

## Licensing Sub-Committee

Thursday 7 September 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 Renata Hamvas (Chair)  
Councillor Suzanne Abachor  
Councillor Charlie Smith

### Reserves

Councillor Jane Salmon

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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: 29 August 2023



## Licensing Sub-Committee

Thursday 7 September 2023  
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### Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>LICENSING ACT 2003: UNIT 229 - SHADOW LICENCE, ARCH 229, BANK END, LONDON SE1 9FJ</b>	1 - 61

Item No.	Title	Page No.
6.	<b>LICENSING ACT 2003: FOUR SHADOW LICENCES FOR: ARCH 213, ARCH 215, 14-16 STONEY STREET, LONDON SE1 9AD AND RAILWAY ARCH 219-221,18 STONEY STREET, LONDON SE1 9BU</b>	62 - 237

**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: 29 August 2023

# Agenda Item 5

<b>Item No.</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 7 September 2023	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: Unit 229 - Shadow licence, Arch 229, Bank End, London SE1 9FJ	
<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 Mark Bermondsey (Guernsey) Limited for four premises licences to be granted under the Licensing Act 2003 in respect of the premises known as Unit 229 - Shadow licence, Arch 229, Bank End, London SE1 9FJ
2. Notes:
  - a) These application forms are for new premises licences, submitted under Section 17 of the Licensing Act 2003. The applications are subject to representations 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 24 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. The existing premises licence is in Appendix D. A map showing the location of the premises is attached to this report as Appendix E.
  - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing 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 13 July 2023 Mark Bermondsey (Guernsey) Limited applied for premises licences to be granted under the Licensing Act 2003 in respect of the premises known as Unit 229 - Shadow licence, 229 Arch Bank End SE1 9FJ
  
9. The premises are described as:
  - Licensed premises, shadow licence relating to an existing premises licence.
  
10. 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 and outdoors):
    - 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: 10:00 to 00:00
    - Sunday: 10:00 to 23:00
11. The premises licence application form provides the applicant's operating schedule. Parts I, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application.
12. A copy of the application is attached to this report in Appendix A.

### **Designated Premises Supervisor**

13. The proposed designated premises supervisor is Lilly Lin who does not currently hold a personal licence.

### **Representations from responsible authorities**

14. There is one representation received from the licensing responsible authority.
15. The representation submitted by licensing was concerned that the states that their representation relates to the promotion of the all four licensing objectives.
16. The licensing representation says that they do not object to the grant of the licence but, to ensure that it can be ascertained what premises licence any one of the premises are being operated under at any time and to ensure that proper enforcement action can be requested further conditions.
17. The representation from the licensing responsible authority has been conciliated with the following conditions agreed:
- The licensing authority and police are informed at least 14 days prior to the provision of licensable activities under this licence. A record of this (such as an email trail) shall be kept at the premises.
  - When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.
  - That at any time, the management / supervisory staff on duty at the premises, and any other staff involved in the provision of licensable activities at the premises, shall know which premises licence the premises are being operated under and shall be able to express this immediately to responsible authority officers on request.

- In an event that the current licence ( ) is revoked through a review, the Premises Licence Holder of this Shadow Premises Licence, shall allow a cooling off period of 30 days before allowing Licensable Activities to be permitted by this Shadow Premises Licence.
- In an event that the current licence ( ) is revoked through a review, the management (DPS, Premises Licence Holder and Management Team), of that licence, will have no involvement directly or indirectly in running the venue, thereafter.

18. The representations and agreed conditions can be found in Appendix B.

### **Representations from other persons**

19. There is one representations made by an “other person” who is a resident in the vicinity of the premises.
20. The representation is concerned with increased pollution and noise from traffic, noise from music and from smoking outside, talking outside all evening and when the premises closing
21. The applicant’s representative has engaged with the resident and explained that the premises subject to these applications already benefit from premises licences that cover the same hours and licensable activities detailed in these applications, and therefore licensable activities can already be provided.
22. He explained that the application is a duplicate licence “shadowing” the existing licence, that can be retained by the landlord so as to protect their interests in the event that the existing licences were to lapse, most often due to the insolvency of the tenant. The application will not allow anything to take place at the site that cannot already take place.
23. At the time of writing these representations remain outstanding.
24. The representation can be found in Appendix C

### **Premises licensing history**

25. This premises have recently been granted premises licences.
26. The premises have not to date operated under the existing premises licence.
27. A copy of the existing premises licence and the notice of decision are contained in Appendix D.

### **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 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. 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://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

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

34. The premises are situated in the Borough and Bankside cumulative impact area. The CIA will not apply to this premises as the applications cannot be used at the same time as the existing premises licence, therefore they cannot contribute to raising cumulative impact in the area.
35. 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.
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):
    - 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:
    - 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 authority
Appendix C	Representations from other person
Appendix D	Existing premises licence
Appendix E	Map of the locality

**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>	21 August 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>		24 August 2023

13/07/2023

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

Ref No. 2051255

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

MARK BERMONDSEY (GUERNSEY) 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)

£	0
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	No

#### Premises trading name

	(Shadow Licence) UNIT 229
--	---------------------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	ARCH
Address Line 2	229 BANK END
Town	LONDON
Post code	SE1 9FJ
Ordnance survey map reference	
Description of the location	
Telephone number	

## 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

	MARK BERMONDSEY (GUERNSEY) LIMITED
--	------------------------------------

Address - First Entry

Street number or building name	30
Street Description	Broadwick Street
Town	London
County	
Post code	W1F 8JB
Registered number ( where applicable )	BR022032

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

## Contact Details - First Entry

Telephone number	[REDACTED]
Email address	[REDACTED]

## Operating Schedule

When do you want the premises licence to start?

	11/08/2023
--	------------

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

--	--

General description of premises ( see guidance note 1 )

	Licensed Premises. Shadow licence relating to premises licence no. 874308
--	------------------------------------------------------------------------------

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)

	N/A
--	-----

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)

	N/A
--	-----

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 )

	Both
--	------

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

	N/A
--	-----

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	Lily
Surname	Lin

DOB

Date Of Birth	██████████
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Address of proposed designated premises supervisor

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

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

Personal licence number ( if known )	TBC
Issuing authority ( if known )	TBC

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)

	N/A
--	-----



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 see proposed conditions attached.
--	------------------------------------------

b) the prevention of crime and disorder

	Please see proposed conditions attached.
--	------------------------------------------

c) public safety

	Please see proposed conditions attached.
--	------------------------------------------

d) the prevention of public nuisance

	Please see proposed conditions attached.
--	------------------------------------------

e) the protection of children from harm

	Please see proposed conditions attached.
--	------------------------------------------

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	Keystone Law Limited
Date (DD/MM/YYYY)	13/07/2023
Capacity	Solicitors on Behalf of 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)	13/07/2023
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	Andrew Wong/Marcus Lavell Keystone Law 48 Chancery Lane London WC2A 1JF
Telephone No.	[REDACTED]
If you prefer us to correspond with you by e-mail, your email address (optional)	[REDACTED]

#### 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.

## APPENDIX B

<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> 08 August 2023
<b>Subject:</b>	Representations	
<b>Act:</b>	The Licensing Act 2003 (the Act)	
<b>Premises:</b>	Various – see the table below	
<b>Ref’:</b>	Various – see the table below	

We object to the grant of various applications for ‘shadow’ premises licences, submitted by Mark Bermondsey (Guernsey) Limited under The Licensing Act 2003 (the Act), in respect of various premises.

### 1. The applications

The applications are set out in the following table -

<b>Application ref’ no.</b>	<b>Type of application</b>	<b>Ward</b>	<b>Name</b>	<b>Address</b>
880693	Premise Licence Application	BBW - Borough and Bankside	Mondo Beer and Pizza - Shadow Licence	Arch 232, Bank End, London, SE1
880694	Premise Licence Application	BBW - Borough and Bankside	Unit 230 - Shadow Licence	Arch 230, Bank End, London, SE1
880695	Premise Licence Application	BBW - Borough and Bankside	Cafe Francois - Shadow licence	14-16 Stoney Street, London, SE1
880696	Premise Licence Application	BBW - Borough and Bankside	UNIT 219 - Shadow Licence	Railway Arch 219-221, 18 Stoney Street, London, SE1
880697	Premise Licence Application	BBW - Borough and Bankside	Unit 213 - Shadow Licence	Arch 213, Stoney Street, London, SE1
880698	Premise Licence Application	BBW - Borough and Bankside	Burger Beyond - Shadow licence	Arch 231, Bank End, London, SE1
880699	Premise Licence Application	BBW - Borough and Bankside	Vinoteca - Shadow Licence	Arch 207, 18 Stoney Street, London, SE1

880700	Premise Licence Application	BBW - Borough and Bankside	Unit 229 - Shadow licence	Arch 229, Bank End, London, SE1
880701	Premise Licence Application	BBW - Borough and Bankside	UNIT 193 - Shadow Licence	4, Dirty Lane, London, SE1
880702	Premise Licence Application	BBW - Borough and Bankside	Unit 192a - Shadow Licence	10 Park Street, London, SE1
880703	Premise Licence Application	BBW - Borough and Bankside	UNIT 215 - Shadow licence	Arch 215, Stoney Street, London, SE1
880704	Premise Licence Application	BBW - Borough and Bankside	Brother Marcus - Shadow Licence	1, Dirty Lane, London, SE1
880705	Premise Licence Application	BBW - Borough and Bankside	UNIT 208 - Shadow licence	Arch 208, Stoney Street, London, SE1
880707	Premise Licence Application	BBW - Borough and Bankside	Unit 205 - Shadow licence	Arch 205, 18 Stoney Street, London, SE1
880708	Premise Licence Application	BBW - Borough and Bankside	Unit 192 - Shadow licence	2, Dirty Lane, London, SE1

The application seeks to allow the same terms and conditions as per existing premises licences issued in respect of each of the premises.

## **2. This council's Statement of Licensing Policy**

Paragraphs 122 – 129 of this council's Statement of Licensing Policy (hereafter referred to as the SoLP) explains how we address shadow licences. These paragraphs state (verbatim) –

### ***"Shadow licences***

*122. The Licensing Authority has received enquiries and applications for premises licences where a licence is already in force. Typically the Applicant is the landlord of the premises where the licence holder of the licence already operating is their tenant. The landlord in many cases is seeking what they term a "shadow licence" on the same or similar terms to the licence already existing.*

*123. The Authority recognises that there is no restriction in the Licensing Act 2003 for there to be more than one licence to be in effect at any one time at the same 33 premises.*

124. *The Licensing Authority has concerns however that the holding of additional licences has the potential to undermine the decisions made as a result of determining applications to review a premises licence whereby if one licence was modified, suspended or revoked the premises could effectively continue to operate under the second licence.*

125. *Similarly Responsible Authorities, including the Police, Trading Standards and the Licensing Team, have expressed concerns regarding the enforcement of the terms and conditions of the premises licences if it is unclear under the authorisation of which premises licence the licensable activities are taking place and who is the relevant premises licence holder and DPS.*

126. *This Authority also recognises that landlords have powers over their tenants outside of the licensing regime and would expect responsible landlords to exert that control to promote the licensing objectives. Where the landlord is also a licence holder of a premises licence in effect at the premises the Council considers that the landlord has further responsibilities in respect of the operation of the premises to promote the licensing objectives.*

127. *In order to promote the licensing objectives and provide clarity as to which premises licence is being used to provide licensable activities conditions can be added to the an additional premises licence application, these may include:*

- *The Licensing Authority and Police are informed at least 14 days prior to the provision of licensable activities under this licence.*
- *When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.*

128. *To promote the licensing objectives this Authority will take a holistic view of the licensing circumstances at the premises. The Licensing Authority will encourage Responsible Authorities and other persons when submitting an application to review a premises licence, to also consider whether it is appropriate to review all the licences in effect at the premises in order to promote the licensing objectives.*

129. *In determining applications for a review of a more than one premises licence relating to the same premises each application will be considered individually on its own merits.”*

A copy of the SoLP is available via:

<https://www.southwark.gov.uk/assets/attach/7473/Statement-of-Licensing-Policy-2021-2026.pdf>

### **3. Our objection**

Our objection relates to the promotion of the all of the licensing objectives.

In principal, we do not object to the issuing of the shadow licences, however to ensure that it can be ascertained what premises licence any one of the premises are being operated under at any time, and to ensure that proper enforcement action can be taken if and when required regarding the operation of any of the premises under the Licensing Act 2003, we recommend that the following conditions are included in any premises licences issued subsequent to the above applications:

- The Licensing Authority and Police are informed at least 14 days prior to the provision of licensable activities under this licence. A record of this (such as an email trail) shall be kept at the premises.
- When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.
- That at any time, the management / supervisory staff on duty at the premises, and any other staff involved in the provision of licensable activities at the premises, shall know which premises licence the premises are being operated under and shall be able to express this immediately to responsible authority officers on request.

We welcome discussion with the applicant on any of the matters above; however should the applicant agree to all of our proposed conditions 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:** Tuesday, August 15, 2023 12:00 PM  
**To:** Marcus Lavell [REDACTED] >  
**Cc:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Franklin, David <David.Franklin@SOUTHWARK.GOV.UK>  
**Subject:** RE: Applications for shadow licences: Various addresses - Borough and Bankside ward

Hi Marcus,

Thanks for your speedy reply.

My representation regarding all of the applications is now 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:** Marcus Lavell <[REDACTED]>  
**Sent:** Tuesday, August 15, 2023 11:57 AM  
**To:** McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>  
**Cc:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Franklin, David <David.Franklin@SOUTHWARK.GOV.UK>  
**Subject:** Re: Applications for shadow licences: Various addresses - Borough and Bankside ward

Hi Wesley

Thanks for your response below. I'm happy to accept those conditions on behalf of the Applicant.

I hope that addresses the Licensing Authority's concerns. Please let me know if you have any further issues.

Sent from my iPhone

**Marcus Lavell | Barrister**

*Recognised by Chambers and Partners and The Legal 500 2023 for Licensing*

t: [REDACTED] | m: +[REDACTED]  
 48 Chancery Lane, London WC2A 1JF, United Kingdom



**KEYSTONE LAW**



On 15 Aug 2023, at 11:03, McArthur, Wesley <Wesley.McArthur@southwark.gov.uk> wrote:

Hi Marcus,

I'm well thanks and hope that you are too.

Some of the conditions suggested in my representation are similar to those offered in your email below. I had suggested the following –

1. The Licensing Authority and Police are informed at least 14 days prior to the provision of licensable activities under this licence. A record of this (such as an email trail) shall be kept at the premises.
2. When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.
3. That at any time, the management / supervisory staff on duty at the premises, and any other staff involved in the provision of licensable activities at the premises, shall know which premises licence the premises are being operated under and shall be able to express this immediately to responsible authority officers on request.

Would your client be agreeable to the above conditions, and the last two conditions suggested in your email below, so that the final set of conditions would be as follows?

4. The Licensing Authority and Police are informed at least 14 days prior to the provision of licensable activities under this licence. A record of this (such as an email trail) shall be kept at the premises.
5. When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.
6. That at any time, the management / supervisory staff on duty at the premises, and any other staff involved in the provision of licensable activities at the premises, shall know which premises licence the premises are being operated under and shall be able to express this immediately to responsible authority officers on request.
7. In an event that the current licence ( ) is revoked through a review, the Premises Licence Holder of this Shadow Premises Licence, shall allow a cooling off period of 30 days before allowing Licensable Activities to be permitted by this Shadow Premises Licence.
8. In an event that the current licence ( ) is revoked through a review, the management (DPS, Premises Licence Holder and Management Team), of that licence, will have no involvement directly or indirectly in running the venue, thereafter.

Please let me know your client's response.

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:** Marcus Lavell <[REDACTED]>

**Sent:** Monday, August 14, 2023 6:26 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: Applications for shadow licences: Various addresses - Borough and Bankside ward

Dear Wesley

I hope this email finds you well.

Apologies for the slow reply, but I've been put behind in my correspondence due to annual leave.

Thank you for sending through the Licensing Authority's Representation. I am afraid it appears some "shadow licence" conditions were missed off from our schedules of proposed draft conditions.

The following are proposed by the Applicant (and I note, requested by the Licensing Authority):

1. The Licensing Authority and Police are informed at least 14 days prior to the provision of licensable activities under this licence.
2. When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.
3. In an event that the current licence ( ) is revoked through a review, the Premises Licence Holder of this Shadow Premises Licence, shall allow a cooling off period of 30 days before allowing Licensable Activities to be permitted by this Shadow Premises Licence.
4. In an event that the current licence ( ) is revoked through a review, the management (DPS, Premises Licence Holder and Management Team), of that licence, will have no involvement directly or indirectly in running the venue, thereafter.

I hope that the above addresses the Licensing Authority's concerns. Should you have any queries on the above, or would like to discuss the shadow applications in general, please call me on 07921 361387 or email me at this address, at your convenience.

Kind regards

Marcus Lavell | Barrister

Recognised by Chambers and Partners and The Legal 500 2023 for Licensing

t: [REDACTED] | m: [REDACTED]

48 Chancery Lane, London WC2A 1JF, United Kingdom



KEYSTONE LAW



From: McArthur, Wesley <[Wesley.McArthur@southwark.gov.uk](mailto:Wesley.McArthur@southwark.gov.uk)>

Sent: Tuesday, August 8, 2023 10:21 PM

To: 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)>; amdhub

<[REDACTED]>

Subject: Applications for shadow licences: Various addresses - Borough and Bankside ward

Dear Licensing,

Please find attached a representation which relates to all of the following applications:

Applica tion ref' no.	Type of application	Ward	Name	Addr ess
880693	Premise Licence Application	BBW - Borough and Bankside	Mondo Beer and Pizza - Shadow Licence	Arch 232, Bank End, London, SE1
880694	Premise Licence Application	BBW - Borough and Bankside	Unit 230 - Shadow Licence	Arch 230, Bank End, London, SE1
880695	Premise Licence Application	BBW - Borough and Bankside	Cafe Francois - Shadow licence	14-16 Stone y Street, London, SE1
880696	Premise Licence Application	BBW - Borough and Bankside	UNIT 219 - Shadow Licence	Railw ay Arch 219-221, 18

				Stone y Stree t, Lond on, SE1
880697	Premise Licence Application	BBW - Borough and Bankside	Unit 213 - Shadow Licence	Arch 213, Stone y Stree t, Lond on, SE1
880698	Premise Licence Application	BBW - Borough and Bankside	Burger Beyond - Shadow licence	Arch 231, Bank End, Lond on, SE1
880699	Premise Licence Application	BBW - Borough and Bankside	Vinoteca - Shadow Licence	Arch 207, 18 Stone y Stree t, Lond on, SE1
880700	Premise Licence Application	BBW - Borough and Bankside	Unit 229 - Shadow licence	Arch 229, Bank End, Lond on, SE1
880701	Premise Licence Application	BBW - Borough and Bankside	UNIT 193 - Shadow Licence	4, Dirty Lane, Lond on, SE1
880702	Premise Licence Application	BBW - Borough and Bankside	Unit 192a - Shadow Licence	10 Park Stree t, Lond on, SE1

880703	Premise Licence Application	BBW - Borough and Bankside	UNIT 215 - Shadow licence	Arch 215, Stone y Street, Lond on, SE1
880704	Premise Licence Application	BBW - Borough and Bankside	Brother Marcus - Shadow Licence	1, Dirty Lane, Lond on, SE1
880705	Premise Licence Application	BBW - Borough and Bankside	UNIT 208 - Shadow licence	Arch 208, Stone y Street, Lond on, SE1
880707	Premise Licence Application	BBW - Borough and Bankside	Unit 205 - Shadow licence	Arch 205, 18 Stone y Street, Lond on, SE1
880708	Premise Licence Application	BBW - Borough and Bankside	Unit 192 - Shadow licence	2, Dirty Lane, Lond on, SE1

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:** [REDACTED]  
**Sent:** 03 August 2023 17:45  
**To:** 'licensing@southwark.gov.uk' <[licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** Licensing Unit for 229 Arch Bank End

Dear Sirs

Please find below my objections to the new licensing for Mark Bermondsey (Guernsey) Limited

I live at [REDACTED] Page Street, SE1 [REDACTED] opposite the premises of M B ( (Guernsey) Limited

I Work in the city from 2. am until 2 pm Monday to Friday (with the occasional Saturday working )

I sleep from 6 pm until 1.30 am

However, this proposal has the premises open until either 11 pm or 12 pm every day

With only **4mm single Glass within my windows**,(I am on the [REDACTED] floor )

I can hear almost everything, Traffic noise and their customers and staff going on before and after Midnight

Music going on up to midnight will be intolerable

Increase in pollution from traffic & the number of people who will be smoking, talking outside all evening plus when the premises closing

Yours Sincerely

[REDACTED] of

[REDACTED] Page Street, SE1 [REDACTED]

# Licensing Act 2003 Premises Licence



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

Premises licence number

874308

## Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Unit 229 1 Bank End London SE1 9BU	
Ordnance survey map reference (if applicable), 532465180395	
<b>Post town</b> London	<b>Post code</b> SE1 9BU
<b>Telephone number</b> [REDACTED]	

Where the licence is time limited the dates

Licensable activities authorised by the licence
Films - Indoors Recorded Music - Indoors Late Night Refreshment - Indoors and outdoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

The opening hours of the premises	
For any non standard timings see <b>Annex 2</b>	
Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 00:00
Friday	08:00 - 00:00
Saturday	08:00 - 00:00
Sunday	10:00 - 23:00



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

Sale by retail of alcohol to be consumed on premises

Sale by retail of alcohol to be consumed off premises

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

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

**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


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

Mark Bermondsey (Guernsey) Limited  
30 Broadwick Street,  
London,  
W1F 8JB

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

BR022032

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

Renee Moran  


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

Licence No. TBC

Authority

**The sale of alcohol is not permitted until a suitable DPS has been specified**

Licence Issue date 24/06/2021



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

## **Annex 1 - Mandatory conditions**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of

the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day")

as a result of a change to the rate of duty or value added tax;

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

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

**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.

**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).

**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 33.

**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 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.

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

**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 shaded pink 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 shaded pink or external smoking areas shaded yellow on the overall plan.

**844** That customers and staff are not permitted to smoke outside a unit at anytime (save for in the designated external areas shaded pink or external smoking areas shaded yellow on the overall plan). (Amended plan attached with 2nd smoking area near Park Street entrance).

**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.

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

**855** That no licensable activities shall take place at the premises until premises licences #866700 and #874328 have been surrendered and are incapable of resurrection.

**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.

**Annex 4 - Plans - Attached**

Licence No. 874308

Plan No. GIA UNIT 229 - Ground Floor  
Plan  
GIA UNIT 229 - Mezzanine  
Floor Plan

Plan Date Date: 28.05.2019

## NOTICE OF DECISION

### LICENSING SUB-COMMITTEE – 24 JUNE 2021

#### SECTION 17 LICENSING ACT 2003: UNIT 229, 1 BANK END, LONDON SE1 9BU

#### RESTAURANTS

##### 1. Decision

That the application made by Mark Bermondsey (Guernsey) Limited for premises licence under Section 17 of the Licensing Act 2003 in respect of the premises known as Unit 229, 1 Bank End London SE1 9BU be granted:

- Films (indoors):  
Monday to Saturday: 10:00 to 00:00  
Sunday: 10:00 to 23:00
- Late night refreshment: Monday to Saturday: 23:00 to 00:00
- Recorded music (indoors): Monday to Saturday: 10:00 to 00:00  
Sunday: 10:00 to 23:00
- Alcohol (on and off-sales): 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

##### 2. Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form, the conditions agreed with the licensing authority and environmental protection team during conciliation and the following conditions agreed by the licensing sub-committee:

1. 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 shaded pink on the overall plan where a unit has access to that area).
2. 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.

3. That external tables and chairs are to be rendered unusable by 22:30, until the start of trading hours the following day.
4. That there shall be no vertical drinking permitted in the designated external areas shaded pink or external smoking areas shaded yellow on the overall plan.
5. That customers and staff are not permitted to smoke outside a unit at anytime (save for in the designated external areas shaded pink or external smoking areas shaded yellow on the overall plan). (*Amended plan attached with 2<sup>nd</sup> smoking area near Park Street entrance*)
6. That no loudspeakers shall be positioned externally, or in a place/direction that causes a noise nuisance to residents.
7. That after 22:00 there shall be no collections for delivery of take-away food or drink.
8. 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.
9. That no customers shall be permitted to queue on the public highway.
10. That there be no live sports events shall be screened at the premises.
11. That the operational management plan includes: Borough Yards shall employ a taxi marshal or marshals in accordance with a written risk assessment.
12. 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.
13. That the operational management plan includes: Borough Yards shall liaise with the residents' forum on appropriate taxi drop off and collection points.
14. 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.
15. That the opening hours and licensable activities on Sundays are restricted to 10:00 to 23:00.
16. That no licensable activities shall take place at the premises until premises licences #866700 and #874328 have been surrendered and are incapable of resurrection.

17. That toilets within the premises must remain open until the last customer has left the premises.
18. That wherever possible, single use plastics (both receptacles and straws) should not be used, unless there is no alternative.
19. 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.
20. That the operational management plan includes: Security shall assist in encouraging buskers creating a nuisance on the immediate periphery to move on.
21. 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.

### **3. Reasons**

This was an application made by Mark Bermondsey (Guernsey) Limited for a premises licences to be granted under the Licensing Act 2003 in respect of Unit 229, 1 Bank End, London SE1 9BU.

The licensing sub-committee heard from the applicant's legal representative who advised that they sought permission to carry on licensable activities at 14 units within a major multi-use regeneration project known as "Borough Yards". The scheme was to create a unique social, cultural and shopping hub that would be sustainably linked to business and enterprise workspaces. The development reflected an investment of approximately £300 million and would consist of 39 retail units, substantial work and office space, a gallery space, 11 restaurants, two bars, and one hybrid restaurant/bar. A licence had already been granted for the Everyman boutique cinema that formed part of the scheme.

The units had been constructed within reinvented spaces, opening up the railway arches close to Borough Market. Much of the footprint of the new development previously housed Vinopolis City of Wine, a large wine-themed vertical-drinking event space which closed in 2015. The applicant held the shadow premises licence for Vinopolis and would be surrendered should premises licences be granted; 14 small individual licences will replace the existing more extensive licence.

The applications were important for the applicant, important for the local residents and important for the area and had been under scrutiny for 5 to 6 years. The development would support approximately 1,100 jobs, a substantial number of which will be reserved for local people and will include apprenticeships and training opportunities as conditioned into the planning permission and accompanying section 106 agreement. 60% of the retail floor-space would be reserved for small independent enterprises. The developer would also contribute over £400,000 to the London Borough of Southwark's Community Infrastructure Levy, over £1 million to assist the implementation of the Crossrail scheme, and £100,000 to TfL towards the cycle docking station at Park Street

and Southwark Street. The development was set to achieve a BREEAM “excellent” sustainability.

The applicant’s legal representative advised that all of the applications had been amended and the operating hours had been substantially reduced in response to representations and was now in line with planning permission. A midnight closing hour was now proposed for all the licensed units. The applications each had a revised suite of conditions proposed for the different style of units in light of the representations made by the responsible authorities and other persons. Each of the 14 applications seek the same licensable activities: films (indoors only), late night refreshment, recorded music (indoors only), and the sale of alcohol (for on and off-consumption).

The restaurant applications each contained a full restaurant condition limiting the supply of alcohol to persons taking a table meal there which must be consumed ancillary to their meals. Each restaurant unit is permitted a small holding bar with a capacity of no more than 20 persons.

The internal footprint of the 14 licensed units would amount to 3,594m<sup>2</sup>, compared to 6,367m<sup>2</sup> for Vinopolis. From 3,594m<sup>2</sup> of the 14 licensed units, 389.5m<sup>2</sup> would be for pure bar use and 211m<sup>2</sup> for the hybrid restaurant/bar unit. This was a 90% reduction of the pure bar use permitted under the Vinopolis licence and 83% of the internal floor space of all the new licensed units would be dedicated to food-led restaurant use.

In terms of capacity, the total capacity of all 14 units would be 1,574 persons, although it was unlikely all units would ever operate at maximum capacity at any one time. The capacity at its highest, for the 2 bar units and Unit 207 (hybrid unit) combined, would amount to just 359 persons or 23% of the total, whereas under the Vinopolis licence 1,250 vertical drinkers would be permitted.

Customers of certain units would have access to dedicated external areas where they can sit at tables. The idea would be to permit a civilised café experience for visitors to Borough Yards. No vertical drinking would be permitted in these areas these dedicated external areas must be cleared of customers by no later than 22:00 hours

All of the applications contain a smoking condition requiring any customer who wishes to smoke after 22:00 to use the designated external areas if the particular unit has access to such an area or, alternatively, to be directed to the designated smoking area in Soap Yard.

In addition to specific licence conditions, each unit would be required (by condition) to comply with the Borough Yards’ operational management plan and tenant’s handbook which deal with (but not limited to): transport strategy and travel management plan; service standards; crime prevention and security (including a 24 hour security presence); dispersal policy (including the positioning of security personnel to assist with the quiet and safe dispersal of customers); taxi collections; noise management strategy; cleaning and waste collection; CCTV (to assist with security and monitor footfall that will inform security provision risk assessments); cycling spaces; health and safety; banning notices for disruptive visitors and sustainability.

Each unit would be obliged to comply with a tenant’s handbook setting out their duties (designed to promote the licensing objectives) and avoid disturbance to residents and local workers.



The applications had been subject to extensive engagement with the responsible authorities and their advice and suggestions was reflected in the 14 amended applications. All of the responsible authorities conciliated, being satisfied that the applications would not adversely impact on cumulative impact and would promote the licensing objectives.

The applicant had commissioned three independent expert reports: a former Metropolitan Police Borough Commander, and Assistant Director for Safer Communities for a London Borough and considered the likely impact of the grant of these licence applications on the licensing objectives generally, and the crime and disorder objective in particular. The experts concluded that, given the amended operating hours, amended conditions proposed, and the further measures within the operational management plan, the grant of these licence applications is unlikely to undermine the licensing objectives or add to cumulative impact in Borough and Bankside.

The licensing sub-committee then heard from the ward councillor, Councillor Morris and other persons 34 and 13. Other person 34 (a local resident) was representing the other local residents who had objected to the applications.

The sub-committee was informed that the Borough Yard development was fully embedded in a residential community of 932 people including many young children, the vulnerable and the elderly. Figures from the 2018/19 cumulative impact area (CIA) alcohol licensing review showed the Borough and Bankside CIA had the highest rowdy behaviour and street drinking calls of anti-social behavior. It had 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.

More recently, the police issued a dispersal order from Tower Bridge to Waterloo for the whole weekend of 1 May 2021 after a racially aggravated grievous bodily harm incident and public order offences and after numerous alcohol-triggered incidents of anti-social behavior. On 8 May 2021 all licensed premises in Borough Market and surrounding streets were "recommended" to cease off-sales until 17 May 2021.

Residents were regularly subjected to intoxicated visitors shouting, swearing, screaming and chanting under their windows. These visitors regularly fight outside residents homes, smash bottles and damage property. The applicant wanted to operate 14 bars and restaurants seven days a week until midnight. The units had mezzanines to increase covers and appeared a more intensive operation than Vinopolis ever was.

It was noted that some units have tall French double doors/ bi-fold doors that would be wide open to the narrow residential streets. The canyon-like topography of the small and narrow streets efficiently transmits noise, music, laughter and smoke up to residents' homes. Standing drinkers would perceive no difference between inside and outside-and behave accordingly. The applications had no provision for noise break-out of human voice. Entrance lobbies were conditioned in the Vinopolis licence, but the Applicant refused to conciliate on this point.

The applicant also sought outdoor drinking licences at all its premises, including those in Stoney Street where the units open straight out onto narrow streets under residents'

windows. The objectors asked that premises with no outdoor space to have outdoor drinking conditioned out of their licenses.

The residents were of the view that there was no way for drinkers, diners or taxis to reach or leave Borough Yards Development except under the windows of the 932 residents. Objectors sought a condition that from 22:00 all departing patrons be directed away from homes to exit through Dirty Lane and Soap Yard. The applicant offered to close four gates at that time. Whilst this was welcomed, it still meant 1574 patrons could be exiting directly from 13 other on street units under residents' homes late at night.

It was advised that around the Borough Yards development, there was no free legal parking places and very few paying ones and all the narrow streets feed out onto a Red Route. It was the view of the other persons that this had not been sufficiently addressed by the applicant.

Due to the known problems with football fans, the other persons also sought a condition prohibiting the screening of sports events.

Additionally, as daytime drinking was a problem in the area, the applicant was also asked not to include off-sales as the damage and distress that daytime drinking was demonstrably causing to the local.

The other persons also requested that SIA security staff on each residential street during both day and night time operation. This would also assist queues colonising on the public realm of footpaths, forcing pedestrians into the road.

The licensing sub-committee noted the representations of 39 other persons, 11 of whom were present at the meeting.

The licensing sub-committee was informed that one other person had withdrawn their representation.

When considering all of the applications, the licensing sub-committee noted the importance of the responsible authorities conciliating. The police did not submit an objection, meaning that they were satisfied that the crime and disorder licensing objective would be promoted by the applicant. The environmental protection team conciliated their objection, satisfied that the grant of these applications would not undermine the public nuisance objective. licensing as a responsible authority was also satisfied that the grant of the applications would not undermine any of the licensing objectives and will not add to the existing cumulative impact in the Borough and Bankside cumulative impact area.

The sub-committee noted that the Borough Yards development had been scrutinised over a number of years and with the additional conditions offered by the applicant during the course of the hearing now strikes the correct balance between the interests of the applicant and those of the wider community, with robust conditions to mitigate the impact of the licensed premises. By replacing the late night alcohol led venue under the Vinopolis licence with a heavily food led family and community friendly scheme the potential cumulative impact is diminished, not added to, and the licensing objectives are promoted.

In view of the further extensive measures proposed by the applicant during the course of the meeting, the licensing sub-committee was satisfied that the licences would be unlikely to add to cumulative impact. The benefits of the Borough Yards development outweighs the outstanding concerns and an exception to Southwark's licensing policy is justified.

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

#### **4. Appeal rights**

The applicant may appeal against any decision:

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

Any person who made relevant representations in relation to the application who desires to contend:

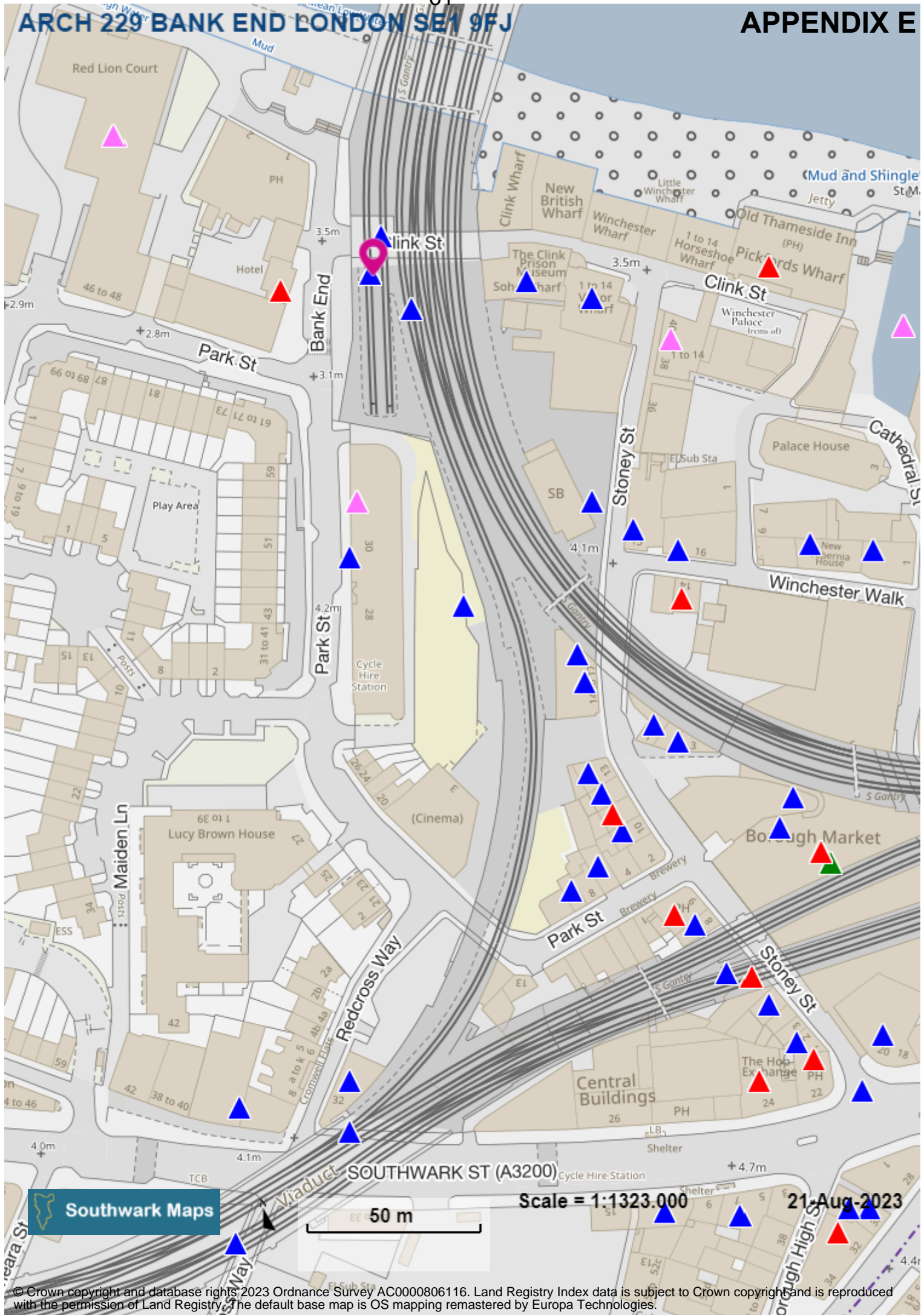
- a) That the licence ought not to have been granted; or
- b) That, on granting the licence, the licensing authority ought not to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Law and Governance.

Date: 24 June 2021



<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 7 September 2023	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: Shadow Licences for: Arch 213, Stoney Street, London SE1 9AD Arch 215, Stoney Street, London SE1 9AD Railway Arch 219-221, 18 Stoney Street, London SE1 9BU 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 Mark Bermondsey (Guernsey) Limited for four shadow premises licences to be granted under the Licensing Act 2003 in respect of the premises known as:
  - Arch 213, Stoney Street, London SE1 9AD
  - Arch 215, Stoney Street, London SE1 9AD
  - Railway Arch 219-221, 18 Stoney Street, London SE1 9BU
  - 14-16 Stoney Street, London SE1 9AD.
2. These applications must be considered separately each on their own merits.
3. Notes:
  - a) These application forms are for new premises licences, submitted under Section 17 of the Licensing Act 2003. The applications are subject to representations and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 9 to 14 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 15 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. The existing premises licences are in Appendix D. A map showing the location of the premises is attached to this report as Appendix E.
  - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing procedure, has been circulated to all parties to the meeting.

## **BACKGROUND INFORMATION**

### **The Licensing Act 2003**

4. 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.
5. Within Southwark, the licensing responsibility is wholly administered by this council.
6. 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.
7. 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.
8. 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**

9. On 13 July 2023 Mark Bermondsey (Guernsey) Limited applied for premises licences to be granted under the Licensing Act 2003 in respect of the premises known as:
  - Arch 213, Stoney Street, London SE1 9AD
  - Arch 215, Stoney Street, London SE1 9AD
  - Railway Arch 219-221, 18 Stoney Street, London SE1 9BU
  - 14-16 Stoney Street, London SE1 9AD.

10. The premises are described as:
- Licensed premises, shadow licences relating to an existing premises licence.
11. 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 and outdoors):
    - 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: 10:00 to 00:00
    - Sunday: 10:00 to 23:00.
12. 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.
13. A copy of the applications is attached to this report in Appendix A.

### **Designated premises supervisor**

14. The proposed designated premises supervisor is Lilly Lin who does not currently hold a personal licence.

### **Representations from responsible authorities**

15. There is one representation received from the licensing responsible authority.
16. The representation submitted by licensing was concerned that the states that their representation relates to the promotion of the all four licensing objectives.

17. The licensing representation says that they do not object to the grant of the licence but, to ensure that it can be ascertained what premises licence any one of the premises are being operated under at any time and to ensure that proper enforcement action can be requested further conditions.
18. The representation from the licensing responsible authority has been conciliated with the following conditions agreed:
- The licensing authority and police are informed at least 14 days prior to the provision of licensable activities under this licence. A record of this (such as an email trail) shall be kept at the premises.
  - When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.
  - That at any time, the management / supervisory staff on duty at the premises, and any other staff involved in the provision of licensable activities at the premises, shall know which premises licence the premises are being operated under and shall be able to express this immediately to responsible authority officers on request.
  - In an event that the current licence ( ) is revoked through a review, the Premises Licence Holder of this Shadow Premises Licence, shall allow a cooling off period of 30 days before allowing Licensable Activities to be permitted by this Shadow Premises Licence.
  - In an event that the current licence ( ) is revoked through a review, the management (DPS, Premises Licence Holder and Management Team), of that licence, will have no involvement directly or indirectly in running the venue, thereafter.
19. The representations and agreed conditions can be found in Appendix B.

### **Representations from other persons**

20. There are two representations made by “other persons”, who are residents in the vicinity of the premises, to each of the applications.
21. The representations are concerned with the potential of noise disturbances from customers using the premises at a late hour. It states that the area has narrow streets with tall buildings which amplify the sound upwards. The noise would affect their peaceful habitation of their property, affect their sleep and cause public nuisance.
22. The applicant’s representative has engaged with the residents and explained that the premises subject to these applications already benefit from premises licences that cover the same hours and licensable activities detailed in these applications, and therefore licensable activities can already be provided.
23. He has explained that the applications are for duplicate licences “shadowing” the existing licences, that can be retained by the landlord so as to protect their interests in the event that the existing licences were to lapse, most often due to the insolvency



of the tenant. The applications will not allow anything to take place at the site that cannot already take place.

24. At the time of writing these representations remain outstanding.
25. The representations can be found in Appendix C

### **Premises licensing history**

26. All four of the premises have recently been granted premises licences.
27. The premises have not to date operated under the existing premises licences.
28. The premises licence for Cafe Francois (14-16 Stoney Street, London SE1 9AD) has different conditions to those proposed in the shadow licence application for 14-16 Stoney Street, London SE1 9AD
29. Copies of the existing premises licences and notice of decision are contained in Appendix D

### **Temporary event notices**

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

### **Map**

31. A map showing the location of the premises is attached to this report as Appendix E.

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

32. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
33. 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.
34. 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.
35. 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://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

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

36. The premises are situated in the Borough and Bankside cumulative impact area. The CIA will not apply to this premises as the applications cannot be used at the same time as the existing premises licence, therefore they cannot contribute to raising cumulative impact in the area.
37. 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.

38. 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:
    - Friday and Saturday: 01:00
    - Sunday to Thursday: 00:00

### **Climate change implications**

39. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
40. 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.
41. 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.
42. 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**

43. 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**

44. 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.
45. 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.
46. 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>.

47. The equalities impact assessment is available at:

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

### **Health impact statement**

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

### **Resource implications**

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

### **Consultation**

50. 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**

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.

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

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

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

55. 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.

56. 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.

57. 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

58. 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.
59. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
60. 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.
61. 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.
62. 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

63. 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

64. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
  - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
  - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
    - Address the authority
    - If given permission by the committee, question any other party.
    - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.

- The committee shall disregard any information given by a party which is not relevant to the particular application before the committee 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.

65. 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**

66. 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.
67. 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.
68. 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.
69. 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.

70. 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.
71. 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.
72. 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.
73. 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**

74. 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**

75. 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	Representation from responsible authorities
Appendix C	Representations from other persons
Appendix D	Existing premises licences
Appendix E	Map of the locality

**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>	19 August 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>			24 August 2023

13/07/2023

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

Ref No. 2051236

## 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

MARK BERMONDSEY (GUERNSEY) 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)

£	0
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	No

#### Premises trading name

	(Shadow Licence) UNIT 213
--	---------------------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	ARCH
Address Line 2	213 STONEY STREET
Town	LONDON
Post code	SE1 9AD
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

## 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

	MARK BERMONDSEY (GUERNSEY) LIMITED
--	------------------------------------

Address - First Entry

Street number or building name	30
Street Description	Broadwick Street
Town	London
County	
Post code	W1F 8JB
Registered number ( where applicable )	BR022032



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

Contact Details - First Entry

Telephone number	[REDACTED]
Email address	[REDACTED]

Operating Schedule

When do you want the premises licence to start?

	11/08/2023
--	------------

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

--	--

General description of premises ( see guidance note 1 )

	Licensed Premises. Shadow licence relating to premises licence no. 880682
--	------------------------------------------------------------------------------

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)

	N/A
--	-----

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)

	N/A
--	-----

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 )

	Both
--	------

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

	N/A
--	-----

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	Lily
Surname	Lin

DOB

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

Address of proposed designated premises supervisor

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

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

Personal licence number ( if known )	TBC
Issuing authority ( if known )	TBC

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)

	N/A
--	-----

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 see proposed conditions attached.
--	------------------------------------------

b) the prevention of crime and disorder

	Please see proposed conditions attached.
--	------------------------------------------

c) public safety

	Please see proposed conditions attached.
--	------------------------------------------

d) the prevention of public nuisance

	Please see proposed conditions attached.
--	------------------------------------------

e) the protection of children from harm

	Please see proposed conditions attached.
--	------------------------------------------

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	Keystone Law Limited
Date (DD/MM/YYYY)	13/07/2023
Capacity	Solicitors on Behalf of 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)	13/07/2023
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	Andrew Wong/Marcus Lavell Keystone Law 48 Chancery Lane London WC2A 1JF
Telephone No.	[REDACTED]
If you prefer us to correspond with you by e-mail, your email address (optional)	[REDACTED]

**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.

13/07/2023

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

Ref No. 2051241

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

MARK BERMONDSEY (GUERNSEY) 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)

£	0
	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

	(Shadow Licence) UNIT 215
--	---------------------------



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

Do you have a Southwark postcode?	Yes
Address Line 1	ARCH
Address Line 2	215 STONEY STREET
Town	LONDON
Post code	SE1 9AD
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

## 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

	MARK BERMONDSEY (GUERNSEY) LIMITED
--	------------------------------------

Address - First Entry

Street number or building name	30
Street Description	Broadwick Street
Town	London
County	
Post code	W1F 8JB
Registered number ( where applicable )	BR022032

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

Contact Details - First Entry

Telephone number	[REDACTED]
Email address	[REDACTED]

Operating Schedule

When do you want the premises licence to start?

	11/08/2023
--	------------

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

--	--

General description of premises ( see guidance note 1 )

	Licensed Premises. Shadow licence relating to premises licence no. 874310
--	------------------------------------------------------------------------------

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)

	N/A
--	-----

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)

	N/A
--	-----

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 )

	Both
--	------

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

	N/A
--	-----

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	Lily
Surname	Lin

DOB

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

Address of proposed designated premises supervisor

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

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

Personal licence number ( if known )	TBC
Issuing authority ( if known )	TBC

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)

	N/A
--	-----

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 see proposed conditions attached.
--	------------------------------------------

b) the prevention of crime and disorder

	Please see proposed conditions attached.
--	------------------------------------------

c) public safety



	Please see proposed conditions attached.
--	------------------------------------------

d) the prevention of public nuisance

	Please see proposed conditions attached.
--	------------------------------------------

e) the protection of children from harm

	Please see proposed conditions attached.
--	------------------------------------------

Guidance note 10

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

Please upload a plan of the premises

--	--

Please upload any additional information i.e. risk assessments

--	--

Checklist

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

Home Office Declaration

Please tick to indicate agreement

	<input type="checkbox"/> 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	Keystone Law Limited
Date (DD/MM/YYYY)	13/07/2023
Capacity	Solicitors on Behalf of 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)	13/07/2023
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	Andrew Wong/Marcus Lavell Keystone Law 48 Chancery Lane London WC2A 1JF
Telephone No.	[REDACTED]
If you prefer us to correspond with you by e-mail, your email address (optional)	[REDACTED]

**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.

13/07/2023

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

Ref No. 2051246

## 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

MARK BERMONDSEY (GUERNSEY) LIMITED
------------------------------------

## 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)

£	0
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	No

#### Premises trading name

	(Shadow Licence) UNIT 219
--	---------------------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	RAILWAY ARCH 219-221
Address Line 2	18 STONEY STREET
Town	LONDON
Post code	SE1 9BU
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

#### 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

	MARK BERMONDSEY (GUERNSEY) LIMITED
--	------------------------------------

Address - First Entry

Street number or building name	30
Street Description	Broadwick Street
Town	London
County	
Post code	W1F 8JB
Registered number ( where applicable )	BR022032

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

Contact Details - First Entry

Telephone number	[REDACTED]
Email address	[REDACTED]

Operating Schedule

When do you want the premises licence to start?

	11/08/2023
--	------------

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

--	--

General description of premises ( see guidance note 1 )

	Licensed Premises. Shadow licence relating to premises licence no. 874313
--	------------------------------------------------------------------------------

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)

	N/A
--	-----

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)

	N/A
--	-----

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 )

	Both
--	------

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

	N/A
--	-----

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	Lily
Surname	Lin

DOB

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

Address of proposed designated premises supervisor

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

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

Personal licence number ( if known )	TBC
Issuing authority ( if known )	TBC

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)

	N/A
--	-----



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 see proposed conditions attached.
--	------------------------------------------

b) the prevention of crime and disorder

	Please see proposed conditions attached.
--	------------------------------------------

c) public safety

	Please see proposed conditions attached.
--	------------------------------------------

d) the prevention of public nuisance

	Please see proposed conditions attached.
--	------------------------------------------

e) the protection of children from harm

	Please see proposed conditions attached.
--	------------------------------------------

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	Keystone Law Limited
Date (DD/MM/YYYY)	13/07/2023
Capacity	Solicitors on Behalf of 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)	13/07/2023
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	Andrew Wong/Marcus Lavell Keystone Law 48 Chancery Lane London WC2A 1JF
Telephone No.	[REDACTED]
If you prefer us to correspond with you by e-mail, your email address (optional)	[REDACTED]

**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.

13/07/2023

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

Ref No. 2051269

## 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

MARK BERMONDSEY (GUERNSEY) 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)

£	192000
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	No

#### Premises trading name

	(Shadow Licence) 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	02033193700

## 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

	MARK BERMONDSEY (GUERNSEY) LIMITED
--	------------------------------------

Address - First Entry

Street number or building name	30
Street Description	Broadwick Street
Town	London
County	
Post code	W1F 8JB
Registered number ( where applicable )	BR022032

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

Contact Details - First Entry

Telephone number	[REDACTED]
Email address	[REDACTED]

Operating Schedule

When do you want the premises licence to start?

	11/08/2023
--	------------

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

--	--

General description of premises ( see guidance note 1 )

	Licensed Premises. Shadow licence relating to premises licence no. 880146
--	------------------------------------------------------------------------------

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)

	N/A
--	-----

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)

	N/A
--	-----

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 )

	Both
--	------

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

	N/A
--	-----

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	Lily
Surname	Lin

DOB

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

Address of proposed designated premises supervisor

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

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

Personal licence number ( if known )	TBC
Issuing authority ( if known )	TBC

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)

	N/A
--	-----

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 see proposed conditions attached.
--	------------------------------------------

b) the prevention of crime and disorder

	Please see proposed conditions attached.
--	------------------------------------------

c) public safety

	Please see proposed conditions attached.
--	------------------------------------------

d) the prevention of public nuisance

	Please see proposed conditions attached.
--	------------------------------------------

e) the protection of children from harm

	Please see proposed conditions attached.
--	------------------------------------------

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	██████████
PaymentAmountInMinorUnits	██████
AuthCode	██████
LicenceReference	██████████
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	Keystone Law Limited
Date (DD/MM/YYYY)	13/07/2023
Capacity	Solicitors on Behalf of 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)	13/07/2023
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	Andrew Wong/Marcus Lavell Keystone Law 48 Chancery Lane London WC2A 1JF
Telephone No.	██████████
If you prefer us to correspond with you by e-mail, your email address (optional)	████████████████████

#### GUIDANCE NOTES

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

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

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

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

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

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.

<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> 08 August 2023
<b>Subject:</b>	Representations	
<b>Act:</b>	The Licensing Act 2003 (the Act)	
<b>Premises:</b>	Various – see the table below	
<b>Ref':</b>	Various – see the table below	

We object to the grant of various applications for 'shadow' premises licences, submitted by Mark Bermondsey (Guernsey) Limited under The Licensing Act 2003 (the Act), in respect of various premises.

### 1. The applications

The applications are set out in the following table -

<b>Application ref' no.</b>	<b>Type of application</b>	<b>Ward</b>	<b>Name</b>	<b>Address</b>
880693	Premise Licence Application	BBW - Borough and Bankside	Mondo Beer and Pizza - Shadow Licence	Arch 232, Bank End, London, SE1
880694	Premise Licence Application	BBW - Borough and Bankside	Unit 230 - Shadow Licence	Arch 230, Bank End, London, SE1
880695	Premise Licence Application	BBW - Borough and Bankside	Cafe Francois - Shadow licence	14-16 Stoney Street, London, SE1
880696	Premise Licence Application	BBW - Borough and Bankside	UNIT 219 - Shadow Licence	Railway Arch 219-221, 18 Stoney Street, London, SE1
880697	Premise Licence Application	BBW - Borough and Bankside	Unit 213 - Shadow Licence	Arch 213, Stoney Street, London, SE1
880698	Premise Licence Application	BBW - Borough and Bankside	Burger Beyond - Shadow licence	Arch 231, Bank End, London, SE1
880699	Premise Licence Application	BBW - Borough and Bankside	Vinoteca - Shadow Licence	Arch 207, 18 Stoney Street, London, SE1

880700	Premise Licence Application	BBW - Borough and Bankside	Unit 229 - Shadow licence	Arch 229, Bank End, London, SE1
880701	Premise Licence Application	BBW - Borough and Bankside	UNIT 193 - Shadow Licence	4, Dirty Lane, London, SE1
880702	Premise Licence Application	BBW - Borough and Bankside	Unit 192a - Shadow Licence	10 Park Street, London, SE1
880703	Premise Licence Application	BBW - Borough and Bankside	UNIT 215 - Shadow licence	Arch 215, Stoney Street, London, SE1
880704	Premise Licence Application	BBW - Borough and Bankside	Brother Marcus - Shadow Licence	1, Dirty Lane, London, SE1
880705	Premise Licence Application	BBW - Borough and Bankside	UNIT 208 - Shadow licence	Arch 208, Stoney Street, London, SE1
880707	Premise Licence Application	BBW - Borough and Bankside	Unit 205 - Shadow licence	Arch 205, 18 Stoney Street, London, SE1
880708	Premise Licence Application	BBW - Borough and Bankside	Unit 192 - Shadow licence	2, Dirty Lane, London, SE1

The application seeks to allow the same terms and conditions as per existing premises licences issued in respect of each of the premises.

## **2. This council's Statement of Licensing Policy**

Paragraphs 122 – 129 of this council's Statement of Licensing Policy (hereafter referred to as the SoLP) explains how we address shadow licences. These paragraphs state (verbatim) –

### ***“Shadow licences***

*122. The Licensing Authority has received enquiries and applications for premises licences where a licence is already in force. Typically the Applicant is the landlord of the premises where the licence holder of the licence already operating is their tenant. The landlord in many cases is seeking what they term a “shadow licence” on the same or similar terms to the licence already existing.*

*123. The Authority recognises that there is no restriction in the Licensing Act 2003 for there to be more than one licence to be in effect at any one time at the same 33 premises.*

124. *The Licensing Authority has concerns however that the holding of additional licences has the potential to undermine the decisions made as a result of determining applications to review a premises licence whereby if one licence was modified, suspended or revoked the premises could effectively continue to operate under the second licence.*

125. *Similarly Responsible Authorities, including the Police, Trading Standards and the Licensing Team, have expressed concerns regarding the enforcement of the terms and conditions of the premises licences if it is unclear under the authorisation of which premises licence the licensable activities are taking place and who is the relevant premises licence holder and DPS.*

126. *This Authority also recognises that landlords have powers over their tenants outside of the licensing regime and would expect responsible landlords to exert that control to promote the licensing objectives. Where the landlord is also a licence holder of a premises licence in effect at the premises the Council considers that the landlord has further responsibilities in respect of the operation of the premises to promote the licensing objectives.*

127. *In order to promote the licensing objectives and provide clarity as to which premises licence is being used to provide licensable activities conditions can be added to the an additional premises licence application, these may include:*

- *The Licensing Authority and Police are informed at least 14 days prior to the provision of licensable activities under this licence.*
- *When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.*

128. *To promote the licensing objectives this Authority will take a holistic view of the licensing circumstances at the premises. The Licensing Authority will encourage Responsible Authorities and other persons when submitting an application to review a premises licence, to also consider whether it is appropriate to review all the licences in effect at the premises in order to promote the licensing objectives.*

129. *In determining applications for a review of a more than one premises licence relating to the same premises each application will be considered individually on its own merits.”*

A copy of the SoLP is available via:

<https://www.southwark.gov.uk/assets/attach/7473/Statement-of-Licensing-Policy-2021-2026.pdf>



### **3. Our objection**

Our objection relates to the promotion of the all of the licensing objectives.

In principal, we do not object to the issuing of the shadow licences, however to ensure that it can be ascertained what premises licence any one of the premises are being operated under at any time, and to ensure that proper enforcement action can be taken if and when required regarding the operation of any of the premises under the Licensing Act 2003, we recommend that the following conditions are included in any premises licences issued subsequent to the above applications:

- The Licensing Authority and Police are informed at least 14 days prior to the provision of licensable activities under this licence. A record of this (such as an email trail) shall be kept at the premises.
- When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.
- That at any time, the management / supervisory staff on duty at the premises, and any other staff involved in the provision of licensable activities at the premises, shall know which premises licence the premises are being operated under and shall be able to express this immediately to responsible authority officers on request.

We welcome discussion with the applicant on any of the matters above; however should the applicant agree to all of our proposed conditions 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:** Tuesday, August 15, 2023 12:00 PM  
**To:** Marcus Lavell <[REDACTED]>  
**Cc:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Franklin, David <David.Franklin@SOUTHWARK.GOV.UK>  
**Subject:** RE: Applications for shadow licences: Various addresses - Borough and Bankside ward

Hi Marcus,

Thanks for your speedy reply.

My representation regarding all of the applications is now 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:** Marcus Lavell <[Marcus.Lavell@keystonelaw.co.uk](mailto:Marcus.Lavell@keystonelaw.co.uk)>  
**Sent:** Tuesday, August 15, 2023 11:57 AM  
**To:** McArthur, Wesley <[Wesley.McArthur@southwark.gov.uk](mailto:Wesley.McArthur@southwark.gov.uk)>  
**Cc:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>; Franklin, David <[David.Franklin@SOUTHWARK.GOV.UK](mailto:David.Franklin@SOUTHWARK.GOV.UK)>  
**Subject:** Re: Applications for shadow licences: Various addresses - Borough and Bankside ward

Hi Wesley

Thanks for your response below. I'm happy to accept those conditions on behalf of the Applicant.

I hope that addresses the Licensing Authority's concerns. Please let me know if you have any further issues.

Sent from my iPhone

**Marcus Lavell | Barrister**

*Recognised by Chambers and Partners and The Legal 500 2023 for Licensing*

t: [REDACTED] | m: [REDACTED]  
48 Chancery Lane, London WC2A 1JF, United Kingdom



**KEYSTONE LAW**



On 15 Aug 2023, at 11:03, McArthur, Wesley <[Wesley.McArthur@southwark.gov.uk](mailto:Wesley.McArthur@southwark.gov.uk)> wrote:

Hi Marcus,

I'm well thanks and hope that you are too.

Some of the conditions suggested in my representation are similar to those offered in your email below. I had suggested the following –

1. The Licensing Authority and Police are informed at least 14 days prior to the provision of licensable activities under this licence. A record of this (such as an email trail) shall be kept at the premises.
2. When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.
3. That at any time, the management / supervisory staff on duty at the premises, and any other staff involved in the provision of licensable activities at the premises, shall know which premises licence the premises are being operated under and shall be able to express this immediately to responsible authority officers on request.

Would your client be agreeable to the above conditions, and the last two conditions suggested in your email below, so that the final set of conditions would be as follows?

4. The Licensing Authority and Police are informed at least 14 days prior to the provision of licensable activities under this licence. A record of this (such as an email trail) shall be kept at the premises.
5. When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.
6. That at any time, the management / supervisory staff on duty at the premises, and any other staff involved in the provision of licensable activities at the premises, shall know which premises licence the premises are being operated under and shall be able to express this immediately to responsible authority officers on request.
7. In an event that the current licence ( ) is revoked through a review, the Premises Licence Holder of this Shadow Premises Licence, shall allow a cooling off period of 30 days before allowing Licensable Activities to be permitted by this Shadow Premises Licence.
8. In an event that the current licence ( ) is revoked through a review, the management (DPS, Premises Licence Holder and Management Team), of that licence, will have no involvement directly or indirectly in running the venue, thereafter.

Please let me know your client's response.

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:** Marcus Lavell <[Marcus.Lavell@keystonelaw.co.uk](mailto:Marcus.Lavell@keystonelaw.co.uk)>

**Sent:** Monday, August 14, 2023 6:26 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: Applications for shadow licences: Various addresses - Borough and Bankside ward

Dear Wesley

I hope this email finds you well.

Apologies for the slow reply, but I've been put behind in my correspondence due to annual leave.

Thank you for sending through the Licensing Authority's Representation. I am afraid it appears some "shadow licence" conditions were missed off from our schedules of proposed draft conditions.

The following are proposed by the Applicant (and I note, requested by the Licensing Authority):

1. The Licensing Authority and Police are informed at least 14 days prior to the provision of licensable activities under this licence.
2. When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.
3. In an event that the current licence ( ) is revoked through a review, the Premises Licence Holder of this Shadow Premises Licence, shall allow a cooling off period of 30 days before allowing Licensable Activities to be permitted by this Shadow Premises Licence.
4. In an event that the current licence ( ) is revoked through a review, the management (DPS, Premises Licence Holder and Management Team), of that licence, will have no involvement directly or indirectly in running the venue, thereafter.

I hope that the above addresses the Licensing Authority's concerns. Should you have any queries on the above, or would like to discuss the shadow applications in general, please call me on 07921 361387 or email me at this address, at your convenience.

Kind regards

Marcus Lavell | Barrister

Recognised by Chambers and Partners and The Legal 500 2023 for Licensing

t: [REDACTED] | m: [REDACTED]

48 Chancery Lane, London WC2A 1JF, United Kingdom



KEYSTONE LAW



From: McArthur, Wesley <[Wesley.McArthur@southwark.gov.uk](mailto:Wesley.McArthur@southwark.gov.uk)>

Sent: Tuesday, August 8, 2023 10:21 PM

To: 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)>; amdhub

<[REDACTED]>

Subject: Applications for shadow licences: Various addresses - Borough and Bankside ward

Dear Licensing,

Please find attached a representation which relates to all of the following applications:

Applica tion ref' no.	Type of application	Ward	Name	Addr ess
880693	Premise Licence Application	BBW - Borough and Bankside	Mondo Beer and Pizza - Shadow Licence	Arch 232, Bank End, London, SE1
880694	Premise Licence Application	BBW - Borough and Bankside	Unit 230 - Shadow Licence	Arch 230, Bank End, London, SE1
880695	Premise Licence Application	BBW - Borough and Bankside	Cafe Francois - Shadow licence	14-16 Stone y Street, London, SE1
880696	Premise Licence Application	BBW - Borough and Bankside	UNIT 219 - Shadow Licence	Railw ay Arch 219-221, 18

				Stone y Stree t, Lond on, SE1
880697	Premise Licence Application	BBW - Borough and Bankside	Unit 213 - Shadow Licence	Arch 213, Stone y Stree t, Lond on, SE1
880698	Premise Licence Application	BBW - Borough and Bankside	Burger Beyond - Shadow licence	Arch 231, Bank End, Lond on, SE1
880699	Premise Licence Application	BBW - Borough and Bankside	Vinoteca - Shadow Licence	Arch 207, 18 Stone y Stree t, Lond on, SE1
880700	Premise Licence Application	BBW - Borough and Bankside	Unit 229 - Shadow licence	Arch 229, Bank End, Lond on, SE1
880701	Premise Licence Application	BBW - Borough and Bankside	UNIT 193 - Shadow Licence	4, Dirty Lane, Lond on, SE1
880702	Premise Licence Application	BBW - Borough and Bankside	Unit 192a - Shadow Licence	10 Park Stree t, Lond on, SE1

880703	Premise Licence Application	BBW - Borough and Bankside	UNIT 215 - Shadow licence	Arch 215, Stone y Street, Lond on, SE1
880704	Premise Licence Application	BBW - Borough and Bankside	Brother Marcus - Shadow Licence	1, Dirty Lane, Lond on, SE1
880705	Premise Licence Application	BBW - Borough and Bankside	UNIT 208 - Shadow licence	Arch 208, Stone y Street, Lond on, SE1
880707	Premise Licence Application	BBW - Borough and Bankside	Unit 205 - Shadow licence	Arch 205, 18 Stone y Street, Lond on, SE1
880708	Premise Licence Application	BBW - Borough and Bankside	Unit 192 - Shadow licence	2, Dirty Lane, Lond on, SE1

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



Flat [REDACTED]  
Evans Granary Apartments  
[REDACTED] Stoney Street  
London  
SE1 [REDACTED]

Tel: [REDACTED]  
[REDACTED]

Southwark Council Licensing Service  
Floor 3  
Hub 1  
PO BOX 64529  
London  
SE1P 5LX

9 August 2023

Dear Sirs

**Re: Licence Application 880703**

Unit 215 - Shadow Licence, 215 Arch, Stoney Street, SE1 9AD  
Applicant: Mark Bermondsey (Guernsey) Limited

**Representation submitted 9 August 2023 in respect of the above licence application**

We own and live in a residence in Evans Granary Apartments, [REDACTED] Stoney Street, SE1 [REDACTED]

Our living room, bedroom and terrace all face directly onto Stoney Street and are opposite and within a few yards of the proposed bar at the above address.

We also own another separate apartment in the same building, the living room of which also faces directly onto Stoney Street and is opposite and within a few yards of the proposed bar.

Borough Market is already a very lively area with many bars and restaurants in and around the market. Pedestrian traffic in the area has increased very notably in the past 12 months. Whilst we hear noise at night from the restaurants and bars in and around the market, it is manageable as the restaurants and bars are located in the non-residential 'southern' end of Stoney Street, (south of Winchester Walk) and therefore are not immediately beside our home.



In contrast, the northern end of Stoney Street (north of Winchester Walk) is predominantly residential and is therefore very different in character from the 'southern' end. There is only a single restaurant abutting Stoney Street at the very northern end of the street (on the corner with Clink Street) but this closes at 11pm and does not typically attract a 'late' crowd.

The proposed bar/restaurant at the above address will be located in the middle of the predominantly residential end of Stoney Street and directly opposite the living/sleeping areas of our properties in Evans Granary Apartments.

The application seeks a license to operate until midnight. If granted, this would subject us and the other residents of both Evans Granary Apartments and Pontifex Wharf to a dramatic and immediately proximate increase in noise disturbance at an unreasonably late hour.

The northern end of Stoney Street also differs significantly from the southern end not only in terms of being predominantly residential, but also in terms of its physical construction characteristics. These are directly relevant from a noise perspective. The northern end of Stoney Street is very narrow (approx. 20 feet), being only one lane wide. Furthermore, it is built up vertically in an unbroken manner on both sides along that entire end of the street. This narrowness, in combination with the multi-level construction on both sides, acts as a 'sound box' which significantly amplifies and projects street-level noise upwards. Consequently, the adverse noise impact from the bar/restaurant would be exacerbated even beyond 'normal' levels.

For the reasons set out above, the proposed midnight licence applied for in the above application would unquestionably result in noise disturbance at an unreasonably late hour which would have a significant and unreasonable negative impact on our peaceful habitation of our property and, from a very practical perspective, our ability to sleep. More generally, it would represent a public nuisance.

We therefore object to the above application to remain open and supply alcohol, regulated entertainment and late night refreshment until midnight at the above premises.

Please feel free to contact me if you wish to discuss further.

Yours sincerely

[REDACTED]

[REDACTED] & [REDACTED]

**From:** [REDACTED]  
**Sent:** Thursday, August 10, 2023 12:07 AM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** License Application 880703 - Objection

To whom it may concern,

I live in Evans Granary Apartments at the north end of Stoney Street.

At this end of Stoney Street, the buildings on both sides of the street are multi-level and uninterrupted, forming a tight and narrow corridor that causes sound to echo and amplify into all of the street-facing windows. Whilst we experience high levels of foot-traffic and associated noise through the day, we enjoy relative peace and quiet during the evening and night as there are currently no bars or restaurants open past 23:00 within the immediate proximity of the building.

My apartment faces directly onto Stoney Street and is opposite and within just a few meters of the facade of Unit 215 - the property for which the above application 880703 has been made for a midnight food/drink/entertainment license. If granted, the proposed midnight license would fundamentally change the night-time character of this end of Stoney Street by dramatically increasing late night noise-levels up to midnight and beyond. This would seriously impact both the ability to sleep and the evening/night quality of living in my building and my ability to peacefully enjoy my home. As such it would represent a public nuisance.

For the avoidance of doubt, I have no objection to the concept of a restaurant/bar in Unit 215 and I recognise that is a natural element of the evolution of the street. It is the midnight hours provision incorporated in license application 880703 to which I specifically object.

My address is Flat [REDACTED], Evans Granary Apartments, [REDACTED] Stoney Street, London, SE1 [REDACTED] and my email address is [REDACTED]

Please do not hesitate to reach out with any questions.

Best,

[REDACTED]



# Licensing Act 2003 Premises Licence



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

Premises licence number

880757

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Unit 213 Arch 213 Stoney Street London SE1 9AD	
Ordnance survey map reference (if applicable), 532539180334	
<b>Post town</b> London	<b>Post code</b> SE1 9AD
<b>Telephone number</b>	

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

<b>Licensable activities authorised by the licence</b>
Films - Indoors Recorded Music - Indoors Late Night Refreshment - Indoors and outdoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

<b>The opening hours of the premises</b>
For any non standard timings see <b>Annex 2</b>
Monday            08:00 - 00:00
Tuesday          08:00 - 00:00
Wednesday      08:00 - 00:00
Thursday        08:00 - 00:00
Friday            08:00 - 00:00
Saturday         08:00 - 00:00
Sunday            10:00 - 23:00

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

Sale by retail of alcohol to be consumed on premises

Sale by retail of alcohol to be consumed off premises

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

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

**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

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


Counter Restaurants Borough Yards Ltd  
39 William IV Street,  
London, WC2N 4DD

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

14449649

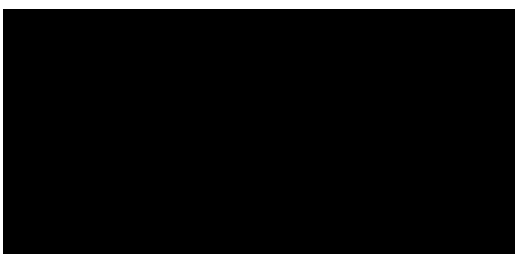
**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Benjamin Waugh

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

Licence No.   
Authority L.B Waltham Forest

Licence Issue date 21/07/2023



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

## **Annex 1 - Mandatory conditions**

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

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

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

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

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

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

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

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

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

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

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

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

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

it is reasonably available.

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

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

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

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

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

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

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

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

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

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

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



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

**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.

**353** After 22:00hrs, any customers wishing to smoke will be directed to the designated smoking area in Clink Yard, outlined in red and highlighted in yellow on the Borough Yards Site Plan.

**354** Any off-sales of alcohol shall be provided in sealed containers and taken away from the premises.

**355** 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.

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

**358** 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.

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

**360** 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.

**361** 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).

**362** 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.

**363** The maximum number of customers to be allowed on the Premises at any one time, shall be 110.

**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 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.

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

**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 shaded pink 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 shaded pink or external smoking areas shaded yellow on the overall plan.

**844** That customers and staff are not permitted to smoke outside a unit at anytime (save for in the designated external areas shaded pink or external smoking areas shaded yellow on the overall plan). (Amended plan attached with 2nd smoking area near Park Street entrance).

**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.

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

**855** That no licensable activities shall take place at the premises until premises licences #866700 and #874328 have been surrendered and are incapable of resurrection.

**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.

**861** That save for immediate access and egress, the bi-fold doors on Stoney Street shall be kept closed after 22:00. At all other times the licence holder must risk assess the need to close the bi-fold doors so as to avoid noise nuisance to nearby residents.

**Annex 4 - Plans - Attached**

Licence No. 880757

Plan No. GIA UNIT 213 - Ground Floor  
Plan  
GIA UNIT 213 - Mezzanine  
Floor Plan

Plan Date 28.05.2019

## NOTICE OF DECISION

### LICENSING SUB-COMMITTEE – 24 JUNE 2021

#### SECTION 17 LICENSING ACT 2003: UNIT 213, 1 BANK END, LONDON SE1 9BU

#### RESTAURANTS

##### 1. Decision

That the application made by Mark Bermondsey (Guernsey) Limited for premises licence under Section 17 of the Licensing Act 2003 in respect of the premises known as Unit 213, 1 Bank End London SE1 9BU be granted:

- Films (indoors):  
Monday to Saturday: 10:00 to 00:00  
Sunday: 10:00 to 23:00
- Late night refreshment: Monday to Saturday: 23:00 to 00:00
- Recorded music (indoors): Monday to Saturday: 10:00 to 00:00  
Sunday: 10:00 to 23:00
- Alcohol (on and off-sales): 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

##### 2. Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form, the conditions agreed with the licensing authority and environmental protection team during conciliation and the following conditions agreed by the licensing sub-committee:

1. 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 shaded pink on the overall plan where a unit has access to that area).
2. 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.



3. That external tables and chairs are to be rendered unusable by 22:30, until the start of trading hours the following day.
4. That there shall be no vertical drinking permitted in the designated external areas shaded pink or external smoking areas shaded yellow on the overall plan.
5. That customers and staff are not permitted to smoke outside a unit at anytime (save for in the designated external areas shaded pink or external smoking areas shaded yellow on the overall plan). (*Amended plan attached with 2<sup>nd</sup> smoking area near Park Street entrance*)
6. That no loudspeakers shall be positioned externally, or in a place/direction that causes a noise nuisance to residents.
7. That after 22:00 there shall be no collections for delivery of take-away food or drink.
8. 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.
9. That no customers shall be permitted to queue on the public highway.
10. That there be no live sports events shall be screened at the premises.
11. That the operational management plan includes: Borough Yards shall employ a taxi marshal or marshals in accordance with a written risk assessment.
12. 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.
13. That the operational management plan includes: Borough Yards shall liaise with the residents' forum on appropriate taxi drop off and collection points.
14. 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.
15. That the opening hours and licensable activities on Sundays are restricted to 10:00 to 23:00.
16. That no licensable activities shall take place at the premises until premises licences #866700 and #874328 have been surrendered and are incapable of resurrection.

17. That toilets within the premises must remain open until the last customer has left the premises.
18. That wherever possible, single use plastics (both receptacles and straws) should not be used, unless there is no alternative.
19. 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.
20. That the operational management plan includes: Security shall assist in encouraging buskers creating a nuisance on the immediate periphery to move on.
21. 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.
22. That save for immediate access and egress, the bi-fold doors on Stoney Street shall be kept closed after 22:00. At all other times the licence holder must risk assess the need to close the bi-fold doors so as to avoid noise nuisance to nearby residents.

### **3. Reasons**

This was an application made by Mark Bermondsey (Guernsey) Limited for a premises licences to be granted under the Licensing Act 2003 in respect of Unit 213, 1 Bank End, London SE1 9BU.

The licensing sub-committee heard from the applicant's legal representative who advised that they sought permission to carry on licensable activities at 14 units within a major multi-use regeneration project known as "Borough Yards". The scheme was to create a unique social, cultural and shopping hub that would be sustainably linked to business and enterprise workspaces. The development reflected an investment of approximately £300 million and would consist of 39 retail units, substantial work and office space, a gallery space, 11 restaurants, two bars, and one hybrid restaurant/bar. A licence had already been granted for the Everyman boutique cinema that formed part of the scheme.

The units had been constructed within reinvented spaces, opening up the railway arches close to Borough Market. Much of the footprint of the new development previously housed Vinopolis City of Wine, a large wine-themed vertical-drinking event space which closed in 2015. The applicant held the shadow premises licence for Vinopolis and would be surrendered should premises licences be granted; 14 small individual licences will replace the existing more extensive licence.

The applications were important for the applicant, important for the local residents and important for the area and had been under scrutiny for 5 to 6 years. The development would support approximately 1,100 jobs, a substantial number of which will be reserved

for local people and will include apprenticeships and training opportunities as conditioned into the planning permission and accompanying section 106 agreement. 60% of the retail floor-space would be reserved for small independent enterprises. The developer would also contribute over £400,000 to the London Borough of Southwark's Community Infrastructure Levy, over £1 million to assist the implementation of the Crossrail scheme, and £100,000 to TfL towards the cycle docking station at Park Street and Southwark Street. The development was set to achieve a BREEAM "excellent" sustainability.

The applicant's legal representative advised that all of the applications had been amended and the operating hours had been substantially reduced in response to representations and was now in line with planning permission. A midnight closing hour was now proposed for all the licensed units. The applications each had a revised suite of conditions proposed for the different style of units in light of the representations made by the responsible authorities and other persons. Each of the 14 applications seek the same licensable activities: films (indoors only), late night refreshment, recorded music (indoors only), and the sale of alcohol (for on and off-consumption).

The restaurant applications each contained a full restaurant condition limiting the supply of alcohol to persons taking a table meal there which must be consumed ancillary to their meals. Each restaurant unit is permitted a small holding bar with a capacity of no more than 20 persons.

The internal footprint of the 14 licensed units would amount to 3,594m<sup>2</sup>, compared to 6,367m<sup>2</sup> for Vinopolis. From 3,594m<sup>2</sup> of the 14 licensed units, 389.5m<sup>2</sup> would be for pure bar use and 211m<sup>2</sup> for the hybrid restaurant/bar unit. This was a 90% reduction of the pure bar use permitted under the Vinopolis licence and 83% of the internal floor space of all the new licensed units would be dedicated to food-led restaurant use.

In terms of capacity, the total capacity of all 14 units would be 1,574 persons, although it was unlikely all units would ever operate at maximum capacity at any one time. The capacity at its highest, for the 2 bar units and Unit 207 (hybrid unit) combined, would amount to just 359 persons or 23% of the total, whereas under the Vinopolis licence 1,250 vertical drinkers would be permitted.

Customers of certain units would have access to dedicated external areas where they can sit at tables. The idea would be to permit a civilised café experience for visitors to Borough Yards. No vertical drinking would be permitted in these areas these dedicated external areas must be cleared of customers by no later than 22:00 hours

All of the applications contain a smoking condition requiring any customer who wishes to smoke after 22:00 to use the designated external areas if the particular unit has access to such an area or, alternatively, to be directed to the designated smoking area in Soap Yard.

In addition to specific licence conditions, each unit would be required (by condition) to comply with the Borough Yards' operational management plan and tenant's handbook which deal with (but not limited to): transport strategy and travel management plan; service standards; crime prevention and security (including a 24 hour security presence); dispersal policy (including the positioning of security personnel to assist with the quiet and safe dispersal of customers); taxi collections; noise management strategy; cleaning and waste collection; CCTV (to assist with security and monitor footfall that will

inform security provision risk assessments); cycling spaces; health and safety; banning notices for disruptive visitors and sustainability.

Each unit would be obliged to comply with a tenant's handbook setting out their duties (designed to promote the licensing objectives) and avoid disturbance to residents and local workers.

The applications had been subject to extensive engagement with the responsible authorities and their advice and suggestions was reflected in the 14 amended applications. All of the responsible authorities conciliated, being satisfied that the applications would not adversely impact on cumulative impact and would promote the licensing objectives.

The applicant had commissioned three independent expert reports: a former Metropolitan Police Borough Commander, and Assistant Director for Safer Communities for a London Borough and considered the likely impact of the grant of these licence applications on the licensing objectives generally, and the crime and disorder objective in particular. The experts concluded that, given the amended operating hours, amended conditions proposed, and the further measures within the operational management plan, the grant of these licence applications is unlikely to undermine the licensing objectives or add to cumulative impact in Borough and Bankside.

The licensing sub-committee then heard from the ward councillor, Councillor Morris and other persons 34 and 13. Other person 34 (a local resident) was representing the other local residents who had objected to the applications.

The sub-committee was informed that the Borough Yard development was fully embedded in a residential community of 932 people including many young children, the vulnerable and the elderly. Figures from the 2018/19 cumulative impact area (CIA) alcohol licensing review showed the Borough and Bankside CIA had the highest rowdy behaviour and street drinking calls of anti-social behavior. It had 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.

More recently, the police issued a dispersal order from Tower Bridge to Waterloo for the whole weekend of 1 May 2021 after a racially aggravated grievous bodily harm incident and public order offences and after numerous alcohol-triggered incidents of anti-social behavior. On 8 May 2021 all licensed premises in Borough Market and surrounding streets were "recommended" to cease off-sales until 17 May 2021.

Residents were regularly subjected to intoxicated visitors shouting, swearing, screaming and chanting under their windows. These visitors regularly fight outside residents homes, smash bottles and damage property. The applicant wanted to operate 14 bars and restaurants seven days a week until midnight. The units had mezzanines to increase covers and appeared a more intensive operation than Vinopolis ever was.

It was noted that some units have tall French double doors/ bi-fold doors that would be wide open to the narrow residential streets. The canyon-like topography of the small and narrow streets efficiently transmits noise, music, laughter and smoke up to residents' homes. Standing drinkers would perceive no difference between inside and outside-and behave accordingly. The applications had no provision for noise break-out

of human voice. Entrance lobbies were conditioned in the Vinopolis licence, but the Applicant refused to conciliate on this point.

The applicant also sought outdoor drinking licences at all its premises, including those in Stoney Street where the units open straight out onto narrow streets under residents' windows. The objectors asked that premises with no outdoor space to have outdoor drinking conditioned out of their licenses.

The residents were of the view that there was no way for drinkers, diners or taxis to reach or leave Borough Yards Development except under the windows of the 932 residents. Objectors sought a condition that from 22:00 all departing patrons be directed away from homes to exit through Dirty Lane and Soap Yard. The applicant offered to close four gates at that time. Whilst this was welcomed, it still meant 1574 patrons could be exiting directly from 13 other on street units under residents' homes late at night.

It was advised that around the Borough Yards development, there was no free legal parking places and very few paying ones and all the narrow streets feed out onto a Red Route. It was the view of the other persons that this had not been sufficiently addressed by the applicant.

Due to the known problems with football fans, the other persons also sought a condition prohibiting the screening of sports events.

Additionally, as daytime drinking was a problem in the area, the applicant was also asked not to include off-sales as the damage and distress that daytime drinking was demonstrably causing to the local.

The other persons also requested that SIA security staff on each residential street during both day and night time operation. This would also assist queues colonising on the public realm of footpaths, forcing pedestrians into the road.

The licensing sub-committee noted the representations of 39 other persons, 11 of whom were present at the meeting.

The licensing sub-committee was informed that one other person had withdrawn their representation.

When considering all of the applications, the licensing sub-committee noted the importance of the responsible authorities conciliating. The police did not submit an objection, meaning that they were satisfied that the crime and disorder licensing objective would be promoted by the applicant. The environmental protection team conciliated their objection, satisfied that the grant of these applications would not undermine the public nuisance objective. licensing as a responsible authority was also satisfied that the grant of the applications would not undermine any of the licensing objectives and will not add to the existing cumulative impact in the Borough and Bankside cumulative impact area.

The sub-committee noted that the Borough Yards development had been scrutinised over a number of years and with the additional conditions offered by the applicant during the course of the hearing now strikes the correct balance between the interests of the applicant and those of the wider community, with robust conditions to mitigate the

impact of the licensed premises. By replacing the late night alcohol led venue under the Vinopolis licence with a heavily food led family and community friendly scheme the potential cumulative impact is diminished, not added to, and the licensing objectives are promoted.

In view of the further extensive measures proposed by the applicant during the course of the meeting, the licensing sub-committee was satisfied that the licences would be unlikely to add to cumulative impact. The benefits of the Borough Yards development outweighs the outstanding concerns and an exception to Southwark's licensing policy is justified.

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

#### **4. Appeal rights**

The applicant may appeal against any decision:

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

Any person who made relevant representations in relation to the application who desires to contend:

- a) That the licence ought not to have been granted; or
- b) That, on granting the licence, the licensing authority ought not to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Law and Governance.

Date: 24 June 2021

# Licensing Act 2003 Premises Licence



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

Premises licence number

874310

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
UNIT 215 1 Bank End London SE1 9BU	
Ordnance survey map reference (if applicable), 532465180395	
<b>Post town</b> London	<b>Post code</b> SE1 9BU
<b>Telephone number</b> 020 3319 3700	

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

<b>Licensable activities authorised by the licence</b>
Films - Indoors Recorded Music - Indoors Late Night Refreshment - Indoors and outdoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

<b>The opening hours of the premises</b>
For any non standard timings see <b>Annex 2</b>
Monday            08:00 - 00:00
Tuesday          08:00 - 00:00
Wednesday       08:00 - 00:00
Thursday         08:00 - 00:00
Friday            08:00 - 00:00
Saturday          08:00 - 00:00
Sunday            10:00 - 23:00

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

Sale by retail of alcohol to be consumed on premises

Sale by retail of alcohol to be consumed off premises

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

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

**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



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

Mark Bermondsey (Guernsey) Limited  
 30 Broadwick Street,  
 London,  
 W1F 8JB

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

**BR022032**

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


Renee Moran  
 Melayu, Nightingale Avenue,  


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

Licence No. N/a

Authority **The sale of alcohol is not permitted until a suitable DPS has been specified**

Licence Issue date 24/06/2021



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

## **Annex 1 - Mandatory conditions**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of

the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day")

as a result of a change to the rate of duty or value added tax;

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

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

**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.

**353** After 22:00hrs, any customers wishing to smoke will be directed to the designated smoking area in Clink Yard, outlined in red and highlighted in yellow on the Borough Yards Site Plan.

**354** Any off-sales of alcohol shall be provided in sealed containers and taken away from the premises.

**355** 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.

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

**358** 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.

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

**360** 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.

**361** 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).

**362** 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.

**363** The maximum number of customers to be allowed on the Premises at any one time, shall be 180.

**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 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.



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

**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 shaded pink 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 shaded pink or external smoking areas shaded yellow on the overall plan.

**844** That customers and staff are not permitted to smoke outside a unit at anytime (save for in the designated external areas shaded pink or external smoking areas shaded yellow on the overall plan). (Amended plan attached with 2nd smoking area near Park Street entrance).

**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.

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

**855** That no licensable activities shall take place at the premises until premises licences #866700 and #874328 have been surrendered and are incapable of resurrection.

**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.

**Annex 4 - Plans - Attached**

Licence No. 874310

Plan No. GIA UNIT 215 - Ground Floor  
Plan  
GIA UNIT 215 - Mezzanine  
Floor Plan

Plan Date 26.07.2019

## NOTICE OF DECISION

### LICENSING SUB-COMMITTEE – 24 JUNE 2021

#### SECTION 17 LICENSING ACT 2003: UNIT 215, 1 BANK END, LONDON SE1 9BU

#### RESTAURANTS

##### 1. Decision

That the application made by Mark Bermondsey (Guernsey) Limited for premises licence under Section 17 of the Licensing Act 2003 in respect of the premises known as Unit 215, 1 Bank End London SE1 9BU be granted:

- Films (indoors):  
Monday to Saturday: 10:00 to 00:00  
Sunday: 10:00 to 23:00
- Late night refreshment: Monday to Saturday: 23:00 to 00:00
- Recorded music (indoors): Monday to Saturday: 10:00 to 00:00  
Sunday: 10:00 to 23:00
- Alcohol (on and off-sales): 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

##### 2. Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form, the conditions agreed with the licensing authority and environmental protection team during conciliation and the following conditions agreed by the licensing sub-committee:

1. 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 shaded pink on the overall plan where a unit has access to that area).
2. 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.

3. That external tables and chairs are to be rendered unusable by 22:30, until the start of trading hours the following day.
4. That there shall be no vertical drinking permitted in the designated external areas shaded pink or external smoking areas shaded yellow on the overall plan.
5. That customers and staff are not permitted to smoke outside a unit at anytime (save for in the designated external areas shaded pink or external smoking areas shaded yellow on the overall plan). (*Amended plan attached with 2<sup>nd</sup> smoking area near Park Street entrance*)
6. That no loudspeakers shall be positioned externally, or in a place/direction that causes a noise nuisance to residents.
7. That after 22:00 there shall be no collections for delivery of take-away food or drink.
8. 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.
9. That no customers shall be permitted to queue on the public highway.
10. That a lobby door must be installed at the entrance/exit door to prevent noise escape likely to cause a nuisance
11. That there be no live sports events shall be screened at the premises.
12. That the operational management plan includes: Borough Yards shall employ a taxi marshal or marshals in accordance with a written risk assessment.
13. 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.
14. That the operational management plan includes: Borough Yards shall liaise with the residents' forum on appropriate taxi drop off and collection points.
15. 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.
16. That the opening hours and licensable activities on Sundays are restricted to 10:00 to 23:00.

17. That no licensable activities shall take place at the premises until premises licences #866700 and #874328 have been surrendered and are incapable of resurrection.
18. That toilets within the premises must remain open until the last customer has left the premises.
19. That wherever possible, single use plastics (both receptacles and straws) should not be used, unless there is no alternative.
20. 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.
21. That the operational management plan includes: Security shall assist in encouraging buskers creating a nuisance on the immediate periphery to move on.
22. 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.

### **3. Reasons**

This was an application made by Mark Bermondsey (Guernsey) Limited for a premises licences to be granted under the Licensing Act 2003 in respect of Unit 215, 1 Bank End, London SE1 9BU.

The licensing sub-committee heard from the applicant's legal representative who advised that they sought permission to carry on licensable activities at 14 units within a major multi-use regeneration project known as "Borough Yards". The scheme was to create a unique social, cultural and shopping hub that would be sustainably linked to business and enterprise workspaces. The development reflected an investment of approximately £300 million and would consist of 39 retail units, substantial work and office space, a gallery space, 11 restaurants, two bars, and one hybrid restaurant/bar. A licence had already been granted for the Everyman boutique cinema that formed part of the scheme.

The units had been constructed within reinvented spaces, opening up the railway arches close to Borough Market. Much of the footprint of the new development previously housed Vinopolis City of Wine, a large wine-themed vertical-drinking event space which closed in 2015. The applicant held the shadow premises licence for Vinopolis and would be surrendered should premises licences be granted; 14 small individual licences will replace the existing more extensive licence.

The applications were important for the applicant, important for the local residents and important for the area and had been under scrutiny for 5 to 6 years. The development would support approximately 1,100 jobs, a substantial number of which will be reserved for local people and will include apprenticeships and training opportunities as

conditioned into the planning permission and accompanying section 106 agreement. 60% of the retail floor-space would be reserved for small independent enterprises. The developer would also contribute over £400,000 to the London Borough of Southwark's Community Infrastructure Levy, over £1 million to assist the implementation of the Crossrail scheme, and £100,000 to TfL towards the cycle docking station at Park Street and Southwark Street. The development was set to achieve a BREEAM "excellent" sustainability.

The applicant's legal representative advised that all of the applications had been amended and the operating hours had been substantially reduced in response to representations and was now in line with planning permission. A midnight closing hour was now proposed for all the licensed units. The applications each had a revised suite of conditions proposed for the different style of units in light of the representations made by the responsible authorities and other persons. Each of the 14 applications seek the same licensable activities: films (indoors only), late night refreshment, recorded music (indoors only), and the sale of alcohol (for on and off-consumption).

The restaurant applications each contained a full restaurant condition limiting the supply of alcohol to persons taking a table meal there which must be consumed ancillary to their meals. Each restaurant unit is permitted a small holding bar with a capacity of no more than 20 persons.

The internal footprint of the 14 licensed units would amount to 3,594m<sup>2</sup>, compared to 6,367m<sup>2</sup> for Vinopolis. From 3,594m<sup>2</sup> of the 14 licensed units, 389.5m<sup>2</sup> would be for pure bar use and 211m<sup>2</sup> for the hybrid restaurant/bar unit. This was a 90% reduction of the pure bar use permitted under the Vinopolis licence and 83% of the internal floor space of all the new licensed units would be dedicated to food-led restaurant use.

In terms of capacity, the total capacity of all 14 units would be 1,574 persons, although it was unlikely all units would ever operate at maximum capacity at any one time. The capacity at its highest, for the 2 bar units and Unit 207 (hybrid unit) combined, would amount to just 359 persons or 23% of the total, whereas under the Vinopolis licence 1,250 vertical drinkers would be permitted.

Customers of certain units would have access to dedicated external areas where they can sit at tables. The idea would be to permit a civilised café experience for visitors to Borough Yards. No vertical drinking would be permitted in these areas these dedicated external areas must be cleared of customers by no later than 22:00 hours

All of the applications contain a smoking condition requiring any customer who wishes to smoke after 22:00 to use the designated external areas if the particular unit has access to such an area or, alternatively, to be directed to the designated smoking area in Soap Yard.

In addition to specific licence conditions, each unit would be required (by condition) to comply with the Borough Yards' operational management plan and tenant's handbook which deal with (but not limited to): transport strategy and travel management plan; service standards; crime prevention and security (including a 24 hour security presence); dispersal policy (including the positioning of security personnel to assist with the quiet and safe dispersal of customers); taxi collections; noise management strategy; cleaning and waste collection; CCTV (to assist with security and monitor footfall that will

inform security provision risk assessments); cycling spaces; health and safety; banning notices for disruptive visitors and sustainability.

Each unit would be obliged to comply with a tenant's handbook setting out their duties (designed to promote the licensing objectives) and avoid disturbance to residents and local workers.

The applications had been subject to extensive engagement with the responsible authorities and their advice and suggestions was reflected in the 14 amended applications. All of the responsible authorities conciliated, being satisfied that the applications would not adversely impact on cumulative impact and would promote the licensing objectives.

The applicant had commissioned three independent expert reports: a former Metropolitan Police Borough Commander, and Assistant Director for Safer Communities for a London Borough and considered the likely impact of the grant of these licence applications on the licensing objectives generally, and the crime and disorder objective in particular. The experts concluded that, given the amended operating hours, amended conditions proposed, and the further measures within the operational management plan, the grant of these licence applications is unlikely to undermine the licensing objectives or add to cumulative impact in Borough and Bankside.

The licensing sub-committee then heard from the ward councillor, Councillor Morris and other persons 34 and 13. Other person 34 (a local resident) was representing the other local residents who had objected to the applications.

The sub-committee was informed that the Borough Yard development was fully embedded in a residential community of 932 people including many young children, the vulnerable and the elderly. Figures from the 2018/19 cumulative impact area (CIA) alcohol licensing review showed the Borough and Bankside CIA had the highest rowdy behaviour and street drinking calls of anti-social behavior. It had 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.

More recently, the police issued a dispersal order from Tower Bridge to Waterloo for the whole weekend of 1 May 2021 after a racially aggravated grievous bodily harm incident and public order offences and after numerous alcohol-triggered incidents of anti-social behavior. On 8 May 2021 all licensed premises in Borough Market and surrounding streets were "recommended" to cease off-sales until 17 May 2021.

Residents were regularly subjected to intoxicated visitors shouting, swearing, screaming and chanting under their windows. These visitors regularly fight outside residents homes, smash bottles and damage property. The applicant wanted to operate 14 bars and restaurants seven days a week until midnight. The units had mezzanines to increase covers and appeared a more intensive operation than Vinopolis ever was.

It was noted that some units have tall French double doors/ bi-fold doors that would be wide open to the narrow residential streets. The canyon-like topography of the small and narrow streets efficiently transmits noise, music, laughter and smoke up to residents' homes. Standing drinkers would perceive no difference between inside and outside-and behave accordingly. The applications had no provision for noise break-out



of human voice. Entrance lobbies were conditioned in the Vinopolis licence, but the Applicant refused to conciliate on this point.

The applicant also sought outdoor drinking licences at all its premises, including those in Stoney Street where the units open straight out onto narrow streets under residents' windows. The objectors asked that premises with no outdoor space to have outdoor drinking conditioned out of their licenses.

The residents were of the view that there was no way for drinkers, diners or taxis to reach or leave Borough Yards Development except under the windows of the 932 residents. Objectors sought a condition that from 22:00 all departing patrons be directed away from homes to exit through Dirty Lane and Soap Yard. The applicant offered to close four gates at that time. Whilst this was welcomed, it still meant 1574 patrons could be exiting directly from 13 other on street units under residents' homes late at night.

It was advised that around the Borough Yards development, there was no free legal parking places and very few paying ones and all the narrow streets feed out onto a Red Route. It was the view of the other persons that this had not been sufficiently addressed by the applicant.

Due to the known problems with football fans, the other persons also sought a condition prohibiting the screening of sports events.

Additionally, as daytime drinking was a problem in the area, the applicant was also asked not to include off-sales as the damage and distress that daytime drinking was demonstrably causing to the local.

The other persons also requested that SIA security staff on each residential street during both day and night time operation. This would also assist queues colonising on the public realm of footpaths, forcing pedestrians into the road.

The licensing sub-committee noted the representations of 39 other persons, 11 of whom were present at the meeting.

The licensing sub-committee was informed that one other person had withdrawn their representation.

When considering all of the applications, the licensing sub-committee noted the importance of the responsible authorities conciliating. The police did not submit an objection, meaning that they were satisfied that the crime and disorder licensing objective would be promoted by the applicant. The environmental protection team conciliated their objection, satisfied that the grant of these applications would not undermine the public nuisance objective. licensing as a responsible authority was also satisfied that the grant of the applications would not undermine any of the licensing objectives and will not add to the existing cumulative impact in the Borough and Bankside cumulative impact area.

The sub-committee noted that the Borough Yards development had been scrutinised over a number of years and with the additional conditions offered by the applicant during the course of the hearing now strikes the correct balance between the interests of the applicant and those of the wider community, with robust conditions to mitigate the

impact of the licensed premises. By replacing the late night alcohol led venue under the Vinopolis licence with a heavily food led family and community friendly scheme the potential cumulative impact is diminished, not added to, and the licensing objectives are promoted.

In view of the further extensive measures proposed by the applicant during the course of the meeting, the licensing sub-committee was satisfied that the licences would be unlikely to add to cumulative impact. The benefits of the Borough Yards development outweighs the outstanding concerns and an exception to Southwark's licensing policy is justified.

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

#### **4. Appeal rights**

The applicant may appeal against any decision:

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

Any person who made relevant representations in relation to the application who desires to contend:

- a) That the licence ought not to have been granted; or
- b) That, on granting the licence, the licensing authority ought not to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Law and Governance.

Date: 24 June 2021

# Licensing Act 2003 Premises Licence



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

Premises licence number

874313

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
UNIT 219 1 Bank End London SE1 9BU	
Ordnance survey map reference (if applicable), 532465180395	
<b>Post town</b> London	<b>Post code</b> SE1 9BU
<b>Telephone number</b> 020 3319 3700	

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

<b>Licensable activities authorised by the licence</b>
Films - Indoors Recorded Music - Indoors Late Night Refreshment - Indoors and outdoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

<b>The opening hours of the premises</b>
For any non standard timings see <b>Annex 2</b>
Monday            08:00 - 00:00
Tuesday          08:00 - 00:00
Wednesday      08:00 - 00:00
Thursday        08:00 - 00:00
Friday            08:00 - 00:00
Saturday         08:00 - 00:00
Sunday            10:00 - 23:00

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

Sale by retail of alcohol to be consumed on premises

Sale by retail of alcohol to be consumed off premises

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

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

**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

## Part 2

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

Mark Bermondsey (Guernsey) Limited  
30 Broadwick Street,  
London,  
W1F 8JB

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

BR022032

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

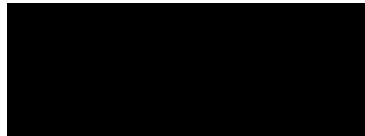
Renee Moran  


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

Licence No. N/a

Authority **The sale of alcohol is not permitted until a suitable DPS has been specified**

Licence Issue date 24/06/2021



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

## **Annex 1 - Mandatory conditions**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of

the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day")

as a result of a change to the rate of duty or value added tax;

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



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

**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.

**353** After 22:00hrs, any customers wishing to smoke will be directed to the designated smoking area in Clink Yard, outlined in red and highlighted in yellow on the Borough Yards Site Plan.

**354** Any off-sales of alcohol shall be provided in sealed containers and taken away from the premises.

**355** 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.

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

**358** 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.

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

**360** 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.

**361** 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).

**362** 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.

**363** The maximum number of customers to be allowed on the Premises at any one time, shall be 264.

**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 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.

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

**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 shaded pink 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 shaded pink or external smoking areas shaded yellow on the overall plan.

**844** That customers and staff are not permitted to smoke outside a unit at anytime (save for in the designated external areas shaded pink or external smoking areas shaded yellow on the overall plan). (Amended plan attached with 2nd smoking area near Park Street entrance).

**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.

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

**855** That no licensable activities shall take place at the premises until premises licences #866700 and #874328 have been surrendered and are incapable of resurrection.

**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.

**Annex 4 - Plans - Attached**

Licence No. 874313

Plan No. GIA UNIT 219 - Ground Floor  
Plan  
GIA UNIT 219 - Mezzanine  
Floor Plan

Plan Date 26.07.2019

## NOTICE OF DECISION

### LICENSING SUB-COMMITTEE – 24 JUNE 2021

#### SECTION 17 LICENSING ACT 2003: UNIT 219, 1 BANK END, LONDON SE1 9BU

#### RESTAURANTS

##### 1. Decision

That the application made by Mark Bermondsey (Guernsey) Limited for premises licence under Section 17 of the Licensing Act 2003 in respect of the premises known as Unit 219, 1 Bank End London SE1 9BU be granted:

- Films (indoors):  
Monday to Saturday: 10:00 to 00:00  
Sunday: 10:00 to 23:00
- Late night refreshment: Monday to Saturday: 23:00 to 00:00
- Recorded music (indoors): Monday to Saturday: 10:00 to 00:00  
Sunday: 10:00 to 23:00
- Alcohol (on and off-sales): 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

##### 2. Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form, the conditions agreed with the licensing authority and environmental protection team during conciliation and the following conditions agreed by the licensing sub-committee:

1. 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 shaded pink on the overall plan where a unit has access to that area).
2. 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.



3. That external tables and chairs are to be rendered unusable by 22:30, until the start of trading hours the following day.
4. That there shall be no vertical drinking permitted in the designated external areas shaded pink or external smoking areas shaded yellow on the overall plan.
5. That customers and staff are not permitted to smoke outside a unit at anytime (save for in the designated external areas shaded pink or external smoking areas shaded yellow on the overall plan). (*Amended plan attached with 2<sup>nd</sup> smoking area near Park Street entrance*)
6. That no loudspeakers shall be positioned externally, or in a place/direction that causes a noise nuisance to residents.
7. That after 22:00 there shall be no collections for delivery of take-away food or drink.
8. 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.
9. That no customers shall be permitted to queue on the public highway.
10. That a lobby door must be installed at the entrance/exit door to prevent noise escape likely to cause a nuisance
11. That there be no live sports events shall be screened at the premises.
12. That the operational management plan includes: Borough Yards shall employ a taxi marshal or marshals in accordance with a written risk assessment.
13. 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.
14. That the operational management plan includes: Borough Yards shall liaise with the residents' forum on appropriate taxi drop off and collection points.
15. 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.
16. That the opening hours and licensable activities on Sundays are restricted to 10:00 to 23:00.

17. That no licensable activities shall take place at the premises until premises licences #866700 and #874328 have been surrendered and are incapable of resurrection.
18. That toilets within the premises must remain open until the last customer has left the premises.
19. That wherever possible, single use plastics (both receptacles and straws) should not be used, unless there is no alternative.
20. 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.
21. That the operational management plan includes: Security shall assist in encouraging buskers creating a nuisance on the immediate periphery to move on.
22. 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.

### **3. Reasons**

This was an application made by Mark Bermondsey (Guernsey) Limited for a premises licences to be granted under the Licensing Act 2003 in respect of Unit 219, 1 Bank End, London SE1 9BU.

The licensing sub-committee heard from the applicant's legal representative who advised that they sought permission to carry on licensable activities at 14 units within a major multi-use regeneration project known as "Borough Yards". The scheme was to create a unique social, cultural and shopping hub that would be sustainably linked to business and enterprise workspaces. The development reflected an investment of approximately £300 million and would consist of 39 retail units, substantial work and office space, a gallery space, 11 restaurants, two bars, and one hybrid restaurant/bar. A licence had already been granted for the Everyman boutique cinema that formed part of the scheme.

The units had been constructed within reinvented spaces, opening up the railway arches close to Borough Market. Much of the footprint of the new development previously housed Vinopolis City of Wine, a large wine-themed vertical-drinking event space which closed in 2015. The applicant held the shadow premises licence for Vinopolis and would be surrendered should premises licences be granted; 14 small individual licences will replace the existing more extensive licence.

The applications were important for the applicant, important for the local residents and important for the area and had been under scrutiny for 5 to 6 years. The development would support approximately 1,100 jobs, a substantial number of which will be reserved for local people and will include apprenticeships and training opportunities as

conditioned into the planning permission and accompanying section 106 agreement. 60% of the retail floor-space would be reserved for small independent enterprises. The developer would also contribute over £400,000 to the London Borough of Southwark's Community Infrastructure Levy, over £1 million to assist the implementation of the Crossrail scheme, and £100,000 to TfL towards the cycle docking station at Park Street and Southwark Street. The development was set to achieve a BREEAM "excellent" sustainability.

The applicant's legal representative advised that all of the applications had been amended and the operating hours had been substantially reduced in response to representations and was now in line with planning permission. A midnight closing hour was now proposed for all the licensed units. The applications each had a revised suite of conditions proposed for the different style of units in light of the representations made by the responsible authorities and other persons. Each of the 14 applications seek the same licensable activities: films (indoors only), late night refreshment, recorded music (indoors only), and the sale of alcohol (for on and off-consumption).

The restaurant applications each contained a full restaurant condition limiting the supply of alcohol to persons taking a table meal there which must be consumed ancillary to their meals. Each restaurant unit is permitted a small holding bar with a capacity of no more than 20 persons.

The internal footprint of the 14 licensed units would amount to 3,594m<sup>2</sup>, compared to 6,367m<sup>2</sup> for Vinopolis. From 3,594m<sup>2</sup> of the 14 licensed units, 389.5m<sup>2</sup> would be for pure bar use and 211m<sup>2</sup> for the hybrid restaurant/bar unit. This was a 90% reduction of the pure bar use permitted under the Vinopolis licence and 83% of the internal floor space of all the new licensed units would be dedicated to food-led restaurant use.

In terms of capacity, the total capacity of all 14 units would be 1,574 persons, although it was unlikely all units would ever operate at maximum capacity at any one time. The capacity at its highest, for the 2 bar units and Unit 207 (hybrid unit) combined, would amount to just 359 persons or 23% of the total, whereas under the Vinopolis licence 1,250 vertical drinkers would be permitted.

Customers of certain units would have access to dedicated external areas where they can sit at tables. The idea would be to permit a civilised café experience for visitors to Borough Yards. No vertical drinking would be permitted in these areas these dedicated external areas must be cleared of customers by no later than 22:00 hours

All of the applications contain a smoking condition requiring any customer who wishes to smoke after 22:00 to use the designated external areas if the particular unit has access to such an area or, alternatively, to be directed to the designated smoking area in Soap Yard.

In addition to specific licence conditions, each unit would be required (by condition) to comply with the Borough Yards' operational management plan and tenant's handbook which deal with (but not limited to): transport strategy and travel management plan; service standards; crime prevention and security (including a 24 hour security presence); dispersal policy (including the positioning of security personnel to assist with the quiet and safe dispersal of customers); taxi collections; noise management strategy; cleaning and waste collection; CCTV (to assist with security and monitor footfall that will

inform security provision risk assessments); cycling spaces; health and safety; banning notices for disruptive visitors and sustainability.

Each unit would be obliged to comply with a tenant's handbook setting out their duties (designed to promote the licensing objectives) and avoid disturbance to residents and local workers.

The applications had been subject to extensive engagement with the responsible authorities and their advice and suggestions was reflected in the 14 amended applications. All of the responsible authorities conciliated, being satisfied that the applications would not adversely impact on cumulative impact and would promote the licensing objectives.

The applicant had commissioned three independent expert reports: a former Metropolitan Police Borough Commander, and Assistant Director for Safer Communities for a London Borough and considered the likely impact of the grant of these licence applications on the licensing objectives generally, and the crime and disorder objective in particular. The experts concluded that, given the amended operating hours, amended conditions proposed, and the further measures within the operational management plan, the grant of these licence applications is unlikely to undermine the licensing objectives or add to cumulative impact in Borough and Bankside.

The licensing sub-committee then heard from the ward councillor, Councillor Morris and other persons 34 and 13. Other person 34 (a local resident) was representing the other local residents who had objected to the applications.

The sub-committee was informed that the Borough Yard development was fully embedded in a residential community of 932 people including many young children, the vulnerable and the elderly. Figures from the 2018/19 cumulative impact area (CIA) alcohol licensing review showed the Borough and Bankside CIA had the highest rowdy behaviour and street drinking calls of anti-social behavior. It had 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.

More recently, the police issued a dispersal order from Tower Bridge to Waterloo for the whole weekend of 1 May 2021 after a racially aggravated grievous bodily harm incident and public order offences and after numerous alcohol-triggered incidents of anti-social behavior. On 8 May 2021 all licensed premises in Borough Market and surrounding streets were "recommended" to cease off-sales until 17 May 2021.

Residents were regularly subjected to intoxicated visitors shouting, swearing, screaming and chanting under their windows. These visitors regularly fight outside residents homes, smash bottles and damage property. The applicant wanted to operate 14 bars and restaurants seven days a week until midnight. The units had mezzanines to increase covers and appeared a more intensive operation than Vinopolis ever was.

It was noted that some units have tall French double doors/ bi-fold doors that would be wide open to the narrow residential streets. The canyon-like topography of the small and narrow streets efficiently transmits noise, music, laughter and smoke up to residents' homes. Standing drinkers would perceive no difference between inside and outside-and behave accordingly. The applications had no provision for noise break-out

of human voice. Entrance lobbies were conditioned in the Vinopolis licence, but the Applicant refused to conciliate on this point.

The applicant also sought outdoor drinking licences at all its premises, including those in Stoney Street where the units open straight out onto narrow streets under residents' windows. The objectors asked that premises with no outdoor space to have outdoor drinking conditioned out of their licenses.

The residents were of the view that there was no way for drinkers, diners or taxis to reach or leave Borough Yards Development except under the windows of the 932 residents. Objectors sought a condition that from 22:00 all departing patrons be directed away from homes to exit through Dirty Lane and Soap Yard. The applicant offered to close four gates at that time. Whilst this was welcomed, it still meant 1574 patrons could be exiting directly from 13 other on street units under residents' homes late at night.

It was advised that around the Borough Yards development, there was no free legal parking places and very few paying ones and all the narrow streets feed out onto a Red Route. It was the view of the other persons that this had not been sufficiently addressed by the applicant.

Due to the known problems with football fans, the other persons also sought a condition prohibiting the screening of sports events.

Additionally, as daytime drinking was a problem in the area, the applicant was also asked not to include off-sales as the damage and distress that daytime drinking was demonstrably causing to the local.

The other persons also requested that SIA security staff on each residential street during both day and night time operation. This would also assist queues colonising on the public realm of footpaths, forcing pedestrians into the road.

The licensing sub-committee noted the representations of 39 other persons, 11 of whom were present at the meeting.

The licensing sub-committee was informed that one other person had withdrawn their representation.

When considering all of the applications, the licensing sub-committee noted the importance of the responsible authorities conciliating. The police did not submit an objection, meaning that they were satisfied that the crime and disorder licensing objective would be promoted by the applicant. The environmental protection team conciliated their objection, satisfied that the grant of these applications would not undermine the public nuisance objective. licensing as a responsible authority was also satisfied that the grant of the applications would not undermine any of the licensing objectives and will not add to the existing cumulative impact in the Borough and Bankside cumulative impact area.

The sub-committee noted that the Borough Yards development had been scrutinised over a number of years and with the additional conditions offered by the applicant during the course of the hearing now strikes the correct balance between the interests of the applicant and those of the wider community, with robust conditions to mitigate the

impact of the licensed premises. By replacing the late night alcohol led venue under the Vinopolis licence with a heavily food led family and community friendly scheme the potential cumulative impact is diminished, not added to, and the licensing objectives are promoted.

In view of the further extensive measures proposed by the applicant during the course of the meeting, the licensing sub-committee was satisfied that the licences would be unlikely to add to cumulative impact. The benefits of the Borough Yards development outweighs the outstanding concerns and an exception to Southwark's licensing policy is justified.

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

#### **4. Appeal rights**

The applicant may appeal against any decision:

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

Any person who made relevant representations in relation to the application who desires to contend:

- a) That the licence ought not to have been granted; or
- b) That, on granting the licence, the licensing authority ought not to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Law and Governance.

Date: 24 June 2021

# Licensing Act 2003

## Premises Licence



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

Premises licence number

880146

### Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Cafe Francois 14-16 Stoney Street London SE1 9AD	
Ordnance survey map reference (if applicable), 532537180282	
<b>Post town</b> London	<b>Post code</b> SE1 9AD
<b>Telephone number</b>	

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

<b>Licensable activities authorised by the licence</b>
Films - Indoors Recorded Music - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

<b>The opening hours of the premises</b>
For any non standard timings see <b>Annex 2</b>
Monday            08:00 - 00:00
Tuesday           08:00 - 00:00
Wednesday       08:00 - 00:00
Thursday          08:00 - 00:00
Friday             08:00 - 00:00
Saturday          08:00 - 00:00
Sunday            10:00 - 23:00

<b>Where the licence authorises supplies of alcohol whether these are on and/ or off supplies</b>
Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

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

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

**Films - Indoors**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 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**

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



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

Chez Restaurants Limited  
2nd Floor Connaught House,  
1-3 Mount Street,  
London, W1K 3NB

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

14561594

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

Yuriy Horpinchenko  
[REDACTED]

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

Licence No. [REDACTED]  
Authority L.B Greenwich

Licence Issue date 25/07/2023



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

## **Annex 1 - Mandatory conditions**

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

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

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

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

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

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

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

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

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

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

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

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

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

it is reasonably available.

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

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

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

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

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

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

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

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

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

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

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

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

**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.

**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 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.

**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 .

**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** 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.

**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.

**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** 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).

**364** 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

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

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

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

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

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

**370** 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.

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

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

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

**374** 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.

**375** That the operational management plan includes: Borough Yards shall liaise with the residents' forum on



appropriate taxi drop off and collection points.

**376** 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.

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

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

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

**380** 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.

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

**382** 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.

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

**840** That comprehensive management controls will be implemented to ensure the safe use of the terraces by customers and at all times ensure compliance with the approved operational management plan dated July 2021.

**841** That staff shall monitor and supervise the terrace areas and institute suitable methods of controlled entry to these areas at all times.

**842** That there shall be no music played within the external seating areas.

**843** That no loudspeakers shall be positioned within the external seating area.

**844** That there shall be no vertical-drinking permitted in the external seating areas.

**845** That smoking shall only be permitted within the designated smoking seats.

**846** That there shall be a terrace management plan in place and available for inspection upon request by an authorised officer.

**Annex 4 - Plans - Attached**

Licence No. 880146

Plan No. 8157-PD-05

Plan Date March 2023



## NOTICE OF DECISION

### LICENSING SUB-COMMITTEE – 27 JUNE 2023

#### SECTION 17 LICENSING ACT 2003: CAFE FRANCOIS, 14-16 STONEY STREET, LONDON SE1 9AD

#### 1. Decision

That the application made by Chez Restaurants Limited for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as Cafe Francois, 14-16 Stoney Street, London SE1 9AD be granted.

#### 2. Hours

	Sale of alcohol (on & off sales) Films Recorded music Late night refreshment	Opening Hours
Sunday	10:00 to 23:00	10:00 to 23:00
Monday – Saturday	10.00 to 00:00	08:00 to 00:00

#### 3. Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in section M of the application form the conditions agreed with the Metropolitan Police Service and additional conditions agreed by the sub-committee, listed below:

1. That 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 premises licence plan. Save for a maximum of 15 persons at any time, customers in the hatched area shall be seated and served by waiter/waitress service.

2. That 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.
3. That 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.
4. That 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 the police or authorised council officers.
5. That all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every six months and shall, upon request, be made immediately available to officers of the police and the council.
6. That the premises 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.
7. That the premises licence holder shall ensure that the details of all complaints are recorded in an occurrence book.
8. That 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.
9. That 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.
10. That 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.
11. That the premises shall be adequately mechanically ventilated and comfort cooled to allow doors and windows to remain closed during regulated entertainment.
12. That 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.

13. That all sales of alcohol for consumption in the designated outside area (hatched blue on the premises licence plan) shall be to persons who are seated at tables and served by waiter/waitress service only.
14. That patrons shall not be permitted to use the external area (hatched blue on the premises licence plan) of the premises before 08:00 (10:00 outside Arch 197) or after 22:00 on Monday to Saturday and 21:00 on Sunday and bank holidays, apart for access and egress and for smoking in the designated smoking area and the area when used for smoking shall be limited to five persons and monitored by staff.
15. That there shall be no drinks permitted in the external area (hatched blue on the premises licence plan), after 22:00.
16. That 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.
17. 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.
18. That clear, legible signage shall be prominently displayed where it can be easily seen and read requesting that alcohol sold as off-sales should not be opened and consumed in the vicinity of the premises.
19. That all online sales of alcohol are subject to a real time age verification check via an external third party.
20. That 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.
21. That all online age verification checks should only be made by a company which is a member of the following organisation: <https://www.avpassociation.com>.
22. That 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.
23. That 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

- 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).

- 24. That the maximum number of customers to be allowed on the premises at any one time, shall be 170 internally (including the first floor gantry) and 60 in the external seating area on the ground floor.
- 25. 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 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.
- 26. That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation. 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.
- 27. 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.
- 28. That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.

29. 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).
30. 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.
31. That external tables and chairs are to be rendered unusable by 22:30, until the start of trading hours the following day.
32. That there shall be no vertical drinking permitted in the designated external areas (hatched blue on the premises licence plan).
33. That customers and staff are not permitted to smoke outside a unit at anytime (save for in the designated external areas hatched blue on the premises licence plan).
34. That no loudspeakers shall be positioned externally, or in a place/direction that causes a noise nuisance to residents.
35. That after 22:00 there shall be no collections for delivery of take- away food or drink.
36. 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.
37. That no customers shall be permitted to queue on the public highway.
38. That there be no live sports events shall be screened at the premises.
39. That the operational management plan includes: Borough Yards shall employ a taxi marshal or marshals in accordance with a written risk assessment.
40. 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.
41. That the operational management plan includes: Borough Yards shall liaise with the residents' forum on appropriate taxi drop off and collection points.
42. 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.



43. That the opening hours and licensable activities on Sundays are restricted to 10:00 to 23:00.
44. That toilets within the premises must remain open until the last customer has left the premises.
45. That wherever possible, single use plastics (both receptacles and straws) should not be used, unless there is no alternative.
46. 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.
47. That the operational management plan includes: security shall assist in encouraging buskers creating a nuisance on the immediate periphery to move on.
48. 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.

#### **Additional conditions in relation to the external terraces**

49. That comprehensive management controls will be implemented to ensure the safe use of the terraces by customers and at all times ensure compliance with the approved operational management plan dated July 2021.
50. That staff shall monitor and supervise the terrace areas and institute suitable methods of controlled entry to these areas at all times.
51. That there shall be no music played within the external seating areas.
52. That no loudspeakers shall be positioned within the external seating area.
53. That there shall be no vertical-drinking permitted in the external seating areas.
54. That smoking shall only be permitted within the designated smoking seats.
55. That there shall be a terrace management plan in place and available for inspection upon request by an authorised officer.

### **Additional conditions for the use of the food van**

- 56. That there will be no draught beer served from the food van.
- 57. That there shall be prominent signage displayed that toilets are freely available within the restaurant unit.
- 58. That all alcohol will be dispensed in sealed containers only and no bottle openers will be available.

## **4. Reasons**

This was an application to for a premises licence in respect of the premises known as Cafe Francois, 14 - 16, Stoney Street, London SE1 9AD.

The licensing sub-committee heard from the representative for the applicant who advised members that the premises would be a modern French bistro restaurant, delicatessen and bakery, with ancillary bar and external seating area. The premises would be the second operation for the applicant who already operated a successful trouble free premises in the St James's area of Westminster.

The outstanding issues raised by other person 3 and other person 5 concerned the use of the food truck and the gantry which was elevated on the first floor both of which had been addressed by way of additional conditions and would be subject to the applicant obtaining planning permission.

The proposed hours and conditions were substantially in the same form as the premises licence granted by the licensing sub-committee to the applicant's landlord in 2021. The sub-committee were asked to note that the now chair of the residents sssociation (other person 2) had been engaged in substantial dialogue in 2021 regarding the grant of that premises licence.

There was also no longer any representations from responsible authorities despite the premises being in the Borough and Bankside cumulative impact area. Even if members were concerned with the premises being in a CIA, the application already mirrored the licence granted in 2021.

The representative then went through the conciliated conditions and explained how they addressed the outstanding representations.

The licensing sub-committee noted that the police had conciliated with the premises. The sub-committee also noted that the ward councillor and one of the residents, being the chair of the residents association, had conciliated with the applicant after the plans for the premises and conditions had been amended. Both wanted to withdraw their representations, but under Licensing Act 2003 (Hearings) Regulations 2005 were unable

to do because it was less than 24 hours before the hearing. The sub-committee also noted the representations from two other persons who were not present at the hearing.

The licensing sub-committee were satisfied that there was exceptional reason why the CIA policy did not apply. The operating schedule largely replicated the premises licence granted in 2021 and a plethora of additional conditions had been added. Other person 2 who was the chair of the residents association had conciliated their representation and had been involved in the negotiations of the 2021 premises licence.

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

## **5. Appeal rights**

The applicant may appeal against any decision:

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

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

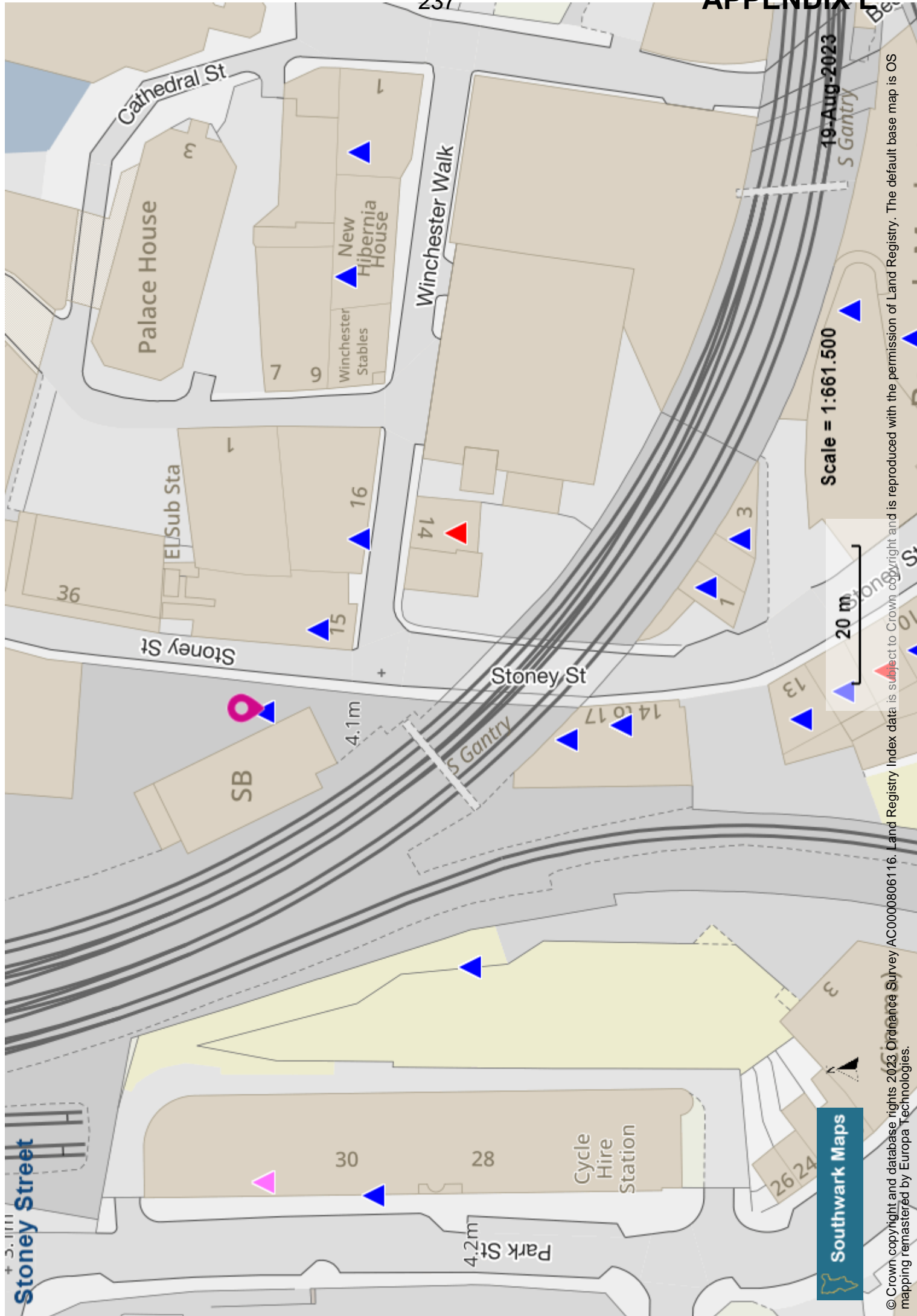
- a. The licence ought not to be been granted; or
- b. That on granting the licence, the licensing authority ought to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against

Issued by the Constitutional Team on behalf of the Assistant Chief Executive - Governance and Assurance

Date 27 June 2023



Southwark Maps

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