Lounge at 156 Wells Way, London SE5 7SY.</p> <p>Over the last months, every Friday and Saturday, the venue has been playing extremely loud music and have had their garden filled with drunk and aggressive guests that have been shouting and fighting until 7 in the morning. We have experienced fights outside our doorstep and the police have been called out on numerous occasions.</p> <p>We fear our safety and a lot of guests drive drunk or under the influence so we fear the safety for the community too.</p> <p>This behaviour is also happening many Thursdays and Sundays with</p>

			<p>loud people being aggressive and shouting in the garden of above mentioned venue but also in the restaurant on 101 Southampton Way, Cool and Cozy. The premises on 101 Southampton Way are cooking food in the garden for the Flying Dutchman until 4 in the morning and have guests in their garden screaming and shouting until 1 in the morning most days.</p> <p>We can't sleep obviously and are also having our mental well-being seriously affected by the behaviour of this venue.</p> <p>How can we stop the manager of these two establishments to ruin our lives?</p> <p>We keep calling noise complaint but nothing happens.</p> <p>What actions do we have to take to work towards getting their licences revoked?</p>
08/08/2021	2	Licensing	<p>Dear Southwark licencing,</p> <p>We are at our wits end.</p> <p>We've been calling noise control almost every weekend regarding the noise, fights and antisocial behaviour at the Flying Dutchman / Cool and Cozy.</p> <p>It's got to the point where we expect to have a terrible sleep (or no sleep at all) every weekend.</p> <p>Nothing seems to be done and the business continues to operate on breach of the conditions of the licence.</p> <p>Please can you tell us what routes we have to get the licence revoked.</p> <p>Every attempt to get XXXXXXXX to comply has failed.</p>

17/08/2021	4 (the review applicant & lives at the same address as complainant 3)	Local residents group, copied to Licensing for information	<p>Hi all,</p> <p>I can confirm as well that the noise was once again excruciating on both Friday and Saturday. And that the noise keeper on until past 5 am in the morning. It can only be described as torture, since it was impossible to sleep or feel safe. It was as if there was a club venue both in the garden and out on the street. Being 6 months pregnant it did not feel safe to ask highly intoxicated guests to lower the music or their voices. The security at the venue did nothing.</p> <p>The council was called several times but no one came to check the noise level.</p> <p>I am more than happy to leave a formal statement if needed. I've also contacted the council and asked that they share all of my filed complaints. So that they can be shared with you. This might be helpful as it will show the consistency of the ongoing noise level.</p>
06/09/2021	2	Licensing	<p>The Flying Dutchman is, as every weekend playing extremely loud music and allow guests to shout scream and argue in the garden. His guests are also parked all over Southampton Way on double yellow and a lot of people are having small pre parties in their cars drinking, smoking weed, and shouting while littering and urinating on our houses. Southwark Council should be ashamed of themselves to let this bully XXXXXXX continue behaving like this.</p>
06/09/2021	4	SASBU referral	<p>Several men are screaming aggressively at a women in at the Cool Cozy Lounge. Loud music is being played. Their own security is not intervening. We are worried about our own safety and others.</p>

			This type of behaviour happens every weekend.
18/09/2021	2	Licensing	<p>Hi all,</p> <p>Last night was just awful. Loud music and partying noise woke me from my sleep at 3.30am. Then there was a girl screaming outside. Later on around 6am a girl was knocking on doors with a knife and had to be tasered by the police that the neighbors phoned to come help. The drink driving is blatant also.</p> <p>We never had to once complain before Francis took over. We are beside ourselves. It's utterly exhausting having to phone up and wait for a call back for an hour or more when you want to be asleep. It doesn't seem to make a difference. The situation is almost lawless.</p> <p>How much longer will it go on before we can put a stop to this?</p>
20/09/2021	3	SASBU referral	<p>The Flying Dutchman is every weekend playing extremely loud music and allow guests to shout scream and argue in the garden. His guests are also parked all over Southampton Way on double yellow and a lot of people are having small pre parties in their cars drinking, smoking weed, and shouting while littering and urinating on our houses. Southwark Council should be ashamed of themselves to let this bully XXXXXXX continue behaving like this.</p> <p>We are suffering psychologically since we can't sleep and XXXXXXX is threatening us.</p>
20/09/2021	4	SASBU referral	<p>There is screaming and fighting in the background at Cool and Cozzy lounge, also known as The Flying Dutchman. People are highly intoxicated. This will go on until</p>

			06:00 since the owner keeps violating his licensing rights and it has been like this every weekend and some weekdays for the last 1 1/2 years (closer to 2 years). It always follows the same pattern and usually ends with a physical fight among guests in the early hours of the morning. That is when we are forced to call the police. It is having a serious impact on our day-to-day life. The lack of sleep effect our work and personal life.
27/09/2021	2	SASBU referral	<p>Loud music, shouting, people all over the road, loud arguments in the beer garden of the pub.</p> <p>We couldn't sleep and were very distressed.</p>
28/09/2021	2	Noise Team referral	Last night from around midnight until past 5am there was loud music coming from the Cool Cozzy Pub at 156 Wells Way. There were also loud people outside on the street fighting and causing disturbance. I have a small child and this ongoing issue with noise is causing much distress.
28/09/2021	3	Noise Team referral	The Flying Dutchman is, as every weekend playing extremely loud music and allow guests to shout scream and argue in the garden. His guests are also parked all over Southampton Way on double yellow and a lot of people are having small pre parties in their cars drinking, smoking weed, and shouting while littering and urinating on our houses. Southwark Council should be ashamed of themselves to let this bully XXXXXXXX continue behaving like this.
11/10/2021	3	SASBU referral	The Flying Dutchman are playing loud music and there are fights and screams in their beer garden. Cars are parked all over Southampton Way and people are littering using drugs and driving under the

			<p>influence. ON A SUNDAY NIGHT (and Monday morning). How can the council allow this to happen??? It's 2 o'clock in the morning on a Monday.</p> <p>We are scared someone will get hurt and that our property will be destroyed.</p>
17/10/2021	3	SASBU referral	<p>Women being shouted at and threatened by several men. Fighting.</p> <p>Drunk driving. Loud music. Street littering. Community unsafe.</p>
17/01/2022	4	Licensing	<p>The venue was closed down last week due to pest issues.</p> <p>We saw rats running around the area just this evening and it has reopened even if the pest issue has not been resolved.</p> <p>People are (once again) arguing in the garden. There is loud music being played and the street has been closed off with traffic cones. People have been seen loudly arguing in the street. This is an absolute outrage and frankly disgusting considering the amount of rats. We are extremely worried about our family's health and safety. We have a new born and now have to worry about both intoxicated people, unacceptable noise volumes (at 05:30 in the morning) and unsanitary conditions.</p> <p>Please action this issue ASAP.</p>
22/02/2022	5 (other person 9)	Environmental Customer Services, copied to Licensing	<p>Thank you for your email.</p> <p>I just received a very unsatisfactory call from one of your colleagues. The noise problem I was reporting is consistent and unrelenting.</p> <p>It is centred around the premises of 156 wells way, aka the 'cool and cosy lounge' aka the 'Flying Dutchman'.</p>

			<p>Every single weekend there is considerable noise between the hours of 3-4am and 5.30-6am. While the noise does not come directly from the premises it is entirely caused by its 6am licence.</p> <p>I was advised by your colleague that as this was the case and it had not been witnessed there was to be no further action at this time.</p> <p>I was also advised to call when the disturbance was happening. I have done this many times, having called the noise team when the number was operational at around 3am. Generally I would receive a call back at 4, and someone would attend just after then, when everyone was in the club and there was no disturbance outside.</p> <p>Subsequently, as always, just after 5am everyone would start to leave and the considerable disturbance would resume.</p> <p>I understand this is predominately a licensing issue but the problem is the noise and the antisocial behaviour from the guests, hence I have started the process of resolving it with yourselves.</p> <p>I believe I have cc'd this to the relevant department if, as I was advised by your colleague, as there was nothing you can do.</p> <p>Myself and my wife have to get up at 9-10am every Saturday and Sunday for work and this consistent disruption to our sleep, on a residential road is both unacceptable and incredibly distressing.</p> <p>We're not the only one to be affected!</p> <p>Yours sincerely</p>
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23/06/2022	1	Complaint to local MP referred to Licensing	<p>Dear Harriet,</p> <p>I'm sad to be writing to you again on the same topic over 2 years since the last time. A lot has changed over that time but there are also things that have not.</p> <p>The issues we were having with the Flying Dutchman / Cool & Cozzy across the road from our house really improved after your help back in 2019 and then lay dormant through the pandemic but are unfortunately now back and as bad as ever.</p> <p>To recap I live at [REDACTED] which is a lovely residential street in Camberwell. [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p>The reason for my emails is that the Flying Dutchman or Cool & Cozzy as it has now been branded has somehow over the years obtained a completely inappropriate alcohol licence that is totally at odds with it's completely residential location. I believe it's the only standing 6am licence in the whole of Southwark and it's a venue which is totally surrounded by houses full of young families. In it's previous guise of the Flying Dutchman pre-2018, the venue was used as an events venue and would cause a disturbance once every couple of months. Nobody really minded that and we all got on with it. Now their patrons wake up everybody this end of the street from 3-6am every Friday and Saturday night. They routinely park all the way along the double yellow lines near the venue and shout, fight, and slam car doors every Friday and Saturday.</p> <p>The long and short of it is that this venue has somehow been given</p>
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			<p>the wrong alcohol licence and it's negatively impacting a significant number of local residents. This is totally not the right location for Southwark's only 6am nightclub.</p> <p>Could you look into this again for us and help us please? Somehow we need this licence to be reviewed and changed to 11pm as would be appropriate for its location.</p> <p>Now it's time for me to get ready to take my sons to football training after the standard 3-6am wake up this morning.</p> <p>Anything you could do to help would be very much appreciated as your help was back in 2019.</p>
20/09/2022	4	Licensing	<p>SASBU (ASB): Large verbal fight in the venues garden that has been going on for hours. Extremely loud music and litter all over the street. No indication that this will stop.</p>
22/09/2022	6	Police referral	<p>Good Afternoon,</p> <p>I am writing to complain about the poor running of Cool & Cozy Lounge, 156 Wells Way, SE5 7SY. This ineffective management has resulted in a customer suffering a GBH assault on 18th September 2022 where he was hit by a bottle of drink causing a gash to the head.</p> <p>This customer had been out drinking with a female friend elsewhere & they then came to Cool & Cozy. When they were about to leave at 05:00, an argument over the ownership of jacket ignited between the victim & his female friend. This female struck the victim over the head with a bottle, causing a deep gash to his head around 2 inches long that required hospital treatment. The victim called 999. Police & LAS attended. Crime report XXXXXXXX/XX & CAD XXXX refer.</p>

			<p>DPS Francis Kpandeh told police that the victim was drunk when he arrived & been trying to eat food off other people's tables when he stepped in to try & give him some water to sober him up. Despite this, the victim & his friend were allowed to continue dancing & drinking. The crime report states "Staff were disgruntled that the victim called police, so when police were on scene staff were reluctant to give their details as well as incident information."</p> <p>The area where the assault took place was covered bottles, glass, liquid & tissues, so no opportunity for any forensic evidence to be secured.</p> <p>According to the victim, his friend he arrived with is called "XXXX" & she has been she is a regular at the this venue for a long time.</p> <p>Staff were also asked for further details on RUGI. They confirmed she was a regular but they would not provide any details. She left immediately after assault.</p> <p>CCTV was checked. It was found not to cover the location where the assault happened & was of poor quality.</p> <p>In summary, this venue has completely failed to meet the licensing objectives of prevention of Prevention Of Crime & Disorder and Public Safety for the following reasons –</p> <ul style="list-style-type: none"> • They permitted drunk victim & suspect into the venue. • They served alcohol to the drunk victim & suspect. • Once the assault took place, they did not attempt detain the suspect & she was permitted to leave (despite having SIA door staff).
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			<ul style="list-style-type: none"> • They did not provide any first aid to the victim. • They did not contact police or ambulance after the assault. • Further to this, the victim informed police that staff were actually telling him & putting him under pressure not to contact police. • Staff were unhelpful & obstructive towards police. Despite the fact that suspect XXXX is a regular there, they were not willing provide any details for her, plus the SIA door staff initially refused to provide his details to police until he was reminded that he is obliged to share these details with us. • The CCTV at the venue, which is a requirement on their license is of poor quality. • By permitting entry & serving alcohol to two drunk people, they have created the situation for violence to occur. Once the assault happened, DPS Francis & other staff there have shown no regard for the welfare of the victim, placed the victim under duress to not contact police & been obstructive towards police. Their only concern was for the potential implications the GBH may have on their license. <p>Very poor indeed.</p> <p>Regards,</p> <p>PC Ross Kennedy 2222AS Night Time Economy Team</p>
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38. Details of licensing visits to the premises are provided in the table below. Please note that during the periods between and soon after the COVID-19 lockdowns internal licensing inspections at premises were suspended, however some external observations of premises continued dependant on resources.

Date of visit	Details
26/09/2020	26/09/2020 - 23:22 – FRC – closed nobody outside.
24/10/2020	24/10/2020 - 23:10 – FRC – closed all shut.
16/10/2021	21:02 - Visit to premises to carry out observations following amendment to government COVID - 19 restrictions Club open staff putting barriers along the road for queues on Wells Way X3 SIA staff on doors.
18/12/2021	18:26 - Visit to premises to carry out observations following amendment to government COVID - 19 restrictions. Open all quiet outside.

The local area

39. A map showing the location of the premises is attached as Appendix D. The following licensed premises are also show on the map

Happy Valley, 160 Southampton Way, London SE5 7EW licenced for:

- The provision of late night refreshment (indoors):
 - Monday to Sunday: 23:00 to 02:00

Cool and Cozy Restaurant, Ground floor and basement, 101 Southampton Way, London, SE5 7SX licensed for:

- The sale by retail of alcohol to be consumed on the premises:
 - Monday to Thursday: 10:00 to 23:00
 - Friday and Saturday: 10:00 to 00:00 (midnight)
 - Sunday: 11:00 to 23:00.
- The provision of late night refreshment (indoors):
 - Monday to Sunday: 23:00 to 00:00

N.B. The premises licence issued in respect of this premises is currently suspended due to non-payment of annual licence fees.

Southwark Council statement of licensing policy

40. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
41. 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.
42. 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.
43. 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/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Cumulative Impact Area (CIA)

44. The premises are not situated in a cumulative impact area.

45. According to this council's statement of licensing policy 2021 - 2026 the premises are situated in a residential area.
46. Under this council's statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within residential areas for the categories of premises stated:
 - Restaurants and cafes, public houses, wine bars, other drinking establishments, bars in other types of premises, event premises / spaces where the sale of alcohol is included in, and ancillary to, a range of activities including meals:
 - Monday to Sunday: 23:00
 - Nightclubs are not considered appropriate for residential areas.

Climate change implications

47. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
48. 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.
49. Examples of such agreements 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.
50. 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

51. 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

52. 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.

53. 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.

54. The equalities impact statement for licensing decisions is contained within the Southwark statement of licensing policy 2021 – 2026 at:

<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>.

55. The equalities impact assessment is available at:

<https://moderngov.southwark.gov.uk/documents/s92016/Appendix%20F%20-%20Equalities%20Impact%20Assessment.pdf>

Health impact statement

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

Resource implications

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

Consultation

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

59. 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.

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

Principles for making the determination

61. The sub-committee is asked to determine the application for a premises licence under section 51 of the Licensing Act 2003.

62. 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.

63. 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.

64. 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.

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

66. 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.

67. 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.

68. 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.

69. 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

70. 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.
71. 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

72. 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.
73. 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.

74. 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.
75. 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.
76. 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.
77. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities.
78. 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.
79. 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

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

Strategic Director of Finance and Governance

81. The head of regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

BACKGROUND DOCUMENTS

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

APPENDICES

No.	Title
Appendix A	Copies of the review application and further related correspondence from the review applicant
Appendix B	Copy of the representation submitted by this council's trading standards service
Appendix C	Copies of representations, and related correspondence, submitted by other persons
Appendix D	Copy of the current premises licence
Appendix E	Map showing the location of the premises

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director of Environment and Leisure		
Report Author	Wesley McArthur, Principal Licensing Officer		
Version	Final		
Dated	29 September 2022		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments sought	Comments included	
Director of Law and Governance	Yes	Yes	
Strategic Director of Finance and Governance	Yes	Yes	
Cabinet Member	No	No	
Date final report sent to Constitutional Team		3 October 2022	

24/07/2022

Application for a review of a premises licence or club premises certificate under the Licensing Act Ref No. 1873892

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

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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
Tel 020 7525 4261

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

Address Line 1	THE FLYING DUTCHMAN
Address Line 2	156 WELLS WAY
Town	LONDON
County	
Post code	SE5 7SY
Ordnance survey map reference or description	

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

	Cool & Cozy Lounge Cool & Cozy Restaurant License Holder: Frances Kpandeh
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Number of premises licence or club premises certificate (if known)

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I am

	1) an individual, body or business which is not a responsible authority (please read guidance note 1)
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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	
If other, please specify	
Surname	
Forenames	
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
	1) the prevention of crime and disorder

- | |
|--|
| <p>2) public safety
3) the prevention of public nuisance
4) the protection of children from harm</p> |
|--|


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

<p>To Whom it may concern.</p> <p>I, and all the residents near the Cool & Cozy Lounge at the Flying Dutchman, on 156 Wells Way, desperately need a licence review of the premises. A 6 am licence in a residential area is not appropriate. The licence needs to be revoked due to ongoing damages and highly dangerous, irresponsible behaviour.</p> <p>It has been proven time and time again that the premises are not managed properly. During the last three years (and throughout lockdown) there has been high levels of noise from the patrons visiting the venue. People scream at each other, fight at the premise or in the streets. Visitors also drive from and to the venue while visibly under the influence. At several occasions we have had to experience and see women being dragged into cars with force and against their own will. (This has of course been reported to the police but no action from the license holder).</p> <p>One specific incident made me fear for my family's life and made me develop PTSD. A woman, who had been visiting the venue, attempted to kick down our door while we were trying to sleep. She was carrying a large knife. The attack was random, unprovoked and could have been done towards any of our neighbors. We had to replace our front door due to the extensive damage. The woman was later detained and tased by the police. The police confirmed that she had been at the venue.</p> <p>My family, therefore, barely sleeps during the weekends and some weekdays. Our street is frequently filled with garbage and broken glass from patrons of the venue. Our own bins are used by guests to dispose of bottles, glasses, plastic cups and left over food. Cones are placed out in the middle of Wells Way to block traffic and to create parking spaces for the guests. On Southampton Way cars are parked on double yellow lines and blocking the pavement from 22 to 7 in the morning most Fridays and Saturdays.</p> <p>Our puppy has stepped on broken glass, on several occasions which has been caused by thrown glass bottles right at our doorstep.</p> <p>This issue is way beyond a 'Statutory Nuisance issue'. As you know, the legislation states that the noise which is the cause of the complaint must be (or is likely to be) either detrimental to a person's health and/or it is interfering (or is likely to interfere) with a person's own enjoyment of their own property and land. Which is absolutely what we are experiencing.</p> <p>We now have a 7 month old baby and I fear the day that anyone in my family gets hurt.</p> <p>We have called the noise team (100+ times), over the years. We have also contacted the manager Francis Kpandeh on multitudes of occasions. He always apologizes, but the issue carries on, as if we have never spoken. We have even had a "group neighborhood" meeting with the police. But things have only gotten worse.</p> <p>It has taken my family a long time to agree to send this letter. Several neighbors have advised us not to do it, due to the potential risk of retaliation. But the fear of what will happen, as long as the venue is in operation, is stronger than the fear of a negative response from the manager or anyone associated with the venue.</p> <p>Lastly, the venue was recently forced to close down due to a cockroach and rat infestation. It was quickly reopened again. It's obviously extremely dangerous for people in the area to be in such close proximity to an infestation. It's also dangerous for those visiting the venue.</p> <p>I beg of you to do a review of the licence. We have patiently communicated with the venue's management, the police and the council's noise complaint team with no results or improvements.</p> <p>Details in the review include: Loud noise caused by patrons and their cars between 00.00 - 07.00 in the morning (past closing). Blocking of a bus route and a cycle path between 1am - 6am. Public disorder where the police have been called on incalculable occasions.</p>

	<p>100+ noise complaints done by us between 2020 and 2021 alone. Further complaints have been done in 2022. (We have partially given up, since the noise complaint team had not been able to action the issue).</p> <p>Screaming and fighting in the garden from 00.00 until 07.30(after closing hours).</p> <p>Screaming and fighting in the streets surrounding the venue from 00.00 until 08.00(after closing hours).</p> <p>Fear for our own safety, especially due to a particular incident where a visitor from the venue tried to kick down our door while carrying a knife.</p> <p>Please let us know what the next steps are. And let us know if we need to hire a legal council and if we need to contact the press to add pressure.</p> <p>Regards [REDACTED]</p>
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Please provide as much information as possible to support the application (please read guidance note 3)

	<p>To Whom it may concern.</p> <p>I, and all the residents near the Cool & Cozy Lounge at the Flying Dutchman, on 156 Wells Way, desperately need a licence review of the premises. A 6 am licence in a residential area is not appropriate. The licence needs to be revoked due to ongoing damages and highly dangerous, irresponsible behaviour.</p> <p>It has been proven time and time again that the premises are not managed properly. During the last three years (and throughout lockdown) there has been high levels of noise from the patrons visiting the venue. People scream at each other, fight at the premise or in the streets. Visitors also drive from and to the venue while visibly under the influence. At several occasions we have had to experience and see women being dragged into cars with force and against their own will. (This has of course been reported to the police but no action from the license holder).</p> <p>One specific incident made me fear for my family's life and made me develop PTSD. A woman, who had been visiting the venue, attempted to kick down our door while we were trying to sleep. She was carrying a large knife. The attack was random, unprovoked and could have been done towards any of our neighbors. We had to replace our front door due to the extensive damage. The woman was later detained and tased by the police. The police confirmed that she had been at the venue.</p> <p>My family, therefore, barely sleeps during the weekends and some weekdays. Our street is frequently filled with garbage and broken glass from patrons of the venue. Our own bins are used by guests to dispose of bottles, glasses, plastic cups and left over food. Cones are placed out in the middle of Wells Way to block traffic and to create parking spaces for the guests. On Southampton Way cars are parked on double yellow lines and blocking the pavement from 22 to 7 in the morning most Fridays and Saturdays.</p> <p>Our puppy has stepped on broken glass, on several occasions which has been caused by thrown glass bottles right at our doorstep.</p> <p>This issue is way beyond a 'Statutory Nuisance issue'. As you know, the legislation states that the noise which is the cause of the complaint must be (or is likely to be) either detrimental to a person's health and/or it is interfering (or is likely to interfere) with a person's own enjoyment of their own property and land. Which is absolutely what we are experiencing.</p> <p>We now have a 7 month old baby and I fear the day that anyone in my family gets hurt.</p> <p>We have called the noise team (100+ times), over the years. We have also contacted the manager Francis Kpandeh on multitudes of occasions. He always apologizes, but the issue carries on, as if we have never spoken. We have even had a "group neighborhood" meeting with the police. But things have only gotten worse.</p> <p>It has taken my family a long time to agree to send this letter. Several neighbors have advised us not to do it, due to the potential risk of retaliation. But the fear of what will happen, as long as the venue is in operation, is stronger than the fear of a negative response from the manager or anyone associated with the venue.</p> <p>Lastly, the venue was recently forced to close down due to a cockroach and rat infestation. It was quickly reopened again. It's obviously extremely dangerous for people in the area to be in such close proximity to an infestation. It's also dangerous for</p>
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	<p>those visiting the venue.</p> <p>I beg of you to do a review of the licence. We have patiently communicated with the venue's management, the police and the council's noise complaint team with no results or improvements.</p> <p>Details in the review include: Loud noise caused by patrons and their cars between 00.00 - 07.00 in the morning (past closing). Blocking of a bus route and a cycle path between 1am - 6am. Public disorder where the police have been called on incalculable occasions. 100+ noise complaints done by us between 2020 and 2021 alone. Further complaints have been done in 2022. (We have partially given up, since the noise complaint team had not been able to action the issue). Screaming and fighting in the garden from 00.00 until 07.30(after closing hours). Screaming and fighting in the streets surrounding the venue from 00.00 until 08.00(after closing hours). Fear for our own safety, especially due to a particular incident where a visitor from the venue tried to kick down our door while carrying a knife.</p> <p>Please let us know what the next steps are. And let us know if we need to hire a legal council and if we need to contact the press to add pressure.</p> <p>Regards </p>
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Notes for Guidance

- The ground(s) for review must be based on one of the licensing objectives.
- 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

--	--

Checklist

	<p>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</p>
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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	[REDACTED]
Applicant or Applicant's solicitor or other duly authorised agent	
Date	24/07/2022
Capacity	

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	[REDACTED]
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Address (please read guidance note 6)

Address Line 1	[REDACTED]
Address Line 2	
Town	LONDON
County	
Postcode	SE5 7SX
Telephone number (if any)	
Email	[REDACTED]

Notes for Guidance

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

Additional correspondence from the review applicant.**From: REVIEW APPLICANT****Sent:** Saturday, September 17, 2022 4:48 AM**To:** Noise and Nuisance <noiseandnuisance@southwark.gov.uk>**Cc:****Subject:** Cool & Cozy Lounge, 156 Wells Way

As anticipated; the C&C Lounge is keeping our family up at night again. As always. Our house is vibrating due to the insane base. People are fighting in the garden. There is (still) illegal parking on the bike lane and outside of our house (107 Southampton Way). People are extremely intoxicated.

And a physical fight will most likely happen at any minute. Since that always happens in the early hours of the morning.

We have already (of course) had a person urinate outside of our house. Venue visitors have thrown their garbage in our bin trolley. Causing it to stink. We are anticipating that the rats (due to the current rat infestation at C&C Lounge) from the venue will soon be drawn to our property.

The noise has woken up our baby throughout the night. He has woken up crying (panicking) mainly due to the shouting outside our windows. The noise is coming from the venue's garden and from the front of our house.

This is causing severe damage to our child's safety, health and mental development.

We do not feel safe anymore.

It has been show time and time again (for years) that there is no interest in sticking to the licensing rules. Even now when the place is undergoing a license review. It has only gotten worse. As you all know.

It's utterly appalling that the council is doing nothing. It's pointless to call since staff is blasé about the whole issue. 100+ noise complaints have been done by our household throughout the years (soon 3). And you do nothing. You should all be ashamed.

I can't even trust that this information is getting filed properly.

From: REVIEW APPLICANT

Sent: Saturday, September 17, 2022 9:46 PM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Subject: 1897341

C&C Lounge is already causing large amounts of noise and ruckus this evening. Please see noise complaints 1897341 for further reference.

Our whole neighborhood is still appalled about the passiveness from the council in regard to this issue.

Also, to add, there is now a lady with a microphone on loud speaker screaming in the garden.

It's shameful that noting is being done in regard to this matter. It's complete torture for us living here.

From: REVIEW APPLICANT

Sent: Sunday, September 18, 2022 3:17 AM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Subject: Re: 1897341

Note; The fight has been going on for more than an hour. And escalate into a fight for the last few hours. The noise level has been loud for the last 6 hours and will most likely continue being loud for the next 6 hour.

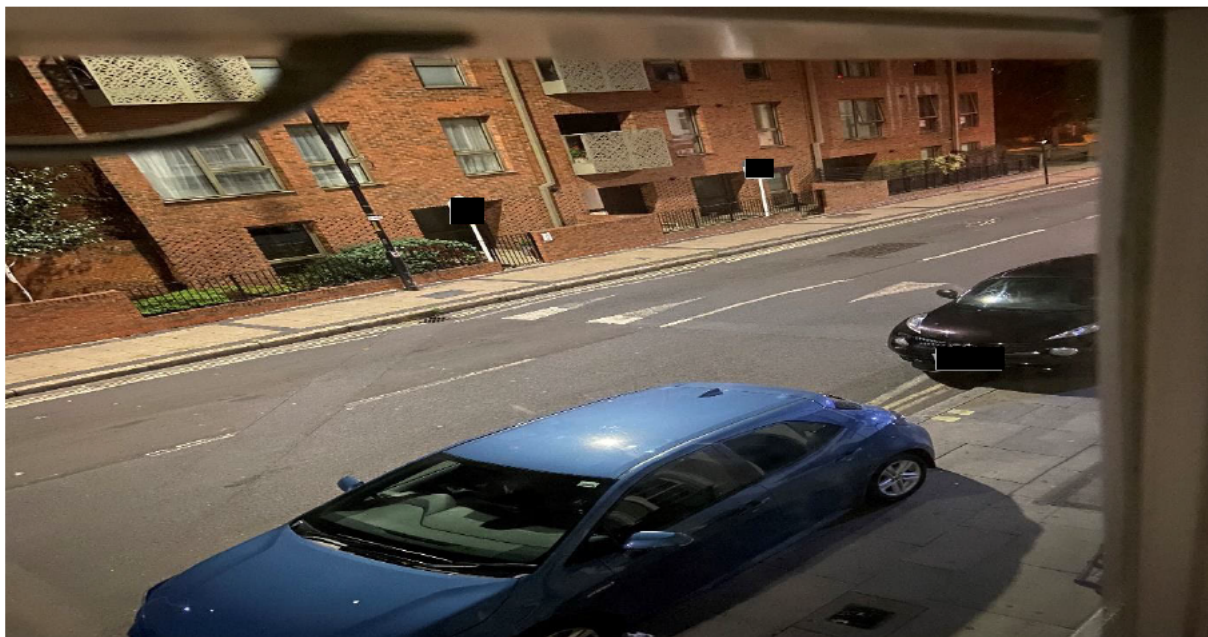
From: REVIEW APPLICANT

Sent: Sunday, September 18, 2022 7:13 AM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Subject: Re: 1897341

Illegal parking





From: REVIEW APPLICANT

Sent: Tuesday, September 20, 2022 11:14 AM

To:

Subject: Re: Application for the review of a premises licence: Cool & Cozy Lounge at The Flying Dutchman, 156 Wells Way, SE5 7SY (our ref: 878054) - Loc ID: 196753 - St Giles Ward

Hi Wesley,

As you know (since you've been cc:ed in our noise complaints) this weekend has been horrific. Which would be slightly worse than all of the other weekends.

It is crucial that you respond to the above since the council is currently letting the community down by making it impossible to take action.

Attached is the noise level from the garden at around 03.08 on this Sunday morning. This is what it usually sounds like. This time we thankfully didn't have to hear anyone threatening to kill anyone.

Mind you; our house is a few doors down from cool & Coozy Lounge and my phone does not pick up noise very well. Therefore; Imagine someone screaming in your bedroom and waking your tiny baby and that should give a good idea.

Looking forward to your response.

<<N.B. The windows media player file attached and sent to the licensee, LSC members and all other persons>>

From: REVIEW APPLICANT

Sent: Saturday, September 24, 2022 4:46 AM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>;

Subject: 156 Wells Way

The C&C Lounge is keeping our family up at night again. As always. People are screaming in the garden and playing music. There is (still) illegal parking on the bike lane and outside of our house (Southampton Way). People are extremely intoxicated. Venue visitors have thrown their garbage in our bin trolley. Causing it to stink. We are anticipating that the rats (due to the current rat infestation at C&C Lounge) from the venue will soon be draw to our property.

The noise has woken up our baby (again) throughout the night. This is due to the shouting outside our window (coming from the venues garden).

This is causing severe damage to our child's safety, health and mental development.

It is also ruining our day-to-day since it makes it impossible to sleep in the weekends.

It has been show time and time again (for years) that there is no interest in following to the licensing rules.

Someone needs to check the premises between 02.00 and 07.00 at night because that is when the noise level is at its absolute highest.

Attached is a recording taken just now. It is an indication of the constant noise but not showing the loudest situation that has happened this night.

Our house is ■ doors down from the venue. It sounds like a fight is about to erupt.

<<N.B. The windows media player file attached and sent to the licensee, LSC members and all other persons>>

From: Moore, Ray Ray.Moore@southwark.gov.uk
Sent: Friday, August 19, 2022 3:21 PM
To: Regen, Licensing Licensing.Regen@southwark.gov.uk
Subject: Review of premises license for 156 Wells Way, SE5 7SY Premises License Number 875973 / 878054?

Trading Standards as a responsible authority are responding to an application to review a premises license for the business operating at 156 Well Way, SE5 7SY. These representations are made under all four licensing objectives.

On the evening of Saturday 19th September 2020 Trading Standards Officer Ray MOORE visited the premises accompanied by members of the police Night Time Economy Team in response to a complaint about the premises. At the time the premises was laid out in accordance with prevailing Covid-19 restrictions at the time... i.e. seated table service in groups of six or less etc. Customer details were being taken at the door for contact tracing purposes; hand sanitizer was available and seating groups were socially distanced. They were also using a device for taking people's temperatures at the door, although this did not appear to be operating properly at the time. Covid-19 precautions were discussed with the designated premises supervisor, Mr Francis KPANDEH. Over the course of the following months a number of observations were made outside the premises and no issues around noise were noted at the times of those observations. Throughout the period of restrictions and closures the premises appeared to be operating within relevant closures / restrictions.

On Friday 29th July 2022, Ray MOORE accompanied by Clarissa O'Toole, (an ASB (Anti-Social Behaviour) Management Officer visited the premises at 19:45hrs. The premises was not open at this time but Mr KAPANDEH was outside and agreed to let Mr MOORE do a licensing inspection. Not all conditions could be checked due to the fact that the business was open at the time and that he could also not comment on some areas relating to noise matters (i.e. the operation of noise limiters etc.). A letter outlining issues with conditions accompanies these comments. Mr MOORE e-mailed a copy of the letter to Mr KPANDEH and also hand delivered the letter to Mr KPANDEH on a further visit to the premises at 03:00hrs on Saturday 6th August 2022.

The visit on Saturday 6th August 2022 at 03:00hrs was made by Charlie JERROM of the Licensing Team and Ray MOORE from the Trading Standards Team accompanied by two police officers. It was quiet at the time of the visit which lasted until 04:00hrs. Mr KPANDEH was again present and Mr JERROM went through the conditions on his license, on this occasion while the business was in operation. A number of issues that had arisen previously were resolved by the production of a book containing staff training details etc. Once again Mr JERROM would not have been able to comment on issues such as noise limiters etc. Mr MOORE was present and agreed to do a follow up letter with respect to conditions. The main issue was around the fact that the CCTV was not operating properly as the dates were incorrect and there did not appear to be the requisite number of days being recorded. Mr KPANDEH had claimed previously that the problems with the CCTV related to when a police officer had downloaded some footage in relation

to an incident which was not related to his business. He said he was in the process of getting it fixed.

Mr KPANDEH invited Mr MOORE and PC Maria O'MAHONEY to a public meeting he had arranged for local residents about any concerns they had about the business. This was held on Tuesday 9th August 2022 at the premises. He said that he had distributed the invite to all properties in the vicinity of the premises. Three residents turned up and a number of other interested parties. Mr MOORE explained at the start of the meeting that he and PC O'MAHONEY were only there as observers and could not make any comments on matters other than fielding questions about the process by which a review of a premises license takes place. The three residents said they were not aware of issues with noise from the business. Mr MOORE explained that if they wished to make any comments on the review they could do so by e-mailing their comments to licensing@southwark.gov.uk; writing to the licensing team etc. He also explained that they could attend in person if they wished but that they did not have to and any comments they wished to make could still be heard at the review hearing.

Attached: Letters with respect to visits on Friday 29th July 2022 (19:45hrs) and Saturday 6th August 2022(03:00hrs)

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure| Regulatory Services

Post: 3rd Floor Hub 2, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 0816 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Cool and Cozy Lounge
FDN Arts & Events Ltd (Premises License Holder)
Francis KPANDEH (Designated Premises
Supervisor)
& Manuela KODO (Director)
Cool & Cozy Lounge
156 Wells Way
SE5 7SY

Ray MOORE
Principal Trading Standards Officer
Trading Standards Team
Environmental Health and Trading Standards

Ray.moore@southwark.gov.uk

Tel: 0207 525 0816

Date: 04 August 2022

Ref: 875973

Dear Manuela KODO & Mr KPANDEH,

RE: THE LICENSING ACT 2003 – WARNING LETTER:

On 29 July 2022 at 19:15hrs Council Officers, Ray MOORE and Clarissa O'TOOLE visited the above premises and spoke with Mr KPANDEH about the conditions on the license.

It was noted that 2 reviews had been put in on the license by local residents.

During the inspection Mr MOORE witnesses the following issues with the conditions on the license:

1. "That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the license. The CCTV System must be capable of capturing an image of every person who enters the premises." Mr KAPANDEH showed the CCTV system but the dates appeared to be all wrong. He said this had occurred when police officers came to download images about an incident that had happened nearby. He said it was due to be fixed soon. (Breach of Premises Condition 288)
2. "That 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 Council." There appeared to be 12 recorded days with the dates 15/04/2022 to 26/04/2022. (Breach of Premises Condition 289)
3. "That staff shall be trained to observe the measures necessary to promote the crime and disorder objective and a record of the dates and names of the staff trained kept." No such records were available for inspection. (Condition 293)

4. "That all appropriate staff shall be trained in the age identification scheme required at the premises and records of training shall be kept and made available for inspection by authorised officers of the council." Mr KAPANDE could not provide any such records. (Breach of Premises Condition 326)
5. "That an age identification scheme shall be established and maintained. The scheme shall require the production of evidence of age (comprising any PASS accredited card or passport or driving license) from any person appearing to staff engaging in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol." (Condition 334)
6. "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 or council." (Breach of Premises Condition 355).
7. "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 ½ pint; (ii) gin, rum, vodka or whisky: 25ml or 35ml; and Still wine in a glass: 125ml; (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." There were no indication of prices in any format etc. (Breach of Premises License Condition 489).

It was not possible to assess if many of the other conditions were to be adhered to when the premises is operating. It is therefore necessary to do a full inspection at a time when the premises is in operation in order to assess compliance.

It should be noted that neither a full or short version of the license was available on the premises at the time of the visit as is required by the licensing act 2003.

In the meantime, should you wish to discuss this matter with a licensing enforcement officer please contact them by email at licensing@southwark.gov.uk or by telephone on between the hours of 09:00 and 17:00, Monday to Friday... 0207 525 5000.

Yours sincerely,



Ray MOORE

Principal Trading Standards Officer

Cool and Cozy Lounge
FDN Arts & Events Ltd (Premises License Holder)
Francis KPANDEH (Designated Premises
Supervisor)
& Manuela KODO (Director)
156 Wells Way
SE5 7SY

Ray MOORE
Principal Trading Standards Officer
Trading Standards Team
Environmental Health and Trading Standards

Ray.moore@southwark.gov.uk

Tel: 0207 525 0816

Date: 09 August 2022

Ref: 875973

Dear Manuela KODO & Mr KPANDEH

RE: The Licensing Act 2003 – WARNING LETTER

On 6 August 2022 at 03:00hrs Council Officers Ray MOORE and Charlie JERROM visited the above premises and spoke with Mr KPANDEH about the conditions on the license.

This followed on from the visit Mr MOORE made on 29 July 2022 and dealt with in a letter dated 4 August 2022.

Firstly, it was noted that the CCTV had still not been fixed and was displaying random dates that meant it would not be possible to search by date and time if an incident occurred. It is unclear what period is being kept as a record.

It was also noted that on this occasion there were a number of records available for inspection. Once again it was not possible to comment on certain conditions such as the use of noise limiters and these matters would have to be examined by someone who was suitably qualified to comment on these matters.

The following conditions were still not being complied with:

1. "That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the license. The CCTV system must be capable of capturing an image of every person who enters the premises." The situation with respect to the CCTV was still as it was on 29 July 2022. Again he said it would be fixed soon. (Breach of condition 288).
2. "That 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 Council." The situation was the same as on 29 July 2022. (Breach of condition 289).

3. "That an age identification scheme shall be established and maintained. The scheme shall require the production of evidence of age (comprising any PASS accredited card or passport or driving license) from any person appearing to staff engaging in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol" (Condition 334).

I would also add that although staff had been trained... there is a condition requiring update training every six months and that there may also be a breach of condition 355. I supplied pdf documents that can be used by the business for this purpose with the previous letter....

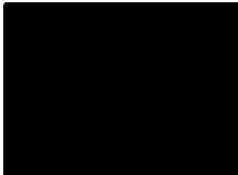
4. "That all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months and shall upon request, be made immediately available to officers of the police or council." (Condition 355).

Once again there were a number of other conditions that it was not possible to assess.

The short and full versions of the license were available on this occasion.

In the meantime, should you wish to discuss this matter with a licensing enforcement officer please contact them by email at licensing@southwark.gov.uk or by telephone between the hours of 09:00 and 17:00, Monday to Friday... 0207 525 5000.

Yours sincerely,



Ray MOORE
Principal Trading Standards Officer

From: **OTHER PERSON 1**

Sent: Monday, August 8, 2022 5:43 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: representation for cool and cozy license

Hi,

I have a friend who lives near the pub that cool and cozy took over a few years ago. Ever since they took over whenever I visit them there are people hanging in the streets yelling and shouting well in to the morning. It used to be pretty quiet round there even at a weekend when the old pub was open but it's chaos now and I empathise with the person objecting to the license - it's always so noisy! I've noticed that customers park their cars in the bike lane too and it's always covered in rubbish and glass. I'm not surprised that it's affecting nearby residents mental health, my friends say it always keeps them awake and the owners don't seem to care. Just wanted to add my representation to say that I don't think they should get their license renewed.

From: **OTHER PERSON 2**

Sent: Monday, August 8, 2022 5:11 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Cool & Cozy Lounge / Flying Dutchman Licence Renewal

Hi there,

I am writing as I am aware that the licence for the Cool & Cozy Lounge (at 156 Wells Way, SE5 7SY) is under review and I would like to express my support for the licencing hours to be reduced or at least for the noise to be significantly and effectively contained.

I've lived on the [REDACTED] floor of the property since January 2022 and I haven't had a decent Friday or Saturday night sleep since I moved in. The music is very loud until 5/6am, there are very often customers shouting as they leave the venue early morning and there also have been some fights.

I think something can be done so that the venue keeps it licence but has to adhere to stricter rules (like reduced hours or security on site?)

Many thanks,

From: **OTHER PERSON 3**

Sent: Tuesday, August 9, 2022 12:35 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>;

Subject: Cool and cozy Lounge / Flying Dutchman Review

Hello,

My name is _____ and I'm the owner of the house _____ beside the Cool and Cozy Lounge, Southampton Way, London SE5 7SX, UK.

I lived next door for 7 years before moving out and renting the place to Tenants.

One of the main reasons we moved was the constant noise and antisocial behaviour. We were woken almost every weekend, by fights, people on our doorstep, music, shouting and the like.

I lost count of the dozens of times I called the noise control.

For many years we tried to reason with Francis, but he always just made promises then continued as he had been.

I am asking that the licence be revoked as soon as possible as I do not believe Francis will stick to any conditions imposed, this is from bitter experience.

Thank you for considering my request.

Yours sincerely

From: **OTHER PERSON 4**

Sent: Wednesday, August 10, 2022 11:52 AM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>;

Subject: Cool & Cozy Lounge / The Flying Dutchman license review

Dear Southwark Council,

I support the limitation of the opening hours or the revocation of the license for the Cool & Cozy Lounge / The Flying Dutchman venue.

The venue keeps the music too loud and doesn't manage the people outside. It is a public nuisance and creates disorderly behaviour.

Thanks

--

From: **OTHER PERSON 5**

Sent: Tuesday, August 9, 2022 9:01 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: License review for Cool and Cozzy Lounge

To Whom it may concern

I attended the community discussion regarding the license for Cool and Cozzy this evening. Unfortunately I am unable to attend the scheduled hearing so please accept this as my statement.

I have lived at [REDACTED] Southampton Way for five years and witnessed the growth of Cool and Cozzy to two venues. Francis, the owner, has always been the lynchpin of the street - the first to offer a hand to anyone, as well as hosting the community association meet-ups.

The Lounge opened relatively recently. The patrons for the Lounge venue come and go at very late hours, however, it has never significantly bothered my wife, our [REDACTED]-year-old son (newborn at opening) or myself. This also does not occur during the normal working week, when disruption would be less tolerable. There is noticeable activity on the street if you are up late at night, however, one thing I have always noticed is Francis and his security team's unrelenting efforts to try and manage the noise. I've also not witnessed any aggressive antisocial behaviour - which strikes me as very unusual considering the venue serves alcohol and stays open late.

Unfortunately, the people who lodged the complaint did not attend the community discussion - attended widely by the rest of the community - so there was a one-sided argument, rather than an opportunity to negotiate a compromise. Given this, I visited the neighbour who has lodged a grievance ([REDACTED]), with the hope of encouraging him to attend the meeting.

and I had a brief discussion at his home. He explained that people are coming and going very late which is causing disruption to his family. Whilst I cannot disprove [REDACTED]'s personal experience, I disagree that the level of noise is unacceptable or intolerable and cannot reinforce his sentiments. We live opposite the venue and we have not experienced the same degree of disruption. Some of [REDACTED]'s comments concerned me. He disclosed that as a publican and working at the [REDACTED] pub, he is friends with the licensing officer. He stated that he knew how to navigate the system, knew the right people and would be able to shut the venue down.

[REDACTED] has moved in since the venue opened. In my opinion, moving into a house next to a venue and then lodging a complaint does not seem fair to the local community - it is this gentrification behaviour that is resulting in the shutting down of countless incredible venues across the city.

I personally run a business in Southwark and employ tens of people so I know how difficult the last few years have been. I have witnessed the Cool and Cozzy venue empty through the Covid-19 pandemic; I can't imagine how difficult it has been for

Francis to put food on the table for his family and I am glad to see people finally coming and going.

I personally hope this venue stays open and remains a central hub for the African community. I hope that both sides can negotiate a workable agreement.

Many thanks

From: **OTHER PERSON 6**

Sent: Friday, August 12, 2022 2:16 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Cool N Cozy License

Dear Southwark Council Licensing Authority,

My name is _____ and I am a resident of Southampton Way and I am writing to you today concerning the establishment known as "Cool N Cozy Lounge" who's, as I understand it, licence is being threatened.

I want to make it clear that I am in full support of Cool N Cozy maintaining its license to operate. As someone who moved into the area fairly recently, Cool N Cozy has been a hidden gem in Southampton Way. Every time I have frequented the establishment, I have been met with friendly faces and a community spirit. Some of the best moments living in Camberwell has occurred at Cool N Cozy and it would be a great shame if a bastion of culture of Southampton Way were to be shut down.

In my experience, I have not heard any nuisance or disturbances that would warrant Cool N Cozy losing its licence. Furthermore I have never experienced any difficulties with patrons' parking. It is clear to my experience that the accusations made by the council do not hold true.

The recent years with the pandemic have been tough and we are expected to enter even more difficult times ahead, and what Southampton Way needs more than ever is a place to congregate and get away from life's troubles and Cool N Cozy has been that place. And hopefully it will continue to be so in the future.

Your faithfully,

From: **OTHER PERSON 7**

Sent: Saturday, August 13, 2022 5:59 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Regarding the license of Cool N Cozy, 156 Wells Way

To the Southwark Council Licensing Authority,

My name is _____, and I am a resident of _____ Southampton Way.

I am writing today to express my concern at the potential revoking of "Cool N Cozy Lounge"'s license.

I would wish to express my fullest support to Cool N Cozy retaining their license and for their establishment to remain operational.

Having moved to Camberwell in 2021, I can sincerely state that Cool N Cozy has been a constant source of enjoyment and familiarity on every visit, and is essential to the fabric of our community on Southampton Way. As we are facing a cost of living crisis and people are increasingly struggling in their personal lives due to financial constraints, it would be unfair to deprive our community of what Cool N Cozy offers as a much needed source of respite and leisure for the people of camberwell.

I have never been personally bothered by any noise coming from Cool N Cozy, and in my experience patrons have always been respectful to us who live on the road when leaving the premises.

I hope that this matter can be resolved amicably and with a solution that satisfies all sides.

Regards,

From: **OTHER PERSON 8**

Sent: Wednesday, August 17, 2022 3:25 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Representation for licence review ref 878054 cool & cozy lounge

Please find below my representation for the licence review ref 878054 For Cool & Cozy lounge at the Flying dutchman, 156 wells way, SE5 7SY

Loc ID 196753

Date: 17th August 2022

Dear Southwark Licensing Sub-Committee,

My name is [REDACTED] and I live at [REDACTED] Wells Way, Camberwell, SE5 7SZ with my [REDACTED] and our [REDACTED] children [REDACTED], and [REDACTED] who are aged [REDACTED], [REDACTED] and [REDACTED].

My wife and I have lived in our house since [REDACTED] 2013 and [REDACTED] were born in the house. [REDACTED] was born at Kings College Hospital where [REDACTED] also works as a nurse in the [REDACTED] which [REDACTED] has done since December 2007. We have been part of the Camberwell community for some time.

When we first moved into our home, the Flying Dutchman was an events venue and there were parties held there once every 6-8 weeks and we never had a problem with anti-social behaviour of violence on the street. That changed when the license changed hands and the venue was rebranded as 'Cool and Cozy lounge'. I think the crux of the issue here is that this is not the right location for a 6am alcohol license. It's not Camberwell high street where a late night license might be more understandable. Cool & Cozy lounge is surrounded by local residents such as myself and my family and opposite Spa School for children with Autism. There are no other pubs or bars nearby, people drive over at 2am on Friday and Saturday nights to what has effectively become an after party venue. I am writing to you to represent my family and stand up for us and our community.

This late night license clearly contravenes each and all of the councils licensing objectives and I will illustrate how below:

1. the prevention of crime and disorder

There is regularly crime and disorder immediately outside of the venue. This usually begins with patrons either leaving the venue or being refused entry after the 2.30am cut-off. It starts with shouting, aggression and disorder and frequently ends up in violence with groups of people shouting and fighting in the street. I'm aware of at least 3 occasions this year that the police have been called and been required to intervene. One of my neighbours also informed me that they witnessed the use of a taser by police in one of the incidents. Although it might only be a handful of instances that the police have attended, the occurrence of crime and disorder immediately outside the venue which are directly linked to this alcohol license is regular and almost routine. My wife and I are woken up and kept awake for an extended period between 2.30am

and 5am nearly every Friday and Saturday night. Cars are also routinely illegally parked on the double yellow lines both sides of wells way by the venue with many patrons of the venue showing no regard for the parking restrictions. As they come back to their cars between 2-5am after frequenting the venue they get in their cars and slam their doors waking up those in the houses the yellow lines are supposed to serve. I've contacted the parking enforcement team, they said they only operate until 11pm which is before the infringements begin.

Restricting this venues license to operating hours which are more suitable for its local community will directly reduce the crime and disorder that occurs outside what is effectively run as an after party venue.

2. Public safety

In the fracas outside the venue glass is often smashed and there is always broken glass on our streets. It is not safe for children like mine to live on streets covered in broken glass

It is also not safe for any residents in our community to return home whilst the venue is open because from 2am-5am on Fridays and Saturdays there is the threat of fighting amongst groups of people outside the venue which is frightening and dangerous.

3. The prevention of public nuisance

Every Friday and Saturday night my wife and I go to bed in our own home knowing that we will be starkly awoken by shouting, aggression, illegally parked car doors slamming and occasionally violence. That is a growing mental strain for us before we go to sleep and a horrible way to be woken up. I know this is the same for a significant number of my fellow residents and I hope you hear their representations also.

My [redacted] works Mondays and Tuesdays and one weekend day a month in [redacted] at Kings. Her shifts on the unit start at 7.30am and end at 8pm although rarely leaves anywhere near that time. Almost every time does [redacted] a shift on a weekend day she is woken up by shouting and aggression that can run between 2am-5am. I'm very proud of my [redacted] contribution to those in our community that need it the most. It upsets me that [redacted] has to do it without being able to sleep in our own home over the weekend immediately before her weekend shifts with the effects obviously running over affecting the Monday and Tuesday shifts

4. The protection of children from harm

The disruption of the peace in our home stems from the fact that this late licence is in the middle of a completely residential area. There are no other bars or nightlife in the back out. Cool & Cozy is only serving as an after party venue and only does business 1-5am on Fridays and Saturdays with people descending after an evening of drinking only once everywhere else is shut. Not being able to sleep in our bedroom in the early hours of the morning over the weekend greatly impacts my [redacted] and I and therefore also has an impact on our [redacted] children. We already have challengers sleeping having a [redacted] but this disruption to the little peace we have is incredibly upsetting. An hour or two after the disruption stops at 5 or 6am on a Saturday morning my children wake up and I begin getting them ready for their football class that starts

at 11am on . My and I are routinely tired after having our sleep disrupted and although we do our utmost to try to ensure that doesn't impact our children obviously compounded sleep deprivation does impact my wife and I which subsequently impacts our children. Caring for children is tiring and being prevented from sleeping by this incarnation of the cool & cozy is impacting my family and our children as well as other children in the immediate vicinity. There's also frequently glass in the street and it's only since the current incarnation of the venue that aggression, violence and crime and disorder have been introduced into an otherwise healthy family community. That is not good for any of the many children in the area attending Brunswick school, St. George's, Michael Faraday or Spa school which are all a stones throw from the venue. Because of the situation, on Friday and Saturday nights there is regularly shouting and fighting of drunk adults a matter of metres from my children's bedroom which was never the case for the first 7 or 8 yrs we lived here and is not right.

I'm glad that this license review has been requested and I've written this representation in support of a change to the license. I'm confident that this review will bring change for the better because I'm certain it's in the interest of the local community and in line with all of the councils licensing objectives. Please feel free to reach out to me if you'd like to discuss any of the details further.

Regards

From: **OTHER PERSON 9**

Sent: Wednesday, August 17, 2022 4:43 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Fwd: Licence review representation 878054

To Whom it may concern.

I, and all the residents near the 'Flying Dutchman' AKA 'Cool & Cozy Lounge' would very much like a licence review of the premises. We all feel that a 6am licence in a residential area is not appropriate. For over a year since I have been living here most Friday & Saturday nights (strictly speaking Saturday & Sunday mornings) the noise from the patrons visiting the venue has been unacceptable, to the point of unbearable.

This includes shouting, sounding of car horns and music being played loudly from cars from 2am-6am, almost every weekend. Personally, and for my wife, we work weekends and this has prevented us from sleeping and also woken us up on numerous occasions. I have called the noise team many times over the past year but as the noise is sporadic and the action time of the team to be between two and three hours, there was little they could do. They have visited our home before at around 2am and advised us this would be the best recourse. I have contacted the manager Francis Kpandeh on many occasions and while he is very apologetic there seems there is nothing he can do to stop this.

There have been barriers put up to stop the patrons from parking on both sides of Wells Way but these only come as far as directly outside my home, so this problem starts there. It is a bus route and a cycle path which they both obstruct (also double yellow lines). I also feel that when the patrons leave the premises and drive away there may be a considerable public safety issue due to alcohol consumption.

I really hope there can be a review of this licence, it has affected the mental health of myself and the other residents including young families hugely over the past year and having tried to work with the management at the venue with no results, I hope you can help.

Details include: Loud noise caused by patrons and their cars between 2am - 6am
Blocking of a bus route and a cycle path between 1am - 6am
Public disorder where the police have been called on at least three occasions. All in a residential area.

Regards

As per our conversation my full address is

Sent from my iPhone

From: OTHER PERSON 9

Sent: Thursday, September 22, 2022 5:11 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Cc:

Subject: Historic noise complaints re the Flying Dutchman aka cool and cozy lounge

Hi Wesley,

Please find attached the record of the historic noise complaints.

As you can see they go back years.

Hopefully this will help our application.

Regards

CMU V8.9.x.0

REPORT PREPARED ON 20/ 9/21 AT 09:39

Complaint reference number: [REDACTED]

DATES

DATE RECEIVED: 19/06/2021 TIME: 21.11
DATE OF FIRST RESPONSE: 19/06/2021 TIME: 21.45
DATE CLOSED: 19/06/2021
TARGET RESPONSE DATE: 19/06/2021 TIME: 22.11

DETAILS OF COMPLAINT

People Noise (Footsteps, Talking) - RR

COMPLAINT CATEGORY: NR4 - People Noise - Inadequate Sound Insulation - RR
UNIT: NRR - Noise Rapid Response
INVESTIGATING OFFICER: NIB - Niall Boyce
RECEIVING OFFICER: CSR - SAP CRM USER

NAME OF PERSON COMPLAINED AGAINST

PREMISES REF: L14PB3156W/1 TRADER:
UPRN/USRN: 200003456486
EASTING: 533046
NORTHING: 177249

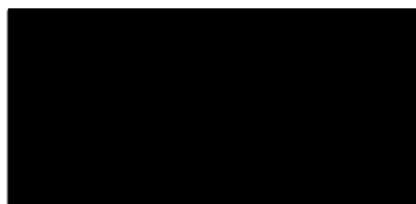
ADDRESS COMPLAINED AGAINST

The Flying Dutchman
156 Wells Way
London

AREA: Camberwell
WARD: St Giles

SE5 7SY
UPRN/USRN: 200003456486
EASTING: 533046
NORTHING: 177249
LPIKEY: 5840L000014206

FULL DETAILS OF COMPLAINANT



LPIKEY: 5840L000140215
UPRN/USRN: 200003456476
EASTING: 533024
NORTHING: 177260
WARD: STW - St Giles
HOW RECEIVED: TEL - Telephone

People Noise (Footsteps, Talking) - RR: people noise

DATES

DATE RECEIVED:	19/06/2021	TIME: 21.11
DATE OF FIRST RESPONSE:	19/06/2021	TIME: 21.45
DATE CLOSED:	19/06/2021	
TARGET RESPONSE DATE:	19/06/2021	TIME: 22.11

CMU V8.9.x.0

REPORT PREPARED ON 20/ 9/21 AT 09:39

Complaint reference number: [REDACTED]

DATES

DATE RECEIVED: 19/06/2021 TIME: 23.22
DATE OF FIRST RESPONSE: 19/06/2021 TIME: 23.38
DATE CLOSED: 19/06/2021
TARGET RESPONSE DATE: 20/06/2021 TIME: 0.22

DETAILS OF COMPLAINT

Music - RR

COMPLAINT CATEGORY: NR1 - Loud Music - RR
UNIT: NRR - Noise Rapid Response
INVESTIGATING OFFICER: NIB - Niall Boyce
RECEIVING OFFICER: CSR - SAP CRM USER

NAME OF PERSON COMPLAINED AGAINST

PREMISES REF: L09RA3SOUT/1 TRADER: THE STREET
LA REF: 52034 TRADER:
UPRN/USRN: 010009790727
EASTING: 532706
NORTHING: 177453
PREMISES ALARM STATUS: N

ADDRESS COMPLAINED AGAINST

Street Blpu
Southampton Way
London

AREA: Walworth
WARD: Brunswick Park Old Ward

UPRN/USRN: 010009790727
EASTING: 532706
NORTHING: 177453

FULL DETAILS OF COMPLAINANT

[REDACTED]

TELNO: [REDACTED]
LPIKEY: 5840L000140215
UPRN/USRN: 200003456476
EASTING: 533024
NORTHING: 177260

WARD: STW - St Giles
HOW RECEIVED: TEL - Telephone

Music - RR: Tenant states loud music from the Flying Dutch man Pub on
SOUTHAMPTON WAY

DATES

DATE RECEIVED:	19/06/2021	TIME: 23.22
DATE OF FIRST RESPONSE:	19/06/2021	TIME: 23.38
DATE CLOSED:	19/06/2021	
TARGET RESPONSE DATE:	20/06/2021	TIME: 0.22

CMU V8.9.x.0

REPORT PREPARED ON 20/ 9/21 AT 09:40

Complaint reference number: [REDACTED]

DATES

DATE RECEIVED: 20/06/2021 TIME: 22.11
DATE OF FIRST RESPONSE: 20/06/2021 TIME: 22.24
DATE CLOSED: 20/06/2021
TARGET RESPONSE DATE: 20/06/2021 TIME: 23.11

DETAILS OF COMPLAINT

People Noise (Footsteps, Talking) - RR

COMPLAINT CATEGORY: NR4 - People Noise - Inadequate Sound Insulation - RR
UNIT: NRR - Noise Rapid Response
INVESTIGATING OFFICER: AXQ - Alex Quaye
RECEIVING OFFICER: CSR - SAP CRM USER

NAME OF PERSON COMPLAINED AGAINST

PREMISES REF: L09RA3WELL/2 TRADER: THE STREET
LA REF: 50056 TRADER:
UPRN/USRN: 010009790661
EASTING: 532985
NORTHING: 177833
PREMISES ALARM STATUS: N

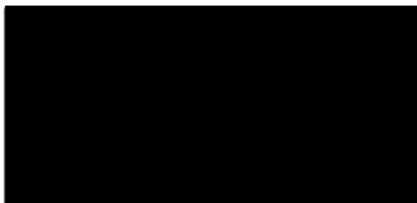
ADDRESS COMPLAINED AGAINST

Street Blpu
Wells Way
London

AREA: Walworth
WARD: Faraday Old Ward

UPRN/USRN: 010009790661
EASTING: 532985
NORTHING: 177833

FULL DETAILS OF COMPLAINANT



LPIKEY: 5840L000140215
UPRN/USRN: 200003456476
EASTING: 533024
NORTHING: 177260

WARD: STW - St Giles
HOW RECEIVED: TEL - Telephone

People Noise (Footsteps, Talking) - RR: Screaming from back garden
from Cool and Cozy 156 Wells Way

DATES

DATE RECEIVED:	20/06/2021	TIME: 22.11
DATE OF FIRST RESPONSE:	20/06/2021	TIME: 22.24
DATE CLOSED:	20/06/2021	
TARGET RESPONSE DATE:	20/06/2021	TIME: 23.11

CMU V8.9.x.0

REPORT PREPARED ON 20/ 9/21 AT 09:40

Complaint reference number: [REDACTED]

DATES

DATE RECEIVED: 25/06/2021 TIME: 23.55
DATE OF FIRST RESPONSE: 26/06/2021 TIME: 0.04
DATE CLOSED: 26/06/2021
TARGET RESPONSE DATE: 26/06/2021 TIME: 0.55

DETAILS OF COMPLAINT

People Noise (Footsteps, Talking) - RR

COMPLAINT CATEGORY: NR4 - People Noise - Inadequate Sound Insulation - RR
UNIT: NRR - Noise Rapid Response
INVESTIGATING OFFICER: OA2 - Omomayowa Alabi
RECEIVING OFFICER: CSR - SAP CRM USER

NAME OF PERSON COMPLAINED AGAINST

PREMISES REF: L14PB3156W/1 TRADER:
UPRN/USRN: 200003456486
EASTING: 533046
NORTHING: 177249

ADDRESS COMPLAINED AGAINST

The Flying Dutchman
156 Wells Way
London

AREA: Camberwell
WARD: St Giles

SE5 7SY
UPRN/USRN: 200003456486
EASTING: 533046
NORTHING: 177249
LPIKEY: 5840L000014206

FULL DETAILS OF COMPLAINANT

[REDACTED]

LPIKEY: 5840L000140215
UPRN/USRN: 200003456476
EASTING: 533024
NORTHING: 177260
WARD: STW - St Giles
HOW RECEIVED: TEL - Telephone

People Noise (Footsteps, Talking) - RR: Screaming and shouting from the premises sounds like party has been moved outside. Every Friday Saturday and sometimes Thursday and Sunday as well as loud music.

DATES.

DATE RECEIVED:	25/06/2021	TIME:	23.55
DATE OF FIRST RESPONSE:	26/06/2021	TIME:	0.04
DATE CLOSED:	26/06/2021		
TARGET RESPONSE DATE:	26/06/2021	TIME:	0.55

CMU V8.9.x.0

REPORT PREPARED ON 20/ 9/21 AT 09:40

Complaint reference number: [REDACTED]

DATES

DATE RECEIVED: 27/06/2021 TIME: 4.40
DATE OF FIRST RESPONSE: 27/06/2021 TIME: 5.28
DATE CLOSED: 27/06/2021
TARGET RESPONSE DATE: 27/06/2021 TIME: 5.40

DETAILS OF COMPLAINT

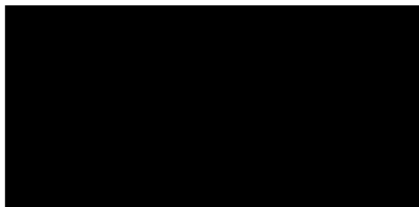
People Noise (Footsteps, Talking) - RR

COMPLAINT CATEGORY: NR4 - People Noise - Inadequate Sound Insulation - RR
UNIT: NRR - Noise Rapid Response
INVESTIGATING OFFICER: 6GA - Daniel Turner
RECEIVING OFFICER: CSR - SAP CRM USER

NAME OF PERSON COMPLAINED AGAINST

ADDRESS COMPLAINED AGAINST

FULL DETAILS OF COMPLAINANT



LPIKEY: 5840L000140215
UPRN/USRN: 200003456476
EASTING: 533024
NORTHING: 177260
WARD: STW - St Giles
HOW RECEIVED: TEL - Telephone

People Noise (Footsteps, Talking) - RR: Resident reporting loud shouting coming from 156 Golf road fying dutch man

DATES

DATE RECEIVED: 27/06/2021 TIME: 4.40
DATE OF FIRST RESPONSE: 27/06/2021 TIME: 5.28
DATE CLOSED: 27/06/2021
TARGET RESPONSE DATE: 27/06/2021 TIME: 5.40

CMU V8.9.x.0

REPORT PREPARED ON 20/ 9/21 AT 09:40

Complaint reference number: [REDACTED]

DATES

DATE RECEIVED: 14/08/2021 TIME: 23.56
DATE OF FIRST RESPONSE: 15/08/2021 TIME: 0.53
DATE CLOSED: 15/08/2021
TARGET RESPONSE DATE: 15/08/2021 TIME: 0.56

DETAILS OF COMPLAINT

People Noise (Footsteps, Talking) - RR

COMPLAINT CATEGORY: NR4 - People Noise - Inadequate Sound Insulation - RR
UNIT: NRR - Noise Rapid Response
INVESTIGATING OFFICER: 6GA - Daniel Turner
RECEIVING OFFICER: CSR - SAP CRM USER

NAME OF PERSON COMPLAINED AGAINST

PREMISES REF: L09RA3WELL/2 TRADER: THE STREET
LA REF: 50056 TRADER:
UPRN/USRN: 010009790661
EASTING: 532985
NORTHING: 177833
PREMISES ALARM STATUS: N

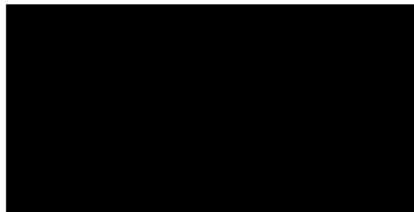
ADDRESS COMPLAINED AGAINST

Street Blpu
Wells Way
London

AREA: Walworth
WARD: Faraday Old Ward

UPRN/USRN: 010009790661
EASTING: 532985
NORTHING: 177833

FULL DETAILS OF COMPLAINANT



LPIKEY: 5840L000140215
UPRN/USRN: 200003456476
EASTING: 533024
NORTHING: 177260

WARD: STW - St Giles
HOW RECEIVED: TEL - Telephone

People Noise (Footsteps, Talking) - RR: Screaming and shouting from
Cool and cozy Lounge.156 Wells Way

DATES

DATE RECEIVED:	14/08/2021	TIME:	23.56
DATE OF FIRST RESPONSE:	15/08/2021	TIME:	0.53
DATE CLOSED:	15/08/2021		
TARGET RESPONSE DATE:	15/08/2021	TIME:	0.56

CMU V8.9.x.0

REPORT PREPARED ON 20/ 9/21 AT 09:40

Complaint reference number: [REDACTED]

DATES

DATE RECEIVED: 15/08/2021 TIME: 2.22
DATE OF FIRST RESPONSE: 15/08/2021 TIME: 3.50
TARGET RESPONSE DATE: 15/08/2021 TIME: 3.22

DETAILS OF COMPLAINT

People Noise (Footsteps, Talking) - RR

COMPLAINT CATEGORY: NR4 - People Noise - Inadequate Sound Insulation - RR
UNIT: NRR - Noise Rapid Response
INVESTIGATING OFFICER: PYM - Peter Magbadelo
RECEIVING OFFICER: CSR - SAP CRM USER

NAME OF PERSON COMPLAINED AGAINST

PREMISES REF: L09RA3WELL/2 TRADER: THE STREET
LA REF: 50056 TRADER:
UPRN/USRN: 010009790661
EASTING: 532985
NORTHING: 177833
PREMISES ALARM STATUS: N

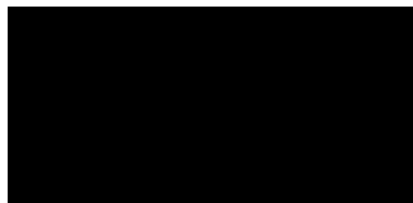
ADDRESS COMPLAINED AGAINST

Street Blpu
Wells Way
London

AREA: Walworth
WARD: Faraday Old Ward

UPRN/USRN: 010009790661
EASTING: 532985
NORTHING: 177833

FULL DETAILS OF COMPLAINANT



LPIKEY: 5840L000140215
UPRN/USRN: 200003456476
EASTING: 533024
NORTHING: 177260
WARD: STW - St Giles
HOW RECEIVED: TEL - Telephone

People Noise (Footsteps, Talking) - RR: Screaming and shouting from
Cool and cozy Lounge.156 Wells Way

DATES

DATE RECEIVED:	15/08/2021	TIME:	2.22
DATE OF FIRST RESPONSE:	15/08/2021	TIME:	3.50
TARGET RESPONSE DATE:	15/08/2021	TIME:	3.22

CMU V8.9.x.0

REPORT PREPARED ON 20/ 9/21 AT 09:41

Complaint reference number: [REDACTED]

DATES

DATE RECEIVED: 29/08/2021 TIME: 23.10
DATE OF FIRST RESPONSE: 29/08/2021 TIME: 23.33
DATE CLOSED: 30/08/2021
TARGET RESPONSE DATE: 30/08/2021 TIME: 0.10

DETAILS OF COMPLAINT

Music - RR

COMPLAINT CATEGORY: NR1 - Loud Music - RR
UNIT: NRR - Noise Rapid Response
INVESTIGATING OFFICER: SAL - Samuel Lam
RECEIVING OFFICER: CSR - SAP CRM USER

NAME OF PERSON COMPLAINED AGAINST

PREMISES REF: L09RA3WELL/2 TRADER: THE STREET
LA REF: 50056 TRADER:
UPRN/USRN: 010009790661
EASTING: 532985
NORTHING: 177833
PREMISES ALARM STATUS: N

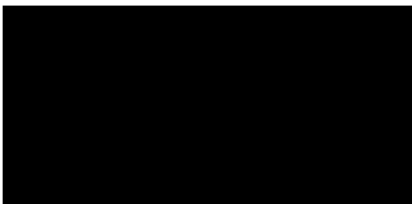
ADDRESS COMPLAINED AGAINST

Street Blpu
Wells Way
London

AREA: Walworth
WARD: Faraday Old Ward

UPRN/USRN: 010009790661
EASTING: 532985
NORTHING: 177833

FULL DETAILS OF COMPLAINANT



LPIKEY: 5840L000140215
UPRN/USRN: 200003456476
EASTING: 533024
NORTHING: 177260
WARD: STW - St Giles
HOW RECEIVED: TEL - Telephone

Music - RR: Loud music, yelling and screaming from The Flying Dutchman/Cool and cozy lounge

DATES

DATE RECEIVED:	29/08/2021	TIME: 23.10
DATE OF FIRST RESPONSE:	29/08/2021	TIME: 23.33
DATE CLOSED:	30/08/2021	
TARGET RESPONSE DATE:	30/08/2021	TIME: 0.10

From: **OTHER PERSON 10**

Sent: Thursday, August 18, 2022 1:36 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Cool and Cozy licence review

Hello, I'm emailing in support of the licence review for Cool and Cozy cafe on 156 wells way. I used to live on the street for many years and have friends who still do so I visit the area frequently and have witnessed the misery the establishment has been causing themfor the last few years.

The noise levels from the venue are entirely inappropriate for a residential area, and there is clearly no real effort made to reduce them. When the venue was under different management before Cool and Cozy and known as the Flying Dutchman they successfully contained the noise indoors and had people arrive and leave quietly, as well as maintaining a good friendship with the neighbours. Unfortunately the current manager of Cool and Cozy has no interest in listening to others' concerns.

There has been a steady stream of complaints from locals- not just about noise, but also health and hygiene (rat and cockroach infestations) and operating during covid lockdowns. Complaints to the business owner are only ever met with denial and deflection of blame. Hopefully now that the council is involved you can do something to alleviate people's misery.

I understand small local businesses are valuable but they should enrich a neighbourhood not antagonise it- a peaceful coexistence had existed in the past with the Flying Dutchman but it's clear after years of bad behaviour it is not going to happen with Cool and Cozy.

Best,

From: **OTHER PERSONS 11 & 12**

Sent: Thursday, August 18, 2022 7:39 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Ref. 878054 - License Review Cool & Cozy Lounge at The Flying Dutchman - Loc ID 196753, St. Giles Ward

Dear Southwark Council,

We are writing to support the review of the premises licence: Cool & Cozy Lounge at The Flying Dutchman, 156 Wells Way London SE5 7SY

(Ref. 878054, Loc ID 196753, St. Giles Ward).

We have been informed and understand that our names and other personal data, and what could identify us, will be removed from the information that will be made available before and at the hearing. It is on this basis that we are providing this representation.

We have repeatedly witnessed the venue, under its current management, keeping the music too loud and not managing the crowds outside. As direct neighbours to the venue, we have been in conversation with the management of the venue about numerous acts of nuisance caused by his management and his patrons. These include but are not limited to, being awoken in the middle of the night by loud music and fights outside the venue.

The venue has had a 6am licence for several years and under previous management, special care was taken to limit activities in the venue spilling into the street and causing nuisance to the neighbourhood.

Since the current management has taken over and as the records will show, there have been numerous noise and public disturbance complaints filed against the venue to both Southwark Council and the police.

We have repeatedly witnessed that under its current management the venue fails to adequately prevent crime and disorder and fails to prevent public nuisance.

We support the review of the application for a licence review and would like to see either a significant reduction in operating hours for the venue or a full revocation of the licence.

Kind regards,

&

[REDACTED]

From: OTHER PERSON 13

Sent: Friday, August 19, 2022 10:41 AM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Re: 878054

Dear Ray Moore (Principal Trading Standards Enforcement Officer, Southwark Council),

We have been informed about the allegations of nuisance behaviour at the Prestigious Cool and Cozy Bar and restaurant.

The allegation is baseless, malicious and might be orchestrated by some that may want to stain the reputation of a great community hub for our Sierra community within the borough and beyond.

Honestly and from observations, the noise comes from hooligans that come from other events and could not control their behaviour whilst commuting around the area.

More even is the fact we have Off-licences and Barber shops that attract people in the area that end up being more of a nuisance and using their Bluetooth speakers to play loud music

The truth is the clients from the former tenant who was occupying where the Prestigious Cool and Cozy is now were noisier but no dust was raised. Wondering why the issue of noise is been raised about the Prestigious Cool and Cozy- it is all out of jealousy and frustrating an entrepreneur that is cognisance about controlling noise and antisocial behaviour.

We personally know the proprietor of the Prestigious and Cozy and know how he is passionate about controlling noise and nuisance behaviour at his business enterprise. We have seen eye evidences of him evicting clients that may want to start any form of nuisance behaviour or antisocial behaviour. He even have notices on the premises wall to sensitise customers about antisocial behaviour and crime, and highly vigilant about that.

The proprietor is one of the most successful entrepreneurs in our community and we feel the complain is out of envy to discourage and frustrate a thriving entrepreneur.

Although the Borough's environmental agency has the right to raise such concern out of secondary information, we have deemed it right to provide a heads up information about the allegations.

Private sector participation is significant to national development and it would be unfair to discourage our entrepreneurs or heed to false allegations meant to frustrate the efforts of thriving entrepreneurs that are creating jobs for communities.

We are anticipating a fair assessment of the allegation and hoping for a clear understanding and hidden intention of those perpetrating the allegations.

Yours sincerely,

Chairman,

GREENWICH AND SURROUNDINGS SIERRA LEONE FRIENDSHIP
ASSOCIATION LIMITED

From: OTHER PERSONS 14 & 15

Sent: Saturday, August 20, 2022 3:58 PM

To: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>; Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Cc:

Subject: 878054 license review

Hi Wesley & team,

My partner and I would like to make a representation in support of the licensing review of the Cool & Cozzy Lounge.

We live about 100 yards from the premises and are affected by it every weekend. We want to support the claim against the premises on the grounds of public safety and public nuisance. We want to be clear that we are not in support of removing their license. However, we would like to see the hours of operation reduced significantly. While we recognise that the club brings a lot to the community, we also realise that the current 6.30 am license damages the local community too. Our main issues with the Cool & Cozzy Lounge stem entirely from the outdated historical 6.30 am licence and poor management. We would be perfectly happy with a well-managed venue and a more reasonable licence.

Our two major issues are:

Public nuisance: between 3 -7 am, it's not uncommon to be awoken by shouting and fighting customers. We have been to speak with the owner about this several times and have suggested solutions like having a bouncer by the edge of the premises to tell these people to keep it down and break up fights. However, he has told us this isn't possible and that he's spent lots of money on signs. It feels like he is not interested in finding real solutions. He claims he doesn't let the drunk people into his club and therefore bears no responsibility for their behaviour. However, we feel this is untrue. We have seen him let them in. Moreover, they wouldn't be there if the club wasn't there.

Public safety: we have seen many drunk people stumble into cars outside the club; there is a lot of drunk driving. Because of this, we are genuinely concerned for the safety of all those who use Wells Way. It is also important to mention that there are many cats in the area that deserve to roam without fear of being killed by reckless, drunk drivers.

It is entirely possible to manage the venue as the previous business was contentious and made a considerable effort to keep a good relationship with the neighbours. However, it is evident that the new owners don't share this conscientiousness. With its outdated 6.30 am licence, we firmly believe this venue is doing more harm than good to the local community.

In summary, the license was awarded to a different business long ago when the area was less residential. Therefore, it is no longer suitable as Wells Way has become home to many young families. A new venue would never be able to get such a late license if it tried to open up in the same area. We, therefore, believe it is imperative

that the Cool & Cozy Lounge should have its 6.30 am licence amended to one more suitable for the community it claims to serve.

Kind regards,

From: OTHER PERSON 16

Sent: Saturday, August 20, 2022 1:19 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Representation License Review Cool and Cozy Lounge, The Flying Dutchman 156 Wells Way, London SE5 7SY

Dear Southwark Council,

I am writing to support the license review. I support the Council revoking the license or limiting the opening hour. Under it's current management the venue should not have 6am license on weekends. The venues management fails to prevent crime and disorder and is a cause of public nuisance. I have lived in the living accommodation [REDACTED] the venue for more than five years as a lodger. I have recently moved out, also because of the nuisance caused by the venue. Although I moved out, I am often in the local area and have witnessed the continue nuisance caused by the venue even after I moved out. I have lived both on the [REDACTED] floor and on the [REDACTED] floor. The venue management fails to keep people outside the venue to not cause nuisance, I have seen and heard fights and loud shouting. The venue also keeps the music at levels which are unacceptable in a residential area. The music is so loud that the entire building vibrates at times. Please revoke the license or limit the hours.

Thank you.

Flat [REDACTED], Rotherhithe St.
London [REDACTED]

Formerly:
Wells Way
London [REDACTED].

From: OTHER PERSON 17

Sent: Saturday, August 20, 2022 11:44 AM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Cool and Cozzy Lounge

Sedgmoor Place
London SE5 7SE
19th August 2022

Dear sir/ madam,

I am responding to the application dated 23/07/2022 in support of Cool and Cozzy Lounge as a local resident. I disagree with the allegations that the operation of the premises give rise to serious nuisance and anti-social behaviour. As a regular local customer, I have never witnessed such behaviour as described by the applicant.

Furthermore, the proprietor as I have observed during my regular visits, is passionate about controlling noise, nuisance, and anti-social behaviour. He has always acted promptly to remove such customers from the premises. I am shocked and surprised that the applicant is claiming the operation of the premises is detrimental to the applicant and to the mental health of the applicant's wife.

In my opinion, the operation of the premises provides a space for customers and families to socialise, celebrate family occasions, laugh, dance, and discover the joys of diverse cultures. I will be very grateful if the review of the premises license issued in respect of Cool and Cozzy Lounge be treated fairly and justly. I look forward to a positive outcome.

Yours sincerely,

From: OTHER PERSON 18

Sent: Saturday, August 20, 2022 11:33 AM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: License Review Cool and Cozy Lounge, The Flying Dutchman 156 Wells Way, London SE5 7SY

Dear Licensing,

I am writing to support the license review. I am a lodger in [REDACTED] the venue. The venue is not operated in a way compatible with a residential neighbourhood and residential neighbours. The venue's patrons do not respect any parking rule. They shout and are very loud outside, the venue staff does nothing to minimise this. I have seen and heard fights and loud shouting outside almost every weekend. The music is also at a level that is not acceptable in a residential area. The venue thus fails to prevent crime and disorder and fails to prevent public nuisance.

Kind regards,

From: OTHER PERSON 19

Sent: Sunday, August 21, 2022 3:32 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: REF - license number: 878054 Cool and Cozzy Lounge

REF: license number: 878054

Cool and Cozzy Lounge

156 The Flying Dutchman Wells Way SE5 7SY

Dear sir/madam,

I'm writing to state that I have no objection or complaint regarding the Cool and Cozzy Lounge.

I live and work locally and have not personally experienced any problem with noise, disturbance, disruptive behaviour, fighting and so on. I walk past the Cool and Cozzy premises often in the late evening and have seen no serious evidence of the issues described in the license review complaint.

I realise, however, that for the complainants - who presumably live closer to the Cool and Cozzy Lounge than me - the experience must be different.

Of course a bar will, on occasion, have difficult clients who create problems, but I want to put on record that I personally have nothing to complain about.

In fact, as members of the local community, Francis and his staff have helped me on a number of occasions. For example, when my front door lock jammed and I couldn't get into my premises on Southampton Way, from Cool and Cozzy managed to free the lock and get me inside. Francis has also helped me with household rubbish disposal, pest control, and advice and support when my basement was flooded by sewage water coming from a broken pipe beneath the chicken shop next door.

I see Cool and Cozzy Lounge as contributing to the colourful, vibrant and lively local community.

Yours,

From: OTHER PERSON 20

Sent: Saturday, August 20, 2022 8:22 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Cc: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>

Subject: 878054 license review

Dear Sir/Madam,

Please find attached a document in support of the review of the Licence number 878054

<https://app.southwark.gov.uk/Licensing/LicPremisesAppliedDetails.asp?systemkey=878054>

I will include the full letter below in case there is an issue with the attached document.

Yours Faithfully,

Saturday 20th August 2022

Dear Sir/Madam,

Re: Application for review 878054
Cool and Cozy Lounge
156 The Flying Dutchman Wells Way
SE5 7SY

I am writing in support of the application for a review of the license for the above premises.

My Premises is Wells Way and my front room overlooks the Wells Way road and is in near proximity to the premises.

I concur with the issues stated in the application for the review:

- The prevention of public nuisance
- Public Safety

There have been a number of incidents over the last couple of years regarding anti-social behaviour, noise and disruption which have stemmed from patrons leaving the premises. There seems to be a lack of effort to move disruptive individuals from the nearby vicinity by the owners of the premises.

The incidents that I have personally been aware of have occurred during Saturday or Sunday Mornings normally between 3-7 am.

A number of vehicles are normally parked on Wells Way outside "The Well" on Double-Yellow lines to pick up patrons. Patrons leaving the vicinity often cause congestion

and has resulted in arguments between drivers and patrons. Intoxicated arguments have occurred outside my premises on a few occasions.

I would like to add I am aware the application also refers to crime and disorder, although I cannot testify to these levels, I appreciate that this may well be occurring and will be more evident to the residents who live slightly closer to the premises.

I am in support of the reduction of opening hours on both Saturday and Sunday Mornings to a more reasonable timings unless there are forced guarantees that the owners become more accountable for dealing with the issues highlighted by myself and other nearby residents.

Yours Faithfully,

From: OTHER PERSON 21

Sent: Saturday, August 20, 2022 1:28 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Cc:

Subject: COOL AND COZZY LOUNGE (THE FLING DUTCMAN) 156 WELLS WAY SE5 7SY

Dear Sirs,

I, the undersigned, have been a resident at Wells Way opposite The Flying Dutchman for over 8 years now.

There has be some noise around this Pub. But the noise level in the complaint has certainly been over exaggerated for whatever reason. There have been incidents in the past about 5 years ago that were much much worse as far as noise levels were concerned

We live in a community of diverse races and all efforts must be made to bring the community together rather than divide them.

It is my opinion that the Council takes a practical approach in this case and give the Management of the above Pub some advice to reduce noise levels rather than closing it down.

Yours faithfully

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

From: **OTHER PERSON 22**

Sent: Sunday, August 21, 2022 7:24 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Cool and cozy

To whom it may concern,

I am a resident at Southampton Way. And have lived here for many years.

My attention has been brought to the blue notice outside Cool and Cozy.

I would like to state that I haven't been witness to these events or been disturbed by any customers leaving the local them.

Yours sincerely

From: **OTHER PERSON 23**

Sent: Sunday, August 21, 2022 10:57 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Representation

Re: Cool and Cozzy Lounge
The Flying Dutchman
156 Wells way
London
SE5 7SY

Dear Sirs,

I would like to make a representation on behalf of the above entertainment establishing in relation to complaints received around nuisance, loud music and altercation resulting to the police being called which has the potential to impact their licensing conditions.

Can I please make a representation that this facility is allowed to operate as usual because of its role in supporting community events in Southwark and by occasionally making the venue available to Southwark based charity organisations. The management of this establishment is willing to remedy all the concerns raised in order to create a safe and peaceful business environment. I therefore appeal that the management be given a chance and to ensure that none of these happens again and I am confident he will achieve that.

Thank you so much for your usual cooperation and for considering my representation.

Kind Regards

From: **OTHER PERSON 24**

Sent: Sunday, August 21, 2022 10:52 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: APPEAL AGAINST THE CASE THAT IS BROUGHT AGAINST COOL AND COZZY RESTURANT MANAGEMENT

Dear Sir/Madam,

I am _____, I wish to inform the authorities that I have lived at _____ Wells Way. I have lived in this address and this community for more than ten years, I, therefore, contest/challenge all the allegations made against Cool and Cozzy restaurant management.

I live opposite Cool and Cozzy, the management has been putting and is continuously putting mechanisms in place in these challenging times to maintain sanity in the community.

Yours sincerely,

Licensing Act 2003

Premises Licence



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

Premises licence number

875973

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Cool and Cozzy Lounge The Flying Dutchman 156 Wells Way Ordnance survey map reference (if applicable): 533046177249	
Post town: London	Post code: SE5 7SY
Telephone number	

Licensable activities authorised by the licence

Films - Indoors
Indoor Sporting Event
Live Music - Indoors
Recorded Music - 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. For any non standard timings see Annex 2

Monday	10:00 - 00:30
Tuesday	10:00 - 00:30
Wednesday	10:00 - 00:30
Thursday	10:00 - 00:30
Friday	10:00 - 06:30
Saturday	10:00 - 06:30
Sunday	11:00 - 01:30

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

Sale by retail of alcohol to be consumed on premises
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

Films - Indoors

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 06:00
Saturday	10:00 - 06:00
Sunday	11:00 - 01:00

Indoor Sporting Event

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 06:00
Saturday	10:00 - 06:00
Sunday	11:00 - 01:00

Live Music - Indoors

Monday	10:00 - 23:30
Tuesday	10:00 - 23:30
Wednesday	10:00 - 23:30
Thursday	10:00 - 23:30
Friday	10:00 - 06:00
Saturday	10:00 - 06:00
Sunday	11:00 - 01:00

Recorded Music - Indoors

Monday	10:00 - 23:30
Tuesday	10:00 - 23:30
Wednesday	10:00 - 23:30
Thursday	10:00 - 23:30
Friday	10:00 - 06:00
Saturday	10:00 - 06:00
Sunday	11:00 - 01:00

Late Night Refreshment - Indoors

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 00:00
Friday	23:00 - 05:00
Saturday	23:00 - 05:00
Sunday	23:00 - 01:00

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 - 00:00
Friday	10:00 - 06:00
Saturday	10:00 - 06:00
Sunday	11:00 - 01:00

Sale by retail of alcohol to be consumed off premises

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 06:00
Saturday	10:00 - 06:00
Sunday	11:00 - 01:00

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

FDN Arts & Events Limited
 Flat 9 Woolford Court
 100 Coldharbour Lane
 London
 SE5 9PU

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

13723920

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

Francis Kpandeh

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.:

Licence Issue date: 11/11/2021



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

Annex 1 - Mandatory conditions

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

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

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

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.

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 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

110 No statutory regulations for music and dancing shall apply so as to require any licence for the provision in the premises of public entertainment by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only which is produced solely by the reproduction of recorded sound is permitted.

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

112 This licence allows for the premises to remain open for non standard timings as stated on the days and hours stated below. 10:00 to 01:30 the following day on Christmas Eve, Christmas Day, Boxing Day, 27 December and 31 December 10.00 - 2 Jan 01.30

113 This licence allows for the premises to remain open for the sale or supply of alcohol for non standard timings as stated below. 10:00 to 01:00 the following day on Christmas Eve, Christmas Day, Boxing Day, 27 December and 31 December 10.00 - 2 Jan 01.00

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, Indoor Sporting Events, Live Music, Recorded Music, Provision of Entertainment Facilities, Making Music, Dancing and Late Night Refreshment 10:00 to 01:00 the following day on Christmas Eve, Christmas Day, Boxing Day, 27 December and 31 December 10.00 - 2 Jan 01.00

180 a. The premises shall be effectively ventilated to prevent public nuisance

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

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

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

288 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 an image of every person who enters the premises.

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

293 All staff shall be trained to observe the measures necessary to promote the crime and disorder objective and a record of the dates and names of the staff trained kept

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

298 That suitable notices shall be displayed stating "No Drugs". A zero tolerance policy towards illegal drugs will operate at all times.

302 The premises will operate in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and club and operate in accordance with all relevant legislation i.e the S.182 Guidance regarding the aims and objectives of the licensing laws

308 There shall be no new entry or re-entry to the premises after 02.30hrs

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

316 That all collections, deliveries, waste handling and cleaning of external areas shall take place between the hours of 08.00hrs and 20.00hrs

323 That the management make regular checks to ensure that any noise from the licensable activities provided do not cause nuisance to the local neighbourhood

326 That all appropriate staff shall be trained in the age identification scheme required at the premises and records of training shall be kept and made available for inspection by authorised officers of the Council

334 That an age identification scheme shall be established and maintained. The scheme shall Require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol

336 That a Personal Licence holder is on the premises and on duty at all times after 20.00hrs that intoxicating liquor is supplied when the terminal hour of the premises is after 01.00hrs.

340 The premises will liaise and cooperate with the police and participate in any Pub Watch or other equivalent scheme

341 No person under 18 shall be admitted to any part of the premises where adult entertainment is provided

342 Any restrictions on the admission of children will be displayed outside the premises or relevant part thereof

343 That staff will be trained to observe the measures necessary to promote the public nuisance

344 That licensed entertainment, both amplified and acoustic, shall only take place inside the premises. No parts of the exterior shall be used for the purposes of entertainment.

345 That loud instruments (for example brass, drums, etc.) are required to be muted or muffled when being played.

346 That before the premises license can take effect with regard to amplified music, all speakers used within the premises shall be isolated from the structure of the building by either rubber matting or anti - vibration hangers.

347 That before the premises license can take effect with regard to amplified music, a working compressor type sound limiting device, or speaker protection system that will permit maximum volume and bass levels to be set, shall be fitted to the in-house sound amplification equipment. The maximum bass and volume levels shall be set by the applicant's sound engineer in conjunction with EP Team officers

348 That the sound limiter installation and its maximum volumes/set levels shall be maintained thereafter.

349 That every solo performer or the leader of every band or ensemble performing at the venue shall provide written guarantee that they and their musicians will obey instructions from the Designated Premises Supervisor regarding the overall volume level and the volume level of individual instruments. The same guarantee shall be provided by any sound engineer working at the venue. All documentation pertaining to this condition shall be kept on the premises and available to Officers of the Council or the Police to inspect on request.

350 That all openings in the building fabric such as doors, windows and vents shall be closed during licensed entertainment except for access and egress.

351 That before the premises license can take effect with regard to amplified music details of an internal ventilation/cooling system for the premises shall be submitted for approval by the EP Team. The licensee shall then undertake the approved works within 6 months of the commencement of the license. (note - free standing air conditioning units will be acceptable whilst the license is only for 2 days a week - if the premises wished to go to a 7 day a week license then a permanent ventilation system would be required).

352 Arrangements will be made for the storage and disposal of refuse which do not cause a nuisance and removals of waste shall not take place between the hours of 0000 and 0700 hours

353 That there shall be no movement of musical or performance equipment, other than those that are had held and easily managed by one person, to or from the premises between the hours of midnight and 8am.

354 That all exit doors for patrons will be fitted with clearly legible, noticeable signs requesting that patrons leave quietly and be aware the nature of the area is residential.

355 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

356 That suitable notices shall be displayed requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents

357 Customers shall not use any area at the front of the premises after 22.30.

358 A minimum of 1 SIA door supervisor shall be employed at the premises, or such other number as may be specified by an authorised officer of the Metropolitan Police, Friday and Saturday after 22.00hrs until the Terminal hour when the premises are in use under the licence.

359 When no SIA door supervisors are employed after 22.00hrs on Friday and Saturday at the premises members of the public shall not be permitted on the premises for the purpose of licensable activities after 01:00.

360 That there shall be no movement of musical or amplification equipment from the premises between the hours of 12.00 midnight and 8.00 am.

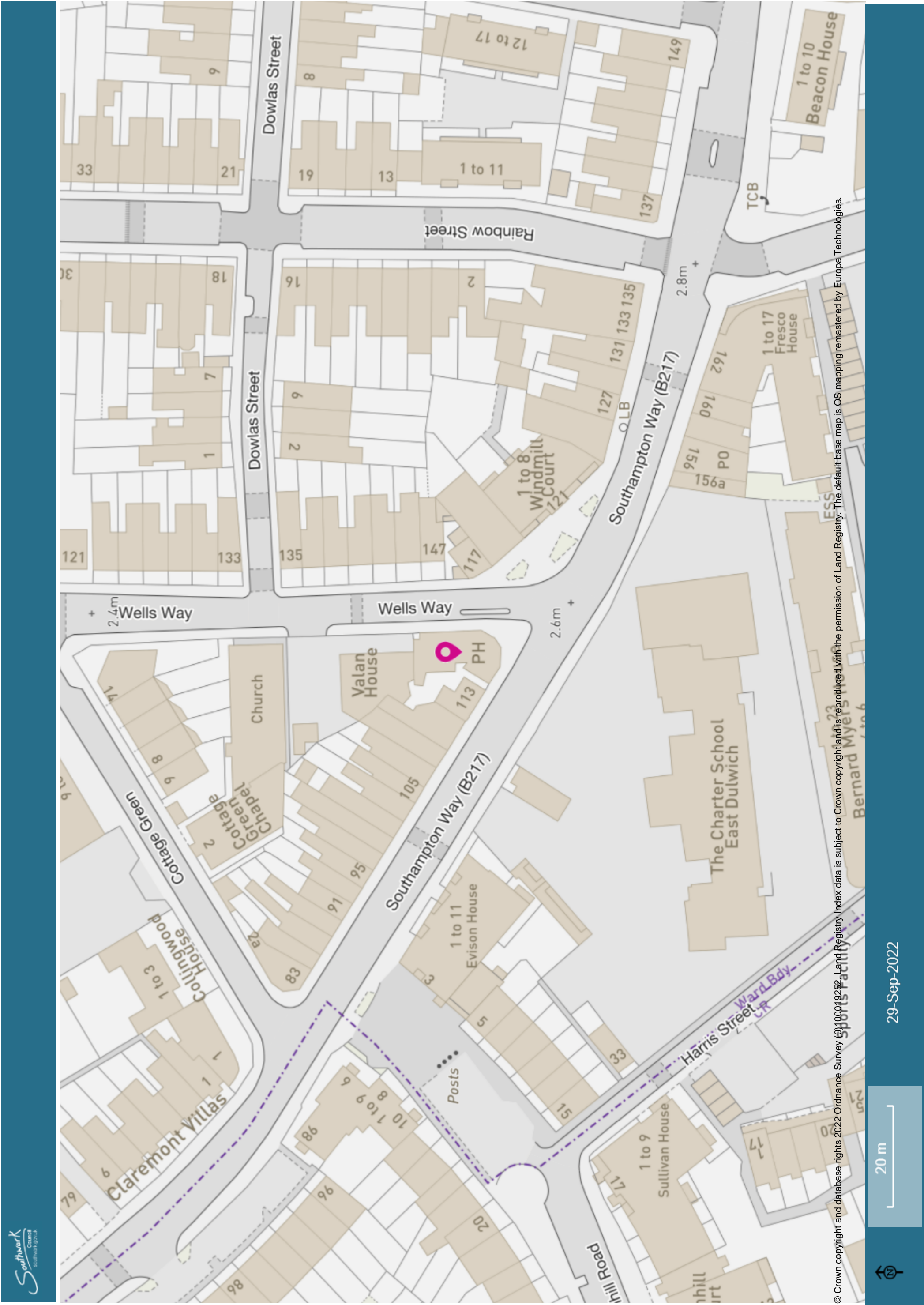
Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans - Attached

Licence No. 875973

Plan No. 071

Plan Date May 2005



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