

Licensing Sub-Committee

Thursday 4 January 2024
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 Margy Newens
Councillor Andy Simmons

Reserves

Councillor Sunny Lambe

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: 14 December 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: LOS ARRIEROS DE PITO, ARCH 144, EAGLE YARD GROUND FLOOR,10 HAMPTON STREET, LONDON SE1 6SP	1 - 94

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: 14 December 2023

Agenda Item 5

Item No. 5.	Classification: Open	Date: 4 January 2024	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Los Arrieros De Pito, Arch 144, Eagle Yard Ground Floor, 10 Hampton Street, London SE1 6SP	
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 Los Arrieros De Pito Ltd for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Los Arrieros De Pito, Arch 144, Eagle Yard Ground Floor, 10 Hampton Street, London SE1 6SP.
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 three responsible authorities, namely the Metropolitan Police Service, trading standards and licensing as a responsible authority. Whilst the responsible authority representations have since been conciliated, at the time of writing this report, thirteen objections from members of the public remain outstanding. Therefore, the application has been 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 original application form can be found at Appendix A.
 - c) Paragraphs 14 to 25 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted are attached in Appendixes B to E. A map showing the location of the proposed premises is attached to this report as Appendix F.
 - 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 27 October 2023, Los Arrieros De Pito Ltd applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Los Arrieros De Pito, Arch 144, Eagle Yard Ground Floor, 10 Hampton Street, London SE1 6SP
9. The nature of the application, as shown in the original application form (which can be found at Appendix A) is that the premises would operate as an "eat in or take away food shop".
10. The application form shows that the applicant was originally seeking to be granted the following hours and activities:
 - The supply of alcohol – to be consumed on the premises:
 - Monday to Friday: 09:00 to 21:00
 - Saturday: 09:00 to 23:00
 - Sunday: 10:00 to 23:00
 - Opening hours:
 - Monday to Friday: 09:00 to 21:00
 - Saturday and Sunday: 09:00 to 23:00.

11. Following discussions with the Metropolitan Police Service, however, the applicant has since revised down their requested hours of operation and activity, as follows:
 - The supply of alcohol – to be consumed on the premises:
 - Monday to Saturday: 09:00 to 21:00
 - Sunday: 10:00 to 21:00
 - Opening hours:
 - Monday to Sunday: 09:00 to 21:00.
12. Therefore, it is these hours that the sub-committee are required to make a decision on.

Designated premises supervisor

13. The proposed designated premises supervisor is Ginna Viviana Farjardo Agudelo, who holds a personal licence issued by the London Borough of Southwark.

Representations from responsible authorities

14. The police representation mainly referred to the applicant not providing enough control measures as part of their application (in light of there being numerous historic complaints about alcohol-fueled anti-social behaviour in the locale), or showing clearly how they might uphold the licensing objectives. The applicant and the police have since able to reach agreement and conciliate matters. This was not just as a result of the applicant agreeing a reduced terminal hour of operations (Paragraph 11), but also to a significant number of conditions to help support the licensing objectives.
15. The original representation from the police, subsequent conciliation and agreed conditions can be found at Appendix B.
16. The representation from licensing as a responsible authority also shared the concerns raised by the police, about the measures initially proposed in relation to the licensing objectives and argued that these should be more robust. The applicant and licensing have since come to an agreement over the adoption of conditions to help mitigate this and this has allowed licensing to withdraw their objection.
17. The original representation from licenisng, subsequent conciliation and agreed conditions, can be found in Appendix C.
18. The representation from trading standards related to concerns about underage sales of alcohol and the lack of many proposals to safeguard against this. Within their submission, trading standards put forward some suggested conditions that would help address this issue. Following receipt of this suggestion, the Applicant has agreed to adopt these conditions, thereby leading the Trading Standards to withdraw their objection.
19. The representation from trading standards, including their suggested conditions, can be found in Appendix D.

Representations from other persons

20. During the consultation period, thirteen representations were received from members of the public. Since Objector K and L are the same person, commenting in their capacity as a director of a charity in the locality and as a local resident, Members may wish to combine the two or disregard one.
21. The majority of comments made relate to anti-social behaviour and crime and disorder that has historically taken place within the local area and concern about granting another premises licence that would make matters worse for residents in this regard. Regarding the specific issue of hours, the objectors have also raised significant concerns about another later night venue operating in the area.
22. Despite the comments about hours, members should note that these objections were made in response to the hours proposed in the original application (Paragraph 10), rather than the revised hours proposed by the applicant (Paragraph 11). This was because it was not until after the consultation ended on 1 December 2023 that the Applicant formally agreed to reduce the proposed terminal hour to 21:00 hours (6 December 2023).
23. In addition, some of the objectors have called for the application to be refused by the sub-committee entirely. However, some of the objectors have put forward some suggested conditions in the event a premises licence were to be granted.
24. Ultimately, it would be for the sub-committee to decide whether the application should be rejected. If not, they would need to decide whether the conditions already volunteered by the applicant thus far (in their original application or by agreement with the responsible authorities) mitigate all the concerns raised by the members of the public or not.

Conciliation

25. As mentioned, the applicant has resolved and conciliated all of the representations received from the three responsible authorities in this case (Paragraphs 14 to 19). However, at the time of writing this report, the thirteen objections from the public remain in place, thus triggering the need for a sub-committee to consider the application. Should any members of the public choose to withdraw their representations, members will be updated accordingly in advance or, at the start, of the sub-committee hearing.

Premises History:

26. Whilst unconnected to this application, Members may be familiar with a previous application made by Ponce's Corporation Ltd on 5 July 2021 for the following activities at the same address:
 - Late night refreshment – indoors:
 - Friday and Saturday: 23:00 to 23:30
 - The supply of alcohol – to be consumed on the premises:
 - Sunday to Thursday: 11:00 to 22:30
 - Friday and Saturday: 11:00 to 23:30

- Opening hours:
 - Sunday to Thursday: 09:00 to 23:00
 - Friday and Saturday: 09:00 to 00:00.

27. This matter was referred to, and subsequently, refused by the licensing sub-committee on 26 August 2021 and a copy of the notice of decision (citing the reasons for refusal) is attached at Appendix F for members' reference.

Map

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

La Barra, Arch 147, Eagle Yard Unit 2, Hampton Street, London SE1 6SP:

- Late night refreshment – indoors:
 - Sunday to Thursday: 23:00 to 23:30
 - Friday and Saturday: 23:00 to 00:00
- Sale by retail of alcohol (to be consumed on premises):
 - Sunday to Thursday: 10:00 to 23:00
 - Friday and Saturday: 09:00 to 00:00
- Opening hours:
 - Sunday to Thursday: 08:00 to 23:30
 - Friday and Saturday: 08:00 to 00:30

Theo's, 17-19 Elephant And Castle, London SE1 6TH:

- Late night refreshment – indoors:
 - Sunday to Thursday: 23:00 to 00:00
 - Friday and Saturday: 23:00 to 00:30
- Sale by retail of alcohol (to be consumed on and off premises):
 - Monday to Saturday: 12:00 to 00:00
 - Sunday: 12:00 to 23:00
- Opening hours:
 - Sunday to Thursday: 07:00 to 00:00
 - Friday and Saturday: 07:00 to 00:30

After Taste Chinese Restaurant, 97 Newington Butts, London SE1 6SF:

- 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 and off 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

Sidecar Coffee Bar, 5 Spare Street, London SE17 3AF:

- Films – indoors:
 - Monday to Friday: 12:00 to 00:00
 - Saturday and Sunday: 09:00 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: 12:00 to 23:00
- Opening hours:
 - Monday to Friday: 07:00 to 00:00
 - Saturday: 08:00 to 00:00
 - Sunday: 09:00 to 00:00

Dragon Castle, Ground Floor, 114 Walworth Road, London SE17 1JL:

- 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 23:30
- Opening hours:
 - Monday to Sunday: 11:00 to 00:00

Chatkhara Restaurant, 84 Walworth Road, London SE1 6SW:

- Late night refreshment – indoors:
 - Monday to Sunday: 23:00 to 02:00
- Opening hours:
 - Monday to Sunday: 12:00 to 02:00

Ivory Arch, 80-82 Walworth Road, London SE1 6SW:

- Plays – indoors:
 - Monday to Sunday: 11:00 to 00:00
- Films – indoors:
 - Monday to Sunday: 11:00 to 00:00
- Live music – indoors:
 - Monday to Sunday: 11:00 to 23:30
- Entertainment similar to live/recorded music – indoors:
 - Monday to Sunday: 11:00 to 00:00
- Facilities for making music – indoors:
 - Monday to Sunday: 11:00 to 00:00
- Late night refreshment – indoors and outdoors:
 - Monday to Sunday: 23:00 to 00:00.
- Sale by retail of alcohol (to be consumed on and off premises):
 - Monday to Sunday: 11:00 to 00:00
- Opening hours:
 - Monday to Sunday:m11:00 to 00:00

Elephant Park, Elephant Road, London SE17 1UB:

- Plays – indoors and outdoors:
 - Monday to Sunday: 09:00 to 22:30
- Films – indoors and outdoors:
 - Monday to Sunday: 09:00 to 22:30

- Live music – indoors and outdoors:
 - Monday to Sunday: 09:00 to 22:30
- Recorded music – indoors and outdoors:
 - Monday to Sunday: 09:00 to 22:30
- Performance of dance – indoors and outdoors:
 - Monday to Sunday: 09:00 to 22:30
- Entertainment similar to live/recorded music – indoors and outdoors:
 - Monday to Sunday: 09:00 to 22:30
- Opening hours:
 - Monday to Sunday: 07:30 to 00:00

Bola 8 Ltd, Unit 122, Elephant Road, London SE17 1LB:

- Recorded music – indoors:
 - Monday to Sunday: 11:00 to 06:00
- Entertainment similar to live/recorded music – indoors:
 - Monday to Sunday: 11:00 to 06:00
- Provisions similar to making music and dancing – indoors:
 - Monday to Sunday: 11:00 to 06:00
- Late night refreshment - indoors:
 - Monday to Sunday: 23:00 to 05:00
- 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 06:00

La Chatica, Unit 2, Farrell Court, Elephant Road, London SE17 1LB:

- Recorded music – indoors:
 - Monday to Saturday: 06:00 to 22:00
 - Sunday: 08:00 to 20:00

- Sale by retail of alcohol (to be consumed on and off premises):
 - Monday to Saturday: 06:00 to 21:30
 - Sunday: 08:00 to 19:30
- Opening hours:
 - Monday to Saturday: 06:00 to 22:00
 - Sunday: 08:00 to 20:00

Marcel & Sons Ltd, 18 The Artworks, Elephant Road, London SE17 1LB:

- Sale by retail of alcohol (to be consumed on premises):
 - Monday to Saturday: 12:00 to 22:00
 - Sunday: 12:00 to 17:00
- Opening hours:
 - Monday to Saturday: 12:00 to 22:00
 - Sunday: 12:00 to 17:00.

Southwark Council statement of licensing policy

29. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
30. 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.
31. 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.
32. 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)

33. Whilst the premises does not fall within a CIA, it does form part of The Elephant and Castle major town centre.
34. 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

35. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
36. 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.
37. 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.
38. 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

39. 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

40. 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.

41. 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.
42. 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>.
43. The equalities impact assessment is available at:
- <https://moderngov.southwark.gov.uk/documents/s92016/Appendix%20F%20-%20Equalities%20Impact%20Assessment.pdf>

Health impact statement

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

Resource implications

45. 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

46. 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

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

Principles for making the determination

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

51. 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.
52. 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.
53. 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

54. 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.
55. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
56. 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.
57. 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.

58. 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

59. 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

60. 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.

61. 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

62. 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.
63. 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.
64. 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.
65. 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.
66. 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.
67. 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.
68. 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.

69. 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

70. 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

71. 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	Metropolitan Police Service representation and conciliation
Appendix C	Licensing representation and conciliation
Appendix D	Trading standards representation and conciliation
Appendix E	Objections from members of the public
Appendix F	Licensing sub-committee notice of decision from 26 August 2021
Appendix G	Premises location map

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director Environment, Neighbourhoods and Growth		
Report Author	Matt Tucker, Principal Licensing Officer		
Version	Final		
Dated	8 December 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 December 2023

27/10/2023

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

Ref No. 2105932

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

LOS ARRIEROS DE PITO 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)

£	12500
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises

Premises trading name

	LOS ARRIEROS DE PITO LTD
--	--------------------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	144 EAGLE YARD ARCH, GROUND FLOOR
Address Line 2	10 HAMPTON STREET
Town	LONDON
Post code	SE1 6SP
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

	LOS ARRIEROS DE PITO LTD
--	--------------------------

Address - First Entry

Street number or building name	144 EAGLE YARD ARCH, GROUND FLOOR
Street Description	10 HAMPTON STREET
Town	LONDON
County	
Post code	SE1 6SP
Registered number (where applicable)	15169443

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

Contact Details - First Entry

Telephone number	[REDACTED]
Email address	[REDACTED]

Operating Schedule

When do you want the premises licence to start?

	01/11/2023
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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)

	Eat in or take away food shop
--	-------------------------------

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)

	On the premises
--	-----------------

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

Day	Start	Finish
Mon	09:00	21:00
Tues	09:00	21:00
Wed	09:00	21:00
Thur	09:00	21:00
Fri	09:00	21:00
Sat	09:00	23:00
Sun	10:00	23:00

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

	no seasonal variation for the supply of alcohol. Some customers want alcohol with their food hence applying for the alcohol licence. thank you
--	--

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)

	No. No intention to use the premises for the supply of alcohol at different time.
--	---

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

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

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	GINNA VIVIANA
Surname	FARJARDO AGUDELO

DOB

Date Of Birth	[REDACTED]
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Address of proposed designated premises supervisor

Street number or Building name	[REDACTED]
Street Description	[REDACTED]
Town	[REDACTED]
County	
Post code	[REDACTED]

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

Personal licence number (if known)	[REDACTED]
Issuing authority (if known)	SOUTHWARK COUNCIL

K

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

	There are no adult entertainment or services, activities or matters ancillary to the use of premises that will give rise to concern in respect of children. The only reason for the alcohol license is to be able to serve our customers who want alcohol before they eat their the food. thank you.
--	---

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	21:00
Tues	09:00	21:00
Wed	09:00	21:00
Thur	09:00	21:00
Fri	09:00	21:00
Sat	09:00	23:00
Sun	09:00	23:00

State any seasonal variations (Please read guidance note 5)

	No seasonal variations
--	------------------------

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)

	not applicable as there are no non standard timings.
--	--

M - Steps to promote four licencing objectives

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

	The objective is to safeguard all customers in our premises and the public at large. Ensuring that all guidelines in relation the licensing objectives are fully complied with.
--	---

b) the prevention of crime and disorder

	Measures are already in place to detect and more importantly prevent fraud, crime and disorder behaviours which is in full compliance.
--	--

c) public safety

	Public safety is at the heart of our objectives. Whilst we want serve our customers and more importantly the public at large, it's our goal to do our part to ensure public at large are safe in our surroundings.
--	--

d) the prevention of public nuisance

	We have a policy that is a deterrent to public nuisance and we do everything possible to prevent such acts as well.
--	---

e) the protection of children from harm

	We do not promote any thing which give rise to harm children. Our environment we operate in is welcoming to the extend that some families bring their children to enjoy our meal.
--	---

Guidance note 10

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

Please upload a plan of the premises

	
--	---

Please upload any additional information i.e. risk assessments

--	--

Checklist

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

Home Office Declaration

Please tick to indicate agreement

	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	Emmanuel Davis
Date (DD/MM/YYYY)	27/10/2023
Capacity	Chartered Certified Accountant

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)	27/10/2023
Capacity	Duly Authorised Agent

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	Marta Luz Agudelo Villa 144 Eagle Yard Arch, Ground Floor, 10 Hampton Street, London, SE1 6SP
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.

From: mark.A.Lynch@met.police.uk <mark.A.Lynch@met.police.uk>
Sent: Wednesday, December 6, 2023 3:44 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: Tucker, Matt <Matt.Tucker@southwark.gov.uk>; [REDACTED]
Subject: :- LOS ARRIEROS DE PITO 144 EAGLE YARD ARCH, GROUND FLOOR SE1 6SP 23/749

Good Afternoon

In view of the applicant and police agreeing to the below conditions in red and the terminal hour being reduced to 2100hrs daily to be placed upon the licence should it be granted ,police would like to withdraw their objection to the granting of the New Premises licence for LOS ARRIEROS DE PITO 144 EAGLE YARD ARCH, GROUND FLOOR SE1 6SP,

1. 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 in all lighting conditions. The CCTV system shall be correctly time and date stamped at all times. 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.
2. All CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available for inspection to officers of the Police and the Council on request.
3. That at least one member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.
- 4 . That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers at all exits from the premises, requesting to the effect that customers leave the premises and area in a quiet and orderly manner. Such signs shall be maintained free from obstruction when the premises are in use in accordance with this licence and shall be written in English and multilingual according to the client base at the venue.
5. 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.
- vi. Details of the use of security and stewarding in respect of managing customer dispersal from the premises.
- vii. Details of road safety in respect of customers leaving the premises.
- viii. Details of the management of ejections from the premises.
- ix. Details as to how any physical altercations at the premises are to be managed

6 . 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. If the dispersal policy is a paper document then the signature of the trainees shall also be included. The dispersal policy shall be made immediately available to responsible authority officers on request.

7 . 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

8. 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.

9 . 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.

10 . That 'Ask for Angela' posters (or posters relating to whatever similar scheme may be recommended by the council and / or the police 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.

11. 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, the signature of the trainer shall be included.

12. That customers shall use no outside area other than those who temporarily leave the premises to smoke a cigarette with no more than four people permitted to smoke at one any time. The area should be clearly marked by rope/post barrier system and shall not encroach the car park area. The Staff or/and SIA registered door supervisors shall instruct customers to stay within the designated area. The area will be controlled by Staff or/and SIA registered door supervisors to prevent any disturbance to their neighbours.

13. No alcoholic drinks or glassware will be removed from the premises.

14. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers advising that no alcoholic drinks are permitted outside of the premises. Such signage shall be kept free from obstructions at all times and shall be written in English and multilingual according to the client base at the venue.

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

16. That all licensable activities shall cease 30 mins before the terminal hour.
17. There shall be no vertical drinking in the premises.
18. That if a Pubwatch scheme exists in respect of the local area, the licensee / management will join and participate in the Pubwatch scheme.
19. There shall be no third party hire of the venue.
20. That all drinks shall be sold in cans or plastic bottles, or will be decanted into recyclable polycarbonate (or a similar recyclable material), or recyclable cardboard drinking receptacles. Glass drinking receptacles will not be used at the premises at any time.
21. That clearly legible notices will be prominently displayed where they can easily be seen and read by customers stating the premises' drugs and weapons policy (zero tolerance). Such signage shall be kept free from obstructions at all times and written in English and multilingual according to the client base at the venue.
22. That if and when required, staff and/or SIA registered door supervisors 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. 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 and shall be recorded in the staff training logs at the premises. These records shall be made immediately available for inspection to responsible authority officers on request.
23. That when licensable activities cease and until all patrons have vacated the venue, Staff and/or SIA registered door supervisors shall take a proactive role by politely encouraging customers to leave the venue in an orderly manner and not to loiter in Maldonado Walk or the adjacent car park area.
24. That staff and/or SIA registered door supervisors shall proactively monitor outside the premises and take all necessary steps to ensure that noise from their patrons or premises operation does not cause disturbance or public nuisance. A log of such

monitoring including the printed name of the person who undertook the monitoring, the date & time of the monitoring and any observations or actions taken subsequent to the monitoring shall be kept at the premises and be made immediately available to council or police officers on request.

25. That at the terminal hour staff and/or SIA registered door supervisors shall remain on the premises until all patrons have left the venue and its vicinity and shall ensure that no disturbance is caused to the venues neighbours.

26. That the licensee shall risk assess the requirement for SIA registered door supervisors and implement accordingly. This assessment shall be in written format and available for inspection by authorised council officers and police.

27. There shall be no DJ led music events held at the venue.

28. All windows and external doors shall be kept closed after 1800hrs, except for the immediate access and egress of persons. External doors to be fitted with self-closers.

Kind regards

Mark Lynch Pc 2246AS
Central South BCU – Southwark | Licensing Team
Southwark Police Station
305 Borough High Street, SE1 1JH
Email: p221006@met.pnn.police.uk



From: Emmanuel Davis <[REDACTED]>
Sent: 06 December 2023 12:15
To: Lynch Mark A - AS-CU <mark.A.Lynch@met.police.uk>
Cc: [REDACTED]

Subject: Re: :- LOS ARRIEROS DE PITO 144 EAGLE YARD ARCH, GROUND FLOOR SE1 6SP 23/749

Good morning Mark,

Thank you for your email and your time this morning. Also want to thank you for the amended version regarding the training records of **only staff involved in licensable activities**. Much appreciated and Ginna accepts the amendment.

Kind regards

On Wed, Dec 6, 2023 at 10:50 AM <mark.A.Lynch@met.police.uk> wrote:

Morning Emmanuel

Following our conversation this morning regarding the proposed control measures find attached an amended version with the training records relating to those staff involved in licensable activities and not all staff as previously mentioned , also please note the amended wording to conditions 13,23,24,25,26,27 to now read ' **SIA registered door supervisors**' as opposed to the words SIA , this is to remove any possible ambiguity and does not affect the meaning of the condition.

If you and the applicant are willing to accept this please can you confirm such by a replying email and I can then inform Southwark council licensing

Kind regards

Mark

From: mark.A.Lynch@met.police.uk <mark.A.Lynch@met.police.uk>
Sent: Wednesday, November 8, 2023 3:07 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: [REDACTED]
Subject: LOS ARRIEROS DE PITO 144 EAGLE YARD ARCH, GROUND FLOOR SE1 6SP ref 23/

Good afternoon

please find attached Southwark Police representation in regards to the application for a New Premises Licence for LOS ARRIEROS DE PITO 144 EAGLE YARD ARCH, GROUND FLOOR SE1 6SP

kind regards

Mark Lynch Pc 2246AS
Central South BCU – Southwark | Licensing Team
Southwark Police Station
305 Borough High Street, SE1 1JH
Email: p221006@met.pnn.police.uk





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/23/749

Date: 08/11/2023

Dear Sir/Madam

Re:- LOS ARRIEROS DE PITO 144 EAGLE YARD ARCH, GROUND FLOOR SE1 6SP

Police are in possession of an application for a new Premises Licence for, Supply of Alcohol on sales. The venue describes itself as “eat in and takeaway food venue”. The applicant has requested the following hours which are within those recommended in the Southwark Council Statement of Licensing Policy for a venue in The Elephant and Castle Major Town Centre area

Open hours to public

Mon-Fri-0900hrs-2100hrs
 Sat-0900hrs-2300hrs
 Sun-0900hrs-2300hrs

Supply of Alcohol on sales

Mon-Fri-0900hrs-2100hrs
 Sat-0900hrs-2300hrs
 Sun-1000hrs-2300hrs

The premises is situated in a row of railway arches to which there is already a saturation of venues purporting to be “eat in and takeaway food venues”, however they are alcohol led and this operation appears to be no different as within the

applications it states “the only reason for the alcohol license is to able to serve our customers who want alcohol before they eat their food”

It should be noted that the area is shrouded by residential buildings, and has for a number of years been subject of numerous complaints in regards to alcohol fuelled anti-social behaviour and disorder caused by patrons attending and leaving venues particular at weekends and this continues to this day.

The applicant should have some knowledge of the area to which they wish to operate and the control measures they offer should reflect how the venue would ensure they do not add to the alcohol related problems that already exist, this application does not show this. The measures offered are not only vague but also not enforceable, there is mention of a policy to deter public nuisance and measures to prevent crime and disorder however we cannot comment on this as no documentation detailing the policy and measures has been produced ? There is no mention of how they will control the sale of alcohol or prevent over intoxication of patrons. The application does not address any of the licensing objectives in particular that of prevention of crime and disorder.

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.

Police would expect to see more robust conditions that are clear, concise and address the local issues that are associated with venues supplying alcohol particular at busy periods such as weekends.

The metropolitan police object to the granting of the Premises Licence as the applicant has not addressed the licensing objectives in particular that of prevention of crime and disorder. There are also serious concerns that another late night weekend venue at the location will only add to crime and disorder in the area and have a detrimental effect on local residents.

Submitted for your consideration.

Yours Sincerely

PC Mark Lynch 2246AS

Licensing Officer
Southwark Police Licensing

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

Sent: Tuesday, December 5, 2023 1:24 PM

To: Emmanuel Davis <[REDACTED]>

Cc: Tucker, Matt <Matt.Tucker@southwark.gov.uk>; [REDACTED]

Subject: RE: Application for a premises licence: Los Arrieros De Pito Ltd, Ground Floor, Arch 144, Eagle Yard, Hampton Street, SE1 6SP - our ref: 881493 - Loc ID: 201010 - North Walworth ward

Dear Licensing,

The applicant has accepted all of my proposed conditions and my representation is therefore withdrawn.

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: Emmanuel Davis <[REDACTED]>

Sent: Monday, December 4, 2023 5:18 PM

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

Cc: Tucker, Matt <Matt.Tucker@southwark.gov.uk>; [REDACTED]

Subject: Re: Application for a premises licence: Los Arrieros De Pito Ltd, Ground Floor, Arch 144, Eagle Yard, Hampton Street, SE1 6SP - our ref: 881493 - Loc ID: 201010 - North Walworth ward

Good afternoon Wesley,

I can confirm that as my client and her staff are aware. Thank you

Kind regards

On Mon, Dec 4, 2023 at 3:59 PM McArthur, Wesley
<Wesley.McArthur@southwark.gov.uk> wrote:

Dear Emmanuel,

Further to your email below, please can you confirm that your client accepts the following condition:

1. That the maximum number of people permitted on the premises at any one time (the 'accommodation limit') is **60** people (excluding staff). The accommodation limit shall be known by all staff and shall not be exceeded at any time.

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: Emmanuel Davis <[REDACTED]>

Sent: Monday, December 4, 2023 3:53 PM

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

Cc: Tucker, Matt <Matt.Tucker@southwark.gov.uk>

Subject: Re: Application for a premises licence: Los Arrieros De Pito Ltd, Ground Floor, Arch 144, Eagle Yard, Hampton Street, SE1 6SP - our ref: 881493 - Loc ID: 201010 - North Walworth ward

Good afternoon Mr Wesley McArthur,

I can confirm that my client **Ginna** accepts all the conditions as proposed in your Representation. Accommodation limit of the premises for the maximum number of customers is roughly 60 customers. Thank you.

Kind regards

From: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>
Sent: Friday, December 1, 2023 8:00 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: Tucker, Matt <Matt.Tucker@southwark.gov.uk>; [REDACTED]
Subject: Application for a premises licence: Los Arrieros De Pito Ltd, Ground Floor, Arch 144, Eagle Yard, Hampton Street, SE1 6SP - our ref: 881493 - Loc ID: 201010 - North Walworth ward
Importance: High

Dear Licensing,

Please find attached a representation regarding the above application.

Emmanuel and Ginna – please contact me directly should you wish to reply to the representation, and copy the application case officer, Matt Tucker, in. Matt is copied into this email.

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: 1 December 2023
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	Los Arrieros De Pito Ltd, Ground Floor, Arch 144, Eagle Yard, Hampton Street, SE1 6SP	
Ref':	881493	

We object to the grant of an application for a premises licence, submitted by Los Arrieros De Pito Ltd under The Licensing Act 2003 (the Act), in respect of the premises known as Los Arrieros De Pito Ltd, Ground Floor, Arch 144, Eagle Yard, Hampton Street, SE1 6SP*.

***NB:** Eagle Yard was renamed Maldonado Walk in February 2018. Maldonado Walk is separate to Hampton Street. We believe the premises' correct address to be 'Ground floor, Arch 144, Maldonado Walk, SE1 6SP and advise the applicant to attend to this matter urgently, however the address need not be discussed by the licensing sub-committee as we are aware of what premises is being referred to in the application.

1. The application

The application seeks to allow the following -

The sale of alcohol to be consumed on the premises:

Monday - Friday: 09:00 – 21:00
Saturday: 09:00 – 23:00
Sunday: 10:00 – 23:00

The opening hours of the premises are:

Monday - Friday: 09:00 – 21:00
Saturday: 09:00 – 23:00
Sunday: 10:00 – 23:00

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

- “Eat in or take away food shop.”

2. The Locale

The premises are located on Maldonado Walk, which leads directly from the very north of Walworth Road and is in close proximity to the traffic system at the south of Elephant and Castle. Walworth Road and Elephant and Castle are extremely busy thoroughfares, primarily containing commercial premises and high volume residential blocks. Elephant and Castle is a major transport hub. The premises are in very close proximity to Strata Tower and Draper House, which are high-rise residential blocks.

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.

Maldonado Walk as whole has been subject to many complaints from local residents regarding the conduct of existing licensed premises on Maldonado Walk, and in relation to crime and disorder, anti-social behaviour and nuisance over the past 12 months. The area is currently regarded as a 'hotspot' in respect of these matters.

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

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

In part 'M' of the application, the applicant has proposed various measures to address the licensing objectives. We welcome these measures, but do not feel that they sufficiently address the licensing objectives.

To ensure that any licensing conditions derived from part 'M' of the form are *appropriate, practicable and enforceable* we recommend that the measures stated in part 'M' of the application are replaced ***in their entirety*** by the following proposed licence conditions:

A. General – all four licensing objectives:

1. 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.
2. 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:

3. 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.
4. 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.
5. 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.

6. That clearly legible signage (written in both English and Spanish) shall be prominently displayed where it can easily be seen and read by customers in the 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.
7. That an incident log shall be kept at the premises to record details of any of the following occurrences at the premises:
 - Instances of anti-social or disorderly behaviour
 - Calls to the police or other emergency services
 - Any complaints received
 - Ejections of people from the premises
 - Visits to the premises by the local authority or emergency services
 - Any malfunction in respect of the CCTV system
 - All crimes reported by customers, or observed by staff
 - 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.

8. 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

9. 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 >>

10. 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.

11. 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.
12. 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.
13. 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.
14. 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.
15. 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

16. 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.

17. 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.
18. 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.
19. That clearly legible signage (written in both English and Spanish) 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.
20. 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.
21. 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.
22. 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.

23. That any external areas of the premises will be closed to customers between 22:00 hours and 09:00 hours the following day except for up to a maximum of 10 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:

- It is noted that the applicant has already agreed to conditions with this council's trading standards service to address this licensing objective.

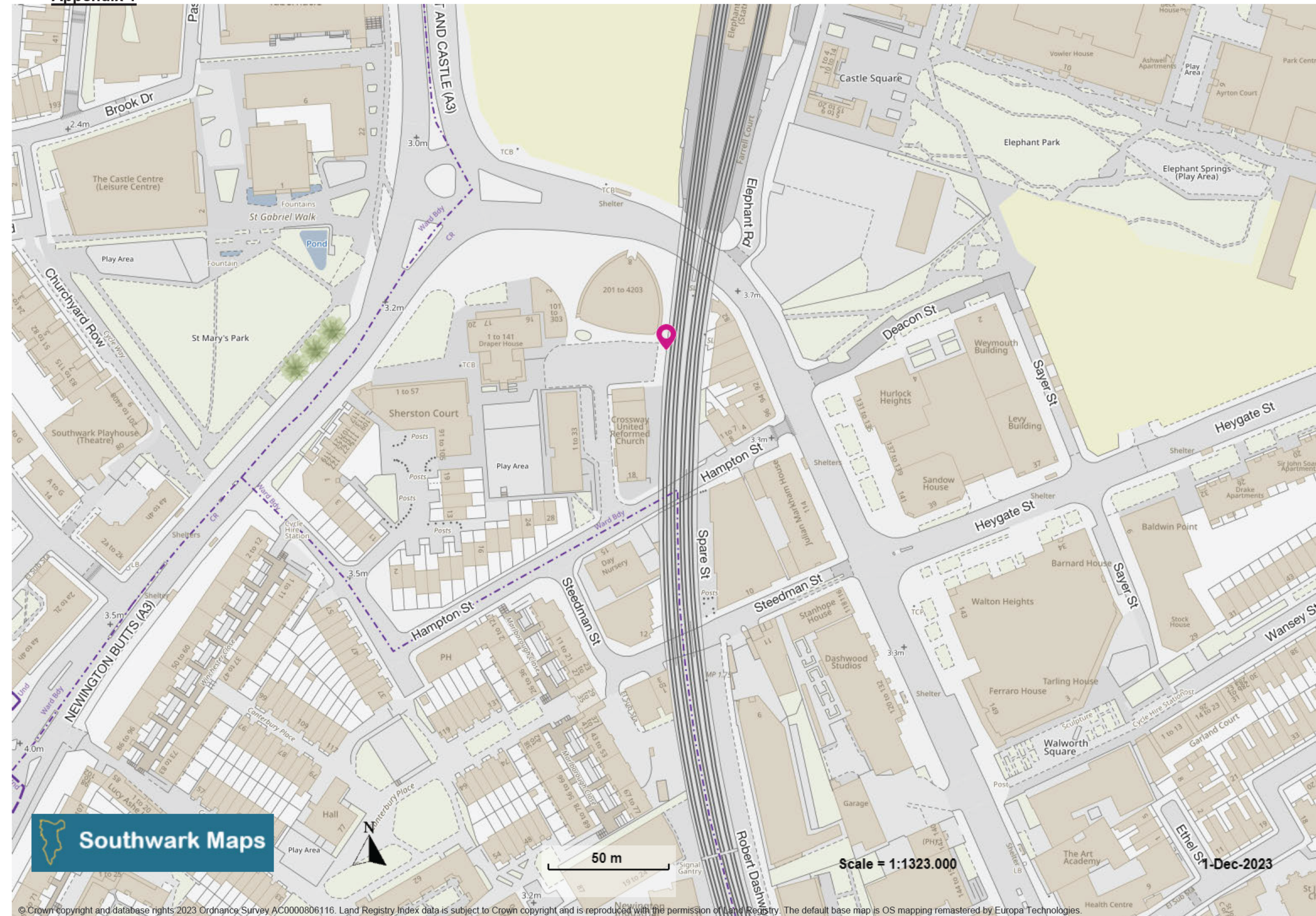
We also recommend that the sale of alcohol ceases at the following hours to allow customers sufficient time to finish their drinks prior to the premises closing on each day:

Monday - Friday: 20:30
Saturday: 22:30
Sunday: 22:30

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



50 m

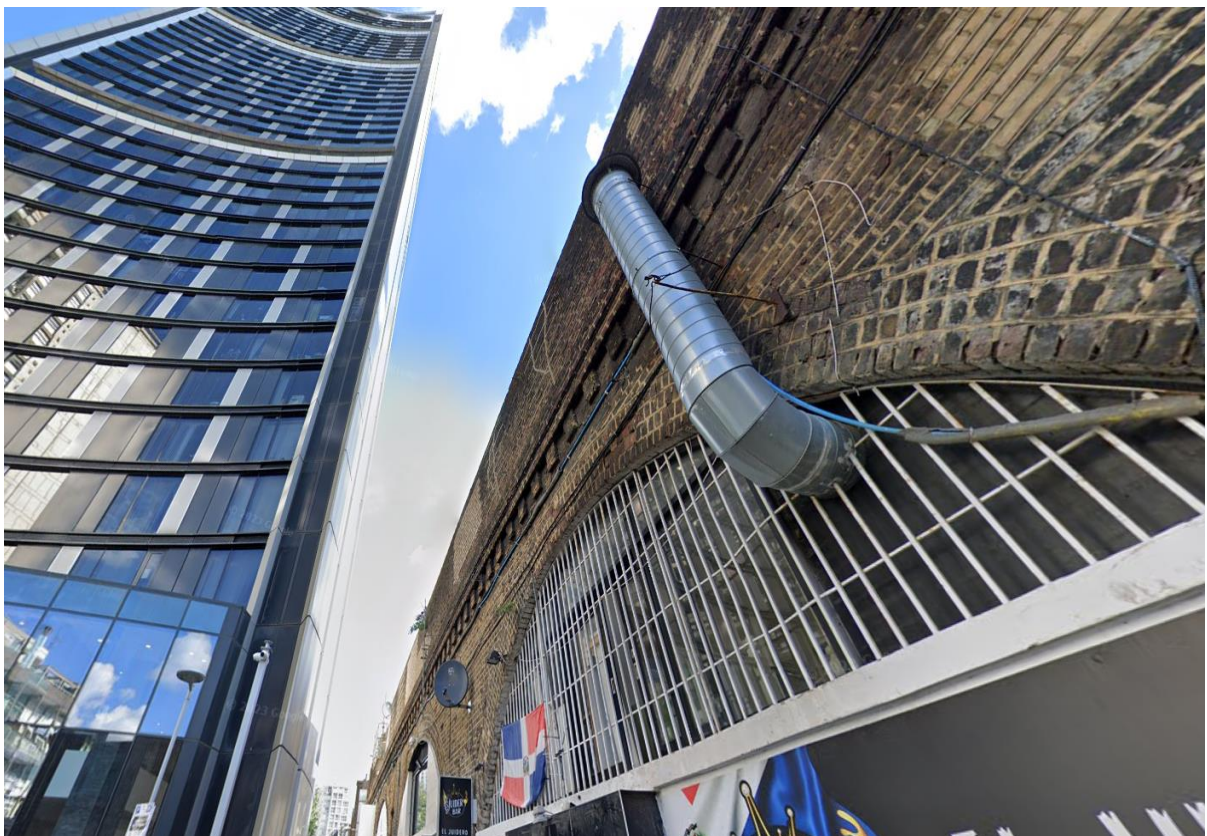
Scale = 1:1323,000

1-Dec-2023

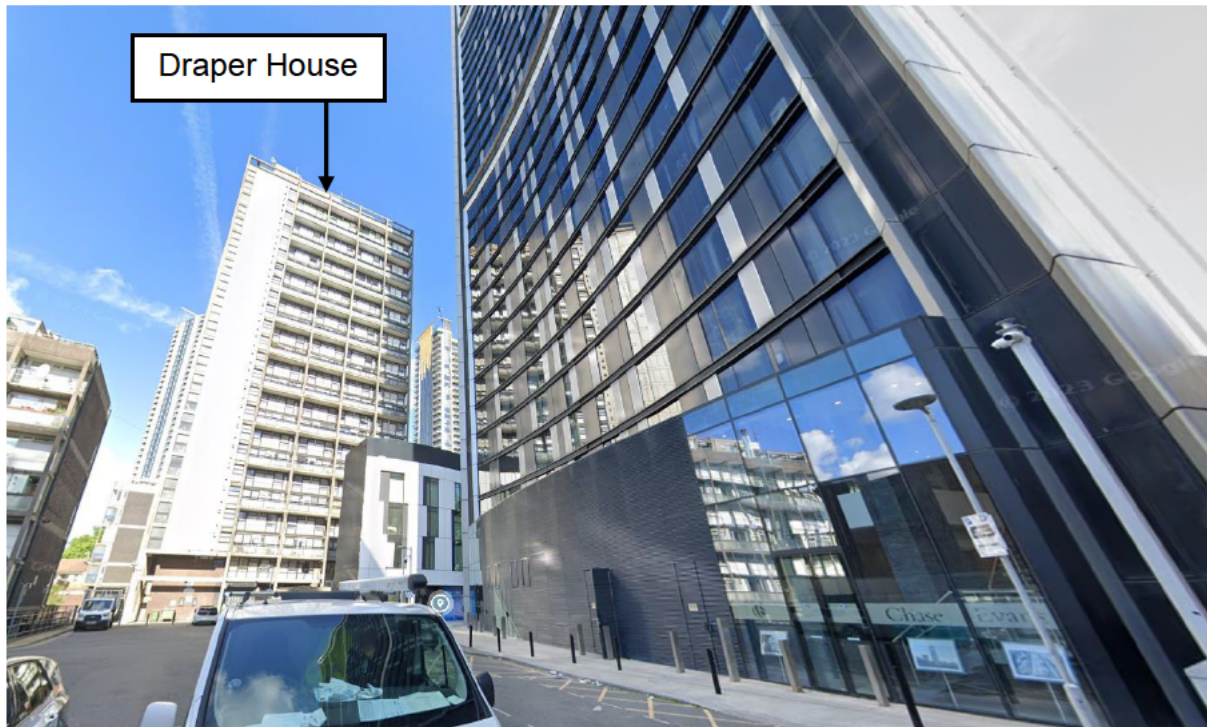
View of the premises entrance looking north up Maldonado Walk. The bottom of Strata Tower is shown to the left of the photo.



View of Strata Tower (left) from immediately outside the premises' entrance.



View looking west from immediately outside the premises' entrance showing Strata Tower and Draper House.



View looking west from immediately outside the premises' entrance showing other residential blocks in close proximity to the building and further away in the background UNCLE Tower and One The Elephant Tower



View looking south down Maldonado Walk showing Crossway United Reformed Church



From: **Moore, Ray** <Ray.Moore@southwark.gov.uk>
Date: Mon, Nov 6, 2023 at 5:39 PM
Subject: RE: Re; Application for a new premises licence, Los Arrieros de Pito Ltd, Arch 144, Eagle Yard, Hampton Street, London, SE1 6SP. Ref: 881493
To: Emmanuel Davis [REDACTED], Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: Forrest, Yemisi <Yemisi.Forrest@southwark.gov.uk>

On the basis of the email below accepting TS conditions; Trading Standards as a responsible authority now withdraw their representations.

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment, Neighbourhoods and Growth

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

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

www.southwark.gov.uk/TradingStandards

Need advice on consumer issues? Visit Citizens Advice via
www.direct.gov.uk/consumer



<http://www.southwark.gov.uk/business/trading-standards-and-food-safety/illegal-tobacco-e-cigarettes-and-shisha>

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

From: Emmanuel Davis [REDACTED] >
Sent: Monday, November 6, 2023 5:34 PM
To: Moore, Ray <Ray.Moore@southwark.gov.uk>
Subject: Re; Application for a new premises licence, Los Arrieros de Pito Ltd, Arch 144, Eagle Yard, Hampton Street, London, SE1 6SP. Ref: 881493

Good evening Mr Ray Moore,

Thank you for your email which was sent to me by my client today. **Upon discussion with my client, I am happy to inform you that she is happy to accept all the conditions as per trading standards requirement.**

Also thankful for the useful attachments or documents which will assist all staff who will be responsible for the sale of alcohol. Required training of staff will be in progress from tomorrow morning. Much appreciated.

Kind regards

Emmanuel Davis (FCCA)

Chartered Certified Accountant

[E Davis & Co Chartered Certified Accountants](#)

t: [REDACTED]

o: [REDACTED]

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--

Emmanuel Davis (FCCA)
Chartered Certified Accountant
E Davis & Co Chartered Certified Accountants

t: [REDACTED]

o: [REDACTED]

From: Moore, Ray <Ray.Moore@southwark.gov.uk>

Sent: Monday, November 6, 2023 4:41 PM

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

Cc: Forrest, Yemisi <Yemisi.Forrest@Southwark.gov.uk>

Subject: RE: Application for a new premises license, Los Arrieros de Pito Ltd, Arch 144, Eagle Yard, Hampton Street, London SE1 6SP Ref: 881493

Trading Standards as a responsible authority are in receipt of a new premises license application from Los Arrieros De Pita Ltd, in respect of a premises at Arch 144, Eagle Yard, Hampton Street, London, SE1 6SP. Trading Standards as a responsible authority are making representation in respect of this application under all the licensing objectives, but primarily the protection of children from harm.

In the general description this is:-

“Eat in or take away food shop”

The opening hours are to be:-

Monday to Friday 09:00hrs to 21:00hrs and Saturday / Sunday 09:00hrs to 23:00hrs

The hours for alcohol sales are to be (on sales only):-

The same.

Under the licensing objectives it states the following under the protection of children from harm:-

“We do not promote anything which give rise to harm children. Our environment we operate in is welcoming to the extent that some families bring their children to enjoy our meal..”

There needs to be an age verification system to prevent under age sales. Trading Standards therefore simply asks that the following conditions be put forward to cover all these matters.

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.

4A1 - 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.

- No unaccompanied minors under the age of 16

I attach electronic documents of training materials and a refusals register which can be used to meet the above conditions in terms of staff training and use of a refusal register. This effectively saves the business the cost of paying a consultant to undertake such activities. There is no reason why a person in the business who holds a personal license cannot undertake such training for staff and this can form part of a defence for the business should a member of staff supply alcohol to a minor.

If you are happy to accept these conditions then trading standards, as a responsible authority, will be happy to lift the representations made in respect of the application.

Hard copies of the above documents can be provided on request.

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure| Regulatory Services

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

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

www.southwark.gov.uk/TradingStandards

Need advice on consumer issues? Visit Citizens Advice via

www.direct.gov.uk/consumer

Objector A

From: [REDACTED]
Sent: Wednesday, November 15, 2023 11:49 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Objection to licence application 881493

Please find attached my objection to 881493 Los Arrieros de Pito

Kind regards

[REDACTED]

The noise sometimes comes from patrons gathered outside having loud conversations and disputes with raised voices, and sometimes from staff dealing with rubbish - including bottles - after the premises has closed.

The acoustic qualities of the space mean that even when customers are standing directly next to the railway arches, noise travels across the yard and causes a disturbance to neighbouring residents.

Whereas some of the other premises on Maldonado Walk are shielded from nearby residents by Crossway Church, Arch 144 opens directly onto the servicing yard, so the impact of the behaviour of people leaving the venue is felt directly by residents in Draper House and Wollaston Close (both part of the Draper Estate) and the Strata tower.

There are eight full-size railway arches between Walworth Road and Maldonado Walk. Currently there are five licensed premises in this parade, all concentrated in the southern 50 metres of the alleyway. The current application will add a sixth licenced premises.

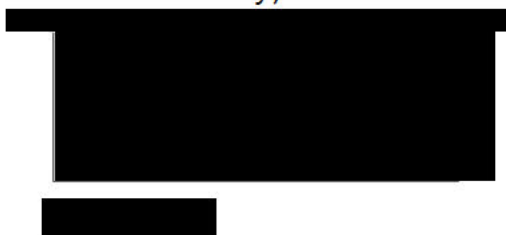
The existing situation already results in significant detriment to neighbouring residents, so it is understandable that we are concerned about the impact of further intensification of the cluster of bars and restaurants.

I would ask that consideration is given to adding conditions to address the following:

1. That the character of the operation remains food-led (eg no alcohol without a substantial table meal) in line with the application's description of the premises as "eat in or take away food shop"
2. That the premises should have a dispersal policy specifically adapted to the circumstances in Maldonado Walk, including the cumulative impact of patrons leaving multiple venues and spilling out into the yard
3. That the times during which rubbish (including glass) can be placed outside the premises be limited to prevent nuisance to neighbours
4. That the premises should display contact details for an English-speaking staff member who can liaise with nearby residents in case problems arise
5. That arrangements for smokers outside the premises be governed by condition

I would like to attend any sub-committee meeting.

Yours faithfully,

A large black rectangular redaction box covers the signature area, obscuring the name and any handwritten notes or dates.

Objector B

From: [REDACTED]
Sent: Monday, November 27, 2023 2:58 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Seaton, Martin <Martin.Seaton@southwark.gov.uk>
Subject: Licence application

Dear licencing Committee

License no 881493

Los Arrieros De Pito
10 Arch 144, Eagle Yard Hampton Street
SE1 6SP

Background to situation in Maldonado walk

In the last 2 years since licences premises were agreed at Maldonado walk we have had one murder, 2 stabbings.

More recently in 4 September 2023 an attempted glassing of another person while leaving premises when a mass fight broke out (Video available for committee to see) and on 02/10/23 one was left unconscious on our estate after a fight related to premises at Maldonado walk (photos for committee to see)

We have become so concerned with the situation at Maldonado a group of residents from draper estate and strata have set up a WhatsApp group where we share concerns and videos of incidents. I urge the committee to look at some of these videos to see what the we are experiencing on both draper and strata estates. And to consider if it is any way appropriate to have another licensed.

Police and local councillor Martin Seaton have witnessed some of problems we are experiencing.

Crime and disorder

On so many numerous occasions, I have seen people taking drugs outside various establishment.

I have witnessed on numerous occasions people leaving the establishments and having verbal arguments while extremely drunk.

I have witnessed on numerous coassions, people completely drunk and completely incapable of walking because of the amount of alcohol they have consumed.

Anti social behaviour

On so many numerous occasions I have been woken up by people, shouting and arguing with each other while leaving the premises.

On numerous occasions, I have seen the door man stand by, while people were standing outside smoking and shouting and laughing creating nuisance and anti social behaviour. The door men never intervene to stop this.

On numerous occasions, I have seen men urinating after leaving the club. Sometimes up to a dozen at a time right outside the church in view of the whole estate where children live.

I was told by another witness that the chef came out of club and urinated outside.

On numerous occasions, I have seen and heard, music emanating from persons cars who have left premises and getting into their cars parked outside of club. Then, sitting for long periods of time with music on high volume.

Health and safety

On numerous occasions, I have seen men urinating after leaving the club. The area stinks of urine behind Crossways church.

People on the estate fear for their safety when certain establishments are open because the area has become a centre for crime and anti social behaviour, since licensed premises were opened.

Protection of children from harm

The constant noise and anti social behaviour from ponce, is making difficult for children to sleep at night on our estate. They are witnessing fights, people urinating and high amounts of anti social behaviour.

Children from all these premises are seen regularly playing football in car park where cars are moving around.

We are completely overwhelmed with licensed premises in a small area which are attracting criminals including drugs dealers.

I also urge the committee, to see photos of area which show the very close proximity of
to residential areas, and consider a saturation policy for immediate area. Strictly limiting licensing hours for this area of Eagle Yard.

I urge the committee if minded to agree another licenced premises should put in the following conditions.

As local resident we have concerns that some Licensing premises in Maldonado walk were very regularly over legal capacity therefore we request-

That they have CCTV inside to monitor numbers/capacity.

Local residents have experienced regular noise and anti social behaviour from premises in Maldonado walk therefore we request-

That all patrons leaving premises should be assisted by staff stationed outside to leave quietly and in good order without disturbing local residents in anyway way by shouting, urinating in public places near establishment, disturbing people or in by passenger vehicles leaving premises. Hooting horns, slamming doors or making any intrusive engine noise.

Local residents experienced from these premises in 2023 a marching band playing outside therefore

That no musical bands or musical instruments or anything similar be allowed to perform at anytime outside premises.

That no outside tables be allowed outside as this premises in extremely (5 yards) close from people's flats in strata.

[REDACTED]
[REDACTED]
[REDACTED]

Sent from my iPhone

Objector C

From: [REDACTED]
Sent: Monday, November 27, 2023 5:23 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject:

Monday 27th November 2023

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

To whom it may concern,

I am writing to object to the current licence application for the following:

Los Arrieros De Pito
10 Arch 144, Eagle Yard
Hampton Street
SE1 6SP

Licence number: 881493

The reasons are as follows:

prevention of crime and disorder and public safety

At present, the 100m pedestrian walk has already four or five premises licensed to sell alcohol with live and or recorded music. Similar premises next to the applicant's venue have been attracting considerable amount of people, causing nuisance (for example shouting outside my window) and when this venue was operating last time under the name Ponce, many residents had to endure spontaneous parties outside their windows or at worst, loud fights. These gatherings often happened and still happen after closing hours, with the knowledge of the premises' management and despite conditions that should prevent this from happening. Several reports have been filed by local residents to the noise team as well as the police and anti-social behaviour team.

I notice that the licence does not mention any conditions with regards to drinking and smoking outside. In the past, this venue allowed punters to regularly leave premises with drinks in cups (I have several videos and photographs documenting this), further encouraging anti-social behaviour.

prevention of public nuisance

Vandalism has been noted in the immediate adjacent area, including the Crossway Church; I often witness people freely urinating outside my window. There is now widespread of littering and food waste along Maldonado Walk/ Eagle Yard and often see broken bottles on the ground in the morning. I feel there is a cumulative effect that is taking place, by granting licences to so many premises all selling alcohol which is making the area unsafe and perpetrates anti-social behaviour.

This particular venue had a full brass band playing on a weekday back in July (something which I have raised then and still waiting for a follow-up from the council).

Looking at the licence, I noticed no condition is set to a limit of people smoking outside, no condition of limiting the amount of people inside the premises, no condition of having security at the door (only two doors down, there was a stabbing recently) and no condition asking the premises to keep a record of complaints and incidents. There is also a complete lack of dispersal policy.. The posters advising people to leave considerably are just not enough as historically this venue has caused many incidents of public nuisance in the past. I'm also concerned about the late opening on a Sunday: people have a right to rest and be ready to function on a Monday morning (I have to get up at 6 am, for example). Closing at 11 pm on a Sunday means people dispersing loudly until 11:30/midnight and that is not good enough. All these venues in Eagle Yard/ Maldonado Walk regularly apply for TENs with really late closures (4am for instance), which are automatically granted, then we residents have to deal with the nuisance of more anti-social and we are burdened with having to call the noise team and wait for them to turn up or having to write letters to the licensing team which get usually dismissed. I cannot also see any mention of disposing of glasses and rubbish in a sensible way that does not disturb the neighbours. (At the moment, I have to deal with this too from other the venues in the area).

The local residents are already suffering due to the nuisance caused by current venues. Additional licences further worsen the frankly current intolerable conditions in what is largely a residential area.

Your sincerely,

██████████

Objector D

From: [REDACTED]
Sent: Monday, November 27, 2023 10:56 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: License 881493

Regarding License 881493

Los Arrieris de Pito
 10 Arch 144
 Eagle Yard
 Hampton Street
 SE1 6SP

Dear License Officers, Southwark Council

I am writing to OPPOSE VEHEMENTLY the concession of a license to the venue afore mentioned.

Reasons:

We from Draper and strat have been living through the hell of the antisocial behaviour caused by the many venues that you as a council allowed to settle in Maldonado Walk.

- One MURDER.
- Two STABBINGS.
- MASS FIGHT on 4th of September with dozens of people taking part.
- DRUG dealing and drug taking freely by the patrons of the venues in question.
- ARGUMENTS at very loud voice, ● SHOUTING, often in Spanish(a language that I understand) regarding deals with money, drugs and personal VENDETTAS Chicago mafia 1930ies style
- BEATINGS Like the one on the 2nd of October which left a "gentleman" unconscious in Droaer Eststate premises
- a BRASS BAND playing at around 11 PM!!!!
- children late at night playing and wandering in the car park
- men URINATING and non-challantly exhibiting their genitals while drunk causing a stench non dissimilar to the ones prior to Balzagette's building of the sewage.
- cars and motrbikes and quadbikes at all times making impossible motor noises
 - tables put in front pf premises during Summer months making us having to close the windows because of noise and exoctic food smell.
- IMPROMPTUS BAD TASTE KARAOKES with hyper amplified ghetto blasters creating HELL in Summer months

The list could go on and on.

It is disgusting that the council allows this to happen when the Met Police officers and Councillor Seaton observed and even tried to help the residents. It is illogical, immoral, indescent.

Please revoke the licenses at once.

[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]

Objector E

From: [REDACTED]
Sent: Thursday, November 30, 2023 11:58 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Objection license

Regarding License 881493

Los Arrieris de Pito

10 Arch 144

Eagle Yard

Hampton Street

SE1 6SP

Dear License Officers, Southwark Council

I am writing to OPPOSE the concession of a license to the venue afore mentioned.

The bars and clubs in question are literally less than a stones throw away from a very highly populated residential area in a cul-de-sac with a dark alleyway. The area has a feeling that it is un policed and that anything goes. To import a strip of downtown Bogota nightlife to such an area is madness and very dangerous. It is only a matter of time before there is another murder.

The owners of these bars and clubs have had years to address the problems that their customers are causing the community. I see no signs asking customers to show respect as they are in a residential area.

After leaving these establishments large groups gather sometimes shouting and screaming until the early hours of the morning and urinating at the back of the strata Tower building and Foxtons estate agents. I'm a grown man and I feel very intimidated going home at night, one can only imagine how bad it must be for single females.

I've heard the argument put that these Club goers have been drinking and they need to urinate somewhere, perhaps so but not on a large residential building, how would you feel if you're very young family members had to witness this behaviour.

I've also heard it argued that these bars and clubs help the night-time economy,

maybe so but at what cost to the daytime economy, I for one cannot operate fully for work the next day due to lack of sleep, and I'm sure there's many others who are suffering ill effects due to the situation.

The Stata Tower has many foreign students and short term tenants, although they are unhappy about the noise and inconvenience, the problem was there before they moved in and they do not feel they're in a position to complain.

Loud beer bottle collections can be heard most mornings about 4 a.m. I have to leave from the back of the building to collect my bike, The whole place is covered in litter, cigarette butts and broken bottles with a terrible stench of urine
Please do not Grant any more licences.

██████████
██████████ ██████████
██████████

Objector F

From: [REDACTED]
Sent: Thursday, November 30, 2023 10:39 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Application for against granting of license - Arch 144 SE1 6SP

Dear licencing Committee

License no 881493

Los Arrieros De Pito
10 Arch 144, Eagle Yard Hampton Street
SE1 6SP

Background to situation in Maldonado walk

In the last 2 years since licences premises were agreed at Maldonado walk we have had one murder, 2 stabbings.

More recently in 4 September 2023 an attempted glassing of another person while leaving premises when a mass fight broke out (Video available for committee to see) and on 02/10/23 one was left unconscious on our estate after a fight related to premises at Maldonado walk (photos for committee to see)

We have become so concerned with the situation at Maldonado a group of residents from draper estate and strata have set up a WhatsApp group where we share concerns and videos of incidents. I urge the committee to look at some of these videos to see what the we are experiencing on both draper and strata estates. And to consider if it is any way appropriate to have another licensed.

Police and local councillor Martin Seaton have witnessed some of problems we are experiencing.

Crime and disorder

On so many numerous occasions, I have seen people taking drugs outside various establishment.

I have witnessed on numerous occasions people leaving the establishments and having verbal arguments while extremely drunk.

I have witnessed on numerous coassions, people completely drunk and completely incapable of walking because of the amount of alcohol they have consumed.

Anti social behaviour

On so many numerous coassions I have been woken up by people, shouting and arguing with each other while leaving the premises.

On numerous occasions, I have seen the door man stand by, while people were standing outside smoking and shouting and laughing creating nuisance and anti social behaviour. The door men never intervene to stop this.

On numerous occasions, I have seen men urinating after leaving the club. Sometimes up to a dozen at a time right outside the church in view of the whole estate where children live.

I was told by another witness that the chef came out of club and urinated outside.

On numerous occasions, I have seen and heard, music emanating from persons cars who have left premises and getting into their cars parked outside of club. Then, sitting for long periods of time with music on high volume.

Health and safety

On numerous occasions, I have seen men urinating after leaving the club. The area stinks of urine behind Crossways church.

People on the estate fear for their safety when certain establishments are open because the area has become a centre for crime and anti social behaviour, since licensed premises were opened.

Protection of children from harm

The constant noise and anti social behaviour from ponce, is making difficult for children to sleep at night on our estate. They are witnessing fights, people urinating and high amounts of anti social behaviour.

Children from all these premises are seen regularly playing football in car park where cars are moving around.

We are completely overwhelmed with licensed premises in a small area which are attracting criminals including drugs dealers.

I also urge the committee, to see photos of area which show the very close proximity of to residential areas, and consider a saturation policy for immediate area. Strictly limiting licensing hours for this area of Eagle Yard.

I urge the committee if minded to agree another licenced premises should put in the following conditions.

As local resident we have concerns that some Licensing premises in Maldonado walk were very regularly over legal capacity therefore we request-

That they have CCTV inside to monitor numbers/capacity.

Local residents have experienced regular noise and anti social behaviour from premises in Maldonado walk therefore we request-

That all patrons leaving premises should be assisted by staff stationed outside to leave quietly and in good order without disturbing local residents in anyway way by shouting, urinating in public places near establishment, disturbing people or in by passenger vehicles leaving premises. Hooting horns, slamming doors or making any intrusive engine noise.

Local residents experienced from these premises in 2023 a marching band playing outside therefore

That no musical bands or musical instruments or anything similar be allowed to perform at anytime outside premises.

That no outside tables be allowed outside as this premises in extremely (5 yards) close from people's flats in strata.

██████████
██████████ ██████████
██████████

[REDACTED]

From: [REDACTED]
Sent: Thursday, November 30, 2023 10:25 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Objection to license application 881493 Los Arrieros De Pito Ltd

Dear Licensing Team,

I am writing to object to the license application for license number 881493 at Los Arrieros De Pito Ltd, Arch 144, Eagle Yard / Hampton Street. SE1 6SP.

I am a resident at [REDACTED] whose residence overlooks the premises at Arch 144. Over recent years local residents have experienced a number of serious issues with licenses issued to businesses at this address. The location is problematic for a licensed premises as the sale of alcohol creates numerous anti-social problems such as drunkenness, fighting and shouting late at night which prevents residents from sleeping. The problems created by the previous business at this location severely affected my mental health due to sleep deprivation and additionally prevented me from working from home due to noise in daytime hours.

The cumulative effect of adding yet another licensed premise to Eagle Yard is significant - customers often wander from one establishment to another, loitering in the street being rowdy and chatting to door staff. Neighbouring premises have created a lot of crime in the area over the last few years including two stabbings and a machete attack. All venues have the common issues of overcrowding venues, playing loud recorded music without adequate sound proofing, staying open later than the licensed hours and have no adequate dispersal policies. I strongly oppose adding yet another similar venue to the area as experience shows that it will most likely exhibit the same behaviour. I particularly oppose the Sunday night opening until 23:00 as the real time that customers leave the streets will likely be after midnight which is too late for people who need to work on Monday mornings.

Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

Objector H

From: [REDACTED]
Sent: Thursday, November 30, 2023 9:01 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: Seaton, Martin <Martin.Seaton@southwark.gov.uk>
Subject: Objection: License no 881493

License no 881493

To whom it may concern,

I am objecting to this licensing application on the following grounds:

- prevention of crime and disorder / public safety

As you are well aware, and as the police will hopefully have indicated in their own representations, this application is in an area that has seen criminal activity linked to licensed properties over the years - from illicit activity inside venues, to chaotic spillouts and assaults in the street, and even a murder.

This causes distress to local residents, and is an unnecessary draw on police resources, further contributing to crime and disorder elsewhere in the borough. While this is a 9pm licensing application, no one I know believes that the applications won't come for later hours in due course. And that they will be granted if an existing license is in place. Further - we know that TENS are increasingly used by the businesses in this quarter, which can result in late night disturbances on many weekends, and establishing more of a habit of later drinking here can only increase TENS temptation.

- prevention of public nuisance

As mentioned above, the licensed premises contribute to antisocial behaviour with unenforced/unenforceable dispersion policies for their customers. You will be aware of the concerns this has caused. If not, please ask Cole Martin Seaton (copied)

I know that many of my neighbours find it difficult to believe that this venue won't morph into something more like that already owned by the director making this application. I trust you are aware of the other interests.

It would be extremely disappointing if the committee were to again ignore the views of residents and the police, if I understand their position correctly. If you do choose to ignore the views of those who have to live and work with the consequences of committee licensing decisions, then I would ask that any new license applies the same variations recently discussed with other license holders in this row. In particular, please require that:

A) noise monitoring is installed from day 1 - we anticipate TENS applications and noise nuisances and the council does not have the resources to attend in a timely manner. This would help to get ahead of the lack of council resources to supervise licensee behaviour.

B) cameras are installed from day 1, so that police and licensing staff can monitor for compliance with licensing conditions after the fact. This would help to get ahead of the lack of council resources to supervise licensee behaviour. Ideally this would also

cover the yard, with audio, so you can see when employees of one or more venues rev up their scooters every Monday night at around midnight.

C) detailed dispersal policy, which can be overseen by internal CCTV

D) minimal use of outside space - perhaps limited to 9pm if it must be granted.

Further - in any event, please do not proceed without getting input from Cllr Seaton, who has spent significant time on this issue and witnessed a small sample of the difficulties we are all living with as a result of the councils licensing decisions and the inability of the council and police to bring multiple venues into line with the best practice behaviours we see from other night time economy venues such as Pineapple and Theo's.

I also urge the committee to consider a saturation policy for immediate area. Strictly limiting licensing hours for this area of Eagle Yard. This yard was previously a quiet courtyard overlooked by hundreds of bedrooms. The council has enabled its transformation into a source of noise, anxiety, and physical violence. A policy to reverse this consequence - surely not the committee's intention - can be the only ethical response if Southwark still considers wellbeing a guiding principle for policy.

To reiterate my position - I welcome a healthy mixed town centre economy. And we have had some excellent night time economy neighbours over the years. But the committee and the council has demonstrably failed to deliver for the wellbeing of residents overlooking this yard for over half a decade, and I live in hope that I will see a change in policy direction one way or another.

Kind regards,

████████████████████

████████████████████

████████████████████

Objector I

From: [REDACTED]
Sent: Friday, December 1, 2023 11:52 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Objection to License No. 881493 for Los Arrieros De Pito, Maldonado Walk

Re: License Application for Los Arrieros De Pito, Maldonado Walk - License No. 881493

Dear Licensing Committee,
I'd like to object to the proposed license for Los Arrieros De Pito 10 Arch 144, Eagle Yard Hampton Street, SE1 6SP.

Background to the Situation in Maldonado Walk:

Over the past years, the premises at Maldonado Walk, since being granted licenses, have unfortunately become a hotspot for anti-social behaviour and unlawful activities, with a murder, two stabbings, and recent violent incidents that pose a serious threat to the safety and well-being of residents and visitors to our estate.

Crime and Disorder:

The use of drugs is widespread, with residents being offered illicit substances. Most weekends we witness fights, and our peace is interrupted by shouting from visitors to the many restaurants along the strip. It seems the door staff are unable to control the behaviour of their clients, The rear of the church is a public urinal, as are many other parts of our estate. We have regular motor vehicles driven recklessly in the car park outside our home visiting these restaurants,

Residents would like to see the following:

Proposed Conditions if License is Granted:

1. Mandatory CCTV installation inside the premises to monitor capacity adherence.
2. Ensuring staff assistance for patrons leaving the premises to maintain a quiet and orderly departure.
3. Prohibition of musical bands, instruments, or similar performances outside the premises.
4. Restriction on outside tables due to the close proximity to residential flats in Strata.

Thanks

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Objector J

From: [REDACTED]
Sent: Friday, December 1, 2023 12:28 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: Merrill, Darren <Darren.Merrill@southwark.gov.uk>; Ali, Naima <Naima.Ali@southwark.gov.uk>
Subject: Subject: Formal Objection to License No. 881493 for Los Arrieros De Pito, Maldonado Walk

Southwark Council Licensing Committee

Re: License Application for Los Arrieros De Pito, Maldonado Walk - License No. 881493

Dear Licensing Committee,

I am writing to express my formal objection to the proposed license for Los Arrieros De Pito, situated at 10 Arch 144, Eagle Yard Hampton Street, SE1 6SP. As a concerned and directly affected resident of neighbouring [REDACTED] I feel compelled to address the significant issues arising from this establishment's operations and their track record over last few years.

Background to the Situation in Maldonado Walk:

Over the past two years, the premises at Maldonado Walk, since being granted licenses, have unfortunately become a hotspot for anti social behaviour unlawful activities, with a murder, two stabbings, and recent violent incidents that pose a serious threat to the safety and well-being of our community.

Concerns and Violations:

Crime and Disorder:

Instances of drug use in the vicinity.
Frequent altercations and verbal disputes among highly intoxicated individuals.
Disturbing incidents of extreme intoxication impairing individuals' ability to walk.

Anti-Social Behavior:

Persistent disturbances involving shouting, arguing, and unruly behavior.
The failure of doormen to address nuisance and anti-social conduct.
Public urination, including by staff members, in full view of residential areas.
Driving motorised vehicles in a reckless manner with no concern for public safety
Noise - History of loud music late into the nights.

Health and Safety:

Recurrent instances of public urination leading to an unsanitary environment.
Residents fearing for their safety due to escalating crime and anti-social behavior.
Children exposed to inappropriate behavior, impacting their sleep and well-being.

Protection of Children from Harm:

Ongoing noise and anti-social behavior negatively affecting children's sleep.
Children playing in a car park frequented by moving vehicles, posing potential hazards.

Saturation Policy and Licensing Hours:

Urgent consideration for a saturation policy in the immediate area, with strict limitations on licensing hours in Eagle Yard.

Proposed Conditions if License is Granted:

1. Mandatory CCTV installation inside the premises to monitor capacity adherence.
2. Ensuring staff assistance for patrons leaving the premises to maintain a quiet and orderly departure.
3. Prohibition of musical bands, instruments, or similar performances outside the premises.
4. Restriction on outside tables due to the close proximity to residential flats in Strata Tower, Wollastone Close and Draper House.

As a resident of [REDACTED] (with a direct view of venue and being able to hear all the drama that has been unfolding in last few years at the application site, I implore the committee to thoroughly assess these concerns and prioritise the safety, security, and well-being of the local community. Your commitment to upholding UK law, local regulations, and the welfare of residents is crucial in preserving the integrity of our neighborhood.

Please confirm receipt of my objection and keep me posted on the progress and any decisions made.

Sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Objector K

From: [REDACTED]
Sent: 02 December 2023 14:12
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Re: Formal Objection to License No. 881493 for Los Arrieros De Pito, Maldonado Walk

Please see below

[REDACTED]
[REDACTED]
[REDACTED]

Kind Regards

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]



[REDACTED]
[REDACTED]

On Fri, Dec 1, 2023 at 12:34 PM Regen, Licensing <Licensing.Regen@southwark.gov.uk> wrote:
Dear [REDACTED]

Thank you for your email. However, we are unable to process your representation as you have not provided your full postal address.

Kind regards,

Claire Beswick
Unit Support Officer
Southwark Council | Licensing | Regulatory Services
Tel: 0207 525 2285
Email: Licensing@southwark.gov.uk

In future if you wish to submit an application, a quicker way would be to [apply online](#)

Postal Address: Regulatory Services, Licensing Team, Hub 1, 3rd Floor, P.O Box 64529, SE1P 5LX
Visitor's Address: 160 Tooley Street, London, SE1 2QH

From: [REDACTED]
Sent: Friday, December 1, 2023 11:36 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Formal Objection to License No. 881493 for Los Arrieros De Pito, Maldonado Walk

Dear Licensing Committee,

I am writing to express my formal objection to the proposed license for Los Arrieros De Pito, situated at 10 Arch 144, Eagle Yard Hampton Street, SE1 6SP. As a concerned resident [REDACTED] [REDACTED] I feel compelled to address the significant issues arising from this establishment's operations.

Background to the Situation in Maldonado Walk:

Over the past two years, the premises at Maldonado Walk, since being granted licenses, have unfortunately become a hotspot for anti social behaviour unlawful activities, with a murder, two stabbings, and recent violent incidents that pose a serious threat to the safety and well-being of our community.

Community Engagement:

[REDACTED] [REDACTED] has witnessed the escalating concerns of residents from both Draper Estate and Strata. We actively participate in a WhatsApp group where incidents are documented and shared among residents. Our commitment to fostering a safe and harmonious community underscores the urgency of addressing these issues.

Collaboration with Local Authorities:

[REDACTED] has collaborated closely with local authorities, including the police and Councillor Martin Seaton, who have borne witness to the distressing problems faced by residents due to the operation of licensed premises in Maldonado Walk.

Concerns and Violations:

Crime and Disorder:

Instances of drug use in the vicinity.
Frequent altercations and verbal disputes among highly intoxicated individuals.
Disturbing incidents of extreme intoxication impairing individuals' ability to walk.

Objector L

From: [REDACTED]
Sent: Saturday, December 2, 2023 8:23 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Re: Formal Objection to License No. 881493 for Los Arrieros De Pito, Maldonado Walk

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On Fri, 1 Dec 2023 at 12:36, Regen, Licensing <Licensing.Regen@southwark.gov.uk> wrote:

Dear [REDACTED]

Thank you for your email. However, we are unable to process your representation as you have not provided your full postal address.

Kind regards,

Claire Beswick

Unit Support Officer

Southwark Council | Licensing | Regulatory Services

Tel: 0207 525 2285

Email: Licensing@southwark.gov.uk

In future if you wish to submit an application, a quicker way would be to [apply online](#)

Postal Address: Regulatory Services, Licensing Team, Hub 1, 3rd Floor, P.O Box 64529, SE1P 5LX

Visitor's Address: 160 Tooley Street, London, SE1 2QH

From: [REDACTED]
Sent: Friday, December 1, 2023 11:33 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Formal Objection to License No. 881493 for Los Arrieros De Pito, Maldonado Walk

Dear Licensing Committee,

I am writing to express my formal objection to the proposed license for Los Arrieros De Pito, situated at 10 Arch 144, Eagle Yard Hampton Street, SE1 6SP. As a concerned resident [REDACTED]

[REDACTED] I feel compelled to address the significant issues arising from this establishment's operations.

Background to the Situation in Maldonado Walk:

Over the past two years, the premises at Maldonado Walk, since being granted licenses, have unfortunately become a hotspot for anti social behaviour unlawful activities, with a murder, two stabbings, and recent violent incidents that pose a serious threat to the safety and well-being of our community.

Community Engagement:

[REDACTED]
[REDACTED] has witnessed the escalating concerns of residents from both Draper Estate and Strata. We actively participate in a WhatsApp group where incidents are documented and shared among residents. Our commitment to fostering a safe and harmonious community underscores the urgency of addressing these issues.

Collaboration with Local Authorities:

██████████ has collaborated closely with local authorities, including the police and Councillor Martin Seaton, who have borne witness to the distressing problems faced by residents due to the operation of licensed premises in Maldonado Walk.

Concerns and Violations:

Crime and Disorder:

Instances of drug use in the vicinity.

Frequent altercations and verbal disputes among highly intoxicated individuals.

Disturbing incidents of extreme intoxication impairing individuals' ability to walk.

Anti-Social Behavior:

Persistent disturbances involving shouting, arguing, and unruly behavior.

The failure of doormen to address nuisance and anti-social conduct.

Public urination, including by staff members, in full view of residential areas.

Driving motorised vehicles in a reckless manner with no concern for public safety

Health and Safety:

Recurrent instances of public urination leading to an unsanitary environment.

Residents fearing for their safety due to escalating crime and anti-social behavior.

Children exposed to inappropriate behavior, impacting their sleep and well-being.

Objector M

From: [REDACTED]
Sent: 01 December 2023 18:09
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Objection to Licence No. 881493 for Los Arrieros De Pito

Re:
License no 881493
Los Arrieros De Pito
10 Arch 144, Eagle Yard Hampton Street
SE1 6SP

Dear licencing Committee,

I am writing to express my objection to the proposed licence mentioned above.

In the short time since I moved to [REDACTED], I have witnessed and endured various disturbances associated with the aforementioned premises. These incidents include patrons leaving the premises in an intoxicated state, disruptive shouting during late-night hours (10pm to 6am), physical altercations, public urination against nearby structures such as the church and the East facade of Sherston Court, and even late-night brass band performances directly under my windows at 11pm.

As a result, I am regularly woken up at night, and I avoid the area when returning home in the evening because I don't feel safe. Many neighbours have the same experience.

Neighbours that have lived in the estate for longer said that the conditions that are imposed with the licence are not respected by the establishment. Based on this and my experiences, I object to the licence as we all know it will create anti-social behaviour.

If the licence is granted, I kindly request that the Licensing Committee consider the following measures:

- Limiting the number of patrons allowed inside.
- Prohibiting the installation of tables outside.
- Prohibiting musical instruments to be played outside the premises.
- Requiring designated staff to monitor the exterior to prevent disruptive behaviour such as shouting and public urination.

I urge the Committee to not only consider these suggestions but also implement effective monitoring and enforcement mechanisms to ensure compliance with any imposed restrictions.

I trust that the Licensing Committee will take these concerns into serious consideration during the review process, and prioritise the safety and well-being of the neighbours.

Thank you for your attention to this matter.

Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]



NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 26 AUGUST 2021

SECTION 17 LICENSING ACT 2003 PONCE'S CORPORATION, ARCH 144 EAGLE YARD, HAMPTON STREET, LONDON, SE1 6SP

1. Decision

That the application made by Ponce's Corporation Limited for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as Ponce's Corporation, Arch 144 Eagle Yard, Hampton Street, London SE1 6SP be refused.

2. Reasons

The licensing sub-committee heard from the licensing officer. He stated that trading standards had withdrawn their objections to this application. Their objections were not considered at this meeting. He stated that the premises had previously held a licence under a company that went into liquidation. As the licence was not transferred within the time limits, the licence had lapsed. The applicant was the designated premises supervisor of the liquidated company and that the premises had operated under a number of temporary event notices (TENs) in the interim.

The licensing officer stated that the Metropolitan Police Service and the licensing responsible authority objected to the application on the grounds that it undermined the prevention of crime and disorder and the prevention of public nuisance licensing objectives. He went on to say that seven objections were raised by other persons namely, residents and their associations. Their objections also pertained to the prevention of crime and disorder and the prevention of public nuisance. He stated that conciliation had not been achieved. He directed the licensing sub-committee to the relevant pages of his report. The licensing officer confirmed that the applicant had provided a dispersal policy that morning and had confirmed an accommodation limit of 80.

The licensing sub-committee heard from the applicant. He stated that he was the manager and owner of Ponce's Corporation and said that his business is like a family. He said that he employed 8 to 10 people and, if the licence application were refused, they would become unemployed.

He explained that he had to close the business for one year due to Covid-19, but he managed to keep things afloat. He said that the problems with the residents and noise concerned other businesses and not his. He said that he would be happy to speak with the residents and would be happy for residents to approach him with any problems they may have.

The applicant said that his security staff also had to address issues relating to patrons from other establishments who would congregate, make noise and drink outside his premises. He stated that the police attended his premises as there had been 100

people or so, in the car park and he asked the police for help to remove them. He denied that his premises was responsible for the noise nuisance and said that those people in the car park were not his patrons as he only allowed 30 customers in his premises during covid. He went on to say that, he had no objection to the police attending his premises. He said that if the police pointed out mistakes he had made, those mistakes would be rectified

The applicant stated that he does not use the patio area, which could be seen on the premises plan submitted with his application. He said that up to five people could go outside to smoke. The applicant stated that usually he would have up to 60 people inside the premises and that presently, he seats 40 people to make allowances for the Covid-19 provisions.

The licensing sub-committee queried whether 80 people could be seated within the premises and estimated from the scaled plans that approximately 40 or so people could be seated within the premises.

In relation to the Covid-19 breaches that had taken place at his restaurant, the applicant stated that the council gave advice which he subsequently followed. He confirmed that presently, he was operating as a restaurant and that the kitchen closes at 23:00. In relation to breaches of his previous licence condition to serve alcohol with food, he stated that his patrons ordered food with their drink but then would order another glass or bottle of alcohol that would outlast the food. The applicant confirmed that he would not use single use plastics wherever possible.

The licensing sub-committee heard from the licensing responsible authority officer. The licensing officer stated that that she had concerns around this application due to previous complaints. The licensing officer compared the previous licence with the current licence and noted that the applicant did not agree the conditions for food to be served with alcoholic drinks nor did he specify in good time the accommodation limit or dispersal policy in this application. The licensing officer had concerns around the restaurant's lack of condition to serve alcohol with a meal. It was noted by the licensing officer that this was the same condition that had been previously breached under the old licence. She also stated that the majority of the complaints surrounding this application concerned the allegation that the applicant was running the restaurant as a bar.

The licensing sub-committee heard from the Metropolitan Police Service. The police were of the view that the premises was not operating as a bona fide restaurant. The police took the view that a bona fide restaurant would not have attracted as many complaints as this premises had. The police stated that the premises had a dual role in that it would start as a food led establishment and then at some point during the evening/night would turn into an alcohol led establishment. The police officer explained that on 11 July 2020, police and other responsible authorities attended the premises to find amplified music being played, people dancing, drinking and that no social distancing being exercised. On that occasion, the police witnessed Covid-19 and licence breaches as food was not being served with meals to persons seated.

On 21 May, 25 June and 19 September 2020, the police and other responsible authorities attended the premises and witnessed further breaches of the licence and Covid-19 Regulations. The police went on to submit that it was their belief that the Ponce's Corporation would not adhere to any conditions on their licence given its

conduct under the previous premises licence and breaches that occurred whilst the premises was operating under TENs.

The licensing sub-committee heard from three of the residents. They were concerned that the granting of a licence would result in nuisance. Resident 1 disputed that only five people were allowed to smoke outside the premises as suggested by the applicant. The resident stated that the restaurant routinely opened later than the time on the licence and that his patrons would fight and argue outside the premises.

Resident 2 explained that the premises is situated a long way from the nearest public highway, that it is accessed by a private alleyway that runs parallel to the railway arches and that the venue directly opens out to the yard behind the Strada Tower. He said the restaurant is bounded by Drapers Yard and Crossways Church. He stated that the location provided a natural space for patrons to congregate and that the acoustics in that area meant that the noise is amplified disproportionately and, heard by the residents on the other side of the yard.

He pointed out to the licensing sub-committee that the licence application says café and restaurant, however the new signage outside the premises says bar and restaurant. He stated that the two terms gave different impressions. He said theoretically, the premises comfortably seated 40 people as per the submitted application plan, but could not hold 80 people in restaurant conditions. He went on to say that 80 people could be accommodated if they were standing; but those conditions would not make the premises a restaurant. Resident 2 pointed out that the social media marketing of the premises showed a DJ in bar/club like setting. He stated that the advert did not look like a restaurant.

Resident 3 stated that she attended the premises on two occasions asking them to close the fire doors to stop the music emanating from the premises. She believed the music systems had been upgraded as the noise levels had significantly increased as she could now hear the DJ speaking. She said that she had witnessed fighting by patrons and that patrons and staff urinated outside the premises. She said the premises is known for throwing a good party. She accepted that it was a restaurant up to approximately 8 pm but after that, it was a club.

The applicant said that he did not ordinarily have a DJ but would hire one on special occasions such as weddings and birthdays. He said that his patrons would not dance to the music and that he would hire a DJ once or twice a month.

The licensing sub-committee formed the view that the objections put before it could not be allayed by the applicant being made subject to any conditions. The licensing sub-committee were not confident that the applicant would adhere to any conditions placed on his licence due to the way the applicant had conducted himself and the premises whilst previously holding a licence and more recently, the way he conducted himself and the premises under TENs.

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

3. Appeal rights

The applicant may appeal against any decision:

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

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

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

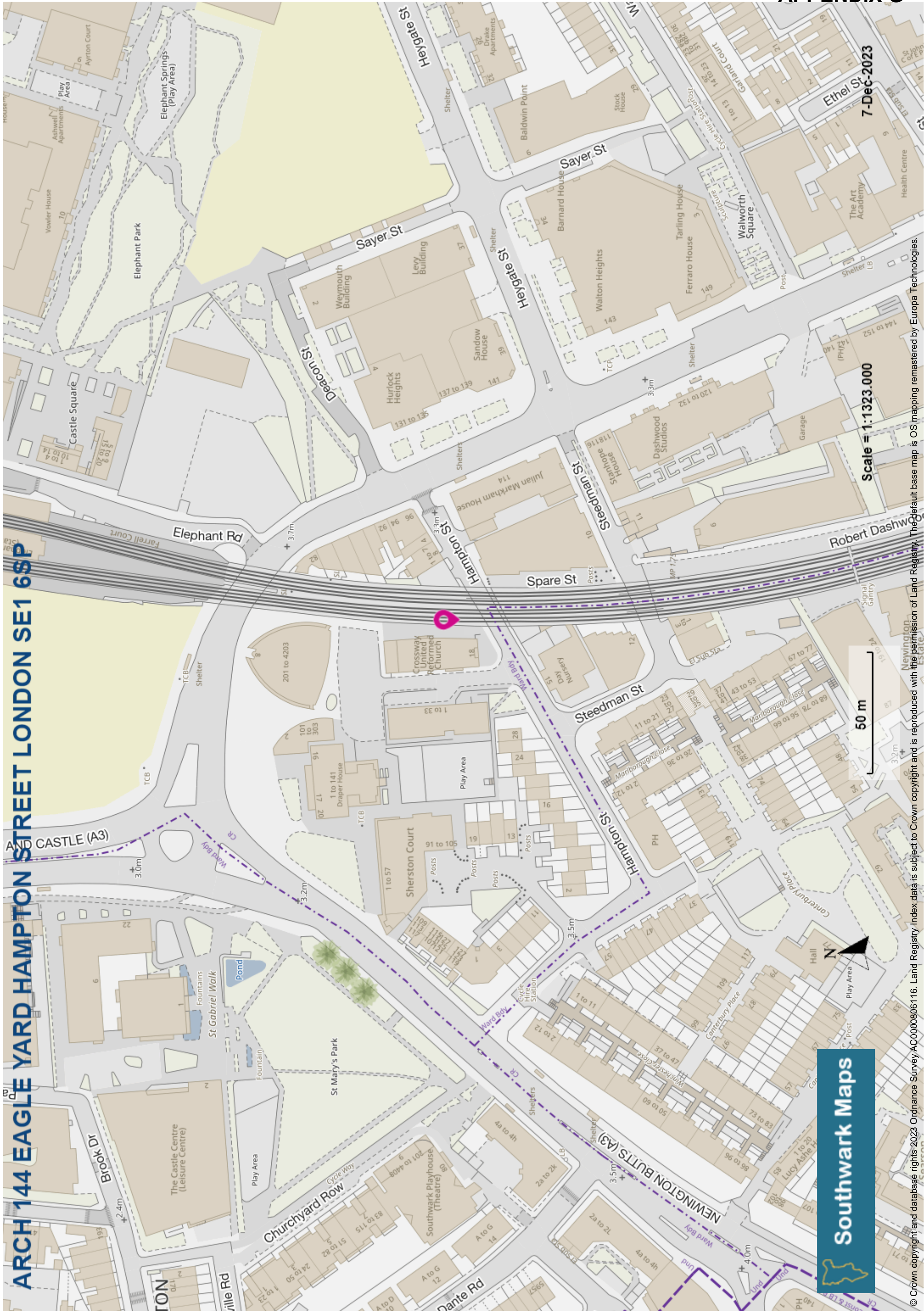
may appeal against the decision.

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

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

Date: 26 August 2021

ARCH 144 EAGLE YARD HAMPTON STREET LONDON SE1 6SP



Scale = 1:1323.000

50 m



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7-Dec-2023

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

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