

Licensing Sub-Committee

Thursday 4 April 2024

10.00 am

Online/Virtual

Membership

Councillor Renata Hamvas (Chair)
Councillor Margy Newens
Councillor Kath Whittam

Reserves

Councillor Charlie Smith

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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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: 22 March 2024



Licensing Sub-Committee

Thursday 4 April 2024
10.00 am
Online/Virtual

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: COSTA AZUL, UNIT 4 RAILWAY ARCH 102A ROCKINGHAM STREET, LONDON SE1 6PG	1 - 59
6.	LICENSING ACT 2003: TASTY AFRICAN FOOD, 57-59 CAMBERWELL ROAD, LONDON SE5 0EZ	60 - 117

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: 22 March 2024

Agenda Item 5

Item No. 5.	Classification: Open	Date: 4 April 2024	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Costa Azul, Unit 4 Railway Arch 102a Rockingham Street, London SE1 6PG	
Ward(s) of group(s) affected		Chaucer	
From		Strategic Director of Environment, Neighbourhoods and Growth	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Amber J Restaurant Ltd to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as: Costa Azul, Unit 4 Railway Arch 102a Rockingham Street, London SE1 6PG.
2. Notes:
 - a) The application seeks to vary the premises licence held in respect of the premises known as Costa Azul, Unit 4 Railway Arch 102a Rockingham Street, London SE1 6PG 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) Paragraphs 8 and 9 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 as Appendix A.
 - c) Paragraphs 10 to 18 of this report provide a summary of the application. A copy of the application is attached to this report as Appendix B.
 - d) Paragraphs 19 to 30 of this report deal with the representations submitted in respect of the application. A copy of the representations is attached to this report as Appendix C.
 - e) Paragraphs 31 to 38 provide a summary of the history of the premises with a list of temporary event notices licensing visits in Appendix D
 - f) A map showing the location of the premises is attached to this report as Appendix E.
 - 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 Costa Azul, Unit 4 Railway Arch 102a Rockingham Street, SE1 6PG was transferred to the current premises licence holder on 18 August 2021 and allows the following licensable activities:
 - **Live music – indoors**
 - Sunday to Thursday: 11:00 to 23:00

- Friday and Saturday: 11:00 to 00:00
- **Recorded music – indoors**
 - Sunday to Thursday: 11:00 to 23:00
 - Friday and Saturday: 11:00 to 00:00
- **Late night refreshment – indoors**
 - Friday and Saturday: 23:00 to 00:30
- **The sale of alcohol to be consumed off the premises:**
 - Sunday to Thursday: 11:00 to 23:00
 - Friday and Saturday: 11:00 to 00:30
- **The sale of alcohol to be consumed on the premises:**
 - Sunday to Thursday: 11:00 to 23:00
 - Friday & Saturday: 11:00 to 00:30
- **Opening hours:**
 - Sunday to Thursday: 11:00 to 23:00
 - Friday and Saturday: 11:00 to 01:00.

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

The variation application

10. On 11 February 2024 Amber J Restaurant Ltd applied to this council to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Costa Azul, Unit 4 Railway Arch 102a Rockingham Street, London SE1 6PG.
11. The variation application is described by the applicant as:
- “Extend hours for Licensable activity”
12. The application seeks to vary the finishing hours for recorded music, late night refreshment, sale of alcohol for consumption on the premises and opening times.
13. Additionally it seeks to add an additional licensable activity for performance of dance.
14. The application does not propose any alteration to the licensable activities for live music and the sale of alcohol for consumption off the premises.

15. If granted the following hours will apply:

- **Live music – indoors**
 - Sunday to Thursday: 11:00 to 23:00
 - Friday and Saturday: 11:00 to 00:00
- **Recorded music – indoors**
 - Sunday to Thursday: 11:00 to 00:30
 - Friday and Saturday: 11:00 to 02:30
- **Performance of dance – indoors**
 - Sunday to Thursday: 11:00 to 00:30
 - Friday and Saturday: 11:00 to 02:30
- **Late night refreshment – indoors**
 - Sunday to Thursday: 23:00 to 00:30
 - Friday and Saturday: 23:00 to 02:30
- **The sale of alcohol to be consumed off the premises:**
 - Sunday to Thursday: 11:00 to 23:00
 - Friday and Saturday: 11:00 to 00:30
- **The sale of alcohol to be consumed on the premises:**
 - Sunday to Thursday: 11:00 to 00:30
 - Friday and Saturday: 11:00 to 02:30
- **Opening hours:**
 - Sunday to Thursday: 11:00 to 01:00
 - Friday and Saturday: 11:00 to 03:00.

16. The application also offers a number conditions within the operating schedule attached to the variation application.

17. Some of the proposed conditions are similar to existing conditions, however the section of the application that asks the applicant to identify those conditions currently imposed on the licence which they believe could be removed as a consequence of the proposed variation has been left blank.

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

Representations from responsible authorities

19. Representations were submitted by the Metropolitan Police Service and the licensing authority.
20. The police object to the granting of this variation to the licence under the prevention of crime and disorder licensing objective. They state that the venue currently has operating hours that exceed those recommended within the Southwark statement of Licensing policy for such a venue, and seeks to extend these hours even further to those that are in line with a nightclub.
21. They also say that the streets are many residential buildings and have seen an increase in alcohol related crime and disorder at weekends with the venue being subject to a number of crime reports all of which the contributory factor appears to be over intoxication, to extend the hours will only add to the antisocial behaviour endured already by local residents.
22. The police acknowledge that the premises proposes additional control measures to address the licensing objectives, however the police are of the opinion that even with these and any further measures added the location is not suitable for such late operating hours
23. The licensing representation relates to the promotion of the prevention of crime and disorder, public safety and the prevention of public nuisance licensing objectives. It observes that the premises is near to high traffic areas of New Kent Road and Elephant and Castle. However, Rockingham Street itself is quiet and receives minimal traffic in the evening or early hours of the morning. During the late evening and early hours of the morning, it receives minimal pedestrian traffic except for local residents.
24. The representation states that the locale has many high-density residential housing estates and blocks in the immediate and wider vicinity of the premises in all directions and provides a map of the local area, showing the proximity of the premises to local residential housing blocks and photographs of the streets.
25. The representation does not object to the grant of the extended hours for Sunday to Thursday, but does object to any extension on Friday and Saturday nights which would be outside the recommended closing times in the Southwark statement of licensing policy.
26. The representation also objects to the schedule of conditions provided on application replacing the existing licence conditions in their entirety.
27. The licensing authority representation also provides a copy of the notice of decision dated 13 January 2014 for the original licence application.
28. A copy of the representations submitted by the responsible authorities is attached as Appendix C.

Representations from other persons

29. No representations have been submitted by other persons.

Conciliation

30. The applicant has received copies of the representative but at the time of writing has not engaged with the responsible authorities.

Premises licensing history

31. The original premises licence application in respect of the premises was contested by 3 responsible authorities, 41 residents and the ward councillor. The licence was granted by the licensing sub-committee on 13 January 2014 with reduced hours and additional conditions to Wilson Ivan Delgado Armijos (AKA Wilson Ivan Armijos Delgado. Mr Delgado/Armijos was also the designated premises supervisor.

32. In September 2014 the premises licence was varied to adjust the conditions, the variation was uncontested.

33. In June 2021 the premises licence was varied to add off sales of alcohol and increase the licensable activities. The application was contested by 3 responsible authorities which was conciliated by the applicant agreeing to earlier hours, which forms the current premises licence.

34. The premises licence was transferred to the current premises licence holder Amber J Restaurant Ltd on 18 August 2021

35. There have been 30 temporary event notices (TENs) submitted in respect of the premises since the transfer.

36. Six licensing visit have been made to the premises.

37. The details of the TENs and licensing visits are provided in Appendix D.

Complaints

38. There have been 4 complaints made to the council and two referrals as follows:

Received date	Time	Category	Unit	How received	Complaint text
08/06/2023	16.22	L72 Public nuisance	Licensing	E-mail	Restaurant downstairs is too loud. Resident states it is a club on weekends.
01/09/2023	22.59	NR1 Loud Music - RR	Noise Team	Telephone	Music - Resident reporting restaurant playing loud music
08/09/2023	21.1	NR1 Loud Music - RR	Noise Team	Telephone	Music - Resident reporting Loud music being played coming from a

Received date	Time	Category	Unit	How received	Complaint text
18/09/2023	8.32	L72 Public nuisance	Licensing	E-mail	Noise Team inform licensing they attended premises and served a noise abatement notice.
12/01/2024	23.24	NR1 Loud Music - RR	Noise Team	Telephone	Music - has reported loud music from Coaster
12/01/2024	23.24	L72 Public nuisance	Licensing	E-mail	Noise Team attended on 13th January at 00:20. witnessed a breach of licensing condition as the music was still playing inside the venue when visited them.

Map

39. A map showing the location of the premises is attached to this report as Appendix E. The following premises are permitted to provide licensable activities as stated:

The Elephant & Castle P/H, 1 Newington Causeway, London SE1 6BN:

- The provision of live music, recorded music, anything similar to live or recorded music, films, performances of dance, indoor sporting events:
 - Sunday to Thursday: 07:00 to 01:00
 - Friday and Saturday: 07:00 to 02:00
- The provision of recorded music, anything similar to live or recorded music, performances of dance:
 - Sunday to Thursday: 07:00 to 00:00
 - Friday and Saturday: 07:00 to 01:00
- The provision of live music:
 - Monday to Sunday: 07:00 to 00:00
- The sale of alcohol:
 - Sunday to Thursday: 07:00 to 01:00
 - Friday and Saturday: 07:00 to 02:00
- The provision of late night refreshment:
 - Sunday to Thursday: 23:00 to 02:00
 - Friday and Saturday: 23:00 to 03:00

JD Wetherspoons t/a The Rockingham Arms, 119 Newington Causeway, London SE1 6BN:

- The sale of alcohol:
 - Sunday to Thursday: 09:00 to 00:30
 - Friday and Saturday: 09:00 to 01:00
- The provision of late night refreshment:
 - Sunday to Thursday: 23:00 to 00:30
 - Friday and Saturday: 23:00 to 01:00

Nando's Restaurant, Unit 4, 119 Newington Causeway, London SE1 6BN:

- The sale of alcohol:
 - Monday to Saturday: 11:00 to 00:00
 - Sunday: 11:00 to 23:30
- The provision of late night refreshment:
 - Monday to Saturday: 23:00 to 00:30
 - Sunday: 23:00 to 00:00

Lenos & Carbon, 5 – 7 Rockingham Street, London SE1 6PD:

- The sale of alcohol:
 - Monday to Thursday: 11:00 to 22:00
 - Friday and Saturday: 11:00 to 22:00
 - Sunday: 14:00 to 21:00.

Southwark Council statement of licensing policy

40. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and came into effect on 1 January 2021.
41. 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.
42. 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.
43. 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://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Cumulative impact area (CIA)

44. The premises are not situated in a cumulative impact area.
45. The premises also falls within the The Elephant and Castle Major Town Centre.

46. 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 to Saturday: 0:100
 - Sunday to Thursday: 00:00
- Public houses, wine bars or other drinking establishments:
 - Friday to Saturday: 00:00
 - Sunday to Thursday: 23:00.

Climate change implications

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

48. 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.

49. 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.

50. 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

51. 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

52. 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.

53. 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.
54. 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>.

55. The equalities impact assessment is available at:

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

Health impact statement

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

Resource implications

57. A fee of £315.00 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value C.

Consultation

58. 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

59. 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

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

Principles for making the determination

62. 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.
63. 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.
64. 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.
65. 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

66. 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.
67. The four licensing objectives are;
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.

68. 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.
69. 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.
70. 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.
71. 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

72. 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

73. 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.

74. 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

75. 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.
76. 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.
77. 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.
78. 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.
79. 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.

80. 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.
81. 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.
82. 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

83. 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

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

APPENDICES

Name	Title
Appendix A	Copy of the current premises licence
Appendix B	Copy of the variation application
Appendix C	Responsible authority representations
Appendix D	List of temporary event notices and licensing visits
Appendix E	Map showing the location of the premises

AUDIT TRAIL

Lead Officer	Toni Ainge, Strategic Director of Environment, Neighbourhoods and Growth	
Report Author	David Franklin, Principal Licensing Officer	
Version	Final	
Dated	19 March 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	20 March 2024	

Licensing Act 2003 Premises Licence



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

Premises licence number

875387

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Costa Azul Unit 4 Railway Arch 102a Rockingham Street	
Ordnance survey map reference (if applicable): 532108179133	
Post town: London	Post code: SE1 6PG
Telephone number: 020 7403 5388	

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

The opening hours of the premises. For any non standard timings see Annex 2
Monday 11:00 - 23:00 Tuesday 11:00 - 23:00 Wednesday 11:00 - 23:00 Thursday 11:00 - 23:00 Friday 11:00 - 01:00 Saturday 11:00 - 01:00 Sunday 11:00 - 23:00

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

The times the licence authorises the carrying out of licensable activities

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

Live Music - Indoors

Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 00:00
Saturday	11:00 - 00:00
Sunday	11:00 - 23:00

Recorded Music - Indoors

Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 00:00
Saturday	11:00 - 00:00
Sunday	11:00 - 23:00

Sale by retail of alcohol to be consumed on premises

Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 00:30
Saturday	11:00 - 00:30
Sunday	11:00 - 23:00

Sale by retail of alcohol to be consumed off premises

Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 00:30
Saturday	11:00 - 00:30
Sunday	11:00 - 23:00

Late Night Refreshment - Indoors

Friday	23:00 - 00:30
Saturday	23:00 - 00:30

Part 2

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

Amber J Restaurant Ltd
102 Rockingham Street
London
SE1 6PG

Registered number of holder, for example company number, charity number (where applicable)
13503720

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

Wilson Ivan Delgado Armijos

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

Licence No.: [REDACTED]
Authority: L.B Lambeth

Licence Issue date: 28/09/2021

[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.

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

311 That clearly legible signage will be prominently displayed at the exit where it can easily be seen and read requesting to the effect that customers leave the premises in a quiet and orderly manner. Such signage shall be written in both English and Spanish and maintained free from obstruction at all times.

305 That clearly legible signage will be prominently displayed both in the dining area and in the toilets where it can easily be seen and read stating to the effect that the premises is a drug free zone and that the use of banned substances will not be tolerated. Such signage shall be written in both English and Spanish and shall be maintained free from obstruction at all times.

340 The premises shall operate a 'Challenge 25' policy whereby customers purchasing alcohol who 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 of proof of age shall include a driving licence, passport or a Proof of Age Standards Scheme (PASS) approved proof of age card.

4AB That all staff involved in the sale of alcohol shall attend a training scheme which will include training in the 'Challenge 25' policy. They must obtain a certificate of competence. A record of their training, including the dates that each member of staff is trained, shall be made available for inspection at the premises on the request of the council's authorised officers or the police.

4AC That 'Challenge 25' signage (in both English and Spanish) shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that a 'Challenge 25' policy applies and proof of age may be required. This signage shall be maintained free from obstruction at all times.

341 A register of refused sales of alcohol which is clearly marked with details of the premises address and name of the licence holder shall be maintained in order to demonstrate effective operation of the Challenge 25 policy. The register shall be made available for inspection at the premises on the request of the council's authorised officers or the police.

342 That all staff shall be trained in their responsibilities under the Licensing Act 2003 and records of the training shall be kept and updated every 6 months. The training records shall be made immediately available to officers of the police and the council upon request.

343 Customers shall use no outside area after 23:00hrs other than those who temporarily leave the premises to smoke a cigarette and the number of customers who are permitted to leave the premises to smoke after 23:00 shall not exceed five persons.

344 That no food or drinks obtained from the premises will be permitted to be consumed outside of the premises at anytime.

345 There shall be no new entry or re-entry to the premises after 01:00hrs.

346 That a personal licence holder is on the premises and on duty at all times that intoxicating liquor is supplied after 22:00 hours on Friday and Saturday nights until the terminal hour, and if not on the premises, will be contactable at all times and will leave a designated manager at the premises as a deputy.

- 347** That no spirits (liquids containing more than 20% ABV) are to be sold by the bottle or half bottle.
- 348** That all spirits (liquids containing more than 20% ABV) should be sold in measures of 25ml or 35ml to a maximum of two measures per container / glass.
- 349** That all licensable activities shall cease 30 minutes prior to the terminal opening hour.
- 350** That SIA registered door supervisors, at least one of whom shall be a female, shall be employed at all times when a special or temporary event takes place and the terminal hour is after 00:00 Hrs (Midnight).
- 288** That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises.
- 289** That all CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available to officers of the police and the council upon request.
- 355** That alcohol shall be stored where it can easily be seen by staff working at the pay counter at all times.
- 351** A member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises are open to the public.
- 352** The CCTV system will display the correct time and date on any & all recordings made by the system.
- 354** That all alcohol shall be kept behind the pay counter at the premises and will not be readily available to customers at the premises. Customers will only be able to physically procure alcohol via a member of staff.
- 356** That customers shall not be permitted access to any food preparation area.
- 357** That suitable fire extinguishers shall be kept at the premises. The fire extinguishers shall be inspected by a person qualified to do so at least once annually to ensure that they are in full working order. The details of the inspection shall be kept at the premises and shall be made available to officers of the council, police or fire brigade upon request. Should extinguishers at the premises be under 1 year old documentation providing proof of the extinguishers purchase date shall be kept at the premises and shall be made available to officers of the council, police or fire brigade upon request.
- 358** That all fire extinguishers kept at the premises shall be kept free from obstruction and shall be located in easily accessible areas at all times.
- 359** That any person who appears to be intoxicated or who is engaging in anti-social behaviour shall not be permitted entrance to the premises.
- 360** Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a table meal and by consumption of such persons as an ancillary to their meal.
- 361** The accommodation limit for the premises shall not exceed 70 persons (excluding staff).
- 362** The written dispersal policy shall be kept at the premises with the licence and made available for inspection by authorised council officers or the police. All relevant staff shall be trained in the implementation of the dispersal policy.
- 363** All 'off sales' of alcohol shall be provided in sealed containers and taken away from the premises.

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

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

809 That a sound limiting device (SLD) shall be installed at the premises and shall be calibrated to the satisfaction of the council's Environmental Protection Team (EPT). All amplification equipment in regards to both live and recorded sound must be routed through the SLD. At no time shall any amplification equipment be operated independently of the SLD. The SLD shall be calibrated to the satisfaction of the EPT prior to any recorded or amplified live music being provided at the premises. Once calibrated, the control settings of the SLD shall not to be altered at any time except with the prior consent of the EPT. The SLD shall be accessible to the licensee and / or manager of the premises only, and its installation be such that its control panel cannot be accessed by any other staff.

840 That any promotional material on or in any media shall state to the effect that there are no parking spaces available in the immediate vicinity of the premises. Any persons hiring the premises and / or promoting events at the premises will be informed that that any promotional material on or in any media must state to the effect that there are no parking spaces available in the immediate vicinity of the premises.

841 That the depositing of waste glass / earthenware into external waste receptacles shall not take place between 22:00 and 07:00 the following day.

842 That the mass depositing of waste glass / earthenware into internal waste receptacles shall not take place between 22:00 and 07:00 the following day. This condition allows the separate depositing of individual pieces of waste glass / earthenware into small internal waste receptacles throughout the operating hours of the premises.

843 That any doors at the premises leading directly to the outside of the premises will be fitted with door bottom and perimeter acoustic seals.

844 That a lobby entrance will be installed at the premises. The doors in the lobby entrance will be fitted with door bottom and perimeter acoustic seals.

845 That a comprehensive customer dispersal policy shall be written to the reasonable satisfaction of the council's EPT. All staff at the premises shall be briefed in regards to the dispersal policy. The dispersal policy shall be reviewed at any time that the operation of the premises changes and the policy shall be amended if necessary. A copy of the dispersal policy shall be kept at the premises and shall be made available to officers of the council or police on request.

846 That the details of a local cab company shall be kept at the premises and shall be provided to customers on request. If staff at the premises order a cab for a customer then those staff shall request that the cab controller instructs the cab-driver not to sound their vehicle horn to attract attention, but to approach a staff member and let the staff member know that they are the driver of a cab that has been ordered by the premises.

847 That all doors and windows at the premises shall be kept closed when licensable activities are taking place at the premises.

848 That no additional amplification equipment may be used at the premises by performers of any description. Only the installed in house amplification equipment may be used in regards to any performance.

849 That performances of any description shall take place to the rear of the premises.

850 That the alley way that the premises' entrance is adjacent to and the immediate vicinity of the premises shall be cleared of any refuse produced by or associated with the operation of the premises after the premises has closed on each day that the premises are in operation

Annex 4 - Plans - Attached

Licence No. 875387

Plan No. 1226/002

Please note that the use of the
extended hours is prohibited
until planning permission is
sought

Plan Date Jan 2013

11/02/2024

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

Ref No. 2176225

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

	Amber J Restaurant Ltd T/a Costa Azul
Premises licence number	875387

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)

£	46,000
---	--------

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

Address Line 1	102 ROCKINGHAM STREET
Address Line 2	
Town	LONDON
County	
Post code	SE1 6PG
Ordnance survey map reference	
Description of the location	unit 4 arch
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)

	Extend hours for Licensable activity
--	--------------------------------------

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
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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

	f) Recorded music (If ticking, fill in box F)
	g) Performance of dance (If ticking, fill in box G)

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

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

Supply of alcohol (if ticking fill in box J)

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

In all cases complete boxes K, L and M

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 4)

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

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

	no change to existing approval except for timings
--	---

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

Day	Start	Finish
Mon	11:00	00:30
Tues	11:00	00:30
Wed	11:00	00:30
Thur	11:00	00:30
Fri	11:00	02:30
Sat	11:00	02:30
Sun	11:00	00:30

State any seasonal variations for playing recorded music (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. (Please read guidance note 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 performances of dance take place indoors or outdoors or both? (Please read guidance note 4)

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

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

	as existing licence except for timings
--	--

Standard days and timings for Performance of dance (Please read guidance note 8)

Day	Start	Finish
-----	-------	--------

Mon	11:00	00:30
Tues	11:00	00:30
Wed	11:00	00:30
Thur	11:00	00:30
Fri	11:00	02:30
Sat	11:00	02:30
Sun	11:00	00:30

State any seasonal variations for the performance of dance (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed. (Please read guidance note 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 provision of late night refreshment take place indoors or outdoors or both? (Please read guidance note 4)

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

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

	for the service of food during the hours of licensable activity
--	---

Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 8)

Day	Start	Finish
Mon	23:00	00:30
Tues	23:00	00:30
Wed	23:00	00:30
Thur	23:00	00:30
Fri	23:00	02:30

Sat	23:00	02:30
Sun	23:00	00:30

State any seasonal variations for the provision of late night refreshment (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed. Please list, (Please read guidance note 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)

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

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

Day	Start	Finish
Mon	11:00	00:30
Tues	11:00	00:30
Wed	11:00	00:30
Thur	11:00	00:30
Fri	11:00	02:30
Sat	11:00	02:30
Sun	11:00	00:30

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)

	None
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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	11:00	01:00
Tues	11:00	01:00
Wed	11:00	01:00
Thur	11:00	01:00
Fri	11:00	03:00
Sat	11:00	03:00
Sun	11:00	01:00

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.

--	--

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

	██████████

Reason for not uploading the premises licence

--	--

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

	please see operating schedule
--	-------------------------------

b) the prevention of crime and disorder

	please see operating schedule
--	-------------------------------

c) public safety

	please see operating schedule
--	-------------------------------

d) the prevention of public nuisance

	please see operating schedule
--	-------------------------------

e) the protection of children from harm

	please see operating schedule
--	-------------------------------

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	NOEL ANTHONY SAMAROO
Date (DD/MM/YYYY)	11/02/2024
Capacity	DULY AUTHORISED AGENT

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

Full name	
Date (DD/MM/YYYY)	
Capacity	

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	[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

<input type="checkbox"/>	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.



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/24/104

Date: 14/02/2024

Dear Sir/Madam

Re:- Costa Azul 102 Rockingham Street SE1 6PG

Police are in possession of an application from the above for full variation to their premises licence to extend their operating times for licensable activities. The venue describes itself as fully functioning Restaurant/Bar and Lounge and has requested the following hours which are outside the hours recommended in the Southwark statement of Licensing Policy for such a venue in the Elephant and Castle Major Town Centre Area

Open hours to public
Sun-Thurs-1100hrs-0100hrs
Fri-Sat-1100hrs-0300hrs

Supply of Alcohol on sales
Sun-Thurs-1100hrs-0030hrs
Fri-Sat-1100hrs-0230hrs

Late Night Refreshment
Sun-Thurs-2300hrs-0030hrs
Fri-Sat-2300hrs-0230hrs

Performance of Dance
Sun-Thurs-1100hrs-0030hrs
Fri-Sat-1100hrs-0230hrs

Recorded Music
Sun-Thurs-1100hrs-0030hrs
Fri-Sat-1100hrs-0230hrs

The venue currently has operating hours that exceed those recommended within the Southwark statement of Licensing policy for such a venue, and seeks to extend these hours even further to those that are in line with a nightclub.

The venue is accessed by patrons via a small footway that leads to either New Kent Road, Rockingham Street or Arch street, these streets are shrouded in residential buildings and have seen an increase in alcohol related crime and disorder at weekends and to extend the hours will only add to the antisocial behaviour endured already by local residents.

The applicant has provided a number of control measures to address the licensing objectives however Police feel that even with these and any further measures added the location is not suitable for such late operating hours. It should also be noted that the venue has been subject to a number of crime reports all of which the contributory factor appears to be over intoxication and there are also a number of calls to police regarding anti-social behaviour and though these cannot be attributed to the venue it does show that the area is already problematic.

The Metropolitan Police object to the granting of this variation to the licence under the Prevention of crime and disorder licensing objective. The hours far exceed those recommended within the Southwark Statement of Licensing Policy, and any extension to the already generous hours will only have a negative impact upon local residents in the form of anti-social behaviour.

Submitted for your consideration.
Yours Sincerely

PC Mark Lynch 2246AS

Licensing Officer
Southwark Police Licensing

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: 10 March 2024
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	Costa Azul, Unit 4, Railway Arch 102a, Rockingham Street, London, SE1 6PG	
Ref:	882420	

We object to the grant of an application to vary a premises licence, submitted by Amber J Restaurant Ltd under The Licensing Act 2003 (the Act), in respect of the premises known as Costa Azul, Unit 4, Railway Arch 102a, Rockingham Street, London, SE1 6PG.

1. Application history –

A premises licence application regarding the premises was submitted by Wilson Armijos on 08 October 2013. On application, Mr Armijos was also specified as the designated premises supervisor (DPS) regarding the licence.

The application was subject to representations submitted by the Metropolitan Police Service, this council's Environmental Protection Team, 41 local residents and a local councillor. Subsequent to these representations the application was determined by this council's licensing sub-committee at a hearing. The licensing sub-committee decided to grant a premises licence with operating hours that were reduced from what was originally applied for. The licensing sub-committee granted the following operating hours:

The sale of alcohol to be consumed on the premises:

Sunday - Thursday: 11:00 – 22:30
Friday & Saturday: 11:00 – 23:30

Live and recorded music & opening hours:

Sunday - Thursday: 11:00 – 23:00
Friday & Saturday: 11:00 – 00:00 (midnight)

During the hearing to determine the application the applicant made it clear to the licensing sub-committee that the premises were intended to be operated as a restaurant.

A copy of the Notice of Decision regarding the above is attached as appendix 1.

On 08 June 2021, an application to vary the premises licence was submitted. The application sought to add the provision of off sales of alcohol to the premises licence, to add the provision of late night refreshment at the premises on Friday and Saturday between 23:00 and 02:00 to the licence, and to extend the operating hours of the premises as follows:

The sale of alcohol to be consumed on the premises:

Friday & Saturday: to finish at 01:30

Opening hours:**Friday & Saturday: to finish at 02:00**

The application was subject to representations submitted by this council's Licensing Unit and the Metropolitan Police Service.

Following discussions between the applicant, the Licensing Unit and the Metropolitan Police Service, the applicant agreed to earlier terminal hours regarding licensable activities and operating hours in respect of the premises.

The applicant also agreed to the inclusion of the following conditions in the premises licence:

- **360** Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a table meal and by consumption of such persons as an ancillary to their meal.
- **361** The accommodation limit for the premises shall not exceed 70 persons (excluding staff).
- **362** The written dispersal policy shall be kept at the premises with the licence and made available for inspection by authorised council officers or the police. All relevant staff shall be trained in the implementation of the dispersal policy.
- **363** All 'off sales' of alcohol shall be provided in sealed containers and taken away from the premises.
- **364** That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that 'off sales' of alcohol are not be opened and consumed in the vicinity of the premises.

The premises licence was transferred to Amber J Restaurant Ltd on 18 August 2021. Mr Armijos remained the DPS of the premises.

2. The extant licence

The extant premises licence (licence number 875387) allows for licensable activities and opening hours as follows –

The sale of alcohol to be consumed on and off the premises:

Sunday - Thursday: 11:00 – 23:00
Friday & Saturday: 11:00 – 00:30

Live and recorded music & opening hours:

Sunday - Thursday: 11:00 – 23:00
Friday & Saturday: 11:00 – 00:00

Late night refreshment:

Friday – Saturday: 23:00 – 00:30

The opening hours of the premises:

Sunday - Thursday: 11:00 – 23:00
Friday & Saturday: 11:00 – 01:00

The premises are a restaurant.

A copy of licence 875387 is attached as appendix 2.

3. The variation application –

The purpose of the variation is described in the application as follows (verbatim) –

- “*Extend hours for Licensable activity.*”

The application seeks to newly allow for the provision of performances of dance at the premises, newly allow for the provision of late night refreshment on Sunday to Thursday and to extend the premises’ operation hours as follows:

The sale of alcohol to be consumed on the premises:

Sunday - Thursday: extended until 00:30
Friday & Saturday: extended until 02:30

NB – No extension of hours has been sought regarding alcohol off sales

Recorded music:

Sunday - Thursday: extended until 00:30
Friday & Saturday: extended until 02:30

NB – No extension of hours has been sought regarding the provision of live music

Performances of dance (new):

Sunday - Thursday: 11:00 – 00:30
Friday & Saturday: 11:00 – 02:30

Late night refreshment:

Sunday - Thursday: 23:00 – 00:30 (new)
Friday & Saturday: extended until 02:30

The opening hours of the premises:

Sunday - Thursday: extended until 01:00
Friday & Saturday: extended until 03:00

4. The Locale

The premises are located in a row of railway arches between Rockingham Street and New Kent Road in the Elephant and Castle area. The row of arches is classified as a part of Rockingham Street (and will be referred to hereafter as ‘Rockingham Street Arches’).

Elephant and Castle is a very busy area with a high volume of traffic, a mainline railway station, tube station and many bus routes. There are many licensed premises in the locale. There is a high volume of pedestrian traffic 24 hours a day and the area is a major transport hub.

Notwithstanding the above, Rockingham Street itself is quiet and receives minimal traffic in the evening or early hours of the morning. During the late evening and early hours of the morning, it receives minimal pedestrian traffic except for local residents.

The locale has many high-density residential housing estates / blocks in the immediate and wider vicinity of the premises, in all directions. A map of the local area, showing the proximity of the premises to local residential housing blocks, is attached as appendix 3.

Figure 1: View looking south down Rockingham Street arches (towards New Kent Road)



Figure 2: View from immediately outside the premises entrance looking south east down Arch Street showing Smeaton Court and other residences further away

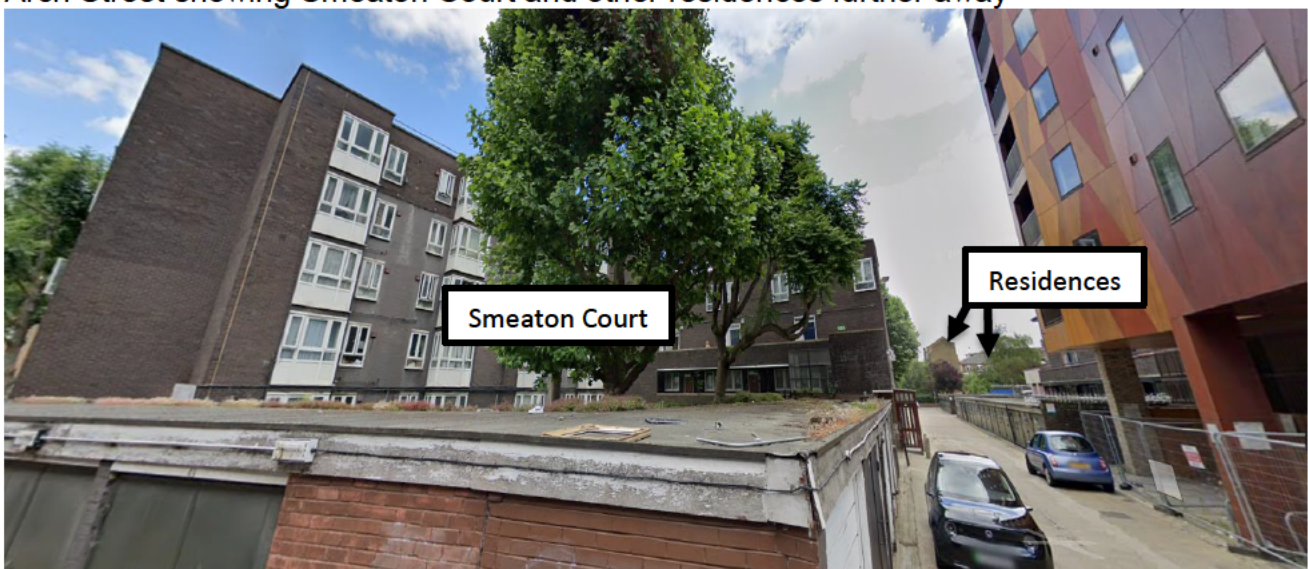


Figure 3: View from immediately outside the premises entrance looking due north showing residential blocks on Rockingham Street



Figure 4: View from the north end of Rockingham Street Arches showing residential blocks as per Figure 3 above, Rockingham Estate and Smeaton Court



5. Statement of Licensing Policy (SoLP)

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

A copy of the SoLP is available via:

[Licensing and Gambling Act policy - Southwark Council](#)

The following closing times are recommended in our SoLP in respect of the type of licensed premises located in Elephant and Castle Major Town Centre Area as follows –

Restaurants and Cafe:

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

6. Our objection

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

We say that the late night / early morning sale of alcohol and provision of entertainment is likely to have a negative effect on the promotion the crime and disorder, public safety and the prevention of public nuisance licensing objectives, and be detrimental to the quality of life for local residents.

Premises selling alcohol and providing entertainment late at night, or into the early morning, have increased risk factors. We do not think it is appropriate to allow premises to sell alcohol and provide entertainment in the early morning in an area with so many residential housing blocks in close proximity. We say that granting extended operating hours is likely to have a detrimental effect on the quality of life for local residents.

Premises selling alcohol and providing entertainment late at night / in the early morning often become hubs for crime and disorder, anti-social behavior and nuisance. Confrontations can often arise between customers who are intoxicated.

The operational hours suggested in the SoLP exist to protect residents in the borough.

The operational hours suggested in the SoLP were ratified by councilors at full licensing committee and we suggest that the licensing sub-committee adheres to this council's own policies, which we say have been applied for good reason.

We further add that full council assembly approved the current version of the SoLP, and have maintained the suggested operating hours four times in a row. This shows that there is still a need for the recommended hours to be given **considerable** weight in the determination of premises licence applications.

The premises already operates to the latest recommended closing times in the SoLP regarding Friday and Saturday. We object to **any** extension of the premises' operating hours on **Friday and Saturday**.

We would have **no objection** to the following extension of operating hours on Sunday to Thursday:

Licensable activities: to end at 23:30
Closing time: extended until 00:00

We note that the applicant has offered a schedule of conditions, which we welcome, however we seek clarification as to whether the schedule of conditions is meant to replace the existing licence conditions.

We would object to the schedule of conditions provided on application replacing the existing licence conditions in their entirety.

7. Temporary Event Notices (TENs)

We note that the applicant has stated that the premises has operated with extended operating hours under TENs frequently over the past 12 months without incident or complaint.

The TENs mechanism allows premises to be used for licensable activities for up to 21 days a year. This would mean that currently the applicant could only have extended operating hours under TENs on 21 days a year via TENs.

This application to allow for extended operating hours on 365 days a year.

This is an increase of 1638% on the number of days that TENs would allow extended operating hours at the premises. We say this is a huge difference, which would lead to a high increase in the likelihood of problems being caused by the later operation of the premises.

In addition to the above, it is very important to note that the TENs mechanism **is not** intended to be used as a precursor to premises licence, or premises licence variation, applications. It is not intended in the act that an applicant should use the fact that they have operated a premises without complaint under TENs to support a permanent premises licence application or application for a permanent variation to an existing premises licence.

It is not stated or implied in the Licensing Act 2003 itself, the guidance to the act issued by the Secretary of State under section 182 of the act, or suggested in Southwark Council's own SoLP that the prior satisfactory operation of premises under TENs should, or could, be used to support a permanent premises licence application, or an application for a permanent variation to an existing premises licence.

One of the important facets of the TEN mechanism is that it limits the risk posed by the provision of licensable activities at premises compared to the grant of a permanent premises licence in respect of the same premises.

We say that the prior operation of the premises under TENs should be given **minimal** weight in the licensing sub-committee's determination of this application.

We may present further submissions prior to, or at, the hearing to determine this application.

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer



NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 13 JANUARY 2014

LICENSING ACT 2003: COSTA AZUL, RAILWAY ARCH 102A, ROCKINGHAM STREET, LONDON, SE1 6PG

1. Decision

That the application submitted by Mr. Wilson Armijos for the grant of a premises licence issued under the Licensing Act 2003 in respect of Costa Azul, Railway Arch 102a, Rockingham Street, London, SE1 6PG is granted as follows:

Licensable Activity	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Sale and supply of alcohol (on the premises)	11.00 to 22.30	11.00 to 22.30	11.00 to 22.30	11.00 to 22.30	11.00 to 23.30	11.00 to 23.30	11.00 to 22.30
Live music (indoors)	11.00 to 23.00	11.00 to 23.00	11.00 to 23.00	11.00 to 23.00	11.00 to 00.00	11.00 to 00.00	11.00 to 23.00
Recorded music (indoors)	11.00 to 23.00	11.00 to 23.00	11.00 to 23.00	11.00 to 23.00	11.00 to 00.00	11.00 to 00.00	11.00 to 23.00
Hours premises are open to the public	11.00 to 23.00	11.00 to 23.00	11.00 to 23.00	11.00 to 23.00	11.00 to 00.00	11.00 to 00.00	10.00 to 23.00
Non standard timings	None						

2. Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form and the following conditions:

- a) Additional conditions developed through discussion with the applicant and responsible authorities and / or other persons as follows:
 - 1) That the premises shall operate a 'Challenge 25' policy whereby customers purchasing alcohol who 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 of proof of age shall include a driving licence, passport or a Proof of Age Standards Scheme (PASS) approved proof of age card.
 - 2) That all staff involved in the sale of alcohol shall attend a training scheme which will include training in the 'Challenge 25' policy. They must obtain a certificate of competence. 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.

- 3) That 'Challenge 25' signage (in both English and Spanish) 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 'Challenge 25' policy applies and proof of age may be required. This shall be maintained free from obstruction at all times.
- 4) That a register of refused sales of alcohol and if applicable, cigarette sales, which is clearly marked with details of the premises, address and name of licence holder shall be maintained in order to demonstrate effective operation of the Challenge 25 policy. The register shall be available for inspection at the premises on request by the council's authorised officers or the police.
- 5) That all staff are trained in their responsibilities under the Licensing Act 2003 and records of the training shall be kept and updated every six months. The training records shall be made immediately available to officers of the police and the council upon request.
- 6) That customers shall use no outside area after 23.00 other than those who temporarily leave the premises to smoke a cigarette. No more than five people at any one time.
- 7) That no drinks or food obtained from the premises will be permitted to be consumed outside the premises at any time..
- 8) That a personal licence holder is on the premises and on duty at all times that intoxicating liquor is supplied after 22:00 hours on Friday and Saturday nights until the terminal hour, and if not on the premises, will be contactable at all times and will leave a designated manager at the premises as a deputy.
- 9) That no spirits (liquids containing more than 20% ABV are to be sold by the bottle or half bottle.
- 10) That all spirits (liquids containing more than 20% ABV) should be sold in measures of 25ml or 35ml to a maximum of two measures per container / glass.
- 11) That alcohol shall cease 30 minutes prior to the terminal opening hour.
- 12) That SIA registered door supervisors, at least one of whom shall be a female, shall be employed at all times after 21.00 when the terminal opening hour is after 23.00.
- 13) That an identification scanning system specified to the reasonable satisfaction of police shall be installed and maintained at the premises. The system must be capable of: (1) storing information about banned customers and sharing such information with other venues that use the same system, (2) identify passports, driving licences and Proof of Age Standards Scheme (PASS) approved identification cards and (3) be able to identify forgeries of such documents to a reasonable standard. The system will be in operation in respect of all customer entries to the premises with no exceptions at all times after 18.00 when the terminal opening hour at the premises is after 23.00.
- 14) That any promotional material on or in any media shall state to the effect that there are no parking spaces available in the immediate vicinity of the premises. Any persons hiring and / or promoting events at the premises will be informed that that any promotional material on or in any media must state to the effect that there are no parking spaces available in the immediate vicinity of the premises.
- 15) That a sound limiting device (SLD) shall be installed at the premises and shall be calibrated to the satisfaction of the council's environmental protection team (EPT). All amplification equipment in regards to both live and recorded sound must be routed through the SLD. At

no time shall any such amplification equipment be operated independently of the SLD. The SLD shall be calibrated to the satisfaction of the EPT prior to any recorded or amplified live music being provided at the premises. Once calibrated, the control settings of the SLD shall not to be altered at any time except with the prior consent of the EPT. The SLD shall be accessible to the licensee and / or manager of the premises only and its installation be such that its control panel cannot be accessed by any other staff.

- 16) That the depositing of waste glass / earthenware into external waste receptacles shall not take place between 22.00 and 10.00 the following day.
- 17) That the mass depositing of waste glass / earthenware into internal waste receptacles shall not take place between 22:00 and 10:00 the following day. This condition allows the separate depositing of individual pieces of waste glass / earthenware into small internal waste receptacles throughout the operating hours of the premises.
- 18) That any doors at the premises leading directly to the outside of the premises will be fitted with door bottom and perimeter acoustic seals.
- 19) That a lobby entrance will be installed at the premises. The doors in the lobby entrance will be fitted with door bottom and perimeter acoustic seals.
- 20) That a comprehensive customer dispersal policy shall be written to the reasonable satisfaction of the council's EPT. All staff at the premises shall be briefed in regards to the dispersal policy. The dispersal policy shall be reviewed at any time that the operation of the premises changes and the policy shall be amended if necessary. A copy of the dispersal policy shall be kept at the premises and shall be made available to officers of the council or police on request.
- 21) That the details of a local cab company shall be kept at the premises and shall be provided to customers on request. If staff at the premises order a cab for a customer then those staff shall instruct the cab-driver not to sound their vehicle horn to attract attention, but to approach a staff member and let the staff member know that they are a cab that has been ordered by the premises.
- 22) That all doors and windows at the premises shall be kept closed when licensable activities are taking place at the premises.
- 23) That no additional amplification equipment may be used at the premises by performers of any description. Only the installed in house amplification equipment may be used in regards to any performance.
- 24) That performances of any description shall take place to the rear of the premises.
- 25) That on each day that the premises are in operation the alley way that the premises' entrance is adjacent to and the immediate vicinity of the premises shall be cleared of any refuse produced by or associated with the operation of the premises after the premises has closed.

3. **Reasons**

This was an application submitted by Mr. Wilson Armijos for the grant of a premises licence issued under the Licensing Act 2003 in respect of Costa Azul, Railway Arch 102a, Rockingham Street, London, SE1 6PG

The licensing sub-committee heard evidence from the applicant's representative who informed the sub-

committee that the application was in respect of a restaurant and was therefore not to be confused with a night club. The applicant's representative highlighted that they had taken on board representations by local residents and responsible authorities and made reference to the conciliation statement. He went on to say that the applicant had in excess of ten years experience of operating similar premises and emphasised the desire to work with local residents in order to reduce concerns in respect of potential nuisance and/or crime and disorder in relation to the premises.

The sub-committee also heard from the safer neighbourhood team who expressed concerns about street drinking and anti social behaviour in the area. However, the applicant and the police conciliated in respect of all the conditions proposed by the police, to be attached to the licence if granted.

The licensing sub-committee heard from the environmental protection officer who expressed concerns in relation to the premises being situated in the vicinity of a residential area. However, he suggested that reducing the proposed operating hours in addition to the installation of a sound limiting device, would assist in reducing the risk of nuisance.

The licensing sub-committee heard from other persons who live in the vicinity of the premises and the ward councillor who spoke on behalf of local residents. They expressed objections to the application due to being concerned about the likelihood of noise nuisance and increase in anti social behaviour in the area. In addition, concerns were highlighted in respect of the premises being in the vicinity of a residential area. The residents informed the sub-committee that there are existing anti social behaviour issues within the area and that they were concerned that the premises could add to these existing problems.

In summing up the applicant highlighted that any issues relating to anti social behaviour were already existent in the area and are not therefore related to his premises or patrons. On the contrary, he believed that his restaurant would assist in increasing the security within the area.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives.

The licensing sub-committee considered that it was appropriate and proportionate to attach these conditions in order to address the licensing objectives.

4. **Appeal rights**

The applicant may appeal against any decision:

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

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

- a) That 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 the conditions of the licence, or ought to have modified them in a different way

May appeal against the decision.

Any appeal must be made to the magistrate court for the petty sessions 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 Legal Services

Date: 13 January 2014

Temporary event notices Costa Azul

start_date	end_date	times	max no people	sale of alcohol	for consump	reg ent	LNR	Premises user	police obj	ept obj	desc2
19/11/2021	20/11/2021	1200 on 19th - 0400 on 20th	75	Yes	On Premises	Yes	Yes	BPS	No	No	
03/12/2021	05/12/2021	1200 on 3rd - 0400 on 4th, 1200 on 4th - 0400 on 5th,	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
10/12/2021	12/12/2021	12pm- 4am daily	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	Rejected
11/12/2021	12/12/2021	12pm- 4am daily	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
18/12/2021	19/12/2021	12pm- 4am	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
24/12/2021	25/12/2021	12pm- 4am	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
12/02/2022	13/02/2022	12pm- 4am	100	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
15/04/2022	17/04/2022	15/16(11am- 4am) 16/17(11am- 4am)	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
17/06/2022	19/06/2022	12pm-4am each day	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	

16/07/2022	17/07/2022	13:00 - 04:00 each day	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
27/08/2022	28/08/2022	12:00 - 04:00 each day	75	Yes	On Premises	Yes	Yes	Wilson Delgado	No	No	
17/09/2022	18/09/2022	12:00 - 04:00	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
28/10/2022	30/10/2022	12:00 - 04:00 daily	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
12/11/2022	13/11/2022	12:00 - 04:00 daily	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Azmijos	No	No	
31/12/2022	01/01/2023	12:00 - 04:00	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
10/02/2023	12/02/2023	12:00 - 04:00	75	Yes	On Premises	Yes	Yes	Ivan Wilson Delgado Armijos	No	No	
17/03/2023	19/03/2023	12:00 on 17th - 04:00 on both days	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
07/04/2023	09/04/2023	12:00 - 04:00	75	Yes	On Premises	Yes	Yes	Ivan Wilson Delgado Armijos	No	No	
12/05/2023	14/05/2023	12:00 - 04:00	75	Yes	On Premises	Yes	Yes	Ivan Wilson Delgado Armijos	No	No	
16/06/2023	18/06/2023	12pm - 4am daily	75	Yes	On Premises	Yes	Yes	Ivan Wilson Delgado Armijos	No	No	

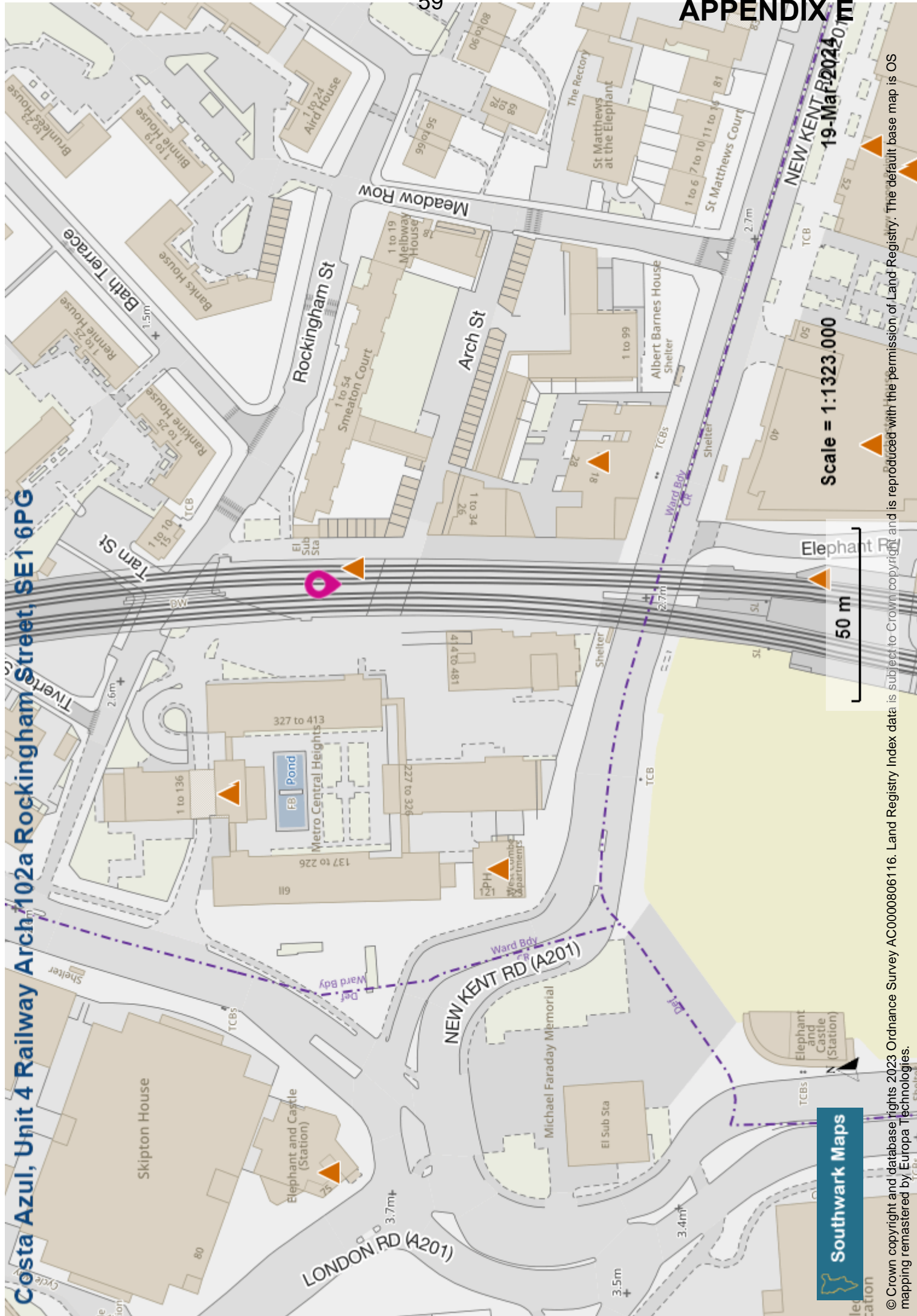
28/07/2023	30/07/2023	28th(12pm - 4am) 29th(12pm-4am)	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
13/11/2023	15/11/2023	13/14th/(12pm-3am) 15th/(12pm-4am)	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
27/10/2023	29/10/2023	12pm-4am Daily	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
25/11/2023	26/11/2023	12pm-4am	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	Rejected email sent
01/12/2023	03/12/2023	12pm-4am everyday	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	Rejected email sent
29/12/2023	31/12/2023	12:00-04:00 on all days	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	rejected no deductions made
09/02/2024	11/02/2024	12:00-04:00 on all days	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
01/03/2024	03/03/2024	12:00-04:00 on all days	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
08/03/2024	10/03/2024	12:00-04:00 on all days	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	
29/03/2024	31/01/2024	12:00-04:00 on all days	75	Yes	On Premises	Yes	Yes	Wilson Ivan Delgado Armijos	No	No	

Licensing visits to Costa Azul

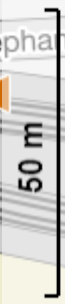
adate	desc	aofficer	adtext
21/09/2023	Visit to premises	Jamie Stubbs	<p>visit to premises, carried out an induction, went through the conditions attached to the licence and explained what was required of them. Asked if she was unsure of anything and she said she understood. Also spoke with Wilson (dps) on the phone whilst there and explained he must make sure he is fully compliant with his licence. Spoke about the recent noise complaints and the abatement notice served by the noise team. She first tried to claim it was a nearby premises that was causing the noise and not them. I explained noise officers had informed me they had been out and witnessed noise disturbances from their premises and had served them an abatement notice, she then admitted they had. Explained this was not acceptable and that noise from the venue must be reduced, highlighted they have a condition that a noise limiter is to be used, as if they had a limiter and did it work she confirmed they did. Explained this should be used at all times. Spoke about noise from customers when outside and they must ask customers to leave quietly and to keep the noise down when outside smoking. All advised they should carry out noise checks at night.</p>
19/01/2024	21:50hrs NTE Visit	Richard Kalu	<p>Visit to premises Approached the premises and loud amplified music could be heard. It is my belief that the sound escape was significant and could potentially be regarded as public nuisance. Noted X1 SIA member of staff at the entrance of the premises. We entered the premises and asked to speak to the manager of the premises and we were greeted by xxxx. We identified ourselves and explained the purpose of the visit was to carry out a licensing inspection. I requested that amplified music should be turned down as it was exceptionally loud and I needed to shout to be heard by xxxxxx. Full inspection completed and a number of premises licence breaches were identified detailed below;341 A register of refused sales of alcohol which is clearly marked with details of the premises address and name of the licence holder shall be maintained in order to demonstrate effective operation of the Challenge 25 policy. The register shall be made available for inspection at the premises on the request of the council's authorised officers or the police.342 That all staff shall be trained in their responsibilities under the Licensing Act 2003 and records of the training shall be kept and updated every 6 months. The training records shall be made immediately available to officers of the police and the council</p>

			<p>uponrequest.362 The written dispersal policy shall be kept at the premises with the licence and made available for inspection by authorised council officers or the police. All relevant staff shall be trained in the implementation of the dispersal policy.809 That a sound limiting device (SLD) shall be installed at the premises and shall be calibrated to the satisfaction of the council's Environmental Protection Team (EPT). All amplification equipment in regards to both live and recorded sound must be routed through the SLD. At no time shall any amplification equipment be operated independently of the SLD. The SLD shall be calibrated to the satisfaction of the EPT prior to any recorded or amplified live music being provided at the premises. Once calibrated, the control settings of the SLD shall not to be altered at any time except with the prior consent of the EPT. The SLD shall be accessible to the licensee and /or manager of the premises only, and its installation be such that its control panel cannot be accessed by any other staff. Complaint in relation to amplified music being allowed at the premises beyond permitted hours discussed. I was advised that this was an error and that this would not happen again. I have expressed concern that no sound limiter device appears to be in operation at the premises. I have advised that the matter identified will be followed up and the issues identified must be rectified as a matter of urgency.</p>
03/02/2024	00:08hrs NTE Visit	Richard Kalu	Visit to premises Premises closed and non-operational ATOV.
09/02/2024	23:46hrs NTE Visit	Richard Kalu	Visit to premises Compliance check visit following Noise Team advising premises playing music outside permitted hours. Premises was closed and non-operational ATOV.
22/01/2024	Visit to premises	Richard Kalu	Visit to premises - WARNING LETTERHAND DELIVERED
02/03/2024	00:10 NTE Visit	Ray Moore	visit at request of licensing police. Premises licence shows alcohol sales till 00:30hrs and open till 01:00hrs. Open with people still arriving. They showed me a TENS covering 1/03/2024 till 03/03/2024.

Costa Azul, Unit 4 Railway Arch 102a Rockingham Street, SE1 6PG



Scale = 1:1323.000



Southwark Maps

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Item No. 6.	Classification: Open	Date: 4 April 2024	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Tasty African Food, 57-59 Camberwell Road, London SE5 0EZ	
Ward(s) of group(s) affected		Faraday	
From		Strategic Director of Environment, Neighbourhoods and Growth	

RECOMMENDATION

1. That the licensing sub-committee considers an application made Anthony Abiodun Adams to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Tasty African Food, 57-59 Camberwell Road, London SE5 0EZ.
2. Notes:
 - a) The application seeks to vary the premises licence held in respect of the premises known as Tasty African Food, 57-59 Camberwell Road, London SE5 0EZ 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 one responsible authorities and is therefore referred to the licensing sub-committee for determination.
 - b) Paragraphs 8 to 11 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 as Appendix A.
 - c) Paragraphs 12 to 15 of this report provide a summary of the application. A copy of the application is attached to this report as Appendix B.
 - d) Paragraphs 16 to 18 of this report deal with the representations submitted in respect of the application. A copy of the police representation and agreed conditions is attached to this report as Appendix C. A copy of the environmental protection team representation is attached to this report as Appendix D. A map showing the location of the premises is attached to this report as Appendix G.
 - e) 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 INFORMATON

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 current premises licence was issued on 24 May 2022 to following an application for a new premises licence.
9. The hours on the current licence are:
 - The sale by retail of alcohol (on the premises):
 - Monday to Sunday: 09:00 to 22:30

- The sale by retail of alcohol (off the premises):
 - Monday to Sunday: 09:00 to 23:00
 - The provision of recorded music (Indoors):
 - Monday to Sunday: 09:00 to 23:00
 - Opening hours:
 - Monday to Sunday: 09:00 to 23:00
10. The designated premises supervisor (DPS) is Anthony Abiodun Adams.
 11. A copy of the current premises licence is attached as Appendix A.

The variation application

12. On 4 December 2023 Anthony Abiodun Adams applied to this Council to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Tasty African Food, 57-59 Camberwell Road, London SE5 0EZ.
13. The application is summarised as follows:

“My premises is predominately a Takeaway which operates from Monday to Sunday 0900 until 2300 hours. It is also a restaurant and bar where customers are served afro-fusion dining and drinks on Wednesday to Sunday. The restaurant is open to the public between 1700 and 2300 hours, Wednesday to Sunday.

The restaurant side of the business is ailing because most customers prefer to come out a bit late on Fridays and Saturday and they expect us to open up till 0100 hours. This is the reason we want to vary our licence.”
14. A copy of the application is attached to this report as Appendix B.
15. Following a failure to advertise in the local newspaper within statutory timelines, the 28 day consultation period was restarted on 16 January 2024.

Representations from responsible authorities

16. Representations were received from the council’s environmental protection team and the police in their role as responsible authorities.
17. The police representation was subsequently satisfied and withdrawn following the agreement of conditions, attached to this report as Appendix C.
18. The environmental protection representation is focussed on the prevention of public nuisance. The representations details that the application seeks to extend licensable

activities and opening hours beyond the council's stated policy hours. It also details recent complaints that have been received detailing alleged operation of the premises past the existing authorisations. A copy of the outstanding representation is attached to this report as Appendix D.

Representations from other persons

19. There are no representations submitted by other persons, within the consultation period.

Conciliation

20. At the time of the writing of this report the representation had not been conciliated.

Premises licensing history

21. 57-59 Camberwell Road has two licensed premises within it. The basement area has a substantial licensing history, but this application pertains to the premises on the ground level. Though previously encapsulated under the Southbank Nightclub premises licence, from 2018 onwards it has been operated as a separate entity. The history of the ground level premises has been detailed below:
22. On 1 March 2018 a premises licence was issued following an application made by Tim McTigue. This licence was subsequently surrendered on 12 October 2022. A copy of this premises licence is attached to this report as Appendix E.
23. On 25 January 2022, almost 9 months before the last licence was surrendered, the current licence was issued to the current premises licence holder.

Temporary event notices

24. In the 2023 calendar year, the premises has not submitted any temporary event notices.

Complaints

25. The premises was visited on 24 November 2023 by the night time economy team, who found the premises operating with large numbers of people in the premises past authorised timings.
26. The night time economy team revisited the following weekend and issued a warning letter and notice to the premises licence holder and DPS. The warning letter details the visits to the premises and is attached to this report as Appendix F.

Map

27. A map showing the location of the premises is attached to this report as Appendix G. There are four similar premises in the locality (200 metres):

H&G Cuisine, 5a Westmoreland Road, London SE17 2AX:

- **The sale of alcohol to be consumed on the premises:**
 - Monday to Saturday: 10:00 to 23:00
 - Sunday: 10:00 to 21:30
- **Late night refreshment:**
 - Monday to Saturday: 23:00 to 23:30
- **Opening hours:**
 - Monday to Saturday: 10:00 to 23:30
 - Sunday: 10:00 to 22:00

Maquis Restaurant and Bar, 10 Arnside Street, London SE17 2AP

- **The sale of alcohol to be consumed on the premises:**
 - Sunday to Thursday: 09:00 to 23:30
 - Friday and Saturday: 09:00 to 00:00
- **Late night refreshment:**
 - Friday and Saturday: 23:00 to 23:30
- **Opening hours:**
 - Sunday to Thursday: 09:00 to 00:00
 - Friday and Saturday: 09:00 to 00:30

IBBS, 6 Arnside Street, London SE17 2AP:

- **The sale of alcohol to be consumed on the premises:**
 - Monday to Thursday: 12:00 to 22:30
 - Friday and Saturday: 12:00 to 23:30
 - Sunday: 12:00 to 22:00
- **Late night refreshment:**
 - Friday and Saturday : 23:00 to 23:30
- **Opening hours:**
 - Monday to Thursday: 12:00 to 23:00
 - Friday and Saturday: 12:00 to 00:00
 - Sunday: 12:00 to 22:30

IBBS, 6 Arnside Street, London SE17 2AP:

- **The sale of alcohol to be consumed on and off the premises:**
 - Monday to Saturday: 11:00 to 00:00
 - Sunday: 12:00 to 23:30
- **Late night refreshment:**
 - Monday to Saturday: 23:00 to 00:30
 - Sunday: 23:00 to 00:00
- **Opening hours:**
 - Monday to Friday: 11:00 to 00:00
 - Sunday: 12:00 to 23:30.

Southwark Council statement of licensing policy

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

32. The premises is situated outside of a cumulative impact area, and is listed as a residential area.
33. Under the Southwark statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within this area for premises operating as:
- Closing time for restaurants and cafes: 23:00 daily
 - Closing time for public houses, wine bars, or other drinking establishments and bars in other types of premises: 23:00 daily.

Climate change implications

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

36. Examples of such agreements 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.
37. 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

38. 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

39. 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.
40. 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.
41. 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>.
42. The equalities impact assessment is available at:
- <https://moderngov.southwark.gov.uk/documents/s92016/Appendix%20F%20-%20Equalities%20Impact%20Assessment.pdf>

Health impact statement

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

Resource implications

44. 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 B.

Consultation

45. 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 at both the front and rear of the premises.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance

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

Principles for making the determination

48. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.
49. The principles which sub-committee members must apply are set out below.
50. 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.
51. 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.

52. 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

53. 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.
54. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
55. 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.
56. 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.
57. 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

58. 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

59. 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.
60. 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

61. 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.

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

69. 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

70. 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	The current premises licence issued in respect of the premises
Appendix B	Variation application (881569)
Appendix C	Conditions agreed with police
Appendix D	Environmental protection team representation
Appendix E	Previous premises licence
Appendix F	Warning letter
Appendix G	Map of locality

AUDIT TRAIL

Lead Officer	Toni Ainge, Strategic Director of Environment, Neighbourhoods and Growth	
Report Author	Joseph Mannix, Interim Principal Licensing Officer	
Version	Final	
Dated	20 January 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 of Finance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	20 March 2023	

Licensing Act 2003

Premises Licence

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

Premises licence number

876630

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Tasty African Food 57-59 Camberwell Road London SE5 0EZ	
Ordnance survey map reference (if applicable), 532435177758	
Post town London	Post code SE5 0EZ
Telephone number [REDACTED]	

Where the licence is time limited the dates
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Licensable activities authorised by the licence
Recorded Music - 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 09:00 - 23:00
Tuesday 09:00 - 23:00
Wednesday 09:00 - 23:00
Thursday 09:00 - 23:00
Friday 09:00 - 23:00
Saturday 09:00 - 23:00
Sunday 09:00 - 23:00

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

The times the licence authorises the carrying out of licensable activities

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

Recorded Music - Indoors

Monday	09:00 - 23:00
Tuesday	09:00 - 23:00
Wednesday	09:00 - 23:00
Thursday	09:00 - 23:00
Friday	09:00 - 23:00
Saturday	09:00 - 23:00
Sunday	09:00 - 23:00

Sale by retail of alcohol to be consumed on premises

Monday	09:00 - 22:30
Tuesday	09:00 - 22:30
Wednesday	09:00 - 22:30
Thursday	09:00 - 22:30
Friday	09:00 - 22:30
Saturday	09:00 - 22:30
Sunday	09:00 - 22:30

Sale by retail of alcohol to be consumed off premises

Monday	09:00 - 23:00
Tuesday	09:00 - 23:00
Wednesday	09:00 - 23:00
Thursday	09:00 - 23:00
Friday	09:00 - 23:00
Saturday	09:00 - 23:00
Sunday	09:00 - 23:00

Part 2

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

Anthony Abiodun Adams



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

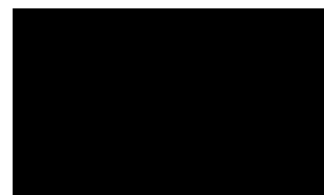
Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol



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

Licence No. [REDACTED]
Authority L.B Bromley

Licence Issue date 23/05/2022



Neighbourhood Nuisance Service Manager
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

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.

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

135 Intoxicating liquor shall not be sold or supplied on or off the premises otherwise than to persons taking table meals or take away meals and for consumption by such person as an ancillary to the meal;

288 That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises;

289 All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to Officers of the Police and the Council;

340 A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or Council Officer;

293 That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council;

341 All off sales of alcohol shall be sold in sealed containers and taken away from the premises;

342 That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that 'off sales' of alcohol are not be opened and consumed in the vicinity of the premises;

343 Customers shall use no outside area after 22:00hrs other than those who temporarily leave the premises to smoke a cigarette and No more than 5 people at one any time;

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 London Proof of Age (SPA) card;

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

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

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

307 The accommodation limit for the premises shall not exceed 50 persons (excluding staff);

344 The written dispersal policy shall be kept at the premises with the licence and made available for inspection by authorised council officers or the police. All relevant staff shall be trained in the implementation of the dispersal policy;

158 Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

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

Annex 4 - Plans - Attached

Licence No. 876630
Plan No. PreLi-GFP
Plan Date March 2022

02/12/2023

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

Ref No. 2130321

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

	Anthony Abiodun Adams
Premises licence number	876630

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)

£	30500
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Postal address of premises or, if none, ordnance survey map reference or description

Address Line 1	57-59 CAMBERWELL ROAD
Address Line 2	
Town	LONDON
County	
Post code	SE5 0EZ
Ordnance survey map reference	
Description of the location	
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	<input checked="" type="checkbox"/> 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)

	<input checked="" type="checkbox"/> Yes
--	---

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

	<p>My premises is predominately a Takeaway which operates from Monday to Sunday 0900 until 2300 hours. It is also a restaurant and bar where customers are served afro-fusion dinning and drinks on Wednesday to Sunday. The restaurant is open to the public between 1700 and 2300 hours, Wednesday to Sunday.</p> <p>The restaurant side of the business is ailing because most customers prefer to come out a bit late on Fridays and Saturday and they expect us to open up till 0100 hours. This is the reason we want to vary our licence.</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
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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

	f) Recorded music (If ticking, fill in box F)

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

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

Supply of alcohol (if ticking fill in box J)

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

In all cases complete boxes K, L and M

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 4)

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

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

	Recorded music is played indoor in the restaurant at less than 70 decibels (amplified). The restaurant has a built in restrictive sound system used solely for recorded music, it is set at less than 70 decibels. The restaurant will stop to play any music 45 mins before it closes.
--	---

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

Day	Start	Finish
Mon	09:00	23:00
	09:00	23:00
Tues	09:00	23:00
	09:00	23:00
Wed	09:00	23:00
	09:00	23:00
Thur	09:00	23:00
	09:00	23:00
Fri	09:00	01:00
	09:00	01:00
Sat	09:00	01:00
	09:00	01:00
Sun	09:00	23:00
	09:00	23:00

State any seasonal variations for playing recorded music (Please read guidance note 6)

	No seasonal variation required.
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Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. (Please read guidance note 7)

	No Non-Standard timings required.
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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 provision of late night refreshment take place indoors or outdoors or both? (Please read guidance note 4)

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

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

	The restaurant will serve late night refreshment only on occasional Fridays and Saturdays where bookings are made after 2300. The late night refreshment are mainly small chops i.e., Grilled chicken wings, Spiced plantain gizzard, Beef suya, fried yam and sauce, plantain and sauce etc.
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Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 8)

Day	Start	Finish
Mon		
Tues		
Wed		
Thur		
Fri	23:00	01:00
	23:00	01:00
Sat	23:00	01:00
	23:00	01:00
Sun		

State any seasonal variations for the provision of late night refreshment (Please read guidance note 6)

	There will be no seasonal variation to serving late night refreshment.
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Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed. Please list, (Please read guidance note 7)

	No plan for Non-Standard timings.
--	-----------------------------------

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)

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

Day	Start	Finish
Mon	09:00	23:00
	09:00	23:00
Tues	09:00	23:00
	09:00	23:00
Wed	09:00	23:00
	09:00	23:00
Thur	09:00	23:00
	09:00	23:00
Fri	09:00	01:00
	09:00	01:00
Sat	09:00	01:00
	09:00	01:00
Sun	09:00	23:00
	09:00	23:00

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

	There are no seasonal variations for the supply of alcohol.
--	---

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)

	There are no plans for Non-Standard timings over the use of the premises.
--	---

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)

	Children under supervision of an adult are allowed access into the premises and we serve kids food. We do not subscribe to any adult entertainment that may give rise to concern for children.
--	--

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	09:00	23:00
	09:00	23:00
Tues	09:00	23:00
	09:00	23:00
Wed	09:00	23:00
	09:00	23:00
Thur	09:00	23:00
	09:00	23:00
Fri	09:00	02:00
	09:00	02:00
Sat	09:00	02:00
	09:00	02:00
Sun	09:00	23:00
	09:00	23:00

State any seasonal variations (Please read guidance note 6)

	There are no seasonal variations required.
--	--

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)

	No non-standard timings required.
--	-----------------------------------

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.

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

Reason for not uploading the premises licence

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

	<ul style="list-style-type: none"> - A survey of the noise levels to which customers are subjected to has been undertaken by a suitably qualified and competent person and adjustments have been made to reduce levels, wherever necessary. - A detailed "Customer Code of Conduct" poster is conspicuously displayed warning customers that if they act in an inappropriate manner they could be barred from the premises. - Adequate arrangements exist to enable the safe movement within the premises of disabled people and their safe evacuation in the event of an emergency. - We provide a secure area for customer's personal belongings is available. - We have a policy on the safe management of large groups - We provide food that is available at all times when the premises are open.
--	---

b) the prevention of crime and disorder

	<p>As the licensee,</p> <ul style="list-style-type: none"> - I have installed 16 CCTV cameras in the premises and all are in good working condition and maintained. - I have installed security lightings and signage all around the premises. - I have trained my staff and imbibed in them our to keep in and outside the premises clean at all times. - I have also opened an incident log book, but fortunately for us, we have not have any incident since we opened. - Door waiters also help attend to customers as they arrive.
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c) public safety

	<p>As the licensee,</p> <ul style="list-style-type: none"> - I have ensure there is easy access in and out of the building, our general sitting arrangement is organised and all accesses are cleared. - First aid facilities are maintained and firefighting equipment are also maintained. - Staff are trained to use the first aid and firefighting equipment. - Maximum number of people allowed in the premises during licensable activities is 50 excluding staff.
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d) the prevention of public nuisance

	As the licensee, - I have made adequate provision to ensure that customers are dispersed quietly and orderly. We have a dispersal policy, which is visible to all customers. - Staff are trained in the process of dispersal. - Staff have awareness of the local environ i.e., nearest train station, local taxi number, nearest bus stops and destinations, etc. - The premises is well ventilated using a split unit system such that no nuisance is caused to the neighbours.
--	---

e) the protection of children from harm

	- When children are allowed on the premises, an area is provided that is suitable, comfortable for children and families wishing to be separated from the general area. - Any restrictions on the admission of children to the premises are conspicuously displayed outside the premises. - Children are accounted for at all times in case of an evacuation or emergency.
--	--

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	██████████
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 13). If completing on behalf of the applicant, please state in what capacity.

Full name	Anthony Abiodun Adams
Date (DD/MM/YYYY)	04/12/2023
Capacity	Applicant

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

Full name	
Date (DD/MM/YYYY)	
Capacity	

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

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

<input type="checkbox"/>	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.



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: [REDACTED]

Email: [REDACTED]

Date: 08/12/2023

Re:- Tasty African Food, 57-59 Camberwell Road, London, SE5 0EZ

Dear Sir/Madam

Police are in receipt of an application from the above for a full variation to their premises licence to extend the terminal hour. The venue is described as a takeaway, restaurant and bar. The hours requested are outside those recommend in the Southwark statement of licensing policy. The applicant has requested the following amended hours

Open to the public
Sun-Thurs-0900hrs-0200hrs

Recorded Music
Sun-Thurs-0900hrs-2300hrs
Fri-Sat-0900hrs-0100hrs

Late Night Refreshment
Fri-Sat-2300hrs-0100hrs

Supply of Alcohol on sales
Sun-Thurs-0900hrs-2300hrs
Fri-Sat-0900hrs-0100hrs

The premises was granted it's current licence in May 2022 to operate as a restaurant with a terminal hour of 2300hrs which is within the Southwark statement of licensing policy guideline hours.

Although the venue is not within a designated cumulative impact zone the area has been subject to anti-social-behaviour by persons attending venues at various times throughout the evenings and into the early hours and therefore there is a serious concern the addition of another late opening Bar/restaurant will only add to the problems in the area. It is clear from recent visits and previous complaint that the venue does not solely operate as a restaurant and also has problems adhering to its current granted opening times.

The applicant has mentioned some control measures however the wording of some is not clear or enforceable. We would expect to see more robust enforceable conditions for any venue opening beyond 2300hrs to which this application does not provide.

The Metropolitan Police object to the granting of the variation to the premises licence. The hours requested are excessively outside those recommended within the Southwark statement of licensing policy and such late hours can only be detrimental to local residents. The area already suffers from anti-social behaviour as the result of late opening alcohol led venues and the control measures offered by the venue do not address the licencing objectives in particular that of prevention of crime and disorder.

Yours sincerely

Mark Lynch
Southwark Police Licensing officer

From: Lynch Mark A - AS-CU
Sent: 11 January 2024 13:03
To: Regen, Licensing [REDACTED]
Cc: [REDACTED]
Subject: Tasty African Food, 57-59 Camberwell Road, London, SE5 0EZ

Good Afternoon

In view of the applicant and police agreeing to the below amended hours and conditions in red to be placed upon the variation to their licence should it be granted, police would like to withdraw their objection to the granting of premises licence for Tasty African Food, 57-59 Camberwell Road, London, SE5 0EZ

Kind regards

Mark Lynch Pc 2246AS
Central South BCU – Southwark | Licensing Team
Southwark Police Station
305 Borough High Street, SE1 1JH
Email: [REDACTED]



From: [REDACTED]
Sent: 11 January 2024 12:59
To: Lynch Mark A - AS-CU [REDACTED]
Subject: Re: Tasty African Food, 57-59 Camberwell Road, London, SE5 0EZ

Hi Mark,

Please consider this email my confirmation to the amended hours below as well as the additional control measures.

I will email Southwark Council imminently and cc you in on the email.

Regards
Anthony

On Thursday, 11 January 2024 at 12:55:03 GMT, <mark.a.lynch@met.police.uk> wrote:

Afternoon Mr Adams

For clarity can you confirm with us the amended hours and control measures will be as below , if this is the case can you please inform Southwark council of your wish to amend the hours to those below

Open to the public

Sun-Thurs-0900hrs-2300hrs

Fri-Sat-0900hrs-0030hrs

Supply of Alcohol on sales

Sun-Thurs-0900hrs-2230hrs

Fri-Sat—0900hrs-0000hrs

Supply of Alcohol off sales

Sun-Thurs-0900hrs-2300hrs

Fri-Sat-0900hrs-0000hrs

Recorded Music

Sun-Thurs-0900hrs-2300hrs

Fri-Sat-0900hrs-0000hrs

1. The dispersal 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.
- VIII. Details as to how any physical altercations at the premises are to be managed
- 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).

2. 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.

3. The CCTV system shall cover all interior and exterior areas of the premises to which the public have access inclusive of the frontage of the premises, and the system shall collect clearly defined / focused footage.

4. The venue shall nominate a member of staff to be a warden. That when licensable activities cease and at the time of the venue closing, encourage the patrons to leave the premises and the local area of the venue quietly to prevent anti-social behaviour. This duty shall be carried out in a high visibility clothing.

5. That when the terminal hour is beyond 2300hours a minimum of one(1) SIA registered door supervisor will be employed at the premises at all times from 2200 hours until 15 minutes after the premises terminal hour to ensure patrons do not loiter in the area and cause no disturbance to residents. They will be employed to control entry to the premises, to deal with the searching / scanning of customers, to deal with any anti-social or disorderly behaviour by their patrons at the premises or the area immediately outside, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist management in liaising with the police regarding instances of crime and to assist with ensuring that the premises' dispersal policy is adhered to. When deployed, they shall remain at the premises until all patrons have vacated the premises. The door supervisors shall be easily identifiable by hi-visibility garment.

6. That no alcohol or glassware shall be removed from the premises after 0000hrs, this shall be controlled by staff and/or SIA registered door supervisors.

7. That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that after 0000hrs no alcohol shall be removed from the premises.

8. 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

9. The incident log shall be completed at the time of the incident or immediately after without delay and shall include 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. The incident log shall be kept on the premises and made immediately available to responsible authority officers on request. All relevant staff employed at the premises shall be trained in the use of the incident log and a record of this training shall be kept on the premises and include a minimum of name and date of training. These records shall be made immediately available for inspection to responsible authority officers on request.

10. That there shall be no dedicated dancefloor area.

11. That a zero-tolerance policy to illegal drug use will be implemented and maintained at the premises. All staff shall be trained in respect of the premises drug policy and details of training shall be kept in the staff training records and made immediately available upon request by any responsible authority officer.

12. That clearly legible signage 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

13. That if a Pubwatch scheme exists in respect of the local area, then the licensee / management will join and participate in the Pubwatch scheme.

14. The venue shall support "Ask for Angela" or another similar safety initiative and posters shall be displayed on the premises. All staff shall be trained in "Ask Angela"

or a similar safety initiative and a record of this training shall be kept on the premises and made available for inspection immediately to responsible authority officers upon request.

Kind regards

Mark

From: [REDACTED]
 Sent: Wednesday, December 20, 2023 3:30 PM
 To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
 Cc: [REDACTED]
 Subject: EPT rep - Full variation of premises licence 57-59 Camberwell Road

Dear Licensing,

Southwark's Environmental Protection Team (EPT) have reviewed the premises licence variation application for Tasty African Food, 57-59 Camberwell Road, SE5 0EZ.

The description and reasoning for the application is noted, as follows *"My premises is predominately a Takeaway which operates from Monday to Sunday 0900 until 2300 hours. It is also a restaurant and bar where customers are served afro-fusion dinning and drinks on Wednesday to Sunday. The restaurant is open to the public between 1700 and 2300 hours, Wednesday to Sunday. The restaurant side of the business is ailing because most customers prefer to come out a bit late on Fridays and Saturday and they expect us to open up till 0100 hours. This is the reason we want to vary our licence.."*

The existing premises licence can be found here:

<https://app.southwark.gov.uk/licensing/LicPremisesGrantedDetails.asp?systemkey=876630>

The application seeks the following additional licensable activities:

- Recorded music (indoors) 23:00 – 01:00 Friday & Saturday. *"Recorded music is played indoor in the restaurant at less than 70 decibels (amplified). The restaurant has a built in restrictive sound system used solely for recorded music, it is set at less than 70 decibels. The restaurant will stop to play any music 45 mins before it closes"*
- Late night refreshment (indoors): 23:00 – 01:00 Friday & Saturday. *"The restaurant will serve late night refreshment only on occasional Fridays and Saturdays where bookings are made after 2300. The late night refreshment are mainly small chops i.e., Grilled chicken wings, Spiced plantain gizzard, Beef suya, fried yam and sauce, plantain and sauce etc."*
- Sale of alcohol (on the premises): 23:00 – 01:00 Friday & Saturday.
- Opening hours: 23:00 – 02:00 Friday & Saturday

Section M part d) of the application has been reviewed. The measures outlined to address the prevention of public nuisance licensing objective are as follows: *"As the licensee,*

- *I have made adequate provision to ensure that customers are dispersed quietly and orderly. We have a dispersal policy, which is visible to all customers.*
- *Staff are trained in the process of dispersal.*
- *Staff have awareness of the local environ i.e., nearest train station, local taxi number, nearest bus stops and destinations, etc.*

- *The premises is well ventilated using a split unit system such that no nuisance is caused to the neighbours.*"

EPT stance

EPT have strong concerns that the extension of hours at this premises will lead to public nuisance.

There are many residential properties directly above and adjoining this property.

Southwark's Statement of Licensing Policy 2021-2026 states suggested closing hours for types of premises in table 2. This location of this premises is in a residential area and therefore the policy suggests closing hours of 23:00 on all days. This is already permitted in the existing licence.

Any extension of licensable activities and opening hours would be beyond policy recommendations and there is concern of public nuisance occurring due to noise from patrons inside the premises but also noise from guests when leaving at 02:00 – 02:30 in the morning when sleep disturbance to residents could occur.

The premises at the basement of this property (La Estacion / Southbank Nightclub) has caused considerable public nuisance and witnessed statutory nuisances in years gone by which confirms licensed premises that operate beyond the policy hours in this location can cause significant negative impact to residents.

A recent review of the premises also shows a complaint was made to Southwark's Noise & Nuisance Team at 01:14 on Saturday 25th November 2023 with regards to loud music and noise from the restaurant. EPT have also been informed of alleged operating at the premises beyond permitted opening hours in recent months without required TENs in place. Doing so would mean the DPS is operating in breach of the existing premises licence.

For the reasons outlined above, EPT raise objection to the application and would request the premises licence licensable activities and opening hours remain as existing.

Kind regards


Principal Environmental Protection Officer
Environmental Protection Team
Tel: 

Postal address: Southwark Council, Environmental Protection Team, Regulatory Services,
3rd Floor Hub 1, PO Box 64529, London, SE1P 5LX
Office address (By appointment only): Southwark Council, 160 Tooley Street, London,
SE1 2QH

Air Quality web pages: <http://www.southwark.gov.uk/air-quality>
Construction web pages: <http://www.southwark.gov.uk/construction>
Centre for Low Emission Construction - <http://www.clec.uk/>

airTEXT - a free subscription service: daily information on pollution and more, by text, email, voicemail, or mobile phone app; download from: <http://www.airtext.info/>

Licensing Act 2003 Premises Licence



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

Premises licence number

865132

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
ZolaBaggios 57-59 Camberwell Road London SE5 0EZ	
Ordnance survey map reference (if applicable), 177758532435	
Post town London	Post code SE5 0EZ
Telephone number	

Where the licence is time limited the dates
--

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

The opening hours of the premises
For any non standard timings see Annex 2
Monday 16:00 - 23:30
Tuesday 16:00 - 23:30
Wednesday 16:00 - 23:30
Thursday 16:00 - 23:30
Friday 13:00 - 00:30
Saturday 13:00 - 00:30
Sunday 13:00 - 23:30

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

The times the licence authorises the carrying out of licensable activities
For any non standard timings see Annex 2 of the full premises licence

Recorded Music - Indoors

Monday	16:00 - 23:00
Tuesday	16:00 - 23:00
Wednesday	16:00 - 23:00
Thursday	16:00 - 23:00
Friday	13:00 - 00:00
Saturday	13:00 - 00:00
Sunday	13:00 - 23:00

Late Night Refreshment - Indoors

Friday	23:00 - 00:00
Saturday	23:00 - 00:00

Sale by retail of alcohol to be consumed on premises

Monday	16:00 - 23:00
Tuesday	16:00 - 23:00
Wednesday	16:00 - 23:00
Thursday	16:00 - 23:00
Friday	13:00 - 00:00
Saturday	13:00 - 00:00
Sunday	13:00 - 23:00

Part 2

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

[REDACTED]

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

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

[REDACTED]

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

Licence No. [REDACTED]
Authority L.B Southwark

Licence Issue date 17/10/2018



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.

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

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

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

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

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

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

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

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

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

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

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

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

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

identification bearing their photograph, date of birth and either

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

489 The responsible person shall ensure that -

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

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

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

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

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

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

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula $P = D + (D \times V)$,

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

- (i) the holder of the premises licence;
- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day

("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

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

Annex 2 - Conditions consistent with the operating Schedule

340 The premises will have a zero tolerance to drug use on the premises;

341 The premises will have no adult entertainment

342 The premises will have no gaming machines

343 That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises. It should cover all areas within the premises including the outside area to the front in all lighting conditions

345 A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device

346 That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council.

347 That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police.

4AA That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card;

4AB That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge

25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received;

4AC That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times;

4AI That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed.

The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly.

The register shall be made immediately available for inspection at the premises to council or police officers on request.

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

840 That the accommodation limit for the premises shall not exceed 150 people (including staff)

841 That the written dispersal policy shall be retained at the premises and made available for inspection by authorised officers/or the police upon request.

842 That all relevant staff shall be trained in the implementation of the dispersal policy.

843 That clear signage shall be prominently displayed, where it can be easily seen and read , requesting that customers leave the area in a quiet and orderly manner.

844 That at least one SIA registered door supervisor will be engaged on Friday and Saturday nights. They will be employed from 21:00 until the end of business and all patrons have vacated the premises. They will be engaged to monitor admission and re-admission to the premises, security and dealing with conflict.

845 That there shall be no more than five smokers outside at any time after 21:00

846 That the internal fire escape to the basement must be blocked prior to opening.

Annex 4 - Plans - Attached

Licence No. 865132
Plan No. CR.57-67
Plan Date 24/01/2014



Principal Trading Standards Enforcement Officer
Trading Standards
Regulatory Services

FAO Mr [REDACTED]
Premises Licence Holder
Tasty African Food
57-59 Camberwell Road,
London, SE5 0EZ

Tel: [REDACTED]

Date: 05 December 2023

Ref: [REDACTED]

By Post and email

Dear Sir,

Licensing Act 2003 – Operating outside permitted hours

On Friday 24th November 2023 at 23:50 hours I noticed the above premises was operating with large numbers of people on the premises. I did not enter the premises as I had no police support at the time.

The following Friday 1st December 2023 I visited the premises at 22:00hrs accompanied by PC [REDACTED] from the police Night Time Economy Team and a colleague [REDACTED]. I spoke with the premises licence holder / designated premises supervisor Mr [REDACTED] about what I had observed the previous week and gave notice number 3387 stating that the premises was not to serve alcohol after 22:30hrs and all customers should be off the premises by 23:00hrs. Mr [REDACTED] signed to say he had received the notice and I gave him a copy. I produce a copy of this notice with this letter.

I returned to the premises at 23:50hrs that same evening, 1st November 2023, again accompanied by Mr [REDACTED] and [REDACTED]. Unlike earlier when the premises was quiet, it was now full and people were still arriving. I spoke with Mr [REDACTED] again who said that he did not feel it was safe for the private party that he said was being held, not to go ahead. No one was checking anyone as they arrived and it appeared to be open to anyone who arrived at the premises.

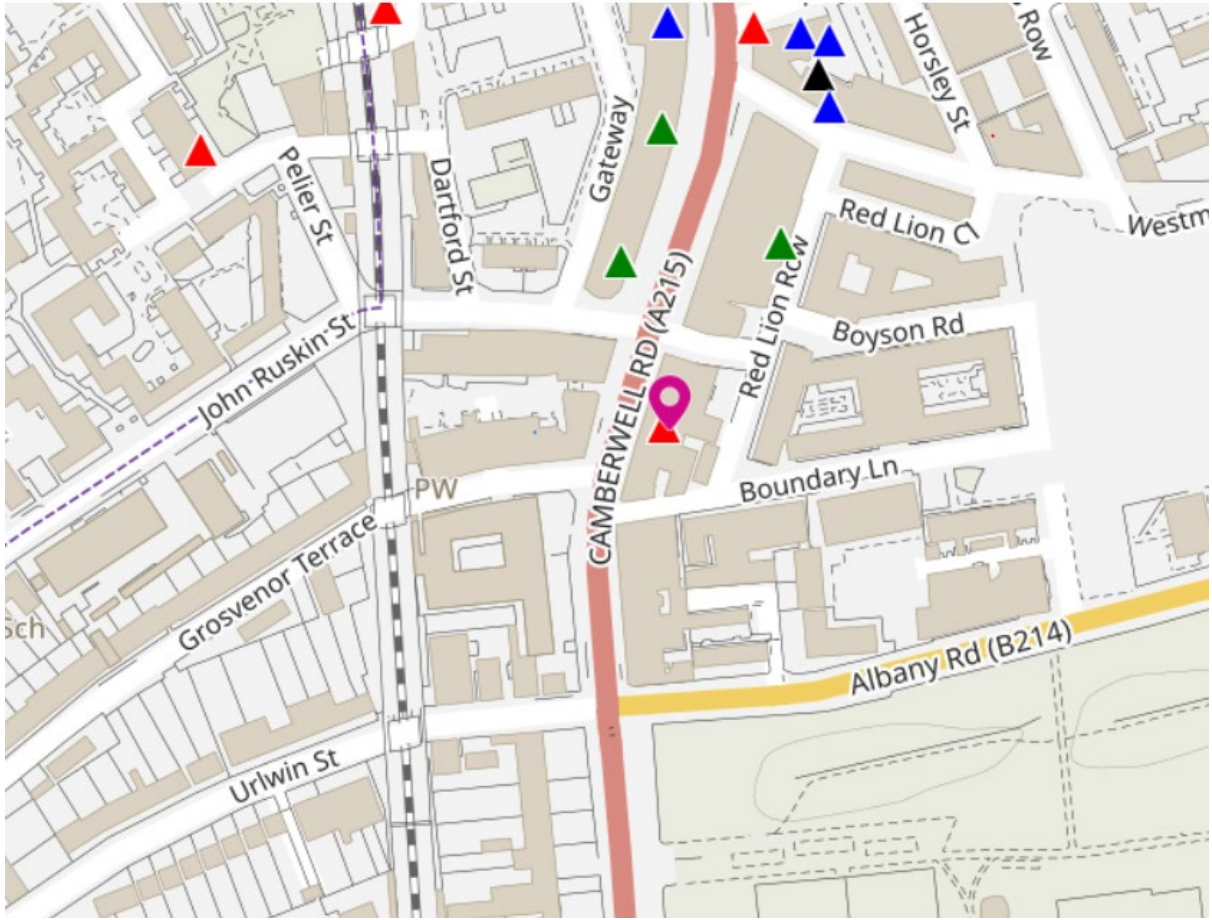
It is an offence under the Licensing Act 2003 to operate beyond the hours specified in the premises licence – premise licence number 876630.

Yours faithfully



Principal Trading Standards Enforcement Officer

APPENDIX G



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

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

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