

Licensing Sub-Committee

Tuesday 26 September 2023

10.00 am

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

Membership

Councillor Renata Hamvas (Chair)
Councillor Sandra Rhule
Councillor Jane Salmon

Reserves

Councillor Suzanne Abachor

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

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Access

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Contact

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

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 18 September 2023



Licensing Sub-Committee

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Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	LICENSING ACT 2003: EL MERO, BASEMENT, 18 AMELIA STREET, LONDON SE17 3PY	1 - 60
6.	LICENSING ACT 2003: LA BRASA, 182 JAMAICA ROAD, LONDON SE16 4RT	61 - 103

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: 18 September 2023

Agenda Item 5

Item No. 5.	Classification: Open	Date: 26 September 2023	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: El Mero, Basement, 18 Amelia Street, London SE17 3PY	
Ward(s) of group(s) affected		North Walworth	
From		Strategic Director of Environment, Neighbourhoods and Growth	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by El Mero Taco Ltd for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as El Mero, Basement, 18 Amelia Street, London SE17 3PY.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application was subject to representations from two Responsible Authorities (not withdrawn) and is, consequently, 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 application form can be found at Appendix A.
 - c) Paragraphs 14 to 19 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted are attached in Appendixes B and C. A map showing the location of the premises is attached to this report as Appendix D.
 - d) A copy of the council's approved procedure for hearings of the Sub-Committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing 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 2 August 2023, El Mero Taco Ltd applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as El Mero, Basement, 18 Amelia Street, London SE17 3PY.

9. The nature of the application, as shown in the original application form is described as a "*[basement] restaurant and bar within the [Eurotraveller] Hotel*".

10. The hours applied for in the application are as follows:
 - Recorded music – indoors:
 - Thursday to Saturday: 22:00 to 03:30

 - Performance of dance – indoors:
 - Thursday to Saturday: 22:00 to 03:30

 - Late night refreshment – indoors:
 - Monday to Sunday: 23:00 to 03:30

 - The supply of alcohol – to be consumed on the premises:
 - Monday to Sunday: 10:00 to 03:30

- Opening hours:
 - Monday to Sunday: 10:00 to 04:00.
11. The applicant also volunteered a number of suggested proposed conditions to help promote the licensing objectives.
 12. The application form can be found at Appendix A.

Designated premises supervisor

13. The proposed designated premises supervisor is Julio Estalin Delgado, who holds a personal licence issued by the London Borough of Bromley.

Representations from responsible authorities

14. Representations were received from the Metropolitan Police Service and licensing, as a responsible authority.
15. The police representation stated the hours proposed by the applicant were far in excess of those set out in the council's statement of licensing policy. They also commented on the premises seeking to be more of a nightclub, rather than a bar/restaurant, given the late night music element from Thursday to Saturday. The Met Police also raised concerns that the control measures initially offered by the applicant not being adequate enough to uphold the licensing objectives.
16. The representation from the police can be found at Appendix B.
17. Licensing's representation raised concerns about the hours proposed by the applicant, citing them as being out of step with the council's statement of licensing policy. Additionally, Licensing suggested the terminal hours should be reduced overall, so that this did not cause adverse issues in the area. They also suggested entirely replacing the conditions proposed by the applicant with a significant number of others conditions which they felt better upheld the licensing objectives.
18. The licensing representation can be found at Appendix C.

Representations from other persons

19. There have been no representations from members of the public in relation to this application.

Conciliation

20. Whilst discussions are ongoing between the applicant and both the police and licensing, at the time of writing this report, both both responsible authorities have yet to withdraw their representations, thus triggering the need for a sub-committee Hearing.

Map

21. A map showing the location of the premises is attached to this report as Appendix D and the following licensed premises are within the immediate vicinity of the application site:

Eurotraveller Hotel, 18 Amelia Street, London SE17 3PY:

- Recorded music – indoors:
 - Sunday to Thursday: 12:00 to 01:30
 - Friday and Saturday: 12:00 to 03:00
- Facilities for dancing – indoors:
 - Sunday to Thursday: 12:00 to 01:00
 - Friday and Saturday: 12:00 to 03:00
- Entertainment Similar to live/recorded music and dance– Indoors:
 - Monday to Wednesday: 17:00 to 01:00
 - Thursday: 17:00 to 01:30
 - Friday and Saturday: 16:00 to 02:30
 - Sunday: 15:00 to 01:00
- Late night refreshment - indoors:
 - Sunday to Thursday: 23:00 to 01:00
 - Friday and Saturday: 23:00 to 02:30
- Sale by retail of alcohol (to be consumed on premises):
 - Monday to Thursday: 12:00 to 01:00
 - Friday and Saturday: 12:00 to 03:00
 - Sunday: 11:00 to 01:30
- Opening hours:
 - Sunday to Thursday: 12:00 to 02:00
 - Friday and Saturday: 12:00 to 04:00

Husky Music Co, 29A Amelia Street, London SE17 3PY:

- Live music – indoors:
 - Friday and Saturday: 21:00 to 23:00
- Late night refreshment - indoors:
 - Friday and Saturday: 23:00 to 00:30

- Sale by retail of alcohol (to be consumed on premises):
 - Sunday to Thursday: 12:00 to 23:00
 - Friday and Saturday: 07:00 to 00:30
- Opening hours:
 - Sunday to Thursday: 07:00 to 23:30
 - Friday and Saturday: 07:00 to 01:00

American Hot Pizza, 30 Manor Place, London SE17 3BB:

- Recorded music – indoors:
 - Monday to Sunday: 11:00 to 01:00
- Performance of dance – indoors:
 - Monday to Sunday: 11:00 to 01:00
- Entertainment Similar to live/recorded music – Indoors:
 - Monday to Sunday: 11:00 to 01:00
- Facilities for making music – indoors:
 - Monday to Sunday: 11:00 to 01:00
- Facilities for dancing – indoors:
 - Monday to Sunday: 11:00 to 01:00
- Provisions similar to making music and dancing – indoors:
 - Monday to Sunday: 11:00 to 01:00
- Late night refreshment - indoors:
 - Monday to Sunday: 23:00 to 01:00
- Sale by retail of alcohol (to be consumed on premises):
 - Monday to Sunday: 11:00 to 01:00.
- Opening hours:
 - Monday to Sunday: 00:00 to 00:00

McDonald's Restaurants, 198-200 Walworth Road, London SE17 1JJ:

- Late night refreshment - indoors:
 - Monday to Sunday: 23:00 to 05:00
- Opening hours:
 - Monday to Sunday: 00:00 to 00:00

Memz Off Licence, 187 Walworth Road, London SE17 1RW:

- Sale by retail of alcohol (to be consumed off premises):
 - Monday to Sunday: 08:00 to 23:00
- Opening hours:
 - Monday to Sunday: 07:00 to 23:00

The Tankard, 178 Walworth Road, London SE17 1JL:

- Live music – indoors:
 - Friday and Saturday: 19:00 to 00:00.
- Recorded music – indoors:
 - Friday and Saturday: 19:00 to 00:00
- Late night refreshment - indoors:
 - Monday to Sunday: 23:00 to 23:30
- Sale by retail of alcohol (to be consumed on and off premises):
 - Monday to Thursday: 11:00 to 23:00
 - Friday and Saturday: 11:00 to 00:00
 - Sunday: 11:00 to 22:30
- Opening hours:
 - Monday to Thursday: 11:00 to 23:30
 - Friday and Saturday: 11:00 to 00:30
 - Sunday: 11:00 to 23:00

John Smith House, 144-152 Walworth Road, London SE17 1JL:

- Sale by retail of alcohol (to be consumed on premises):
 - Monday to Sunday: 00:00 to 00:00.

- Opening hours:
 - Monday to Sunday: 00:00 to 00:00

Mayor of Walworth, 140 Walworth Road, London SE1 6SW:

- Live music – indoors:
 - Monday to Sunday: 12:00 to 22:00
- Recorded music – indoors:
 - Sunday to Thursday: 10:00 to 00:00
 - Friday and Saturday: 10:00 to 02:00
- Late night refreshment - indoors:
 - Sunday to Thursday: 23:00 to 00:00
 - Friday and Saturday: 23:00 to 02:00
- Sale by retail of alcohol (to be consumed on and off premises):
 - Sunday to Thursday: 10:00 to 00:00
 - Friday and Saturday: 10:00 to 02:00
- Opening hours:
 - Sunday to Thursday: 09:00 to 00:30
 - Friday and Saturday: 09:00 to 02:30.

Southwark Council statement of licensing policy

22. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
23. 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.
24. 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.
25. 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)

26. The premises does not fall within a CIA, but does fall within the Elephant and Castle major town centre area.
27. Under the Southwark statement of licensing policy 2021 – 2026, the following closing times are recommended as appropriate within this area:
- Restaurants and cafes:
 - Sunday to Thursday: 00:00
 - Friday and Saturday: 01:00

- Public houses, wine bars or other drinking establishments:
 - Sunday to Thursday: 23:00
 - Friday and Saturday: 00:00
- Nightclubs:
 - Monday to Thursday: 01:00
 - Friday and Saturday: 03:00
 - Sunday: 00:00
- Off licenses:
 - Monday to Sunday: 00:00
- Cinemas:
 - Monday to Sunday: 02:00
- Takeaways:
 - Sunday to Thursday: 00:00
 - Friday and Saturday: 01:00.

Climate change implications

28. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
29. 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.
30. 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.
31. 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

32. 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

33. 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.
34. 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.
35. 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>

36. The equalities impact assessment is available at:

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

Health impact statement

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

Resource implications

38. A fee of £100 has been paid by the applicant in respect of this application being the statutory fee payable for premises within non-domestic rateable value A.

Consultation

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance

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

Principles for making the determination

42. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.
43. The principles which sub-committee members must apply are set out below.
44. 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.
45. 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.
46. 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

47. 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.

48. The four licensing objectives are:

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

49. 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.

50. 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.

51. 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

52. 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

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

- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
- Members of the authority are free to ask any question of any party or other person appearing at the hearing.
- The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - 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.
54. 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

55. 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.
56. 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.
57. 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.
58. 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.

59. 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.
60. 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.
61. 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.
62. 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

63. 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

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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title
Appendix A	Premises licence application.
Appendix B	Police representation.
Appendix C	Licensing representation.
Appendix D	Area map

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director, Environment, Neighbourhoods and Growth		
Report Author	Matt Tucker, Principal Licensing Officer		
Version	Final		
Dated	8 September 2023.		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments sought	Comments included	
Assistant Chief Executive – Governance and Assurance	Yes	Yes	
Strategic Director, Finance	Yes	Yes	
Cabinet Member	No	No	
Date final report sent to Constitutional Team		11 September 2023	

02/08/2023

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

Ref No. 2061755

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

EL MERO TACO LTD

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - 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
	Yes

Premises trading name

	EL MERO TACO RESTAURANT AND BAR
--	---------------------------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	18 AMELIA STREET
Address Line 2	
Town	LONDON
Post code	SE17 3PY
Ordnance survey map reference	
Description of the location	BASEMENT AREA WITHIN THE EURO TRAVELLER HOTEL
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

	EL MERO TACO LTD
--	------------------

Address - First Entry

Street number or building name	Euro Traveller Hotel
Street Description	18 Amelia Street
Town	London
County	
Post code	SE17 3PY
Registered number (where applicable)	14374313

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

Telephone number	[REDACTED]
Email address	[REDACTED]

Operating Schedule

When do you want the premises licence to start?

	30/08/2023
--	------------

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)

	Basement restaurant and bar within the Hotel
--	--

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)
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Provision of regulated entertainment (Please read guidance note 2)

	f) recorded music
	g) performance of dance

Provision of late night refreshment

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

Supply of alcohol

	j) Supply of alcohol
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In all cases please complete boxes K, L and M.

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)

	Recorded Music - DJ Thursday Friday Saturday
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Standard days and timings for Recorded Music (Please read guidance note 7)

Day	Start	Finish
Mon		
Tues		
Wed		
Thur	22:00	03:30
Fri	22:00	03:30
Sat	22:00	03:30
Sun		

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.

G - Performances of Dance

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

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

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

	the venue is currently licenced under the hotel premises licence, however it is very restrictive and only allows hotel guests. This application is for a stand alone licence an application will also be submitted to remove conditions from the hotel premises licence.
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Standard days and timings for Performance of dance (Please read guidance note 7)

Day	Start	Finish
Mon		
Tues		
Wed		
Thur	22:00	03:30
Fri	22:00	03:30
Sat	22:00	03:30
Sun		

State any seasonal variations for the performance of dance (Please read guidance note 5)

--	--

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

--	--

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

I - Late Night Refreshment

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

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

	the restaurant is open from 10:00 until 03:30 Monday to Sunday
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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	03:30
Tues	23:00	03:30
Wed	23:00	03:30
Thur	23:00	03:30
Fri	23:00	03:30
Sat	23:00	03:30
Sun	23:00	03:30

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

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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)

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

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

Day	Start	Finish
Mon	10:00	03:30
Tues	10:00	03:30
Wed	10:00	03:30
Thur	10:00	03:30
Fri	10:00	03:30
Sat	10:00	03:30
Sun	10:00	03:30

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)

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

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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	Julio Estalin Delgado
Surname	Armijos

DOB

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

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

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

Personal licence number (if known)	██████████████████
Issuing authority (if known)	BROMLEY

K

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

	NONE
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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	10:00	04:00
Tues	10:00	04:00
Wed	10:00	04:00
Thur	10:00	04:00
Fri	10:00	04:00
Sat	10:00	04:00
Sun	10:00	04:00

State any seasonal variations (Please read guidance note 5)

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

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M - Steps to promote four licencing objectives

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

	<p>It has always operated as a bar and restaurant supplying the finest cuisine along with regulated entertainment for the enjoyment of its customers a full bar service is also available directly from the bar or waiter/waitress to the table service.</p> <p>The new owners of the premises operating under a new lease given by the Hotel now wish to open their doors to the public.</p> <p>The new Premises will operate with a robust operating schedule designed to ensure that the premises operates in such a way to uphold the Licensing Objectives.</p> <p>We have paid close attention to the model conditions which has produced a robust and proportionate set of conditions.</p> <p>The premises is NOT within the CIZ</p> <p>The DPS and PLH are fully aware of their responsibilities under the 2003 licensing act</p>
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	<p>with regard to ensuring the licensing Objectives are being met.</p> <p>Outlines of how this will be achieved are detailed below.</p> <p>The DPS has attained his level 2 APLH qualification.</p> <p>The DPS will take full responsibility to ensure that all staff are fully trained with a comprehensive knowledge of challenge 25 and the licensing Objectives under the 2003 licensing Act. This training will be fully documented and refreshed every six months. This application has been made to the licensing authority and other responsible authorities after careful consideration of the licensing policies of the LONDON BOROUGH OF SOUTHWARK</p>
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b) the prevention of crime and disorder

	<p>The Premises shall operate as a fully functioning Bar and Restaurant. Alcohol will only be served to seated customers.</p> <p>Security (SIA qualified staff) are to be employed at the venue on Thursday, Friday and Saturday nights from 22:00hrs until close. On other days security will be considered as part of an operational risk assessment. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.</p> <p>In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:</p> <ul style="list-style-type: none"> (a) The police (and, where appropriate, the London Ambulance Service) are called without delay. (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police. (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises. <p>An incident log shall be kept at the premises and made available on request to an authorised officer of the Hounslow Council or the Police. It must be completed within 24 hours of the incident and will record the following:</p> <ul style="list-style-type: none"> (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service. <p>3. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of Hounslow Council at all times whilst the premises is open.</p> <p>4. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Hounslow Police Licensing Team. This CCTV shall comply with the following criteria:</p> <ul style="list-style-type: none"> (a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request. (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason.
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	<p>(d) One camera will show a close-up of the entrance to the premises, to capture a clear, full-length image of anyone entering.</p> <p>(e) The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public.</p> <p>(f) The system will record in real time and recordings will be date and time stamped.</p> <p>(g) At all times during operating hours, there will be at least 1 member of staff on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.</p> <p>(h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act 1998) within 24 hours of any request.</p> <p>(i) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.</p> <p>A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised, photographic identification cards, such as a driving licence, passport or proof of age card with the PASS (Proof of Age Standards Scheme) Hologram.</p> <p>The licensee shall ensure that all staff are trained on relevant matters, including the conditions of the premises licence, age restricted products and the operation of the CCTV system and how to deal with visits from authorised officers.</p> <p>The licensee shall keep written records of training and instructions given to each member of staff, detailing the areas covered to include the Licensing Objectives, identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing. Staff shall sign to confirm that they have received and understood the training.</p> <p>Notices shall be prominently displayed at all entry/exits</p> <p>a) That CCTV is in use & a Challenge 25 proof of age policy is in operation.</p> <p>b) Of the permitted hours for licensable activities & the opening times of the premises.</p> <p>c) To respect residents, to leave quietly, and not to loiter outside the premises or in the vicinity and to dispose of litter legally.</p>
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c) public safety

	<p>The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.</p> <p>The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.</p> <p>The DPS will ensure that the premises operates in line with existing health and safety legislation and is aware that it is also the responsibility of the premises licence holder that this legislation is adhered to.</p>
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d) the prevention of public nuisance

	<p>The DPS and the Premises Licence holder are responsible for ensuring that the premises do not cause any nuisance to the local residents, other business operators or the general public. They will monitor the external areas of the premises in relation to public nuisance or antisocial behaviour.</p> <p>No collections of waste or recycling materials (including bottles) from the premises shall take place between 08:00 and 23:00 on the following day.</p> <p>No deliveries to the premises shall take place between 23.00hrs and 08.00hrs on the following day.</p> <p>During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and</p>
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	<p>stored in accordance with the approved refuse storage arrangements by close of business. Any antisocial behaviour CCTV recordings will be made available to the police and environmental health officers. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.</p>
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e) the protection of children from harm

	<p>A challenge 25 proof of age scheme shall operate at the premises. Signage shall be displayed advising customers that the scheme is in place. All staff authorised to sell alcohol will be trained in the Challenge 25 scheme and this training will be documented to include the date the training was given, the name of the person who gave the training, the person who received the training and signatures by both trainer and trainee. The DPS will ensure that all staff receive fully documented training in relation to Challenge 25 and the licensing Objectives. A refusal book will be kept on the premises for inspection by the authorities. All necessary signage will be displayed with regard to challenge 25 and the fact that NO ID NO SALE policy is in place.</p>
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Guidance note 10

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

Please upload a plan of the premises

	<p>plan.docx</p>
--	----------------------------------

Please upload any additional information i.e. risk assessments

	<p>[REDACTED]</p>
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[REDACTED]

	<p>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)</p>
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Home Office Declaration

Please tick to indicate agreement

	<p><input type="checkbox"/> I am a company or limited liability partnership</p>
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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]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
LicenceReference	[REDACTED]
[REDACTED]	

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	NOEL ANTHONY SAMAROO
Date (DD/MM/YYYY)	02/08/2023
Capacity	DULY AUTHORISED AGENT

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	NOEL ANTHONY SAMAROO
Date (DD/MM/YYYY)	02/08/2023
Capacity	Crawley

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

Contact name and	NTAD CONSULTANTS LTD
------------------	----------------------

address for correspondence	NOEL SAMAROO [REDACTED] CRAWLEY [REDACTED]
Telephone No.	[REDACTED]
[REDACTED]	[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.

OPERATING SCHEDULE

ON - PREMISES

FULLY LICENCED RESTAURANT & BAR

Name of Applicant: EL MERO TACO LTD

Address of Premises:

**EL MERO TACO RESTAURANT & BAR
EURO TRAVELLER HOTEL
18 AMELIA STREET
LONDON
SE17 3PY**

Proposed Opening Times:

Monday to Sunday from 10:00 until 04:00

Proposed times for supply of alcohol:

Monday to Sunday from 10:00 until 03:30

Proposed times for Regulated Entertainment

Thursday to Saturday from 22:00 until 03:30

Proposed times for Late Night Refreshment

Monday to Sunday from 23:00 until 03:30

GENERAL

It has always operated as a bar and restaurant supplying the finest cuisine along with regulated entertainment for the enjoyment of its customers a full bar service is also available directly from the bar or waiter/waitress to the table service.

The new owners of the premises operating under a new lease given by the Hotel now wish to open their doors to the public.

The new Premises will operate with a robust operating schedule designed to ensure that the premises operates in such a way to uphold the Licensing Objectives.

We have paid close attention to the model conditions which has produced a robust and proportionate set of conditions.

The premises is NOT within the CIZ

The DPS and PLH are fully aware of their responsibilities under the 2003 licensing act with regard to ensuring the licensing Objectives are being met.

Outlines of how this will be achieved are detailed below.

The DPS has attained his level 2 APLH qualification.

The DPS will take full responsibility to ensure that all staff are fully trained with a comprehensive knowledge of challenge 25 and the licensing Objectives under the 2003 licensing Act. This training will be fully documented and refreshed every six months.

This application has been made to the licensing authority and other responsible authorities after careful consideration of the licensing policies of the LONDON BOROUGH OF SOUTHWARK

THE PREVENTION OF CRIME AND DISORDER

The Premises shall operate as a fully functioning Bar and Restaurant. Alcohol will only be served to seated customers.

Security (SIA qualified staff) are to be employed at the venue on Thursday, Friday and Saturday nights from 22:00hrs until close. On other days security will be considered as part of an operational risk assessment. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

(a) The police (and, where appropriate, the London Ambulance Service) are called without delay.

- (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police.
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

An incident log shall be kept at the premises and made available on request to an authorised officer of the Hounslow Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

3. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of Hounslow Council at all times whilst the premises is open.

4. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Hounslow Police Licensing Team.

This CCTV shall comply with the following criteria:

- (a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct.
- (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request.
- (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason.
- (d) One camera will show a close-up of the entrance to the premises, to capture a clear, full-length image of anyone entering.
- (e) The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public.
- (f) The system will record in real time and recordings will be date and time stamped.
- (g) At all times during operating hours, there will be at least 1 member of staff on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.
- (h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act 1998) within 24 hours of any request.
- (i) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised, photographic identification cards, such as a driving licence, passport or proof of age card with the PASS (Proof of Age Standards Scheme) Hologram.

The licensee shall ensure that all staff are trained on relevant matters, including the conditions of the premises licence, age restricted products and the operation of the CCTV system and how to deal with visits from authorised officers.

The licensee shall keep written records of training and instructions given to each member of staff, detailing the areas covered to include the Licensing Objectives, identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.

Staff shall sign to confirm that they have received and understood the training.

Notices shall be prominently displayed at all entry/exits

- a) That CCTV is in use & a Challenge 25 proof of age policy is in operation.
- b) Of the permitted hours for licensable activities & the opening times of the premises.
- c) To respect residents, to leave quietly, and not to loiter outside the premises or in the vicinity and to dispose of litter legally.

THE PROMOTION OF PUBLIC SAFETY

The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

The DPS will ensure that the premises operates in line with existing health and safety legislation and is aware that it is also the responsibility of the premises licence holder that this legislation is adhered to.

THE PREVENTION OF PUBLIC NUISANCE

The DPS and the Premises Licence holder are responsible for ensuring that the premises do not cause any nuisance to the local residents, other business operators or the general public. They will monitor the external areas of the premises in relation to public nuisance or antisocial behaviour.

No collections of waste or recycling materials (including bottles) from the premises shall take place between 08:00 and 23:00 on the following day.

No deliveries to the premises shall take place between 23.00hrs and 08.00hrs on the following day.

During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

Any antisocial behaviour CCTV recordings will be made available to the police and environmental health officers.

No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

THE PROTECTION OF CHILDREN FROM HARM

A challenge 25 proof of age scheme shall operate at the premises. Signage shall be displayed advising customers that the scheme is in place. All staff authorised to sell alcohol will be trained in the Challenge 25 scheme and this training will be documented to include the date the training was given, the name of the person who gave the training, the person who received the training and signatures by both trainer and trainee.

The DPS will ensure that all staff receive fully documented training in relation to Challenge 25 and the licensing Objectives. A refusal book will be kept on the premises for inspection by the authorities. All necessary signage will be displayed with regard to challenge 25 and the fact that NO ID NO SALE policy is in place.

From: mark.A.Lynch@met.police.uk <mark.A.Lynch@met.police.uk>
Sent: Sunday, August 6, 2023 7:03 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: [REDACTED]; [REDACTED]
Subject: :El MeroTaco Restaurant and Bar 18 Amelia Street SE17 3PY ref23/446

Good afternoon

please find attached Southwark Police representation in regards to the application for a New premises Licence for the venue called El MeroTaco Restaurant and Bar 18 Amelia Street SE17 3PY

Mark Lynch 2246AS | Police Constable

Central South BCU – Southwark | Licensing Team

Email: mark.lynch6@met.police.uk

Address: Southwark Police Station

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

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

Tel: 020 7232 6756

Email:

SouthwarkLicensing@met.police.uk

Our reference: MD/23/446

Date: 06/08/2023

Dear Sir/Madam

Re: El MeroTaco Restaurant and Bar 18 Amelia Street SE17 3PY

Police are in possession of an application from the above for a new premises licence, for recorded music, performance of dance, late night refreshment and the supply of alcohol on sales. The application describes the venue as a restaurant and bar establishment and is situated in the Elephant and Castle Major Town Centre area. The hours requested far exceed those recommended in the Southwark Council statement of Licensing Policy for a bar or restaurant.

The hours requested are:

Open to the public
 Mon-Sun-1000hrs-0400hrs

Recorded Music
 Thurs-Sat-2200hrs-0330hrs

Performance of Dance
 Thurs-Sat-2200hrs-0330hrs

Late Night Refreshment
 Mon-Sun-2300hrs-0330hrs

Supply of Alcohol on sales
 Mon-Sun-1000hrs-0330hrs

The hours are more in keeping with the operation of a night club and this is supported by the application which stipulates DJs will be in operation on a Thursday to Saturday. The venue currently has excessive hours to operate as a hotel bar which can only be accessed by hotel residents and bona fide guests who enter the bar via the main hotel entrance thus limiting public access. This can be the only reason for such late hours being previously granted in this highly residential area. The premises location is not suitable for a nightclub and it is this type of operation that contributed to the review of the licence in 2021.

The applicant has also supplied a copy of the venues plan however this does not show any fixed seating to which I would expect to see in a restaurant bar establishment?. There is also no mention of accommodation limits?

The applicant has offered a number of control measures however these are minimal and are what we would expect to see on a licence for a Bar/restaurant which operates within policy hours not that of a late nightclub.

The Home office guidance issued under Sec 182 of the Licensing Act 2003 'General principles' state that it is important in setting the parameters within which the premises may operate. Conditions must be precise and enforceable.

The metropolitan police object to the granting of this Premises Licence as we believe it would have a negative impact on this residential area and the minimal conditions offered do not address the licensing objectives for such extended hours.

Submitted for your consideration.
Yours Sincerely

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

From: McArthur, Wesley
Sent: Thursday, August 31, 2023 3:46 PM
To: Krishnan, Anusyutha <Anusyutha.Krishnan@southwark.gov.uk>
Subject: RE: Representation - 880849.

Hi Anu,

Please find attached an amended version of my representation. Please delete the version previously sent from APP and replace it with this version, thanks.

Regards,

Wesley McArthur

Principal Enforcement Officer - Licensing Unit
London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Switchboard: 020 7525 5000

Website: www.southwark.gov.uk

Address: Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH

From: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>
Sent: Thursday, August 31, 2023 12:00 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Representation

Dear Licensing,

Please find attached a representation regarding application 880849.

Regards,

Wesley McArthur

Principal Enforcement Officer - Licensing Unit
London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Switchboard: 020 7525 5000

Website: www.southwark.gov.uk

Address: Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH

To: Licensing Unit	From: Wesley McArthur wesley.mcarthur@southwark.gov.uk 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority)	Date: 30 August 2023
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	El Mero Taco Restaurant And Bar, Euro Traveller Hotel, 18 Amelia Street, London, SE17 3PY	
Ref':	880849	

We object to the grant of an application for a premises licence, submitted by El Mero Taco Ltd under The Licensing Act 2003 (the Act), in respect of the premises known as El Mero Taco Restaurant And Bar, 18 Amelia Street, London, SE17 3PY.

1. The application

The application seeks to allow the following -

Recorded music and performances of dance (both indoors):

Thursday – Saturday: 22:00– 03:30

It is stated that recorded music will be provided by way of a DJ.

Late night refreshment (indoors)

Monday - Sunday: 23:00 – 03:30

The sale of alcohol to be consumed on the premises:

Monday - Sunday: 10:00 – 03:30

The opening hours of the premises are:

Monday - Sunday: 10:00 – 04:00

The premises are located in the basement of the Eurotraveller Hotel at 18 Amelia Street.

In the application the premises, and the intended operation of the premises, are described as (verbatim) -

“Basement restaurant and bar within the Hotel.”

2. The Locale

The premises are located on Amelia Street, which leads directly from Walworth Road. Although Walworth Road itself is a busy thoroughfare, primarily containing commercial premises at ground level with some residential units at 1st floor level and above, it should be noted that Amelia Street is a quiet road that is primarily residential. There are high density residential units immediately to either side of the premises and further along Amelia Street to the west. A map showing the location of the premises and its proximity to residential dwellings is attached as appendix 1. Photo's showing the premises and residential dwellings close to the premises are attached as appendix 2.

3. Our objection

According to section 7 of this council's statement of licensing policy 2021 – 2026 (the SoLP), the premises fall within The Elephant and Castle Major Town Centre.

A copy of the SoLP is available via:

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

The following closing times are recommended in our SoLP in respect of various types of licensed premises located in the Elephant and Castle Major Town Centre as stated -

Public houses, wine bars or other drinking establishments and bars in other types of premises

Sunday – Thursday:	23:00
Friday – Saturday:	00:00

Restaurants, cafes & 'Event premises / spaces' where the sale of alcohol is included in, and ancillary to, a range of activities including meals –

Sunday – Thursday:	00:00
Friday – Saturday:	01:00

Night clubs (with 'sui generis' planning classification) –

Monday – Thursday:	01:00
Friday – Saturday:	03:00
Sunday:	00:00

Our objection relates to the promotion of the prevention of public nuisance, the prevention of crime and disorder and the public safety licensing objectives.

The closing times proposed in the application exceed those suggested in our SoLP. Recommended closing times are included in the SoLP, as this council believes that the

recommended closing times would assist in the promotion of all of the licensing objectives. Late operating hours provide an increased risk of public nuisance, crime and disorder and anti-social behaviour.

We object to the operating hours proposed in the application and suggest that they are amended as follows -

Recorded music and performances of dance (both indoors):

Thursday: 22:00 – 00:30
Friday & Saturday: 22:00 – 02:30

Sale of alcohol to be consumed on the premises:

Monday – Thursday: 10:00 – 00:30
Friday & Saturday: 10:00 – 02:30
Sunday: 10:00 – 23:30

Late night refreshment (indoors):

Monday – Thursday: 23:00 – 00:30
Friday & Saturday: 23:00 – 02:30
Sunday: 23:00 – 23:30

Opening hours:

Monday – Thursday: 10:00 – 01:00
Friday & Saturday: 10:00 – 03:00
Sunday: 10:00 – 00:00

In addition to the above, we note that in part ‘M’ of the application the applicant has proposed various licence conditions to address the licensing objectives. We welcome these conditions, but to ensure that any subsequent licensing conditions are *appropriate, practicable and enforceable* we recommend that the conditions proposed in part ‘M’ of the application are replaced ***in their entirety*** by the following proposed licence conditions:

A. General – all four licensing objectives:

- That all relevant staff shall be trained in their responsibilities under the Licensing Act 2003, the promotion of the licensing objectives and the terms and conditions of this licence. Records pertaining to such training (‘the staff training logs’) shall be kept at the premises, shall be updated every 6 months and shall be made immediately available to responsible authority officers on request. The training logs shall include the trainee’s name (in block capitals), the trainer’s name (in block capitals), the date(s) of training and a declaration that the training has been received and understood by the trainee. If the staff training logs are a paper

hardcopy then the signature of the trainee and the signature of the trainer shall be included.

- That a written record of all staff authorised to sell alcohol at the premises shall be kept at the premises and will be made available to responsible authority officers immediately on request. The authorisation record shall include the name and address of the premises, the name of the licensee, the name of the DPS and the names, addresses and dates of birth of all staff authorised to sell alcohol at the premises.

B. The prevention of crime and disorder:

- That a minimum of two (2) SIA registered door supervisors will be deployed at the premises when the premises are in operation under this licence after 22:00 hours on Thursday to Saturday. They will be employed to control entry to the premises, to deal with the searching / scanning of customers, to deal with any anti-social or disorderly behaviour at the premises, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist with ensuring that the premises' dispersal policy is adhered to and to assist management in liaising with the police regarding instances of crime. When deployed they shall remain at the premises until at least 30 minutes after the premises has closed.
- That SIA security staff shall be supplied with and shall use hand held metal detectors to search all customer entries to the premises.
- That counting devices shall be used by the security staff who are controlling customer entry to the premises to keep an accurate count of the number of people at the premises and to ensure that the premises' accommodation limit is never exceeded. Staff using the counting devices should be able to determine the number of people at the premises immediately on the request of responsible authority officers.
- That a digital CCTV system shall be installed at the premises, shall be maintained in full working order and shall be continually recording at all times that the premises are in use. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises. The CCTV system shall be correctly time and date stamped. The CCTV system shall cover all interior and exterior areas of the premises, including the frontage of the premises, and shall collect clearly defined / focused footage.
- That all CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available to council and / or police officers on request.
- That a member of staff shall be on duty at all times that the premises are in use, who is trained in the use of the CCTV system and who is able to view, and

download to a removable storage device, CCTV footage at the immediate request of police and / or council officers.

- At least one CCTV camera will show a close-up of the entrance to the premises, to capture a clear, full-length image of anyone entering.
- That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers in the premises main floor areas and toilets advising to the effect that the taking of illegal drugs will not be tolerated at the premises. These notices shall be kept free from obstructions at all times.
- That a zero tolerance policy to illegal drug use will be implemented and maintained at the premises. All relevant staff shall be trained in respect of the premises' drug policy. A record of such training shall be kept in the staff training logs at the premises which shall include the printed name of the trainee(s) and the date(s) that the training was received.
- That an incident log shall be kept at the premises to record details of any of the following occurrences at the premises:
 - I. Instances of anti-social or disorderly behaviour
 - II. Calls to the police or other emergency services
 - III. Any complaints received
 - IV. Ejections of people from the premises
 - V. Visits to the premises by the local authority or emergency services
 - VI. Any malfunction in respect of the CCTV system
 - VII. All crimes reported by customers, or observed by staff
 - VIII. Any other relevant incidents

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

- That an entry policy will be devised and maintained at the premises A copy of the entry policy shall be kept at the premises with the premises licence and shall be made immediately available for inspection to council and / or police officers on request. The entry policy shall cover (but not necessarily be limited to):
 - I. Safe customer entry to the premises,
 - II. If / when applicable searching / scanning of attendees,
 - III. The barring of customer entry to the premises for any reason,

IV. Restricted items (e.g. weapons / drugs or any other items restricted by the licensee),

V. Pre-opening safety checks of the premises,

VI. Dealing with overcrowding and / or crowd surges

VII. Dealing with suspect packages

All relevant staff shall be trained in the implementation of the latest version of the entry policy and details of such training shall be recorded in the staff training logs at the premises.

- That all drinks shall be sold in cans or plastic bottles, or will be decanted into recyclable polycarbonate (or a similar material), or cardboard drinking receptacles. Glass drinking receptacles will not be used at the premises at any time.

C. Public Safety

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

<< The applicant should provide the accommodation limit – WM>>

- That clearly legible signage shall be displayed where it can easily be seen and read by customers and staff identifying all emergency escape routes and emergency exits at the premises. Such signage shall be kept free from obstructions at all times.
- That illuminated emergency escape route and emergency exit signage ('emergency lighting') shall be installed at the premises, be maintained in full working order, be operational at all times that the premises are in use and shall be maintained free from obstruction at all times.
- That all emergency exits, emergency escape routes and entry / exit doors at the premises shall be kept free from obstructions at all times that the premises are in use.
- That any spills of liquid onto the floor at the premises' shall be cleared away as soon as possible on a continuous basis whilst the premises are in use. Any wet floors will be clearly demarcated to prevent slips being caused by the wet floors. Relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
- That broken or waste glass / earthenware shall be cleared away as soon as possible on a continuous basis whilst the premises are in use to minimise risk of injury. Relevant staff shall be trained in this, and details of such training including

the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.

- That appropriate first aid equipment / materials shall be kept at the premises in a dedicated first aid box / boxes. The first aid box(es) shall be kept easily accessible and unobstructed at all times. All staff shall be made aware of where the first aid boxes are located.
- That an accident book / recording system shall be maintained at the premises and be available and in use at all times that the premises are in operation. The accident book / recording system shall meet all current legislative requirements. Details of any accidents will be recorded in the accident book / recording system contemporaneously. The accident book / recording system shall be made immediately available to council and / or police officers on request. Relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
- That 'Ask for Angela' posters (or posters relating to whatever similar scheme may be recommended at any time) shall be displayed in the female toilet facilities and kept free from obstructions at all times. All staff shall be trained in the 'Ask for Angela' scheme (or similar scheme) and shall perform the appropriate course of action in the event of a customer requesting assistance. Details of such training, including the printed name of the trainee and the date of the training, shall be recorded in the staff training logs at the premises.

D. The prevention of public nuisance

- That a dispersal policy to assist with patrons leaving the premises in an orderly and safe manner shall be devised and maintained regarding the premises. A copy of the dispersal policy shall be accessible at the premises at all times that the premises are in operation. The policy should include (but not necessarily be limited to) the following:
 - I. Details as to how customer / staff egress at the premises shall be managed to minimise causing nuisance.
 - II. Details of public transport in the vicinity and how customers will be advised in respect of it.
 - III. Details of the management of taxis to and from the premises.
 - IV. Details of the management of any 'winding down' period at the premises.
 - V. Details of the use of security and stewarding in respect of managing customer dispersal from the premises.
 - VI. Details of any cloakroom facility at the premises and how it is managed.
 - VII. Details of road safety in respect of customers leaving the premises.
 - VIII. Details of the management of ejections from the premises.

IX. Details of how refuse / waste in the local vicinity arising through the operation of the premises will be cleared up (e.g. flyer clean up, post event clean up).

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

- That any litter caused by the operation of the premises shall be cleared away from the immediate vicinity of the premises periodically throughout operating hours, and at the end of trade, on each day that the premises are in operation. Relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
- That staff shall be trained to arrive at, conduct themselves at the premises at all times, and leave the premises in an orderly manner, with particular care taken when staff close the premises at the end of trade on each day. The details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
- That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers, at all exits from the premises and in any external areas, requesting to the effect that customers leave the premises and locale in a quiet and orderly manner with respect to local residents. Such signage shall be kept free from obstructions at all times.
- That external waste handling, collections of goods from the premises, deliveries of goods to the premises and the cleaning of external areas shall only occur between the 08:00 hours and 22:00 hours.
- That clearly legible signage stating a dedicated contact telephone number for the premises shall be prominently displayed where it can easily be seen and read by passers-by. The signage shall state to the effect that the phone number shown can be used to contact the premises in respect of any complaints regarding the operation of the premises. If the telephone number relates to a mobile phone, then the duty manager / supervisor on duty shall have the mobile phone on their person at all times. Such signage shall be kept free from obstructions at all times.
- That if and when required, staff shall interact with customers to ensure that customers behave at the premises in a quiet and orderly manner and also leave the premises and locale in a quiet and orderly manner. Customers deemed by staff to be engaging in anti-social behaviour shall be asked to leave the premises. All relevant staff shall be trained in this, and details of such training including the

printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.

- That a sound limiting device (or similar equipment) shall be installed at the premises, be maintained in full working order and be in use at all times that the premises are in operation under this licence. All amplification equipment, entertainment devices and amplified instruments shall be routed through the sound limiting device (or similar equipment) which shall be calibrated so that the sound level of amplified sound at the premises does not cause a statutory or public nuisance. Only management staff shall have access to the sound limiting device (or similar equipment) and shall be able to demonstrate that it is in use at the immediate request of council and / or police officers.
- That only management staff shall have access to any amplification equipment at the premises, and only management staff shall be permitted to change any control settings on said equipment.
- That any external areas of the premises will be closed to customers between 22:00 hours and 10:00 hours the following day except for up to a maximum of 5 people at any one time using the external areas after 22:00 hours to smoke only. All outdoor furniture must be rendered unusable by 22:15 hours each day.

E. The protection of children from harm:

- That a challenge 25 scheme shall be maintained requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase or take receipt of alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a photo driving licence, passport, UK armed services photo ID card, any Proof of Age Standards Scheme (PASS) accredited card (such as the Proof of Age London (PAL) card) or any age verification card accredited by the Secretary of State.
- That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons (including the prevention of 'proxy sales'), and shall also be trained in the challenge 25 scheme in operation at the premises. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
- That clearly legible signs shall be prominently displayed, where they can easily be seen and read by customers, stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.

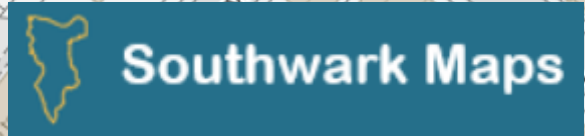
- That a register of refused sales of alcohol shall be maintained at the premises at all times. The register shall be clearly and legibly marked on the front cover as a register of refused alcohol sales, with the address of the premises and the name of the licence holder. The register shall be used to record details of all refused sales of alcohol. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.
- That children under the age of 18 must be accompanied by a responsible adult at all times. No person under the age of 18 shall be permitted at the premise after 22:00 hours.

We welcome discussion regarding any of the above, however should the applicant agree to all of the above conditions then we will withdraw this application.

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer

EUROTRAVELLER HOTEL 18 AMELIA STREET LONDON SE17 3PY



50 m

Scale = 1:1323.000

30-Aug-2023

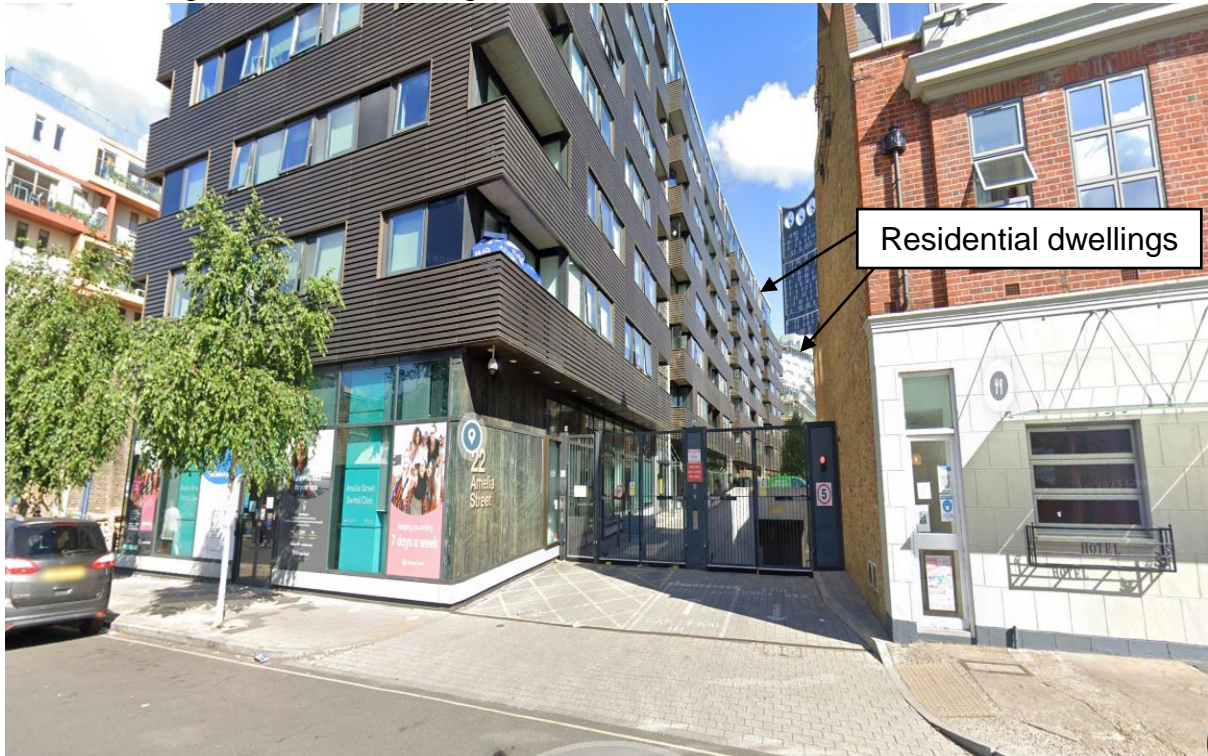
View due north across Amelia Street showing the premises and residential dwellings immediately to either side of the premises



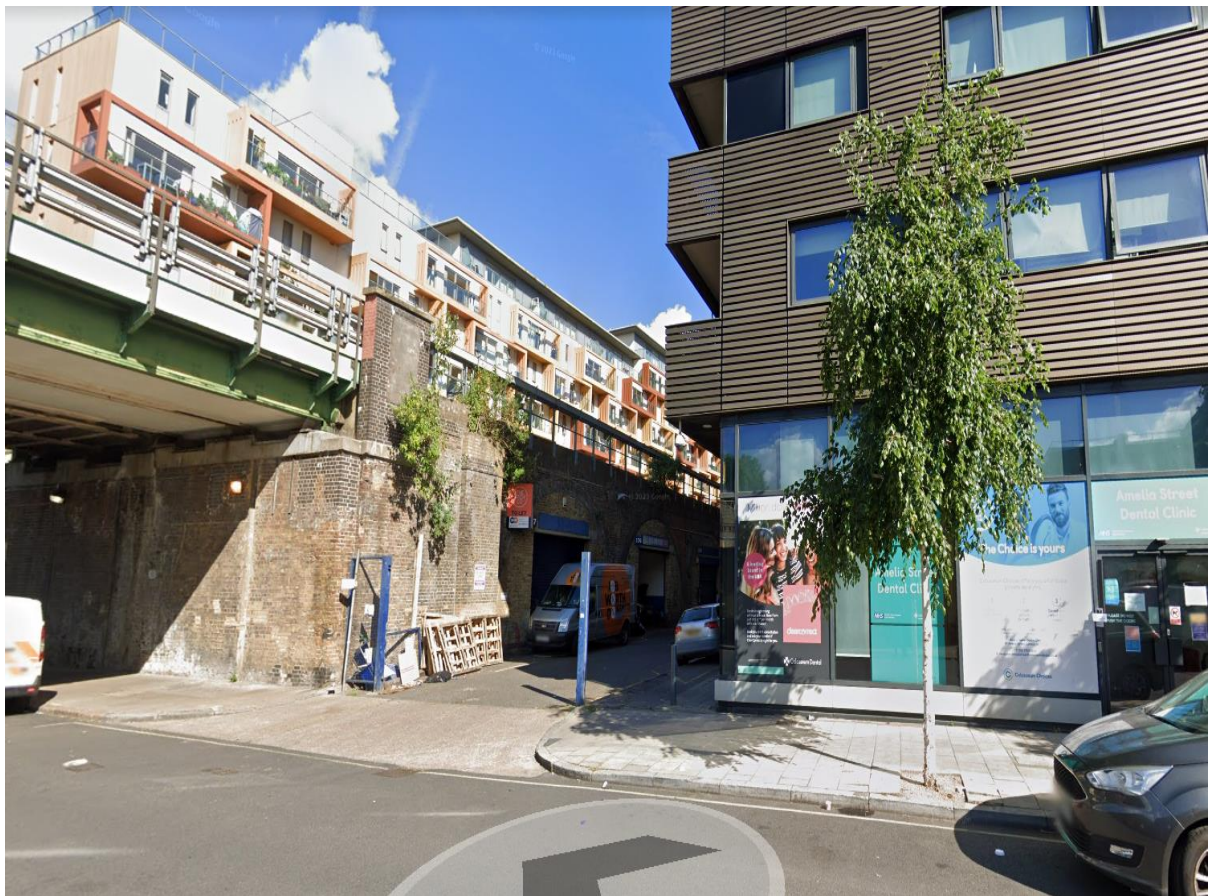
View due west along Amelia Street showing further residential dwellings



View showing residential dwellings behind the premises



Residential dwellings further west along Amelia Street



Residential dwellings further west along Amelia Street



View east along Amelia Street



View due north west across Amelia Street showing the premises and residential dwellings immediately to either side of the premises (2nd view)

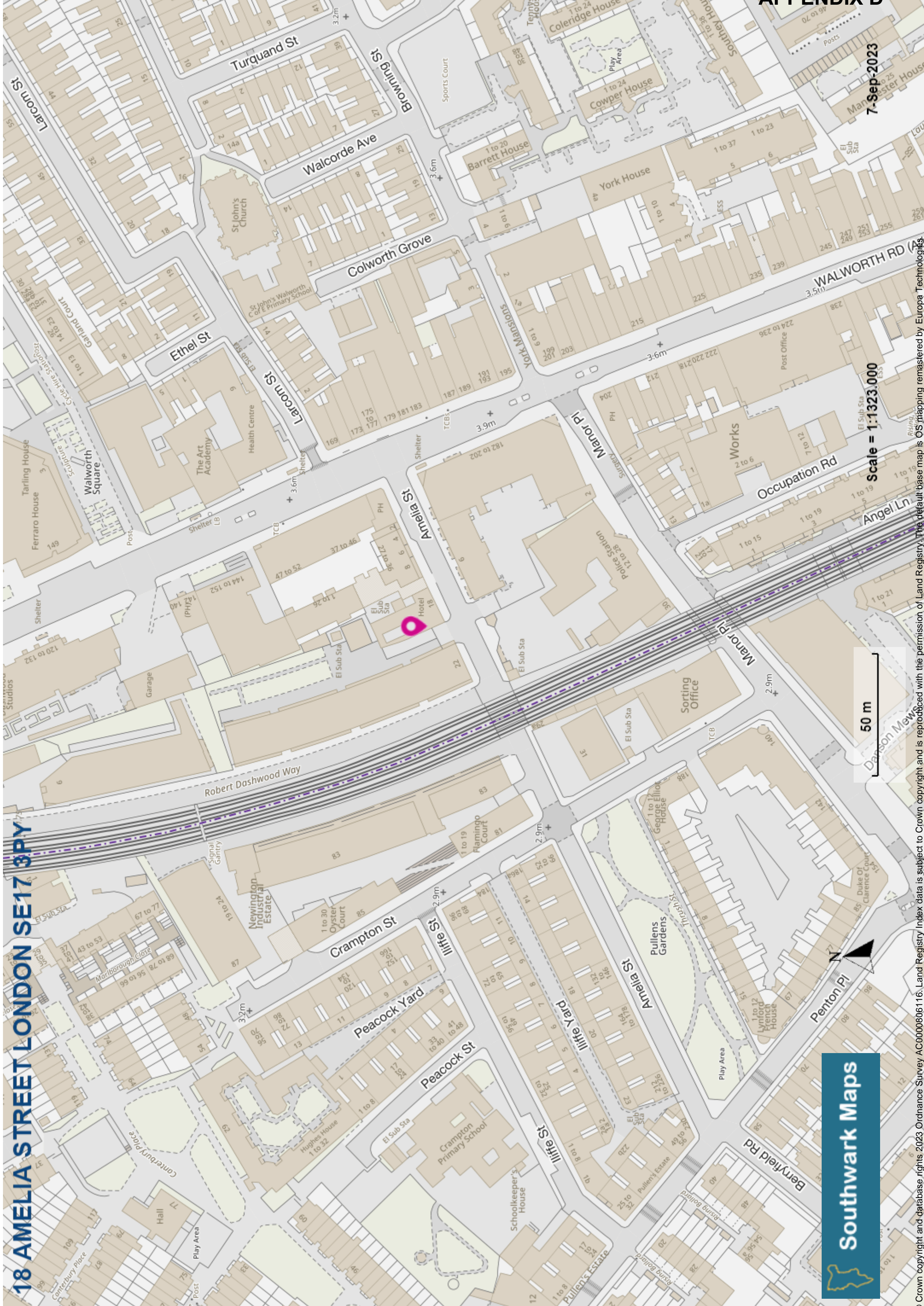


7-Sep-2023

Scale = 1:1323,000

50 m

18 AMELIA STREET LONDON SE17 3PY



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Item No. 6.	Classification: Open	Date: 26 September 2023	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: La Brasa, 182 Jamaica Road, London SE16 4RT	
Ward(s) of group(s) affected		North Bermondsey	
From		Strategic Director of Environment, Neighbourhoods and Growth	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Mr Walter Fritz Opitz for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as La Brasa, 182 Jamaica Road, London SE16 4RT.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application was subject to representations from one Responsible Authority (now withdrawn) and from two residential objectors (not withdrawn) and is, therefore, referred to the sub-committee for determination.
 - b) Paragraphs 8 to 16 of this report provide a summary of the application under consideration by the sub-committee. A copy of the application can be found at Appendix A.
 - c) Paragraphs 17 to 23 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted (and one withdrawal statement) are attached in Appendixes B and C. A map showing the location of the premises is attached to this report as Appendix D.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing procedure, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

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

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

6. In carrying out its licensing functions, a licensing authority must also have regard to:
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.

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

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 1 August 2023, Mr Walter Fritz Opiz applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as La Brasa, 182 Jamaica Road, London, SE16 4RT.

9. The nature of the application, as shown in the original application form is described as a "[restaurant] located in an end of terrace ground floor retail unit with residential flat above. The layout is as per the plan submitted. Service at the restaurant is by dine in within the restaurant and at the outside tables and chairs, customer collection and home delivery".

10. The application form can be found at Appendix A.

11. The hours applied for in the application are as follows:
 - Late night refreshment – indoors:
 - Monday to Sunday: 23:00 to 00:00

 - The supply of alcohol – to be consumed on and off the premises:
 - Monday to Sunday: 11:00 to 00:00

- Opening hours:
 - Monday to Sunday: 08:00 to 00:30.
12. In addition, the applicant volunteered a number of suggested proposed conditions and dispersal policy to help promote the licensing objectives.
 13. Following receipt of a representation from the Metropolitan Police Service on 4 August 2023 (Appendix B), discussions took place between the two parties from 5 to 9 August 2023. By 10 August 2023, in addition to agreeing further conditions, the applicant had agreed to reduce their proposed hours to the following:
 - The supply of alcohol – to be consumed on and off the premises:
 - Sunday to Wednesday: 11:00 to 22:30
 - Thursday to Saturday: 11:00 to 23:00
 - Opening hours:
 - Sunday to Wednesday: 08:00 to 23:00.
 - Thursday to Saturday: 08:00 to 23:30.
 14. The reduction in hours (above), plus one of the additional conditions agreed between the applicant and the police (which states that no licensable activity will take place thirty minutes before the premises closes) ultimately removes the request for late night refreshment in this case.
 15. The agreement reached between the police and the applicant (including the reduced hours and additional conditions) can be found in Appendix B.

Designated premises supervisor

16. The proposed designated premises supervisor is Mr Walter Fritz Opiz, who holds a personal licence issued by the London Borough of Southwark.

Representations from responsible authorities

17. As mentioned above, a representation was received from the Metropolitan Police Service.
18. The police representation initially raised concerns about the hours proposed by the applicant being inconsistent with the council's statement of licensing policy and some of the proposed conditions not being as robust or enforceable as they otherwise could, and should, be. However, again, by 10 August 2023, agreement had been reached on the reduction of hours and the additional of extra conditions to help promote the licensing objectives, thus prompting the police to withdraw their objection.
19. As above, the original representation, agreed conditions and withdrawal statement can be found at Appendix B.

Representations from other persons

20. Two representations have been received from members of the public, who have cited concerns that the premises, if granted a licence, would cause adverse public nuisance and potentially contribute to crime and disorder in the local area, impacting neighboring properties and local residents.
21. At the time of writing this report, both representations have yet to be withdrawn, so remain in place for the sub-committee to consider as part of their deliberations.
22. Both representations can be found at Appendix C.

Conciliation

23. As mentioned above, the applicant has addressed the concerns raised by the Metropolitan Police Service, thereby leaving the two residential objectors outstanding and triggering the need for a sub-committee hearing.

Map

24. A map showing the location of the premises is attached to this report as Appendix D and the following licensed premises are within the immediate vicinity of the application site:

Londis/Post Office, 156-158 Jamaica Road, London SE16 4RT:

- Sale by retail of alcohol (to be consumed off premises):
 - Monday to Saturday: 08:00 to 23:00
 - Sunday: 10:00 to 23:00
- Opening hours:
 - Monday to Saturday: 08:00 to 23:00.
 - Sunday: 10:00 to 23:00.

Fish Bar, 166 Jamaica Road, London SE16 4RT:

- Late night refreshment - Indoors:
 - Monday to Sunday: 23:00 to 01:00
- Opening hours:
 - Monday to Sunday: 08:00 to 01:00.

Fireaway Pizza London Limited, 168 Jamaica Road, London SE16 4RT:

- Recorded music – indoors:
 - Monday to Sunday: 11:00 to 00:00.

- Late night refreshment - indoors:
 - Monday to Sunday: 23:00 to 00:00
- Sale by retail of alcohol (to be consumed on premises):
 - Monday to Sunday: 11:00 to 00:00
- Opening hours:
 - Monday to Sunday: 11:00 to 00:00

Payless Food and Wine, 174 Jamaica Road, London SE16 4RT:

- Sale by retail of alcohol (to be consumed off premises):
 - Monday to Sunday: 00:00 to 00:00
- Opening hours:
 - Monday to Sunday: 00:00 to 00:00

Welcome Inn, 184 Jamaica Road, London SE16 4RT:

- Late night refreshment - indoors:
 - Monday: 23:00 to 00:00
 - Wednesday and Thursday: 23:00 to 00:00
 - Friday and Saturday: 23:00 to 01:00
 - Sunday: 23:00 to 00:00
- Opening hours:
 - Monday: 12:00 to 00:00
 - Wednesday and Thursday: 12:00 to 00:00
 - Friday and Saturday: 12:00 to 01:00
 - Sunday: 17:00 to 00:00

Sainsbury's, 192-196 Jamaica Road, London SE16 4RT:

- Sale by retail of alcohol (to be consumed on and off premises):
 - Monday to Sunday: 07:00 to 23:00.
- Opening hours:
 - Monday to Sunday: 00:00 to 00:00.

Southwark Council statement of licensing policy

25. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
26. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
 - Section 5 – Determining applications for premises 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.
27. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
28. Members should take into consideration both the Southwark statement of licensing policy and the Section 182 Guidance when making decisions. The links for these are below.

Southwark policy:

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

Section 182 Guidance:

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

Cumulative impact area (CIA)

29. The premises does not fall within a CIA.
30. Under the Southwark statement of licensing policy 2021 – 2026, the following closing times are recommended as appropriate within this area:
 - Restaurants and cafes:
 - Monday to Sunday: 23:00
 - Public houses, wine bars or other drinking establishments:
 - Monday to Sunday: 23:00
 - Off licenses:
 - Monday to Sunday: 23:00
 - Cinemas:
 - Monday to Sunday: 23:00.
31. Under this policy, nightclubs and takeaways are not considered appropriate for this area.

Climate change implications

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

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

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

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

Community impact statement

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

Equalities (including socio-economic) impact statement

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

38. Importantly, the council must have due regard to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct; advance equality of opportunity and foster good relations between people who have protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The public sector equality duty also applies to marriage and civil partnership, but only in relation to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct.

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

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

40. The equalities impact assessment is available at:

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

Health impact statement

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

Resource implications

42. A fee of £190 has been paid by the applicant in respect of this application being the statutory fee payable for premises within non-domestic rateable value B.

Consultation

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance

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

Principles for making the determination

46. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.
47. The principles which sub-committee members must apply are set out below.
48. The general principle is that applications for 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.
49. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an interested party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
50. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- To grant the licence subject to:
 - The conditions mentioned in section 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

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

Reasons

56. 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

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

- The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives.
- The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
- In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

58. This matter relates to the determination of an application for a 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

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

63. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
64. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
65. Under the Human Rights Act 1998, the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
66. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

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

Strategic Director, Finance

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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title
Appendix A	Premises Licence Application
Appendix B	Met Police Representation and Conciliation.
Appendix C	Representations from Residential Objectors.
Appendix D	Area map

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director Environment, Neighbourhoods and Growth		
Report Author	Matt Tucker, Principal Licensing Officer		
Version	Final		
Dated	7 September 2023.		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments sought	Comments included	
Assistant Chief Executive – Governance and Assurance	Yes	Yes	
Strategic Director, Finance	Yes	Yes	
Cabinet Member	No	No	
Date final report sent to Constitutional Team		14 September 2023	

01/08/2023

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

Ref No. 2060981

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

Mr Walter Fritz Opitz

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)

£	15250
	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

	La Brasa
--	----------

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

Do you have a Southwark postcode?	Yes
Address Line 1	182 Jamaica Road
Address Line 2	
Town	London
Post code	SE16 4RT
Ordnance survey map reference	
Description of the location	Restaurant.
Telephone number	██████████

Applicant Details

Please select whether you are applying for a premises licence as

	An individual or individuals
--	------------------------------

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
--	---

Details of Individual Applicant

Personal Details

Title	Mr
If other, please specify	
Surname	Opitz
Forenames	Walter Fritz
Date of birth	██████████
I am 18 years old or over	Yes
Nationality	██████

Current Address

Street number or Building name	██████████
Street Description	██████████
Town	██████

County	
Post code	██████████

Contact Details

Daytime contact telephone number	██████████
Email Address	██████████

██████████ applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see guidance below)

Please enter	██████████
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Note 15: Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who: does not have the right to live and work in the UK; or is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity. Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways: by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance. by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below). Home Office online right to work checking service.

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

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

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

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

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

Do you wish to add a second individual applicant?

	No
--	----

Operating Schedule

When do you want the premises licence to start?

	29/08/2023
--	------------

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)

	Restaurant located in an end of terrace ground floor retail unit with residential flat above. The layout is as per the plan submitted. Service at the restaurant is by dine in within the restaurant and at the outside tables & chairs, customer collection and home delivery.
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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)
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Provision of regulated entertainment (Please read guidance note 2)

Provision of late night refreshment

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

Supply of alcohol

	j) Supply of alcohol
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In all cases please complete boxes K, L and M.

I - Late Night Refreshment

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

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

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

	Provision of hot food and drinks.
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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	23:00	
		00:00

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

	None
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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)

	None
--	------

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	11:00	
		00:00
Tues	11:00	
		00:00
Wed	11:00	
		00:00
Thur	11:00	
		00:00
Fri	11:00	
		00:00
Sat	11:00	
		00:00
Sun	11:00	
		00:00

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

	None
--	------

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)

	None
--	------

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

	Sgd-DPS-consent-form..docx
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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	Walter
Surname	Opitz

DOB

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

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

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

Personal licence number (if known)	████████
Issuing authority (if known)	LB Southwark

K

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

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

	None
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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	00:30
Tues	08:00	00:30
Wed	08:00	00:30
Thur	08:00	00:30
Fri	08:00	00:30
Sat	08:00	00:30
Sun	08:00	00:30

State any seasonal variations (Please read guidance note 5)

	None
--	------

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)

	None
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M - Steps to promote four licencing objectives

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

	<p>La Brasa will operate as a genuine restaurant. Service at the restaurant will be by dine in within the restaurant and at the outside tables & chairs, customer collection & home delivery. The sale of alcohol will be strictly ancillary to food in respect of both on & off sales.</p> <p>The Applicant will operate the business in a responsible manner and actively promote the licensing objectives at all times. The premises is not located in a CIZ.</p>
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b) the prevention of crime and disorder

	<p>1) A CCTV system shall be installed and maintained in full working order. The CCTV system shall record footage of evidential quality in all lighting conditions and should be able to capture a clear facial image of all persons that enter the venue. All public areas shall be covered by the CCTV system including frontage of the premises. The premises shall not be open at any time when the CCTV is not operating correctly.</p> <p>2) There shall be at least one member of staff on duty at all times the premises are in operation who is trained and proficient in the operation of the CCTV system and who is capable of operating and retrieving footage at the request of Police, Council or other Authorised Officers.</p> <p>3) All CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available for inspection to Police Officers and Authorised Officers (including of the Council) on request.</p> <p>4) On a daily basis the staff will check that the CCTV is operational with the date & time correctly set and on a minimum weekly basis check that the system is recording correctly for at least 31 days and that images can be correctly downloaded.</p> <p>5) The DPS, a personal licence holder or a fully trained member of staff authorised in writing by the DPS shall be on duty at all times the premises are authorised to sell alcohol.</p> <p>6)a) The sale of alcohol for consumption both on and off the premises shall be ancillary to food.</p> <p>b) The sale of alcohol for consumption on the premises both in the restaurant and at the outside tables & chairs shall only be made to persons seated at a table, having or intending to have a table meal (before, during or after their meal) with all service by waiting staff. There shall be no vertical drinking or drinking at the bar / servery.</p> <p>c) The sale of alcohol for consumption off the premises shall only be made to customers ordering a substantial order of food for customer collection or home delivery. It shall be limited to 8 cans or bottles of beer, lager or cider and or two bottles of wine per order.</p> <p>7) No bottles, glasses or drinks will be permitted to be taken outside the premises or away from the outside seating area. All bottles shall be decanted & all drinks served in toughened glasses before being taken to the outside tables & chairs.</p> <p>8) The outside tables & chairs shall be closed & taken out of use at 22.00.</p> <p>9) Challenge 25 will be operated as the proof of age policy. (See Box E Condition 2 for further details.)</p> <p>10)a) All front of house staff will be trained on induction and given refresher training at six monthly intervals for their role & in the operation of the CCTV System & Challenge 25. Training will include operating the CCTV System & downloading images & operating Challenge 25 including identifying persons under 25, making a challenge, acceptable proof of age and checking it, making and recording a refusal, proxy sales, avoiding sales to intoxicated persons, avoiding conflict, responsible alcohol retailing and safeguarding children, vulnerable people, women & girls.</p> <p>b) Written training records shall be maintained for each member of staff and made immediately available for inspection by Police or Authorised Officers.</p> <p>11) An Incident Book shall be kept at the premises, and made available to the Police or Authorised Officers, which will record the following:</p> <p>a) All crimes reported,</p> <p>b) Lost property;</p> <p>c) All ejections of customers;</p> <p>d) Any complaints received;</p> <p>e) Any incidents of disorder;</p> <p>f) Any seizure of drugs or offensive weapons;</p> <p>g) Any faults in the CCTV System. Details of any work carried out on the CCTV System</p>
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	<p>including the date, name and phone number of the Engineer shall be recorded</p> <p>h) Any refusal in the sale of alcohol;</p> <p>i) Any visit by a relevant authority or emergency service. If Police are called the CAD Number shall be obtained and recorded.</p> <p>12) Notices shall be prominently displayed by the entry / exit door and bar / servery (as appropriate) advising customers:</p> <p>a) That CCTV & Challenge 25 are in operation;</p> <p>b) Of the provisions of the Licensing Act regarding underage & proxy sales;</p> <p>c) Of the permitted & opening times of the premises;</p> <p>d) That the outside tables & chairs shall be closed to the public and taken out of use at 22.00;</p> <p>e) That only sealed bottles or cans may be sold & removed for consumption off the premises with customer collections & home deliveries of a substantial food order.</p> <p>f) To respect residents, leave quietly and not to loiter outside;</p> <p>g) That a maximum of 4 smokers will be allowed outside after 22.00.</p> <p>13) A minimum of 2 staff shall be on duty in the premises after 19.00 to close on any day.</p> <p>14) The premises shall have a written dispersal policy in place details of which will be included in staff training. A copy of the policy shall be provided to the Police Licensing Team & Licensing Authority.</p> <p>15) Staff shall be tasked to monitor departing customers to remind them to leave the premises & area quietly, ensure customers do not loiter outside, monitor their conduct and ensure no open bottles, no glasses or drinks are removed from the premises or outside tables & chairs.</p> <p>16) Customers ordering alcohol to accompany a substantial food order for collection or home delivery must be asked to confirm they are over 18 at the time of placing their order.</p> <p>17) Only delivery companies who have a proof of age policy in place shall be used for home deliveries.</p>
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c) public safety

	<p>A fire risk assessment and emergency plan will be prepared & regularly reviewed. All staff will be given appropriate fire safety training.</p>
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d) the prevention of public nuisance

	<p>1) Notices will be prominently displayed by the entry / exit door and bar / servery as appropriate– See Box B Condition 12 for full details.</p> <p>2) Management & staff will regularly monitor the outside of the premises including the outside seating area & customers outside smoking by CCTV & physical checks. Suitable containers will be provided for cigarette ends.</p> <p>3) The outside front of the premises will be kept tidy at all times and shall be swept at close.</p> <p>4) No deliveries will be received or glass bottles / rubbish removed between 20.00 and 08.00.</p> <p>5) A phone number will be displayed for residents to contact management with any concerns. Details of any complaints & the action taken will be recorded in the Incident Book.</p> <p>6) Staff will call a cab for customers wanting one on request.</p>
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e) the protection of children from harm

	<p>1) Notices will be prominently displayed by the entry / exit door and bar / servery as appropriate– See Box B Condition 12 for full details.</p> <p>2) Challenge 25 will be operated as the proof of age policy. Only a photographic driving licence, valid passport, proof of age card bearing the holders photograph and the PASS hologram on it or a UK Armed Forces photographic ID card will be accepted as proof of age.</p> <p>3) All refusals of service will be recorded in the Incident Book (refusals section) which will be made available to the Police or Authorised Officers on request.</p>
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	<p>4) Front of house staff will be trained on induction and given refresher training at six monthly intervals - See Box B Condition 10 for full details.</p> <p>5) No unaccompanied child under 16 shall be admitted to or be allowed to be on the premises or outside seating area after 20.00.</p> <p>6) No young person under 18 shall be permitted to consume alcohol on the premises.</p>
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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]
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[REDACTED] upload any additional information i.e. risk assessments

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Checklist

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

Please tick to indicate agreement

	I am not a company or limited liability partnership
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Proof of Entitlement to work in the UK

Please upload your proof of entitlement to work in the UK or share code issued by the Home Office online right to work checking service. (Please see guidance below)

	[REDACTED]
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Note 15: Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who: does not have the right to live and work in the UK; or is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity. Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways: by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance. by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below). Home Office online right to work checking service.

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

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

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

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

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

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	Emma Martin
Date (DD/MM/YYYY)	01/08/2023
Capacity	Authorised Licensing Consultant

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	Graham Hopkins
Date (DD/MM/YYYY)	01/08/2023
Capacity	Basildon, Essex

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	GT Licensing Consultants [REDACTED], [REDACTED]
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.

La Brasa, 182 Jamaica Road, London SE16 4RT

Dispersal Policy

- 1) It is recognised by the Premises Licence Holder that during permitted licensed hours it is vital that the Licence hours and conditions are strictly observed. The management & staff must work in close liaison with each other to achieve this.
- 2) An A4 size notice shall be clearly displayed by the exit door reminding customers to respect nearby residents, leave the premises and area quietly and as quickly as possible, not to take drinks, bottles or glasses outside La Brasa or from the outside tables and chairs when they are open for use, that no bottles, glasses or drinks may be removed from La Brasa after 22.00 and not to loiter outside the premises or in the area.
- 3) From the end of permitted licensed hours, throughout the consumption period and until all customers have left La Brasa a member of staff tasked for the purpose shall patrol the premises floor politely encouraging customers to leave La Brasa and make their way home.
- 4) From the end of permitted licensed hours and throughout the consumption period and until all customers have left the premises, the member of staff tasked for the purpose shall take a proactive role and stand on the exit door asking customers to leave the premises quietly and as quickly as possible. The nominated Staff Member shall ensure that customers do not take any bottles, glasses or drinks from the premises when departing and monitor the frontage to ensure people do not loiter outside.
- 5) Staff shall monitor the outside of La Brasa by CCTV and physical checks to ensure that customers outside smoking do not make excessive noise and to ensure that bottles, glasses or drinks are not permitted to be taken outside the premises after 22.00 (after the outside tables & chairs have been closed / removed) in order to reduce the time that customers are outside the premises when smoking. After 22.00 staff must ensure that no more than 4 smokers are outside smoking at any time.
- 6) A notice shall be displayed in La Brasa and by the exit door advising customers that staff will call a cab for anyone wanting one and if it is within permitted opening hours the customer(s) should be asked to remain inside the premises pending the arrival of the cab.

The cab firm should be asked to instruct their drivers to ring La Brasa or their passenger(s) on arrival or go into the premises to notify their passenger(s) of their arrival and not sit outside blowing their horns.

7) A notice will be prominently displayed by the exit door reminding customers who drove to La Brasa to respect residents and not to bang car doors, play loud music, rev engines or blow horns.

8) The member of staff tasked for the purpose shall proactively aid in the dispersal of customers from the premises and area from the terminal hour and throughout the closing period until all customers have left the area. They should politely ask anyone who lingers to leave the area quietly.

9) The nominated member of staff should direct customers away from residential properties and towards nearby bus stops.

Signed for La Brasa

Date 02/08/23

Drafted by Graham Hopkins

GT Licensing Consultants

From: mark.A.Lynch@met.police.uk <mark.A.Lynch@met.police.uk>
Sent: Friday, August 4, 2023 1:01 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: [REDACTED]
Subject: La Brasa 182 Jamaica Road SE16 4RT ref 23/438

Good afternoon

please find attached Southwark Police representation in regards to the application for a New premises Licence for the venue called La Brasa 182 Jamaica Road SE16 4RT

Kind regards

Mark Lynch 2246AS | Police Constable

Central South BCU – Southwark | Licensing Team

Email: mark.lynch6@met.police.uk

Address: Southwark Police Station

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

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

Tel: 020 7232 6756

Email:

SouthwarkLicensing@met.police.uk

Our reference: **MD/23/438**

Date:07 04/08/2023

Dear Sir/Madam

Re:La Brasa 182 Jamaica Road SE16 4RT

Police are in possession of an application from the above for a New Premises Licence for the supply of alcohol on/off sales. The operating schedule describes it as a genuine restaurant. The Hours requested are outside the guidelines set out in the Southwark Statement of Licensing for a restaurant in a residential area and take away's are not deemed appropriate '

Open to the public
 Mon-Sun-0800hrs-0030hrs

Late Night Refreshment
 Mon-Sun-1100hrs-1100hrs

Supply of Alcohol on sales
 Mon-Sun-1100hrs-0030hrs

The area has substantial residential buildings in particular flats above the premises and for this reason it is important to minimise the potential for disturbance to their neighbours be that in the form of anti-social behaviour or otherwise. In reference to the hours the venue have requested these are outside the policy and we see no exceptional reason for these to be granted in a residential area without more robust conditions to deal with egress and disturbance. We would like to see a copy of the dispersal policy mentioned within the application .

The applicant has provided some control measures in the operating schedule and we welcome these however some are either not clear or not easily enforced in their current format

In regards to the control measures offered the Home office guidance issued under Sec 182 of the licensing Act 2003 'General principles' state that it is important in setting the parameters within which the premises may operate. Conditions must be precise and enforceable.

I object to the granting of this licence in its current format as the conditions offered by the applicant do not fully address the licensing objectives in particular that of prevention of crime and disorder. There are also concerns that the hours requested will have a detrimental effect on the local residents in the form of alcohol led anti-social behaviour. Police welcome the opportunity to communicate with the applicant to progress this application

Submitted for your consideration.
Yours Sincerely

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

From: mark.A.Lynch@met.police.uk <mark.A.Lynch@met.police.uk>
Sent: Thursday, August 10, 2023 3:29 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: [REDACTED] McArthur, Wesley
<Wesley.McArthur@southwark.gov.uk>
Subject: La Brasa 182 Jamaica Road SE16 4RT ref 23/438

Good Afternoon

In view of the applicant and police agreeing to the conditions below in red to be placed upon the licence and the reduced licensable activities hours and terminal hours in red, police would like to withdraw their objection to the granting of a New premises licence for La Brasa 182 Jamaica Road SE16 4RT

Open to the public

Sun- Wed- 0800hrs-2300hrs

Thurs-Sat-0800hrs-2330hrs

Sale of alcohol on/off

Sun-Wed-1100hrs-2230hrs

Thurs-Sat-1100hrs-2300hrs

Replace 8/12 with 1/2

1. The designated outside area must be cleared of customers and street furniture rendered unusable by no later than 22:00hrs with the exception of those who temporarily leave the premises to smoke, this shall be limited to four persons and shall be monitored and controlled by staff
2. Customers leaving the premises after 2200hrs to smoke shall not be permitted to take alcohol with them.
3. That all licensable activities shall cease 30 mins before the terminal hour
5. That Staff /SIA shall take a proactive role at the exit door asking customers to leave the premises quietly and as quickly as possible. The Staff/SIA shall ensure that customers do not take any bottles, glasses or drinks from the premises when departing and monitor the frontage to ensure people do not loiter outside.
6. That when licensable activities cease and until all patrons have vacated the venue, Staff/SIA shall patrol the venue politely encouraging customers to leave La Brasa and make their way home in an orderly manner.
7. There shall be no vertical drinking on the premises.
8. The Premises must have a welfare and vulnerability policy and all staff must receive this training. All new staff must receive this training before starting their role

and all staff must have refresher training every 12 months. All training must be recorded and these records must be available on immediate request by the police or authorised council officers.

Replace 6.b.c and 7 with 7/8

9. That the supply of alcohol on the premises shall be by waitress only and be to a person seated taking a substantial hot table meal there and for consumption by such a person as ancillary to their meal.

10. All off Sales of alcohol shall only be sold in sealed containers to persons purchasing substantial a takeaway meal for consumption away from the premises and shall be limited to 8 cans or bottles of beer, lager or cider and or two bottles of wine per order.

11. All alcohol served for consumption in the outdoor area shall be decanted & all drinks served in toughened glasses or polycarbonates before being taken to the outside tables & chairs.

12. That only experienced and reputable delivery companies will be able to make deliveries on behalf of the venue. That details of the delivery companies used shall be recorded in written format and made available to police or council officers

13. Signage instructing all staff/delivery drivers/riders to respect local residents, keep noise levels down and switch engines off whilst waiting.

14. That staff shall monitor the delivery driver/riders waiting area and ensure that the operatives do not cause any nuisance be that noise or otherwise to their neighbours.

15. A notice shall be displayed in La Brasa and by the exit door advising customers that staff will call a cab for anyone wanting one and if it is within permitted opening hours the customer(s) should be asked to remain inside the premises pending the arrival of the cab.

16. That when taxis are ordered for customers for the collection from the premises staff members shall instruct the taxi service to instruct the taxi services driver's not to sound the driver's car horns outside the premises, but to approach the premises in person and verbally (without raised voices) alert staff that the drivers are at the premises to collect customers.

17. A notice will be prominently displayed by the exit door reminding customers who drove to La Brasa to respect residents and not to bang car doors, play loud music, rev engines or blow horns.

18. A zero tolerance drugs and weapons policy shall be in place at the premises. Anybody found with or using drugs and/or weapons will be ejected from the premises and shall not be admitted be re-admitted. Any person who is suspected of having drugs on their person will be asked to consent to a search, and should they refuse the search that person shall be ejected from the premises. All relevant staff shall be trained the drugs policy. A record of the training shall be kept in the staff training logs at the premises. The training record shall include the printed name of the trainee and the date that the training was received.

19. There shall be signage displayed in the toilet area stating of zero tolerance drugs policy .

Kind regards

Mark Lynch 2246AS | Police Constable

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

Email: mark.lynch6@met.police.uk

Address: Southwark Police Station

From: GRAHAM HOPKINS <[REDACTED]>
Sent: 10 August 2023 14:48
To: Lynch Mark A - AS-CU <mark.A.Lynch@met.police.uk>
Cc: Beswick, Claire <Claire.Beswick@southwark.gov.uk>
Subject: Lla Brasa 182 Jamaica Road

Hi Mark,

I have spoken to Mr Opitz the applicant. He accepts the revised Police conditions. I am sure you agree we need to avoid duplication and we are content that Police conditions take precedence.

He will also agree re the hours as below:

Sunday to Wednesday End LA`s 22.30 Close 23.00.

Thursday to Saturday End LA`s 23.00 Close 23.30.

Kind regards,

Graham Hopkins

GT Licensing Consultants [REDACTED]

From: [REDACTED]
Sent: Tuesday, August 15, 2023 2:43 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Regarding alcohol license application 880838

Date: 15/08/2023

Dear Sir or Madam,

I am writing to raise concern about a late night alcohol license for property 182 Jamaica Road, SE16 4RT (880838 - applicant name Walter Fritz Optiz).

The main contentions I have with the application are:

1. Late night license for alcohol in residential area daily. This will encourage noise later into the evening/night and be disruptive to the quiet community in which we all chose to make our homes, thus likely to be a public nuisance.
2. On/off premise for alcohol. Selling alcohol to be consumed off the premises will exacerbate public nuisance/difficult behaviors spilling over from established late night areas and likely result in noisy behaviors past the closing time of the restaurant itself.
3. No other local premises has licensing for/serves alcohol including other restaurants/take-aways in the same row of shops, so this will change the atmosphere of the area and the noise later in the evening.
4. Outdoor seating with alcohol will increase noise levels directly outside our bedroom [REDACTED]
5. We have concerns over the large number of covers (52) in a small space which this will generate a much higher noise volume. This number of covers is much more than other restaurants along the row (for example the restaurant on the opposite side of the pharmacy which has about 20). And the excessive noise will be a public nuisance. Construction noise has been a persistent issue and demonstrates just how much the sound travels.

Yours Sincerely,

Full Name: [REDACTED]

Address: [REDACTED]

Email: [REDACTED]

From: [REDACTED]
Sent: Wednesday, August 30, 2023 7:16 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Representation re business license application 880838

Date: 29/08/23

Dear Sir or Madam

I am writing to raise concern about a late night alcohol license for property 182 Jamaica Road, SE16 4RT (880838 - applicant name Walter Fritz Optiz).

My issues incl:

- 1.
- 2.
3. The late night license for alcohol is in a residential area (there are no pubs or late night venues
4. in this area). This will encourage noise later into the evening/night and be disruptive to the quiet community in which we all chose to make our homes. Not to mention the application is for every day of the week so this will be a daily occurrence. Thus likely
5. to be a public nuisance as well as increase risk of crime and disorderly conduct.
- 6.
- 7.
- 8.
- 9.
10. The request to sell alcohol to be consumed on and off premise. Selling alcohol to be consumed off
11. the premises will exacerbate public nuisance/difficult behaviors spilling over from established late night areas further afield and likely result in noisy behaviors past the closing time of the restaurant itself.
- 12.
- 13.
- 14.
15. No other local premises have licensing for/serves alcohol including other restaurants/take-aways
16. in the same row of shops, so this will change the atmosphere of the area and the noise later in the evening.
- 17.
- 18.
- 19.
20. Outdoor seating with alcohol will increase noise levels directly outside the bedroom of [REDACTED]
- 21.
- 22.
- 23.
24. Also my partner and I note fifty-two covers in a small space thus this will generate high noise

25. volume. This number of covers is much more than other restaurants along the row. And the excessive noise will be a public nuisance. Especially to those of us with abutting properties where so far construction noise has radiated unduly and we are concerned
26. about excess noise in our homes causing public nuisance.
- 27.

To summarise, largely the points above are concerned with the substantial change to this residential area as a result of the late night alcohol license thus likely increase in public nuisance and potentially crime and disorder.

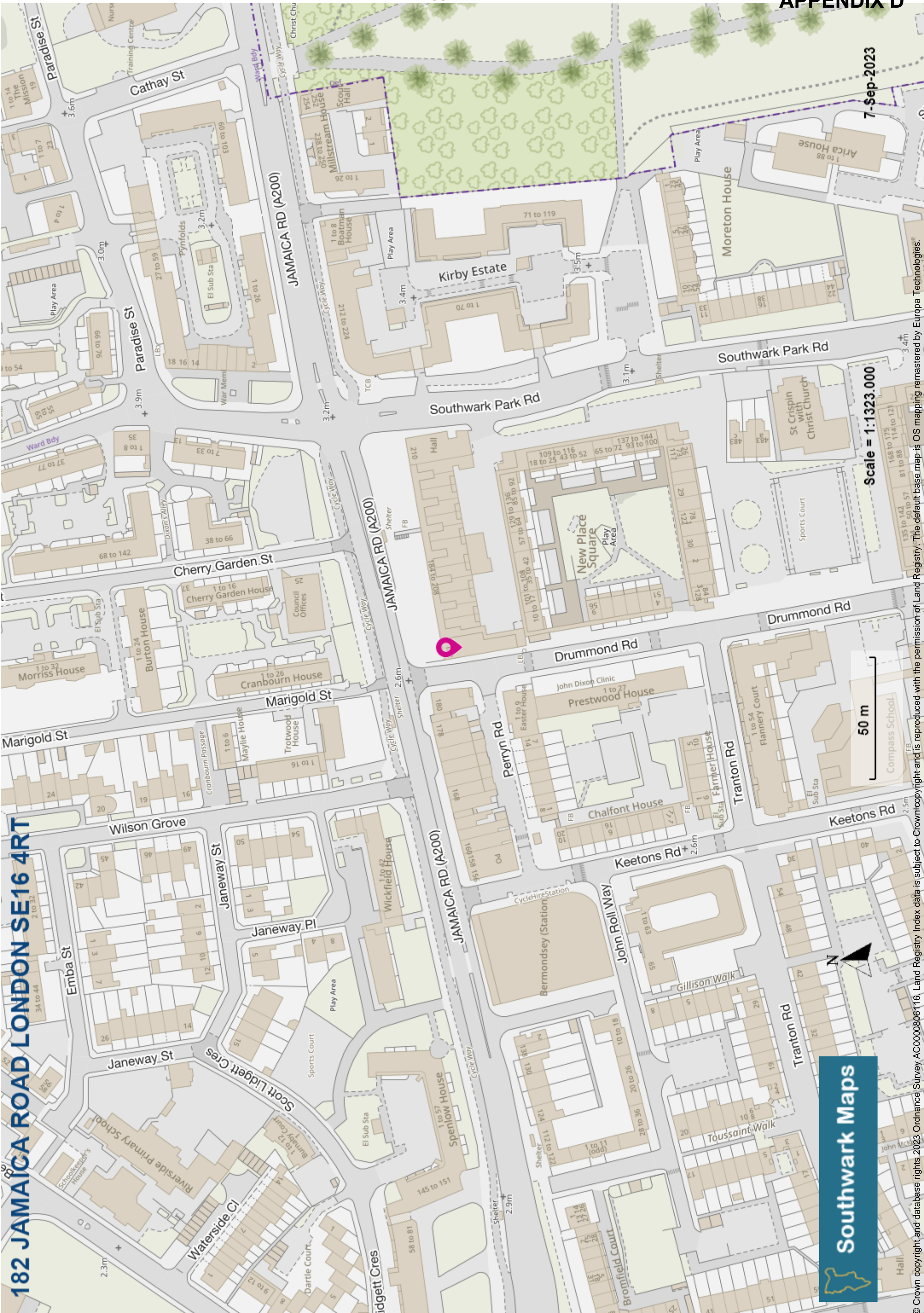
Yours Sincerely,

[REDACTED]

Full Name: [REDACTED]

Address: [REDACTED]

Email: [REDACTED]



182 JAMAICA ROAD LONDON SE16 4RT

7-Sep-2023

Scale = 1:1323.000

50 m

Southwark Maps

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Councillor Sandra Rhule	1	Toyin Calfos, legal team	
Councillor Jane Salmon	1	Charlotte Precious, legal team	
		Matt Tucker, licensing team	
Reserve		Andrew Heron, licensing team	
Councillor Suzanne Abachor	1	Wesley McArthur, licensing team	
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