

Licensing Sub-Committee

Tuesday 10 October 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 Natasha Ennin
Councillor Sunny Lambe
Councillor Margy Newens

Reserves

Councillor Barrie Hargrove

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

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

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 2 October 2023



Licensing Sub-Committee

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10.00 am

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Order of Business

Item No.	Title	Page No.
PART A - OPEN BUSINESS		
1.	ELECTION OF CHAIR	
	To elect the chair for this meeting.	
2.	APOLOGIES	
	To receive any apologies for absence.	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
4.	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.	
5.	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.	
6.	LICENSING ACT 2003: STRONGMAN'S TIPPLE, LOADING BAY, 1ST FLOOR, UNIT 1, SURREY QUAYS SHOPPING CENTRE, LONDON SE16 7LL	1 - 34

ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF

Item No.

Title

Page No.

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: 2 October 2023

Agenda Item 6

Item No. 6.	Classification: Open	Date: 10 October 2023	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Strongman's Tipple, Loading Bay, 1st Floor, Unit 1, Surrey Quays Shopping Centre, London SE16 7LL	
Ward(s) of group(s) affected		Rotherhithe	
From		Strategic Director of Environment, Neighbourhoods and Growth	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Strongman's Tipple Ltd for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Strongman's Tipple, Loading Bay, 1st Floor, Unit 1, Surrey Quays Shopping Centre, London SE16 7LL.
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 (trading standards) and from one local ward councillor (Councillor Whittam) which, at the time of writing, remain outstanding. Therefore, the application has been referred to the sub-committee for determination.
 - b) Paragraphs 8 to 11 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 12 to 18 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 15 August 2023, Strongman's Tipple Ltd applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Strongman's Tipple, Loading Bay, 1st Floor, Unit 1, Surrey Quays Shopping Centre, London SE16 7LL.
9. The nature of the application, as shown in the original application form, is as follows:

“Strongman's Tipple is focusing on development and production of bottled cocktails... [as] below... production and supply of bottled cocktails... cocktail recipes development for clients... cocktail consultancy...”

Premises are not open to public. We don't sell alcohol directly at the premises. We simply produce and supply bottle cocktails to order. Corporate clients place orders with us directly and we supply them accordingly. Individuals have option to place orders online through our website.”

10. The application form, which can be found at Appendix A, shows the following hours applied for:
 - The supply of alcohol – to be consumed off the premises:
 - Monday to Sunday: 09:00 to 23:00
 - Opening hours:
 - Monday to Sunday: 09:00 to 23:00.

Designated premises supervisor

11. The proposed designated premises supervisor is Mr Tomas Lenko, who holds a personal licence issued by the London Borough of Westminster.

Representations from responsible authorities

12. As mentioned above, a representation was received from trading standards, on the grounds of protecting children from harm.
13. Trading standards raised concerns relating to the apparent lack of measures to prevent minors from purchasing alcohol online, including no Challenge 25 policy or means to confirm that a customer is over 18 years old. In addition, the need for more robust processes to be in place regarding couriers delivering alcohol products to customer addresses was highlighted. Trading standards did suggest some additional conditions that the applicant might wish to consider adopting to better promote the licensing objectives.
14. The representation from trading standards, including their suggested conditions, can be found in Appendix B.

Representations from other persons

15. A representation was also received from one of the ward councilors (Councillor Whittam), again on the grounds of protecting children from harm.
16. Councillor Whittam's representation included concerns about the applicant not having adequate safeguards to prevent the sale of alcohol to underage customers purchasing online. In Councillor Whittam's view, underage sales would be the result if the application in its current form were to be granted without any further changes to it.
17. Councillor Whittam's objection can be found in Appendix C.

Conciliation

18. Some discussions between the applicant and trading standards have taken place. However, at the time of writing this report, both representations remain in place, thus triggering the need for a sub-committee to consider the application.

Map

19. 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:

Tesco, 1 Surrey Quays Shopping Centre, Redriff Road, London SE16 7LL:

- Sale by retail of alcohol (to be consumed off premises):
 - Monday: 00:00 to 00:00
 - Tuesday to Friday: 00:01 to 00:00
 - Saturday: 00:00 to 00:00
 - Sunday: 11:00 to 17:30
- Opening hours:
 - Monday: 00:00 to 00:00
 - Tuesday to Friday: 00:01 to 00:00
 - Saturday: 00:00 to 00:00
 - Sunday: 11:00 to 17:30

Pizza Hut, 5 Teredo Street, London SE16 7LW:

- Recorded music – indoors:
 - Monday to Saturday: 09:00 to 23:00
 - Sunday: 12:00 to 22:30
- Late night refreshment - indoors:
 - Monday to Saturday: 23:00 to 00:30
 - Sunday: 23:00 to 00:00
- Sale by retail of alcohol (to be consumed on the premises):
 - Monday to Saturday: 11:00 to 00:00
 - Sunday: 12:00 to 23:30
- Opening hours:
 - Monday to Saturday: 11:00 to 00:30
 - Sunday: 12:00 to 00:00

Odeon – Uci Cinema, The Mast Leisure Park, Surrey Quays Road, London SE16 7LW:

- Plays – indoors:
 - Monday to Sunday: 09:00 to 03:00

- Films – indoors:
 - Monday to Sunday: 09:00 to 03:00
- Live music – indoors:
 - Monday to Sunday: 09:00 to 03:00
- Recorded music – indoors:
 - Monday to Sunday: 09:00 to 03:00
- Performance of dance – indoors:
 - Monday to Sunday: 09:00 to 03:00
- Entertainment similar to live/recorded music – indoors:
 - Monday to Sunday: 09:00 to 03:00
- Facilities for making music – indoors:
 - Monday to Sunday: 09:00 to 03:00
- Facilities for dancing – indoors:
 - Monday to Sunday: 09:00 to 03:00
- Provisions similar to making music and dancing – indoors:
 - Monday to Sunday: 09:00 to 03:00
- Late night refreshment – indoors:
 - Monday to Sunday: 23:00 to 03:00
- Sale by retail of alcohol (to be consumed on the premises):
 - Monday to Sunday: 11:00 to 00:00
- Opening hours:
 - Monday to Sunday: 09:00 to 03:00.

The Yellow House, 126 Lower Road, London SE16 2UF:

- 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):
 - Monday to Sunday: 10:00 to 00:00
- Opening hours:
 - Sunday to Thursday: 09:30 to 00:30
 - Friday to Saturday: 09:30 to 02:30

The Surrey Docks, 185 Lower Road, London SE16 2LW:

- Late night refreshment - indoors:
 - Sunday to Thursday: 23:00 to 00:30
 - Friday and Saturday: 23:00 to 01:30
- Sale by retail of alcohol (to be consumed on and off premises):
 - Sunday to Thursday: 09:00 to 00:30
 - Friday and Saturday: 09:00 to 01:00
- Opening hours:
 - Sunday to Thursday: 07:00 to 01:30
 - Friday and Saturday: 07:00 to 02:00.

Southwark Council statement of licensing policy

20. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
21. 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.
22. 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.
23. 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)

24. Whilst the premises does not fall within a CIA, it does form part of the Canada Water major town centre area.
25. 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
- Takeaways:
 - Sunday to Thursday: 00:00
 - Friday and Saturday: 01:00
- Cinemas:
 - Monday to Sunday: 02:00

Climate change implications

26. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
27. 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.
28. 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.
29. 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

30. 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

31. 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.
32. 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.
33. 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>.

34. The equalities impact assessment is available at:

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

Health impact statement

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

Resource implications

36. 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

37. 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

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

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

Principles for making the determination

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.

42. 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.

43. 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.

44. 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

45. 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.

46. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
47. 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.
48. 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.
49. 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

50. 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

51. 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.

52. 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

53. 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.

54. 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.

55. 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.

56. 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.

57. 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.

58. 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.

59. 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.
60. 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

61. 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

62. 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	Trading standards representation
Appendix C	Ward councilor representation
Appendix D	Area map

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director of Environment, Neighbourhoods and Growth	
Report Author	Matt Tucker, Principal Licensing Officer	
Version	Final	
Dated	26 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		28 September 2023

15/08/2023

Business - Application for a premises licence to be granted under the Licensing Act 2003 Ref No. 2066749

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

	Strongman's Tipple Ltd
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Notes for Guidance

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

(i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

- o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

- o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;

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

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

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

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

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

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

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

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

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

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

11. The application form must be signed.

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

13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. Entitlement to work/immigration status for individual applicants and applications

from partnerships which are not limited liability partnerships:

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

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

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

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

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.

- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.

- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.

- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - o evidence of the applicant's own identity – such as a passport,
 - o evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - o evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,

- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or (iv) self-sufficient e.g. bank statements.

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

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

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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

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

Home Office online right to work checking service

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

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at

<https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

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

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

Premises Details

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

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

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

Premises trading name

	Strongman's Tipple Ltd
--	------------------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	Strongman's Tipple Ltd
Address Line 2	Surrey Quays Shopping Centre, Loading Bay, 1st Floor, Unit 1
Town	London, Uk
Post code	SE16 7LL
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

Applicant Details

Please select whether you are applying for a premises licence as

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

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

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

Other Applicants

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

Name - First Entry

	Strongman's Tipple Ltd
--	------------------------

Address - First Entry

Street number or building name	35 Kite House
Street Description	286 Lynton road
Town	London, Uk
County	UK
Post code	SE1 5ZS
Registered number (where applicable)	10558899
Description of applicant (for example, partnership, company, unincorporated association etc)	Limited company

Contact Details - First Entry

Telephone number	██████████
Email address	████████████████████

Operating Schedule

When do you want the premises licence to start?

	15/08/2023
--	------------

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)

	<p>Strongman's Tipple is focusing on development and production of bottled cocktails. Please see activities below:</p> <ul style="list-style-type: none"> -Production and supply of bottled cocktails -Cocktail recipes development for clients -Cocktail consultancy <p>Premises are not open to public. We don't sell alcohol directly at the premises. We simply produce and supply bottle cocktails to order. Corporate clients place orders with us directly and we supply them accordingly. Individuals have option to place orders online through our website.</p>
--	--

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

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

Note 1

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

Operating Schedule part 2

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

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

Provision of regulated entertainment (Please read guidance note 2)

Provision of late night refreshment

--	--

Supply of alcohol

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

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

J - Supply of Alcohol

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

	Off the premises
--	------------------

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

Day	Start	Finish
Mon	09:00	23:00
	09:00	23:00
Tues	09:00	23:00
	09:00	23:00

Wed	09:00	23:00
	09:00	23:00
Thur	09:00	23:00
	09:00	23:00
Fri	09:00	23:00
	09:00	23:00
Sat	09:00	23:00
	09:00	23:00
Sun	09:00	23:00
	09:00	23:00

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

--	--

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

--	--

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

--	--

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g.Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

Premises Supervisor

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

Full name of proposed designated premises supervisor

First names	Tomas
Surname	Lenko

DOB

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

Address of proposed designated premises supervisor

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

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

Personal licence number (if known)	██████████
Issuing authority (if known)	City Of Westminster

K

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

	None
--	------

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines. L - Hours premises are open to public
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g.Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

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

Day	Start	Finish
Mon	09:00	23:00
	09:00	23:00
Tues	09:00	23:00
	09:00	23:00
Wed	09:00	23:00
	09:00	23:00
Thur	09:00	23:00
	09:00	23:00
Fri	09:00	23:00

	09:00	23:00
Sat	09:00	23:00
	09:00	23:00
Sun	09:00	23:00
	09:00	23:00

State any seasonal variations (Please read guidance note 5)

--	--

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

--	--

M - Steps to promote four licencing objectives

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

	N/A
--	-----

b) the prevention of crime and disorder

	N/A
--	-----

c) public safety

	N/A
--	-----

d) the prevention of public nuisance

	N/A
--	-----

e) the protection of children from harm

	N/A
--	-----

Guidance note 10

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

Please upload a plan of the premises

	[REDACTED]
--	------------

Please upload any additional information i.e. risk assessments

	[REDACTED]
--	------------

Checklist

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

Home Office Declaration

Please tick to indicate agreement

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

Declaration

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

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

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

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

I agree to the above statement

	■■■■
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	Tomas Lenko
Date (DD/MM/YYYY)	15/08/2023
Capacity	Director

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

Full name	
Date (DD/MM/YYYY)	15/08/2023
Capacity	

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

Contact name and address for correspondence	Tomas Lenko 35 Kite house 286 Lynton road SE1 5ZS London
---	--

Telephone No.	██████████
If you prefer us to correspond with you by e-mail, your email address (optional)	████████████████████

GUIDANCE NOTES

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

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

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

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

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

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

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

From: Moore, Ray <Ray.Moore@southwark.gov.uk>
Sent: Monday, August 21, 2023 2:08 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>;
Cc: Tucker, Matt <Matt.Tucker@southwark.gov.uk>; Forrest, Yemisi
Subject: New Premises Application : Strongman's Tipple Ltd, Surrey Quays Shopping Centre, Loading Bay, 1st Floor Unit 1, SE16 7LL: Reference: 880921

Trading Standards as a responsible authority are in receipt of a new premises license application form in respect of a premises at Surrey Quays Shopping Centre, Loading Bay, 1st Floor Unit 1, London, SE16 7LL. Trading Standards as a responsible authority are making representations in respect of this application under all the licensing objectives, but primarily the protection of children from harm.

In the general description this is to be:-

“Strongman's Tipple is focusing on development and production of bottled cocktails. Please see activities below:

- Production and supply of bottled cocktails
- Cocktail recipes development for clients
- Cocktail consultancy

Premises are not open to public. We don't sell alcohol directly at the premises. We simply produce and supply bottle cocktails to order. Corporate clients place orders with us directly and we supply them accordingly. Individuals have option to place orders online through our website..”

This is a retail online business via their website which is Home | My Site (strongmanstipple.com) . This website already appears to be in operation and I was able to reach the checkout without being asked anything. My first question would be under what premises license this web site is currently operating?

Although not open to the public its hours of operation are to be Monday to Sunday 09:00hrs to 23:00hrs for “off sales only” (online only).

Under the section on licensing objectives it simply states “NA” under every heading. There is no operating schedule attached that might deal with these matters. There is a HACCP plan that deals with measures taken to ensure food safety during the production process. This is somewhat concerning as there appears to have been no thought given as to how sales to minors trying to purchase online would be prevented.

THERE is no reference to age verification or an age verification scheme such as challenge 25... there is not even a simple box ticking stating that someone is over 18 – which would not be sufficient. It should be noted that this authority has received complaints from parents about other websites where their children have been able to access alcohol online.

The application is for off sales of alcohol only via distanced sales. The hours for dispatch presumably are to be the same as the operational hours.

This does not address the mechanisms for ensuring these things do not happen. These have been reproduced in this representation to illustrate the lack of adequate proposed conditions in order to deal with these matters. It maybe that the applicant has some form of contract with the courier / dispatcher that deals with these matters but this is not made clear in the application.

If the license were to be granted then Trading Standards as a responsible authority would ask that the applicant suggest some form of conditions to ensure that alcohol is not delivered to minors and what online age verification scheme is to be used. As deliveries would appear to be made by courier, there needs to be robust systems in place that age checks will be made on the doorstep.

Trading Standards would welcome a dialogue on these matters to discuss what conditions could be put in place to ensure that the licensing objective “the protection of children from harm” is met. An initial suggestion might be as follows:-

- That all online sales of alcohol are subject to a real time age verification check via an external third party.
 - o That drivers (whether employed directly, as self-employed or via third parties) have to undertake training on age restricted policies to ensure that the following checks are conducted at the point of delivery when the person appears to be under the age of 25...???
- All online age verification checks should only be made by a company which is a member of the following organisation <https://avpassociation.com/>

It will really depend upon how the business operates as to the exact wording of such conditions. In a face to face business the following kinds of conditions might be appropriate but clearly this would not work in these circumstances..

4AA - The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.

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

4AC - Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required.

4AI - A register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by Council authorised officers or the Police.

Draft guidance published by the Government on these matters for primary authority relationships with businesses suggest the following:-

“Online Age Assessment for Remote Sales

Online transactions present a challenge that the customer is not directly visible to the company to assess their age. Broadly, online transactions should verify age by securing that:

- The customer is a real person
- The customer is able to demonstrate that they are over the relevant age restriction
- That this is anchored in a process that can be relied upon
- That the process is tested, independently certified and monitored

Primary authorities should seek evidence from partner businesses or their systems suppliers that the approach to age verification meets the above criteria and any other relevant criteria to the specific circumstances of the transactions.

Primary authorities should consider whether systems are resilient to presentation attack (this is more commonly known as ‘spoofing’). There should be means in place to test for both liveness presentation attack (is it a real living person) and documentary presentation attack (is it a genuine ID document).

Systems should be clear, through their age check practice statement, of the methodologies utilized to provide age assurance and the authoritativeness category of originating identity documentation. Primary authorities may want to consider the application of relevant standards (such as the Governments Good Practice Guide (GPG45) on identity proofing, the PASS 2:2020 – Proof of Age Standards Scheme – Requirements for e-ID Validation Technology or BS 8626:2020 – Design and operation of online user identification systems – Code of practice.

Typically, authoritativeness categories of identity documents should secure that they are from:

- A governmental or public authority
- The Proof of Age Standards Scheme (PASS) or international equivalent
- An authorized or regulated industry (such as finance or utility)

It is worth noting that identity is a construct of an asserted status noted and recorded by the individual citizen and their home state. A person’s identity attributes can evolve over time, although their date of birth remains a constant (name, address,

gender, financial footprint and other identify attributes can change through the lifetime of an individual). Processes based on gaining age assurance associated with identity are, therefore, prone to error. Primary authorities should consider whether or not the validity of an age assurance check based on identity verification should diminish over time, perhaps associated with the risk assessment of the age restricted item concerned. Generally, primary authorities should not accept age assurance that are perpetual indefinitely.

There are numerous methods of age assurance, which are growing and developing in accuracy and efficacy all of the time. At present the following are some of the methods that businesses may be seeking to implement:

- e-IDVT (ID verification technology) – scanning a passport/Driving Licence/PASS Card – with or without NFC capabilities (near field communication).
- Apps and Attribute Identity and Verification Services
- Age Estimation and Artificial Intelligence Systems
- Database look up – links to primary data sources (like credit reference agencies). Government records, records from sources regulated by government agencies (such as FCA, OFCOM, etc), PASS Card Issuers
- Age Exchanges – distributed ledgers

Primary authorities should consider how businesses and age assurance systems deal with contra indicators, that is information or behaviours that cast doubt on the age assurance gained.”

AS CAN BE SEEN FROM THE ABOVE THERE ARE AS YET NO AGREED PROTOCOLS FOR MOVING FORWARD ON THESE MATTERS AND THE TECHNOLOGY IS RAPIDLY EVOLVING.

Trading Standards as a responsible authority would welcome a dialogue with the company to try and agree a way forward that is appropriate for your business.“

Ray MOORE

Principal Trading Standards Enforcement Officer

From: Whittam, Cllr Kath
Sent: Wednesday, August 16, 2023 10:47 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc:
Subject: 880921 - objection

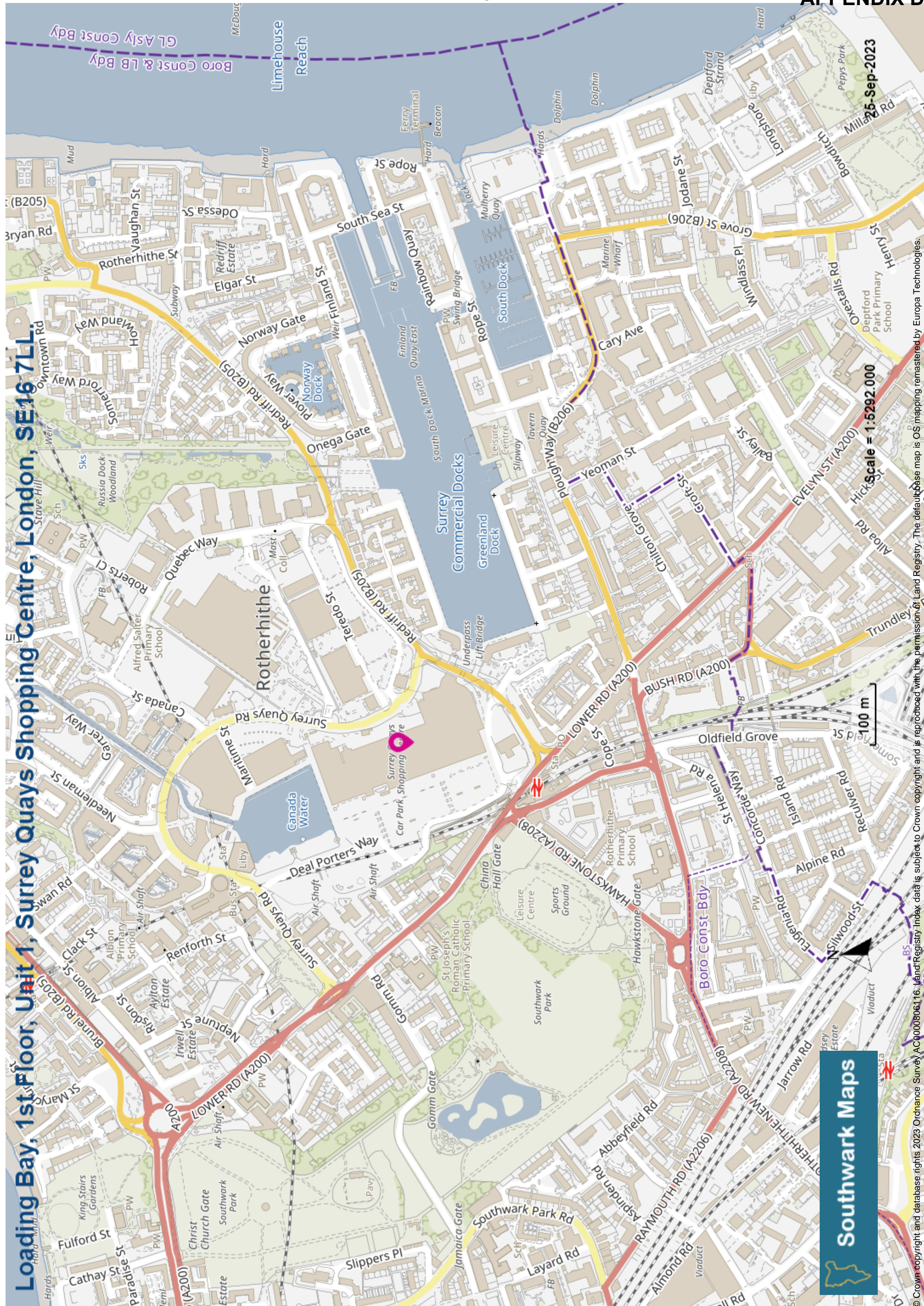
I am objecting to the off licence Strongman's tipple on the grounds of protecting children from harm. There is no information on how children will be prevented from buying alcohol on line in this entry on the website. Please can I be sent the operational details. It is not obvious if there will be a trade counter at the premises or if it a purely on line business. Much more detail is needed before I can feel secure that underage drinking will not be an outcome of this application.

Best regards,

Kath

Cllr Kath Whittam
Labour and Co-operative member for Rotherhithe Ward
Vice Chair Planning committee A&B
Past Mayor of Southwark

Loading Bay, 1st Floor, Unit 1, Surrey Quays Shopping Centre, London, SE16 7LL



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25-Sep-2023

Scale = 1:5292.000

LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2023-24

NOTE: Original held by Constitutional Team; all amendments/queries to Andrew Weir - Tel: 020 7525 7222

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Councillor Margy Newens	1	Charlotte Precious, legal team	
Reserve		Andrew Heron, licensing team	
Councillor Barrie Hargrove	1	Ray Moore, trading standards team	
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Councillor Kath Whittam	By email	Total printed copies: 4	
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