

Licensing Sub-Committee

Thursday 22 February 2024

10.00 am

Online/Virtual

Membership

Councillor Renata Hamvas (Chair)
Councillor Barrie Hargrove
Councillor Sunny Lambe

Reserves

Councillor Charlie Smith

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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: 13 February 2024



Licensing Sub-Committee

Thursday 22 February 2024
10.00 am
Online/Virtual

Order of Business

Item No.	Title	Page No.
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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: MOROCCO BOUND, 1A MOROCCO STREET, LONDON SE1 3HB 1 - 49

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

Item No.

Title

Page No.

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: 13 February 2024

Agenda Item 5

Item No. 6.	Classification: Open	Date: 22 February 2024	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Morocco Bound, 1a Morocco Street, London SE1 3HB	
Ward(s) of group(s) affected		London Bridge and West Bermondsey	
From		Strategic Director of Environment, Neighbourhoods and Growth	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Waterhouse 1854 Limited to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as the Morocco Bound, 1a Morocco Street, London SE1 3HB.
2. Notes:
 - a) The application seeks to vary the premises licence held in respect of the premises known as the Morocco Bound, 1a Morocco Street, London SE1 3HB under section 34 of the Licensing Act 2003. Existing permitted licensable activities are not under consideration at this meeting. The variation application is subject to representations submitted by a responsible authority and is therefore referred to the licensing sub-committee for determination.
 - b) Paragraph 8 to 10 of this report provides a summary of the current premises licence issued in respect of the premises. A copy of the current premises licence is attached at Appendix A.
 - c) Paragraphs 11 to 17 of this report provide a summary of the application. A copy of the application is attached to this report at appendix B. Photographs of the outside of the premises can be found at Appendix C
 - d) Paragraphs 23 to 35 of this report deal with the representations submitted in respect of the application. A copy of the representation from the Metropolitan Police Service is attached to this report at Appendix D and the conciliation correspondence can be found at Appendix E.
 - e) Paragraphs 37 to 43 is a summary of the history of the premises with a list of temporary event notices, which can be found at Appendix F
 - f) A map showing the location of the premises is attached to this report at Appendix G.

- g) 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 current premises licence

8. The premises licence issued in respect of the premises known as the Morocco Bound, 1a Morocco Street, London SE1 3HB was first issued on 20 December 2019 and allows the following licensable activities:

- **Films – indoors**
 - Monday and Tuesday: 12:00 to 21:00
 - Wednesday to Saturday: 12:00 to 23:00
 - Sunday: 12:00 to 20:00

- **The sale of alcohol to be consumed off the premises:**
 - Monday and Tuesday: 12:00 to 21:00
 - Wednesday to Saturday: 12:00 to 23:00
 - Sunday: 12:00 to 20:00

- **The sale of alcohol to be consumed on the premises:**
 - Monday and Tuesday: 12:00 to 21:00
 - Wednesday to Saturday: 12:00 to 22:30
 - Sunday: 12:00 to 19:30

- **Opening hours:**
 - Monday and Tuesday: 08:30 to 21:00
 - Wednesday to Friday: 08:30 to 23:00
 - Saturday: 10:00 to 23:00
 - Sunday: 10:00 to 20:00.

9. A copy of the existing premises licence is attached as appendix A.

10. The premises are a boutique retail merchant specialising in books, coffee and local craft beers.

The variation application

11. On 30 November 2023 Waterhouse 1854 Limited applied to this council to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Morocco Bound, 1a Morocco Street, London SE1 3HB.

12. The application is summarised by the applicant as follows:

“Morocco Bound is a boutique retail merchant and community hub, specialising in books, coffee and local craft beers, which caters to knowledgeable discerning consumers in the Bermondsey Street Area.

With a unique selling point of combining a book seller, craft beer shop and other local produce alongside excellent customer service, Morocco Bound is a destination specialty store as well as a local shop for local people.

The premises also operates as an art and design studio, workspace and cultural centre.

Since the premises licence was obtained in 2019, the business has evolved and developed a loyal client base. This variation seeks to facilitate the changes which are essential to allow the flexibility required to continue that development. The variation seeks an increase to the hours to provide greater consistency throughout the week, however these proposed hours still fall within the hours set out in the Licensing Policy Statement for Southwark and conform with the stated Licensing Hours Policy.

The variation also seeks to facilitate the sale of alcohol to an outside seating area subject to the appropriate permissions being granted for that area. As such the variation seeks to remove three conditions and replace them with one combined condition which will only permit off-sales to be consumed immediately outside the premises, when patrons are seated in an appropriately licensed area.

An additional condition limits the time this external area can be used.”

13. The details of the variation are set out below.
14. To vary the hours to start the sale of alcohol from 09:00, and extend the closing times to 23:30 daily with all licensable activities finishing at 23:00 hours:
 - **Films – indoors**
 - Monday to Sunday: 12:00 to 23:00
 - **The sale of alcohol to be consumed off the premises:**
 - Monday to Sunday: 09:00 to 23:00
 - **The sale of alcohol to be consumed on the premises:**
 - Monday to Sunday: 11:00 to 23:00
 - **Opening hours:**
 - Monday to Friday: 08:30 to 23:30
 - Saturday and Sunday: 09:00 to 23:30
15. To remove the following two conditions:
 - 343 Any ‘off sales’ of alcohol shall be provided in sealed containers and taken away from the premises.
 - 350 Alcoholic drinks will not be sold for immediate consumption immediately outside the premises at any time, including for those leaving for the purpose of smoking. For the purpose of this condition ‘outside the premises’ refers to areas outside of the area covered by the red line in the plans.

16. To add the following two conditions:

- That to consumption of alcohol shall take place outside the premises (as delineated by the red lines on the plans) after 22.30 on any day, including those persons leaving temporarily for the purpose of smoking.
- That all tables and chairs located in the external areas of the premises shall be rendered unusable after 22.30 on each day.

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

Other legislation related to the use of outside area for the consumption of alcohol

18. Section 11 of the Business and Planning Act 2020 temporarily allows premises with a premises licence for the sale of alcohol on the premises to allow the sale of alcohol off the premises for the same times as on sales, but not exceeding 23:00.

19. Conditions that are inconsistent with this off-sales permission, or that prevent off-sales in an open container, are temporarily suspended.

20. Currently these provisions expire in 31 March 2025.

21. The Business and Planning Act 2020 and the Highway Act 1980 allow for a pavement licence to be issued by the council for tables and chairs. According to the government guidance, in most circumstances 1,500 millimetres or 1.5 metres of clear space should be regarded as the minimum acceptable distance between the obstacle and the edge of the footway. Conflicts of street furniture with pedestrian movement should also be considered, particularly for disabled people, older people and those with mobility needs. The positioning of furniture should not discourage pedestrians from using the footway.

22. A photograph of the pavement outside the premises can be seen at Appendix C.

Representations from responsible authorities

23. A representation was submitted by the Metropolitan Police Service under the licensing objectives for prevention of crime and disorder, public safety and prevention of public nuisance.

24. The police representation states that the hours requested are outside those recommended within the policy for a residential area but have confirmed that they do not object to the grant of the extended hours.

25. The police say that the removal of conditions 343 and 350 will allow consumption of alcohol immediately outside the premises and the proposed new conditions are vague and do not control the use of the outside area. There is no mention within the conditions that alcohol would only be consumed by persons seated outside and also suggests that persons leaving the venue to smoke would also be able to take alcohol with them allowing for vertical drinking outside.

26. They also contend that the premises has a narrow footpath immediately outside which borders a road. Should the footpath be used for the consumption of alcohol it could either result in pedestrians having to go into the road to pass by or lead to patrons using the road to consume alcohol which are matters of concern for public safety.
27. The police object to the removal of conditions 343 and 350.
28. A copy of the representation submitted by the metropolitan police service is attached at Appendix D.

Representations from other persons

29. No representations have been submitted by other persons.

Conciliation

30. The applicant's representative has corresponded with the police to provide further information on the application to replace the two conditions in the variation application. They stated that there have been no incidents public safety or crime and disorder while using the outside area under current provisions and makes assurances that it is not the applicant's intention to change the nature of the premises to that of a pub or bar.
31. The applicant also offered to change the two proposed conditions to:
 - That no consumption of alcohol shall take place outside the premises (as delineated by the red lines on the plans) after 22.00 on any day, including those persons leaving temporarily for the purpose of smoking.
 - That all tables and chairs located in the external areas of the premises (as delineated by the red lines on the plans) shall be rendered unusable after 22.00 on each day.
32. Additionally a further two conditions were offered as follows:
 - That no more than 12 persons would be permitted to consume alcohol in the area immediately outside the premises (as delineated by the red line on the plans) at any one time, unless seated in an area covered by a current tables and chairs licence.
 - That customers consuming alcohol must remain on the pavement at all times and no customers shall be permitted to stand on the road while consuming alcohol. unless within the area covered by a current tables and chairs licence.
33. The police responded stating that the maintain their objection stating that the Business and Planning Act did not however take into account condition placed on a licence when granted in regards to public safety and obstruction of the highway would not agree to remove the conditions without adequate safety precautions put

in place. They also say that the footpath is under 4 feet wide outside the premises and does not provide adequate room for safe outside drinking.

34. The police representation remains valid.
35. The conciliation correspondence can be found at Appendix E.

Premises licensing history

36. The original premises licence in respect of the premises was issued to Waterhouse 1854 Limited on 20 December 2019.
37. The designated premises supervisor (DPS) in respect of the premises has been varied three times on 21 May 2020, 14 August 2020 and to the current DPS on 24 June 2021.
38. There have been 12 temporary event notices (TENs) submitted in respect of the premises.
39. The details of the TENs can be found at Appendix F.
40. Three visit have been made to the premises by licensing officers:

Date	Description	Further information
22/09/2023	21:14 Night Time Economy Team Visit	Compliant
16/11/2023	Visit to premises	Compliant
10/04/2021	Visit to premises	Follow up to police visit, conditions 344 & 4A1 & no DPS. Now compliant

41. On the visit of 22 September 2023 the officer photographed patrons standing the outside of the premises. This photograph can be found at Appendix C.

Complaints

42. There have been three relevant complaints made to the Council as follows:

Date	Reference	Category	Unit	Description
17/05/2023	999423	Public nuisance	Licensing	Loud music
19/09/2023	A07662	Loud Music	Noise Team	Amplified music and general noise from patrons
21/09/2023	A07784	Public nuisance	Licensing	Noise from patrons, public safety from patrons drinking in the street

Map

43. A map showing the location of the premises is attached to this report as Appendix G. The following premises are also shown on the map and are permitted to provide licensable activities as stated:

Premises	Opening hours	Alcohol on premises	Alcohol off premises
The Woolpack, 98 Bermondsey Street, London SE1 3UB	Mon: 09:00 to 23:00 Tue: 09:00 to 23:00 Wed: 09:00 to 23:00 Thur: 09:00 to 00:00 Fri: 09:00 to 01:30 Sat: 09:00 to 01:30 Sun: 09:00 to 22:30	Mon: 11:00 to 23:00 Tue: 11:00 to 23:00 Wed: 11:00 to 23:00 Thur: 11:00 to 23:30 Fri: 11:00 to 00:00 Sat: 11:00 to 00:00 Sun: 11:00 to 22:30	Mon: 11:00 to 23:00 Tue: 11:00 to 23:00 Wed: 11:00 to 23:00 Thur: 11:00 to 23:30 Fri: 11:00 to 00:00 Sat: 11:00 to 00:00 Sun: 11:00 to 22:30
The Garrison Public House, 99 - 101 Bermondsey Street, London SE1 3XB	Mon: 10:00 to 23:30 Tue: 10:00 to 23:30 Wed: 10:00 to 23:30 Thur: 10:00 to 23:30 Fri: 10:00 to 00:30 Sat: 10:00 to 00:30 Sun: 12:00 to 22:30	Mon: 10:00 to 23:00 Tue: 10:00 to 23:00 Wed: 10:00 to 23:00 Thur: 10:00 to 23:00 Fri: 10:00 to 00:00 Sat: 10:00 to 00:00 Sun: 12:00 to 22:30	Mon: 10:00 to 23:00 Tue: 10:00 to 23:00 Wed: 10:00 to 23:00 Thur: 10:00 to 23:00 Fri: 10:00 to 00:00 Sat: 10:00 to 00:00 Sun: 12:00 to 22:30
Jose, 104 Bermondsey Street, London SE1 3UB	Mon: 12:00 to 23:00 Tue: 12:00 to 23:00 Wed: 12:00 to 23:00 Thur: 12:00 to 23:00 Fri: 09:00 to 23:00 Sat: 09:00 to 23:00 Sun: 10:00 to 23:00	Mon: 12:00 to 22:30 Tue: 12:00 to 22:30 Wed: 12:00 to 22:30 Thur: 12:00 to 22:30 Fri: 12:00 to 22:30 Sat: 12:00 to 22:30 Sun: 12:00 to 22:00	Mon: 12:00 to 22:30 Tue: 12:00 to 22:30 Wed: 12:00 to 22:30 Thur: 12:00 to 22:30 Fri: 12:00 to 22:30 Sat: 12:00 to 22:30 Sun: 12:00 to 22:00
Casse Croute, 109 Bermondsey Street, London SE1 3XB	Mon: 06:00 to 23:00 Tue: 06:00 to 23:00 Wed: 06:00 to 23:00 Thur: 06:00 to 23:00 Fri: 06:00 to 23:00 Sat: 06:00 to 23:00 Sun: 06:00 to 23:00	Mon: 12:00 to 22:30 Tue: 12:00 to 22:30 Wed: 12:00 to 22:30 Thur: 12:00 to 22:30 Fri: 12:00 to 22:30 Sat: 12:00 to 22:30 Sun: 12:00 to 22:30	Mon: 12:00 to 22:30 Tue: 12:00 to 22:30 Wed: 12:00 to 22:30 Thur: 12:00 to 22:30 Fri: 12:00 to 22:30 Sat: 12:00 to 22:30 Sun: 12:00 to 22:30
Franco Manca UK Limited, 124 (Ground Floor), Bermondsey Street. London SE1 3TX	Mon: 09:00 to 23:00 Tue: 09:00 to 23:00 Wed: 09:00 to 23:00 Thur: 09:00 to 23:00 Fri: 09:00 to 23:00 Sat: 09:00 to 00:00 Sun: 10:00 to 22:30	Mon: 11:00 to 23:00 Tue: 11:00 to 23:00 Wed: 11:00 to 23:00 Thur: 11:00 to 23:00 Fri: 11:00 to 23:00 Sat: 11:00 to 00:00 Sun: 12:00 to 22:30	Mon: 11:00 to 23:00 Tue: 11:00 to 23:00 Wed: 11:00 to 23:00 Thur: 11:00 to 23:00 Fri: 11:00 to 23:00 Sat: 11:00 to 00:00 Sun: 12:00 to 22:30

Southwark Council statement of licensing policy

44. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
45. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications
 - Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
 - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
46. 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.
47. 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)

48. The premises are not situated in a Cumulative Impact Area.
49. The premises also falls within the London Bridge District Town Centre
50. Under the Southwark's statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within this area for the categories of premises stated:
 - Restaurants and cafes:
 - Friday and Saturday: 01:00
 - Sunday to Thursday: 00:00
 - Public Houses, Wine bars or other drinking establishments:
 - Friday and Saturday: 00:00
 - Sunday to Thursday: 23:00.

Climate change implications

51. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
52. 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.
53. Examples of such agreements may be:
 - Not use single use plastics, such as disposable plastic glasses, when selling alcohol at the premises.
 - Encourage patrons not to drive to venues by providing details of public transport on their webpages/tickets.

54. 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

55. 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

56. 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.
57. 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.
58. 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>.

59. The equalities impact assessment is available at:

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

Health impact statement

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

Resource implications

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

Consultation

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

Community impact statement

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance

64. The sub-committee is asked to determine the application to vary the premises licence under Section 34 of the Licensing Act 2003.
65. The principles which sub-committee members must apply are set out below.

Principles for making the determination

66. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.
67. The general principle is that applications for variation 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.
68. 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 other party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
69. 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;
- Add to, omit, and/or alter the conditions of the licence or,
 - Reject the whole or part of the application for variation.

Conditions

70. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the variation, 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.
71. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
72. 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.
73. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to late night refreshment and take away aspect of the licence 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.
74. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors. The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2003 introduced 3 new conditions in respect of irresponsible promotions, the oral dispensing of alcohol and free tap water. In October 2010 an additional 2 conditions will come into force – age verification policy and smaller measures for alcoholic drinks.
75. 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

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

Hearing procedures

77. 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.

78. This matter relates to the determination of an application to vary a premises licence under section 34 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

79. 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.

80. 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.

81. 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.

82. 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.
83. 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.
84. 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.
85. 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.
86. 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

87. 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 of Finance

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

APPENDICES

Name	Title
Appendix A	Copy of the current premises licence issued in respect of the premises
Appendix B	Copy of the variation application
Appendix C	Photographs of the premises
Appendix D	Copy of the representation submitted by the Metropolitan Police Service
Appendix E	Conciliation correspondence
Appendix F	List of temporary event notices
Appendix G	Map showing the location of the premises

AUDIT TRAIL

Lead Officer	Toni Ainge, Acting Strategic Director of Environment, Neighbourhoods and Growth	
Report Author	David Franklin, Principal Licensing Officer	
Version	Final	
Dated	9 February 2024	
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 of Finance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	9 February 2024	

Licensing Act 2003 Premises Licence



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

Premises licence number

875045

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Morocco Bound 1a Morocco Street London SE1 3HB	
Ordnance survey map reference (if applicable), 533226179676	
Post town London	Post code SE1 3HB
Telephone number	

Where the licence is time limited the dates
--

Licensable activities authorised by the licence
Films - Indoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

The opening hours of the premises
For any non standard timings see Annex 2
Monday 08:30 - 22:00
Tuesday 08:30 - 22:00
Wednesday 08:30 - 23:00
Thursday 08:30 - 23:00
Friday 08:30 - 23:00
Saturday 10:00 - 23:00
Sunday 10:00 - 20:00

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

The times the licence authorises the carrying out of licensable activities

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

Films - Indoors

Monday	12:00 - 21:00
Tuesday	12:00 - 21:00
Wednesday	12:00 - 23:00
Thursday	12:00 - 23:00
Friday	12:00 - 23:00
Saturday	12:00 - 23:00
Sunday	12:00 - 20:00

Sale by retail of alcohol to be consumed on premises

Monday	12:00 - 21:00
Tuesday	12:00 - 21:00
Wednesday	12:00 - 22:30
Thursday	12:00 - 22:30
Friday	12:00 - 22:30
Saturday	12:00 - 22:30
Sunday	12:00 - 19:30

Sale by retail of alcohol to be consumed off premises

Monday	12:00 - 21:00
Tuesday	12:00 - 21:00
Wednesday	12:00 - 23:00
Thursday	12:00 - 23:00
Friday	12:00 - 23:00
Saturday	12:00 - 23:00
Sunday	12:00 - 20:00

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

Waterhouse 1854 Limited
The Ground Floor, 1
A Morocco Street,
London, SE1 3HB

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

04937936

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

Jonathan Dransfield

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

Licence No. [REDACTED]
Authority London Borough of Southwark

Licence Issue date 24/06/2021

[REDACTED]

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

Annex 1 - Mandatory conditions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

489 The responsible person shall ensure that -

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

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

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

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

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

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

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

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

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –
 - (i) the holder of the premises licence;
 - (ii) the designated premises supervisor (if any) in respect of such a licence; or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;
- (2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

288 The venue shall maintain a CCTV system. The CCTV system shall continually record whilst the venue is open for licensable activities and / or when customers remain on the premises. All recordings shall be time & date stamped, maintained for a 31 day period and be made available to the Police or authorised officer of the licensing authority upon request. The CCTV system shall:

- a. Cover all entry points used by the public.
- b. Enable frontal identification of persons entering in any light condition.
- c. Be maintained by a suitably qualified person.

289 Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV data (footage and / or images) in an appropriate recorded format (usually to a disc, memory stick or data file sent electronically) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made.

340 Sufficient competent persons should be authorised by the premises licence holder to ensure that at all times the premises is open to the public, a member of staff is available to show the Police, when formally requested to do so, any images / footage from CCTV system with a minimum of delay.

341 Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:

- a. The responsible sale of alcohol.
- b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
- c. The responsibility to refuse the sale of alcohol to any person who is drunk.
- d. Fire safety & emergency evacuation procedures

307 The number of persons accommodated at any one time (excluding staff) shall not exceed 60 persons.

342 A suitable Dispersal Policy will be adopted by the premises and all relevant staff will receive training in the implementation of the policy.

343 Any 'off sales' of alcohol shall be provided in sealed containers and taken away from the premises.

344 That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that alcohol sold as 'off sales' should not be opened and consumed in the vicinity of the premises.

345 A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.

346 Non-intoxicating beverages including drinking water shall be available in all parts of the premises where alcohol is sold or supplied on the premises.

347 No externally promoted events will be permitted at the premises; 'externally promoted events' are those which are promoted, managed and delivered by external promoters not affiliated to the Premises Licence holder.

348 Glass set aside for recycling shall not be emptied from one receptacle into another in any external area of the premises between the hours of 22.00 and 08.00 on any day.

349 The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.

350 Alcoholic drinks will not be sold for immediate consumption immediately outside the premises at any time, including for those leaving for the purpose of smoking. For the purpose of this condition 'outside the premises' refers to areas outside of the area covered by the red line in the plans.

351 No noise shall emanate from the premises, nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.

305 A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public the exit to the premises.

4AA A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.

4AI A register of refusals book or electronic equivalent designed to record all refusals of sales of alcohol shall be maintained on the premises and made available to the police and local authority officers upon reasonable request.

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

Annex 4 - Plans - Attached

Licence No. 875045
Plan No. MST 01 22
Plan Date 01/10/2019

30/11/2023

Business - Application to vary a premises licence under the Licensing Act 2003

Ref No. 2128614

Please enter the name(s) of the premises licence holders who is applying to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

	Waterhouse 1854 Limited
Premises licence number	875045

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, 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.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. 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'.
10. 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.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.

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

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

£	14000
---	-------

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

Address Line 1	1A MOROCCO STREET
Address Line 2	
Town	LONDON
County	
Post code	SE1 3HB
Ordnance survey map reference	
Description of the location	Morocco Bound
Telephone number	██████████

Part 2 - Applicant details

Daytime contact telephone number	██████████
Email address	██████████
Postal Address if different from premises address	
Town / City	
Postcode	

Do you want the premises licence to have effect as soon as possible?

Please tick	Yes
-------------	-----

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

(DD/MM/YYYY)	
--------------	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

	No
--	----

Please describe briefly the nature of the proposed variation (see guidance note 2)

	<p>Morocco Bound is a boutique retail merchant and community hub, specialising in books, coffee and local craft beers, which caters to knowledgeable discerning consumers in the Bermondsey Street Area.</p> <p>With a unique selling point of combining a book seller, craft beer shop and other local produce alongside excellent customer service, Morocco Bound is a destination speciality store as well as a local shop for local people.</p> <p>The premises also operates as an art and design studio, workspace and cultural centre.</p> <p>Since the premises licence was obtained in 2019, the business has evolved and developed a loyal client base. This variation seeks to facilitate the changes which are essential to allow the flexibility required to continue that development.</p> <p>The variation seeks an increase to the hours to provide greater consistency throughout the week, however these proposed hours still fall within the hours set out in the Licensing Policy Statement for Southwark and conform with the stated Licensing Hours Policy.</p> <p>The variation also seeks to facilitate the sale of alcohol to an outside seating area subject to the appropriate permissions being granted for that area. As such the variation seeks to remove three conditions and replace them with one combined condition which will only permit off-sales to be consumed immediately outside the premises, when patrons are seated in an appropriately licensed area.</p> <p>An additional condition limits the time this external area can be used.</p>
--	--

If your proposed variation would mean that 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

Please select number from range	Less than 5000
---------------------------------	----------------

Notes

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises, for example the type of premises, 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.

IN ALL CASES COMPLETE BOXES K, L AND M

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

	b) Films (If ticking, fill in box B)

Provision of late night refreshment (if ticking fill in box I)

--	--

Supply of alcohol (if ticking fill in box J)

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

In all cases complete boxes K, L and M

Will the exhibition of films take place indoors or outdoors or both? (Please read guidance note 4)

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

Please give further details here (Please read guidance note 5)

	Films
--	-------

Standard days and timings for Films (Please read guidance note 8)

Day	Start	Finish
Mon	12:00	23:00
Tues	12:00	23:00
Wed	12:00	23:00
Thur	12:00	23:00
Fri	12:00	23:00
Sat	12:00	23:00
Sun	12:00	23:00

State any seasonal variations for the exhibition of films (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed. (Please read guidance note 7)

--	--

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. 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.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

Will the supply of alcohol be for consumption (Please read guidance note 9)

	Both
--	------

Standard days and timings for Supply of alcohol (Please read guidance note 8)

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

State any seasonal variations for the supply of alcohol (Please read guidance 6)

--	--

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 7)

--	--

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

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

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

9. 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'.

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 10)

	N/A
--	-----

Guidance Notes

10. 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.

Hours premises are open to the public (standard timings Please read guidance note 8)

Day	Start	Finish
Mon	08:30	23:30
Tues	08:30	23:30
Wed	08:30	23:30
Thur	08:30	23:30
Fri	08:30	23:30
Sat	09:00	23:30
Sun	09:00	23:30

State any seasonal variations (Please read guidance note 6)

--	--

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 7)

--	--

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

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

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

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

	<p>343 Any 'off sales' of alcohol shall be provided in sealed containers and taken away from the premises.</p> <p>350 Alcoholic drinks will not be sold for immediate consumption immediately outside the premises at any time, including for those leaving for the purpose of smoking. For the purpose of this condition 'outside the premises' refers to areas outside of the area covered by the red line in the plans.</p>
--	--

I have uploaded relevant part of the previous premises licence (Please send a hard copy in the post)

	Premises-Licence-01-07-2021-Morocco-Bound.pdf

Reason for not uploading the premises licence

--	--

a) General - all four licensing objectives (b,c,d,e) (Please read guidance note 11)

	1. Alcohol shall only be sold for consumption on the premises after 11.00 on every day. 2. No consumption of alcohol shall take place outside the premises (as delineated by the red lines on the plans) after 22.30 on any day, including those persons leaving temporarily for the purpose of smoking.
--	---

b) the prevention of crime and disorder

	The existing conditions are sufficient to promote this Licensing Objective
--	--

c) public safety

	The existing conditions are sufficient to promote this Licensing Objective
--	--

d) the prevention of public nuisance

	3. All tables and chairs located in the external areas of the premises shall be rendered unusable after 22.30 on each day.
--	--

e) the protection of children from harm

	The existing conditions are sufficient to promote this Licensing Objective
--	--

Guidance note 11

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

If the plan of the premises are varying please upload a plan of the premises,

Upload proposed plans	
Upload existing plans	

Checklist

	I understand that I must now advertise my application. I understand that if I do not comply with the above requirements my application will be rejected.
--	---

I/We Hereby declare the Information we have provided is true and Accurate.

I agree to the above statement

	I agree
PaymentDescription	[REDACTED]
AuthCode	[REDACTED]
LicenceReference	[REDACTED]
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If completing on behalf of the applicant, please state in what capacity.

Full name	Peter Mayhew
Date (DD/MM/YYYY)	30/11/2023
Capacity	Agent (Licensing Consultant)

Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 14). If completing on behalf of the applicant state in what capacity

Full name	Peter Mayhew
Date (DD/MM/YYYY)	
Capacity	Agent (Licensing Consultant)

Contact name (where not previously given) an address for correspondence associated with this application (please read guidance note 15)

Contact name and address for correspondence	C/o Beyond the Blue Limited [REDACTED]
Telephone No.	[REDACTED]
If you prefer us to correspond with you by e-mail, your email address (optional)	[REDACTED]

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 MAYBE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

GUIDANCE NOTES

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

Please tick to indicate agreement

<input type="checkbox"/>	I am a company or limited liability partnership
--------------------------	---

[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, if appropriate.

I/We Hereby declare the Information we have provided is true and Accurate.

I agree to the above statement

	Yes
--	-----

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

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.

Pavement outside Morocco Bound, 1a Morocco Street, London SE1 3HB



Morocco Bound, 1a Morroco Street – 21:14 hours on 22 September 2023





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/23/906

Date: 24/12/2023

Dear Sir/Madam

Re: Morocco Bound 1A Morocco Street SE1 3HB

Police are in possession of an application from the above for a variation the premises licence to extend the opening hours and remove conditions .The venues application describes it as boutique retail merchant and community hub, specialising in books, coffee and local craft beers.

The venue is situated in a residential area and The Southwark statement of licensing policy recommends a closing time of 2300hours for such a venue however the venue has requested the following terminal hours

Opening to the Public
 Mon-Fri-830hrs-2330hrs
 Sat-Sun-0900hrs-2330hrs

Supply of alcohol off sales
 Mon-Sun-0900hrs-2300hrs

Films
 Mon-Sun-1200hrs-2300hrs

The hours requested are outside those recommended within the policy for a residential area.

The venue has a narrow footpath immediately outside which borders a road and If used for the consumption of alcohol would either force pedestrians into the road or lead to patrons using the road to consume alcohol either of which is a concern for public safety. The applicant has asked to remove certain conditions to allow consumption of alcohol immediately outside the premises and replace them with new conditions that are vague and do not control the use of the outside area, there is no mention within the conditions that alcohol would only be consumed by persons

seated outside and also suggests that persons leaving the venue to smoke would also be able to take alcohol with them allowing for vertical drinking outside.

The Metropolitan Police object to the granting of this licence variation as the removal of conditions 343 and 350 and those new conditions offered do not address the licensing objectives in particular that of prevention of crime and disorder, public safety and prevention of nuisance.

Submitted for your consideration.
Yours Sincerely

PC Mark Lynch 2246AS

Licensing Officer
Southwark Police Licensing
SouthwarkLicensing@met.police.uk

From: mark.A.Lynch@met.police.uk <mark.A.Lynch@met.police.uk>

Sent: Thursday, January 25, 2024 11:06 AM

To: [REDACTED]

Cc: Franklin, David <David.Franklin@SOUTHWARK.GOV.UK>

Subject: Morocco Bound 1A Morocco Street SE1 3HB ref 23/906

Good Evening Peter

Thank you for the e-mail and explanation as to why such a variation is requested. I understand the reasoning behind the introduction of the Business and planning act 2020 however its introduction was rather a blanket piece of legislation to assist premises to thrive following covid. The legislation does not however take into account the control measures placed on a licence at the point of it being granted especially in regards to public safety and obstruction of the highway for me to agree to remove such a condition without adequate safety precautions put in place would not be a sensible approach. I have visited the location and my concerns remain, the foot path I believe is less than 4ft wide and realistically the only way for persons to stand outside drinking without obstructing the highway would be for those persons to stand with their backs to the wall which is not realistically going to happen. I understand that no reports so far have been made in regards to persons causing an obstruction of the footpath or road or even persons injured however I would argue this is due to the conditions that are in place to prevent such issues. At this point the suggested conditions you offer do not address my concerns and I am afraid I cannot withdraw my representation.

Kind regards

Mark Lynch Pc 2246AS

Central South BCU – Southwark | Licensing Team

Southwark Police Station

305 Borough High Street, SE1 1JH

Email: [REDACTED]

From: Peter Mayhew [REDACTED]
Sent: 15 January 2024 19:49
To: Lynch Mark A - AS-CU <mark.A.Lynch@met.police.uk>
Cc: MD Mailbox - Southwark Licensing <SouthwarkLicensing@met.police.uk>
Subject: RE: Morocco Bound 1A Morocco Street SE1 3HB ref 23/906

Hi Mark,

Apologies again for the delay in getting back to you, diary conflicts have made it difficult for us to arrange a call with the applicant. However, we managed to do that today and I thought it would be helpful for me to set out our suggestions and some of the reasoning behind them.

Any comments or proposed agreements / amendments are made without prejudice.

Hours

You have indicated in your subsequent communications that you have no fundamental objection to the hours applied for. We would therefore suggest these remain as per the application.

Conditions

On a more general level, it might be helpful to explain a little more why they are seeking these changes.

When they run one of their low-key events at the premises, be that an acoustic music event, book / poetry reading evenings and similar types of activities, people attending will often venture outside in small numbers during the breaks to get some fresh air. They will naturally occasionally take drinks with them.

Currently this is permissible under the exemptions granted by the Business & Planning Act 2020 as was recently confirmed in a meeting with the Licensing Officer.

To date this has not caused any issues of Crime & Disorder or Public Nuisance that we are aware of and this application seeks to ensure that operationally the ability for a few people to stand outside, does not have to change when these exemptions cease in March 2025.

This application seeks to remove the two conditions which would come back into force after March 2025.

343 Any 'off sales' of alcohol shall be provided in sealed containers and taken away from the premises.

The removal of this conditions will not change the current nature of the premises. It is and has currently been rendered unenforceable by virtue of the Business & Planning Act 2020 which now remains in place until March 2025.

To date the 'temporary removal' of this condition for the past few years has caused no issues at the premises and I see no reason why this would suddenly change from March 2025 onwards.

350 Alcoholic drinks will not be sold for immediate consumption immediately outside the premises at any time, including for those leaving for the purpose of smoking. For the purpose of this condition 'outside the premises' refers to areas outside of the area covered by the red line in the plans.

There is an argument that this condition may also be rendered unenforceable through the same Act. It was an Act which was after all brought into play, precisely to permit premises to allow people to drink outside during the pandemic. The recent extension to exemptions permitted by the Act in relation to off-sales, demonstrates that the Government at least felt there was no great rise in concerns around these changes.

The applicant held a meeting with the Licensing Officer recently to discuss these matters and how they pertained to this particular premises. My understanding is that they were in agreement, that the Act permitted these activities outside the premises until March 2025. This application simply seeks to make such permissions permanent.

It should be noted that no residents have objected to this application nor have the Noise Team from Environmental Health. That does of course in no way diminish the validity of the Police representation, but it does speak to the perceived lack of impact on the Public Nuisance Objective the proposed changes will have.

In respect of Public Safety, those concerns are acknowledged, but again to date care has been taken to address these concerns and no instances of a conflict between traffic and customers has been observed or reported. The applicant has been working for some time to address these issues further with the placement of street furniture and traffic calming measures having been proposed, discussed and partially implemented.

On the point of Crime & Disorder, the application does not propose to change the nature of the premises into a Bar or Pub with many people spilling out onto the street, no change has been proposed to the plans of the premises.

To date I am not aware of a single incident of Crime or Disorder associated with this premises and I see no reason why these proposals would change that.

We have included within the application a few new conditions, to ensure that people would not be outside late into the night and cause potential public nuisance. As a sign of good faith, the applicant would be willing to change two of these conditions offered to reflect the 22.00 closing time for the outside area, as you proposed. They would therefore read:

- No consumption of alcohol shall take place outside the premises (as delineated by the red lines on the plans) after 22.00 on any day, including those persons leaving temporarily for the purpose of smoking.
- All tables and chairs located in the external areas of the premises (as delineated by the red lines on the plans) shall be rendered unusable after 22.00 on each day.

If it would provide reassurance that large crowds of people would not gather on the pavement outside this premises drinking, we would be willing to consider limiting them by condition to an agreed number. This would be subject to an agreement being reached whereby the Police would withdraw their representation:

- No more than 12 persons would be permitted to consume alcohol in the area immediately outside the premises (as delineated by the red line on the plans) at any one time, unless seated in an area covered by a current tables and chairs licence.
- Customers consuming alcohol must remain on the pavement at all times and no customers shall be permitted to stand on the road while consuming alcohol. unless within the area covered by a current tables and chairs licence.

These proposals seek to initiate further discussion between the applicant and the Police with a view to resolving the issued raised in the representation. Where it is possible to do so, the applicant would seek to reach a position where the Police feel they are able to withdraw their representation.

I look forward to your comments.

Kind regards

Peter

Peter Mayhew - Director

Beyond the Blue

Training & Consultancy

[REDACTED]

[REDACTED]

Surrey [REDACTED]

[REDACTED]
[REDACTED]
Web. [REDACTED]

Web. [REDACTED]

From: mark.A.Lynch@met.police.uk <mark.A.Lynch@met.police.uk>

Sent: Wednesday, January 10, 2024 11:50 AM

To: Peter Mayhew [REDACTED]

Subject: RE: Morocco Bound 1A Morocco Street SE1 3HB ref 23/906

Good Morning

Thank you for your reply. I have re-read the application and would be happy to suggest the following that would allow future use of an outdoor area subject to patrons being seated and licensed by Southwark council

All off sales of alcohol shall be provided in sealed containers for consumption away from the premises with the exception of those persons seated in any area covered by a current tables & Chairs licence issued by Southwark Council.

Alcoholic drinks will not be sold for immediate consumption immediately outside the premises at any time, including for those leaving for the purpose of smoking with the exception of those seated in any area covered by a current tables & Chairs licence issued by Southwark Council. For the purpose of this condition outside the premises refers to areas outside of the area covered by the red line in the plans.

That the use of any outside area covered by a current tables and chairs licence issued by Southwark council shall cease at 2200hrs and all table and chairs shall be rendered unusable.

I hope this addresses our concerns and the reasoning behind the application. I will not be in the office again until 24/01/2024 however please feel free to liaise with my colleague Pc Clements using the main e mail address :-
SouthwarkLicensing@met.police.uk

Kind regards

Mark Lynch Pc 2246AS

Central South BCU – Southwark | Licensing Team

Southwark Police Station

305 Borough High Street, SE1 1JH

From: Peter Mayhew [REDACTED]
Sent: 04 January 2024 18:05
To: Lynch Mark A - AS-CU <mark.A.Lynch@met.police.uk>
Subject: RE: Morocco Bound 1A Morocco Street SE1 3HB ref 23/906

Hi Mark,

I did receive your representation, apologies I should have acknowledged it sooner.

With Christmas and everything else, a formal response has been somewhat delayed and as my out of office hopefully suggested, I am away for a few more days.

As it happens, I emailed the applicant earlier today with some proposals as to how we might approach resolving this matter and am awaiting their response.

The issue with the conditions is an important one, these were not proposed to be removed on a whim, with an application for an extension of the hours. They were one of the driving forces behind the application, so some sort of resolution will need to be found.

We may be in a positions to offer some additional conditions to reassure you further that this will not fundamentally change the current nature of the premises and if you had given any consideration to conditions which might help in this regard, I would be interested to discuss them with you further.

It may be helpful for us to organise an informal call, when I could maybe provide you with further clarification on the intentions and we could try and find some middle ground?

I am back in the UK from 10/01/2024.

Kind regards

Peter

Peter Mayhew - Director

Beyond the Blue

Training & Consultancy

Web. [REDACTED]

Web. [REDACTED]

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[REDACTED]

VAT Number [REDACTED]

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From: mark.A.Lynch@met.police.uk <mark.A.Lynch@met.police.uk>

Sent: Thursday, January 4, 2024 4:26 PM

To: [REDACTED]

Subject: FW: Morocco Bound 1A Morocco Street SE1 3HB ref 23/906

Good Afternoon

Following on from my communication with David Franklin I just wanted to ensure you had received my representation and to clarify that my objection is not in regards to the hours being sought but is based upon the serious concerns in regards to public safety , prevention of crime and disorder and prevention of nuisance that would occur should condition 343 and 350 be removed and replaced with those the applicant has offered

Kind regards

Temporary event notices – Morocco Bound

refno	start_date	end_date	times	max no people	sale of alcohol	for consumption	reg ent	LNR	police obj	ept obj
875033	11/07/2021	11/07/2021	20.00 to 23.00	28	Yes	Both	Yes	No	No	No
875260	21/09/2021	22/09/2021	Saturday (12.00 - 01.00) Sunday (12.00 - 10.30)	50	Yes	Both	No	No	No	No
875816	30/10/2021	31/10/2021	Saturday (12.00 - 01.00) Sunday (1200 - 2300)	60	Yes	On Premises	No	No	No	No
876275	17/12/2021	17/12/2021	12.00 till 00:00	60	Yes	On Premises	No	No	No	No
876770	19/02/2022	19/02/2022	12.00 till 00:00	60	Yes	On Premises	No	No	No	No
877184	16/04/2022	17/04/2022	1900 - 0100	50	Yes	Both	No	Yes	No	No
878315	29/10/2022	30/10/2022	19:00 - 01:00	60	Yes	On Premises	No	No	No	No
879533	25/03/2023	26/03/2023	22:30-00:00	40	Yes	On Premises	No	No	No	No
881330	31/10/2023	31/10/2023	12:00-23:59	45	Yes	Both	No	No	No	No
881747	13/12/2023	14/12/2023	10:00- 00:00	60	Yes	Both	No	No	No	No
882052	12/01/2024	13/01/2024	6pm -00:30	50	Yes	Both	No	Yes	No	No
882204	30/01/2024	05/02/2024	18:00 - 00:00	60	Yes	Both	No	No	No	No

1A MOROCCO STREET LONDON SE1 3HB

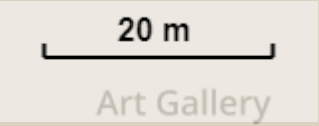
APPENDIX G

Pl Licenced Premises

▲ All licenced premises



Southwark Maps



Scale = 1:661.500

2-Feb-2024

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