

## Licensing Sub-Committee

Tuesday 27 June 2023

10.00 am

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

### Membership

Councillor Barrie Hargrove  
Councillor Sunny Lambe  
Councillor Jane Salmon

### Reserves

Councillor Kath Whittam

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## INFORMATION FOR MEMBERS OF THE PUBLIC

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### Contact

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

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Members of the committee are summoned to attend this meeting

**Althea Loderick**

Chief Executive

Date: 19 June 2023



## Licensing Sub-Committee

Tuesday 27 June 2023  
10.00 am

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### Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
1.	<b>ELECTION OF THE CHAIR</b>	
	To elect the chair for this meeting.	
2.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
3.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
4.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
5.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
6.	<b>LICENSING ACT 2003: SET SOCIAL, 55 NIGEL ROAD, LONDON SE15 4NP</b>	1 - 69
7.	<b>LICENSING ACT 2003: CAFE FRANCOIS, 14-16 STONEY STREET, LONDON SE1 9AD</b>	70 - 131
8.	<b>LICENSING ACT 2003: SENTOSA, 208 BERMONDSEY STREET, LONDON SE1 3TQ</b>	132 - 190

**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: 19 June 2023

# Agenda Item 6

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 27 June 2023	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: SET Social, 55 Nigel Road, London SE15 4NP	
<b>Ward(s) of group(s) affected</b>		Rye Lane	
<b>From</b>		Strategic Director of Environment, Neighbourhoods and Growth	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by SET Social to vary the club premises certificate granted under the Licensing Act 2003 in respect of the premises known as SET Social, 55 Nigel Road, London SE15 4NP.

### Notes:

- a) The application seeks to vary the club premises certificate held in respect of the premises known as SET Social under section 84 of the Licensing Act 2003. Existing permitted licensable activities are not under consideration at this meeting. The variation application is subject to representations submitted by 1 responsible authority and 16 'other persons' and is therefore referred to the licensing sub-committee for determination.
- b) Paragraphs 6 and 7 of this report provides a summary of the current club premises certificate issued in respect of the premises. A copy of the current club premises certificate is attached as Appendix A.
- c) Paragraphs 8 to 10 of this report provide a summary of the application. A copy of the application is attached to this report as Appendix B.
- d) Paragraphs 11 to 18 of this report deal with the representations submitted in respect of the application. Copies of the representations are attached to this report as Appendices C and D. A map showing the location of the premises is attached to this report as Appendix F.
- e) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing procedure, has been circulated to all parties to the meeting.

## BACKGROUND INFORMATION

### The Licensing Act 2003

2. 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.

3. Within Southwark, the licensing responsibility is wholly administered by this council.
4. 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.
5. 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.
6. The club premises certificate application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

## **KEY ISSUES FOR CONSIDERATION**

### **The current club premises certificate**

7. The current club premises certificate issued in respect of the premises known as SET Social, 55 Nigel Road, London SE15 4NP was issued on 15 December 2022 and allows the following licensable activities:
  - **Plays – Indoors:**
    - Monday to Sunday : 12:00 - 23:00
  - **Films – Indoors:**
    - Monday to Sunday: 12:00 - 23:00
  - **Recorded Music – Indoors:**
    - Sunday to Thursday: 12:00 - 23:00
    - Friday and Saturday: 12:00 - 01:00

- **Performance of Dance – Indoors:**
  - Monday to Sunday: 12:00 - 23:00
- **Supply of alcohol to a member of a club – on premises:**
  - Sunday to Thursday: 12:00 - 23:00
  - Friday and Saturday: 12:00 - 01:00
- **Opening hours:**
  - Sunday to Thursday: 12:00 - 23:00
  - Friday and Saturday: 12:00 - 01:00

8. A copy of the existing club premises certificate is attached as Appendix A.

### **The variation application**

9. On 28 April 2023 SET Social applied to this council to vary the club premises certificate under the Licensing Act 2003 in respect of the premises known as SET Social, 55 Nigel Road, London SE15 4NP. The premises purpose and nature of the variation is described within the application as follows:

*‘The premises is comprised of a small bar area, which provides refreshment and hosts an area where recorded music can be played at background volume. Adjacent to this space is the hall area which has two pool tables and a number of chairs and tables. There is a small exterior smoking area and a yard/garden area. We have recently been given some funding to turn the outside space to the side of the former church into a community garden. As such we wish to licence this area so that drinks can be consumed in the garden area. The timings during which we wish alcohol to be able to be consumed in the garden will be between 14:00 and 22:00. We also wish to apply for an hour later for both our opening hours and hours in which licensable activity will take place. As such we wish to change our closing hours and provision of alcohol from; 23:00 on Sunday to Thursday 01:00 on Friday and Saturday (evenings) to; 00:00 on Sunday to Thursday 02:00 on Friday and Saturday (evenings)’*

10. The application is summarised as follows:

- **Change of plan to include outside garden area**
- **To extend plays – Indoors:**
  - Sunday to Thursday: 23:00 - 00:00
  - Friday and Saturday: 23:00 - 01:00
- **To extend films – Indoors:**
  - Sunday to Thursday: 23:00 - 00:00
  - Friday and Saturday: 23:00 - 01:00

- **To add live music – indoors:**
  - Sunday to Thursday: 12:00 - 00:00
  - Friday and Saturday: 12:00 - 01:00
- **To add recorded music – outdoors:**
  - Sunday to Thursday: 12:00 - 00:00
  - Friday and Saturday: 12:00 - 02:00
- **To extend recorded music – indoors:**
  - Sunday to Thursday: 23:00 - 00:00
  - Friday and Saturday: 01:00 - 02:00
- **To extend performance of dance – indoors:**
  - Sunday to Thursday: 23:00 - 00:0
  - Friday and Saturday: 23:00 - 01:00
- **To extend supply of alcohol to a member of a club - on premises:**
  - Sunday to Thursday: 23:00 - 00:00
  - Friday and Saturday: 01:00 - 02:00
- **Opening hours:**
  - Sunday to Thursday: 12:00 - 00:00, Friday and Saturday: 12:00 - 02:00

11. A copy of the application is attached to this report as Appendix B.

### **Representations from responsible authorities**

12. A representation has been submitted by the councils environmental protection team (EPT) as a responsible authority.
13. The EPT representation is concerned with the prevention of public nuisance licensing objective and is concerned with the recently reported issues around patron noise when leaving the premises that is affecting nearby residents. In order to promote those objectives EPT asked for more information regarding the usage of the outside garden area.
14. A copy of the representation submitted by EPT is attached to this report as Appendix C

### **Representations from other persons**

15. Representations have been submitted by 16 other persons one of those representations is in support of the application.
16. The other person representations are concerned with the prevention of public nuisance; the prevention of crime and disorder and the protection of children from harm licensing objectives.

17. The other person's contend that the premises is in close proximity to their residential flats and that the later operation of the premises, littering, anti-social behaviour and the noise from music and patrons, both inside and outside would interfere with the enjoyment of their homes, causing noise pollution and interfere with the sleep of the family.
18. Copies of the representations submitted by the other persons are attached to this report as Appendix D.

### **Conciliation**

19. The representations were provided to the applicant, who was advised that the applicant could provide a reply to the representations if the applicant so wished.
20. At the time of the writing of this report the 17 representations other persons and a responsible authority remain outstanding and so must be considered by the licensing sub-committee in their determination of the application.
21. The licensing sub-committee will be apprised as to any conciliation, whether partial or full, of the other persons.

### **Temporary event notices**

22. There has been seven temporary event notices (TENs) submitted in respect of the premises within the last year. A Table of the TENs in more detail is attached to this report as Appendix E.

### **Complaints**

23. The licensing unit have received no complaints regarding the premises.

### **Map**

24. A map showing the location of the premises is attached to this report as Appendix F. The following are a list of licensed premises shown on the map:

**Two Hundred Rye Lane, 200 Rye Lane, London SE15 4NF**, licensed for:

- Late night refreshment – indoors:
  - Friday and Saturday: 23:00 – 01:00
- Sale by retail of alcohol to be consumed on the premises:
  - Sunday to Thursday: 10:00 – 00:00, Friday and Saturday: 10:00 – 00:30
- Sale by retail of alcohol to be consumed off the premises:
  - Monday to Sunday: 10:00 – 22:00



**Tupi Restaurants Limited, 206 Rye Lane, London SE15 4NL**, licensed for:

- Recorded music – indoors:
  - Monday to Sunday: 08:00 – 23:00
- Sale by retail of alcohol to be consumed on and off the premises:
  - Monday to Sunday: 12:00 – 23:00

**210, 210 Rye Lane, London SE15 4NL**, licensed for:

- Recorded music – indoors:
  - Sunday to Thursday: 23:00 – 00:00
  - Friday and Saturday: 23:00 – 01:00
- Late night refreshment – indoors:
  - Sunday to Thursday: 23:00 – 23:30
  - Friday and Saturday: 23:00 – 00:30
- Sale by retail of alcohol to be consumed on and off the premises:
  - Sunday to Thursday: 10:00 – 23:30
  - Friday and Saturday: 10:00 – 00:30

**Nola, 224 Rye Lane, London SE15 4NL**, licensed for:

- Late night refreshment – indoors:
  - Friday and Saturday: 23:00 – 00:00
- Sale by retail of alcohol to be consumed on the premises:
  - Thursday: 17:00 – 22:30
  - Friday: 17:00 – 23:30
  - Saturday: 13:00 – 23:30
  - Sunday: 13:00 – 22:30

**Peckham Troy Hall, Troy Town Community Centre, Nigel Road, London SE15 4NS**, licensed for:

- Sale by retail of alcohol to be consumed on the premises:
  - Monday to Sunday: 12:00 – 23:00

**The White Horse, 20 Peckham Rye, London SE15 4JR, licensed for:**

- Live music – indoors:
  - Monday to Thursday: 10:00 – 00:00
  - Friday and Saturday: 10:00 – 01:00
  - Sunday: 12:00 – 23:30
- Recorded music - indoors
  - Monday to Thursday: 08:00 – 00:00
  - Friday and Saturday: 08:00 – 01:00
  - Sunday: 12:00 – 23:30
- Provisions similar to making music and dancing, – indoors:
  - Monday to Thursday: 10:00 – 00:00
  - Friday and Saturday: 10:00 – 01:00
  - Sunday: 12:00 – 23:30
- Late night refreshment – indoors:
  - Monday to Thursday: 23:00 – 00:00
  - Friday and Saturday: 23:00 – 01:00
  - Sunday: 23:00 – 23:30
- Sale by retail of alcohol to be consumed on and off the premises:
  - Monday to Thursday: 08:00 – 00:00
  - Friday and Saturday: 08:00 – 01:00
  - Sunday: 12:00 – 23:30

**Slow Richie's, 18 Peckham Rye, London SE15 4JR, licensed for:**

- Sale by retail of alcohol to be consumed on and off the premises:
  - Monday to Friday: 12:00 – 23:00
  - Saturday and Sunday: 11:00 – 23:00

**Alpha Off Licence, 24 Peckham Rye, London SE15 4JR, licensed for:**

- Sale by retail of alcohol to be consumed off the premises:
  - Monday to Sunday: 06:00 – 23:00

**En Root, 28 Peckham Rye, London SE15 4JR, licensed for**

- Films – indoors:
  - Thursday: 19:00 - 22:00

- Sale by retail of alcohol to be consumed on the premises:
  - Monday: 12:00 – 17:00
  - Tuesday to Friday: 12:00 – 22:00
  - Saturday: 10:00 – 22:00
  - Sunday: 10:00 – 17:00

**Rye News, 34 Peckham Rye, London SE15 4JR**, licensed for:

- Sale by retail of alcohol to be consumed off the premises:
  - Monday to Saturday: 08:00 – 23:00
  - Sunday: 10:00 – 22:30.

### **Southwark Council statement of licensing policy**

25. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and came into effect on 1 January 2021.
26. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
  - Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this Authority relies in determining licence applications
  - Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
  - Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
  - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification.
  - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
  - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
  - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
  - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.

27. The purpose of Southwark's Statement of Licensing Policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
28. Members should take into consideration both the Southwark Statement of Licensing Policy and the Section 182 Guidance when making decisions. The links for these 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](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)**

29. The premises does not fall within a cumulative impact area (CIA)
30. The premises are situated in the Peckham Major Town Centre Area.
31. Under the Southwark's statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within Peckham Major Town Centre Area:
- Restaurants and cafes:
    - Sunday to Thursday: 00:00
    - Friday and Saturday: 01:00
  - Public houses, wine bars or other drinking establishments:
    - Sunday to Thursday: 23:00
    - Friday and Saturday: 00:00
  - Nightclubs (with 'sui generis' planning classification):
    - Monday to Thursday: 01:00
    - Friday and Saturday: 03:00
    - Sunday: 00:00
  - Off-licenses and alcohol sales in grocers and supermarkets:
    - Monday to Sunday: 00:00

- Take-away establishments:
  - Sunday to Thursday: 00:00
  - Friday and Saturday: 01:00
- Cinemas and theatres:
  - Monday to Sunday: 02:00
- Qualifying members' club:
  - Monday to Sunday: 02:00.

### **Climate change implications**

32. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
33. Climate change is not a legal factor in the consideration of a grant or variation of a premises license or club premises certificate under the current licensing objectives, however members can make enquiries and request an agreement from applicants to promote the reduction of the impact of climate change that may be caused by the operation of the premises.
34. Examples of such 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.
35. The council's climate change strategy is available at:

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

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

#### **Community impact statement**

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

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

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

38. Importantly, the council must have due regard to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct; advance equality of opportunity and foster good relations between people who have protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The public sector equality duty also applies to marriage and civil partnership, but only in relation to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct.
39. The equalities impact statement for licensing decisions is contained within the Southwark statement of licensing policy 2021 – 2026at:

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

40. The equalities impact assessment is available at:

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

### **Health impact statement**

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

### **Resource implications**

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

### **Consultation**

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

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Assistant Chief Executive – Governance and Assurance**

44. The sub-committee is asked to determine the application for a variation of a club premises certificate licence under Section 85 of the Licensing Act 2003.
45. The principles which sub-committee members must apply are set out below.

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

46. The sub-committee is asked to determine the application for a variation of a club premises certificate under section 85 of the Licensing Act 2003.
47. The principles which sub-committee members must apply are set out below.

48. The general principle is that applications for club premises certificates must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
49. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
  - Are made by an interested party or responsible authority
  - Have not been withdrawn
  - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
50. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- To grant the licence subject to:
- - The conditions mentioned in section 85(4)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
    - Any condition which must under section 85 be included in the licence.
  - To exclude from the scope of the licence any of the licensable activities to which the application relates.
  - To reject the application.

### **Conditions**

51. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
52. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
53. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
54. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night

time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.

55. Members are also referred to the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 section 6, on club premises certificates and on conditions, section 10.

### **Reasons**

56. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for the variation of a club premises certificate application, it must give reasons for its decision.

### **Hearing procedures**

57. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:

- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
- Members of the authority are free to ask any question of any party or other person appearing at the hearing.
- The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
  - Address the authority
  - If given permission by the committee, question any other party.
  - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
- The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives.
- The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
- In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

58. This matter relates to the determination of an application for a club premises certificate under Section 84 of the Licensing Act 2003. Regulation 26(1)(f) requires the sub-committee to make its determination at the conclusion of the hearing.



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

59. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
60. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
61. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
62. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
63. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
64. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
65. Under the Human Rights Act 1998, the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.

66. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

### Guidance

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

### Strategic Director, Finance

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

### BACKGROUND DOCUMENTS

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

### APPENDICES

Name	Title
Appendix A	Copy of the current club premises certificate issued in respect of the premises
Appendix B	Copy of the application
Appendix C	Copy of the representation submitted by the environmental protection team as a responsible authority
Appendix D	Copies of the representations submitted by 'other persons'
Appendix E	Table of temporary event notices
Appendix F	Map showing the location of the premises

**AUDIT TRAIL**

<b>Lead Officer</b>	Caroline Bruce, Strategic Director Environment, Neighbourhoods and Growth	
<b>Report Author</b>	Jayne Tear, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	13 June 2023	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Strategic Director, Finance	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		16 June 2023

# Licensing Act 2003 Club Premises Certificate



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

Club premises certificate number

878625

## Club details

<b>Name of club in whose name this certificate is granted and relevant postal address of club.</b>	
SET Social	
<b>Address</b> 55 Nigel Road	
<b>Post town</b> London	<b>Post code</b> SE15 4NP
<b>Telephone number</b>	

<b>If different from above the postal address of club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description</b>	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number</b>	

<b>Qualifying club activities authorised by the certificate</b>
Plays - Indoors Films - Indoors Recorded Music - Indoors Performance of Dance - Indoors Supply of alcohol to a member of a club - On Premises

<b>The times the certificate authorises the carrying out of qualifying club activities.</b> For non standard timings see Annex 2
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**Plays - Indoors**

Monday	12:00 - 23:00
Tuesday	12:00 - 23:00
Wednesday	12:00 - 23:00
Thursday	12:00 - 23:00
Friday	12:00 - 23:00
Saturday	12:00 - 23:00
Sunday	12:00 - 23:00

**Films - Indoors**

Monday	12:00 - 23:00
Tuesday	12:00 - 23:00
Wednesday	12:00 - 23:00
Thursday	12:00 - 23:00
Friday	12:00 - 23:00
Saturday	12:00 - 23:00
Sunday	12:00 - 23:00

**Recorded Music - Indoors**

Monday	12:00 - 23:00
Tuesday	12:00 - 23:00
Wednesday	12:00 - 23:00
Thursday	12:00 - 23:00
Friday	12:00 - 01:00
Saturday	12:00 - 01:00
Sunday	12:00 - 23:00

**Performance of Dance - Indoors**

Monday	12:00 - 23:00
Tuesday	12:00 - 23:00
Wednesday	12:00 - 23:00
Thursday	12:00 - 23:00
Friday	12:00 - 23:00
Saturday	12:00 - 23:00
Sunday	12:00 - 23:00

**Supply of alcohol to a member of a club - On Premises**

Monday	12:00 - 23:00
Tuesday	12:00 - 23:00
Wednesday	12:00 - 23:00
Thursday	12:00 - 23:00
Friday	12:00 - 01:00
Saturday	12:00 - 01:00
Sunday	12:00 - 23:00

**The opening hours of the club**

Monday	12:00 - 23:00
Tuesday	12:00 - 23:00
Wednesday	12:00 - 23:00
Thursday	12:00 - 23:00
Friday	12:00 - 01:00
Saturday	12:00 - 01:00
Sunday	12:00 - 23:00

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

Certificate Issue date: 15 December 2022



**Head of Regulatory Services**  
Hub 1, 3rd Floor  
PO Box 64529  
London, SE1P 5LX  
020 7525 5000  
[licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)

**Annex 1 - Mandatory conditions**

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

**4AA** That a challenge 25 scheme shall be maintained requiring that staff selling or delivering alcohol request that any customer who looks under 25 years old, and who is attempting to purchase or take receipt of alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a photo driving licence, passport, UK armed services photo ID card, any Proof of Age Standards Scheme (PASS) accredited card (such as the Proof of Age London (PAL) card) or any age verification card accredited by the Secretary of State.

**4AB** All staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

**4AC** That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.

**4AI** That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused alcohol sales, with the address of the premises and the name of the licence holder. The register shall be used to record details of all refused sales of alcohol. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.

**288** That a digital CCTV system shall be installed at the premises, shall be maintained in full working order and shall be continually recording at all times that the premises are in use. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises.

**289** That all CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available to responsible authority officers on request.

**340** That a member of staff shall be on duty at all times that the premises are in use, who is trained in the use of the CCTV system and who is able to view, and download to a removable storage device, CCTV footage at the immediate request of responsible authority officers.

**341** That the premises shall only be attended by credentialed members of SET Centre CIO who provide membership card & matching ID on entrance to the premises. This will be guaranteed by virtue of an electronic access control system, allowing only those with membership credentials (ID) to open the perimeter gate, as well as staff / security checks on entrance to the club.

**293** That all staff shall be trained in their responsibilities under the Licensing Act 2003, the promotion of the licensing objectives and the terms, the conditions of this club premises certificate, the club rules and any operational policies, procedures and risk assessments in place at the premises. Records pertaining to such training ('the staff training logs') shall be kept at the premises, shall be updated every 6 months and shall be made immediately available to responsible authority officers on request. The training logs shall include the



trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received and understood by the trainee.

**342** That club members can attend the premises with a maximum of two (2) non-member guests who must sign in on entry to the premises.

**343** That a comprehensive noise management plan (NMP) shall be undertaken. The NMP shall be kept at / be accessible at the premises and made available to officers of the council and / or police immediately on request. The NMP shall be reviewed at least annually, or when any substantive alterations are made to the premises, and the result of the review shall be recorded in the NMP. The review shall be dated and signed off by a member of management staff. All relevant staff employed at the premises shall be trained in the latest version of the NMP. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises. The NMP shall be made immediately available to responsible authority officers on request.

**344** That a zero tolerance policy to illegal drug use will be implemented and maintained at the premises. All staff shall be trained in respect of the premises' drug policy. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises. The NMP shall be made immediately available to responsible authority officers on request.

**345** That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers in the premises main floor areas and toilets advising to the effect that the taking of illegal drugs will not be tolerated at the premises. These notices shall be kept free from obstructions at all times.

**346** That a dispersal policy to assist with patrons leaving the premises in an orderly and safe manner shall be devised and maintained regarding the premises. A copy of the dispersal policy shall be accessible at the premises at all times that the premises are in operation. The policy should include (but not necessarily be limited to) the following:

- Details as to how customer / staff egress at the premises shall be managed to minimise causing nuisance.
- Details of public transport in the vicinity and how customers will be advised in respect of it.
- Details of the management of taxis to and from the premises.
- Details of the management of any 'winding down' period at the premises.
- Details of the use of security and stewarding in respect of managing customer dispersal from the premises.
- Details of any cloakroom facility at the premises and how it is managed.
- Details of road safety in respect of customers leaving the premises.
- Details of the management of ejections from the premises.
- Details of how refuse / waste in the local vicinity arising through the operation of the premises will be cleared up (e.g. flyer clean up, post event clean up). All relevant staff employed at the premises shall be trained in the latest version of the dispersal policy. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises. The dispersal policy shall be made immediately available to responsible authority officers on

request.

**347** That a waste glass and litter collection policy shall be devised and maintained regarding the premises. All relevant staff employed at the premises shall be trained in the latest version of the waste glass and litter collection policy. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises. The policy shall be made immediately available to responsible authority officers on request.

**348** That a lost and found policy shall be devised and maintained regarding the premises. All relevant staff employed at the premises shall be trained in the latest version of the lost and found policy. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises. The policy shall be made immediately available to responsible authority officers on request.

**349** That an incident log shall be kept at the premises to record details of any of the following occurrences at the premises:

- i. Instances of anti-social or disorderly behavior
- ii. Calls to the police
- iii. Any complaints received
- iv. Ejections of people from the premises
- v. Visits to the premises by the local authority or emergency services
- vi. Any malfunction in respect of the CCTV system
- vii. All crimes reported
- viii. Any other relevant incidents

The incident log shall record the time, date, location in the premises and description of each incident, the printed and, if possible, signed name of the person reporting the incident and any action taken in respect of the incident. The incident log shall be available / be accessible at the premises at all times that the premises are in use, and shall be made immediately available to responsible authority officers on request. All relevant staff employed at the premises shall be trained in the use of the incident log. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.

**350** That clearly legible signage shall be prominently displayed at the entrance to the premises and where it can easily be seen and read by customers stating the club policy & rules such signage shall be kept free from obstructions at all times.

**351** That external lighting shall be installed, maintained in full working order and be in use at all times the premises are in operation such that visibility allows staff to easily and safely use and navigate the external access and egress to and from the premises at all times and to act as a crime deterrent. Such lighting shall be installed so that it does not cause nuisance to any nearby residences.

**307** That the maximum number of people permitted on the premises at any one time (the 'accommodation limit') is 100 people (excluding staff). The accommodation limit shall be known by all staff and shall not be exceeded at any time.

**352** That Information on public transport and taxi services will be provided on request from door staff and bar staff. Clearly legible signage will be prominently displayed at the premises stating to the effect that this service is offered. A safe place will be offered for attendees to wait for taxis.

**353** That a minimum of one (1) SIA registered door supervisors will be employed at the premises at all times after 21:00 hours. They will be employed to control entry to the premises, to deal with any searching / scanning of customers, to deal with any anti-social or disorderly behaviour at the premises, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist management in liaising with the police regarding instances of crime and to assist with ensuring that the premises' dispersal policy is adhered to. When deployed, they shall remain at the premises at least until close and all patrons have vacated the premises. The door supervisors shall be easily identifiable.

**354** That clearly legible signage shall be prominently displayed throughout the premises where it can easily be seen and read by customers stating to the effect that the premises operate a zero tolerance to discrimination or harassment signs and that anyone displaying violent or aggressive tendencies will be evicted from the premises. Such signage shall be kept free from obstructions at all times.

**355** That 'Chelsea Hooks' or similar shall be provided throughout the public areas of the premises.

**356** That appropriate first aid equipment / materials shall be kept at the premises in a minimum of 2 dedicated boxes. The first aid boxes shall be kept easily accessible and unobstructed at all times. All staff shall be made aware of where the first aid boxes are located.

**357** That illuminated emergency escape route and emergency exit signage that can remain illuminate independent of the mains power supply ('emergency lighting') shall be installed at the premises, be maintained in full working order, be operational at all times that the premises are in use and shall be maintained free from obstruction at all times.

**358** That any spills of liquid onto the floor at the premises' shall be cleared away as soon as possible on a continuous basis whilst the premises are in use. Any wet floors will be clearly demarcated to prevent slips being caused by the wet floors.

**359** That broken or waste glass / earthenware shall be cleared away as soon as possible on a continuous basis whilst the premises are in use.

**360** That customers will not be permitted to bring any drinks into the premises, nor take any drinks bought at the premises outside of the premises, at any time.

**361** That a sound limiting device (or similar equipment) shall be installed at the premises, be maintained in full working order and be in use at all times that the premises are in operation under this licence. All amplification equipment, entertainment devices and amplified instruments used in the provision of licensable activities at the premises shall be routed through the sound limiting device (or similar equipment), which shall be calibrated so that the sound level of amplified sound at the premises does not cause a statutory or public nuisance. Only management staff shall have access to the sound limiting device (or similar equipment) and shall be able to demonstrate that it is in use at the immediate request of responsible authority officers.

**362** That only management staff shall have access to any amplification equipment at the premises, and only management staff shall be permitted to change any control settings on said equipment.

**363** That prior to the premises opening to customers on each day, the premises will be inspected to ensure that there are no health & safety risks to the public.

**364** That staff shall regularly monitor the premises' toilets to ensure that they are in a clean and sanitary condition, that no prohibited and / or illegal activities are taking place in the toilets and to check customer safety.

**304** That clearly legible signage stating a dedicated contact telephone number for the premises shall be prominently displayed where it can easily be seen read by passers-by. The signage shall state to the effect that the phone number shown can be used to contact the premises in respect of any complaints regarding the operation of the premises. Such signage shall be kept free from obstructions at all times.

**158** That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers requesting to the effect that customers leave the premises and locale in a quiet and orderly manner with respect to local residents. Such signage shall be kept free from obstructions at all times.

**316** That external waste, recycling or waste glass / bottle handling shall only take place between 08:00 hours and 18:00 hours. At all other times waste, recycling or waste glass / bottles shall be kept on the premises until they are due to be collected.

**365** That any litter caused by the operation of the premises shall be cleared away from the immediate vicinity of the premises periodically throughout operating hours, and at the end of trade, on each day that the premises are in operation.

**366** That staff will be trained that, if and when required (and when safe to do so), they will verbally instruct customers to behave at / leave the premises and locale in a quiet and orderly manner, not to loiter in the locale and to remind customers to be respectful to local residents.

**315** That after 21:00 hours the premises' external area will be closed to customers except for up to a maximum of 10 customers at any one time will be permitted to smoke only. Such customers will be instructed by staff, if and when required, to behave in a quiet and orderly manner.

**367** That ashtrays will be provided in the premises' external area.

**368** That all emergency exits, emergency escape routes and entry / exit doors at the premises shall be kept free from obstructions at all times that the premises are in use.

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

**Annex 4 - Plans**

Licence No.	878625
Plan No.	55 Nigel Road
Plan Date	N/A

**Application to vary a club premises certificate to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING  
APPLICATION**

Before completing this form please read the guidance notes at the end of the form.

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

SET Social

*(Insert name of club)*

**club applies for a club premises certificate under section 84 of the Licensing Act 2003 for the premises named in Part 1 below**

<b>Club premises certificate number</b> 878625
---

**Part 1 – Club premises details**

Name of club SET Social			
Postal address of premises, if any, or if none Ordnance Survey map reference or description 55 Nigel Road, Peckham London SE15 4NP			
Post town		Postcode	SE15 4NP
Telephone number (if any)	[REDACTED]		
E-mail address (optional)	[REDACTED]		

Name of person performing duties of a secretary to the club Ollie Tobin			
Address of person performing duties of a secretary to the club [REDACTED] [REDACTED] [REDACTED] [REDACTED]			
Post town		Postcode	[REDACTED]
Daytime contact telephone number (if any)	[REDACTED]		
E-mail address (optional)	[REDACTED]		

**Part 2 – Applicant details**

Daytime contact telephone number (if any)		[REDACTED]	
E-mail address (optional)		[REDACTED]	
Current postal address if different from premises address			
Post town		Postcode	

**Part 3 - Variation**

Please tick

Do you want the proposed variation to have effect as soon as possible?

-  Yes       No

If not when do you want the variation to take effect from?

DD	MM	YYYY
[ ]	[ ]	[ ] [ ] [ ] [ ]

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (See guidance note 1)       Yes       No**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

The premises is comprised of a small bar area, which provides refreshment and hosts an area where recorded music can be played at background volume. Adjacent to this space is the hall area which has two pool tables and a number of chairs and tables. There is a small exterior smoking area and a yard/garden area. We have recently been given some funding to turn the outside space to the side of the former church into a community garden. As such we wish to licence this area so that drinks can be consumed in the garden area. The timings during which we wish alcohol to be able to be consumed in the garden will be between 14:00 and 22:00. We also wish to apply for an hour later for both our opening hours and hours in which licensable activity will take place. As such we wish to change our closing hours and provision of alcohol from; 23:00 on Sunday to Thursday 01:00 on Friday and Saturday (evenings) to; 00:00 on Sunday to Thursday 02:00 on Friday and Saturday (evenings)

If the club's proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A
-----



#### Part 4 – Club Operating Schedule

Please complete those parts of the Club Operating Schedule which would be subject to change if this application to vary is successful.

What qualifying club activities do you intend to conduct on the club premises which will be affected by your application?

- | Provision of regulated entertainment (please read guidance note 3)  | <b>Please tick all that apply</b>   |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B)  | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainments (if ticking yes, fill in box D)                                       | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>            |

**The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club** (if ticking yes, fill in box I)

**The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

## A

Plays Standard days and timings (please read guidance note 8)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon	12:00	00:00		<b><u>Please give further details here</u></b> (please read guidance note 5) On occasion a member of SET may propose to perform a play which will be a ticketed event. In the instance that this is the case we would like our licence to be able to facilitate this.	
Tue	12:00	00:00			
Wed	12:00	00:00	<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 6) n/a		
Thur	12:00	00:00			
Fri	12:00	01:00	<b><u>Non standard timings. Where the club intends to use the premises for the performance of a play at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7) n/a		
Sat	12:00	01:00			
Sun	12:00	00:00			

## B

Films Standard days and timings (please read guidance note 8)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 5) A film has approached about doing a monthly screening of art house cinema. This will be a ticketed event for members of SET social only.		
Tue	12:00	00:00			
Wed	12:00	00:00	<b><u>State any seasonal variations for the exhibition of film</u></b> (please read guidance note 6)		
Thur	12:00	00:00			
Fri	12:00	01:00	<b><u>Non standard timings. Where the club intends to use the premises for the exhibition of film at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat	12:00	01:00			
Sun	12:00	00:00			

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b><u>Please give further details here</u></b> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 6)
Fri			
Sat			
Sun			
			<b><u>Non-standard timings. Where the club intends to use the premises for indoor sporting events at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)

## D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 8)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<b><u>Please give further details here</u></b> (please read guidance note 5)	
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Non-standard timings. Where the club intends to use the premises for the boxing or wrestling entertainment at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					

## E

Live music Standard days and timings (please read guidance note 8)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon	12:00	00:00		<b><u>Please give further details here</u></b> (please read guidance note 5) In the instance that a member wants to propose the provision of live music we would like our licence to be able to support this. Any live music would be unamplified so as not to impact our neighbours and uphold all licencing objectives	
Tue	12:00	00:00			
Wed	12:00	00:00	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 6) n/a		
Thur	12:00	00:00			
Fri	12:00	01:00	<b><u>Non-standard timings. Where the club intends to use the premises for the performance of live music at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7) n/a		
Sat	12:00	01:00			
Sun	12:00	00:00			

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	12:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 5) Recorded music will be background level only. As it has been thus far it will seek to create an atmosphere in which our members can still socialise and talk. For the garden area (the timings for which are in the lower box) the music will cease at 10pm and will not be audible for neighbours and this will only take place on Saturday late afternoons		
Tue	12:00	00:00			
Wed	12:00	00:00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 6)		
Thur	12:00	00:00			
Fri	12:00	02:00	<b><u>Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat	12:00	02:00			
Sun	12:00	00:00			

## G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish	Both		<input type="checkbox"/>	
Mon	12:00	00:00		<b><u>Please give further details here</u></b> (please read guidance note 5) Several members have proposed dance workshops and classes so we wish to be able to support this. Any such event would not impact the 4 licencing objectives	
Tue	12:00	00:00			
Wed	12:00	00:00	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6) n/a		
Thur	12:00	00:00			
Fri	12:00	01:00	<b><u>Non-standard timings. Where the club intends to use the premises for the performance of dance at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7) n/a		
Sat	12:00	01:00			
Sun	12:00	00:00			



## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment that the club will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>State any seasonal variations for this entertainment</u></b> (please read guidance note 6)		
Fri					
Sat			<b><u>Non-standard timings. Where the club intends to use the premises for this entertainment at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sun					

## I

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for <b>consumption – please tick</b> (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12:00	00:00	<b>State any seasonal variations</b> (please read guidance note 6) n/a		
Tue	12:00	00:00			
Wed	12:00	00:00			
Thur	12:00	00:00	<b>Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list</b> (please read guidance note 7) n/a		
Fri	12:00	02:00			
Sat	12:00	02:00			
Sun	12:00	00:00			

## J

<b>Hours club premises are open to the members and guests</b> Standard days and timings (please read guidance note 8)			<b><u>State any seasonal variations</u></b> (please read guidance note 6) n/a
Day	Start	Finish	
Mon	12:00	00:00	
Tue	12:00	00:00	
Wed	12:00	00:00	
Thur	12:00	00:00	
Fri	12:00	02:00	
Sat	12:00	02:00	
Sun	12:00	00:00	<b><u>Non standard timings. Where you intend the premises to be open to the members and guests at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7) n/a

## K

<b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children</b> (please read guidance note 10). n/a
--

L

Please identify those conditions currently imposed on the certificate which you believe could be removed as a consequence of the proposed variation you are seeking.

We are happy with all the conditions on our licence. We wish to apply to enable licensable activity to take place for one hour later each evening and to enable club members to consume alcohol from opening til 22:00 in the garden area. We apply so as to be able to uphold our charitable objectives as effectively and extensively as possible.

Please tick as appropriate

- I have enclosed the club premises certificate
- I have enclosed the relevant part of the club premises certificate

**If you have not ticked one of these boxes, please fill in reasons for not including the certificate or part of it below**

Reasons why the club has not enclosed the club premises certificate or relevant part of it:

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

The main reasoning for varying the license is because we have been given some funding to open a community-oriented garden in the yard area by the church. We wish for this space to run in conjunction with the rest of the social club as a space in which SET can deliver its charitable objectives. As such, we do not intend for this space to attract late night revellers but rather serve as an extension of the current space, where our club members can enjoy refreshment during the afternoon and early evening. We wish to open an hour later on each evening as we have found that with our current events, they often finish just before closing time. We feel it important to allow our members to be able to discuss and debrief after an event - be it a play, film screening, performance etc. Once again, we do not intend the licensing of the garden area, nor the later hours to effect the four licensing objectives. Our upholding of them thus far has been exemplary with no complaints from local authorities or residents. As such we will continue to take the same measures as we have been hitherto.

**b) The prevention of crime and disorder**

All standard security measures and licensing laws will be put into effect and upheld; 1x SIA certified security staff will be present between 9pm and close on week days; 2 x SIA certified security and 1 x member of the welfare team will be present between 9 and close on weekends. They will oversee, membership check, bag check, counter for attendees, ID check, perimeter check); 3 fire exits - alarmed with direct notification to security when breach is made; stockroom/storeroom/ no access areas fully locked at all times; when capacity is reached future attendees will be turned a way (asked not to queue) in order to maintain public safety, minimise any noise. In the club; comprehensive 24/7 CCTV system; zero tolerance drugs policy with signs in each toilet area; zero tolerance to discrimination or harassment signs displayed in bar, anyone displaying violent or aggressive tendencies can be evicted from the premises under security discretion; bag/coat hooks have been provided to prevent bag/coat snatching. Our club rules stipulate that only members of the SET charity and members of the local community with an interest in or background in the arts can become members and we are rigorous with the application process. As such, we are aware of everyone who is on site at any given time and are confident that our club members obey by the club rules which are very strict when it comes to any potential inciting of crime or disorder.

**c) Public safety**

All standard safety regulations have been followed and all afore mentioned risk assessments have taken place and are being adhered to; two first aid kits, one in the project space and one in the bar area, clearly labelled; comprehensive emergency lighting, heat sensors, fire alarms, fire extinguishers, and fire retardant materials are used and positioned in accordance with Fire Risk Assessment, completed by an independent fire authority; regular (every 45 mins) sweeps of the premises by staff to ensure there is no build up of glassware or rubbish; the garden area and smoking

area will be regulated through security, staff training, signage; spillages and broken glass will be cleared immediately

d) The prevention of public nuisance

Music will always be background only and a limiter will be set on the sound system to keep volume low; sound proofing and acoustic drapes used wherever possible (in accordance with standard UK Fire Regulations); all doors and windows are kept shut where possible; a designated noise or nuisance complaints contact number, provided to local residents and the community (this phone will be with the door security ensuring the complaint is dealt with most effectively); outdoor wall mounted cigarette ashtrays will be provided; door security will ensure attendees will not congregate when exiting. The garden will only be open until 10pm and from then on, no member of the club will be able to access it. There will be minimum noise outside during the day time when we envisage the garden to be utilised by our club members in a respectful manner.

e) The protection of children from harm

The protection of children from harm: entrance to the premises is strictly over 18+ and only for members and their guests; strict challenge 25 scheme and will prominently advertise this on site; keep refusals logbook; staff and security trained in our age verification policy; no material meant for 18+ will be made available or visible outside of the premises or online; any hazards for passing children or adults will be eliminated by a regular perimeter check

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities.
- I understand that I must now advertise my application.
- I have enclosed the club premises certificate or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.


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




Part 5 – Signatures (please read guidance note 12)

I Ollie Tobin

*(Insert full name)*

**make this application on behalf of the club and have authority to bind the club**

Signature	
Date	28/4/23
Capacity	Director and SET Centre CEO

Address for correspondence associated with this application (please read guidance note 13)			
			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e mail, your e mail address (optional)			

#### Notes for Guidance

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy.
2. Describe the premises, for example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for people to consume these off-supplies, please include a description of where this will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which

combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.



4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. Please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively) where the activity will go on for an extra hour during summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16.00).
9. If the club wishes members and their guests to be able to consume alcohol on the premises, please tick 'on the premises'. If the club wishes people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If the club wishes people to be able to do both, please tick 'both'.
10. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or gambling machines etc.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed by someone with the authority to bind the club.
13. This is the address which we will use to correspond with the club about this application.

**From:** Binya, Raymond <Raymond.Binya@southwark.gov.uk>  
**Sent:** Friday, May 26, 2023 9:47 PM  
**To:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Full variation of club premises certificate for 55 Nigel Road SE15 4NP our ref 998574

Dear Licensing Team,

Variation of Club Premises Licence under the Licensing Act 2003.

**Application reference number:** 880132

**Address:** SET Social  
55 Nigel Road  
London  
SE15 4NP

A variation of club premises licence is sought to:

- Add the external garden as a licensable area to be used for licensable activities between 14:00 hours and 22:00 hours.
- Extend general opening hours and hours in which licensable activity will take place. New closing hours and provision of alcohol will be from; 23:00 on Sunday to Thursday 01:00 on Friday and Saturday (evenings) to; 00:00 on Sunday to Thursday 02:00 on Friday and Saturday (evenings).

I wish to make a representation on behalf of Southwark Environmental Protection Team (EPT) in our capacity as Environmental Health Responsible Authority, about the likely effect of the sought licence if granted on the promotion of the 'prevention of public nuisance' licensing objective:

- a) We are concerned of the recently reported issues around patrons noise when leaving the premises that is affecting nearby residents.
- b) Application details that there will be "*minimum noise outside during the day time when we envisage the garden to be utilised by our club members in a respectful manner*". We are not sure of the capacity of the proposed garden area and whether regulated entertainment i.e. loud music will be broadcasted into this area.

We are therefore seeking further information on:

- Whether a noise limiter has been set as detailed on Noise Management Policy during the initial application for club premises certificate and as mention in Part M (d) of this application?
- Whether patrons are still not being dispersed through Stenhall Lane? Are they using other nearby residential roads?

In addition, could the applicant please point on the map the new proposed garden sitting area and advise us what control measures they have for noise, especially that from patrons when sitting in this area.

Kind Regards

**Raymond Binya**  
**Principal Environmental Protection Officer**  
Environmental Protection Team  
Tel: 020 7525 4809

Postal address: Southwark Council, Environmental Protection Team, Regulatory Services,  
3rd Floor Hub 1, PO Box 64529, London, SE1P 5LX  
Office address (By appointment only): Southwark Council, 160 Tooley Street, London, SE1  
2QH

[www.southwark.gov.uk](http://www.southwark.gov.uk)



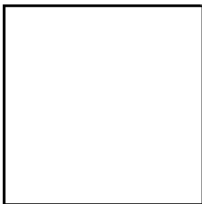
**airTEXT** - a free subscription service: daily information on pollution and more, by text, email, voicemail, or mobile phone app; download from: <http://www.airtext.info/>

**Walk-it** – free London route planner for less polluted, quieter walking and cycling routes. Download the mobile phone app from: <http://walkit.com/walk/?city=london> .

Southwark Website - information on what you can do to improve air quality.

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

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



## REPRESENTATIONS FROM OTHER PERSONS (OBJECTING)

### OTHER PERSON 1

From: [REDACTED]  
Sent: Saturday, May 13, 2023 10:36 AM  
To: Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
Subject: Licensing application 880132 55 Nigel Road

Dear Licensing Southwark

I am a local resident of SET Social club and have serious concerns about their application for licensing. Nigel Road is a residential street. The businesses on Rye Lane already contribute significant litter and noise to the peace of the residents here.

SET has not been open for more than a few weeks, and on the street we have noticed a significant increase in noise and litter from them already - we are able to hear the music indoors with the doors and windows shut. Furthermore, I have seen their members and guests causing disturbances outside past midnight on weekends and leaving rubbish and litter in the street, including takeaway boxes and beer bottles. I am concerned that their current licensing is not being upheld.

*That after 21:00 hours the premises external area will be closed to customers except for up to a maximum of 10 customers at any one time will be permitted to smoke only. Such customers will be instructed by staff, if and when required, to behave in a quiet and orderly manner. (878625 - granted licensing application)*

I note their application states: *Recorded music will be background level only. As it has been thus far it will seek to create an atmosphere in which our members can still socialise and talk. For the garden area (the timings for which are in the lower box) the music will cease at 10pm and will not be audible for neighbours and this will only take place on Saturday late afternoons*

Thus far, this is inaccurate, as we can hear it from our garden and in our house with the doors shut.

I am therefore concerned that the licensing end time of 2am will cause significant disturbance to our sleep as the guests leave the club, as well as disturbance due to their application for recorded music in and outdoors. This is a residential area and there is no sound barrier/building between two residential streets (Sternall Lane and Nigel Road) and the premises so there will be a significant number of families and residents disturbed by this venue. However, my main concern is the noise and litter as guests and members are leaving the venue, which is much more difficult to control even with best intentions.

I acknowledge the good work that SET does, but they need to find alternative premises which are not within a residential street for their nightclub.

I wish for my address to remain anonymous for now, given my proximity to the venue, but would be happy to represent my views at a meeting if the sub-licensing committee feel this is appropriate and at this point would be happy to share my address.

Many Thanks

[REDACTED]  
SE15 [REDACTED]

**OTHER PERSON 2**

From: [REDACTED]  
Sent: Saturday, May 13, 2023 3:43 PM  
To: Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
Subject: Re 55a Nigel Road, Peckham, London, SE15 4NP

From,

[REDACTED]  
SE15 [REDACTED]

To whom it may concern

I am writing re the application for the above premises to hold a club premises certificate with a license for the sale of alcohol at the times shown on the said notice.

Our [REDACTED] in [REDACTED]. Consequently any noise echoes down the gardens. We are already faced with a lot of noise in the front from the Whitehorse pub in Nigel Road itself. This wouldn't be so bad if it weren't for the fact that on spilling out of the pub, the noisy crowds, then bring drinks and stand outside our front gardens late into the night.

The consequences of this not only means the residents are disturbed with noise late into the night, but the aftermath is disgusting and sometimes dangerous. Most mornings I find broken bottles and glasses strewn across the road, along with takeaways that have been half finished. The rubbish is appalling and because of the lack of toilet facilities I have even found bottles filled with urine. And sick!

I really think this is a very bad idea.

Regards,

[REDACTED]

**OTHER PERSON 3**

**From:** [REDACTED]  
**Sent:** Tuesday, May 16, 2023 8:05 AM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** License application 880132 objection

Please find attached a letter objection for the above license.

Best wishes

[REDACTED]

[REDACTED]

To whom it may concern,

Re: Licence number 880132

I am writing in objection to the above licensing application in view of prevention public nuisance and also to include crime and disorder, public safety and protection of children from harm.

The application asks for a change in the current licensing hours that exist. The club is situated in a predominantly residential area including Troy Village, an over 55 assisted living complex. The area is already becoming saturated with bars and consumption of alcohol and with this behaviours that are a public nuisance to the residents of Peckham.

In terms of a club opening I am concerned about the following;

- the noise levels especially as they want to play music outside. This will seriously impact on the quality of life of residents as noise travels.
- People leaving the club, often intoxicated, and congregating on pavements. This is noisy and behaviour can be threatening.
- A club in the predominantly residential area would attract more litter this often broken glass. It would mean more delivery vans and waste disposal bins meaning more pollution, noise and public nuisance.

Best wishes

[REDACTED]

**OTHER PERSON 4**

**From:** [REDACTED]  
**Sent:** Tuesday, May 16, 2023 10:03 AM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Objection to license application 880132

Name: [REDACTED]  
Address: [REDACTED] SE15 [REDACTED]  
Date: 16/5/2023  
Application opposed to: 880132

We are opposed and object to this application for a number of reasons:

1. Nigel Road is a residential street, noise levels and disruption as people leave the premises will unduly affects us and other residents, particularly those with young families like us. This will disrupt sleep and our ability to enjoy or own outside spaces without noise disturbance. We are all aware signs asking people leaving to be quiet are rarely kept to, particularly when people are under the influence of alcohol.
2. Taxis are likely to be ordered to the rest of the road as people leave the premises, particularly with the late license when public transport is not as available. Again, chatter as people wait and enter taxis, and other disturbances as people leave the club late at night will disturb the peace.
3. Littering (including vomit) will affect the road, and the front of residents' properties, caused by increased people traffic to the road, and anti social drunken behaviour.
4. The general unsuitability for a night club to be located so near to housing, particularly with an outside space, where smoke/noise etc will travel easily down the road and affect residents.

Many thanks,

[REDACTED]

**OTHER PERSON 5**

**From:** [REDACTED]  
**Sent:** Thursday, May 18, 2023 11:11 AM  
**To:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>  
**Subject:** Licence No. 880132 / SET Social, 55 Nigel Road

18 May 2023

Dear Sirs

OBJECTION to above application

I wish to lodge an objection to the application for an increase in opening hours and provision of alcohol as per this application.

The premises are adjacent to a residential area and, as such, the longer opening hours will have a detrimental effect on local residents. It is proposed that the premises stay open until midnight on weekdays and 2am at weekends. I note that one of the reasons for this given on the application is that current events "*often finish just before closing time. We feel it important to allow our members to be able to discuss and debrief after an event - be it a play, film screening, performance etc*" If this is the case it is surely possible to start events a bit earlier to allow time for discussion afterwards. Most theatres, cinemas, etc are not open at 2am!

I therefore would like to lodge an objection under the "prevention of public nuisance" and "prevention of crime and disorder" categories.

The level of noise from the club, including outside music, and patrons leaving in the early hours of the morning, will disrupt sleep for local residents and affect our quality of life. There is also the potential for it to increase the anti social behaviour we already see in the area.

Yours faithfully

[REDACTED]  
SE15 [REDACTED]



**OTHER PERSON 6**

**From:** [REDACTED]  
**Sent:** Friday, May 19, 2023 5:51 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Objection to 880132

Hello,

I am writing to express our objection to the planning application 880132. As residents of [REDACTED], we are [REDACTED] the establishment in question, with our [REDACTED]

We are concerned about the extension of opening hours to as late as 2am, particularly in the summer when it is necessary to have windows open (both for us and the venue).

We also worry that the addition of an outside seating area will generate noise.

I would also like to add that I am disappointed we have not been consulted about this change to operating hours, nor about the original opening of the establishment as we are one of the closest residences to it.

In general we don't we don't mind the presence of a social club but we want to know that noise doesn't get too excessive or late.

Kind regards,  
[REDACTED]

**OTHER PERSON 7**

From: [REDACTED]  
Sent: Tuesday, May 23, 2023 3:00 PM  
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>  
Subject: Licensing application number 880132

23 May 2023

Objection to licence application 880132

- 1: Noise levels will disrupt quality of life for local residents especially late night / early morning.
- 2: Late night club goes nuisance noise & rowdy behaviour will impact on residents.
- 3: Potential for noise & littering nuisance in general.
- 4: Lack of consultation on original application.
- 5: [REDACTED] Road has been a quite residential Road for many years and needs to remain so.

[REDACTED]  
[REDACTED]  
[REDACTED]  
SE15 [REDACTED]

[REDACTED]  
[REDACTED]

**OTHER PERSON 8**

From: [REDACTED]  
 Sent: Wednesday, May 24, 2023 7:46 PM  
 To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>; [REDACTED]  
 Subject: Objection to increasing the opening hours of premises under the licensing act 2003. Re. Licence number 880132

Objection to increasing the opening hours of premises under the licensing act 2003.

Re. Licence number 880132

Official address: 55 Nigel Road SE15 4NP ,but, in fact, located on Sternhall Lane.

Trading name: SET Social

Date of email: 24.05.2023

Our details: [REDACTED], SE15 [REDACTED]  
 Email: [REDACTED]

We live at [REDACTED], [REDACTED] from the premises in question.

Our [REDACTED] both the building and the proposed outdoor space.

Our bedroom and kitchen balcony are just [REDACTED] from the applicant's property and for much of the year we often have our windows and doors open.

We, and many others in our building are concerned that our quality of life will be disrupted by extending the opening hours of Set Social's enterprise.

Prevention of crime and disorder

When we moved into [REDACTED], we chose it as it was a [REDACTED] and thought that it would be an ideal place to bring up our family. Sadly, for perhaps similar but converse reasons it has become an area used by drug dealers. It has become a place to congregate at night, a place where urinating in the street, bottles being broken, and evidence of drug paraphernalia are the norm.

These activities should be discouraged by The Council in a residential, family area, not encouraged by permitting the late operating hours of a club open at night.

Prevention of public nuisance

An increase in noise late at night is inevitable and the effect it will have on families, especially those - like us - with [REDACTED] cannot be underestimated.

If the sound volume could be contained within the premises, with their windows locked closed, it may not be too onerous, but to have an outdoor space with chatting and recorded music being played until the early morning, it's difficult to see how this is not seen to be a public nuisance in a residential area.

As well as the sound of music from inside the premises, the noise generated by those coming and going by foot, by motorbike or by car will be a further public nuisance.

Presumably the reason that Southwark Council closed off one end of Sternhall Lane to create a cul-de-sac was to protect the local residents from unnecessary traffic. I appreciate that at present access to the club is from 55 Nigel Road, but the fact that the both the garden and the main venue are located actually on Sternhall Lane suggests that at some time in the future access may well be from this side. If the premises are permitted to open later it will attract more people from outside Peckham, many of whom will be unfamiliar with the area, some trying to turn their vehicles round in the narrow street as they cannot drive on through. This will, no doubt, simply add to the noise and pollution locally.

### Public safety

Aside from the increase in noise, the sheer increase in numbers of late night revellers will attract more people, some of whom will not have the safety of others as their prime concern.

### Protection of children from harm

We have two separate issues here, firstly the disruption to children's sleep by unnecessary noise. This is a serious matter. As this is a residential area, children will be trying to sleep in their bedrooms, some as close as [REDACTED] from the venue...it cannot be council policy to disrupt children's sleep. We are mystified as to how and why permission to operate a nightclub in this residential area was granted in the first place.

Secondly, the nursery, on the ground floor of our building, opens each morning at 8am, how can the management of the nightclub guarantee that all the detritus from the previous evening's participants' has been tidied away from enquiring children ? Some are as young as 6 months old?

### Neighbourhood consultation

This may not be a criteria for this extension of licencing decision, but we are astonished why Southwark Council did not think to include the local residents in this application... or the original planning application. We only heard about this application from neighbours two-days ago. I can only repeat, our flat is just [REDACTED] from the applicant's premises; no-one in our building was sent notice of any of these applications; surely, we have the right to be consulted on a matter that has the potential to have such a negative impact on so many of the local residents.

### Conclusion

Many families living near to these premises are upset that we were not consulted on any of these planning and licencing applications. Extending the operating hours of this venture will destroy the quiet enjoyment that, living in a residential area, we have a right to expect; we urge you not to help devastate both our and our children's lives, and to oppose this application.

[REDACTED]

[REDACTED], SE15 [REDACTED]

Email: [REDACTED]

**OTHER PERSON 9**

From: [REDACTED]  
Sent: Thursday, May 25, 2023 4:35 PM  
To: Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
Subject: Licencing Application 880132

To whom it may concern,

I am writing to firmly object to the "Club" application of SET Social (880132) for 55a Nigel Road.

Application number: 880132

Date: 25/05/2023

Name: [REDACTED]

Address: [REDACTED] SE15 [REDACTED]

Reasons for Objection:

\* Public Nuisance: My flat is [REDACTED] the club making noise levels utterly unacceptable to local residents like me. It is far too close to my flat for the proposed changes not to deeply affect sleep and comfort in my own home. The smoking area, the music and alcohol prove unbearable to those living nearby like me, especially in the summer time when the heat means that the windows and doors are often open.

\* Anti-social Behaviour: These opening times are a further invitation for antisocial behaviour, especially once the club closes and all the patrons leave. Our lane [REDACTED] can attract such behaviour, as it a quieter spot to do drugs and for patrons to linger.

\* Littering: Littering is already an issue in the area and this will further exacerbate the problem

\* Child Safety: there is a nursery right below my flat and right opposite the club. With drinking starting at midday and the detritus from the night before, this is a real issue for the toddlers below.

Peckham is a wonderful, vibrant place to live, and there is a certain amount of noise to be expected. But this application is a step too far in a residential area that is already over-populated with late night clubs and pubs. The residents need sleep and peace in our own homes.

Please please don't allow this.

Yours Sincerely,

[REDACTED]

**OTHER PERSON 10**

From: [REDACTED]  
 Sent: Monday, May 29, 2023 12:19 PM  
 To: Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
 Subject: Objection to Licence Application 880132 (SET Social)

Dear Sir/Madam

I am writing to strongly object to the licence application of SET Social to extend their opening hours to 00:00 Sunday–Thursday, and 02:00 on Friday to Saturday.

I own the house [REDACTED] to the premises on [REDACTED] (the [REDACTED] [REDACTED] – there is no more than a [REDACTED] way separates the two. Please see the attached satellite view showing the closeness of the two buildings.

I was never made aware of the change in use of premises in the first place, from the church hall to a club, and am quite incredulous that this was granted since it is in such a residential area. I believe a planning application should have been made for such a change of use and neighbouring properties made aware? Also, if neighbouring a residential area then I thought noise is only permitted to 11pm, however somehow SET Social has been given a licence to 1am on weekends (and now wants to go to 2am)?!

Extending the hours even further will undoubtedly cause a public nuisance and noise problem, especially as the application includes playing music outside and 7 days a week. Both of [REDACTED] to SET, and the master bedroom only has skylights so in the summer it is going to be awful.

I am to be honest quite horrified at the thought of this request, and the direct impact it might have on my house and the enjoyment of it as a home – I now might not be able to live, rent out or sell my property because of the disturbance of SET Social and how close it is. I am also currently [REDACTED] which further adds to my concern and frustration about the licence and noise.

I ask that really careful consideration is given to this application and the context in which it sits and how it is really not fair when it is under a metre from residential properties. I know people on both roads either side of it (Nigel Road and Sternhall Lane) are not happy, and it seems like the original application of change in use of the premises was slipped under the radar as would have been objected to at the outset.

I would also like to point out that there is a children's nursery opposite the club on Sternhall Lane adding to the inappropriateness of its location and the crossover of opening hours (SET's start from midday). Already on the street drug use and anti-social behaviour occurs.

Best wishes

[REDACTED]

Owner of: [REDACTED] SE15 [REDACTED]

**OTHER PERSON 11**

**From:** [REDACTED]  
**Sent:** Saturday, May 27, 2023 3:22 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Objection to licensing hours - 55a Nigel Road, Peckham

Dear Sir/Madam,

I was very upset to find out that 55a Nigel Road has been granted a night club license and now is asking to extend the hours of that license.

As a nearby resident ([REDACTED]) I am very concerned for my family in relation to this due to the likely noise disturbance and the potential for anti-social behaviour (which is already apparent in that area from the White Horse Pub across the road)

My concerns related to the following:

1. The noise levels from the club, including outdoor music, will disrupt sleep and quality of life of local residents
2. The disturbance caused by people leaving the club late at night will be a nuisance and disturb the peace of our residential area.
3. The outdoor smoking area will be noisy and audible from our homes, as it is in the White Horse
4. The potential anti-social behaviour caused by club-goers will add to existing problems in the area (notably littering).
5. We were completely unaware of the nightclub opening in the first place, and do not feel like we were suitably notified of the initial planning application (number 878625 from December 15th)

I believe there is already an objection to this (number 880132) and would like to formally and wholeheartedly support this objection.

I look forward to hearing from you

[REDACTED]

**From:** [REDACTED]  
**Sent:** Tuesday, May 30, 2023 8:50 AM  
**To:** Enebeli, Emma <[Emma.Enebeli@southwark.gov.uk](mailto:Emma.Enebeli@southwark.gov.uk)>  
**Subject:** Re: Objection to licensing hours - 55a Nigel Road, Peckham

Hi,  
 My full name is [REDACTED] and my full address is [REDACTED]  
 [REDACTED] SE15 [REDACTED].  
 I believe this gives you all the information you need but please let me know if not  
 Kind regards,  
 [REDACTED]

**OTHER PERSON 12**

**From:** [REDACTED]  
**Sent:** Sunday, May 28, 2023 10:40 AM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Objection to the licensing application 880132

Dear Sir/Madam,

I am writing to formally object to the licensing application 880132 submitted by SET Social for the extension of their opening hours and the inclusion of outdoor music. As a concerned resident in close proximity to the nightclub, I strongly believe that granting this application would have a detrimental impact on the well-being, tranquility, and safety of the local community.

**Noise Pollution:** The extension of opening hours until 2am, coupled with outdoor music, would undoubtedly lead to a significant increase in noise levels. This disturbance would disrupt the peace and quiet that we, as residents, are entitled to enjoy during nighttime hours. We already suffer a high level of noise pollution from (a) the pub garden of the White Horse, and (b) greatly increased traffic since Rye Lane was closed to traffic, and Nigel Road has become the de-facto vehicular cut-through from Camberwell to Peckham Rye. The intrusive noise would not only affect the immediate vicinity but also impact the quality of life for residents living several doors away.

In addition, we have questions as to the nature of the “community garden” Set Social are planning. There are many community gardens in our area which we greatly enjoy, but I cannot see why a community garden would require music until 10pm. It seems as though they are using such language to mask the fact that this is simply a smoking area for their nightclub. I may add that countless studies have demonstrated compelling evidence that cigarette smoke is detrimental to the health of plants, so perhaps the ‘garden’ aspect of this proposal is not the genuine use for this space.

**Anti-Social Behavior and Safety Concerns:** Extending the nightclub's operating hours into the early hours of the morning would attract a larger and potentially rowdier crowd. We have already witnessed a spike in anti-social behavior over the past month, such as public disturbances, fights, and littering. We can no longer cycle to the edge of the pavement because the parking bays are littered with smashed pint glasses for a large stretch of our street (with the branding of the pint glasses pinpointing these establishments in an obvious way). Worse still, one of our neighbours has collected several bottles filled with urine in the mornings after Friday/ Saturday night. Furthermore, intoxicated individuals spill out onto the street after closing times (currently already 1am), and people continue to socialise for at least an hour before moving on, or waiting for taxis/ Ubers. Furthermore, loud music from car stereos who often stop to socialise with the patrons adds additional noise well beyond the closing hours.

**Residential Impact:** The proposed extension and outdoor music will undoubtedly have a detrimental impact on the residents' ability to rest and enjoy their homes peacefully. The disturbance caused by noise, traffic, and potential anti-social behavior would disrupt the delicate balance of our community and erode the residential character of the area. My partner, along with many residents on the street, is a key worker ([REDACTED]) and often has very early starts and erratic shift patterns that disturb her sleep, and thus ability to work



effectively. She currently sleeps in the back room when the local pubs are busy due to noise pollution, but SET Social will be adding noise from the rear of the property, leaving nowhere for her to sleep.

Considering the reasons stated above, I respectfully request that the planning authority carefully considers the potential negative consequences of approving this application. It is crucial to prioritize the well-being and safety of the local community and preserve the peaceful nature of our neighborhood.

I kindly urge you to reject the licensing extension application 880132 submitted by SET Social. Alternatively, I would appreciate it if the planning authority could impose strict conditions on the nightclub's operations, taking into account the concerns outlined in this objection letter.

Thank you for your attention to this matter. I trust that you will thoroughly consider the objections raised by myself and other concerned residents when making your decision.

Yours faithfully,

 SE15 

**OTHER PERSON 13**

**From:** [REDACTED]  
**Sent:** Friday, May 26, 2023 9:07 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** 880132 Nigel Road objection

Dear Southwark

I am writing to strongly object about the proposed licensing hours to the new nightclub at 55a Nigel Road. I live and own a property [REDACTED], very near to it, and am extremely concerned that it will significantly disturb myself and all the residents around it. We were not suitably notified of the nightclub in the first place and these late hours are really not acceptable in my opinion. I look forward to hearing from you and hope that this is taken seriously.

Many thanks

[REDACTED]  
SE15 [REDACTED]

**OTHER PERSON 14**

From: [REDACTED]  
Sent: Sunday, May 28, 2023 1:56 PM  
To: Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
Cc: [REDACTED]  
Subject: Objection to licence application 55a Nigel Road

Hi

I have become aware of a new nightclub at 55a Nigel Road and a current open licence applying for a change in opening hours to remain open later in the week and at weekends (application number 880132)

My wife and I live at number [REDACTED] and would like to object to this application. We are aware of a number of our neighbours also submitting objections with the following concerns.

1. Noise levels (inside and in the garden) from music playing from the club speakers at anti social hours
2. Potential disturbances from clubs leavers late at night. This is a residential street in a residential area
3. Potential increase in anti-social behaviour from club goers eg. Littering

Any further details required, please come back to [REDACTED] and me on this email.

Regards

[REDACTED]

[REDACTED]

**OTHER PERSON 15**

**From:** [REDACTED]  
**Sent:** Wednesday, May 31, 2023 1:20 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** Objection to license number 880132

Dear Licensing,

My partner and I am writing today (Wednesday 31st May) to object to the proposed change in license for 55A Nigel Road that has been outlined in license number 880132. We live [REDACTED] to the property for which the license in question has been raised at [REDACTED], SE15 [REDACTED]. Our full names are [REDACTED], and [REDACTED], and email addresses are [REDACTED] and [REDACTED]

The grounds on which we are objecting to this proposed change in license surround preventing public nuisance. 55A Nigel Road is based in the middle of a residential area, and the back entrance to the property is only a [REDACTED] from our front door. We were therefore incredibly shocked earlier on this year to find that the building had been converted into a social venue that was selling alcohol and playing amplified music until late in the evening. We believe that we were not appropriately made aware of this change in business use through prominent signage or indeed letters being placed through people's doors, which would have given neighbouring residents the opportunity to raise concerns prior to the point that this license change was requested. Indeed, with the venue so close to our home, we would have been concerned enough to log an objection had we been aware of it - especially as the venue has already contributed to noise disturbances within our residence since SET social has been based there.

We note that one of the conditions of license 880132 is that an appropriate sound limiter is put in place on amplified music within the venue. However, sound - especially that of crowds - is still travelling through our walls. Last Thursday 25th May for example, we were able to hear sound coming from the venue until just past 11, the point at which their license currently ends. For that reason we feel strongly that extending the venue's license to midnight on Thursdays and Sundays and 2am on Fridays and Saturdays will have an impact on the quality of life of those living in the many neighbouring houses to the venue. We are similarly concerned about the impact that people leaving the venue should have on the local residents quality of life should license 880132 be extended as it has been proposed.

While we are certain that the business is having a positive impact on the art scene within Peckham, we don't think that midnight and 2am is an appropriate time for noise to be ceasing from this venue considering its location. Please do let us know if you need anything further to consider this objection.

Best wishes,

[REDACTED]

**REPRESENTATION FROM OTHER PERSON (SUPPORTING)****OTHER PERSON 16**

From: [REDACTED]  
Sent: Monday, May 15, 2023 10:48 PM  
To: Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
Subject: Application 878625

Hi,

Regarding license application 878625,

I live at [REDACTED].

I would like to say that I think opening a nightclub at 55a Nigel road is a great idea. Peckham could do with more late night entertainment, particularly at weekends.

It would also bring employment to the area. I recently received a letter from local residents who objected. Their main objections were about noise, potential anti social behaviour, and litter and said that these are already a problem with the white horse pub nearby.

I think if the white horse are littering , the council could put pressure on them to clean up this mess and fine if not followed? Don't know the logistics/legality of that to be fair but could be an option.

55a Nigel road is just off rye Lane. I think if Peckham is to stay a vibrant area then we need areas where loud noise is allowed within limits. Where this new nightclub will be is a suitable location as any I think.

Re antisocial behaviour, I would assume a licensed venue would hold some responsibility regarding this and would have their license removed if they were not able to resolve it. I don't think we should not allow good things for our community because of the potential of a minority ruining it and causing trouble.

Kind regards,

[REDACTED]

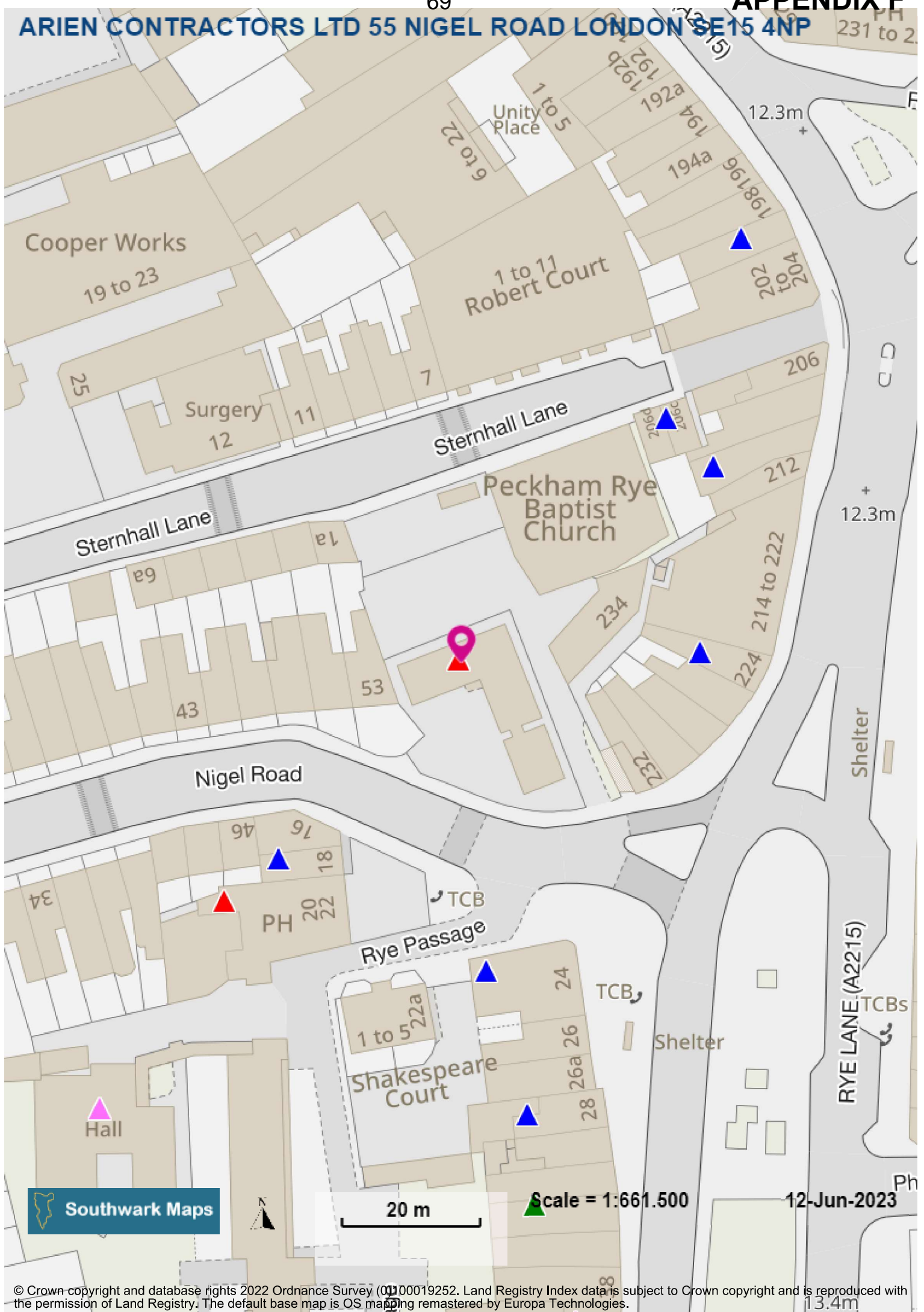
[REDACTED]

TENs - SET Social, 55 Nigel Road, SE15 4NP

Received Date	Ref No.	Start Date	End Date	Times	Premises User	Personal Licence Holder	Max. No. People	Supply of alcohol by or on behalf of a club	Sale Of Alcohol	For Consumption	Reg. Ent.	LNR	Police Obj.	EPT Obj.
18/05/2023	880281	28/05/2023	29/05/2023	23:00 – 01:00 (sun/mon)	Ollie Tobin	Yes	230	Yes	Yes	On Premises	Yes	Yes	No	No
22/03/2023	879864	06/04/2023	10/04/2023	06/04/23: 23:00-00:00 07/04/23: 00:00-01:00 08/04/23: 01:00-03:00 09/04/23: 01:00-03:00, 23:00-12:00 10/04/23: 12:00-01:00	Ollie Tobin	Yes	230	Yes	Yes	On Premises	Yes	No	No	No
12/12/2022	879133	20/12/2022	20/12/2022	18:00-23:00	Ollie Tobin	Yes	150	Yes	Yes	On Premises	Yes	Yes	No	No
17/11/2022	878901	07/12/2022	07/12/2022	18:00 - 23:00	Ollie Tobin	Yes	100	No	Yes	On Premises	Yes	No	No	No
28/10/2022	878667	09/12/2022	11/12/2022	Sale by Retail of Alcohol 9/12/22 - 17:00 - 23:00, 10/12/22 - 14:00 - 23:00 Provision of Late Night Refreshment - 9/12/22 - 23:00 - 00:00, 10/12/22 - 00:00 - 01:00 23:00 - 00:00, 11/12/22 - 00:00 - 01:00 Provision of Regulated Entertainment - 9/12/22 - 17:00 - 00:00, 10/12/22 - 00:00 - 01:00, 14:00 - 00:00, 11/12/22 - 00:00 - 01:00	Ollie Tobin	Yes	100	No	Yes	On Premises	Yes	Yes	No	No
28/10/2022	878666	02/12/2022	04/12/2022	Sale by Retail of Alcohol 2/12/22 - 17:00 - 23:00, 3/12/22 - 14:00 - 23:00 The Provision of Late Night Refreshment - 2/12/22 - 23:00 - 00:00, 3/12/22 - 00:00 - 01:00 23:00 - 00:00 4/12/22 - 00:00 - 01:00, Provision of Regulated Entertainment- 2/12/22 - 17:00 - 00:00, 3/12/22 - 00:00 - 01:00 14:00 - 00:00.	Ollie Tobin	Yes	100	No	Yes	On Premises	Yes	Yes	No	No

				4/12/22 - 00:00 - 01:00										
28/10/2022	878664	25/11/2022	27/11/2022	Sale by Retail of Alcohol 25/11/22 - 17:00 - 23:00, 26/11/22 - 14:00 - 23:00, Provision of Late Night Refreshment - 25/11/22 - 23:00 - 00:00, 26/11/22 - 00:00 - 01:00, 23:00 - 00:00, 27/11/22 - 00:00 - 01:00, Provision of Regulated Entertainment - 25/11/22 - 17:00 - 00:00, 26/11/22 - 00:00 - 01:00, 14:00 - 00:00, 27/11/22 - 00:00 - 01:00	Ollie Tobin	Yes	100	No	Yes	On Premises	Yes	Yes	No	No

ARIEN CONTRACTORS LTD 55 NIGEL ROAD LONDON SE15 4NP





<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 27 June 2023	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: Cafe Francois, 14-16 Stoney Street, London SE1 9AD	
<b>Ward(s) of group(s) affected</b>		Borough and Bankside	
<b>From</b>		Strategic Director of Environment, Neighbourhoods and Growth	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by Chez Restaurants Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Cafe Francois, 14-16 Stoney Street, London SE1 9AD.
2. Notes:
  - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 12 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 13 to 25 of this report deal with the representations submitted in respect of the application. Copies of the responsible authority representations submitted are attached in Appendix B and other persons in Appendix C of this report. A map showing the location of the premises is attached to this report as Appendix D and a list of licensed premises in 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 procedure, has been circulated to all parties to the meeting.

## BACKGROUND INFORMATION

### The Licensing Act 2003

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

5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
  - The prevention of crime and disorder
  - The promotion of public safety
  - The prevention of nuisance
  - The protection of children from harm.
  
6. In carrying out its licensing functions, a licensing authority must also have regard to:
  - The Act itself
  - The guidance to the act issued under Section 182 of the Act
  - Secondary regulations issued under the Act
  - The licensing authority's own statement of licensing policy
  - The application, including the operating schedule submitted as part of the application
  - Relevant representations.
  
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

## **KEY ISSUES FOR CONSIDERATION**

### **The premises licence application**

8. On Chez Restaurants Limited applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Cafe Francois, 14-16 Stoney Street, London SE1 9AD. The premises and purpose is described as follows:
  - "Restaurant, with ancillary bar and external seating area. The Premises are within the Bankside Special Policy Area but appropriate model conditions are proposed which both promote the licensing objectives and provide exceptional circumstances for a premises of this size, kind in this location."
  
9. The hours applied for are summarised as follows:
  - Films indoors:
    - Monday to Saturday: 10:00 to 00:00
    - Sunday: 10:00 to 23:00
  
  - Recorded music indoors:
    - Monday to Saturday: 10:00 to 00:00
    - Sunday: 10:00 to 23:00
  
  - Late night refreshment indoors:
    - Monday to Saturday: 23:00 to 00:00

- The sale by retail of alcohol (on and off the premises):
    - Monday to Saturday: 10:00 to 00:00
    - Sunday: 10:00 to 23:00
  - Opening hours:
    - Monday to Saturday: 08:00 to 00:00
    - Sunday: 10:00 to 23:00
10. The premises licence application form provides the applicant's operating schedule. Parts I, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application.
11. A copy of the application is attached to this report in Appendix A.

### **Designated premises supervisor**

12. The proposed designated premises supervisor is Yuriy Horpinchenko who holds a personal licence issued by Royal Borough of Greenwich.

### **Representations from responsible authorities**

13. There was one representations received from responsible authorities, namely the Metropolitan Police Service.
14. The representation submitted by the Metropolitan Police Service was concerned that while there were conditions proposed in the operating schedule some of the conditions seemed to conflict with others and were unenforceable.
15. The police quote from the revised guidance issued under section 182 of the Licensing Act 2003 licence conditions – general principles section 1.16 which states a number of criteria that licence conditions must follow, including they must be precise and enforceable.
16. The police offer a number of amendments to the conditions proposed.
17. The representations and a list of the agreed conditions can be found in Appendix B.

### **Representations from other persons**

18. There are five representations from "other persons", four from residents and one from a ward councillor.
19. The representation from the ward councillor is concerned with the cumulative impact of an additional alcohol licensed premises in the area and, should he licence application be granted, the effect that the premises may have on residents in the local area and states that the potential for disruption is heightened due to the

proximity of the venue to neighbouring residents. The additional licensed space also risks upsetting the delicate balance of providers and facilities struck during planning negotiations for the Borough Yards development, which has helped to promote community goodwill for the scheme and its businesses.

20. The representations from residents are concerned with public nuisance as a result of the external van and from the terrace area. Public safety and prevention of harm to children regarding sharing the use of Soap Yard with terraces, tables and chairs for patrons and vehicular deliveries and services for the whole Borough Yard complex for both accidents between vehicles and vehicle emissions. Littering from the use of the outside areas and the food/drinks van were also issues of concern.
21. From the plan, the van seems to be situated under the railway arch by the arched side door to the premises.
22. The representations are also concerned with prevention of crime and disorder from drunk persons fighting and urinating in the street and other anti-social behaviour and express concerns that the application if granted could add to these issues within the Borough and Bankside cumulative impact area.
23. One of the representations suggests additional conditions that can be applied.
24. The representations can be found in Appendix C

### **Conciliation**

25. The Police representation still stands.
26. The representations by the “other persons” remains in place.

### **Premises licensing history**

27. There is no licensing related history regarding this premises.

### **Temporary event notices**

28. No temporary event notices have been submitted for this premises.

### **Map**

29. A map showing the location of the premises is attached to this report as Appendix D.
30. A list of similar licensed premises in Borough Yard with a sample of the common granted activities and conditions are in Appendix E.

### **Southwark Council statement of licensing policy**

31. Council assembly approved Southwark’s statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.

32. 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 licenses 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.
33. 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.
34. Members should take into consideration both the Southwark statement of licensing policy and the Section 182 Guidance when making decisions. The links for these are below.
- Southwark policy:  
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>
  - Section 182 Guidance:  
[Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/section-182-guidance)

### **Cumulative impact area (CIA)**

35. The premises are situated in the Borough and Bankside cumulative impact area which applies to the following types of premises:
- Night clubs, public houses and bars, restaurants and cafes, off-licences, supermarkets, convenience stores and similar premises
36. The premises are situated in the Bankside, Borough, London Bridge Strategic Cultural & Bankside and Borough District Town Centre, according to the council's statement of licensing policy.
37. Under the Southwark statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within this area for premises operating as:
- Restaurants and cafes:
    - Sunday to Thursday: 00:00
    - Friday and Saturday 01:00
  - Public houses, wine bars or other drinking establishments:
    - Sunday to Thursday: 23:00
    - Friday and Saturday 00:00
  - Nightclubs (with 'sui generis' planning classification):
    - Monday to Thursday: 01:00
    - Friday and Saturday 03:00
    - Sunday 00:00
  - Event premises/ spaces where sale of alcohol is included in, and ancillary to, range of activities including meals:
    - Sunday to Thursday 00:00
    - Friday and Saturday 01:00.

### **Climate change implications**

38. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
39. 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.
40. Examples of such an agreement may be:
- Not to 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.

41. The council's climate change strategy is available at:

<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**

42. 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**

43. 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.

44. 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 who have 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.

45. 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>.

46. The equalities impact assessment is available at:

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

### **Health impact statement**

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

### **Resource implications**

48. A fee of £635.00 has been paid by the applicant in respect of this application being the statutory fee payable for premises within non-domestic rateable value B.

## **Consultation**

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

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Assistant Chief Executive - Governance and Assurance**

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

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

52. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.
53. The principles which sub-committee members must apply are set out below.
54. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
55. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
  - Are made by an interested party or responsible authority
  - Have not been withdrawn
  - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
56. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- To grant the licence subject to:
    - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
    - Any condition which must under section 19, 20 or 21 be included in the licence.
  - To exclude from the scope of the licence any of the licensable activities to which the application relates.
  - To refuse to specify a person in the licence as the premises supervisor.
  - To reject the application.



## Conditions

57. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
58. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
59. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
60. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
61. Members are also referred to the Home Office Revised Guidance issued under Section 182 of the Licensing Act 2003 on conditions, specifically section 10.

## Reasons

62. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision.

## Hearing procedures

63. 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.
64. This matter relates to the determination of an application for a premises licence under Section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

65. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
66. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
67. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
68. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.

69. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
70. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
71. Under the Human Rights Act 1998, the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
72. 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**

73. 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, Finance**

74. 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**

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

**APPENDICES**

<b>Name</b>	<b>Title</b>
Appendix A	Application for a premises licence
Appendix B	Representations from responsible authorities
Appendix C	Representations from other persons
Appendix D	Map of the locality
Appendix E	Licensed premises in area

**AUDIT TRAIL**

<b>Lead Officer</b>	Caroline Bruce, Strategic Director of Environment, Neighbourhoods and Growth	
<b>Report Author</b>	David Franklin, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	13 June 2023	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Assistant Chief Executive - Governance and Assurance	Yes	Yes
Strategic Director, Finance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		15 June 2023

02/05/2023

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

Ref No. 2016670

## Name of Applicant

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

	Chez Restaurants Limited
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## Notes for Guidance

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

entertainment is provided by or on behalf of the health care provider;

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

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

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

4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

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

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

7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.

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

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

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

11. The application form must be signed.

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

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

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

15. Entitlement to work/immigration status for individual applicants and applications

from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

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

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

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a



European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
  
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
  - o evidence of the applicant's own identity – such as a passport,
  
  - o evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  
  - o evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
  
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
  
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
  
    - (iv) self-sufficient e.g. bank statements.

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

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

- (i) any page containing the holder's personal details including nationality;
  
- (ii) any page containing the holder's photograph;
  
- (iii) any page containing the holder's signature;

(iv) any page containing the date of expiry; and

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

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

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

#### Home Office online right to work checking service

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

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

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

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

#### Premises Details

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

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

£	219000
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises

#### Premises trading name

	Cafe Francois
--	---------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	14-16 STONEY STREET
Address Line 2	
Town	LONDON
Post code	SE1 9AD
Ordnance survey map reference	
Description of the location	
Telephone number	unknown

Applicant Details

Please select whether you are applying for a premises licence as

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

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

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

Other Applicants

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

Name - First Entry

	Chez Restaurants Limited
--	--------------------------

Address - First Entry

Street number or building name	2nd Floor Connaught House
Street Description	1-3 Mount Street
Town	London
County	
Post code	W1K 3NB
Registered number ( where applicable )	14561594

Description of applicant ( for example, partnership, company, unincorporated association etc )	private limited company
--	-------------------------

Contact Details - First Entry

Telephone number	[REDACTED]
Email address	[REDACTED]

Operating Schedule

When do you want the premises licence to start?

--	--

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

--	--

General description of premises ( see guidance note 1 )

	Restaurant, with ancillary bar and external seating area. The Premises are within the Bankside Special Policy Area but appropriate model conditions are proposed which both promote the licensing objectives and provide exceptional circumstances for a premises of this size, kind in this location.
--	--

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

	Less than 5000
--	----------------

Note 1

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.

Operating Schedule part 2

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

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

Provision of regulated entertainment (Please read guidance note 2)

	b) films
	f) recorded music

Provision of late night refreshment

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

Supply of alcohol

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

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

B- Films

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

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

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

	showing of films
--	------------------

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

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

State any seasonal variations for the exhibition of films ( Please read guidance note 5)

--	--

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

--	--

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.

F - Recorded Music

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

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

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

	playing of recorded music
--	---------------------------

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

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

State any seasonal variations for playing recorded music ( Please read guidance note 5)

--	--

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

--	--

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.

I - Late Night Refreshment

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

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

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

	provision of hot food & drink
--	-------------------------------

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

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

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

--	--

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

--	--

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 23:00) and only give details for the days of the week when you intend the premises to be used for the activity. Start time begins from 23:00

J - Supply of Alcohol

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

	Both
--	------

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

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

State any seasonal variations for the supply of alcohol ( Please read guidance 5)

--	--

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

--	--

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

--	--

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



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

7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

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

Premises Supervisor

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

Full name of proposed designated premises supervisor

First names	Yuriy
Surname	Horpinchenko

DOB

Date Of Birth	██████████
---------------	------------

Address of proposed designated premises supervisor

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

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

Personal licence number ( if known )	██████████
Issuing authority ( if known )	Royal Borough of Greenwich

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children ( Please read guidance note 9)

	none
--	------

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

L - Hours premises are open to public

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

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

7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

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

Day	Start	Finish
Mon	08:00	00:00
Tues	08:00	00:00
Wed	08:00	00:00
Thur	08:00	00:00
Fri	08:00	00:00
Sat	08:00	00:00
Sun	10:00	23:00

State any seasonal variations ( Please read guidance note 5 )

--	--

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

--	--

M - Steps to promote four licencing objectives

a) General - all four licensing objectives (b,c,d,e) ( Please read guidance note 10 )

	Please refer to the attached schedule of conditions for the promotion of all four licensing objectives
--	--

b) the prevention of crime and disorder

	Please refer to a) above
--	--------------------------

c) public safety

	Please refer to a) above
--	--------------------------

d) the prevention of public nuisance

	Please refer to a) above
--	--------------------------

e) the protection of children from harm

	Please refer to a) above
--	--------------------------

Guidance note 10

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

Please upload a plan of the premises

	[Redacted]
--	------------

Please upload any additional information i.e. risk assessments

	[Redacted]
--	------------

Checklist

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

Home Office Declaration

Please tick to indicate agreement

	I am a company or limited liability partnership
--	---

Declaration

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership]

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

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

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

I agree to the above statement

	Yes
PaymentDescription	[REDACTED]
PaymentAmountInMinorUnits	[REDACTED]
AuthCode	[REDACTED]
LicenceReference	[REDACTED]
PaymentContactEmail	

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

Full name	Thomas & Thomas Partners
Date (DD/MM/YYYY)	02/05/2023
Capacity	solicitors for the applicant

Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 13). If completing on behalf of the applicant state in what capacity

Full name	
Date (DD/MM/YYYY)	
Capacity	

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

Contact name and address for correspondence	AT/AC/CHE.44.3 Thomas & Thomas Partners 38A Monmouth Street London WC2H 9EP
Telephone No.	[REDACTED]
If you prefer us to	[REDACTED]

correspond with you by e-mail, your email address (optional)	
--	--

**GUIDANCE NOTES**

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

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

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

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

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

Once you complete form you will be redirected to payments and won't be able to return back.

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

March 2023

**14-16 Stoney Street, London, SE1 9AD**

**Application for a new Premises Licence**

**Proposed Licensable Activities:**

	Sale of Alcohol (on & off sales) Films Recorded Music Late Night Refreshment	Opening Hours
Sunday	10:00 – 23:00	10:00 to 23:00
Monday – Saturday	10.00 – 00:00	08:00 to 00:00

**Description:**

Restaurant, with ancillary bar and external seating area. The Premises are within the Bankside Special Policy Area but appropriate model conditions are proposed which both promote the licensing objectives and provide exceptional circumstances for a premises of this size, kind in this location.

**Proposed Conditions:**

**340** The supply of alcohol at the premises shall only be to a person taking a table meal there and for consumption by such a person as ancillary to their meal save for in the area hatched black on the Licence Plan.

**341** A CCTV system shall be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises.

**342** All CCTV footage to be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.

**343** A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.

**344** 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.

**345** The Licence Holder shall ensure that the details of all complaints are recorded in an occurrence book and such book shall be available for police inspection.

**346** The Licence Holder shall ensure that the details of all complaints are recorded in an occurrence book.

March 2023

- 347** No music or amplified sound shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance at the nearest noise sensitive premises.
- 348** Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
- 349** A dedicated telephone number for the Designated Premises Supervisor or the duty manager shall be maintained for use by any person who may wish to make a complaint.
- 350** The premises shall be adequately mechanically ventilated and comfort cooled to allow doors and windows to remain closed during regulated entertainment.
- 351** The Premises shall be operated in accordance with the Borough Yards Operational Management Plan. This shall include a Dispersal Policy. A copy of the Operational Management Plan, and all later revisions, shall be provided to the Police, Licensing Authority and Environmental Health Department. A hard-copy of the Operational Management Plan shall be kept at the Premises and made available for inspection on request of the Police or an Authorised Officer of the Council. Relevant staff shall be trained on the Dispersal Policy and a copy shall be kept on the premises.
- 352** All sales of alcohol for consumption off the premises shall be in sealed containers only save to persons who are seated at tables in the external area hatched blue and served by waiter/waitress service.
- 353** Patrons shall not be permitted to use the external area (hatched blue on the plan) of the premises after 22:00hrs, apart for access & egress and for smoking in the designated smoking area.
- 354** There shall be no drinks permitted in the external area, hatched blue, after 22:00hrs.
- 355** Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 22:00.
- 356** Other than for consumption in the external area hatched blue, any off-sales of alcohol shall be provided in sealed containers and taken away from the premises.
- 357** Clear, legible signage shall be prominently displayed where it can be easily seen and read requesting that alcohol sold as off-sales should not be opened and consumed in the vicinity of the premises.
- 358** All online sales of alcohol are subject to a real time age verification check via an external third party.
- 359** Drivers (whether employed directly, as self-employed or via third parties) have to undertake training on age restricted policies to ensure that the following checks are conducted at the point of delivery when the person appears to be under the age of 25.
- 360** All online age verification checks should only be made by a company which is a member of the following organisation: <https://www.avpassociation.com>

March 2023

**361** The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

**362** A documented staff training programme shall be provided to key members of staff at the premises in respect of the:

- a. Age verification policy
- b. The licensing objectives and
- c. Opening times for the venue
- d. Safeguarding of children and other vulnerable persons

With such records being kept for a minimum of six months (For the avoidance of doubt, the six month period relates to each respective entry in the log book and runs from the date of that particular entry).

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

**4AB** All staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation. A record of such training shall be kept / be accessible at the stall at all times and be made immediately available for inspection at the premises, to council or police officers on request. The training record shall include:

- a. the trainee's name (in block capitals),
- b. the trainer's name (in block capitals),
- c. the signature of the trainee,
- d. the signature of the trainer,
- e. the date(s) of training, and
- f. a declaration that the training has been received.

**4AC** Clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.

**4AI** A register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a



March 2023

register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.

**840** That customers shall not be permitted to drink alcohol in Stoney Street, Clink Street, Bank End or Park Street or to remove open vessels of alcohol from the premises (save for designated external areas hatched blue on the overall plan where a unit has access to that area).

**841** That there shall be no off-sales of alcohol save for

- (a) any alcohol to be delivered ancillary to a food order or
- (b) sealed bottles of wine or sparkling wine with a minimum price of £15 per bottle
- (c) alcohol to be consumed at tables in the designated external areas.

**842** That external tables and chairs are to be rendered unusable by 22:30, until the start of trading hours the following day.

**843** That there shall be no vertical drinking permitted in the designated external areas hatched blue

**844** That customers and staff are not permitted to smoke outside a unit at anytime (save for in the designated external areas hatched blue.

**845** That no loudspeakers shall be positioned externally, or in a place/direction that causes a noise nuisance to residents.

**846** That after 22:00 there shall be no collections for delivery of take- away food or drink.

**847** That takeaway delivery drivers/riders shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the licensed premises, not to obstruct the highway and not to raise their voices in a manner that disturbs residents.

**848** That no customers shall be permitted to queue on the public highway.

**849** That there be no live sports events shall be screened at the premises.

**850** That the operational management plan includes: Borough Yards shall employ a taxi marshal or marshals in accordance with a written risk assessment.

**851** That the operational management plan includes: There shall be a designated taxi drop off point at Soap Yard for customers of the units in Stoney Street and Park Street.

**852** That the operational management plan includes: Borough Yards shall liaise with the residents' forum on appropriate taxi drop off and collection points.

**853** That the operational management plan includes: Clink Yard shall be referred to as "Soap Yard" in publicly available documents (including websites). All references to Clink Yard in the licence conditions are to be read as referring to Soap Yard.

March 2023

**854** That the opening hours and licensable activities on Sundays are restricted to 10:00 to 23:00.

**856** That toilets within the premises must remain open until the last customer has left the premises.

**857** That wherever possible, single use plastics (both receptacles and straws) should not be used, unless there is no alternative.

**858** That the operational management plan includes: Quarterly meetings with residents and resident representatives shall be facilitated by the Borough Yards' Estate Managers unless and until all parties agree that they are not required or required to the same frequency.

**859** That the operational management plan includes: Security shall assist in encouraging buskers creating a nuisance on the immediate periphery to move on.

**860** That the operational management plans includes: Borough Yards must deploy sufficient SIA's and/or street marshals, in accordance with a risk assessment, to ensure that customers using the licensed premises do not create a nuisance to nearby residents.



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

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

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/23/142

Date: 05/05/2023

Dear Sir/Madam

**Re: Cafe Francois 14-16 Stoney Street SE1 9AD**

Police are in possession of an application from the above for a New Premises Licence for the supply of alcohol on/off sales, late night refreshment, and regulated entertainment. The operating schedule describes it as a restaurant/Bar. The Hours requested are

Open to the public  
Mon-Sat-0800hrs-0000hrs  
Sun-1000hrs-2300hrs

Supply of Alcohol on/off sales  
Mon-Sat-1000hrs-0000hrs  
Sun-1000hrs-2300hrs

Late Night Refreshment  
Mon-Sat-2300hrs-0000hrs

Regulated Entertainment  
Mon-Sat-1000hrs-0000hrs  
Sun-1000hrs-2300hrs

The hours requested are within those suggested in the Southwark Council statement of licensing policy however the venue is situated in the Borough and Bankside Cumulative impact Zone (CIZ) as designated by Southwark Council. The High Court approval of Cumulative impact policies came in Westminster City Council v Middlesex Crown Court. In brief, it stated 'A licence could be refused on the sole ground that the area was already saturated with licensed premises'

The applicant has provided a number of control measures to address the licencing objective to which we welcome however there appears to be some confliction in some of the conditions which would be difficult to enforce, the Home office guidance issued under Sec 182 of the licensing Act 2003 'General principles' state that it is important in setting the parameters within which the premises may operate. Conditions must be precise and enforceable.

We have read the conditions and would like the following to be raised:

Condition 340- relates to drinking without the purchase of substantial meal in an area marked with black hatchings however the only area I can see is that marked as kitchen we cannot locate any other area on the attached plan

Condition 353 does not include a limit to how many smokers may be present outside after 2200hrs, we would like to see an agreed number .

Condition 352 the outside seating area is within the licensable area for on sales. Amend - All sales of alcohol for consumption in the designated outside area marked hatched blue on the plan shall be to persons who are seated at tables and served by waiter/waitress service only.

Condition 356 we are unsure why off sales are needed in outside area when it's within the licensable area?

Amend- All off-sales of alcohol shall be provided in sealed containers and taken away from the premises.

Condition 841-c-relates to off sales in the blue hatched area however this is within the licensable area for on sales.

I object to the granting of this licence in its current format as some of the control measures appear to conflict or be un-enforceable in the current format . Police welcome the opportunity to open dialogue to progress this application.

Submitted for your consideration.  
Yours Sincerely

**PC Mark Lynch 2246AS**  
Southwark Police Licensing Unit  
Tel: 0207 232 6756/6639

**From:** mark.A.Lynch@met.police.uk <mark.A.Lynch@met.police.uk>  
**Sent:** Wednesday, June 7, 2023 8:11 AM  
**To:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>  
**Cc:** [REDACTED]@tandtp.com  
**Subject:** Cafe Francois 14-16 Stoney Street SE1 9AD ref 23/144 [CHE.44.3]

Good morning

In view of the applicant and police agreeing to the amended conditions below in red to be placed upon the licence should it be granted and the removal of condition 841c, police would like to withdraw their objection in regards to the granting of the premises licence for Café Francois 14-16 Stoney Street SE1 9AD

353-Patrons shall not be permitted to use the external area (hatched blue on the plan) of the premises after 22:00hrs, apart for access & egress and for smoking in the designated smoking area and this shall be limited to 5 persons and monitored by staff .

352- All sales of alcohol for consumption in the designated outside area hatched blue on the plan shall be to persons who are seated at tables and served by waiter/waitress service only.

356-That no alcohol shall be removed from the premises at any time with the exception of off sales that shall be in sealed containers only and for consumption away from the premises.

841c-Remove condition

Kind regards

**Mark Lynch 2246AS** | Police Constable

Central South BCU – Southwark | **Licensing Team**

**Email:** [mark.lynch6@met.police.uk](mailto:mark.lynch6@met.police.uk)

**Address:** Southwark Police Station

Other person representations:

**Other person 1**

Councillor David Watson

**From:** Watson, Cllr David <CllrDavid.Watson@southwark.gov.uk>

**Sent:** Friday, May 26, 2023 5:03 PM

**To:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Chamberlain, Cllr Victor <CllrVictor.Chamberlain@southwark.gov.uk>; Franklin, David <David.Franklin@SOUTHWARK.GOV.UK>; Von Wiese, Cllr Irina <CllrIrina.VonWiese@southwark.gov.uk>

**Subject:** RE: New premises application - Cafe Francois, 14-16 Stoney Street

Dear licensing team,

I wish to object to this license application.

Borough and Bankside ward is in a cumulative impact policy area because of the alcohol related crime and disorder statistics for the area, and the alcohol related hospital admissions data. Therefore, this application should be refused. The new premises would impact negatively on efforts to prevent crime and disorder, public nuisance and protect public safety.

In this case, the potential for disruption is heightened due to the proximity of the venue to neighbouring residents. The additional licensed space also risks upsetting the delicate balance of providers and facilities struck during planning negotiations for the Borough Yards development, which has helped to promote community goodwill for the scheme and its businesses.

Many thanks,

David

Councillor David Watson

Liberal Democrat Councillor for Borough & Bankside Ward

Twitter: [@DavidWatsonLD](https://twitter.com/DavidWatsonLD)

**Other person 2**

licensing@southwark.gov.uk

Dear Southwark Licensing

I wish to object to this Licence application.

<b>Licence number:</b>	880146 Café Francois/CHEZ
------------------------	---------------------------

**EXECUTIVE SUMMARY**

A. PREMATUREITY OF THE APPLICATION

B. LICENSING OBJECTIVES OF PUBLIC SAFETY AND THE SAFETY OF CHILDREN

C. LICENSING OBJECTIVE OF PUBLIC NUISANCE

D. LICENSING OBJECTION OF THE PREVENTION OF CRIME AND DISORDER

E. CONCLUSION

F. CONDITIONS

**A. PREMATUREITY OF THE APPLICATION**

I am aware the Planning and Licensing are separate regimes, but observe that, as things stand, the applicant may not make use of the Licence as applied for.

1. The Premises in question are not (yet) designated by Planning for Licensable Activities. The Premises require two separate Planning Consents: for Change of Use to Licensed Premises or Planning Consent to merge two units into one. The two Planning applications ref. 23/AP/0333 and 23/AP/0335 are as yet undetermined. The current Consent is for three separate retail units only. These screenshots taken May 25, 2023, illustrates that decisions have not been made:

Ref. No: 23/AP/0335 | Received: Tue 07 Feb 2023 | Validated: Thu 16 Feb 2023 | Status: Under consideration/assessment

2. The applicants have added outdoor areas and stairs and a Food Van to this Licence Plan with no basis in Planning Consent. The Planning Officer confirmed 3.5.23 that **neither** the current Planning Consent **nor** the February application to transform these units into a single Licensable space (as above) *“include the suggested outdoor stairs or first floor seating area, nor the first-floor doors to access it that are shown on the Licensing drawing ... There is no first floor terrace on this unit, nor can I find a current Planning application for it. I have asked the Planning agent whether this is something Café Francois are intending to apply for at a future date, and suggested the Licensing drawing be changed.”*

The Planning Officer later advised (12.5.23) that these applicants intend to apply for Planning Consent separately for the terraces – they have not done so at the time of

lodging this Licensing Application. They have decided not to change the Licensing Plan. I will add that the residents will object to at least the upper terrace at Planning.

3. The Food & Drink Van is also included in the Licensable area, being in red. Again, is there a street trading licence from Markets? Is there Planning Consent required because this area was supposed to be a Public Realm offering? Is Highways Consent required?

4. I believe that this application is Premature also because, despite the request of the Chair that new Licence applications in this densely populated area should be pre-negotiated with residents – a system which is working extremely well – these applicants did not approach the residents before putting in their application, which has created distress for the most impacted residents, confusion and a great deal of extra work. We first heard from the applicants' solicitor on May 23.

5. No external elevations or designs for the terraces or Food & Drink Van have been available for any residents to see, so residents have no idea of any noise containment measures for the prevention of Public Nuisance. No special conditions have been offered either for extra noise emanating from the terraces and the Food & Drink Van. The terraces and Food Van were not mentioned or shown when this applicants' project was 'engaged' on many months ago with the residents, which is regrettable.

6. I believe that this application is also premature because it fails to limit the number of covers. The Planning Application for this unit shows a restaurant with 72 covers and a café with 28 covers and a 'kitchen' with 18 covers ... so the total number of patrons is 118. This leaves out the people on the three outdoor spaces which are not consented but would add quite a few. The number of covers needs to be established in this Licence application so that the Committee may accurately judge the impacts of its patrons on the Licensing Objectives.

Moreover, I believe that this application fails to uphold the Licensing Objectives in the following ways:

## **B. LICENSING OBJECTIVES OF PUBLIC SAFETY AND THE SAFETY OF CHILDREN**

The proposed outdoor areas are in square known as Soap Yard, which acts as the servicing area. Servicing takes Monday to Saturday 7am till 10am, Sundays and Bank Holidays 8 – 10am.

It needs to be emphasised that Soap Yard is the site of servicing not just for the applicants' large, consolidated unit but servicing for this whole massive complex of Borough Yards. The **only entrance** for all servicing traffic is through the very courtyard where the applicants wish to put their terraces, tables and the Food & Drink Van.

As the Borough Yards complex becomes busier, these limited servicing periods mean that a lot of vehicular traffic will be concentrated in those times.



By virtue of changing the profile of the complex from majority retail to dominantly food & drink in 2021, the amount of servicing also increases.

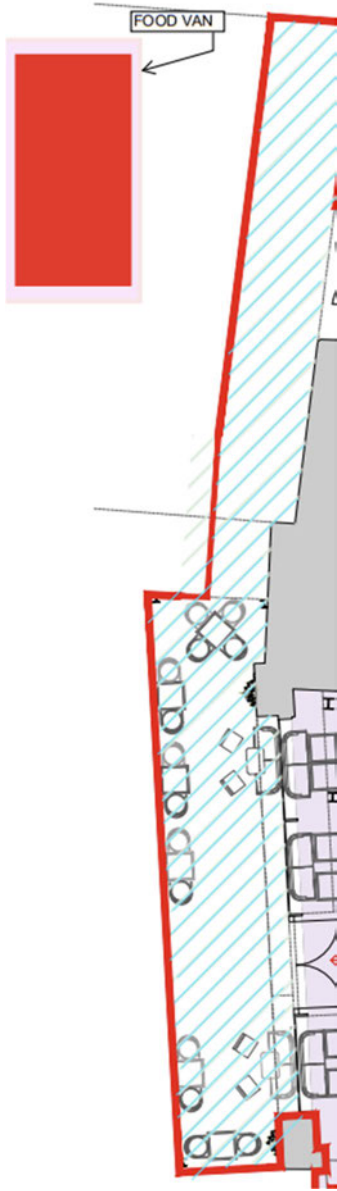
This relatively small delivery van pictured below, for example, could be a problem for the proposed Food & Drink Van which would project beyond the outside area and into the Soap Yard arch. It could be a safety issue for clients queuing for the Food & Drink Van or standing around it to consume what they have bought.

Yet the Licensing hours sought are from 8am onwards, Monday to Saturday. From 8 – 10am Monday to Saturday, those seated in the outdoor areas or standing to queue for the Food & Drink Van would be vulnerable to large lorries in a space narrowed by the enclosures indicated.



Left – lorry in Soap Yard Servicing area

Below right – extract from the Licensing Plan.



The height of the proposed outdoor terrace on the first floor could be an issue with tall lorries, causing a Public Safety issue for those seated or standing out there.

Then there is a question of **emissions** from servicing lorries. I suggest adding a condition that no outdoor areas, including the Food & Drink Van, may be used before 10am. (The existing conditions take care of the fact that the outdoor areas may not be used after 10.30pm)

### **C. LICENSING OBJECTIVE OF PUBLIC NUISANCE**

The Borough Yards complex is embedded in a residential village of around 932 people.

There follow photographs of residential windows within a few metres of the proposed Premises and their terraces and the Food & Drink Van.



This photo above shows the premises at left and some of the residential windows at right.

The photo below is taken from the site of the proposed terraces but only a ground level. At the level of the first-floor terrace, the noise would be closer to the residential windows.

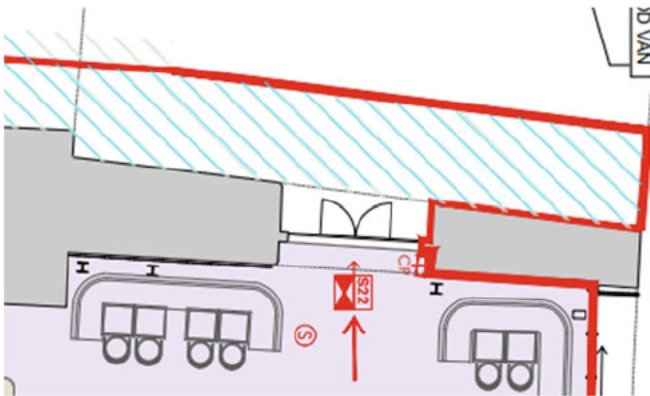


Above – residential windows with the Premises at left (behind trees)

Below ... residential apartments at left ... Premises at right. (Currently Paul Smith)

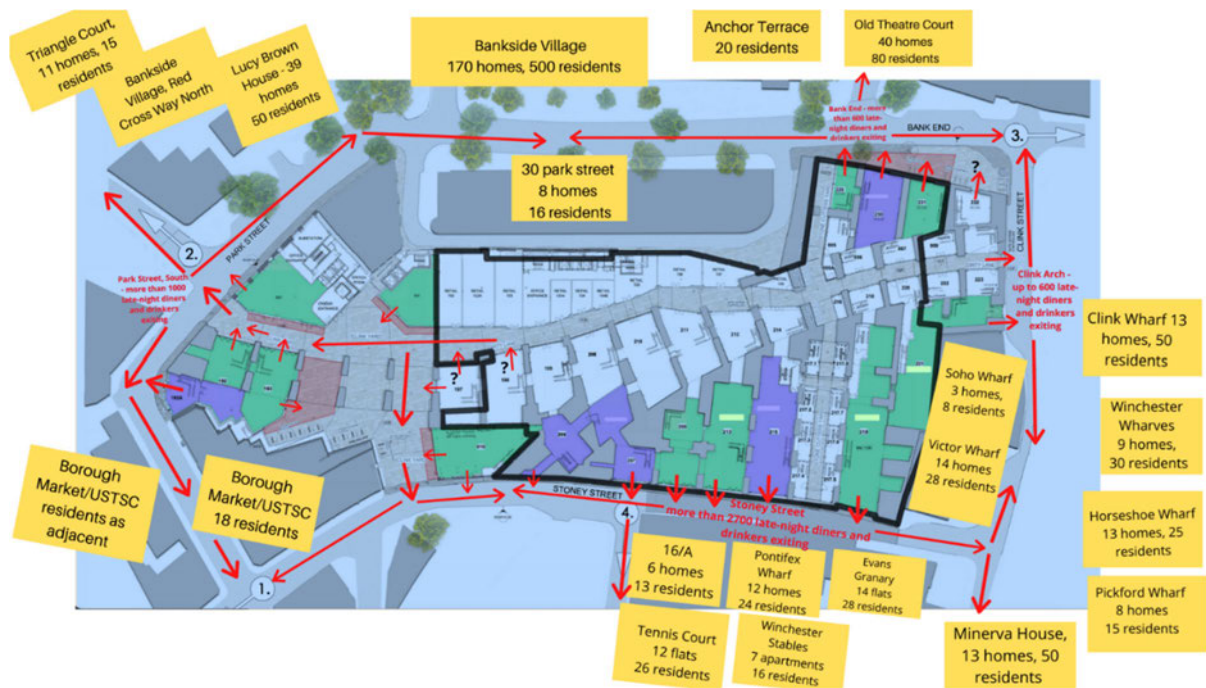


The Licensing Plan shows no seats on this section of the outdoor area



Which might indicate it will be used for vertical drinking?

The following map shows the other residents who would be in earshot of loud noise from the proposed terraces.



Noise from these premises would particularly affect residents in the properties in Stoney Street, and 16A Winchester Walk.

But everyone shown in this map would be affected by the litter arising from the Food & Drink Van and any takeaway sales from inside the Café Francois complex. We would suffer an increase, if possible, of people sitting on our doorsteps to consume the takeaway food and drink.

We would also be affected by the Borough Yards complex lacking public toilets to service those who consume its takeaway food.

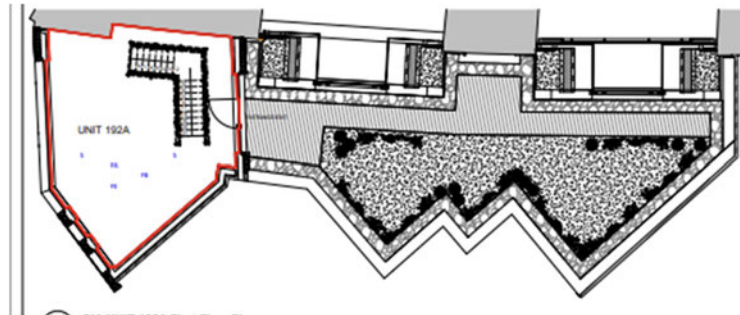
#### a. Precedent regarding Public Nuisance from Borough Yards First-Floor Terrace

In a 2021 PLANNING HEARING the Borough Yards complex, it agreed that a first-floor terrace immediately opposite the proposed premises would not be used for Licensable Activities. This is the terrace that leads out from the Barrafinna bar. This is expressed as Condition 39 in the Planning Consent 21/AP/0507:

*39. NO USE OF FLAT ROOF APPENDIX 1 The flat roof of the ground floor to unit 192/192A hereby permitted shall not be used other than for maintenance purposes, as a means of escape and as a green roof, and shall not be used for any other purpose including use as a roof terrace or balcony or for the purpose of sitting out*

*Reason In order that the privacy of neighbouring properties may be protected from overlooking from use of the roof area in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.*

Accordingly, the subsequent Licensing Application for Unit 192A **did not include the terrace in its red licensable area** as shown in the screenshot below from Licence 874292.



The reasons for withholding Planning Consent for an outdoor terrace near residents still stand. While Planning is separate from Licensing, the Licensing Objective of the Prevention of Public Nuisance covers the same issue. Those same residents would be gravely affected by two floors of terraces at the proposed Premises – particularly from an upper floor terrace like the one above. Those residents are still there. Why should this new licence undermine the previous Planning Consent and what was accepted in previous Licensing hearing – that an upper floor terrace so close to residents is unacceptable?

(Meanwhile, this Planning Application for consolidating the three units for this Premises, **adds 22 square metres of extra (Licensable) space, and therefore more drinkers.** )

And we have to fear this now of **collateral Public Nuisance arising from the grant of this Licence as it stands**: if this applicant is granted terraces for Licensable activities, then the bar at unit 192A will almost certainly come back with a variation to have drinking on the terrace above, given the new precedent, and everything we struggled to achieve in 2021 to protect residents from Public Nuisance will come falling down.

### **b. Topography And Public Nuisance**

The Borough Yards complex is an aesthetic success, and has deservedly won prizes, but it is embedded in a residential community that precedes it by decades – and the topography is against the promotion of the Licensing Objectives when it comes to Public Nuisance. This is why the residents objected so strenuously when the developers switched course from the original concept of 70 percent retail (quiet, early closing, no drinkers, no litter) to an eating and drinking hub.

The retail that we thought we had saved ... is now be leased to premises for takeaway food and drink, creating noise and litter and the need for public toilets that the Borough Yards complex does not provide.

The canyon-like topography of the small and narrow streets around Borough Yards efficiently transmits noise, music, laughter and smoke up to residents' homes. Drinkers in outdoor spaces perceive no difference between inside and outside - and

behave accordingly. This licence offers no provision for the containment of noise break-out of human voice from the terraces. The nearest residential bedrooms are just metres away.

If the Food & Drink Van is allowed to sell alcohol, its patrons (given the dense crowds in the area particularly at weekends) will sometimes have no choice but to stand around it consuming beer ... or take the beer to sit on our doorsteps.

#### **c. Early Morning Noise From Outdoor Furniture**

If this Licence is granted as it stands, then staff would be, doubtless noisily, putting street furniture and possibly barriers outside early in the morning, prolonging the noise to which residents are exposed. They would be stocking the Food & Drink Van too.

#### **d. Acoustic Lobby Required**

In the original Borough Yards Licenses, it was agreed that '*Unit 215 and Unit 219 must install lobby doors at the entrance/exit door to prevent noise escape likely to cause a nuisance*'. The licensable activities between Units 219 and the present premises will effectively be swapped (if, of course, Planning Consent is granted). So we ask for the provision of lobby doors for noise containment to apply in this unit too, given its proximity to residents.

#### **e. Waste Issues**

It has sadly become the tradition in this area that people buy takeaway food which they consume as they walk around the streets, dropping litter wherever they go, often on the doorsteps and windowsills of residents. The problem is that they have little choice, because premises like the proposed one do not offer external bins. The applicants intend to sell takeaway food and drink. There is no mention of external bin provision for the takeaway items sold. The photo below was taken on May 19, 2023, opposite the proposed Premises. Without bins, and using plastic beakers, what choice did these drinkers have?





#### **D. LICENSING OBJECTIVE: PREVENTION OF CRIME & DISORDER**

Residents in this area are regularly subjected to intoxicated visitors shouting, swearing, screaming and chanting under their windows. These visitors sometimes fight outside residents homes, smash bottles and damage property. The area is a hot spot for bag snatching and drug dealing. Urination (indecent exposure) is all too common a problem – and the lack of Public Toilets in Borough Yards, as mentioned, becomes more problematic the more they lease units to takeaway food and drink establishments.

The Borough and Bankside CIA has the highest rowdy behaviour and street drinking calls of anti-social behaviour. It has over double the number of calls of the second highest CIA in Southwark (Camberwell), 78% higher than Peckham's alcohol violent crime, the highest annual call-out rates violence with injury reported crime and 25% of the total alcohol-related ambulance call-outs.

To add extra drinking spaces via the terraces can only add extra drinkers and more problems of this nature.

#### **E. CONCLUSION**

The application currently fails to uphold the Licensing Objectives and we ask for it to be refused.

If the application is not refused, then we ask for the Food & Drink Van and the upper terrace to be removed from the application.

If the Committee is minded to grant the application, including the Food & Drink Van and upper terrace, then we ask for the following conditions:

## **F. CONDITIONS EXTRA TO THOSE OBTAINED FOR ALL BOROUGH YARDS LICENCE**

If the Committee is minded to grant this Licence, I request the following conditions

1. The terraces may not be used for Licensable activities until Planning Consent is granted.
2. The Food & Drink Van may not be used for Licensable activities until any Planning, Highways and Markets or other necessary Consents are granted.
3. That the Food & Drink Van does not sell takeaway beer or beverages in single use plastic containers but adheres to the existing agreed terms of the overall licences for the Borough Yards complex.
3. That between 8am and 10am, the terraces, outdoor area and Food Van are not used, to avoid public safety risks from servicing vehicle impacts and emissions.
4. That substantial differentiated bins are provided by the applicant outside for the wrappings of takeaway food and bottles from the Premises, and that these bins are emptied regularly by the applicants.
5. That a limit on the number of covers is applied to the Licence.
6. That no vertical drinking is allowed on the terraces or the other outdoor space indicated in the Plan.
7. That no smoking is allowed on the terraces.
8. That all patrons on the terraces and outdoor space will be seated.
9. That no standing or queueing to be allowed on the terraces or outdoor space.
10. That alcohol will be served only with substantial food on the terraces and outdoor space.
11. That the terraces and outdoor space are closed to patrons by 10pm Monday to Saturday and by 9pm on Sunday.
12. That no noisy moving of outdoor furniture or servicing of the Food & Drink Van will take place between 22.30 and 8.30am.
13. That an interior lobby is added for noise containment at the Stoney Street/Soap Yard entrance.
14. (In view of the problems with Mondo), that no TENS will be applied for that would allow the Premises to sell beer in in single use plastic beakers from the Food & Drink Van.
15. That no TENS will be applied for that would otherwise undermine the special conditions of the Borough Yards licences.
16. That any customers using the Food & Drink Van may have access to the toilets inside the Premises and that a sign is displayed on the van to that effect.

16. That all the special conditions negotiated for the other Borough Yards licence are included here as well.

[REDACTED]

[REDACTED]

[REDACTED] Clink Street

London SE1 [REDACTED]

**Other person 3**

From: [REDACTED]  
 Sent: Thursday, May 25, 2023 2:29 PM  
 To: Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
 Subject: Café Francois, Licence number 880146

I wish to object to Licence application number 880146.

The application does not limit the number of covers, and fails to uphold Licensing Objectives in the following ways:

**PUBLIC NUISANCE**

Noise from the terraces and food van would affect residents in Stoney Street, and [REDACTED] Winchester Walk especially as the nearest bedrooms are just metres away. This application is proposing to add 22 square metres of Licensable mezzanine space to what was already set as the limit at Borough Yards - and on top of that, three separate extra areas of Licensable space are proposed in the terraces and enclosure behind them.

It should be noted that the topography of the small and narrow streets around Borough Yards amplifies noise, music, laughter and smoke up to residents' homes. If this Licence were granted staff would be putting street furniture and possibly barriers outside early in the morning, prolonging the noise to which residents are exposed.

There is no mention of extra external bin provision for the takeaway items. Litter is already a major problem in the area. As is urination.

**PUBLIC SAFETY AND THE SAFETY OF CHILDREN** The proposed area for the terraces and food van are used to service the whole of Borough Yards. Large lorries create emissions and children's lungs are particularly vulnerable to vehicle particulates. There is also a risk of collisions.

**PREVENTION OF CRIME & DISORDER**

Residents in this area are regularly subjected to drunk and disorderly visitors swearing, screaming and chanting under their windows, and sometimes fights break out.

Urination (indecent exposure) is already a common problem. Borough Yards does not provide public toilets. While the Premises have toilets, would the people using the food van have automatic access to them?

**CONDITIONS EXTRA TO THOSE OBTAINED FOR ALL BOROUGH YARDS**

**LICENCE** If the Committee were minded to grant this Licence, I request that the conditions proposed by [REDACTED] are added to those that already apply to all Premises in Borough Yards.

Since the terraces and food van proposed in this Application lack the necessary consents from Planning, Markets, Highways, I ask that Southwark Licensing makes clear to the applicants that they may not sell alcohol under this Licence, if granted, until the necessary consents are obtained.

NAME [REDACTED]

ADDRESS [REDACTED] Clink Street, London [REDACTED]

Kind regards,

[REDACTED]

**Other person 4**

From: [REDACTED]  
Sent: Monday, May 29, 2023 9:33 PM  
To: Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
Subject: Objection to Licensing application no. 880146/Cafe Francois

Hello I wish to object this licensing application for a 'Cafe Francois' where the Paul Smith unit currently is in Borough Yards. I understand this is in advance of consent from other Departments such as Planning, Highways and so on, which signals complete disregard to those who live in the area. They want to pack 'out of towners' into the premises (they don't specify the maximum number) and then ignore the noise and commotion generated by drunken revellers - and the peeing! It's already bad in the Borough Yards area (the other day Park Street stank of urine). I think this license would further aggravate the 'public nuisance' that Borough Yards already generates for long suffering residents and I hope you decline it.

Yours sincerely, [REDACTED]

[REDACTED], [REDACTED] Redcross Way, SE1 [REDACTED]

PS why the heck is a food van needed, with the market next door? More noise, more peeing in the corners and leaving plastic beakers full of urine. Urgh.

**Other person 5**

**From:** [REDACTED]  
**Sent:** Thursday, May 25, 2023 12:03 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Licence Objection - Licence number 880146

Licence application.

I do not understand why the captioned application fails to limit the number of covers and feel that we are not being given the full picture of what is intended for the site. There are so many issues that you need to take into account in your due diligence and your consideration for the neighbouring residents. Not least being:-

**LICENSING OBJECTIVES OF PUBLIC SAFETY AND THE SAFETY OF PEDESTRIANS AND RESIDENTS**

This space is constantly used by transportation traffic. It is very dangerous to then have patrons sitting alongside a narrow pathway where the pedestrian traffic and drinkers gives rise to further congestion. It is just irresponsible I feel.

**LICENSING OBJECTIVE OF PUBLIC NUISANCE**

Noise from the terraces and food van would affect residents in Stoney Street where I have a leasehold (flat [REDACTED]). This application directly impacts me and my neighbours.

Adding another 22 square metres of Licensable mezzanine space is in excess of the limit set by Borough Yards and all it means is additional noise, music, laughter and smoke up to residents' homes. Leaving aside for now the additional street furniture which impacts residents.

And litter and street urination is already a major problem as it is.

**LICENSING OBJECTIVE: PREVENTION OF CRIME & DISORDER**

We as residents are exposed to intoxicated visitors swearing, screaming and chanting under our windows. These visitors sometimes fight outside residents' homes, smash bottles and damage property. The area is a hot-spot for bag snatching and drug dealing.

YOu know that Borough Yards complex does not provide public toilets for the people using the food van to have automatic access to them?

**CONDITIONS EXTRA TO THOSE OBTAINED FOR ALL BOROUGH YARDS LICENCE**

If the Committee is minded to grant this Licence, I request that the conditions proposed by [REDACTED] are added to those that already apply to all Premises in the Borough Yards complex.

Further, I understand that the terraces and food van proposed in this Application lack the necessary consents from Planning, Markets, Highways. Licensing is separate from Planning, but I ask that Southwark Licensing makes clear to the applicants that they may not sell alcohol under this Licence, if granted, until the necessary consents are obtained.

Thanks

[REDACTED]

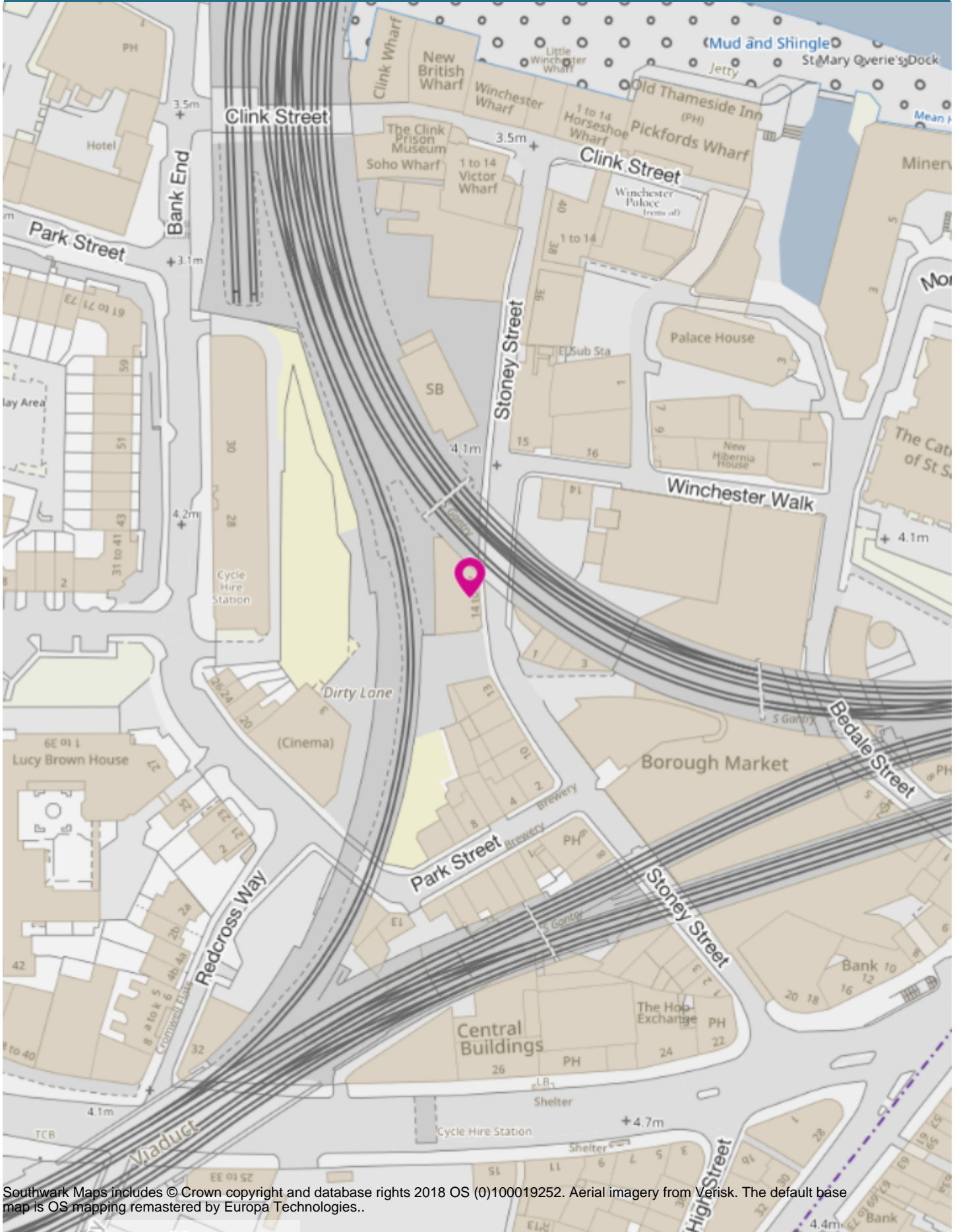
Flat [REDACTED]

[REDACTED]

Stoney ST, SE1



Cafe Francois, 14-16 Stoney Street, London SE1 9AD



Southwark Maps includes © Crown copyright and database rights 2018 OS (0)100019252. Aerial imagery from Verisk. The default base map is OS mapping remastered by Europa Technologies..

50 m

Scale = 1:100 000 000 000

13-Jun-2023

## APPENDIX E

## Premises licences for Borough Yard:

Licence number	Address	Date granted
874294	UNIT 208 208 Arch Stoney Street SE1 9AD	June 24 2021
874295	Unit 205 205 Arch Stoney Street SE1 9AD	June 24 2021
874297	Unit 230 230 Arch Bank End SE1 9FJ	June 24 2021
874301	Unit 213 213 Arch Stoney Street SE1 9AD	June 24 2021
874308	Unit 229 229 Arch Bank End SE1 9FJ	June 24 2021
874310	UNIT 215 215 Arch Stoney Street SE1 9AD	June 24 2021
874313	UNIT 219 18 Railway Arch 219-221 Stoney Street SE1 9BU	June 24 2021
877482	Unit 192 2 Dirty Lane SE1 9PA	May 25 2022
877483	Unit 192a 10 Park Street SE1 9AB	May 23 2022
877484	UNIT 193 4 Dirty Lane SE1 9PA	May 25 2022
876485	Vinoteca 18 Arch 207 Stoney Street SE1 9AD	January 24 2022
878552	Burger Beyond 231 Arch Bank End SE1 9FJ	October 17 2022
879056	Brother Marcus 1 Dirty Lane SE1 9PA	December 02 2022

**Activities and conditions****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 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 23:00

**Recorded Music - Indoors**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 23:00

**Late Night Refreshment - Indoors and outdoors**

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

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

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 23:00

**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 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 23:00

**340** The supply of alcohol at the premises shall only be to a person taking a table meal there and for consumption by such a person as ancillary to their meal save for 20 persons in area hatched black on the Licence Plan.

**341** A CCTV system shall be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises.

**342** All CCTV footage to be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.

**343** A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.

**344** 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.

**345** The Licence Holder shall ensure that the details of all complaints are recorded in an occurrence book and such book shall be available for police inspection.

**346** The Licence Holder shall ensure that the details of all complaints are recorded in an occurrence book.

**347** No music or amplified sound shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance at the nearest noise sensitive premises.

**348** Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

**349** A dedicated telephone number for the Designated Premises Supervisor or the duty manager shall be maintained for use by any person who may wish to make a complaint.

**350** The premises shall be adequately mechanically ventilated and comfort cooled to allow doors and windows to remain closed during licensed entertainment.

**351** The Premises shall be operated in accordance with the Borough Yards Operational Management Plan. This shall include a Dispersal Policy. A copy of the Operational Management Plan, and all later revisions, shall be provided to the Police, Licensing Authority and Environmental Health Department. A hard-copy of the Operational Management Plan shall be kept at the Premises and made available for inspection on request of the Police or an Authorised Officer of the Council. Relevant staff shall be trained on the Dispersal Policy and a copy shall be kept on the premises.

**352** All sales of alcohol for consumption off the premises shall be in sealed containers only save to persons who are seated at tables lawfully placed in the external area shaded pink on the plan, by waiter/waitress service.

**353** Patrons shall not be permitted to use the external area (shaded pink on the plan) of the premises after 22:00hrs, apart for access & egress and for smoking in the designated smoking area.

**Appendix E**

**354** There shall be no drinks permitted in the external area, shaded pink on the plan, after 22:00hrs.

**355** Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 22:00.

**356** Other than for consumption in the external area shaded pink on the plan, any off-sales of alcohol shall be provided in sealed containers and taken away from the premises.

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

**358** All online sales of alcohol are subject to a real time age verification check via an external third party.

**359** Drivers (whether employed directly, as self-employed or via third parties) have to undertake training on age restricted policies to ensure that the following checks are conducted at the point of delivery when the person appears to be under the age of 25.

**360** All online age verification checks should only be made by a company which is a member of the following organisation: <https://www.avpassociation.com/>.

**361** The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

**362** A documented staff training programme shall be provided to key members of staff at the premises in respect of the:

- a. Age verification policy
- b. The licensing objectives and
- c. Opening times for the venue
- d. Safeguarding of children and other vulnerable persons

With such records being kept for a minimum of six months (For the avoidance of doubt, the six month period relates to each respective entry in the log book and runs from the date of that particular entry).

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

**Appendix E**

**4AB** All staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation. A record of such training shall be kept / be accessible at the stall at all times and be made immediately available for inspection at the premises, to council or police

officers on request. The training record shall include:

- a. the trainee's name (in block capitals),
- b. the trainer's name (in block capitals),
- c. the signature of the trainee,
- d. the signature of the trainer,
- e. the date(s) of training, and
- f. a declaration that the training has been received.

**4AC** Clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.

**4AI** A register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.

**363** Before the premises open to the public, the final internal layout plans will be deposited with the Licensing Authority to ensure they are an accurate reflection of the premises constructed and a Variation or Minor Variation will be applied for by the Premises Licence Holder to detail same on this Licence.

**364** The maximum number of customers to be allowed on the Premises at any one time, shall be 70.

<b>Item No.</b> 8.	<b>Classification:</b> Open	<b>Date:</b> 27 June 2023	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: Sentosa, 208 Bermondsey Street, London SE1 3TQ	
<b>Ward(s) of group(s) affected</b>		London Bridge and West Bermondsey	
<b>From</b>		Strategic Director of Environment, Neighbourhoods and Growth	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by Soon Liang Lee for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Sentosa, 208 Bermondsey Street, London SE1 3TQ.
2. Notes:
  - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from three responsible authorities and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 13 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 14 to 27 of this report deal with the representations submitted in respect of the application. Copies of the responsible authority representations submitted are attached in Appendix B and other persons in Appendix C of this report. A map showing the location of the premises is attached to this report as Appendix D and a list of licensed premises in 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 procedure, has been circulated to all parties to the meeting.

## BACKGROUND INFORMATION

### The Licensing Act 2003

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

5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
  - The prevention of crime and disorder
  - The promotion of public safety
  - The prevention of nuisance
  - The protection of children from harm.
  
6. In carrying out its licensing functions, a licensing authority must also have regard to:
  - The Act itself
  - The guidance to the act issued under Section 182 of the Act
  - Secondary regulations issued under the Act
  - The licensing authority's own statement of licensing policy
  - The application, including the operating schedule submitted as part of the application
  - Relevant representations.
  
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

## **KEY ISSUES FOR CONSIDERATION**

### **The premises licence application**

8. On 1 June 2023 Soon Liang Lee applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Sentosa, 208 Bermondsey Street, London SE1 3TQ. The premises and purpose is described as follows:
  - "New Premises License for a Malaysia and Chinese restaurant"
  
9. The hours applied for are summarised as follows:
  - Recorded music indoors:
    - Monday to Thursday: 10:30 to 23:00
    - Friday and Saturday: 10:30 to 23:30
    - Sunday: 10:30 to 22:30
  
  - Late night refreshment indoors:
    - Monday to Saturday: 23:00 to 23:30
  
  - The sale by retail of alcohol (on the premises):
    - Monday to Friday: 12:00 to 22:30
    - Friday and Saturday: 12:00 to 23:00
    - Sunday: 12:00 to 22:00



- Opening hours:
  - Monday to Friday: 10:00 to 23:00
  - Friday and Saturday: 10:00 to 23:30
  - Sunday: 10:00 to 23:00
  
- Non-standard timings for recorded music, late night refreshment, sale of alcohol and opening times are:
  - To allow the permitted activities from the end of New Year's Eve to the start of New Year's Day.
  - Sunday's prior to Bank Holidays to operate until 00:00
  
- The application also asked for none standard timings or seasonal variations of:
  - Monday to Thursday: 23:00 to 23:30
  - Friday to Saturday: 23:00 to 00:00.

**NB** However as there are no dates for when these hours would occur as none standard timings, or a start and finish date for a seasonal variation, this request cannot be granted as part of the application and is considered rejected and has been withdrawn by the applicant following the licensing responsible authority representation.

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

### **Designated premises supervisor**

12. The proposed designated premises supervisor is Soon Liang Lee who holds a personal licence issued by City of Westminster.

### **Representations from responsible authorities**

13. There were two representations received from responsible authorities namely the Metropolitan Police Service and licensing as a responsible authority.
  
14. The representation submitted by the Metropolitan Police Service was concerned that the premises are situated in a residential area where the Southwark statement of licensing policy recommends a closing time of 23:00 and that the application has not adequately addressed the licensing objectives within the proposed operating schedule conditions.
  
15. The applicant agreed to 10 additions conditions with the police.

16. The Licensing representation correctly states that the premises is located in the London Bridge District Town Centre with closing times for Restaurants and cafes of:
  - Sunday to Thursday: 00:00
  - Friday and Saturday: 01:00
17. The licensing representation is based on all four of the licensing objectives and asks for 14 additional conditions.
18. Licensing also opposed the none standard timings or seasonal variations of:
  - Monday to Thursday: 23:00 to 23:30
  - Friday to Saturday: 23:00 to 00:00.
19. The applicant has accepted the additional conditions and removed the seasonal variation from the application.
20. The representations and agreed conditions can be found in Appendix B.

### **Representations from other persons**

21. There are four representations from “other persons” who are local residents.
22. The representations are mainly concerned with the incensing objectives for prevention of public nuisance and prevention of crime and disorder. Some of the issues raised are the lateness of the proposed application causing noise disturbances from recorded music and from patrons leaving the premises and smoke and noise from patrons smoking in the street. Noise from delivery drivers is also a concern and are noise and odour concerns associated with the ventilation/extract ducting.
23. The representations can be found in Appendix C

### **Conciliation**

24. The representations from both the police and licensing responsible authorities have been conciliated with additional conditions and are withdrawn.
25. At the time of writing the representations by the “other persons” remain in place.

### **Premises licensing history**

26. There is no licensing related history regarding this premises.

### **Temporary event notices**

27. No temporary event notices have been submitted for this premises.

### **Map**

28. A map showing the location of the premises is attached to this report as Appendix D.

29. A list of similar licensed premises in Bermondsey Street are in Appendix E.

### **Southwark Council statement of licensing policy**

30. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.

31. 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 licenses 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.

32. 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.

33. Members should take into consideration both the Southwark statement of licensing policy and the Section 182 Guidance when making decisions. Links for these are below.

- Southwark policy:

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

- Section 182 Guidance:

[Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/revised-guidance-issued-under-section-182-of-licensing-act-2003)

### **Cumulative impact area (CIA)**

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

35. According to the council's statement of licensing policy, the premises are situated in the London Bridge District Town Centre

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

- Restaurants and cafes:
  - Sunday to Thursday: 00:00
  - Friday and Saturday: 01:00
- Public houses, wine bars or other drinking establishments:
  - Sunday to Thursday: 23:00
  - Friday and Saturday: 00:00
- Nightclubs (with 'sui generis' planning classification):
  - Sunday to Thursday: 00:00
  - Friday and Saturday: 01:00
- Event premises/ spaces where sale of alcohol is included in, and ancillary to, range of activities including meals:
  - Friday and Saturday: 01:00
  - Sunday to Thursday: 00:00

### **Climate change implications**

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

38. 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.

39. Examples of such an agreement may be:

- Not to 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.

40. The council's climate change strategy is available at:

<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**

41. 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**

42. 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.

43. 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 who have 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.

44. 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>.

45. The equalities impact assessment is available at:

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

### **Health impact statement**

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

### **Resource implications**

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

### **Consultation**

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

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Assistant Chief Executive – Governance and Assurance**

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

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

51. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.
52. The principles which sub-committee members must apply are set out below.
53. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
54. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
  - Are made by an interested party or responsible authority
  - Have not been withdrawn
  - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
55. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- To grant the licence subject to:

- The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
- Any condition which must under section 19, 20 or 21 be included in the licence.
- To exclude from the scope of the licence any of the licensable activities to which the application relates.
- To refuse to specify a person in the licence as the premises supervisor.
- To reject the application.

### **Conditions**

56. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
57. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
58. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
59. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
60. Members are also referred to the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

### **Reasons**

61. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision.

### **Hearing procedures**

62. 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.
63. This matter relates to the determination of an application for a premises licence under Section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

64. 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.
65. 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.
66. 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.

67. 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.
68. 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.
69. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
70. 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.
71. 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**

72. 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, Finance**

73. 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**

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

**APPENDICES**

<b>Name</b>	<b>Title</b>
Appendix A	Application for a premises licence
Appendix B	Representation from responsible authorities
Appendix C	Representations from other persons
Appendix D	Map of the locality
Appendix E	Licensed premises in Bermondsey Street

**AUDIT TRAIL**

<b>Lead Officer</b>	Caroline Bruce, Strategic Director of Environment, Neighbourhoods and Growth	
<b>Report Author</b>	David Franklin, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	13 June 2023	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Assistant Chief Executive Governance and Assurance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		16 June 2023

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

### Please read the following instructions first

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

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

I/W Mr. Soon Liang Lee

e

-----  
(Insert name(s) of applicant)

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

### Part 1 – Premises details

Sentosa Restaurant. 208 Bermondsey Street			
<b>Post town</b>	London	<b>Postcode</b>	SE13TQ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 24000

### Part 2 - Applicant details

Please state whether you are applying for a premises licence as

**Please tick as appropriate**

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	

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

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

**(A) individual applicants** (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b> <b>Lee</b>			<b>First names</b> <b><u>Soon Liang</u></b>		
I am 18 years old or over      Please tick yes					

<b>Date of birth</b> ..... [REDACTED]			
<b>Nationality</b>			
Current residential address if different from premises address		[REDACTED]	
Post town	<b>London</b>	Postcode	[REDACTED]
<b>Daytime contact telephone number</b>		[REDACTED]	
<b>E-mail address (optional)</b>	[REDACTED]		
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)			

**Second individual applicant (if applicable)**

M r	Mr s	Mis s	M s	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> old or over		I am 18 years		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address		[REDACTED]			
Post town				Postcode	
<b>Daytime contact telephone number</b>			[REDACTED]		
<b>E-mail address</b>		[REDACTED]			

<b>(optional)</b>	
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)	

**(B) Other applicants**

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1 4	0 6	2 0 2 3

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

DD	MM	YYYY

New Premises License for a Malaysia and Chinese restaurant

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

Less than 5000

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

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

Provision of regulated entertainment (please read guidance note 2)		Please tick all that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	✓
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

<b>Provision of late night refreshment</b> (if ticking yes, fill in box I)	✓
<b>Supply of alcohol</b> (if ticking yes, fill in box J)	✓

**In all cases complete boxes K, L and M**

## A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					



## B

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

## C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)		

<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		

## D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon	-----	-----	<b>Please give further details here</b> (please read guidance note 4)		
Tue	-----	-----			
Wed	-----	-----	<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			

## E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish			
Mon	10:30	23:00	<b>Please give further details here</b> (please read guidance note 4)		
Tue	10:30	23:00	Playing background music within Licensing hours		
Wed	10:30	23:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur	10:30	23:00	Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00 Non-standard Timings: To allow the permitted activities from the end of New Year's Eve to the start of New Year's Day. Sunday's prior to Bank Holidays to operate until 00:00		
Fri	10:30	23:00	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	10:30	23:00	Monday to Thursday: 23:00 to 23:30		
Sun	10:30	22:30	Friday to Saturday: 23:00 to 00:00 Non-standard Timings: To allow the permitted activities from the end of New Year's Eve to the start of New Year's Day. Sunday's prior to Bank Holidays to operate until 00:00		

## G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	✓
				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 4) Allow to serve Late Night Refreshment within the Licensing hours		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5) Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00 Non-standard Timings: To allow the permitted activities from the end of New Year's Eve to the start of New Year's Day. Sunday's prior to Bank Holidays to operate until 00:00.		
Thur					
Fri	23:00	23:30	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6) Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00 Non-standard Timings: To allow the permitted activities from the end of New Year's Eve to the start of New Year's Day. Sunday's prior to Bank Holidays to operate until 00:00.		
Sat	23:00	23:30			
Sun					





**Personal licence number (if known)**



**Issuing licensing authority (if known)**

City of Westminster Council

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 9).

Non adult entertainment or services and activities allowed.

**L**

**Hours premises are open to the public**

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon	10:00	23:00
Tue	10:00	23:00
Wed	10:00	23:00
Thur	10:00	23:00

**State any seasonal variations** (please read guidance note 5)

Monday to Thursday: 23:00 to 23:30  
Friday to Saturday: 23:00 to 00:00  
Non-standard Timings: To allow the permitted activities from the end of New Year's Eve to the start of New Year's Day. Sunday's prior to Bank Holidays to operate until 00:00.

**Non standard timings. Where you intend the premises to be open to the public at different**

			<p><b>times from those listed in the column on the left, please list</b> (please read guidance note 6)</p> <p>Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00 Non-standard Timings: To allow the permitted activities from the end of New Year's Eve to the start of New Year's Day. Sunday's prior to Bank Holidays to operate until 00:00.</p>
Fri	10:00	23:30	
Sat	10:00	23:30	
Sun	10:00	23:00	

## M

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

**a) General – all four licensing objectives (b, c, d and e)** (please read guidance note 10)

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

**b) The prevention of crime and disorder**

Alcohol must only be served with table meal. Alcohol must not be taken out of the premises.

Staffs will observe and maintain the limit customers consume of Staffs will observe and prevent customers getting drunk.

CCTV will be installed according to Home Office Guidelines, and recording retained for min. 31 days. DPS will attend a recognised drug awareness training course within 3 months of the Premises License granted.

Staff shall be provided with 'drug awareness training', and be briefed on the drugs policy applicable to the premises.

When a pre-booked function is being conducted, a minimum of one personal licence holder shall be present on duty throughout the event.

Age 25 Challenge check.

Door man/security to keep order on festive days and on special events days.

**c) Public safety**

Prevented customers getting drunk at all time.No drinks to be taken out of the premises.No sale of alcohol for takeaways.

Customers will be asked to leave the premises in orderly manner.

CCTV will be installed to Home Office guidelines.

During festive seasons, doorman will be employed to maintain good order.

All full-time staffs will be fire safety trained and Risk Assessment Plan displayed. Only serve licensing activities within Licensing Hours.

Age check (challenge 25).

Regular Risk Assessments

Door man to keep orderly.

**d) The prevention of public nuisance**

Limit customers consumption of alcohol to prevent them getting drunk.

Maintain order, asking customers to leave quietly and not leave in large group at any one time.

Keep doors and windows closed after 23:00.

No deliveries or removals involving access road shall take place between 23:00 to 7:00.

No outdoor smoking after 23:00.

Litter patrol.

**e) The protection of children from harm**

Must not serve alcohol to anyone one under 18.

Ask for ID shall any customers look under 25 "Challenge 25".

No adult entertainment or activities allow.

No smoking inside the premises.

Signs shall be displayed inside and outside of the premises warning adults that it is an offence to buy alcohol on behalf of anyone under the age of 18.

**Checklist:**

**Please tick to indicate agreement**

• I have made or enclosed payment of the fee.	✓
• I have enclosed the plan of the premises.	✓
• I have sent copies of this application and the plan to responsible authorities and others where applicable.	✓
• I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	✓
• I understand that I must now advertise my application.	✓
<ul style="list-style-type: none"> <li>• I understand that if I do not comply with the above requirements my application will be rejected.</li> <li>• [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).</li> </ul>	✓

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

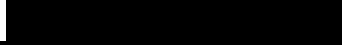
<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	<u>Soon Liang Lee</u>
Date	04/05/2023
Capacity	Restaurant Owner

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Mr. (Ivan) Soon Liang Lee <div style="background-color: black; width: 100px; height: 15px; margin-top: 5px;"></div>			
Post town	<b>London</b>	Postcode	<div style="background-color: black; width: 60px; height: 15px;"></div>
Telephone number (if any)	<div style="background-color: black; width: 100%; height: 15px;"></div>		

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



### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:



- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.
  15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

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

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

### **Home Office online right to work checking service.**

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

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

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

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

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



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

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

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

**Our reference:** MD/23/148

**Date:** 18/05/2023

Dear Sir/Madam

Re:- Sentosa 208 Bermondsey Street London SE1 3TQ

Police are in possession of an application from the above for a new premises licence for The Supply of Alcohol on sales only, recorded music .The application describes the premises as a Malaysian and Chinese restaurant. The hours requested on the application are:

Open to the Public  
Sun-Thurs-1000hrs-2300hrs  
Fri-Sat-1000hrs-2330hrs

Recorded Music  
Mon-sat-1030hrs-2300hrs  
Sun-1030hrs-2230hrs

Supply of Alcohol on premises only  
Mon-Thurs-1200hrs-2230hrs  
Fri-sat-1200hrs-2300hrs  
Sun-1200hrs-2200hrs

The hours requested by the applicant are outside those recommended in The Southwark Council statement of licensing policy guidelines for a residential area. The policy states that the recommended closing time is 2300hrs

The applicant has offered some control measures within the operating schedule to address the licensing objectives however they are vague and The Home office guidance issued under Sec 182 of the licensing Act 2003 'General principles' state that it is important in setting the parameters within which the premises may operate. Conditions must be precise and enforceable.

My representation is made with regard to all four of the licensing objectives which need to be addressed in particular that of prevention of crime and disorder, although the applicant has made some effort the conditions offered in their current format are not enforceable and this needs to be addressed. Police object to this application in its current format. Police welcome the opportunity to open dialogue and consolidate

Submitted for your consideration.

Yours Sincerely

Pc Mark Lynch 2246AS  
Southwark Police Licensing

**From:** Lynch Mark A - AS-CU

**Sent:** 30 May 2023 08:18

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

**Cc:** Peter Tran

**Subject:** Sentosa 208 Bermondsey Street London SE1 3TQ ref 23/148

Good Afternoon

In view of the applicant and police agreeing to the conditions below in red, police would like to withdraw their representation in regards to the granting of the licence for the venue Sentosa 208 Bermondsey Street London SE1 3TQ

1. That a CCTV system shall be installed and maintained in full working order. The CCTV system will record footage of evidential quality in all lighting conditions and should be able to capture a clear facial image of all persons that enter the venue. All public areas will be covered by the CCTV system including the bar, smoking areas, and frontage of the premises. The premises shall not be open at any time when the CCTV is not operating correctly.
2. All CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available for inspection to officers of the Police and the Council on request.
3. That at least one member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.
4. That all staff shall be trained in their responsibilities under the Licensing Act 2003 and in regards to the terms and conditions of this licence. Such training should include the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. Records pertaining to such training shall be kept / be accessible at the premises at all times, shall be updated every 6 months and shall be made immediately available for inspection at the premises to council and / or police officers on request.
5. That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers at all exits from the premises, requesting to the effect that customers leave the premises and area in a quiet and orderly manner. Such signs shall be maintained free from obstruction when the premises are in use in accordance with this licence.
7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following: a) all crimes reported to the venue; b) all ejections of patrons; c) any complaints received concerning crime and disorder; d) any incidents of disorder; e) all seizures of drugs or offensive weapons; f) any faults in the CCTV system, searching equipment or scanning equipment; g) any refusal of the sale of alcohol including date, time and name of staff member; h) any visit by a relevant authority or emergency service.
8. That all staff are trained in their responsibilities under the Licensing Act 2003 and the signs of drunkenness and training records to be kept and updated every six months and shall be made immediately available to officers of the police and the council upon request.
9. That customers shall use no outside area other than those who temporarily leave the premises to smoke a cigarette at the front of the premises with no more than five people permitted to smoke at one any time.

10. That the supply of alcohol on the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal

Kind regards

**Mark Lynch 2246AS** | Police Constable

Central South BCU – Southwark | **Licensing Team**

**Email:** [mark.lynch6@met.police.uk](mailto:mark.lynch6@met.police.uk)

**Address:** Southwark Police Station

**From:** Peter Tran

**Sent:** 23 May 2023 11:05

**To:** Lynch Mark A - AS-CU <[mark.A.Lynch@met.police.uk](mailto:mark.A.Lynch@met.police.uk)>

**Cc:** [Wesley.McArthur@southwark.gov.uk](mailto:Wesley.McArthur@southwark.gov.uk)

**Subject:** Re: Sentosa 208 Bermondsey Street London SE1 3TQ ref 23/148

Thank you Mark.

We accept these conditions.

Kind Regards

Peter

<b>To:</b> Licensing Unit	<b>From:</b> Wesley McArthur <a href="mailto:wesley.mcarthur@southwark.gov.uk">wesley.mcarthur@southwark.gov.uk</a> 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority)	<b>Date:</b> 01 June 2023
<b>Subject:</b>	Representation	
<b>Act:</b>	The Licensing Act 2003 (the Act)	
<b>Premises:</b>	Sentosa, 208 Bermondsey Street, London, SE1 3TQ	
<b>Ref':</b>	<b>880163</b>	

We object to the grant of an application for a premises licence, submitted by Mr. Soon Liang Lee under The Licensing Act 2003 (the Act), in respect of the premises known as Sentosa, 208 Bermondsey Street, London, SE1 3TQ.

### **1. The application**

The application seeks to allow the following -

#### **Recorded music (indoors):**

**Monday - Saturday: 10:30 – 23:00**  
**Sunday: 10:30 – 22:30**

**N.B.** Recorded music would be permitted between 08:00 and 23:00 at the premises under the provisions of the Live Music Act 2012 if the on sale of alcohol is granted regarding this application.

#### **Late night refreshment (indoors and outdoors)**

**Friday & Saturday: 23:00 – 23:30**

#### **The sale of alcohol to be consumed on the premises:**

**Monday - Thursday: 12:00 – 22:30**  
**Friday & Saturday: 12:00 – 23:00**  
**Sunday: 12:00 – 22:00**

#### **The opening hours of the premises are:**

**Monday - Thursday: 10:00 – 23:00**  
**Friday & Saturday: 10:00 – 23:30**  
**Sunday: 10:00 – 23:00**



**Non-standard timings:**

Opening hours and licensable activities are to be allowed from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

The application also states non-standard timings regarding all licensable activities and the opening hours of the premises as follows -

Monday - Thursday:	23:00 - 23:30
Friday - Saturday:	23:00 - 00:00

**Seasonal variations:**

Opening hours and licensable activities are to be allowed from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

The application also states seasonal variations regarding all licensable activities and the opening hours of the premises as follows -

Monday - Thursday:	23:00 - 23:30
Friday - Saturday:	23:00 - 00:00

In the application the premises, and the intended operation of the premises, are described as (verbatim) -

“...Malaysia and Chinese restaurant.”

**2. The Locale**

The premises are located on Bermondsey Street, which is a busy commercial street with many restaurants, bars and pubs as well as cultural premises. The immediate area also has a high density of residential dwellings.

**3. This council's Statement of Licensing Policy**

According to sections 6 & 7 of this council's statement of licensing policy 2021 – 2026 (the SoLP), the premises fall within the London Bridge District Town Centre Area.

A copy of the SoLP is available via:

<https://www.southwark.gov.uk/assets/attach/7473/Statement-of-Licensing-Policy-2021-2026-final.pdf>

The following closing times are recommended in our SoLP in respect of various types of licensed premises located in the London Bridge District Town Centre Area as follows –

Restaurants and cafes –

Sunday – Thursday: 00:00

Friday – Saturday: 01:00

**4. Our objection**

Our objection relates to the promotion of the all of the licensing objectives.

In part 'M' of the application, the applicant has proposed various licence conditions to address the licensing objectives. We welcome these conditions, but to ensure that any subsequent licensing conditions are *appropriate, practicable and enforceable* we recommend that the following conditions are also included in the application, and that, if applicable, they replace any related conditions offered in the application -

**Prevention of crime and disorder:**

- That a zero tolerance policy to illegal drug use will be implemented and maintained at the premises. All staff shall be trained in respect of the premises' drug policy. A record of such training shall be kept in the staff training logs at the premises which shall include the printed name of the trainee and the date that the training was received.

**Public Safety:**

- That clearly legible signage shall be displayed where it can easily be seen and read by customers and staff identifying all emergency escape routes and emergency exits at the premises. Such signage shall be kept free from obstructions at all times.
- That all emergency exits, emergency escape routes and entry / exit doors at the premises shall be kept operable and free from obstructions at all times that the premises are in use.
- That broken or waste glass / earthenware shall be cleared away as soon as possible on a continuous basis whilst the premises are in use to minimise risk of injury. Staff shall be trained in this and details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
- That all areas of the premises and all fittings and equipment, door fastenings and all lighting, heating, electrical, toilet and other installations, will be maintained at all times in good working order and in a safe condition.

**The prevention of public nuisance:**

- That any litter caused by the operation of the premises shall be cleared away from the immediate vicinity of the premises periodically throughout operating hours, and at the end of trade, on each day that the premises are in operation. Staff shall be trained in this and details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
- That deliveries to and from the premises shall only take place between 07:00 hours and 19:00 hours.
- That external waste, recycling or waste glass / bottle depositing shall only take place between 07:00 hours and 19:00 hours. At all other times waste, recycling or waste glass / bottles shall be kept on the premises until they are due to be collected.
- That customers shall not be permitted to congregate outside of the premises' frontage to smoke after 23:00 hours.

**The protection of children from harm:**

- That a challenge 25 scheme shall be maintained requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase or take receipt of alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a photo driving licence, passport, UK armed services photo ID card, any Proof of Age Standards Scheme (PASS) accredited card (such as the Proof of Age London (PAL) card) or any age verification card accredited by the Secretary of State.
- That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons (including the prevention of 'proxy sales'), and shall also be trained in the challenge 25 scheme in operation at the premises. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
- That clearly legible signs shall be prominently displayed, where they can easily be seen and read by customers, stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
- That a register of refused sales of alcohol shall be maintained at the premises at all times. The register shall be clearly and legibly marked on the front cover as a register of refused alcohol sales, with the address of the premises and the name of

the licence holder. The register shall be used to record details of all refused sales of alcohol. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.

- That children / persons under 16 years old shall not be permitted at the premises unless accompanied by a responsible adult.

We also object to the proposed non-standard timings and seasonal variations as follows, relating to licensable activities and opening hours

Monday - Thursday:           23:00 - 23:30  
Friday - Saturday:           23:00 - 00:00

We recommend that the above non-standard timings and seasonal variations are removed from the application.

We *do not* object to the non-standard timings relating to New Year's Eve.

We welcome discussion with the applicant on any of the matters above; however should the applicant agree to all of our proposed amendments then we will withdraw this representation.

**We recommend the applicant contacts us directly on this matter as soon as possible.**

Yours sincerely,

**Wesley McArthur**  
Principal Enforcement Officer

**From:** McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>  
**Sent:** Thursday, June 1, 2023 11:10 PM  
**To:** Peter Tran; Regen, Licensing <Licensing.Regen@southwark.gov.uk> **Cc:** Franklin, David <David.Franklin@SOUTHWARK.GOV.UK>  
**Subject:** RE: Application for a premises licence: Sentosa, 208 Bermondsey Street, London, SE1 3TQ (Our ref': 880163) - Loc ID: 200400 - London Bridge and West Bermondsey Ward

Dear All,

Further to Mr Tran's email below, my representation is withdrawn.

Regards,

**Wesley McArthur**

Principal Enforcement Officer - Licensing Unit  
London Borough of Southwark

**E-mail:** [wesley.mcarthur@southwark.gov.uk](mailto:wesley.mcarthur@southwark.gov.uk)

**General:** [licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)

**Phone:** 020 7525 5779

**Switchboard:** 020 7525 5000

**Website:** [www.southwark.gov.uk](http://www.southwark.gov.uk)

**Address:** Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH

**From:** Peter Tran  
**Sent:** Thursday, June 1, 2023 10:51 PM  
**To:** McArthur, Wesley <[Wesley.McArthur@southwark.gov.uk](mailto:Wesley.McArthur@southwark.gov.uk)>; Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** Franklin, David <[David.Franklin@SOUTHWARK.GOV.UK](mailto:David.Franklin@SOUTHWARK.GOV.UK)>  
**Subject:** Re: Application for a premises licence: Sentosa, 208 Bermondsey Street, London, SE1 3TQ (Our ref': 880163) - Loc ID: 200400 - London Bridge and West Bermondsey Ward

Dear Mr. Wesley McArthur,

Thank you.

We accept and here confirm to add the additional measures for the Licensing Objectives below: -

Prevention of crime and disorder: That a zero tolerance policy to illegal drug use will be implemented and maintained at the premises. All staff shall be trained in respect of the premises' drug policy.

A record of such training shall be kept in the staff training logs at the premises which shall include the printed name of the trainee and the date that the training was received.

Public Safety:

That clearly legible signage shall be displayed where it can easily be seen and read by customers and staff identifying all emergency escape routes and emergency exits at the premises. Such signage shall be kept free from obstructions at all times.

That all emergency exits, emergency escape routes and entry / exit doors at the premises shall be kept operable and free from obstructions at all times that the premises are in use. That broken or waste glass / earthenware shall be cleared away as soon as possible on a continuous basis whilst the premises are in use to minimise risk of injury. Staff shall be trained in this and details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.

That all areas of the premises and all fittings and equipment, door fastenings and all lighting, heating, electrical, toilet and other installations, will be maintained at all times in good working order and in a safe condition.

#### The prevention of public nuisance:

That any litter caused by the operation of the premises shall be cleared away from the immediate vicinity of the premises periodically throughout operating hours, and at the end of trade, on each day that the premises are in operation. Staff shall be trained in this and details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.

That deliveries to and from the premises shall only take place between 07:00 hours and 19:00 hours. That external waste, recycling or waste glass / bottle depositing shall only take place between 07:00 hours and 19:00 hours. At all other times waste, recycling or waste glass / bottles shall be kept on the premises until they are due to be collected.

That customers shall not be permitted to congregate outside of the premises' frontage to smoke after 23:00 hours.

#### The protection of children from harm:

That a challenge 25 scheme shall be maintained requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase or take receipt of alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a photo driving licence, passport, UK armed services photo ID card, any Proof of Age Standards Scheme (PASS) accredited card (such as the Proof of Age London (PAL) card) or any age verification card accredited by the Secretary of State.

That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons (including the prevention of 'proxy sales'), and shall also be trained in the challenge 25 scheme in operation at the premises. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.

That clearly legible signs shall be prominently displayed, where they can easily be seen and read by customers, stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.

That a register of refused sales of alcohol shall be maintained at the premises at all times. The register shall be clearly and legibly marked on the front cover as a register of refused alcohol sales, with the address of the premises and the name of the licence holder. The register shall be used to record details of all refused sales of alcohol. The register shall be

kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.  
That children / persons under 16 years old shall not be permitted at the premises unless accompanied by a responsible adult.

We also accept here confirm to remove the of non-standard timings and the seasonal variations.

We do want to keep the non-standard timings for New Year's Eve.

We agree to all your proposed amendments and thank you in advance for withdrawing the representation.

Thank you very much.

Kind Regards

Peter  
(Project Manager)

Peter Tsang Tran  
(BA Hons)

Planner & Interior Architect  
NHBC CITB-Site Management  
NHBC CITB APS - Principal Designer

PASMA Qualified

**EYELEVEL DESIGN LTD**

Other person 1

From: [REDACTED]  
Sent: Monday, May 15, 2023 5:18 PM  
To: Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
Subject: Sentosa Application 881063

Application for a licence objection

I wish to object to the licence being granted as above on the grounds of public nuisance.

I live [REDACTED] at [REDACTED] Bermondsey Street, SE1 [REDACTED]

I am objecting for three reasons:

There are no suitable outdoor smoking areas nearby and there will be smokers standing outside my front door with the smoke entering my windows, especially in the summer.

There will be courier delivery drivers constantly outside on motorbikes and cycled making a noise nuisance. The hours of trading mean that this could be happening at 11:30 at night.

Finally we have not been able to ascertain where the rubbish disposal from this restaurant will happen so this is likely to be a major issues as there are no suitable bins.

Please consider my objections before granting this licence.

Thank you.

[REDACTED]

[REDACTED] Bermondsey Street  
London  
SE1 [REDACTED]



Other person 2

**From:** [REDACTED]  
**Sent:** Tuesday, May 16, 2023 9:36 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** Objection to Premises Licence 880163

Dear Sirs,

### **Premises Licence 880163**

I am writing to register my objection to the application for a premises licence by **Soon Liang Lee** for **Sentosa, 208 Bermondsey Street, SE1 3TQ, London**. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of disorder, prevention of public nuisance, and providing public safety.

#### **1. Unreasonably late working hours.**

The application proposes that opening hours are till 23:30 Friday-Saturday and till 23:00 the other days. I would like to draw your attention that all nearby restaurants do not work till such a late hour. For example,

- 
- 
- *Flour & Grape* closes at 22:00
- 
- 
- 
- *Hakata Ramen + Bar* closes at 22:00
- 
- 
- *Cafe Murano Bermondsey* closes at 22:15,  
and 19:45 on Sunday
- 
- 
- *Pizarro*  
closes at 22:45, and 20:45 on Sunday
- 
- 
- *Baccalà*  
closes at 23:00, and is closed on Sunday
- 

Having said that, I may suppose that Sentosa restaurant might become a single place on the street for people gathering to drink alcohol at unsociable hours every day. As a resident of [REDACTED] where Sentosa restaurant is situated, I feel that later opening hours with alcohol sales could lead to an increase in crime and disorder. Noise, anti-social behaviour, low-level nuisance (non reportable crime inc. shouting, swearing, urination in public, littering) will be increased.

#### **2. Disturbing music late at night.**

Also it may be reasonable to assume that recorded music played indoors till 23:00 might prevent all tenants of Venture Court from sleeping.

Thank you for taking the time to seriously consider these objections.

Yours faithfully,

[REDACTED]

16.05.2023

Address: [REDACTED] [REDACTED]  
[REDACTED] Bermondsey street  
SE1 [REDACTED]

Email: [REDACTED]

Other person 3

**From:** [REDACTED]

**Sent:** Monday, May 22, 2023 5:27 PM

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

**Subject:** PREMISES LICENCE 880163 – Sentosa, 208 Bermondsey Street, London, SE1 3TQ

Good Afternoon,

I am contacting you regarding application 880163 Premises License submitted for Sentosa Restaurant 208 Bermondsey Street, SE1 3QT. Please find attached and below my objections.

### Refuse Management

I have reviewed the plans submitted online and I am concerned with how refuse will be managed by the restaurant. There is no servicing or refuse management plan included within the documents and the plan shows no allocation for bin storage internally or externally.

I would like to note that the area highlighted as a courtyard is currently Venture Court bike storage rack. We have not been informed that we will be losing these facilities and they were not removed as part of the recently approved planning application.

We have previously encountered issues at Venture Court with waste management which have been logged with the Southwark council. The bins are regularly overfilled, used by businesses and the area is used to dump items that are not collected by the council.

I am concerned that an increase to waste (including food waste) within this area will further worsen the problem and will result in smells and rodent issues for the property.

### Noise/ Public Nuisance

I am concerned that the new licence will increase public nuisance for Bermondsey St residents and Venture Court.

I am particularly concerned about the increased potential for people to loiter under the Venture Court underpass. This is currently an issue when people leave the local restaurants (Flour and Grape, Pizarro etc) as their customers use the underpass to wait for taxis and a sheltered smoking area. This regularly causes disturbance late at night to my sleep and health with noise and smoke entering the flat.

I am also concerned about the increased noise from delivery drivers on mopeds. Since alterations to the road were made on Bermondsey St, my wellbeing has improved significantly, this is due to improved sleep as the noise from traffic has decreased majorly. I worry that this will be reversed.

I would like to understand if any measures will be put in place to prevent smoking on Venture Court property and if the hours cannot be reduced will measures be put in place to keep noise from customers, drivers, and music to a minimum.

## **1. Ventilation/ Extraction**

Finally, on review of the license I was unable to find a ventilation or extraction statement or confirmation of where the extract fans will be located.

As the restaurant is located directly below Venture Court I am concerned about the noise and smell this will cause when entering the property.

Please kindly consider my views

Yours Sincerely,

[REDACTED]

Email: [REDACTED]

Mob: [REDACTED]

[REDACTED],

[REDACTED] Bermondsey Street,

London,

SE1 [REDACTED]

Other person 4

From [REDACTED]

Sent: Tuesday, May 23, 2023 10:58 PM

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

Subject: Objection to Premises Licence 880163

Dear members of the Regulatory Services,

### **Premises Licence 880163**

I am writing to register my objection to the application for a Premises Licence by **Soon Liang Lee** for **Sentosa, 208 Bermondsey Street, SE1 3TQ, London**. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of disorder, prevention of public nuisance, and providing public safety.

#### **1. Unreasonably late working hours.**

The opening hours of the restaurant exceed the opening hours of all restaurants in the nearby area. Given the fact that the Licence allows the supply of alcohol and late night refreshments, I may suppose that the probability of the anti-social behaviour incidents and other reported and unreported crimes in the vicinity of the premises might increase. To support my claim, I would like to draw your attention to the crime statistics published by the Metropolitan Police at <https://www.police.uk/your-area/metropolitan-police-service/london-bridge-and-west-bermondsey/?yourlocalpolicingteam=about-us&tab=crimemap> which shows that the number of crimes in the neighbourhood (on a quarter on quarter basis) continues to increase since the first quarter of 2022 (e.g., +3.0% for 2022'Q1, +10.4% for 2022'Q3, +27.2% for 2022'Q4). Moreover, I envision that the precedent might encourage other restaurants in the area to reapply for new Premises Licence with longer working hours. As a resident of the building where the proposed restaurant is to be situated, I do not feel that the Premises Licence would work in the interests of public safety and prevention of public nuisance, crime, and disorder.

#### **2. The Ventilation and Extraction Statement is not available.**

I would also like to draw your attention to the fact that the Site Plan submitted to the Council does not indicate the location of the extraction and ventilation fans. The Ventilation and Extraction Statement is also not available. Specifically, there is no commitment to provide adequate and suitable equipment to prevent possible nuisance. The concerns regarding the control of noise, odour and fumes from the premises are not addressed. The compliance of the performance characteristics of the extract system to the HVCA Standard and DEFRA Guidance on control of odour and noise for commercial kitchens is not stated. There is no indication that the anti-vibration mountings are to be utilised on the fixings of all plant and equipment to prevent possible transfer of structure borne sound to adjacent retail and residential properties. Provisional inlet and exhaust positions for the kitchen ventilation systems are not shown on the accompanying drawings. Thus, the application does not address the effect on the residential flats immediately beyond and above the proposed restaurant (206 Bermondsey Street, 210A Bermondsey Street, and others).

#### **3. The Servicing and Refuse Management Plan is not available.**

The application is missing the Servicing and Refuse Management Plan that should be submitted to the Council when applying for planning permission for a restaurant. Thereby, the health and safety concerns of the residents of the above mentioned residential flats are not addressed.

Thank you for taking the time to seriously consider these objections.

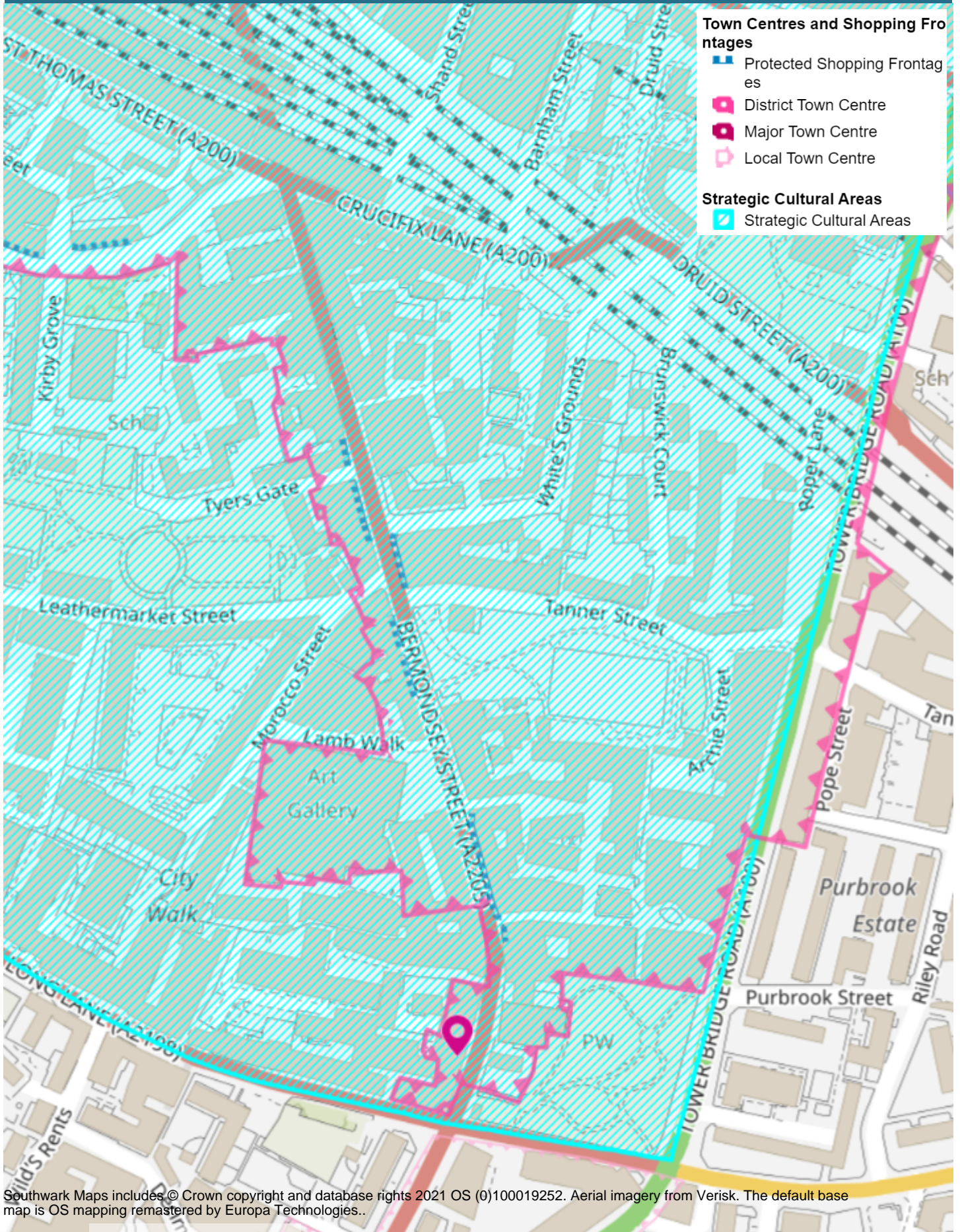
Yours faithfully,

[REDACTED] [REDACTED]

Address: [REDACTED] [REDACTED]  
[REDACTED] Bermondsey street  
SE1 [REDACTED]

Email: [REDACTED]

London Bridge District Town Centre - 208 Bermondsey Street



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**Licenced premises in the vicinity of the application with similar licence activities**

**APPENDIX E**

<b>Premises</b>	<b>Opening hours</b>	<b>Alcohol on premises</b>	<b>Late night refreshment</b>	<b>Recorded music</b>
<b>Antico</b> 214 Basement And Ground Floor Bermondsey Street SE1 3TQ	Monday 09:00 to 23:00 Tuesday 09:00 to 23:00 Wednesday 09:00 to 23:00 Thursday 09:00 to 00:00 Friday 09:00 to 01:30 Saturday 09:00 to 01:30 Sunday 09:00 to 22:30	Monday 09:00 to 22:30 Tuesday 09:00 to 22:30 Wednesday 09:00 to 22:30 Thursday 09:00 to 23:30 Friday 09:00 to 01:00 Saturday 09:00 to 01:00 Sunday 09:00 to 22:00	Thursday 23:00 to 23:30 Friday 23:00 to 01:00 Saturday 23:00 to 01:00	Monday 11:00 to 22:30 Tuesday 11:00 to 22:30 Wednesday 11:00 to 22:30 Thursday 11:00 to 23:30 Friday 11:00 to 01:00 Saturday 11:00 to 01:00 Sunday 11:00 to 22:00
<b>Baccala</b> 194-204 Unit B3 Bermondsey Street SE1 3TQ	Monday 11:00 to 23:00 Tuesday 11:00 to 23:00 Wednesday 11:00 to 23:00 Thursday 11:00 to 23:00 Friday 11:00 to 23:00 Saturday 11:00 to 23:00 Sunday 11:00 to 23:00	Monday 11:00 to 22:30 Tuesday 11:00 to 22:30 Wednesday 11:00 to 22:30 Thursday 11:00 to 22:30 Friday 11:00 to 22:30 Saturday 11:00 to 22:30 Sunday 11:00 to 22:30		
<b>Pizarro Restaurant</b> 194-204 Ground Floor Bermondsey Street SE1 3TQ		Monday 10:00 to 00:00 Tuesday 10:00 to 00:00 Wednesday 10:00 to 00:00 Thursday 10:00 to 00:00 Friday 10:00 to 00:00 Saturday 10:00 to 00:00 Sunday 12:00 to 23:30	Monday 23:00 to 00:30 Tuesday 23:00 to 00:30 Wednesday 23:00 to 00:30 Thursday 23:00 to 00:30 Friday 23:00 to 00:30 Saturday 23:00 to 00:30 Sunday 23:00 to 00:00	
<b>Cafe Murano Bermondsey</b> 184 Bermondsey Street SE1 3TQ	Monday 08:00 to 23:30 Tuesday 08:00 to 23:30 Wednesday 08:00 to 23:30 Thursday 08:00 to 23:30 Friday 08:00 to 00:30 Saturday 08:00 to 00:30 Sunday 08:00 to 23:30	Monday 08:00 to 23:00 Tuesday 08:00 to 23:00 Wednesday 08:00 to 23:00 Thursday 08:00 to 23:00 Friday 08:00 to 00:00 Saturday 08:00 to 00:00 Sunday 08:00 to 23:00	Friday 23:00 to 00:00 Saturday 23:00 to 00:00	
<b>Hakata Ramen+Bar</b> 177 Basement And Ground Floor Bermondsey Street SE1 3UW	Monday 12:00 to 23:00 Tuesday 12:00 to 23:00 Wednesday 12:00 to 23:00 Thursday 12:00 to 23:00 Friday 12:00 to 00:00 Saturday 12:00 to 00:00 Sunday 12:00 to 22:30	Monday 12:00 to 22:30 Tuesday 12:00 to 22:30 Wednesday 12:00 to 22:30 Thursday 12:00 to 22:30 Friday 12:00 to 23:30 Saturday 12:00 to 23:30 Sunday 12:00 to 22:00		



**Licenced premises in the vicinity of the application with similar licence activities**

**Appendix E**

<p><b>The Last Talisman</b> 171-173 Basement To Ground Floor Bermondsey Street SE1 3TQ</p>	<p>Monday 10:00 to 00:30 Tuesday 10:00 to 00:30 Wednesday 10:00 to 00:30 Thursday 10:00 to 00:30 Friday 10:00 to 02:30 Saturday 10:00 to 02:30 Sunday 11:00 to 23:30</p>	<p>Monday 10:00 to 23:30 Tuesday 10:00 to 23:30 Wednesday 10:00 to 23:30 Thursday 10:00 to 23:30 Friday 10:00 to 01:30 Saturday 10:00 to 01:30 Sunday 11:00 to 23:00</p>	<p>Monday 23:00 to 23:30 Tuesday 23:00 to 23:30 Wednesday 23:00 to 23:30 Thursday 23:00 to 23:30 Friday 23:00 to 23:30 Saturday 23:00 to 23:30</p>	
<p><b>THE HAND AND MARIGOLD</b> 244 Bermondsey Street SE1 3UH</p>		<p>Monday 10:00 to 23:00 Tuesday 10:00 to 23:00 Wednesday 10:00 to 23:00 Thursday 10:00 to 23:00 Friday 06:00 to 23:00 Saturday 10:00 to 23:00 Sunday 12:00 to 22:30</p>	<p>Monday 23:00 to 23:30 Tuesday 23:00 to 23:30 Wednesday 23:00 to 23:30 Thursday 23:00 to 23:30 Friday 23:00 to 23:30 Saturday 23:00 to 23:30</p>	

**LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2023-24**

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Councillor Sunny Lambe	1	Toyin Calfos, legal team	
Councillor Jane Salmon	1	Charlotte Precious, legal team	
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		David Franklin, licensing team	
		Jayne Tear, licensing team	
Councillor Kath Whittam	1	Raymond Binya, environmental protection team	
<b>Other Councillors</b>		P.C. Mark Lynch, Metropolitan Police Service	
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		Andrew Weir, constitutional team	
		<b>Total printed copies: 4</b>	
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