

Licensing Sub-Committee

Thursday 25 April 2024

10.00 am

Innovation Space, Ground Floor, 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Suzanne Abachor
Councillor Sabina Emmanuel

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: 16 April 2024



Licensing Sub-Committee

Thursday 25 April 2024

10.00 am

Innovation Space, Ground Floor, 160 Tooley Street, London SE1 2QH

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: THE EMPIRE LOUNGE, UNITS 1 AND 2, 777 OLD KENT ROAD, LONDON SE15 1NZ	1 - 108
6.	LICENSING ACT 2003: BOBBY'S BAR, 124-126 RYE LANE, LONDON SE15 4RZ	109 - 148

Item No.	Title	Page No.
7.	LICENSING ACT 2003: LONDON BRIDGE LOCAL, PART GROUND FLOOR 85-87 BOROUGH HIGH STREET, LONDON SE1 1NH	149 - 190

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: 16 April 2024

Meeting Name:	Licensing Sub-Committee
Date:	25 April 2024
Report title:	Licensing Act 2003: The Empire Lounge, Units 1 and 2, 777 Old Kent Road, London SE15 1NZ
Ward(s) or groups affected:	Old Kent Road
Classification:	Open
Reason for lateness (if applicable):	No

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Speedlink Services Ltd for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as The Empire Lounge Executive Lounge), Units 1 and 2, 777 Old Kent Road, London SE15 1NZ
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from three responsible authorities and three other persons and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 12 to 28 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted are attached as Appendix B and C of this report. A map showing the location of the premises is attached to this report as Appendix H.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing procedure, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to:
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 29 February 2024, Speedlink Services Ltd applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as The Empire Lounge, Units 1 and 2, 777 Old Kent Road, London SE15 1NZ. The premises and purpose is described as follows:
 - 'Licensed Restaurant'.
9. The hours applied for are summarised as follows:
 - Recorded music (indoors):
 - Sunday to Thursday from 11:00 to 00:00

- Friday and Saturday from 11:00 to 02:00
 - Late night refreshment (indoors):
 - Sunday to Thursday from 23:00 to 00:00
 - Friday and Saturday from 23:00 to 02:00
 - The sale by retail of alcohol (on and off the premises):
 - Sunday to Thursday from 11:00 to 00:00
 - Friday and Saturday from 11:00 to 02:00
 - Opening hours:
 - Sunday to Thursday from 11:00 to 00:30
 - Friday and Saturday from 11:00 to 02:30
 - Non Standard Timings: on the following days, the permitted opening hours and hours permitted for licensable activities may be extended for an additional hour:
 - (a) Thursday, Friday, Saturday and Sunday of the Easter weekend.
 - (b) Friday, Saturday and Sunday of both May Bank Holidays and the August Bank Holiday, Christmas Eve and Boxing Day.
 - (c) On the trading day on which the clocks go forward (i.e. the start of British Summer Time
 - From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day;
10. The premises licence application form provides the applicant's operating schedule. Parts F, I, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application is attached to this report as Appendix A.

Designated premises supervisor

11. The proposed designated premises supervisor is Temple Ubazue who holds a personal licence issued by Lewisham Council.

Representations from responsible authorities

12. Representations have been submitted by the Metropolitan Police Service, the council's environmental protection team (EPT) and the councils licensing authority as a responsible authority.
13. The representation from the police states that the hours applied for are outside of that recommended in this area for a restaurant in the Southwark statement of licensing policy.

14. The police object to this application as the control measures offered are not sufficiently robust for such late opening hours in a residential area. It is highly likely that if granted in its current format this will have a negative effect on local residents, by means of an increase in anti-social behaviour in particular at closing when they leave to collect their cars and transport which are parked in residential streets. The police believe that if the license is granted in its current form it would have a negative impact on all of the licensing objectives in particular that of the prevention of crime and disorder.
15. The police however ask the applicant to consider more robust conditions (38) to address the licensing objectives in particular that of prevention of crime and disorder.
16. The representation from the environmental protection team (EPT) states that the proposed hours of operation fall outside of the recommended hours for this location in the council's statement of licensing policy which recommends that drinking establishments in this area should close at 23:00 daily.
17. The EPT representation notes that complaints regarding noise nuisance have been made regarding the premises since it has operated as Empire Lounge. It is also noted that numerous breaches of the conditions of the existing premises licence issued in respect of the premises have been observed by council officers and that the premises has been observed operating outside of the hours permitted by the premises licence issued in respect of the premises.
18. In light of the history of complaints from existing operations, including two verified Statutory Nuisances and verified instances of failure to comply with license conditions, the EPT contend that granting additional hours of opening and playing of recorded music is likely to fail to meet the Licensing Objective of 'Prevention of Public Nuisance'. The EPT have limited confidence in the current management of the premises to ensure compliance with licensing conditions and licensed hours designed to ensure the licensing objective.
19. The EPT recommends that the application be refused.
20. The representation from the licensing authority as a responsible authority relates to the promotion of the prevention of crime and disorder, public safety and the prevention of public nuisance licensing objectives.
21. Licensing notes that premises already benefits from a premises licence that allows closing times later than those suggested in the Southwark statement of licensing policy.
22. Licensing contend 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.
23. Licensing have received numerous, and continual allegations from local residents that the premises do, in fact operate as a late night bar / night club on the weekends causing considerable disturbance in the locale. Licensing have also received numerous allegations of the premises customers engaging in anti-social behavior and crime and disorder in the locale, and also that noise escape form the premises cause significant noise nuisance in the locale.

24. The licensing authority as a responsible authority recommends that the applicant is refused.
25. The representations from responsible authorities are attached as Appendix B.

Representations from other persons.

26. Representations have been received from three other persons. The representations refer to the prior operation of the premises which has led to alleged noise nuisance, crime and disorder and anti-social behaviour in the local area.
27. Copies of the representations submitted by other persons are attached to this report as Appendix C.
28. Other person 3 has included Metropolitan Police Service crime statistics for the area, as extra supporting evidence to their representation. This supporting evidence is attached as Appendix C1 to this report.

Application history

29. A premises licence for The Empire Lounge Unit 2, 777 Old Kent Road, London SE15 1NZ was issued to Mr George Nwachukwu in respect of the premises on 25 September 2016. On the licence Mr Nwachukwu was specified as the premises' DPS.
30. On 20 June 2017 an application to vary the premises licence in respect of the premises was submitted. The application sought to extend the hours permitted for licensable activities at the premises and extend the premises' opening hours. The application was subject to representations submitted by responsible authorities and four 'other persons' and so the application was referred to the Licensing Sub-Committee for determination.
31. A licensing sub-committee hearing in respect of the variation application submitted on 20 June 2017 was held on 6 September 2017. At the hearing the application was granted with hours that were reduced from the hours applied for.
32. On 12 July 2017 an application was submitted by an 'other person', under Section 51 of the Licensing Act 2003, for the review of the premises licence held by George Nwachukwu in respect of the premises known as The Empire Lounge, Unit 2, 777 Old Kent Road, London SE15 1NZ.
33. On 2 October 2017 a licensing sub-committee hearing in respect of the review application submitted on 12 July 2017 was held. At the hearing condition 852, requiring that a dispersal policy be devised in respect of the premises, was imposed on the premises licence issued in respect of the premises.
34. On 6 April 2020 an application to for a premises licence in respect of the premises was submitted. The application was refused by the licensing sub-committee on 4 June 2020.

35. On 8 February 2022 an application for a minor variation in respect of the premises was submitted. This application was rejected on 17 February 2022. Due to a representation being received against the application.
36. On 21 September 2021 an application for a premises licence was received in respect of the premises known as The Executive Lounge Unit 1, 777 Old Kent Road, SE15 1NZ. The application was granted by the licensing sub-committee on 9 December 2021.
37. On 28 March 2022 an application for a premises licence was received from Speedlink Services Ltd in respect of the premises known as The Empire Lounge, Units 1 and 2, 777 Old Kent Road, London SE15 1NZ. The licence was issued on 25 May 2022. The designated premises supervisor attached to the licence is Temple Ubazue.
38. The existing premises licence (877124) issued in respect of the premises allows the following licensable activities:
 - Recorded music (indoors):
 - Sunday to Thursday from 11:00 to 23:30
 - Friday and Saturday from 11:00 to 00:30
 - Late night refreshment (indoors):
 - Sunday to Thursday from 23:00 to 23:30
 - Friday and Saturday from 23:00 to 00:30
 - The sale by retail of alcohol (on and off the premises):
 - Sunday to Thursday from 11:00 to 23:30
 - Friday and Saturday from 11:00 to 00:30
 - Opening hours:
 - Sunday to Thursday from 11:00 to 00:00
 - Friday and Saturday from 11:00 to 01:00.
39. A copy of the existing premises licence is attached to this report as Appendix D.

Temporary event notices (TENS)

40. There have been 13 temporary event notices (TENS) submitted in respect of the premises since August 2022. A table of TENS is attached to this report as Appendix E.

Complaints

41. The council have received 19 complaints regarding the premises, dating from 6 June 2021 to 16 November 2023. Consisting of three complaints to the licensing unit and 16 complaints to the noise team. A log of complaints received is attached to this report as Appendix F.

Compliance visits

42. Details of compliance visits to the premises by council licensing officers/police working on the night time economy within the last year are provided in Appendix G.

Map

43. A map showing the location of the premises is attached to this report as Appendix H. The following are a list of licensed premises shown on the map:

Lidl, 760 Old Kent Road, London SE15 1NJ, licensed for:

- The sale of alcohol to be consumed off the premises:
 - Monday to Sunday: 07:00 to 23:00
- Opening hours:
 - Monday to Sunday: 06:00 to 23:00

Iceland, 789-799 Old Kent Road, London SE15 1NZ, licensed for:

- The sale of alcohol to be consumed off the premises:
 - Monday to Saturday 08:00 to 23:00
 - Sunday 10:00 to 22:30
- Opening hours
 - Monday to Saturday 08:00 to 23:00
 - Sunday 10:00 to 22:30.

Southwark Council statement of licensing policy

44. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
45. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
 - Section 5 – Determining applications for premises licenses and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.

- Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
46. The purpose of Southwark’s statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
47. Members should take into consideration both the Southwark statement of licensing policy and the Section 182 Guidance when making decisions. The links for these are below.

Southwark policy:

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

Section 182 Guidance:

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

Cumulative impact area (CIA)

48. The premises does not fall within a cumulative impact area (CIA).
49. The premises are situated in a residential area.
50. Under the Southwark’s statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within a residential area:
- Restaurants and cafes:
 - Monday to Sunday: 23:00

- Public houses, wine bars, or other drinking establishments and bars in other types of premises:
 - Monday to Sunday: 23:00
 - Nightclubs (with 'sui generis' planning permission):
 - Not considered appropriate for residential areas.
51. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
52. Climate change is not a legal factor in the consideration of a grant of a premises license under the current licensing objectives, however members can make enquiries and request an agreement from applicants to promote the reduction of the impact of climate change that may be caused by the operation of the premises.
53. Examples of such an agreement may be:
- Not to use single use plastics, such as disposable plastic glasses, when selling alcohol at the premises.
 - Encourage patrons not to drive to venues by providing details of public transport on their webpages/tickets.
54. The council's climate change strategy is available at:
- <https://www.southwark.gov.uk/assets/attach/48607/Climate-Change-Strategy-July-2021-.pdf>

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

Community impact statement

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

Equalities (including socio-economic) impact statement

56. This report does not result in a policy decision and each application is required to be considered upon its own individual merits with all relevant matters taken into account. In considering the recommendations of this report, due regard must be given to the public sector equality duty set out in section 149 of the Equality Act 2010. This requires the council to consider all individuals when carrying out its functions.
57. Importantly, the council must have due regard to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct; advance equality of opportunity and foster good relations between people who have protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The public sector equality duty also applies to marriage and civil partnership, but only in relation to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct.

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

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

59. The equalities impact assessment is available at:

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

Health impact statement

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

Resource implications

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

Consultation

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance

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

Principles for making the determination

65. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.
66. The principles which sub-committee members must apply are set out below.
67. 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.

68. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an interested party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
69. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- 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

70. 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.
71. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
72. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
73. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to 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.
74. 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

75. 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

76. 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.
77. 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

78. 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.

79. 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.
80. 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.
81. 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.
82. 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.
83. 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.
84. 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.
85. 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

86. 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

87. 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	
Secondary Regulations	Tooley Street, London SE1 2QH	
Southwark statement of licensing policy		
Case file		

APPENDICES

Name	Title
Appendix A	Application for a premises licence
Appendix B	Representations submitted by responsible authorities
Appendix C	Representations submitted by other persons
Appendix C1	Supporting evidence for other person 3's representation
Appendix D	Copy of existing licence
Appendix E	Table of temporary event notices
Appendix F	Table of complaints
Appendix G	Log of compliance visits
Appendix H	Map of the locality

AUDIT TRAIL

Lead Officer	Toni Ainge, Strategic Director of Environment, Neighbourhoods and Growth	
Report Author	Jayne Tear, Principal Licensing Officer	
Version	Final	
Dated	9 April 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		10 April 2024

29/02/2024

Business - Application for a premises licence to be granted under the Licensing Act 2003 Ref No. 2187822

Name of Applicant

Please enter the name(s) who is applying for a premises licence under section 17 of the Licensing Act 2003 and am making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Speedlink Services Ltd

Notes for Guidance

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

entertainment is provided by or on behalf of the health care provider;

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

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

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

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

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

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

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

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

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

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

11. The application form must be signed.

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

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

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

15. Entitlement to work/immigration status for individual applicants and applications

from partnerships which are not limited liability partnerships:

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

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

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

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

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a

European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

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

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - o evidence of the applicant's own identity – such as a passport,

 - o evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and

 - o evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,

 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,

 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or

 - (iv) self-sufficient e.g. bank statements.

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

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

- (i) any page containing the holder's personal details including nationality;

- (ii) any page containing the holder's photograph;

- (iii) any page containing the holder's signature;

(iv) any page containing the date of expiry; and

(v) any page containing information indicating the holder has permission to enter or remain in

the UK and is permitted to work.

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

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

Home Office online right to work checking service

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

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

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

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

Premises Details

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

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

£	75500
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	No

Premises trading name

	The Empire Lounge
--	-------------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	UNIT 1 AND 2
Address Line 2	777 OLD KENT ROAD
Town	LONDON
Post code	SE15 1NZ
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

Applicant Details

Please select whether you are applying for a premises licence as

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

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

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

Other Applicants

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

Name - First Entry

	Speedlink Services Ltd
--	------------------------

Address - First Entry

Street number or building name	█
Street Description	██████████
Town	London
County	██████
Post code	██████
Registered number (where applicable)	06726666

Description of applicant (for example, partnership, company, unincorporated association etc)	Private Limited Company
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Contact Details - First Entry

Telephone number	[REDACTED]
Email address	[REDACTED]

Operating Schedule

When do you want the premises licence to start?

	29/03/2024
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If you wish the licence to be valid only for a limited period, when do you want it to end?

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General description of premises (see guidance note 1)

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

	Less than 5000
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Note 1

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

Operating Schedule part 2

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

	(Please see sections 1 and 14 of the Licensing Act 2003 and schedule 1 and 2 of the Licensing Act 2003)
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Provision of regulated entertainment (Please read guidance note 2)

	f) recorded music

Provision of late night refreshment

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

Supply of alcohol

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

F - Recorded Music

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 3)

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

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

	The applicants wish to have the facility for the provision of recorded music whether as the principal entertainment provided or in conjunction with dancing or any other permitted activity.
--	--

Standard days and timings for Recorded Music (Please read guidance note 7)

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

State any seasonal variations for playing recorded music (Please read guidance note 5)

--	--

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

	<p>On the following days, the permitted opening hours and hours permitted for licensable activities may be extended for an additional hour:</p> <p>(a) Thursday, Friday, Saturday and Sunday of the Easter weekend. (b) Friday, Saturday and Sunday of both May Bank Holidays and the August Bank Holiday, Christmas Eve and Boxing Day. (c) On the trading day on which the clocks go forward (i.e. the start of British Summer Time) From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day;</p>
--	---

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

I - Late Night Refreshment

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

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

	The applicants wish to be able to provide facilities for late-night refreshment as may be required from time to time to complement the range of activities (whether licensable or not) being provided at the premises whether as principal or in conjunction with any other permitted activity.
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Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 7)

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

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

--	--

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

	<p>On the following days, the permitted opening hours and hours permitted for licensable activities may be extended for an additional hour:</p> <p>(a) Thursday, Friday, Saturday and Sunday of the Easter weekend.</p> <p>(b) Friday, Saturday and Sunday of both May Bank Holidays and the August Bank Holiday, Christmas Eve and Boxing Day.</p> <p>(c) On the trading day on which the clocks go forward (i.e. the start of British Summer Time)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day;</p>
--	---

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 23:00) and only give details for the days of the week when you intend the premises to be used for the activity. Start time begins from 23:00

J - Supply of Alcohol

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

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

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

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

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

	<p>On the following days, the permitted opening hours and hours permitted for licensable activities may be extended for an additional hour:</p> <p>(a) Thursday, Friday, Saturday and Sunday of the Easter weekend.</p> <p>(b) Friday, Saturday and Sunday of both May Bank Holidays and the August Bank Holiday, Christmas Eve and Boxing Day.</p> <p>(c) On the trading day on which the clocks go forward (i.e. the start of British Summer Time)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day;</p>
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Please download and then upload the consent form completed by the designated proposed premises supervisor

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

Premises Supervisor

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

Full name of proposed designated premises supervisor

First names	Temple
Surname	Ubazue

DOB

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

Street number or Building name	[REDACTED]
Street Description	[REDACTED]
Town	[REDACTED]

County	
Post code	██████████

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

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

K

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

	None
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9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

L - Hours premises are open to public

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

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

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

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

Day	Start	Finish
Mon	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 (Please read guidance note 5)

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

	<p>On the following days, the permitted opening hours and hours permitted for licensable activities may be extended for an additional hour:</p> <p>(a) Thursday, Friday, Saturday and Sunday of the Easter weekend. (b) Friday, Saturday and Sunday of both May Bank Holidays and the August Bank Holiday, Christmas Eve and Boxing Day. (c) On the trading day on which the clocks go forward (i.e. the start of British Summer Time) From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day;</p>
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M - Steps to promote four licencing objectives

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

	<p>The applicant intends to surrender the existing premises licenses (875588 and 875588 already done?) And 877124 should this application be granted. If this is not the case we will consider adding the following conditions to the operating schedule to avoid any ambiguity over which licence is being used at any one time:</p> <ul style="list-style-type: none"> • The Licensing Authority and Police shall be informed at least 14 days prior to the provision of licensable activities under this licence. • When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time. <p>Proposed schedule of conditions</p> <p>1 - (a) A CCTV system shall be installed at the premises and maintained in full working order at all times that the premises are in use. Any recordings made by the CCTV system shall be retained for a minimum of 31 days and shall be made immediately available to officers of the council or police on request. The CCTV system shall record at a minimum of 6 frames per second (FPS). (b) At all times that the premises are in operation there shall be a member of staff will be on duty who can download recordings within a reasonable time should the police or council officers request a copy of any recordings. (c) Should the system break down then the police will be informed immediately, and the system shall be repaired within two working days, or sooner if the police request. (d) The system shall record inside and outside the entrance to the premises and the rear fire exit. (e) The system shall be able to record clear images in all lighting conditions.</p> <p>2 - All staff shall be trained in their responsibilities under the Licensing Act 2003 and in regard to the terms and conditions of this licence. Such training should include the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. Records pertaining to such training shall be kept/be accessible at the premises at all times, shall be updated every 6 months, and shall be made available for inspection at the premises to council or police officers on request.</p> <p>3 - Clearly legible signs shall be prominently displayed where they can easily be seen and read by customers at all exits from the premises, requesting that</p> <ol style="list-style-type: none"> (1) customers leave the premises and area in a quiet and orderly manner. (2) entry will not be permitted to patrons who use Sylvan Road to either park, drop off or collect by private or hackney carriage vehicles. (3) customers do not consume alcoholic drinks bought at the premises in the vicinity of the premises. <p>Such signs shall be maintained free from obstruction when the premises are in use in accordance with this licence.</p> <p>4 - Relevant members of staff shall receive first aid training and an appropriate number of persons trained in first aid shall be on the premises at all times the premises are in operation.</p> <p>5 - All interior and exterior areas of the premises shall be regularly inspected by staff.</p> <p>6 - All staff will be trained to ensure that patrons leave the premises in a quiet and orderly manner.</p> <p>7 - On each day of the week members of staff shall clear away any litter arising from the operation of the premises, left in the immediate vicinity of the premises, when the premises closes.</p>
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- 8 - The sound level of music played at the premises shall be monitored regularly to prevent music played at the premises from causing noise nuisance.
- 9 - The sound level of music played at the premises shall be controlled at all times solely by the manager, DPS, or other person nominated by the manager or DPS.
- 10 - All exterior doors at the premises shall be kept closed during the provision of any regulated entertainment except for immediate/emergency access and egress to and from the premises.
- 11 - All windows at the premises shall be kept closed during the provision of any regulated entertainment.
- 12 - When taxis are ordered for customers for the collection of customers from the premises staff members shall instruct the taxi service to instruct the taxi services drivers not to sound the driver's car horns outside the premises, but to approach the premises in person and verbally (without raised voices) alert staff that the drivers are at the premises to collect customers.
- 13 - The details of local taxi firms will be displayed and kept at the premises and provided to customers on request.
- 14 - A minimum of 2 SIA registered door supervisors shall be on duty from 22:00 until the premises are shut on Friday and Saturday and shall take all reasonable steps to ensure that patrons do not cause a nuisance in the vicinity of the premises. The requirement for door security on other days will be risk-assessed.
- 15 - An incident book/incident recording system 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 or Violence
 - (ii) Calls to the police or fire brigade
 - (iii) Abuse of staff and/or customers
 - (iv) Ejections of people from the premises
 - (v) Visits to the premises by the local authority, police or fire brigade
 - (vi) Refused sales of alcohol
 - (vii) Any malfunction in respect of the CCTV system
 - (viii) Any other relevant incidents

The incident book/incident recording system shall record the time, date, location, and description of each incident as well as the printed name of the person reporting the incident and any action taken in respect of the incident. The incident book/incident recording system shall be available and accessible at the premises at all times that the premises are in use in accordance with this licence and shall be made available to officers of the council, police or fire brigade on request. A record of the preceding 12 months' incidents shall be available at the premises at any time.

16 - A zero-tolerance drugs and weapons policy shall be undertaken at the premises.

(a) Anybody found with / using drugs and / or weapons will be ejected from the premises and shall not be admitted to the premises again.

(b) The details of any person found dealing drugs or using weapons will be taken (if possible) and given to the police.

(c) Any person who is suspected of having drugs on their person will be asked to consent to a search, and should they refuse the search that person shall be ejected from the premises.

17 - The licensee shall sign up for any local licensee radio scheme or pub watch scheme if such schemes exist in the local area.

18 - 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 or any age verification card accredited by the Secretary of State.

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

20 - Alcohol shall not be sold or supplied for consumption on the premises otherwise than to persons taking substantial table meals and for consumption by such persons as ancillary to their meal.

21 - A dispersal policy will be implemented and maintained to assist with patrons leaving the premises in an orderly and safe manner and all relevant staff will be trained in the contents of this policy and made aware of any changes. A record of this training will be kept including the date and the trainee's name and made available for inspection when requested. A copy of the dispersal policy shall be made available to the licensing officer and the police on request.

	<p>22 - There shall be no entry or re-entry permitted after 00:00 on Sunday to Thursday and 01:00 on Friday and Saturday save for those temporarily leaving the premises to smoke.</p> <p>23 - There shall be no sales of alcohol nor sales for consumption of food off the premises after 23:00 Sunday to Thursday or after 00:00 on Friday and Saturday</p> <p>24 - A permanent sound-limiting device (or other similar sound-limiting equipment) shall be installed at the premises and shall be in use at all times that amplified sound is provided at the premises. The sound-limiting device (or other similar sound-limiting equipment) shall be calibrated by a professionally certified sound / acoustic engineer so that amplified sound at the premises does not give rise to a public or statutory nuisance at any time. Any temporary or permanent amplification system(s), amplified instrument(s), and microphone(s) in use at the premises shall be routed through the sound-limiting device (or other similar sound-limiting equipment) at all times.</p> <p>25 - The maximum number of people permitted on the premises at any one time (the 'accommodation limit') is 250 people (excluding staff).</p> <p>26 - There will be no externally promoted events, including DJ's.</p> <p>27 - Any 'off sales' of alcohol shall be provided in sealed containers to be taken away from the premises</p>
--	---

b) the prevention of crime and disorder

	Please see box (a) above
--	--------------------------

c) public safety

	Please see box (a) above
--	--------------------------

d) the prevention of public nuisance

	Please see box (a) above
--	--------------------------

e) the protection of children from harm

	Please see box (a) above
--	--------------------------

Guidance note 10

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

Please upload a plan of the premises

	
--	--

Please upload any additional information i.e. risk assessments

	Dispersal-Policy-Empire-Lounge-whole-premises-Copy-JA2024022912451895.docx
--	--

Checklist

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

Home Office Declaration

Please tick to indicate agreement

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

Declaration

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

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

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

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

I agree to the above statement

	Yes
PaymentDescription	██████████
PaymentAmountInMinorUnits	██████
AuthCode	██████
LicenceReference	██████████
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If completing on behalf of the applicant, please state in what capacity.

Full name	██████████
Date (DD/MM/YYYY)	29/02/2024
Capacity	Applicant's Solicitor

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

Full name	[REDACTED]
Date (DD/MM/YYYY)	
Capacity	[REDACTED]

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

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

GUIDANCE NOTES

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

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

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

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

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

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

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



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

Ref ;176/24

Date: 05/03/2024

Re: The Empire Lounge Unit 1-2 777Old kent SE15 1NZ

Dear Sir/Madam,

Police are in possession of an application from the above for a New Premises licence for the above venue for recorded music, Late Night Refreshment, supply alcohol on/off sales. The venue is described by the applicant as a licensed restaurant and the hours requested are outside those recommended in the Southwark Statement of licensing policy for such a venue. The hours of operation requested are as follows

Open to the Public

Sun-Thurs-1100hrs-0030hrs

Fri-Sat-1100hrs-0230hrs

Recorded Music

Sun-Thurs-1100hrs-0000hrs

Fri-Sat-1100hrs-0200hrs

Late Night Refreshment

Sun-Thurs-2300hrs-0000hrs

Fri-Sat-2300hrs-0200hrs

Supply of Alcohol on/off

Sun-Thurs-1100hrs-0000hrs

Fri-Sat-1100hrs-0200hrs

The venue is situated in a residential area and the hours requested far exceed those recommended for restaurants in such an area and nightclubs are not considered appropriate.

The application does provide a number of control measures to address the licensing objectives and Police welcome these however in view of such late hours we would expect to see more robust conditions to address the licensing objectives in particular that of prevention of crime and disorder. In view of this we would ask the applicant to consider the following conditions and wording

1. That a digital CCTV system shall be installed at the premises, shall be maintained in full working order and shall be continually recording at all times that the premises are in use. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises in all lighting conditions. The CCTV system shall be correctly time and date stamped at all times. The CCTV system shall cover all interior and exterior areas of the premises, including the frontage of the premises, and shall collect clearly defined / focused footage. That all CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available to Police and responsible authority officers on request.

2. That a member of staff shall be on duty at all times that the premises are in use, who is trained in the use of the CCTV system and who is able to view, and download to a removable storage device, CCTV footage at the immediate request of Police and responsible authority officers.

3. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers advising to the effect that CCTV is in operation at the premises. The signage shall be kept free from obstructions at all times.

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

5. Clearly legible signs shall be prominently displayed where they can easily be seen and read by customers at all exits from the premises, requesting that
 (A) Customers leave the premises and area in a quiet and orderly manner.
 (B) Entry will not be permitted to patrons who use Sylvan Road to either park, drop off or collect by private or hackney carriage vehicles.
 (C) Customers do not consume alcoholic drinks bought at the premises in the vicinity of the premises. Such signs shall be maintained free from obstruction when the premises are in use in accordance with this licence.

6. Relevant members of staff shall receive first aid training and an appropriate number of persons trained in first aid shall be on the premises at all times the premises are in Operation.

7. On each day of the week members of staff shall clear away any litter arising from the operation of the premises, left in the immediate vicinity of the premises, when the

premises closes.

8. The sound level of music played at the premises shall be monitored regularly to prevent music played at the premises from causing noise nuisance.

9. The sound level of music played at the premises shall be controlled at all times solely by the manager, DPS, or other person nominated by the manager or DPS.

10. All exterior doors at the premises shall be kept closed during the provision of any regulated entertainment except for immediate/emergency access and egress to and from the premises.

11. All windows at the premises shall be kept closed during the provision of any regulated entertainment.

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

13. The details of local taxi firms will be displayed and kept at the premises and provided to customers on request.

14. That a minimum of two (2) SIA registered door supervisors will be employed at the premises at all times after 22:00 hours on Friday, Saturday . They will be employed to control entry to the premises, to deal with the searching / scanning of customers, to deal with any anti-social or disorderly behaviour at the premises, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist 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 and until at least 30 minutes after the premises close. The door supervisors shall be easily identifiable by hi-visibility garment.

15. That a minimum of one (1) SIA registered door supervisor will be employed at the premises at all times after 22:00 hours on a Sunday to Thursday when the terminal hours are beyond midnight. They will be employed to control entry to the premises, to deal with the searching / scanning of customers, to deal with any anti-social or disorderly behaviour at the premises, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist 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 and its immediate vicinity. The door supervisors shall be easily identifiable by hi-visibility garment.

16. The security personnel shall be equipped with mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.

17. That a minimum of 1 SIA registered door supervisor shall wear a body worn video camera and all footage is to be made available to police or responsible authority officers upon request.

18. Any individual carrying out security activities at the premises must be;
 a. authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 b. entitled to carry out that activity by virtue of section 4 of that Act.

19. The SIA registered door supervisors shall at the time of the venue closing, encourage the patrols to disperse from the local area of the venue quietly and prevent any anti-social behaviour.

20. That an entry policy will be devised and maintained at the premises. A copy of the entry policy shall be kept at the premises with the premises licence and shall be made immediately available for inspection to all responsible authority officers on request. That all Digital records of training and/or logs shall be made immediately available to responsible authority officers on request. The entry policy shall cover (but not necessarily be limited to):

- I. Safe customer entry to the premises,
- II. If / when applicable searching / scanning of attendees,
- III. The barring of customer entry to the premises for any reason,
- IV. Restricted items (e.g. weapons / drugs or any other items restricted by the licensee),
- V. Pre-opening safety checks of the premises,
- VI. Dealing with overcrowding and / or crowd surges
- VII. Dealing with suspect packages.

21. An incident book/incident recording system 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 or Violence
- (ii) Calls to the police or fire brigade
- (iii) Abuse of staff and/or customers
- (iv) Ejections of people from the premises
- (v) Visits to the premises by the local authority, police or fire brigade
- (vi) Refused sales of alcohol
- (vii) Any malfunction in respect of the CCTV system
- (viii) Any other relevant incidents

The incident book/incident recording system shall record the time, date, location, and description of each incident as well as the printed name of the person reporting the incident and any action taken in respect of the incident. The incident book/incident recording system shall be available and accessible at the premises at all times that the premises are in use in accordance with this licence and shall be made available immediately to Police and responsible authority officers upon request. A record of the preceding 12 months' incidents shall be available at the premises at any time. That all Digital records of training and/or logs shall be made immediately available to Police and responsible authority officers on request.

22. That if a Pubwatch scheme exists in respect of the local area, then the licensee / management will join and participate in the Pubwatch scheme. (details can be obtained from Southwark Police Licensing and Night Time Economy team)

22. Premises must have a welfare and vulnerability policy and all staff must receive this training. All new staff must receive this training before starting their role and all staff must have refresher training every 12 months. All training must be recorded and these records must be available on immediate request by responsible authority officers. That all Digital records of training and/or logs shall be made immediately available to Police and responsible authority officers on request.

23. 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. That all Digital records of training and/or logs shall be made immediately available to Police and responsible authority officers on request.

24. That customers shall use no outside area other than those who temporarily leave the premises to smoke with no more than eight(8) people permitted to smoke at one any time. The area should be clearly marked by rope/post barrier system so as not obstruct the highway. The Staff and/or SIA registered door supervisors shall instruct customers to stay within the designated area and the area will be controlled by Staff and/or SIA registered door supervisors to prevent any disturbance to their neighbours.

25. A zero-tolerance drugs and weapons policy shall be undertaken at the premises.

- (a) Anybody found with / using drugs and / or weapons will be ejected from the premises and shall not be admitted to the premises again.
- (b) The details of any person found dealing drugs or using weapons will be taken (if possible) and given to the police.
- (c) Any person who is suspected of having drugs on their person will be asked to consent to a search, and should they refuse the search that person shall be ejected from the premises.

26. 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.

27. That staff shall regularly monitor the premises' toilets to ensure that they are in a clean and sanitary condition, that no prohibited and / or illegal activities are taking place in the toilets and to check customer safety.

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

29. That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons (including the prevention of 'proxy sales') and the challenge 25 scheme in operation at the premises. Details of such training,

including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises and be made immediately available for inspection at the premises to council and / or police officers on request.

29. 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.

30. 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 used to record details of all refused sales of alcohol. The register shall be kept / be accessible at the premises at all times. If the refusals register is a paper document then it shall be clearly and legibly marked on the front cover as a register of refused alcohol sales, with the address of the premises and the name of the licence holder. The register shall be made immediately available for inspection at the premises to council or police officers on request.

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

32. That all alcohol supplied for consumption after 01:00hrs shall be decanted into either polycarbonate, recyclable plastic, or recyclable paper-based material.

33. Alcohol shall not be sold or supplied for consumption on the premises otherwise than to persons taking substantial table meals and for consumption by such persons as ancillary to their meal.

34. That a dispersal policy to assist with patrons leaving the premises in an orderly and safe manner shall be devised and maintained regarding the premises. A copy of the dispersal policy shall be accessible at the premises at all times that the premises are in operation. The policy should include (but not necessarily be limited to) the following:

- i. Details as to how customer / staff egress at the premises shall be managed to minimise causing nuisance.
- ii. Details of public transport in the vicinity and how customers will be advised in respect of it.
- iii. Details of the management of taxis to and from the premises.
- iv. Details of the management of any 'winding down' period at the premises.
- v. Details of the use of security and stewarding in respect of managing customer dispersal from the premises.
- vi. Details of any cloakroom facility at the premises and how it is managed.
- vii. Details of road safety in respect of customers leaving the premises.

- viii. Details of the management of ejections from the premises.
- 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).

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. That all Digital records of training and/or logs shall be made immediately available to responsible authority officers on request.

35. There shall be no entry or re-entry permitted after 00:00 on Sunday to Thursday and 01:00 on Friday and Saturday save for those temporarily leaving the premises to smoke.

36. There shall be no sales of alcohol or food for consumption off the premises after 23:00 Sunday to Thursday or after 00:00 on Friday and Saturday.

37. There will be no externally promoted events, including DJ's.

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

The Police object to this application as the control measures offered are not sufficiently robust for such late opening hours in a residential area. It is highly likely that if granted in its current format this will have a negative effect on local residents ,by means of an increase in anti-social behaviour in particular at closing when they leave to collect their cars and transport which are parked in residential streets. Police believe that if the license is granted in its current form it would have a negative impact on all of the licensing objectives in particular that of the Prevention of crime and disorder.

Submitted for your consideration.

Yours Sincerely

PC Mark Lynch 2246AS

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

From: Earis, Richard <Richard.Earis@southwark.gov.uk>

Sent: Wednesday, March 27, 2024 11:53 AM

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

Subject: RE: Consultation, new premises licence application - "Unit 1 And 2", 777 Old Kent Road

RE: Consultation, new premises licence application - "Unit 1 And 2", 777 Old Kent Road

I have considered the application on behalf of the Environmental Protection Team (Prevention of Public Nuisance Responsible Authority). EPT object to the application.

The proposed hours of operation fall outside of the recommended hours for this location in the Council's Statement of Licensing Policy. This recommends that drinking establishments in this area should close at 23:00 daily.

Furthermore the premises has been the source of significant levels of complaint relating to its existing operations. Complaints relate primarily to loud amplified music from the premises but also mention impacts of dispersal. Complaints have come from a variety of occupiers in close proximity, both within the residential element of the mixed use building itself, and from residents on the adjacent road, Sylvan Grove.

A S.80 notice was served on the premises after a Statutory Nuisance was witnessed by a Noise Officer from loud bass and amplified music on 12th November 2022. The notice was appealed by the premises operator however the appeal was dismissed. I understand leave to appeal the dismissed appeal was also refused and this decision itself is now subject to legal argument. The S.80 notice is currently considered current valid, live and enforceable.

Another Statutory Nuisance was witnessed the week before on 6th November 2022 however the operator was asked to turn down music at the time and a warning letter was sent without a notice being served in this instance.

Case records indicate other allegations of non-compliance with the existing License. For example our records show on 6th November 2022 Mr Nwachukwu advised the Noise Officer that speakers causing nuisance were not routed through the premises noise limiter, in contravention of License condition 366.

On 16th November 2023 Mr Nwachukwu advised the Noise Officer he was operating without working CCTV (in contravention of License condition 340). On the same date the premises was witnessed by Council Officers operating at 01:50, 50 minutes outside of the Licensed hours and without a TEN in place. According to our record, Mr Nwachukwu advised the Noise Officer at the time he did not have a TEN but he *'couldn't shut down because the people don't want to leave'*.

We will circulate a record of complaints and actions prior to a Hearing.

The application to open later into the night risks increasing the impact from the premises in an area the Council has deemed usually inappropriate for late night Licensed Premises. The

application would take operation and playing of recorded music into a more sensitive time of the night when the health and amenity impacts of disturbance are greater.

In light of the history of complaint from existing operations, including two verified Statutory Nuisances and verified instances of failure to comply with License conditions, we believe granting additional hours of opening and playing of recorded music is likely to fail to meet the Licensing Objective of 'Prevention of Public Nuisance'. We have limited confidence in the current management of the premises to ensure compliance with Licensing conditions and Licensed hours designed to ensure the Licensing Objective.

For the above reasons, EPT object to the application and recommend to the Committee that it is refused.

Kind Regards,

Richard

Richard Earis BSc MSc MCIEH CEnvH MIOA
Principal Environmental Protection Officer
Environmental Protection Team

020 7525 0328

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 | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

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Southwark Website - information on what you can do to improve air quality.
See: <http://www.southwark.gov.uk/environment/air-quality>



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:	The Empire Lounge, Units 1 & 2, 777 Old Kent Road, London, SE15 1NZ	
Ref:	882544	

We object to the grant of an application for a premises licence, submitted by Speedlink Services Ltd under The Licensing Act 2003 (the Act), in respect of the premises known as The Empire Lounge, Units 1 & 2, 777 Old Kent Road, London, SE15 1NZ.

1. Application history –

On 08 July 2016 Mr George Nwachukwu applied for a premises licence in respect of Unit 2, 777 Old Kent Road, London, SE15 1NZ. The application sought the following operating hours:

Recorded music:

Friday & Saturday: 11:00 – 02:00

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

Sunday – Thursday: 11:00 – 23:30

Friday & Saturday: 11:00 – 01:30

Late night refreshment:

Sunday – Thursday: 23:00 – 00:00 (midnight)

Friday & Saturday: 11:00 – 02:00

Opening hours:

Sunday – Thursday: 11:00 – 00:00

Friday & Saturday: 11:00 – 02:00

In the application the premises was described as follows (verbatim):

- “Mainly restaurant with some takeaway.”

The application was subject to representations from various responsible authorities and was determined by this council’s licensing sub-committee on 05 September 2016. The application was granted with reduced operating hours as follows:

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

Sunday – Friday: 11:00 – 23:00

Saturday: 11:00 – 00:00 (midnight)

Late night refreshment:

Saturday: 23:00 – 00:00 (midnight)

Opening hours:

Sunday – Friday: 11:00 – 23:30

Saturday: 11:00 – 00:30

A copy of the licensing sub committee's Notice of Decision regarding the above application is attached as appendix 1.

On 20 June 2017 an application to vary the premises licence was submitted seeking the following operating hours:

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

Sunday – Thursday: 11:00 – 00:30

Friday & Saturday: 11:00 – 03:00

Late night refreshment:

Sunday – Thursday: 23:00 – 00:00

Friday & Saturday: 23:00 – 02:30

Opening hours:

Sunday – Thursday: 11:00 – 01:00

Friday & Saturday: 11:00 – 03:30

The application was subject to representations from various responsible authorities and 'other persons' (all being local residents). The application was determined by this council's licensing sub-committee on 06 September 2017. The application was granted with reduced operating hours as follows:

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

Sunday – Thursday: 11:00 – 23:30

Friday & Saturday: 11:00 – 00:30

Late night refreshment:

Sunday – Thursday: 23:00 – 23:30

Friday & Saturday: 23:00 – 00:30

Opening hours:

Sunday – Thursday: 11:00 – 00:00

Friday & Saturday: 11:00 – 01:00

A copy of the licensing sub committee's Notice of Decision regarding the above application is attached as appendix 2.

2. The extant premises licence

On 28 March 2022 an application for a new premises licence was applied for in respect of Units 1 & 2, 777 Old Kent Road, London, SE15 1NZ. The purpose of this application was effectively to include Unit 1 as part of the licensable area of the premises.

The application was made by Speedlink Services Ltd. Mr George Nwachukwu is the sole director of Speedlink Services Ltd.

The extant premises licence (licence number 877124) allows for operating hours as follows:

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

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

Late night refreshment:

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

Recorded music:

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

Opening hours:

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

A copy of licence 877124 is attached as appendix 3.

3. The application –

Although the application is for a new premises licence, this application is being made by the current licence holder in respect of the premises and essentially amounts to a variation of the existing premises licence with the aim of extending the hours permitted for licensable activities.

The application seeks to extend the premises' operation hours as follows:

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

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

Late night refreshment:

Sunday – Thursday: 23:00 – 20:00
Friday & Saturday: 23:00 – 02:00

Recorded music:

Sunday – Thursday: 11:00 – 00:00

Friday & Saturday: 11:00 – 02:00

On the following days, the permitted opening hours and hours permitted for licensable activities may be extended for an additional hour:

- (a) Thursday, Friday, Saturday and Sunday of the Easter weekend.
- (b) Friday, Saturday and Sunday of both May Bank Holidays and the August Bank Holiday, Christmas Eve and Boxing Day.
- (c) On the trading day on which the clocks go forward (i.e. the start of British Summer Time) From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

Opening hours:

Sunday – Thursday: 11:00 – 00:30

Friday & Saturday: 11:00 – 02:30

On the following days, the permitted opening hours and hours permitted for licensable activities may be extended for an additional hour:

- (a) Thursday, Friday, Saturday and Sunday of the Easter weekend.
- (b) Friday, Saturday and Sunday of both May Bank Holidays and the August Bank Holiday, Christmas Eve and Boxing Day.
- (c) On the trading day on which the clocks go forward (i.e. the start of British Summer Time) From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

4. The Locale

The premises are located on Old Kent Road. The Old Kent Road is an extremely busy arterial road with constant traffic 24 hours a day. It also hosts many bus routes. The area has many high-density residential housing estates / blocks in the immediate and wider vicinity of the premises, in all directions. There are also many commercial premises (including other licensed premises) in the vicinity.

5. Statement of Licensing Policy (SoLP)

According to section 7 of this council's statement of licensing policy 2021 – 2026 (the SoLP), the premises fall within a residential 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 residential areas as follows –

Restaurants and cafes:

Monday – Sunday: 23:00

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

Monday – Sunday: 23:00

Nightclubs (with 'sui generis' planning permission):

No considered appropriate for residential areas.

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 negative effect on the amenity of local residents.

Although described as a restaurant in the application, it seems that the style of operation proposed regarding the premises will be more akin to that of a late night bar / nightclub, than a restaurant, which was what the premises originally operated as. We contend that it is entirely inappropriate to situate a late night bar / nightclub in the locale.

We have received numerous, and continual allegations from local residents that the premises do, in fact operate as a late night bar / night club on the weekends causing considerable disturbance in the locale. We have also received numerous allegations of the premises customers engaging in anti-social behavior and crime and disorder in the locale, and also that noise escape form the premises cause significant noise nuisance in the locale.

We note that premises now already benefits from a premises licence that allows closing times later than those suggested in the SoLP.

We say that allowing operating hours further extended past those recommended in the SoLP is likely to give rise to nuisance, crime and disorder and anti-social behavior in the locale, in an area that has residential housing in the immediate vicinity. We also note that new residential blocks are being built close by as part of the regeneration of the Old Kent Road corridor.

Allowing customers to consume alcohol, or be on the premises after having already consumed alcohol, for extended hours **every day of the week** will allow for a high level of intoxication and more chance of confrontations between customers, as often happens in late night venues.

We say that the extant licence is already generous enough, and that the licensing sub-committee should not allow for hours **so much further past** those recommended in a policy that was ratified by local ward councilors. We suggest that the licensing sub-committee adheres to this council's own policies, which have been applied for good reason. The operational hours suggested in the SoLP exist to protect residents in the borough, and other people travelling through the borough.

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.

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.

Taking into account all of the above, we recommend that this application is refused by the licensing sub-committee.

We will be providing further evidence to support this representation.

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer



NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 5 SEPTEMBER 2016

LICENSING ACT 2003: UNIT 2, 777 OLD KENT ROAD, LONDON SE15 1NZ

1. Decision

That the application made by George Nwachukwu for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Unit 2, 777 Old Kent Road, London SE15 1NZ is granted/refused as follows:

Licensable activity	Hours
Late night refreshment	Saturday – between 23:00 and 00:00 (Midnight)
The supply of alcohol	Sunday to Friday between 11:00 and 23:00 Saturday between 11:00 and 00:00
Opening hours	Sunday to Friday – between 11:00 and 23:30 Saturday between 11:00 and 00:30 the following day

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 additional conditions agreed by the sub-committee:

1. That alcohol shall not be sold or supplied for consumption on the premises otherwise than to persons taking substantial table meals and for consumption by such persons as ancillary to their meal.
2. That a dispersal policy will be implemented and maintained to assist with patrons leaving the premises in an orderly and safe manner and all staff will be trained in the contents of this policy and made aware of any changes. A copy of the dispersal policy shall be made available to the licensing officer and the police on request.
3. 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 and updated every four months.

4. There shall be a maximum capacity of 80-seated or waiting customers at any one time.
5. There shall be a maximum of 5 smokers outside the front of the premises at any one time.
6. That there shall be a designated personal supervisor or personal licence holder on the premises at all times alcohol is available for supply for the purpose of supervising such sales.
7. The rear exit shall be closed at all times with the exception of emergencies

3. Reasons

The reasons for the decision are as follows:

The licensing sub-committee heard from the applicant who advised that the application had been amended to read that the Saturday sales of alcohol would be between 11:00 and 01:30 hours the following day. Furthermore, the applicant no longer sought off sales or recorded music. There would also be a capacity of 80 seated covers and training would be provided every four months.

The applicant also produced a dispersal policy in addition to an acoustic report and four photographs. Contrary to Southwark's statement of licensing policy, the applicant stated that the premises was not in a residential area, but a largely commercial area. Any issues relating to parking, would be addressed by the arrangement the applicant had with Toys R Us who would provide additional parking to patrons of the premises, beyond the normal two hours.

Licensing as a responsible authority objected to the premises licence application based on the prevention of crime and disorder and the prevention of public nuisance licensing objectives. They referred the licensing sub-committee to the council's Statement of Licensing Policy 2015-2020 in that the operating hours applied for were not consistent with the council's licensing policy; the licence should reflect those specified in the in the licensing policy. The representative from licensing also requested that the applicant provide an accommodation limit and a dispersal policy.

The Environmental Protection Team informed the licensing sub-committee that their representation was based on the prevention of public nuisance licensing objective and suggested an earlier closing time on Saturday and Sunday. Furthermore, they advised that more specific plans should be made to prevent noise escape from the premises to avoid the operation causing a statutory nuisance to nearby residents.

The licensing sub-committee heard from the planning service who objected to the application based on the prevention of the public nuisance licensing objective and advised that the proposed operation of the premises could have a detrimental impact on the residential properties to the rear of the site through associated noise, disturbance through parking and congregation of people in the vicinity of the premises. Furthermore, the premises had planning consent for hot food/take away between the hours of 07:00 to 23:00 Monday to Saturday and 08:00 to 22:00 on Sundays and Bank holidays. Two planning applications had previously been made to extending the hours to 05:30 and 04:30, both of which had failed. There were also proposed developments in the area that would be affected by the premises.

The licensing sub-committee noted the written representation from the public health directorate.

The licensing sub-committee considered very carefully both the oral and written representation from all the parties. The primary point in dispute was the proposed operating hours, which exceeded those specified in Southwark's Statement of Licensing Policy. The applicant was of the view that the premises was not located in a residential area and produced photographs as evidence. However, on considering the plan of the area (page 41 of the agenda), the sub-committee were satisfied that this was a residential area given that there were residential premises at Sylvan Terrace, Bowness House and Ullswater House all of whom could be affected by noise and the late night dispersal from the premises. The licensing sub-committee were not satisfied that the issue of parking and parking disturbance was sufficiently addressed, when Sylvan Terrance already have parking problems. The parking at Toys R Us was in fact public parking, offering 2 hours free parking. In the circumstances, the licensing sub-committee felt it could not digress from the licensing policy.

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

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

may appeal against the decision.

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

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

Date: 5 Sept 2016

NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 6 SEPTEMBER 2017

LICENSING ACT 2003: LICENSING ACT 2003: UNIT 2, 777 OLD KENT ROAD, LONDON, SE15 1NZ

1. Decision

That the application by George Nwachukwu for a variation of a premises licence issued under the Licensing Act 2003 in respect of the premises known as **UNIT 2, 777 OLD KENT ROAD, LONDON, SE15 1NZ** is granted as follows:

Licensable Activities	Days	Hours
Sale of alcohol	Sunday to Thursday Friday, Saturday & Bank Holidays	11:00 – 23:30 11:00 - 00:30
Late night refreshment	Sunday to Thursday Friday, Saturday & Bank Holidays	11:00 - 23:30 11:00 - 00:30
Opening	Sunday to Thursday Friday, Saturday & Bank Holidays	11:00 - 00:00 11:00 - 01:00

2. Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, any conditions derived from the operating schedule in Section M of the application for and the following conditions imposed by the licensing sub-committee:

1. That the premises licence holder shall visibly display signage stating that entry will not be permitted to patrons who use Sylvan Road to either park, drop off or collect by private or hackney carriage vehicles.
2. That suitably qualified SIA persons shall be employed at all times where the premises is operating beyond 23:00 hours and shall take all reasonable steps to ensure that patrons do not cause a nuisance in the vicinity of the premises.
3. That there shall be no entry or re entry permitted after 00:00 hours.
4. That there shall be no sales for consumption of food off the premises after 23:00 hours.
5. That there shall be no off sales of alcohol after 23:00 hours.
6. That the maximum number of persons permitted to be on the premises is 90.
7. That a sound limiting device shall be installed and be set at an appropriate level by a professionally certified acoustic engineer.

8. That a permanent sound limiting device⁵³ (or other similar sound limiting equipment) shall be installed at the premises and shall be in use at all times that amplified sound is provided at the premises. The sound limiting device (or other similar sound limiting equipment) shall be calibrated by a professionally certified sound / acoustic engineer so that amplified sound at the premises does not give rise to public or statutory nuisance at any time. Any temporary or permanent amplification system(s), amplified instrument(s) and microphone(s) in use at the premises shall be routed through the sound limiting device (or other similar sound limiting equipment) at all times.”

3. Reasons

The reasons for the decision are as follows:

The licensing sub-committee heard from the applicant's representative who advised that the premises operate as a restaurant. They further stated that the extended hours were required to cater for the clientele who prefer to eat later in the evening than the current hours permit.

The applicant's representative submitted that, although Southwark Council's statement of licensing policy defines the area that the premises are located in as a residential area, in the applicant's opinion the area that the premises are located is a mixed use area.

Reference was made to a previous planning appeal decision which referred to the area as small scale residential.

The applicant's representative stated that they believed at least one of representations from other persons to be vexatious.

The applicant's representative advised the sub committee that the premises has operated 12 TENS and only one complaint appears to be have been made as a direct result of a TEN following the event in December 2016.

The applicant's representative advised that they are prepared to work with residents to minimise risk of nuisance and they would be willing to ensure that the refuse bin remains locked and is emptied on a regular basis. They also advised that customers disperse on a gradual basis reducing the risk of nuisance.

The applicant's representative also stated that they would ensure on SIA doorman monitored the use of Sylvan road by the premises patron's and will inform patrons that they will not be permitted to enter the premises if they choose to use Sylvan road for parking, dropping off or picking up patrons of the premises. Thereby minimising the risk of nuisance to local residents.

With a view to assist in reducing any potential noise nuisance the applicant is also strongly advised by the sub committee to encourage patrons to use public transport where possible.

The applicant's representative agreed to adopt additional conditions in order to reduce the risk on nuisance in the area and stated that they would be submitting a further application to the Planning department addressing the issues raised and believe that this application will be successful.

The licensing sub-committee heard from the council's planning department who submitted a representation in respect of the prevention of public nuisance. They advised that previous events which have taken place at the premises have resulted in complaints of noise nuisance from local residents.

The planning department also stated that a temporary stop notice was served to ensure that the premises adhered to a closing time of 23:00 hours as per planning permission in respect of the premises. They further stated that 2 planning applications to extend the hours of operation in respect of the premises have been refused on the grounds of potential harm to residential amenity by the proposed extended hours of operation and further pointed out that there has been no change of circumstance to lead to a different conclusion in respect of the potential impact of extending the operating hours.

They further stated that they had concerns that the premises operated as a late night drinking venue rather than a restaurant. One of the reasons for this being the fact that the filter in the extraction system had not been changed, indicating that the kitchen was not being used as much as they would expect.

The applicant stated that the kitchen was not being used as often as they would like due to the reduced demand as a result of the restricted hours. In addition the extraction system was new and was not therefore required to be changed yet.

The licensing sub-committee considered the representation from the council's Director of Public Health in respect of the prevention of crime and disorder, the prevention of public nuisance and the protection of public safety licensing objectives. The representation stated that research shows increased hours of alcohol sales are associated with increased alcohol consumption, increased alcohol related injuries and increased alcohol related harm. In addition reference was made to the Southwark's statement of licensing policy which recommends that restaurants in the premises location should close at 23:00.

The sub committee noted that whilst a representative from the public health authority did not attend the hearing, the sub committee took into account the written representation. It noted that more weight could have been attached had a representative attended the sub-committee but nonetheless the representation carried weight.

The licensing sub-committee heard from the council's licensing responsible authority who submitted representations under the prevention of crime and disorder and the prevention of public nuisance licensing objective. The officer advised that Southwark's statement of licensing policy recommends that in the premises' location restaurants should close at 23:00.

The representation also notes that current planning permission in regards to the premises stipulates that the premises close at 23:00.

The officer also referred to the complaints received by three local residents and whilst stating that there was no issued with the current operation of the premises within the current permitted hours, she expressed concern that later hours as requested could result in increased crime and disorder in the area.

The licensing sub-committee heard from the Metropolitan Police Service who also advised that the current planning permission stipulates that the premises close at 23:00. The police also highlighted that previous events at the premises have resulted in complaints from local residents of public nuisance and noise nuisance caused by customers. The police also stated that the hours applied for exceed those recommended in Southwark's statement of licensing policy.

The police stated that they had concerns the extended hours applied for may lead to an increase in public nuisance and crime and disorder in the area.

The licensing sub-committee heard from the council's environmental protection team who submitted a representation in respect of the prevention of public nuisance licensing objective. The officer advised that previous events at the premises have resulted in complaints of noise nuisance from local residents.

The officer also referred to the current planning permission which requires the premises to close at 23:00 and the fact that applications to extend the premises' hours have been refused.

The licensing sub-committee considered four representations from other persons who stated that the existing operation of the premises causes noise nuisance and anti social behaviour including littering, public urination and fights and sounding their car horns.

The representations from the residents also highlighted that the planning applications to extend the hours have been refused.

The residents stated that the premises operated as a nightclub and not a restaurant and that the residents felt intimidated by the patrons of the premises.

The residents express concern that all of the existing problems would be exacerbated and crime and disorder will increase if the hours of operation are extended.

The sub committee noted that whilst the residents did not attend the hearing, the sub committee took into account the written representations.

It noted that more weight could have been attached had a representative attended the sub-committee but nonetheless the representation carried weight.

The licensing sub-committee considered all of the oral and written representations before it and considered Southwark's Statement of Licensing Policy 2016 which sets out recommended hours of operation and requires the sub committee to give consideration to the premises' location and its likelihood to impact on the licensing objectives.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and on balance considered that this decision was appropriate and proportionate.

4. Appeal rights

The applicant may appeal against any decision to modify the conditions of the licence; and

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

- a) That variation ought not to have been made; or
- b) That, when varying the licence, the licensing authority ought not to have modified 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 magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 6 September 2017

Appendix 3

Licensing Act 2003

Premises Licence



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

Premises licence number

877124

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
The Empire Lounge Units 1 And 2 777 Old Kent Road	
Ordnance survey map reference (if applicable): 534957177490	
Post town: London	Post code: SE15 1NZ
Telephone number	

Licensable activities authorised by the licence

Recorded Music - Indoors
Late Night Refreshment - Indoors and outdoors
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	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 00:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 00:00

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

Late Night Refreshment - Indoors and outdoors

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

Sale by retail of alcohol to be consumed on premises

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

Sale by retail of alcohol to be consumed off premises

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

Part 2

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

Speedlink Services Ltd
[REDACTED]
[REDACTED]
[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)
06726666

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

Temple Ubazue

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.:

Authority:

Licence Issue date: 23/05/2022

Neighbourhood Nuisance Service Manager
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748

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 (a) That a CCTV system shall be installed at the premises and maintained in full working order at all times that the premises are in use. Any recordings made by the CCTV system shall be retained for a minimum of 31 days and shall be made immediately available to officers of the council or police on request. The CCTV system shall record at a minimum of 6 frames per second (FPS). (b) That at all times that the premises are in operation there shall be a member of staff will be on duty who is capable of downloading recordings within a reasonable time should the police or council officers request a copy of any recordings. (c) That should the system break down then the police will be informed immediately and the system shall be repaired within two working days, or sooner if the police request. (d) That the system shall record inside and outside the entrance to the premises and the rear fire exit. (e) That the system shall be able to record clear images in all lighting conditions.

341 That all staff shall be trained in their responsibilities under the Licensing Act 2003 and in regards to the terms and conditions of this licence. Such training should include the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. Records pertaining to such training shall be kept / be accessible at the premises at all times, shall be updated every 6 months and shall be made immediately available for inspection at the premises to council and / or police officers on request.

342 That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers at all exits from the premises, requesting to the effect that customers leave the premises and area in a quiet and orderly manner. Such signs shall be maintained free from obstruction when the premises are in use in accordance with this licence.

343 That relevant members of staff shall receive first aid training and an appropriate number of persons trained in first aid shall be on the premises at all times the premises are in operation.

344 That all interior and exterior areas of the premises shall be regularly inspected by staff.

345 That all staff will be trained to ensure that patrons leave the premises in a quiet and orderly manner.

346 That on each day of the week members of staff shall clear away any litter arising from the operation of the premises, left in the immediate vicinity of the premises, when the premises closes.

347 That the sound level of music played at the premises shall be monitored regularly to prevent music played at the premises causing noise nuisance.

348 That the sound level of music played at the premises shall be controlled at all times solely by the, manager, DPS or other person nominated by the manager or DPS.

349 That all exterior doors at the premises shall be kept closed during the provision of any regulated entertainment except for the purposes of immediate / emergency access and egress to and from the premises.

350 That all windows at the premises shall be kept closed during the provision of any regulated entertainment.

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

352 That the details of local taxi firms will be displayed and kept at the premises and provided to customers on request.

353 That a minimum of 2 SIA registered door supervisors shall be on duty from 22:00 hours until the premises are shut on Friday and Saturday and shall take all reasonable steps to ensure that patrons do not cause a nuisance in the vicinity of the premises.

354 An incident book / incident recording system 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 or Violence
- (ii) Calls to the police or fire brigade
- (iii) Abuse of staff and / or customers
- (iv) Ejections of people from the premises
- (v) Visits to the premises by the local authority, police or fire brigade
- (vi) Refused sales of alcohol
- (vii) Any malfunction in respect of the CCTV system

(viii) Any other relevant incidents

The incident book / incident recording system shall record the time, date, location and description of each incident as well as the printed name of the person reporting the incident and any action taken in respect of the incident. The incident book / incident recording system shall be available and be accessible at the premises at all times that the premises are in use in accordance with this licence and shall be made available to officers of the council, police or fire brigade on request. A record of the preceding 12 months incidents shall be available at the premises at any time.

355 There will be a zero tolerance drugs and weapons policy shall be undertaken at the premises.

(a) Anybody found with / using drugs and / or weapons will be ejected from the premises and shall not be admitted to the premises again.

(b) The details of any person found dealing drugs or using weapons will be taken (if possible) and given to the police.

(c) Any person who is suspected of having drugs on their person will be asked to consent to a search, and should they refuse the search that person shall be ejected from the premises.

356 That the licensee shall sign up to any local licensee radio scheme or pub-watch scheme if such schemes exist in the local area.

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

358 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 alcohol sales, with the address of the premises and the name of the licence holder. The register shall be used to record details of all refused sales of alcohol. The register shall be kept / be accessible at the premises at all times. The

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

359 That alcohol shall not be sold or supplied for consumption on the premises otherwise than to persons taking substantial table meals and for consumption by such persons as ancillary to their meal.

360 That a dispersal policy will be implemented and maintained to assist with patrons leaving the premises in an orderly and safe manner and all relevant staff will be trained in the contents of this policy and made aware of any changes. A record of this training will be kept including the date and the trainee's name and made available for inspection when requested. A copy of the dispersal policy shall be made available to the licensing officer and the police on request.

361 That the premises licence holder shall visibly display signage stating that entry will not be permitted to patrons who use Sylvan Road to either park, drop off or collect by private or hackney carriage vehicles.

362 That there shall be no entry or re-entry permitted after 00:00 hours save for those temporarily leaving the premises to smoke.

363 That there shall be no sales of food for consumption off the premises after 23:00 hours.

364 That there shall be no off sales of alcohol after 23:00 hours.

365 That a sound limiting device shall be installed and be set at an appropriate level by a professionally certified acoustic engineer.

366 That a permanent sound limiting device (or other similar sound limiting equipment) shall be installed at the premises and shall be in use at all times that amplified sound is provided at the premises. The sound limiting device (or other similar sound limiting equipment) shall be calibrated by a professionally certified sound / acoustic engineer so that amplified sound at the premises does not give rise to public or statutory nuisance at any time. Any temporary or permanent amplification system(s), amplified instrument(s) and microphone(s) in use at the premises shall be routed through the sound limiting device (or other similar sound limiting equipment) at all times.

367 That the maximum number of people permitted on the premises at any one time (the 'accommodation limit') is 240 people (excluding staff).

368 That there will be no externally promoted events, including DJ's.

369 That any 'off sales' of alcohol shall be provided in sealed containers to be taken away from the premises.

370 That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers at all exits requesting to the effect that customers do not consume alcoholic drinks bought at the premises in the vicinity of the premises. Such signage shall be kept free from obstructions at all times.

371 On the following days the permitted opening hours and hours permitted for licensable activities may be extended for an additional hour:

(a) Thursday, Friday, Saturday and Sunday of the Easter weekend.

(b) Friday, Saturday and Sunday of both May Bank Holidays and the August Bank Holiday, Christmas Eve and Boxing Day.

(c) From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day;

(d) On the trading day on which the clocks go forward (i.e. the start of British Summer Time) permitted hours may be extended by an additional hour.

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

Annex 4 - Plans - Attached

Licence No. 877124

Plan No. n/a

Plan Date n/a

OTHER PERSON 1

From: [REDACTED]
Sent: Thursday, March 14, 2024 12:12 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Re: Objection to a license extention

Sure I live at [REDACTED]

On Thu, Mar 14, 2024 at 12:11 PM Regen, Licensing
<Licensing.Regen@southwark.gov.uk> wrote:
Dear [REDACTED]

Thank you for your email lodging a representation.

Please give us your address as required for a valid representation.
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/how-to-lodge-a-representation>

Thank you in advance.

Kind regards,

[REDACTED]
Unit Support Officer
Licensing | Regulatory Services
Southwark Council, 3rd Floor, Hub 1 | PO Box 64529 | London | SE1P 5LX
Tel - 020 7525 7421 Licensing email - licensing@southwark.gov.uk

In future if you wish to submit a licensing application, a quicker way would be to apply online

From: [REDACTED]
Sent: Thursday, March 14, 2024 12:07 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Objection to a license extention

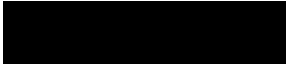
Hello

I would like to object to the license extension of units 1 & 2 777 Old kent road london se15 1nz. It is Empire Lounge.

I live [REDACTED] and this place is already a nuisance. They already don't follow their current rules and serve alcohol and have lock ins as much as they want. The sound really disturbs me in my house/bedroom. The patrons also park their cars all over the sidewalk making access to my front door difficult. I have also video of people having sex

in the back alley behind the business, which is in between my house and the business. There are frequent fights and shouting in the street late at night. To be honest, I dont know why this place is still open. There was a functional weed grow house just above it! I have strong suspicions this business was involved. So far the council has done nothing but be useless to our constant complaints. I would really appreciate an actual investigation into this business. I mean come one, at one point this business BUILT A WOODEN FRAME around fire escapes and exists for god knows what purpose! They just do what they want. Come on guys, wise up!

I hope my concerns are heard this time,



OTHER PERSON 2

From: [REDACTED]
Sent: Friday, March 22, 2024 5:01 PM
To: [REDACTED]@southwark.gov.uk>
Subject: Re: Empire Lounge. units 1&2, 777 old Kent road, SE15 1NZ 882544

Dear [REDACTED]

Thanks for replying to my email.

My address is: [REDACTED]
[REDACTED]

Kind regards
[REDACTED]

On Fri, 22 Mar 2024 at 16:52, [REDACTED]
[REDACTED]@southwark.gov.uk> wrote:

Dear [REDACTED]

Thank you for your email lodging a representation.

Please give us your full address (please include the post code), as required for a valid representation.
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/how-to-lodge-a-representation>

Thank you in advance.

Kind regards,
[REDACTED]

Unit Support Officer
Licensing | Regulatory Services
Southwark Council, 3rd Floor, Hub 1 | PO Box 64529 | London | SE1P 5LX
Tel - 020 7525 7421 Licensing email - licensing@southwark.gov.uk

In future if you wish to submit a licensing application, a quicker way would be to apply online

From: [REDACTED]
Sent: Friday, March 22, 2024 3:21 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Empire Lounge. units 1&2, 777 old Kent road, SE15 1NZ

To whom may consider,

Dear Madam/Sir

I'm writing to you to inform you, how much concern my family and I have about extending the closing time up to 2 am after midnight of Empire Loung night club, as we are already

suffering a lot from sleepness as a result of the noises and loud speaking of the people who come out of the club after current closing time (12midnight) and then sitting outside of our doorsteps, on the street ([REDACTED] and start to chatting loudly smoking, drinking almost up to two am. therefore we are kindly asking Please do not extend the closing time more than 12 midnight.

Very Kind regard

[REDACTED]

OTHER PERSON 3**From:** [REDACTED]**Sent:** Thursday, March 28, 2024 11:38 PM**To:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>**Subject:** Representation objecting to the Application : Licence number: 882544

28 March 2024

licensing@southwark.gov.uk

Dear Sir/Madam Southwark Council Licensing Team

Licence number: 882544**Trading name and address:** The Executive Lounge**Ward:** Old Kent Road**Applicant Name:** Speedlink Services Ltd**Application:** Premises -New Premises application for the provisions:

1. Permit the sale of alcohol by retail and the provision of recorded music Sunday to Thursday 11:00hrs until 00:00hrs, Friday and Saturday 11:00hrs until 02:00hrs.
2. To allow the provision of Late-Night Refreshment Sunday to Thursday 23:00hrs until 00:00hrs, Friday and Saturday 23:00hrs until 02:00hrs.
3. To allow the premises to be open Sunday to Thursday 11:00hrs until 00:30hrs, Friday and Saturday 11:00hrs until 02:30hrs.
4. To allow for extra hours of licensable activities on notable days as applied.

Please maintain the privacy of this representation by way of redaction where necessary so my details are not divulged in accordance to Data Protection Act 1998.

1. Representation objecting to the Application

As the owner of [REDACTED] I am submitting this representation **objecting** to the aforementioned 29 February 2024 application, referenced under Licence number: 882544, by Mr George Nwachukwu, Director of Speedlink Services Ltd.

I make this representation following the Licensing Objectives, 1) The prevention of crime and disorder 2) Public safety 3) The prevention of public nuisance and 4) protection of children from harm.

2. Residential Area

The premises on the application, noted as the former Carphone warehouse shop site, is situated in a residential area with the rear of the building being only 7 meters from the nearest residential building at ground level [Fig 1]. It should be noted that many of the residents are families with young children.



Figure 1 Empire Lounge Next to Residential Buildings of Sylvan Grove

In respect of [Licensing Act 2003 Southwark Statement of Licensing Policy 2021 – 2026](#), licensing policy hours for a residential area, require restaurant premises close at 23:00 daily, stated under **SECTION SEVEN – HOURS OF OPERATION**. The application to re-permit and extend the current provisions approved in 2021 for the sale and supply of alcohol beyond 23:00, which is the usual limit for residential areas and the current granted 01:30, would therefore not be appropriate.

In light of the applicants prior successful Licence applications this new Licence application demonstrates a further encroachment on clearly defined polices, in pursuant to Licencing Act 2003, designed to protect residents. This can be seen as further attempt to solidify the applicants' current activities of its Empire Lounge restaurant to that of a de facto nightclub while situated next to a residential area.

The negative impact to residents of Sylvan Grove, has escalated following the previous successful application by the same applicant in 2021 which permitted extension to its then, opening hours and provisions for supply of alcohol. Please see the comparison table of the prior 2021 application 875588 which was granted and new 2024 application 882544, yet to be determined.

Points	2021 Application 875588 Previously Granted	2024 New Application 882544 To be determined	Analysis of differences if Licence is granted on new application
1	The supply of alcohol (on and off the premises) on Sunday to Thursday from 11:00 to 00:00 and on Friday and Saturday from 11:00 to 01:00 the following day	Permit the sale of alcohol by retail and the provision of recorded music Sunday to Thursday 11:00hrs until 00:00hrs, Friday and Saturday 11:00hrs until 02:00hrs.	Will permit extending alcohol sales as part of the operation for a further 1 hour on Friday and Saturday night from 1am to 2am
2	Provision of late night refreshment (indoors) on Sunday to Thursday from 23:00 to 00:00 and on Friday and Saturday from 23:00 to 01:00 the following day	To allow the provision of Late-Night Refreshment Sunday to Thursday 23:00hrs until 00:00hrs, Friday and Saturday 23:00hrs until 02:00hrs.	Will permit extending indoor refreshment sales as part of the operation for a further 1 hour on Friday and Saturday night from 1am to 2am
3	Overall opening times shall be from on Sunday to Thursday from 11:00 to 00:30 and on Friday and Saturday from 11:00 to 01:30 the following day	To allow the premises to be open Sunday to Thursday 11:00hrs until 00:30hrs, Friday and Saturday 11:00hrs until 02:30hrs.	Will permit extending opening hours as part of the operation for a further 1 hour on Friday and Saturday night from 1.30am to 2.30am
4	Non Standard Timings: On Bank Holidays the permitted hours in respect of licensable activities are 11:00 to 02:00 and the permitted opening times are 11:00 to 02:30	To allow for extra hours of licensable activities on notable days as applied.	Will permit extending opening hours and licensable activities in addition to Bank Holidays and beyond 11:00 to 02:00 and opening 2.30am respectively

Figure 2 Licence Application Comparison (2021 and 2024)

3. Crime Disorder and Public Nuisance

For the residents of Sylvan Grove, the experience of the applicants Empire Lounge, can be seen as more than a general nuisance to the surrounding area. The effects of which have not abated following a long history of complaints over 5-6 years from local residents regarding breach of planning rules, loud music and disorderly behaviour of its patrons.

If this application is approved it will result in further escalation of anti-social behaviour, disorder and violent crime all of which will be a matter of public record.

To repeat, salient points from my prior objections, I cite the following quote from a prior representation which still describes the current circumstances:

Appendix C: Representations from responsible authorities from in respect of Empire Lounge, 777 Old Kent Road, London SE15 1NZ from Mr George Nwachukwu prior licensing application dated 6 April 2020 Sub -committee review:
<https://modern.gov.southwark.gov.uk/documents/s88989/Appendix%20C%20Representations%20from%20responsible%20authorities.pdf>

“The applicant has operated the same premises for a number of years and during this period there have been many complaints from nearby residents in relation to noise and disturbance from the use of the venue. In addition to noise from amplified music, in particular low frequencies (bass notes), the complaints have also related to noisy patrons in the street, vehicle movements & parking, urination in the street, waste deposition and grease from the kitchen extraction. The complaints were more prevalent in 2017, 2018 & early 2019, but there has been a more recent complaint in February of this year about loud music. When questioned the applicant stated that someone had left the rear door open (an infringement of an existing premises licence condition).”

4. Recent Metropolitan Police Recorded Incidents reported In and around Empire Lounge

Metropolitan Police Crime Statistics for the **December 2023** in specific area 777 Old Kent Road, London SE15 1NZ recorded 15 crimes in the vicinity.

The following Police Crime Map [Fig 3], illustrates as an example the highest concentration of crimes recorded by the Police in the local vicinity specifically centres around the applicants Empire Lounge.

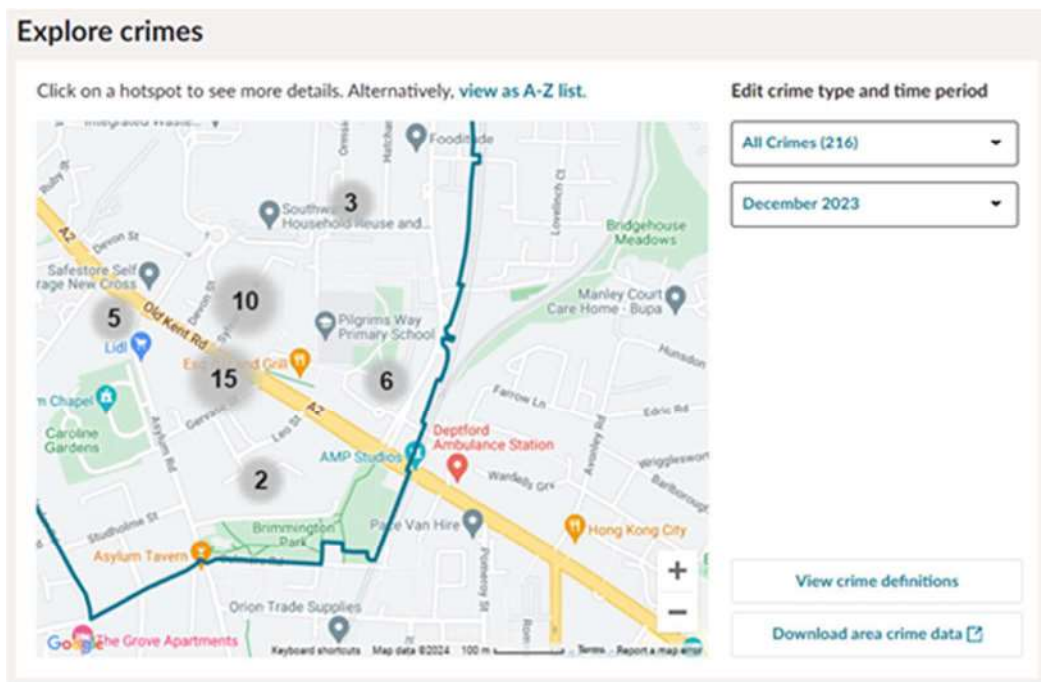


Figure 3 Source: <https://www.police.uk/pu/your-area/metropolitan-police-service/old-kent-road/?tab=CrimeMap>

5. Escalation in Metropolitan Police Recorded Incidents In and around Empire Lounge

I also provide comparative analysis of reported crimes for [Fig 4] sourced from [Metropolitan Police Records](#) using search criteria in like for like periods: *February to December in 2021 2022 and 2023:*

Location: *“On or near Sylvan Grove”*

LSOA name: "Southwark 018B"

Feb 2021 – Dec 2021	Total	Feb 2022 – Dec 2022	Total	Feb 2023 – Dec 2023	Total
Anti-social behaviour	44	Anti-social behaviour	64	Anti-social behaviour	128
Criminal damage and arson	6	Criminal damage and arson	2	Criminal damage and arson	2
Other theft	2	Other theft	8	Drugs	6
Public order	4	Possession of weapons	2	Other theft	4
Violence and sexual offences	6	Public order	2	Possession of weapons	2
Grand Total	62	Violence and sexual offences	22	Public order	16
		Grand Total	100	Robbery	2
				Vehicle crime	2
				Violence and sexual offences	22
				Grand Total	184

Figure 4 Source: <https://data.police.uk/data/>

The compiled statistics, with relevant crime types clearly demonstrate in the period before and after the applicants prior granted Licence application that recorded crimes emanating in and around Empire Lounge have markedly increased.

I wish to draw attention to my previously raised objection to the 2021 Licence application (ref 875588), stating the following, which has proven to be correct:

"If the application is approved and the Empire Lounge expands into the former Carphone Warehouse site, Unit 1 777 Old Kent Road, London SE15 1NZ, crime and disorder will increase, not decrease, based history of the applicants Empire lounge operation and on the trends of crimes emanating from that operation and its patrons."

6. Conclusion

In summary, if this new Licence application is approved the Empire Lounge will be operating as a de facto nightclub inviting an increase in crime, disorder and public nuisance offenses by way of extended hours of operation till 02:30 and the supply of alcohol throughout the week. The closing time limit should be set to 23:00 in line with policies defined in [Licensing Act 2003 Southwark Statement of Licensing Policy 2021 – 2026](#).

Following the previous 2021 Licence application which was granted, there has been an increase, as expected, in recorded crimes emanating in and around the area of the Empire lounge. Extending its operational hours, will result in a further increase in recorded crimes and incidents, further impacting the residents in the direct vicinity, many of which are families with young children.

I look forward to your acknowledgement.

Regards

[Redacted]

Email: [Redacted]

[Redacted]

PS:

I have also attached this representation email as a PDF with the additional compiled statistics spreadsheet file :

- MetPolice_Crime_Statistics-On_or_Near_Sylvan_Grove_Feb2021-Jan2024.xlsx
- Representation objecting to Executive Lounge Licencing Application date 29 Feb 2024 ref 882544 sent 27 Mar 2024.pdf

Month	Reported by	Location	Crime type	Last outcome category
2021-06	Metropolitan Police Service	On or near Sylvan Grove	Criminal damage and arson	Investigation complete; no suspect identified
2021-06	Metropolitan Police Service	On or near Sylvan Grove	Criminal damage and arson	Investigation complete; no suspect identified
2021-06	Metropolitan Police Service	On or near Sylvan Grove	Public order	Investigation complete; no suspect identified
2021-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-08	Metropolitan Police Service	On or near Sylvan Grove	Criminal damage and arson	Investigation complete; no suspect identified
2021-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-09	Metropolitan Police Service	On or near Sylvan Grove	Violence and sexual offences	Investigation complete; no suspect identified
2021-11	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2021-11	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	

Month	Reported by	Location	Crime type	Last outcome category
2022-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-01	Metropolitan Police Service	On or near Sylvan Grove	Other theft	
2022-02	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-03	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-03	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-03	Metropolitan Police Service	On or near Sylvan Grove	Burglary	
2022-03	Metropolitan Police Service	On or near Sylvan Grove	Burglary	Investigation complete; no suspect identified
2022-04	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-04	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-05	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-06	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-06	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-04	Metropolitan Police Service	On or near Sylvan Grove	Burglary	
2022-04	Metropolitan Police Service	On or near Sylvan Grove	Other theft	Investigation complete; no suspect identified
2022-04	Metropolitan Police Service	On or near Sylvan Grove	Other theft	
2022-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-06	Metropolitan Police Service	On or near Sylvan Grove	Burglary	
2022-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-07	Metropolitan Police Service	On or near Sylvan Grove	Other theft	
2022-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-09	Metropolitan Police Service	On or near Sylvan Grove	Other theft	
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-11	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-12	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-12	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-12	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-02	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-03	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	Investigation complete; no suspect identified
2022-03	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	

Month	(Multiple Items)
Row Labels	Count of Crime type
Anti-social behaviour	64
Criminal damage and arson	2
Other theft	8
Possession of weapons	2
Public order	2
Violence and sexual offences	22
Grand Total	100

Month	Reported by	Location	Crime type	Last outcome category
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Other theft	Investigation complete; no suspect identified
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Violence and sexual offences	Investigation complete; no suspect identified
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Violence and sexual offences	Investigation complete; no suspect identified
2023-11	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-11	Metropolitan Police Service	On or near Sylvan Grove	Drugs	Awaiting court outcome
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Criminal damage and arson	Under investigation
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Drugs	Under investigation
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Drugs	Under investigation
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Possession of weapons	Awaiting court outcome
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Public order	Investigation complete; no suspect identified
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Public order	Investigation complete; no suspect identified
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Robbery	Awaiting court outcome
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Public order	Investigation complete; no suspect identified
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Violence and sexual offences	Investigation complete; no suspect identified
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Violence and sexual offences	Under investigation
2022-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-01	Metropolitan Police Service	On or near Sylvan Grove	Other theft	Investigation complete; no suspect identified
2022-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-03	Metropolitan Police Service	On or near Sylvan Grove	Burglary	Investigation complete; no suspect identified
2022-03	Metropolitan Police Service	On or near Sylvan Grove	Burglary	Investigation complete; no suspect identified
2022-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-04	Metropolitan Police Service	On or near Sylvan Grove	Burglary	Investigation complete; no suspect identified
2022-04	Metropolitan Police Service	On or near Sylvan Grove	Other theft	Investigation complete; no suspect identified
2022-04	Metropolitan Police Service	On or near Sylvan Grove	Other theft	Investigation complete; no suspect identified
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-10	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2022-06	Metropolitan Police Service	On or near Sylvan Grove	Burglary	Investigation complete; no suspect identified

Month	Reported by	Location	Crime type	Last outcome category
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Violence and sexual offences	Investigation complete; no suspect identified
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Violence and sexual offences	Status update unavailable
2023-07	Metropolitan Police Service	On or near Sylvan Grove	Violence and sexual offences	Status update unavailable
2023-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-08	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-08	Metropolitan Police Service	On or near Sylvan Grove	Public order	Investigation complete; no suspect identified
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Other theft	Investigation complete; no suspect identified
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Violence and sexual offences	Investigation complete; no suspect identified
2023-09	Metropolitan Police Service	On or near Sylvan Grove	Violence and sexual offences	Investigation complete; no suspect identified
2023-11	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-11	Metropolitan Police Service	On or near Sylvan Grove	Drugs	Awaiting court outcome
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Criminal damage and arson	Under investigation
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Drugs	Under investigation
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Drugs	Under investigation
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Possession of weapons	Awaiting court outcome
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Public order	Investigation complete; no suspect identified
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Public order	Investigation complete; no suspect identified
2023-12	Metropolitan Police Service	On or near Sylvan Grove	Robbery	Awaiting court outcome
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	

Month	Reported by	Location	Crime type	Last outcome category
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Anti-social behaviour	
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Public order	Investigation complete; no suspect identified
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Violence and sexual offences	Investigation complete; no suspect identified
2024-01	Metropolitan Police Service	On or near Sylvan Grove	Violence and sexual offences	Under investigation

Licensing Act 2003

Premises Licence



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

Premises licence number

877124

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
The Empire Lounge Units 1 And 2 777 Old Kent Road	
Ordnance survey map reference (if applicable): 534957177490	
Post town: London	Post code: SE15 1NZ
Telephone number	

Licensable activities authorised by the licence
Recorded Music - Indoors Late Night Refreshment - Indoors and outdoors 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 11:00 - 00:00 Tuesday 11:00 - 00:00 Wednesday 11:00 - 00:00 Thursday 11:00 - 00:00 Friday 11:00 - 01:00 Saturday 11:00 - 01:00 Sunday 11:00 - 00:00

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

Late Night Refreshment - Indoors and outdoors

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

Sale by retail of alcohol to be consumed on premises

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

Sale by retail of alcohol to be consumed off premises

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

Part 2


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

Speedlink Services Ltd



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

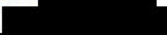
06726666

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

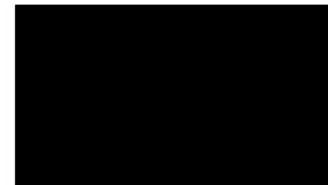
Temple Ubazue


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.: 

Authority: 

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

340 (a) That a CCTV system shall be installed at the premises and maintained in full working order at all times that the premises are in use. Any recordings made by the CCTV system shall be retained for a minimum of 31 days and shall be made immediately available to officers of the council or police on request. The CCTV system shall record at a minimum of 6 frames per second (FPS). (b) That at all times that the premises are in operation there shall be a member of staff will be on duty who is capable of downloading recordings within a reasonable time should the police or council officers request a copy of any recordings. (c) That should the system break down then the police will be informed immediately and the system shall be repaired within two working days, or sooner if the police request. (d) That the system shall record inside and outside the entrance to the premises and the rear fire exit. (e) That the system shall be able to record clear images in all lighting conditions.

341 That all staff shall be trained in their responsibilities under the Licensing Act 2003 and in regards to the terms and conditions of this licence. Such training should include the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. Records pertaining to such training shall be kept / be accessible at the premises at all times, shall be updated every 6 months and shall be made immediately available for inspection at the premises to council and / or police officers on request.

342 That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers at all exits from the premises, requesting to the effect that customers leave the premises and area in a quiet and orderly manner. Such signs shall be maintained free from obstruction when the premises are in use in accordance with this licence.

343 That relevant members of staff shall receive first aid training and an appropriate number of persons trained in first aid shall be on the premises at all times the premises are in operation.

344 That all interior and exterior areas of the premises shall be regularly inspected by staff.

345 That all staff will be trained to ensure that patrons leave the premises in a quiet and orderly manner.

346 That on each day of the week members of staff shall clear away any litter arising from the operation of the premises, left in the immediate vicinity of the premises, when the premises closes.

347 That the sound level of music played at the premises shall be monitored regularly to prevent music played at the premises causing noise nuisance.

348 That the sound level of music played at the premises shall be controlled at all times solely by the, manager, DPS or other person nominated by the manager or DPS.

349 That all exterior doors at the premises shall be kept closed during the provision of any regulated entertainment except for the purposes of immediate / emergency access and egress to and from the premises.

350 That all windows at the premises shall be kept closed during the provision of any regulated entertainment.

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

352 That the details of local taxi firms will be displayed and kept at the premises and provided to customers on request.

353 That a minimum of 2 SIA registered door supervisors shall be on duty from 22:00 hours until the premises are shut on Friday and Saturday and shall take all reasonable steps to ensure that patrons do not cause a nuisance in the vicinity of the premises.

354 An incident book / incident recording system 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 or Violence
- (ii) Calls to the police or fire brigade
- (iii) Abuse of staff and / or customers
- (iv) Ejections of people from the premises
- (v) Visits to the premises by the local authority, police or fire brigade
- (vi) Refused sales of alcohol
- (vii) Any malfunction in respect of the CCTV system

(viii) Any other relevant incidents

The incident book / incident recording system shall record the time, date, location and description of each incident as well as the printed name of the person reporting the incident and any action taken in respect of the incident. The incident book / incident recording system shall be available and be accessible at the premises at all times that the premises are in use in accordance with this licence and shall be made available to officers of the council, police or fire brigade on request. A record of the preceding 12 months incidents shall be available at the premises at any time.

355 There will be a zero tolerance drugs and weapons policy shall be undertaken at the premises.

(a) Anybody found with / using drugs and / or weapons will be ejected from the premises and shall not be admitted to the premises again.

(b) The details of any person found dealing drugs or using weapons will be taken (if possible) and given to the police.

(c) Any person who is suspected of having drugs on their person will be asked to consent to a search, and should they refuse the search that person shall be ejected from the premises.

356 That the licensee shall sign up to any local licensee radio scheme or pub-watch scheme if such schemes exist in the local area.

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

358 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 alcohol sales, with the address of the premises and the name of the licence holder. The register shall be used to record details of all refused sales of alcohol. The register shall be kept / be accessible at the premises at all times. The

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

359 That alcohol shall not be sold or supplied for consumption on the premises otherwise than to persons taking substantial table meals and for consumption by such persons as ancillary to their meal.

360 That a dispersal policy will be implemented and maintained to assist with patrons leaving the premises in an orderly and safe manner and all relevant staff will be trained in the contents of this policy and made aware of any changes. A record of this training will be kept including the date and the trainee's name and made available for inspection when requested. A copy of the dispersal policy shall be made available to the licensing officer and the police on request.

361 That the premises licence holder shall visibly display signage stating that entry will not be permitted to patrons who use Sylvan Road to either park, drop off or collect by private or hackney carriage vehicles.

362 That there shall be no entry or re-entry permitted after 00:00 hours save for those temporarily leaving the premises to smoke.

363 That there shall be no sales of food for consumption off the premises after 23:00 hours.

364 That there shall be no off sales of alcohol after 23:00 hours.

365 That a sound limiting device shall be installed and be set at an appropriate level by a professionally certified acoustic engineer.

366 That a permanent sound limiting device (or other similar sound limiting equipment) shall be installed at the premises and shall be in use at all times that amplified sound is provided at the premises. The sound limiting device (or other similar sound limiting equipment) shall be calibrated by a professionally certified sound / acoustic engineer so that amplified sound at the premises does not give rise to public or statutory nuisance at any time. Any temporary or permanent amplification system(s), amplified instrument(s) and microphone(s) in use at the premises shall be routed through the sound limiting device (or other similar sound limiting equipment) at all times.

367 That the maximum number of people permitted on the premises at any one time (the 'accommodation limit') is 240 people (excluding staff).

368 That there will be no externally promoted events, including DJ's.

369 That any 'off sales' of alcohol shall be provided in sealed containers to be taken away from the premises.

370 That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers at all exits requesting to the effect that customers do not consume alcoholic drinks bought at the premises in the vicinity of the premises. Such signage shall be kept free from obstructions at all times.

371 On the following days the permitted opening hours and hours permitted for licensable activities may be extended for an additional hour:

(a) Thursday, Friday, Saturday and Sunday of the Easter weekend.

(b) Friday, Saturday and Sunday of both May Bank Holidays and the August Bank Holiday, Christmas Eve and Boxing Day.

(c) From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day;

(d) On the trading day on which the clocks go forward (i.e. the start of British Summer Time) permitted hours may be extended by an additional hour.

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

Annex 4 - Plans - Attached

Licence No. 877124

Plan No. n/a

Plan Date n/a

Temporary Event Notices – The Empire Lounge, Units 1 and 2, 777 Old Kent Road, London SE15 1NZ

Start Date	End Date	Times	Max. No. People	Sale Of Alcohol	For Consumption	Reg. Ent.	Late night refreshment	Police OBJ.	EPT OBJ.
27/08/2022	28/08/2022	00:31-03:00 and 23:00-03:00	100	Yes	On Premises	Yes	Yes	No	No
01/10/2022	02/10/2022	00:01 - 03:00	250	Yes	On Premises	Yes	Yes	No	No
29/10/2022	30/10/2022	00:01 - 03:00 daily	250	Yes	On Premises	Yes	Yes	No	No
20/11/2022	20/11/2022	00:01 - 03:00 daily	210	Yes	On Premises	Yes	Yes	No	No
03/12/2022	04/12/2022	00:01--03:00 daily	210	Yes	On Premises	Yes	Yes	No	No
26/11/2022	27/11/2022	00:01--03:00 daily	190	Yes	On Premises	Yes	Yes	No	No
10/12/2022	11/12/2022	00:01--03:00 daily	200	Yes	On Premises	Yes	Yes	No	No
17/12/2022	18/12/2022	00:01--03:00 daily	220	Yes	On Premises	Yes	Yes	No	No
24/12/2022	25/12/2022	00:01 until 03:00 on daily	250	Yes	On Premises	Yes	Yes	No	No
02/12/2023	03/12/2023	00:01 until 03:00 on daily	210	Yes	On Premises	Yes	Yes	No	No
09/12/2023	10/12/2023	00:01 until 03:00 on daily	210	Yes	On Premises	Yes	Yes	No	No
16/12/2023	17/12/2023	00:01 until 03:00 on both days	180	Yes	On Premises	Yes	Yes	No	No
23/12/2023	25/12/2023	00:01 - 03:00	180	Yes	On Premises	Yes	Yes	No	No

Complaints to the Council – Empire Lounge 777 Old Kent Road, London SE15 1NZ

rdate	refno	catg	unit	txline
06/06/2021	953008	N01 Loud Music	Noise Team	Music - NR: Empire Lounge bar has the music from 11pm to 5 Am .
25/07/2021	957503	L72 Public nuisance	Southwark Licensing	SASBU (ASB):
29/07/2021	957843	L72 Public nuisance	Southwark Licensing	
15/08/2021	959236	NR1 Loud Music - RR	Noise Rapid Response	Music - RR: Loud music from a club on Old Kent Road
29/08/2021	960443	NR1 Loud Music - RR	Noise Rapid Response	Music - RR: Customer has called to report loud music
04/10/2021	963582	L72 Public nuisance	Southwark Licensing	
15/11/2021	966397	L73 Unlicensed Premises / activity	Southwark Licensing	From: [REDACTED]
24/11/2021	967027	NR1 Loud Music - RR	Noise Rapid Response	Music - RR: Loud base music from Club 777 Old Kent Road, SE15 1NZ
10/01/2022	969201	N21 Vibration	Noise Team	Vibration - NR: nbsp;nbsp;Title
06/02/2022	970724	NR1 Loud Music - RR	Noise Rapid Response	Music - RR: Resident complaining of loud music and people noise from
07/02/2022	970813	N01 Loud Music	Noise Team	Music - NR: Extremely loud penetrating bass music, Historical
26/02/2022	971896	NR1 Loud Music - RR	Noise Rapid Response	Noise - Other Unidentified - RR: Loud heavy base music coming from a
04/04/2022	974013	NR1 Loud Music - RR	Noise Rapid Response	Noise - Other Unidentified - RR: Resident reporting loud music
08/04/2022	974321	N71 Other / Unidentified	Noise Rapid Response	Noise - Other Unidentified - RR: Customer is reporting loud bass
15/04/2022	974772	N71 Other / Unidentified	Noise Rapid Response	Noise - Other Unidentified - RR: Large bass vibrations sounds like
16/04/2022	975042	N01 Loud Music	Noise Team	
17/04/2022	974814	N01 Loud Music	Noise Rapid Response	Noise - Other Unidentified - RR: Tenant reported loud music coming
25/04/2022	975316	L72 Public nuisance	Southwark Licensing	
08/05/2022	976265	NR1 Loud Music - RR	Noise Rapid Response	Music - RR: Loud music from 777 Old Kent Road

13/10/2022	987053	N71 Other / Unidentified	Noise Rapid Response	Noise - Other Unidentified - RR: Loud talking and shouting from a
31/10/2022	988089	L72 Public nuisance	Southwark Licensing	
06/11/2022	988436	NR1 Loud Music - RR	Noise Rapid Response	Noise - Other Unidentified - RR: LOUD MUSIC AND VIBRATION FROM CLUB
12/11/2022	988832	N01 Loud Music	Noise Rapid Response	Noise - Other Unidentified - RR: Loud music and base from cub
14/11/2022	988900	L72 Public nuisance	Southwark Licensing	Ref: APP 988832
15/11/2022	988991	N01 Loud Music	Noise Team	Music - NR: Empire Lounge - Loud music and bass causing my entire
18/11/2022	989227	N01 Loud Music	Noise Rapid Response	Noise - Other Unidentified - RR: Resident reporting loud music with
19/11/2022	989261	NR1 Loud Music - RR	Noise Rapid Response	Music - RR: Loud music from Empire Lounge 777 Old Kent Road SE15 1NZ
19/11/2022	989267	N71 Other / Unidentified	Noise Rapid Response	Noise - Other Unidentified - RR: RESIDENT REPORTED LOUD MUSIC AND
03/12/2022	990062	N71 Other / Unidentified	Noise Rapid Response	Noise - Other Unidentified - RR: Empire Lounge Club playing loud
27/02/2023	994738	N01 Loud Music	Noise Team	Music - NR Empire Lounge Bar and Restaurant - Every Friday Saturday
02/04/2023	996622	N71 Other / Unidentified	Noise Rapid Response	Noise - Other Unidentified - RR Resident reported loud music from the
22/04/2023	997948	N71 Other / Unidentified	Noise Rapid Response	Noise - Other Unidentified - RR RESIDENT REPORTED LOUD MUSIC COMING
16/11/2023	A10917	NR1 Loud Music - RR	Noise Rapid Response	Music - RR Tenant reported loud music from empire lounge on 777 Old
16/11/2023	A10924	L72 Public nuisance	Southwark Licensing	From: [REDACTED] [REDACTED]

Council NTE visits – The Empire Lounge

adate	desc	adtext
22/10/2021	20:51 NTE Visit	<p>Visit to premises with Farhad Chowdhury (Principal Health & Safety Officer) and Gavin Blackburn (Planning Enforcement Officer). ATOV the premises licence holder & DPS George Nwachukwu was on site. We walked around the premises and were shown a separate entrance and exit for the premises as well as a rear fire exit. The premises has been extensively refurbished and now has dedicated toilets for patrons (X1 male toilet / X 1 female toilet and X1 disabled toilet). A kitchen has also be installed in the premises. ATOV there was a wedding party with patrons sat at tables with some dancing. Food was on display within the premises for the benefit of the wedding party. Extensive CCTV within the premises that has been specifically enabled for full facial recognition as well as CCTV covering the designated floor area of the premises as well as the external perimeter of the premises. Noted that there is a inter-connecting door between Unit 1 & Unit 2 which is currently being operated as Empire Lounge (Unit 2). I have been advised that Unit 1 Will be operated by a different DPs from Unit 2. Picture attached which shows the inter connected door between Unit 1& Unit 2. A Perimeter walk around the external part of the premises did not find any sound escape. Known residential address where complaints have been received from was used as a noise monitoring point however sound was not audible. Some parking congestion issues observed however we could not attribute this to the premises.*** Dasiy Business Park, Sylvan Grove, London SE15 1PD - File Note(Not to be circulated)*** Advised by George Nwachukwu that a premises within the Dasiy Business Park around the corner from Empire Lounge is being used as a club. We have been advised that one of the units behind closed doors has been refurbished with a bar and dancefloor. George Nwachukwu states the club on some nights are operating to 04:00hrs and are also sometimes providing strippers within the club. I have confirmed that we will investigate the allegation.</p>
26/11/2021	20:28 NTE Visit	<p>Visit to premises with Farhad Chowdhury to hand deliver a warning letter in relation to the use of the premises. Premises operational with X13 patrons within the premises eating and drinking. Music being played at background level and no compliance issues noted. The Executive Lounge, "Unit 1", 777 Old Kent Road, London, SE15 1NZ located adjacent was non-operational ATOV. Warning letter hand delivered to George Nwachukwu the premises licence holder and briefly discussed pending application for Executive lounge. I have been advised that in the event that the licensing application for Executive Lounge is granted, the inter –connecting door between Empire Lounge and Executive Lounge will be bricked up. I have been advised that both premises will then have their own independent entrances and no longer be inter – connected via an internal door within the premises. George Nwachukwu has advised that he has been awaiting the outcome of the licensing application</p>

		for Executive Lounge before instructing building works to be completed.
26/11/2021	20:40 NTE Visit	Visit with Charlie for NTE - met Richard and Farhad. See RAC notes. Query about current application - 875588 - passed to Wes to respond.
16/01/2022	19:21 NTE Visit	Visit to premises to carry out observations following amendment to government Covid - 19 lockdown restrictions to Plan B.X18 patrons within premises eating and drinking. No music audible from perimeter of premises. No ASB activity witnessed in the immediate vicinity of the premises.
21/01/2022	20:28 NTE Visit	Visit to premises to carry out observations following amendment to government Covid - 19 lockdown restrictions to Plan B.X22 patrons within premises eating and drinking. Music was not audible from perimeter of premises. No ASB activity witnessed in the immediate vicinity of the premises. There did however appear to be some minor parking elated congestion around the perimeter of the premises however I could not identify and attribute this to the operation of the premises.
23/01/2022	23:36 NTE Visit	Visit to premises to carry out observations following amendment to government Covid - 19 lockdown restrictions to Plan B.X33 patrons within premises eating and drinking. Music not audible externally when I carried out a perimeter check of the premises. X2SIA staff at the entrance of premises carrying out ID checks.
06/05/2022	23:38 NTE Visit	Observations completed very little noise escape and area outside quiet with no customers, only issue noted was cars parked on pavement.
18/08/2023	22:10 NTE Visit	Raining quiet heavily this point which along with the holidays meant most places were quiet. Only unit 2 was open with maybe 20 customers in all consuming food. Spoke with owner... George NWACHUKWU and did full check of license conditions. He disappeared for about 15 minutes when I asked for records and finally admitted he couldn't find them. Things went further downhill with the CCTV which he couldn't operate. Issues with lots of conditions... letter will follow today and be attached to

		LVA... [REDACTED] ... he was getting very stressed and it was nearly 23:00hrs by the time we got out.
18/08/2023	NTE Visit; 22:10 Letter to PLH	<p>Dear Mr NWACHUKWU, Inspection – Premises Licence 877124, Speedlink Services Ltd T/A “The Empire Lounge”, Units 1 and 2, 777 Old Kent Road, SE15 1NZ On Friday 18th August 2023 I visited the above premises accompanied by a colleague and two members of the police night time economy team. During the course of the visit I dealt with the owner, Mr NWACHUKWU, and did a full inspection of the premises license. I noted a number of issues with license conditions that need to be addressed. These were as follows:-1. Mr NWACHUKWU couldn't locate any written records relating to licence conditions which contravened the following conditions:-“Condition 101: Every supply of alcohol under the premises license must be made, or authorised, by a person who hold a premises license.” Although a personal licence holder was present no written authorisations were available. “Condition 341: That all staff shall be trained in their responsibilities under the Licensing Act 2003 and in regards to the terms and conditions of this licence. Such training should include the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. Records pertaining to such training shall be kept / be accessible at the premises at all times, shall be updated every six months and shall be made immediately available for inspection at the premises to council and /or police officers on request.” No such records were available for inspection. “Condition 354: An incident book / incident recording system shall be kept at the premises to record details of any of the following occurrences at the premises:(i) Instances of anti-social behaviour or violence(ii) Calls to the police or fire brigade(iii) Abuse of staff and / or customers(iv) Ejections of people from the premises(v) Visits to the premises by the local authority, police or fire brigade(vi) Refused sales of alcohol(vii) Any malfunction in respect of the CCTV system(viii) Any other relevant incidents The incident book / incident recording system shall record the time, date, location and description of each incident and any action taken in respect of the incident. The incident book / recording system shall be made available to officers of the council, police or fire brigade on request. A record of the preceding 12 months incidents shall be available at the premises at any time.” No such records were available for inspection. “Condition 358: 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 legibly marked on the front cover as a register of refused alcohol sales, with the address of the premises and the name of the license holder. The register shall be kept / be</p>

accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council officers or police officers on request.” No such records were available for inspection. “Condition 360: That a dispersal policy will be implemented and maintained to assist with patrons leaving the premises in an orderly and safe manner and all relevant staff will be trained in the contents of this policy and made aware of any changes. A record of this training will be kept including the date and the trainee’s name and made available for inspection when requested. A copy of the dispersal policy shall be made available to the licensing officer and the police on request.” No such records were available for inspection.

2. SIA Door Staff: “Condition 353: That a minimum of 2 SIA registered door supervisors shall be on duty from 22:00hrs until the premises are shut on Friday and Saturday and shall take all reasonable steps to ensure that patrons do not cause a nuisance in the vicinity of the premises.” On arrival at 22:10 hours there were two men on the door – one of whom was displaying an SIA badge. When we returned to check the SIA badges only one person was there and the second did not return for the rest of the time we were at the premises which was until shortly before 23:00hrs.

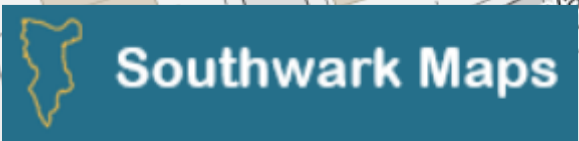
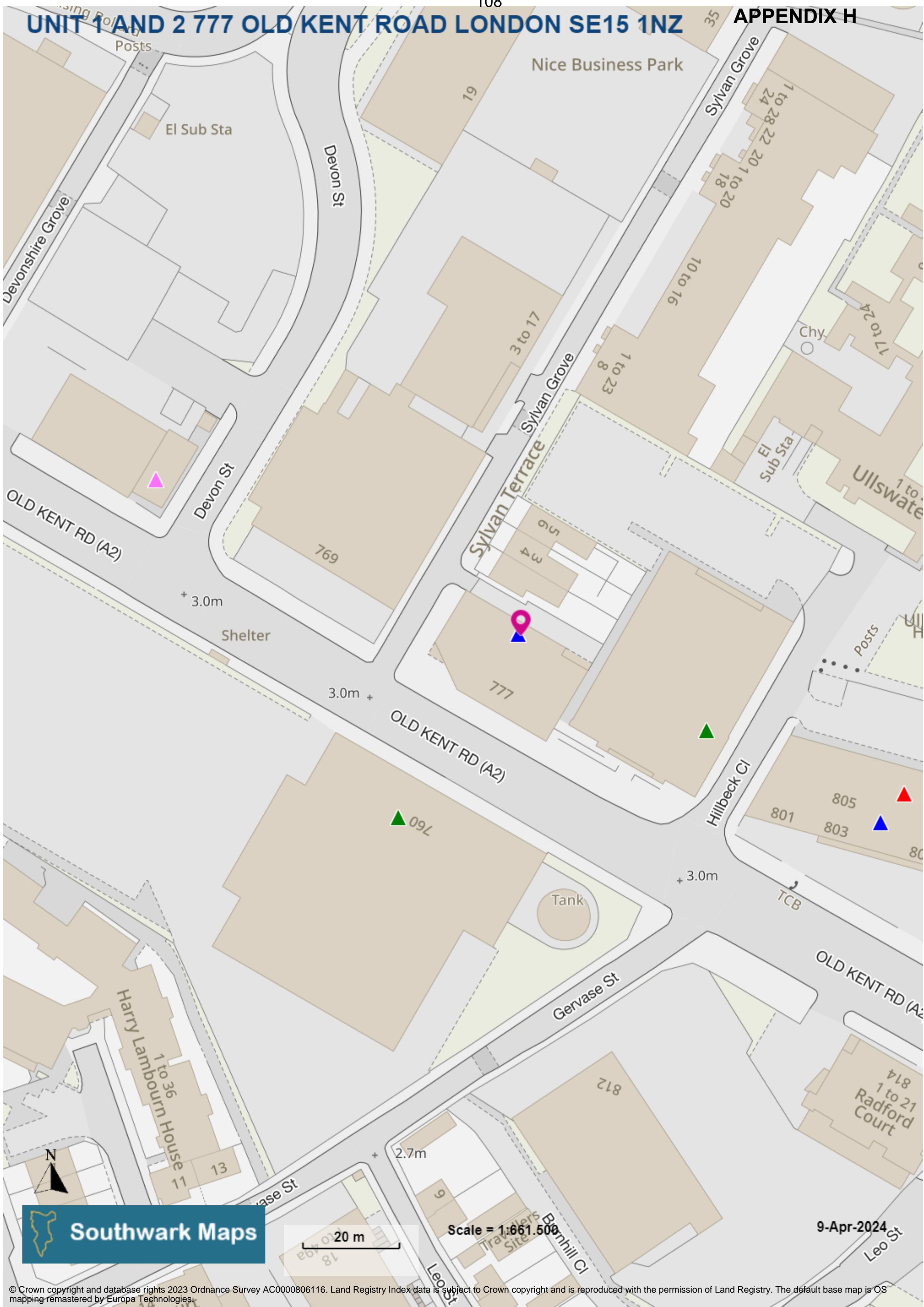
3. CCTV: “Condition 340 (a) That a CCTV system shall be installed at the premises and maintained in full working order at all times that the premises are in use. Any recordings made by the CCTV system shall be retained for a minimum of 31 days and shall be made immediately available to officers of the council or police on request. The CCTV system shall record at a minimum of 6 frames per second (FPS) (b) That at all times that the premises are in operation there shall be a member of staff will be on duty who is capable of downloading recordings within a reasonable time should the police or council officers request a copy of any recordings. (c) That should the system break down then the police will be informed immediately and the system shall be repaired within two working days, or sooner if the police request. (d) That the system shall record inside and outside the entrance to the premises and the rear fire exit. (e) That the system shall be able to record clear images in all lighting conditions. “Mr NWACHUKWU first showed me a CCTV system maintained behind the bar in Unit 2. This was fuzzy and in black and white. The cameras appeared to be operating but he was not able to show anything other than the current images, so it was not possible to check if there was any previous recordings. He then showed me a second CCTV system in Unit 1... both covered both Units as required (inside and out). The CCTV in Unit 1 was new and had clear colour pictures... but once again Mr NWACHUKWU was unable to show me anything other than current images... again it was not possible to check if there were any previous recordings.

4. Signage: Conditions 342; 352; 361 and 370 relate to signage which was complied with.

5. Conditions which I was unable to check at the time of the visit. Condition 485: in relation to irresponsible drinks promotions. There was no evidence of anything like this. Condition 487: In relation to the provision of water. Mr NWACHUKWU assured me this was available. Condition 489: In relation to measures for

		<p>alcohol. This was complied with but there was no sign stating that “gin; vodka; rum or whisky “are sold in 25ml measures as required by the Weights and Measures Act1985. Condition 343: Staff trained in first aid – Mr NWACHUKWU assured me his was trained as a first aider. It may be useful to keep a record of such training with other records the business I required to maintain. Condition 349 and 350: All window and doors were kept closed during the course of the visit. Condition 359: At the time of the visit there were only about 20customers (compliance with condition 367) on the premises – all appeared to be taking a table meal with alcohol. Condition 365 and 366: In relation to a sound limiting device. Mr NWACHUKWU showed me a device beneath the DJ controller unit but I would be unable to comment on if this was a sound limiter or if it was working. I could not comment on the following conditions at all due to the circumstances at the time of the visit: 344; 345; 346; 347; 348; 351;355; 356; 362; 363; 364; 368; 369 and 371. The matters where non-compliance has been identified in this letter should be rectified immediately. You should note that it is an offence under section 136 of the Licensing Act 2003 for each non-compliance with a license condition. I enclose copies of advisory material for training staff on under age sales and a refusals register for your use should you not already have access to such materials. Yours faithfully Ray MOORE Principal Trading Standards Enforcement Officer Enc.</p>
24/11/2023	21:20 NTE Visit	
08/12/2023	NTE Visit	NTE visit carried out on 24/11 no issues reported
02/03/2024	00:15 NTE Visit	00:15hrs Empire Lounge, Unit 1 & 2, 777 Old Kent Road, SE15 1NZ... full inspection / SIA OK... took the owner a while to operate the new CCTV but eventually managed to show me that it dates back 31 days...otherwise OK. Letter to follow.

UNIT 1 AND 2 777 OLD KENT ROAD LONDON SE15 1NZ



20 m

Scale = 1:661,500

9-Apr-2024

Meeting Name:	Licensing Sub-Committee
Date:	25 April 2024
Report title:	Licensing Act 2003: Bobby's Bar, 124-126 Rye Lane, London SE15 4RZ
Ward(s) or groups affected:	Rye Lane
Classification:	Open
Reason for lateness (if applicable):	No

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Bobby's Bar Ltd for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Bobby's Bar, 124-126 Rye Lane, London SE15 4RZ.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from three responsible authorities and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 12 to 23 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted are attached in Appendix B of this report. A map showing the location of the premises is attached to this report as Appendix D.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing procedure, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.

4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to:
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 27 February 2024, Bobby's Bar Ltd applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Bobby's Bar, 124-126 Rye Lane, London, SE15 4RZ. The premises and purpose is described as follows:
 - 'A restaurant and bar offering the sale of alcohol for consumption on and off the premises, including late night refreshment, and regulated entertainment'
9. The hours applied for are summarised as follows:
 - Live music (indoors)
 - Monday to Sunday from 23:00 to 04:00 the following day
 - Recorded music (indoors)
 - Monday to Sunday from 23:00 to 04:00 the following day
 - Late night refreshment (indoors)
 - Monday to Sunday from 23:00 to 04:00 the following day

- The sale by retail of alcohol (on and off the premises):
 - Monday to Sunday from 12:00 to 04:00 the following day
 - Opening hours:
 - Monday to Sunday from 12:00 to 04:30 the following day.
10. The premises licence application form provides the applicant's operating schedule. Parts E, F, I, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application is attached to this report in Appendix A.

Designated premises supervisor

11. The proposed designated premises supervisor (DPS) is Patrick Pratt who holds a personal licence issued by Southwark Council.

Representations from responsible authorities

12. Representations have been submitted by the Metropolitan Police Service, the environmental protection team (EPT) and trading standards as responsible authorities.
13. The police representation states that the premises is falls within the Peckham cumulative impact area and that the hours applied for are outside of that recommended for a restaurant and bar in the Southwark statement of licensing policy.
14. The police contend that the location of the premises has been subject over a number of years to alcohol related anti-social behaviour. This is supported by the area being in the cumulative impact zone. There are already over 20 restaurants in the area, with five of them offering alcohol, and the police see no benefit to the local community in the provision of another premises. The police believe this can only add to the local alcohol led issues, especially with the proposed closure time
15. The police object to the granting of the application and say that the control measure offered within the operating schedule are not adequate to address the licensing objectives, in particular, to that of prevention of crime and anti-social behaviour.
16. The representation from the EPT is concerned with the prevention of public nuisance and states that the proposed licensable activities are outside suggested closing times for licensed premises of this type within the this area as stated within Southwark statement of licensing policy 2021- 2026.
17. EPT are concerned that this operation could cause public nuisance and impact upon neighbouring properties. However recommend a suite of conditions should the licensing sub-committee be of a mind are to grant this application.

18. The representation from trading standards recommends that four conditions are added to the operating schedule. In order to promote the protection of children from harm licensing objective.
19. The representations from the responsible authorities are attached as Appendix B.

Conciliation

20. Following conciliation with trading standards as a responsible authority the applicant has agreed to add the four recommended conditions recommended in the representation to the operating schedule and as such trading standards have now withdrawn their representation.
21. A copy of the agreement to the conciliated conditions and trading standards withdrawal statement is attached to this report as Appendix C.
22. At the time of writing this report, two representations from responsible authorities are still outstanding.
23. At the hearing to determine this application the licensing sub-committee will be apprised as to any further conciliation that may have taken place.

Representations from other persons.

24. There are no representations received from other persons.

Map

25. A map showing the location of the premises is attached to this report as Appendix D. At the time of writing this report a list of licensed premises shown on the map could not be accessed. This information will be provided to all parties before the hearing.

Southwark Council statement of licensing policy

26. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
27. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
 - Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
 - Section 5 – Determining applications for premises licenses and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.

- Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
 - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
28. 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.
29. 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)

30. The premises falls within the Peckham cumulative impact area (CIA).
31. The types of premises that the CIA applies to are:
- Night clubs, public houses and bars, off-licences, supermarkets, grocers, convenience stores and similar premises
32. The premises are also situated in Peckham Major Town Centre.

33. Under the Southwark's statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within Peckham Major Town Centre:
- Restaurants and cafes:
 - Sunday to Thursday is 00:00
 - Friday and Saturday is 01:00
 - Public houses, wine bars or other drinking establishments:
 - Sunday to Thursday is 23:00
 - Friday and Saturday is 00:00
 - Night clubs (with 'sui generis' planning classification):
 - Monday to Thursday is 01:00
 - Friday and Saturday is 03:00
 - Sunday is 00:00
 - Off-licenses' and alcohol sales in grocers and supermarkets:
 - Monday to Sunday is 00:00.
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 an agreement may be:
- Not to use single use plastics, such as disposable plastic glasses, when selling alcohol at the premises.
 - Encourage patrons not to drive to venues by providing details of public transport on their webpages/tickets.
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 £315.00 has been paid by the applicant in respect of this application being the statutory fee payable for premises within non-domestic rateable value C.

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 a similar notice was exhibited outside of the premises for a period of 28 consecutive days.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance

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	Application for a premises licence
Appendix B	Representations submitted by responsible authorities
Appendix C	Conciliation/withdrawal of trading standards representation
Appendix D	Map of the locality

AUDIT TRAIL

Lead Officer	Toni Ainge, Strategic Director of Environment, Neighbourhoods and Growth	
Report Author	Jayne Tear, Principal Licensing Officer	
Version	Final	
Dated	11 April 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		12 April 2024

27/02/2024

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

Ref No. 2186563

Name of Applicant

Please enter the name(s) who is applying for a premises licence under section 17 of the Licensing Act 2003 and am making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

	Bobby's Bar Ltd
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Notes for Guidance

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

entertainment is provided by or on behalf of the health care provider;

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

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

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

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

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

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

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

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

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

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

11. The application form must be signed.

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

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

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

15. Entitlement to work/immigration status for individual applicants and applications

from partnerships which are not limited liability partnerships:

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

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

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

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

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

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

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

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

- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a

European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

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

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - o evidence of the applicant's own identity – such as a passport,

 - o evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and

 - o evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;

(iv) any page containing the date of expiry; and

(v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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

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

Home Office online right to work checking service

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

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

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

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

Premises Details

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

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

£	36000
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises

Premises trading name

	Bobby's Bar
--	-------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	124-126 Rye Lane
Address Line 2	
Town	London
Post code	SE15 4RZ
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

Applicant Details

Please select whether you are applying for a premises licence as

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

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

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

Other Applicants

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

Name - First Entry

	Bobby's Bar Ltd
--	-----------------

Address - First Entry

Street number or building name	██████████
Street Description	██████████████████
Town	██████████
County	
Post code	██████████
Registered number (where applicable)	15229892

Description of applicant (for example, partnership, company, unincorporated association etc)	Private Limited Company
--	-------------------------

Contact Details - First Entry

Telephone number	[REDACTED]
Email address	[REDACTED]

Operating Schedule

When do you want the premises licence to start?

	28/03/2024
--	------------

If you wish the licence to be valid only for a limited period, when do you want it to end?

--	--

General description of premises (see guidance note 1)

	The premises is to trade as a restaurant and bar offering the sale of alcohol for consumption on and off the premises, including late night refreshment, and regulated entertainment
--	--

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

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

Note 1

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

Operating Schedule part 2

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

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

Provision of regulated entertainment (Please read guidance note 2)

	e) live music
	f) recorded music

Provision of late night refreshment

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

Supply of alcohol

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

E - Live Music

Will the performance of live music take place indoors or outdoors or both? (Please read guidance note 3)

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

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

	permission for live music as required for evenings where the venue is hired out for functions
--	---

Standard days and timings for Live Music (Please read guidance note 7)

Day	Start	Finish
Mon	23:00	04:00
Tues	23:00	04:00
Wed	23:00	04:00
Thur	23:00	04:00
Fri	23:00	04:00
Sat	23:00	04:00
Sun	23:00	04:00

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

	n/a
--	-----

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

	n/a
--	-----

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

F - Recorded Music

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 3)

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

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

	permission for recorded music as required for evenings where the venue is hired out for functions
--	---

Standard days and timings for Recorded Music (Please read guidance note 7)

Day	Start	Finish
Mon	23:00	04:00
Tues	23:00	04:00
Wed	23:00	04:00
Thur	23:00	04:00
Fri	23:00	04:00
Sat	23:00	04:00
Sun	23:00	04:00

State any seasonal variations for playing recorded music (Please read guidance note 5)

	n/a
--	-----

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

	n/a
--	-----

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

I - Late Night Refreshment

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

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

	To allow the sale of hot food and or hot drinks to take place after 23:00 hours until the terminal hour.
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Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 7)

Day	Start	Finish
Mon	23:00	04:00
Tues	23:00	04:00
Wed	23:00	04:00
Thur	23:00	04:00
Fri	23:00	04:00
Sat	23:00	04:00
Sun	23:00	04:00

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

	n/a
--	-----

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

	n/a
--	-----

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 23:00) and only give details for the days of the week when you intend the premises to be used for the activity. Start time begins from 23:00

J - Supply of Alcohol

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

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

Day	Start	Finish
Mon	12:00	04:00
Tues	12:00	04:00
Wed	12:00	04:00
Thur	12:00	04:00
Fri	12:00	04:00
Sat	12:00	04:00
Sun	12:00	04:00

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

	n/a
--	-----

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

	n/a
--	-----

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

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

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

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

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

Premises Supervisor

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

Full name of proposed designated premises supervisor

First names	Patrick
Surname	Pratt

DOB

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

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

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

Personal licence number (if known)	[REDACTED]
Issuing authority (if known)	London Borough of Southwark

K

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

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

L - Hours premises are open to public

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

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

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

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

Day	Start	Finish
Mon	12:00	04:30
Tues	12:00	04:30
Wed	12:00	04:30
Thur	12:00	04:30
Fri	12:00	04:30
Sat	12:00	04:30
Sun	12:00	04:30

State any seasonal variations (Please read guidance note 5)

n/a

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

n/a

M - Steps to promote four licencing objectives

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

All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. Written records of staff training in the Licensing Act 2003 shall be retained and made available to police and authorised officers of the Licensing Authority on request.
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b) the prevention of crime and disorder

	<p>The premises shall install and maintain a comprehensive CCTV system.</p> <p>All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.</p> <p>The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.</p> <p>All recordings shall be stored for a minimum period of 31 days with date and time stamping.</p> <p>Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.</p> <p>A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.</p> <p>An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:</p> <ul style="list-style-type: none"> (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service. <p>When door staff employed the following will apply :</p> <p>A minimum 2 door staff per first 100 persons and 1 for every 100 persons thereafter.</p> <p>All door supervisors will wear hi-visibility armbands.</p> <p>The door supervisors shall be positioned in a prominent location whereby they can control the exit/ entry to the venue and shall not be used to undertake other duties.</p> <p>A written drugs policy shall be in place and operated at the premises. The policy shall be specific to the venue and always kept on site. It shall be formulated in conjunction with and to the satisfaction of the Police. It must detail the actions taken to minimise the opportunity to use or supply illegal substances within the premises and the contents of said policy shall be adhered to. This policy will be reviewed every 12 months or following a drug related incident, whichever comes sooner. Staff will be trained on this policy, with a record kept of the date of the training, signed by the member of staff and the trainer. Each entry shall be retained for a period of 12 months from date of completion. The policy and training records shall be made available for inspection by the Police Officers or other relevant authority upon request.</p> <p>An incident/refusals book/electronic record shall be always kept at the premises, in which details of crime and/or disorder/refusals relating to the premises shall be recorded. This log shall contain the following details;</p> <ul style="list-style-type: none"> Time, date and location of incident/refusals. Nature of the Incident/refusal. Names, addresses and contact details of persons involved. Result of the incident/refusals. Action taken to prevent further such incidents. Each entry signed/reviewed by the DPS or other responsible person employed at the premises and so authorised by the DPS; and Retained for a period of no less than 12 months and made available to the Police for inspection upon request.
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c) public safety

	<p>Emergency Lighting to be provided throughout the premises.</p> <p>First Aid provision to be available at all times.</p> <p>The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.</p> <p>The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided</p>
--	--

d) the prevention of public nuisance

	<p>No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p> <p>Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly</p> <p>Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.</p> <p>All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times</p> <p>No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day</p>
--	---

e) the protection of children from harm

	<p>A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card, or Military ID with the PASS Hologram.</p> <p>A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.</p>
--	---

Guidance note 10

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

Please upload a plan of the premises

--	--

Please upload any additional information i.e. risk assessments

--	--

Checklist

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

Home Office Declaration

Please tick to indicate agreement

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

Declaration

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

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

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

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

I agree to the above statement

	Yes
PaymentDescription	, ,
PaymentAmountInMinorUnits	████████
AuthCode	████████
LicenceReference	████████████████
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If completing on behalf of the applicant, please state in what capacity.

Full name	██
Date (DD/MM/YYYY)	27/02/2024
Capacity	Licence Agent

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

Full name	
Date (DD/MM/YYYY)	27/02/2024
Capacity	

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

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

GUIDANCE NOTES

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

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

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

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

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

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

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

Tear, Jayne

From: Regen, Licensing
Sent: 13 March 2024 11:14
To: [REDACTED]
Subject: FW: Premises License Application - Bobby's Bar Ltd. 124-126 Rye Lane, SE15
Attachments: Bobbys Bar Objection.doc

From: [REDACTED]@met.police.uk <[REDACTED]@met.police.uk>
Sent: Tuesday, March 12, 2024 7:12 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: [REDACTED]
Subject: Premises License Application - Bobby's Bar Ltd. 124-126 Rye Lane, SE15

Hello,

Please find attached the Police representation for the above application.

Kind regards,

PC [REDACTED] 1264AS
SOUTHWARK LICENSING TEAM | Southwark Police Station |
305 Borough High Street, SE1 1JH
Airwave: 562481
Email: p252253@met.pnn.police.uk



TERRITORIAL POLICING

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The Licensing Unit

Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service

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

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/24/40

Date: 26/01/2024

Dear Sir/Madam

Re:- Bobby's Bar Ltd. 124-126 Rye Lane, SE15 4RZ

Police are in possession of an application from the above for a new premises licence for alcohol, live music, late night refreshment, and recorded music. The premises describes itself as a Restaurant and Bar.

The premises are situated in the Peckham Cumulative impact area (CIA) as designated by Southwark council. The hours requested far exceed those recommended within the Southwark statement of licensing policy which are closing 0000hrs on Sunday to Thursday, and 0100hrs on Fridays and Saturday. The hours requested are as follows;

Hours Open to the Public

Mon-Sun 1200hrs-0400hrs

Live and Recorded Music

Mon-Sun 2300hrs-0400hrs

Late Night Refreshment

Mon-Sun 2300hrs-0400hrs

Supply of Alcohol for sale by retail

Mon-Sun 1200hrs-0400hrs

The applicant has offered some control measures to support such an application in the cumulative impact area, but has not provided enough to justify the late opening time requested by the applicant. A further concern is also that some of the conditions are quite vague and not enforceable.

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

The High Court approval of Cumulative impact policies came in Westminster City Council v Middlesex Crown Court. In brief, it stated 'A licence could be refused on the sole ground that the area was already saturated with licensed premises'. The local area has for a number of years been subject to problems with street drinking, alcohol abuse and the associated crime and disorder.

The location of the premises has been subject over a number of years to alcohol related Anti-Social Behaviour this is supported by the area being in the cumulative impact zone. There are already over 20 restaurants in the area, with 5 of them offering alcohol, and Police see no benefit to the local community in the provision of another premises, but instead, believe this can only add to the local alcohol led issues, especially with the proposed closure time.

The metropolitan police object to the granting of this variation as the hours requested far exceed those recommended within the Southwark statement of licensing policy, this is without taking into account the fact the premises is situated in the cumulative impact area . The applicant has provided some control measures, but these do not sufficiently cover the licensing objectives, in particular, to that of Prevention of Crime and anti-social behaviour.

Submitted for your consideration.
Yours Sincerely

PC [REDACTED] AGYEMAN

Licensing Officer
Southwark Police Licensing

From: Binya, Raymond <Raymond.Binya@southwark.gov.uk>
Sent: Monday, March 18, 2024 2:08 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: [REDACTED]
Subject: Application for a new premises licence under the Licensing Act 2003 for Bobby's Bar
124-126 Rye Lane, London SE15 4RZ our ref A16273

Dear Licencing Team,

RE: New premises application to be granted under the Licensing Act 2003.

Application reference number: 882522

Address: Bobby's Bar
124-126 Rye Lane
London
SE15 4RZ

The premises is described within the application form Ref No. 2186563 as *“is to trade as a restaurant and bar offering the sale of alcohol for consumption on and off the premises, including late night refreshment, and regulated entertainment.”*

Live Music Recorded Music

Day Start Finish

Mon 23:00 04:00
Tues 23:00 04:00
Wed 23:00 04:00
Thur 23:00 04:00
Fri 23:00 04:00
Sat 23:00 04:00
Sun 23:00 04:00

Recorded Music

Day Start Finish

Mon 23:00 04:00
Tues 23:00 04:00
Wed 23:00 04:00
Thur 23:00 04:00
Fri 23:00 04:00
Sat 23:00 04:00
Sun 23:00 04:00

Late night refreshment

Day Start Finish

Mon 23:00 04:00
Tues 23:00 04:00
Wed 23:00 04:00
Thur 23:00 04:00
Fri 23:00 04:00
Sat 23:00 04:00
Sun 23:00 04:00

Supply of alcohol

Day Start Finish

Mon 12:00 04:00

Tues 12:00 04:00

Wed 12:00 04:00

Thur 12:00 04:00

Fri 12:00 04:00

Sat 12:00 04:00

Sun 12:00 04:00

On behalf of the Environmental Protection Team (EPT) I wish to make representation to this application on the grounds:

a) Compliance with Licensing Policy

The proposed licensable activities are outside suggested closing times for licensed premises of this type within the this area as stated within Southwark Statement of Licensing Policy 2021-2026. Closing times: Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours.

b) Public nuisance and impact to neighbouring properties

There are residents; we are concerned they are likely to be affected by premises running in late hours as applied.

However, if the committee is minded to granting this application, we recommend the following conditions in addition to those proposed by the applicants:

- All external plant required for the operation of the premises (air handling plant, condensers, kitchen extraction systems, etc.) shall be designed, installed and maintained to ensure that noise output from the external plant does not cause a public nuisance or intrude inside the nearest, or most exposed, noise sensitive premises.
- All external doors and doors to noise lobbies used by patrons to enter the premises shall have acoustic seals and brushes and self-closers (in accordance with BS 6459 Pt. 1 1984) fitted to those doors.
- All speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or mats.
- During any licensed entertainment on the premises, all doors and windows shall remain closed (except for access or egress).
- Any background music played shall remain at a volume that permits normal conversation and the volume control of any music shall be behind the bar/counter and in the full control of staff at all times.
- Amplified music, song or speech shall not be broadcast in external areas at any time.

- No drinks or glassware are permitted outside at any time.
- External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 20.00hrs.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside.
- No external areas of the premises shall be used for the purposes of licensed entertainment.

Kind Regards

Raymond Binya
Principal Environmental Protection Officer
Environmental Protection Team
Tel: 020 7525 4809

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

www.southwark.gov.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/>
Southwark Website - information on what you can do to improve air quality. See: <http://www.southwark.gov.uk/environment/air-quality>

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

Tear, Jayne

From: Jerrom, Charlie
Sent: 29 February 2024 14:26
To: Regen, Licensing; Moore, Ray; Forrest, Yemisi; Tear, Jayne; [REDACTED]
Subject: New Premises Licence, Bobby's Bar, 124-126 Rye Lane, London, SE15 4RZ Ref: 882522
Attachments: Best practice guide 2022.pdf; Age verification policy 2022.pdf; Saying no 2023.pdf; Proof of age cards 2022.pdf; Alcohol 2023.pdf; Southwark Refusals Register 2023.pdf; FINAL_c25-poster-eng-a-1_WSTA.pdf

Trading Standards as a responsible authority are in receipt of a new premises license application from Bobby's Bar Ltd, in respect of premises 124-126 Rye Lane, London, SE15 4RZ. Trading Standards as a responsible authority are making representation in respect of this application under all the licensing objectives, but primarily the protection of children from harm.

In the general description this is:-

“Restaurant and Bar”

The opening hours are to be:-

Monday to Sunday 12:00hrs to 04:30hrs

The hours for alcohol sales are to be (on and off sales)

Monday to Sunday 12:00hrs to 04:00hrs

Late night refreshment, Live and Recorded music (indoors)

Monday to Sunday 23:00hrs to 04:00hrs

Under the licensing objectives the application does mention CCTV and a refusals log which is very good, however it does not mention staff training or any information around challenge 25 signage at the premises.

Trading Standards therefore simply asks that the following conditions be agreed by way of tidying up these matters.

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

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

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

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.

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

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

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

Charlie Jerrom – Enforcement Officer (Trading Standards)
Southwark Council | Environment, Neighbourhoods and Growth | Regulatory Services
Direct line 020 7525 7529 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Visit our web pages www.southwark.gov.uk/TradingStandards
Need clear practical consumer advice? Visit Citizen's Advice Consumer Service
www.direct.gov.uk/consumer

Postal Address:
Trading Standards Unit | 3rd Floor, Hub 1 | PO Box 64529 | London | SE1P 5LX

Visitor Address:
160 Tooley Street | London | SE1 2QH



From: Jerrom, Charlie <Charlie.Jerrom@southwark.gov.uk>
Sent: Tuesday, March 5, 2024 10:34 AM
To: [REDACTED]
Cc: [REDACTED] Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>;
Moore, Ray <Ray.Moore@southwark.gov.uk>
Subject: RE: New Premises Licence, Bobby's Bar, 124-126 Rye Lane, London, SE15 4RZ Ref: 882522

Hi [REDACTED]

Thank you for your email, Trading Standards as a responsible authority now withdraw their representations on the basis of the email below.

Regards

Charlie Jerrom – Enforcement Officer (Trading Standards)
Southwark Council | Environment, Neighbourhoods and Growth | Regulatory Services
Direct line 020 7525 7529 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Visit our web pages www.southwark.gov.uk/TradingStandards
Need clear practical consumer advice? Visit Citizen's Advice Consumer Service
www.direct.gov.uk/consumer

Postal Address:
Trading Standards Unit | 3rd Floor, Hub 1 | PO Box 64529 | London | SE1P 5LX

Visitor Address:
160 Tooley Street | London | SE1 2QH

From: [REDACTED]
Sent: Friday, March 1, 2024 6:10 PM
To: Jerrom, Charlie <Charlie.Jerrom@southwark.gov.uk>
Cc: [REDACTED]
Subject: FW: New Premises Licence, Bobby's Bar, 124-126 Rye Lane, London, SE15 4RZ Ref: 882522

Good afternoon Charlie.

Thank you for your email which my client passed on to me today.

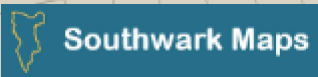
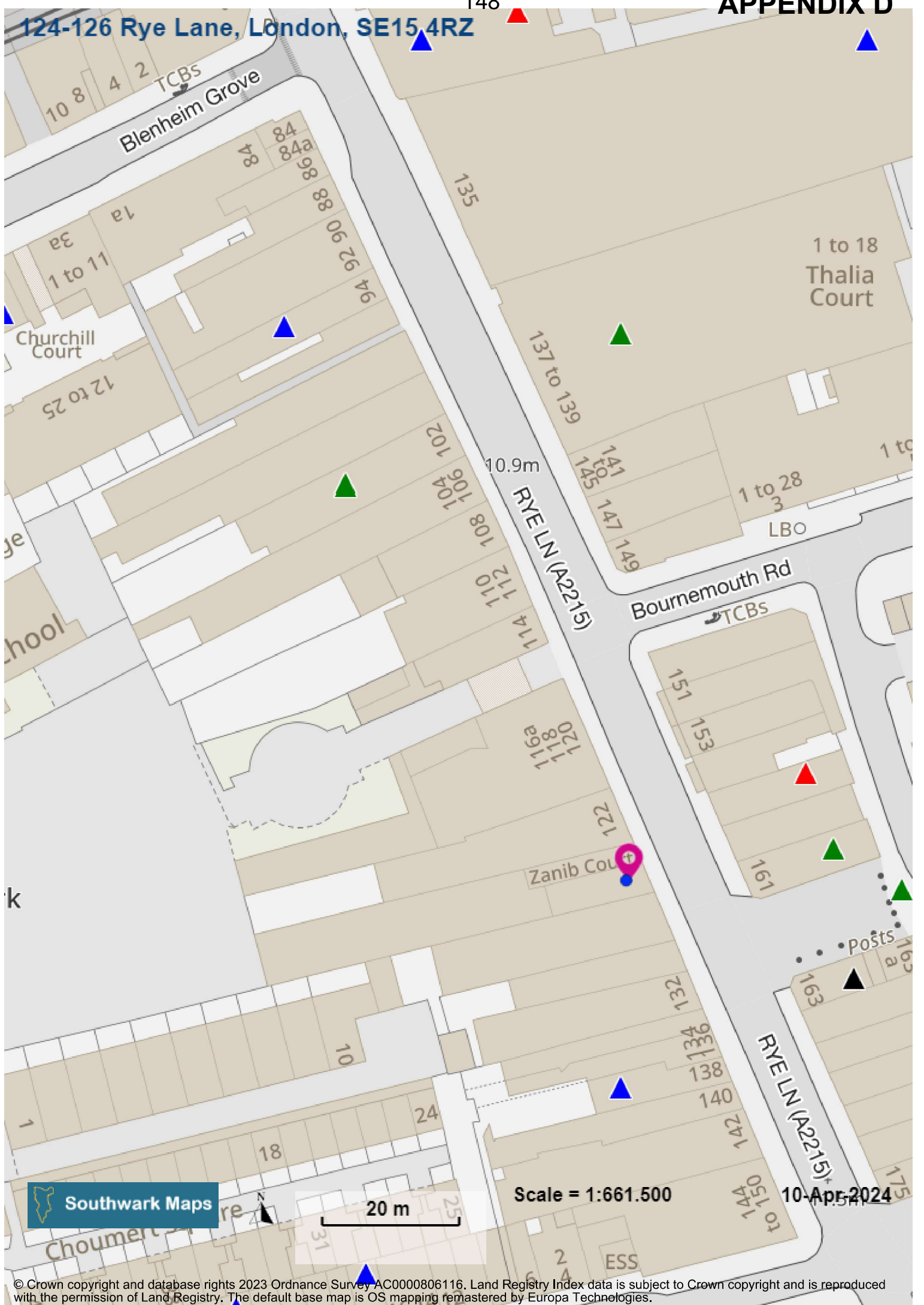
I can confirm my client is happy to accept the additional conditions you propose in your email, should this licence be granted.

Kind regards

[REDACTED]
Licence Agent

124-126 Rye Lane, London, SE15 4RZ

148



20 m

Scale = 1:661,500

10-Apr-2024

Meeting Name:	Licensing Sub-Committee
Date:	25 April 2024
Report title:	Licensing Act 2003: London Bridge Local, Part Ground Floor 85-87 Borough High Street, London SE1 1NH
Ward(s) or groups affected:	Borough and Bankside
Classification:	Open
Reason for lateness (if applicable):	No

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Shital Mehta for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as London Bridge Local, Part Ground Floor 85-87 Borough High Street, London SE1 1NH
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 13 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 14 to 23 of this report deal with the representations submitted in respect of the application. A copy of the representation from the licensing responsible authority is attached as Appendix B.
 - d) Appendix C of this report contains the notice of decision from the licensing sub-committee hearing held on 12 September 2023. A map showing the location of the premises is attached to this report as Appendix D.
 - 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 INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to:
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 28 February 2024 Mrs Shital Mehta applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as London Bridge Local, Part Ground Floor 85-87 Borough High Street, London SE1 1NH. The premises and purpose is described as follows:
 - "London Bridge Local is a small general convenience store located on Borough High Street about 50 metres south from London Bridge Station"

9. The hours applied for are summarised as follows:
- The sale by retail of alcohol (off the premises):
 - Monday to Sunday: 10:00 to 00:00
 - New Year's Eve: 10:00 to 02:00
 - Opening hours:
 - Monday to Wednesday: 06:30 to 01:00
 - Thursday to Saturday: 06:30 to 02:00
 - Sunday: 07:00 to 00:00
 - New Year's Eve: 06:30 to 02:00.
10. The applicant is aware that the premises is situated within a cumulative impact area and has offered a number of conditions within the operating schedule.
11. The premises licence application form provides the applicant's operating schedule. Parts I, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application.
12. A copy of the application is attached to this report in Appendix A.

Designated premises supervisor (DPS)

13. The proposed designated premises supervisor (DPS) is Mrs Shital Mehta who is applying to Three Rivers District Council for a personal licence.

Representations from responsible authorities

14. There is one representation received from responsible authorities, namely licensing as a responsible authority.
15. The licensing representation states that the premises falls within, and are subject to, the Borough and Bankside cumulative impact area. Section 131 this council's statement of licensing policy 2021 – 2026 states:
- "Applications made within specified cumulative impact areas (CIAs) are deemed likely to add to the potential impact the policy is intended to avoid. There is therefore an automatic presumption that such applications will be refused, however each application will be judged on its own merits."
16. Section 150 of the policy shows that the council has found that certain types of premises are likely to increase the negative cumulative impact in the Borough and Bankside CIA of licensed premises in that area and this includes off licence premises.

17. Paragraph 132 of the statement of licensing policy states that:

- “It is normally the case that a representation citing a relevant CIA will have to be determined at a licensing sub-committee hearing.”

18. Section 136 of the statement of licensing policy states:

- “The effect of publishing a cumulative impact assessment is to create a rebuttable presumption that applications for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following relevant representations. In such circumstances, it is for the applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.”

19. The representation also states that it is clear that there are already a large number of off-licensed premises to provide an offering to the local area. That the applicant has not demonstrated that the application will not further contribute to the negative local cumulative impact on any one or more of the licensing objectives and recommend that the application be refused.

20. The representation highlights the case law R (on the application of Westminster City Council) -v- Middlesex Crown Court [2002] EWHC 1104 in which HHJ Baker adjudicated:

- “Notwithstanding the applicant being a fit and proper person and the premises would be well run a licence could be refused on the sole ground that the area was already saturated with licence premises....and the cumulative effect of the existing premises was impacting adversely on the area to an unacceptable level.”

21. The representation can be found in Appendix B.

Representations from other persons

22. There are no representations from “other persons”.

Conciliation

23. There has been no conciliation and all representation remains in place.

Premises licensing history

24. On 18 July 2023 Mrs Shital Mehta applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as London Bridge Food & Wine, Part Ground Floor 85-87 Borough High Street, London SE1 1NH

25. The application was opposed by the police, the council’s licensing responsible authority, and two other persons.

26. The application was determined by the licensing sub-committee on 12 September 2023. The sub-committee decided to refuse the application.

27. The notice of decision for the hearing is attached as Appendix C.

Temporary event notices

28. There have been three temporary event notices served for the dates and times in the following table:

Start date	End date	Times	Max no. people	sale of alcohol	For	Police obj	Ept obj
26/12/2023	01/01/2024	10:00 - 00:00	10	Yes	Off Premises	No	No
30/01/2024	05/02/2024	30/1/24 & 3,4 & 5/2/24 10:00-00:00 1, 2 & 3/2/24 10:00-01:00	10	Yes	Off Premises	No	No
08/02/2024	14/02/2024	8,9 & 10/2/24 10:00-01:00 11,12,13 & 14/2/24 10:00-00:00	10	Yes	Off Premises	No	No

Map

29. A map showing the location of the premises is attached to this report as Appendix D.

30. Similar licensed premises in the area are listed below:

Premises	Alcohol off sales
Londis, 53 Borough High Street, London SE1 1NE	Monday to Sunday: 08:00 to 02:00
Borough Food & Wine, 107 Borough High Street, London SE1 1NL	Monday to Sunday: 24 hours
Tesco, 127-143 Borough High Street SE1 1NP	Monday to Sunday: 08:00 to 23:00
Sainsbury's Local, 116-126 Borough High Street, London SE1 1LB	Monday to Sunday: 06:00 to 00:00
Supersave Express, 223-237 Unit 3 Borough High Street, London SE1 1JD	Monday to Sunday: 24 hours
Borough Supermarket, 214-216 Basement and Ground Floor Borough High Street, London SE1 1JX	Monday to Sunday: 08:00 to 00:00

Southwark Council statement of licensing policy

31. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
32. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
 - Section 3 – Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
 - Section 5 – Determining applications for premises licenses and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
 - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
33. 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.
34. 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)

35. The premises are situated in the Borough and Bankside cumulative impact area. The CIA applies to night-clubs, public houses and bars, restaurants and cafes, off licences, supermarkets and grocers.
36. The premises are situated in the Bankside, Borough, London Bridge Strategic Cultural & Bankside and Borough District Town Centre, according to the council's statement of licensing policy.
37. Under the Southwark statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within this area for premises operating as:
 - Off-licences and alcohol sales in grocers and supermarkets:
 - Monday to Sunday: 00:00.

Climate change implications

38. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
39. 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.
40. Examples of such an agreement may be:
 - Not to use single use plastics, such as disposable plastic glasses, when selling alcohol at the premises.
 - Encourage patrons not to drive to venues by providing details of public transport on their webpages/tickets.
41. 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

42. 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

43. 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.
44. 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.
45. 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>

46. The equalities impact assessment is available at:

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

Health impact statement

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

Resource implications

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

Consultation

49. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive - Governance and Assurance

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

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

Principles for making the determination

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

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

54. 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.

55. 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.

56. 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

57. 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.

58. The four licensing objectives are:

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

59. 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.

60. 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.

61. 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

62. 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

63. 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.

64. 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

65. 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.

66. 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.

67. 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.

68. 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.

69. 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.

70. 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.

71. 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.
72. 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

73. Members are required to have regard to the Home Office Revised 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

74. 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	Application for a premises licence
Appendix B	Representation from licensing as a responsible authority
Appendix C	Notice of decision from 12 September 2023
Appendix D	Map of the locality

AUDIT TRAIL

Lead Officer	Toni Ainge, Strategic Director of Environment, Neighbourhoods and Growth	
Report Author	David Franklin, Principal Licensing Officer	
Version	Final	
Dated	8 April 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		10 April 2024

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

28/02/2024

Business - Application for a premises licence to be granted under the Licensing Act 2003 Ref No. 2187260

Name of Applicant

Please enter the name(s) who is applying for a premises licence under section 17 of the Licensing Act 2003 and am making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

MRS SHITAL MEHTA

Notes for Guidance

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

entertainment is provided by or on behalf of the health care provider;

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

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

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

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

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

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

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

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

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

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

11. The application form must be signed.

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

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

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

15. Entitlement to work/immigration status for individual applicants and applications

from partnerships which are not limited liability partnerships:

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

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

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

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

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a

European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

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

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - o evidence of the applicant's own identity – such as a passport,

 - o evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and

 - o evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,

 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,

 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or

 - (iv) self-sufficient e.g. bank statements.

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

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

- (i) any page containing the holder's personal details including nationality;

- (ii) any page containing the holder's photograph;

- (iii) any page containing the holder's signature;

(iv) any page containing the date of expiry; and

(v) any page containing information indicating the holder has permission to enter or remain in

the UK and is permitted to work.

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

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

Home Office online right to work checking service

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

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

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

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

Premises Details

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

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

£	57,500
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	No

Premises trading name

	LONDON BRIDGE LOCAL
--	---------------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	PART GROUND FLOOR
Address Line 2	85-87 BOROUGH HIGH STREET
Town	LONDON
Post code	SE1 1NH
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

Applicant Details

Please select whether you are applying for a premises licence as

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

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

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

Details of Individual Applicant

Personal Details

Title	Mrs
If other, please specify	
Surname	MEHTA
Forenames	SHITAL
Date of birth	██████████
I am 18 years old or over	Yes
Nationality	██████████

Current Address

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

County	██████
Post code	██████

Contact Details

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

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

Please enter	
--------------	--

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

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

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

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

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

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

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

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

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

Do you wish to add a second individual applicant?

	No
--	----

Operating Schedule

When do you want the premises licence to start?

	29/03/2024
--	------------

If you wish the licence to be valid only for a limited period, when do you want it to end?

--	--

General description of premises (see guidance note 1)

	London Bridge Local is a small general convenience store located on Borough High Street about 50 metres south from London Bridge Station
--	--

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

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

Note 1

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

Operating Schedule part 2

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

	(Please see sections 1 and 14 of the Licensing Act 2003 and schedule 1 and 2 of the Licensing Act 2003)
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Provision of regulated entertainment (Please read guidance note 2)

Provision of late night refreshment

--	--

Supply of alcohol

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

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

J - Supply of Alcohol

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

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

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

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

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

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

	New Years Eve only 10:00 - 02:00
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Please download and then upload the consent form completed by the designated proposed premises supervisor

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5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you

intend the premises to be used for the activity.

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

Premises Supervisor

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

Full name of proposed designated premises supervisor

First names	SHITAL
Surname	MEHTA

DOB

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

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

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

Personal licence number (if known)	REPLACEMENT CARD REQUESTED
Issuing authority (if known)	THREE RIVERS DISTRICT COUNCIL

K

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

	NONE
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9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

L - Hours premises are open to public

- 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

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

Day	Start	Finish
Mon	06:30	01:00
Tues	06:30	01:00
Wed	06:30	01:00
Thur	06:30	02:00
Fri	06:30	02:00
Sat	06:30	02:00
Sun	07:00	00:00

State any seasonal variations (Please read guidance note 5)

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

	New Years Eve only 06:30 - 02:00
--	----------------------------------

M - Steps to promote four licencing objectives

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

	<p>This premises is within a Cumulative Impact Zone for Southwark Licensing Authority, and had its original application refused at a hearing held in September 2023. Since then the applicant has changed its authorised agent to myself, Charles Denny, Licensing Consultant for Innpacked Ltd and as a result the following actions have taken before making this new application:</p> <ol style="list-style-type: none"> 1. Previous representations including the police and licensing authority have been read very thoroughly with intense scrutiny. 2. The current Statement of Licensing Policy issued by Southwark has been read in full, with particular attention paid to sections relating to Cumulative Impact. 3. The reasons for refusal made by the sub-committee have been read in detail. 4. The shop has been redesigned to become a general convenience store. 5. The shop will now feature a range of non alcohol products, besides alcohol and low alcohol products in the range of above 0.5% - 1.2% if this premises is granted. Shelf space of less than 20% of the total has been allocated to alcohol if the licence is granted, with all wines and spirits displayed behind the counter only, plus just one refrigerated counter for beers and ciders (in multipacks only). 6. Three Temporary Notices totalling 15 days have been served as a trial, commencing New Years Eve 2023 to identify any potential compromise to the promotion of the
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	<p>licensing objectives and to assist in the preparation of this new application. I can confirm there have been no issues throughout the period of the TENs, nonetheless it served as an important part of the risk assessments completed in the formation of the proposed conditions that follow:</p> <p>There shall be an "Incident report register" in which full details of all incidents are recorded. This shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register shall be always kept on the premises and shall be produced to an authorised officer of the Licensing Authority or the Police upon request.</p> <p>All staff shall be trained in their responsibilities under the Licensing Act 2003 and trained in respect of the terms and conditions of this licence. Records shall be kept pertaining to such training. The records will be kept up to date such that refresher training is undertaken whenever due and shall be made immediately available to officers of the police and the council upon request.</p>
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b) the prevention of crime and disorder

	<p>The premises shall install and maintain a comprehensive CCTV system comprising 12 active cameras. The entry and exit point, besides the service counter and aisles, and the external area immediately outside the premises entrance will all be covered therefore enabling frontal identification of every person entering the premises in any light condition.</p> <p>The CCTV system shall continually record whilst the premises is open to the public and will include the external area immediately outside the premises entrance.</p> <p>All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.</p> <p>At least one staff member working at the premises at any time shall be conversant with the operation of the CCTV system and therefore this staff member will be able to provide Police or authorised officer copies of recent CCTV images or data with the absolute minimum of delay whenever requested.</p> <p>All staff to be trained at commencement then every 3 months in relation to the four licensing objectives and general principles of the Licensing Act 2003, making sure 100% compliance with the conditions of the Premises Licence and the Act in general are in place at the Premises at all times.</p> <p>All sales of alcohol shall be made in sealed containers, and will not be opened for the customer to consume immediately after leaving the premises under any circumstances. No single cans of beers, lagers and ciders may be sold to any customer, whatever the reason for such a request.</p> <p>Furthermore no beers, lagers or ciders in 2 litre or above containers shall be sold at the premises.</p> <p>No super-strength beer, lagers, ciders or spirit mixtures above 5.5% ABV (alcohol by volume) shall be sold at the premises.</p> <p>A range of non-alcoholic (maximum 0.5% abv) spirits, wines, beers and ciders will be clearly on display and available for sale at all times the premises is open to the public. Clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that all alcohol sold is for consumption off the premises only and therefore must not be opened or consumed in the vicinity of the premises.</p> <p>An incident log book, including all refusals of service of alcohol, will be kept at the premises and made immediately available to any authorised Southwark Council or Police Officer.</p> <p>An age till prompt system will be utilised at the premises in respect of all age restricted products.</p> <p>A direct telephone number for the Designated Premises Supervisor at the premises shall be publicly available at all times the premises is open. This telephone number will be made available to residents and businesses in the vicinity.</p> <p>No more than 20% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol, which will be confined to shelving behind the service counter in the case of wine and spirits, and one fridge for the purposes of multipacks of beers, lagers and cider, in clear vision of staff working behind the service counter.</p> <p>All spirits and wine shall be displayed only on shelves behind the serving counter of the premises.</p> <p>At times when the premises is open to the public as a general convenience store when alcohol is not authorised for sale, all alcohol will be removed from view by means of lockable shutters/screens.</p>
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	<p>No spirits where the quantity is 100ml or less, are to be displayed, sold or offered for sale from or stored on the premises. Staff shall ensure that customers do not loiter outside the premises so as to cause nuisance to passers by, or waiting for public transport. When engaged door security shall ensure the entrance to the premises remain clear for access by customers, and move on from the premises when exiting, besides contributing to the Challenge 25 policy, and ensuring drunk persons are not allowed into the premises if attempting to do so. No person carrying an open container of alcohol shall be permitted in the premises. There shall be prominent signage indicating the permitted hours for the sale of alcohol shall be displayed outside the premises, where alcohol is on display, and at the point of sale.</p>
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c) public safety

	<p>The outside pavement in front of the premises will be thoroughly swept and cleaned prior to opening for business every morning, and will be monitored on an hourly basis throughout the day to ensure no litter or general waste will be allowed to accumulate at any time. The shop's interior will be monitored at all times to prevent any slipping or tripping hazards from occurring, with immediate remedial action if required including signs for customers to avoid the area if needed while repairs are undertaken. Waste will be put outside for collection in accordance with Southwark Council's policy at the time.</p>
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d) the prevention of public nuisance

	<p>A notice will be displayed prominently near the exit asking customers to leave quietly from the premises and the immediate vicinity. All customers clearly under the influence of alcohol will be refused the sale of alcohol under all circumstances. Appropriate signage will be displayed in a prominent position informing customers that CCTV cameras are in operation throughout the premises at all times that the premises is open to the public.</p>
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e) the protection of children from harm

	<p>A challenge 25 policy will be in force, whereby any person appearing to look under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and or other age restricted products and must provide compelling photo identification that they are of legal age (age 18 and above), and signs to this effect will be displayed at the premises. The only acceptable ID will be those with photographic identification such as a current passport, driving licence or a proof of age card bearing the PASS hologram. A refusal book shall be kept at the premises to be completed for all refusals of alcohol at the time of refusal, and made available for inspection on request to a Licensing Officer, from the local authority, Police or other responsible authority. The Designated Premises Supervisor will ensure that all staff are trained in respect to the main principles of Licensing Act 2003 legislation including the four licensing objectives, the specific conditions of this premises licence, and in underage sales prevention ie Challenge 25. This training must be provided to any new employee prior to being authorised sell alcohol at the premises, and must be refreshed at least every three months. All training given will be recorded in writing by means of the employee's name, date of training and signature of the employee, to confirm understanding and implementation of the instructions given. A sign stating "No proof of age – No sale" shall be displayed at the premises and at the point of sale. Challenge 25 posters displayed throughout the premises and at the point of sale.</p>
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Guidance note 10

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

Please upload a plan of the premises

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Please upload any additional information i.e. risk assessments

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Checklist

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

Home Office Declaration

Please tick to indicate agreement

	I am not a company or limited liability partnership
--	---

Proof of Entitlement to work in the UK

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

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

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

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

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

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

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

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

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

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

Declaration

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

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

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

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

I agree to the above statement

	Yes
PaymentDescription	[REDACTED]
PaymentAmountInMinorUnits	[REDACTED]
AuthCode	[REDACTED]
LicenceReference	[REDACTED]
PaymentContactEmail	[REDACTED]

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If completing on behalf of the applicant, please state in what capacity.

Full name	Charles William Denny
Date (DD/MM/YYYY)	28/02/2024
Capacity	Licensing Consultant - Innpacked

Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd

applicant's solicitor or other authorised agent (guidance note 13). If completing on behalf of the applicant state in what capacity

Full name	
Date (DD/MM/YYYY)	28/02/2024
Capacity	Wimborne

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

Contact name and address for correspondence	Charles Denny Innpacked Ltd, [REDACTED]
Telephone No.	[REDACTED]
If you prefer us to correspond with you by e-mail, your email address (optional)	[REDACTED]

GUIDANCE NOTES

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

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

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

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

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

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

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

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: 28 March 2024
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	London Bridge Local, Part Ground Floor, 85-87 Borough High Street, London, SE1 1NH	
Ref:	882534	

We object to the grant of a premises licence application, submitted by Mrs Shital Mehta under The Licensing Act 2003 (the Act), in respect of the premises known as London Bridge Local, Part Ground Floor, 85-87 Borough High Street, London, SE1 1NH.

1. The application

The application is to allow for the sale of alcohol for consumption off the premises as follows -

- **Monday – Sunday: 10:00 – 00:00 (midnight)**
- **New Year’s Eve: 10:00 – 02:00**

The proposed opening hours of the premises are:

- **Monday – Wednesday: 06:30 – 01:00**
- **Thursday – Saturday: 06:30 – 02:00**
- **Sunday: 07:00 – 00:00**
- **New Year’s Eve: 06:30 – 02:00**

The premises are described in the application as (verbatim):

- *“London Bridge Local is a small general convenience store located on Borough High Street about 50 metres south from London Bridge Station.”*

2. The Locale

The premises are located on Borough High Street, which is a major thoroughfare. It is a densely urbanised road with various commercial premises, offices and residential properties. There are 46 licensed premises on Borough High Street itself, with many more in the locale. The licensed premises on Borough High Street include off-licences, supermarkets and grocers allowing for the off sale of alcohol and other types of premises that also allow for the off sale of alcohol.

There are already six premises that could be described as off-licences, supermarkets or grocers and which are licensed for the off sale of alcohol as follows -

No.	Licence number	Name	Address
1	865998	Londis	53 Borough High Street
2	879452	Borough Food and Wine	116 – 126 Borough High Street
3	876329	Sainsbury’s	116 – 126 Borough High Street

4	857791	Tesco	127 – 143 Borough High Street
5	878366	Borough Supermarket	214 – 216 Borough High Street
6	9007	Supersave Express	223 Borough High Street

In addition to the above licensed premises, there are another 22 licensed premises of varying description that are also licensed for the off sale of alcohol, as follows -

No.	Licence number	Name	Address
1	845116	St. George The Martyr	St. George The Martyr, Borough High Street
2	879905	Barrowboy & Banker	6 - 8 Borough High Street
3	848802	Boro Bistro	6 – 10 Borough High Street
4	880768	Patty & Bun	19 Borough High Street
5	872747	Bridge Tap	32 Borough High Street
6	849025	Turkish Deli	Stand 8, 33 Borough High Street
7	869522	Old King's Head	45 Borough High Street
8	880165	Luncheonette & Giuseppe's Restaurant	47 – 49 Borough High Street
9	878768	The George Inn	75 – 77 Borough High Street
10	879764	The Whisky Exchange	88 Borough High Street
11	878035	St Christopher's Inn	121 Borough High Street
12	874513	Premier Inn	127 – 143 Borough High Street
13	874515	Belushi's	161 – 165 Borough High Street
14	878004	Blue Eyed Maid	173 Borough High Street
15	870446	St. John Bakery	Unit 4a, 180 Borough High Street
16	872142	Prezzemole & Vitale	Unit 4b, 180 Borough High Street
17	879721	The Trinity	202 – 206 Borough High Street
18	878529	Boutique da Carne	208 Borough High Street
19	878496	Rice Coming Noodle Bar	218 Borough High Street
20	862437	Tempo	304 Borough High Street
21	862660	Rao Deli	304 Borough High Street
22	864700	Brindisa	Units 9 & 10, Floral Hall, Borough Market

The above lists only relate to Borough High Street itself and it should be noted that there are other premises licenced for the off-sale of alcohol in the locale.

3. Our objection

Our objection is based on the following criteria:

The premises fall within, and are subject to, the Borough and Bankside Cumulative Impact Area (Borough and Bankside CIA).

Paragraph 131 this council's statement of licensing policy 2021 – 2026 states –

- *“Applications made within specified Cumulative Impact Areas (CIAs) are deemed likely to add to the potential impact the policy is intended to avoid. There is therefore an*

automatic presumption that such applications will be refused, however each application will be judged on its own merits.”

Paragraph 150 of the statement of licensing policy stipulates regarding the Borough and Bankside CIA that –

- *“The classes of premises within the area to which the policy shall apply will be night-clubs / public houses and bars / restaurants and cafes / **off-licences, supermarkets and grocers.**”* (Emphasis added).

Therefore, the above premises is of a type of premises that is subject to the Borough and Bankside CIA.

As per paragraph 150 of the statement of licensing policy, the council has found that certain types of premises are likely to increase the negative cumulative impact in the Borough and Bankside CIA of licensed premises in that area. We are in agreement with this stance and are therefore of the opinion that the application be refused.

Paragraph 132 of the statement of licensing policy states that –

- *“It is normally the case that a representation citing a relevant CIA will have to be determined at a Licensing Sub-Committee hearing.”*

We further note that section 136 of the statement of licensing policy states –

- *“The effect of publishing a cumulative impact assessment is to create a rebuttable presumption that applications for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following relevant representations. In such circumstances, it is for the Applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.”*

Full details of the statement of licensing policy are available via:

[Premises licence \(Licensing Act 2003\) - Southwark Council](#)

In addition to the above, it is clear that there are already a large number of off-licensed premises to provide an offering to the local area.

The applicant has addressed cumulative impact in the application however, in our opinion; the applicant has not demonstrated that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

Further, we contend that granting the application **will** further contribute to the negative local cumulative impact of licensed premises in the Borough and Bankside CIA.

We do not think it is appropriate **at all** to allow **any** further premises to sell alcohol in the Borough and Bankside CIA.

The particular stretch of Borough High Street where the premises are located attracts problem drinkers including intoxicated people who have been drinking at other licensed premises in

the locale and street drinkers.

The area in general has a large problem with street drinking and alcohol abuse, and the associated crime and disorder puts a heavy burden upon the police, the London Ambulance Service and other emergency services. This is partly the reason the area is subject to the cumulative impact policy.

Granting another premises licence allowing the off sales of alcohol on Borough High Street will exacerbate the serious problems caused by the consumption of alcohol in the locale.

We also refer to R (on the application of Westminster City Council) -v- Middlesex Crown Court [2002] EWHC 1104 in which HHJ Baker adjudicated

“Notwithstanding the applicant being a fit and proper person and the premises would be well run a licence could be refused on the sole ground that the area was already saturated with licence premises....and the cumulative effect of the existing premises was impacting adversely on the area to an unacceptable level.”

This means that the above application can be refused on the **sole basis** that it is subject to a cumulative impact area.

We further add that the full council assembly approved the current version of the SoLP and have maintained the Borough and Bankside CIA four times in a row, showing that the problems related to licensed premises in the locale (including off-licences, grocers, supermarkets, convenience stores) are **longstanding and ongoing**.

4. Temporary Event Notices (TENs)

We note that the applicant has stated that the premises has operated under TENs to allow the sale of alcohol at the premises, 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 sell alcohol under TENs on 21 days a year.

This application to allow for alcohol sales on 365 days a year.

This is an increase of 1638% on the number of days that TENs would allow for the sale of alcohol 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 sale of alcohol at 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 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.

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.

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.

5. Prior application

It must be noted that the applicant previously applied for a premises licence. The application was subject to representations objecting to the application and this same licensing sub-committee subsequently refused the application.

We say that the Licensing Sub-Committee made the correct determination regarding the prior premises licence application, that the situation and circumstances in the area have not changed, and that there is no reason for the Licensing Sub-Committee to deviate from its prior decision.

A copy of the Notice of Decision regarding the prior application is attached to this representation as appendix 1.

Taking into account the above, we refer this application to the council's Licensing Sub-Committee and recommend that the application be refused.

Notwithstanding the above, we note that the applicant has offered various control measures in the operating schedule of the application, which would form the basis of enforceable licence conditions (should a premise licence be issued subsequent to this application).

If the Licensing Sub-Committee is minded to grant this application, we would seek preferred wording for some of the proposed conditions to ensure that they are practicable and enforceable. We will be happy to provide the applicant and Licensing Sub-Committee with a scheduled of suitably worded conditions at the hearing to determine the application, **however we strongly re-iterate that it is our opinion that this application be refused.**

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer

NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 12 SEPTEMBER 2023

SECTION 17 LICENSING ACT 2003: LONDON BRIDGE FOOD & WINE, 85-87 PART GROUND FLOOR BOROUGH HIGH STREET, LONDON, SE1 1NH

Decision

That the application made by Shital Mehta for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as London Bridge Food & Wine, 85-87 Part Ground Floor Borough High Street, London SE1 1NH be refused.

Reasons

This was an application made by Shital Mehta for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as London Bridge Food & Wine, 85-87 Part Ground Floor Borough High Street, London SE1 1NH.

The licensing sub-committee heard from the applicant's representative who advised Mr and Mrs Mehta were seeking to operate an off licence. Mrs Mehta had recently undertaken a personal licence training course which was carefully focused on what the cumulative impact policy sought to prevent, principally people drinking in the streets. She previously worked in a Poundland on the tills and managing the stock, she had also worked in a shop to obtain some experience with alcohol. The conditions within the operating schedule were highlighted as well as the shop being of a very small size, 300 square feet excluding storage.

Whilst there were similar premises within the area, it was submitted that this was the only one within that section of the street and that, within a busy area with many commuters, residents, stall holders and so forth, even that distance is important for people to legitimately, properly and safely, buy beers, wines and whatever they need for home consumption in a safe and controlled environment.

The licensing sub-committee heard from the Metropolitan Police Service, as a responsible authority, who advised the premises was located within the Borough and Bankside cumulative impact area (CIA) which applied to night clubs, public houses & bars, restaurants & cafes, off-licences, supermarkets and grocers. Under paragraph 131 of Southwark's statement of licensing policy 2021-2026 there was a rebuttable presumption that applications for new premises licences would be deemed likely to add to the existing cumulative impact and would normally be refused.

The police submitted that there were four off licences within fifty metres of the premises, one of which had a 24 hour licence. Whilst one of those premises may not currently sell alcohol, the licence still existed and this could be resumed at any time.

Street drinking within Borough High Street was very prevalent. They stated that it was a burden upon the emergency services and street drinkers tend to move from off licence to off licence or loiter outside begging for money to purchase alcohol. The prevalence was acute at the present time and a further off licence could only have a negative impact on an already saturated area, no matter how well it was run, and so the licensing Sub-Committee was invited to refuse the application as a result.

Licensing as a responsible authority also raised that the premises was located within a CIA. They advised that there were six convenience stores in close proximity to the premises and that multiple off licences often become a magnet or hub for drinkers of all types, not just street drinkers but also social drinkers. It was submitted that the area is completely saturated with off sales and that this application should be refused.

The licensing sub-committee noted the two written representations from other persons objecting to the application.

The licensing sub-committee were concerned that the premises was an off licence, rather than a convenience store; it would be alcohol led and the applicant intended for alcohol to represent 60% of their income. The designated premises supervisor had limited experience of selling alcohol and the premises was situated within an area that had an acute problem with street and social drinking, particularly given the proximity to Borough Market, the Thames Path and the station.

It was of further concern that Mr Mehta, who did not have any experience, intended to run the premises in the evening, which would likely be the most problematic time. The licensing sub-committee carefully considered whether any conditions would allay their concerns but determined the applicant had failed to mitigate how the premises would not contribute to an already saturated area.

The applicant has therefore failed to rebut the presumption to refuse this premises licence application.

The sub-committee were referred to R (on the application of Westminster City Council) - v- Middlesex Crown Court [2002] EWHC 1104 in which HHJ Baker adjudicated "Notwithstanding the applicant being a fit and proper person and the premises would be well run a licence could be refused on the sole ground that the area was already saturated with licence premises....and the cumulative effect of the existing premises was impacting adversely on the area to an unacceptable level".

In the circumstances, since the premises is located in the Borough and Bankside CIA, this application is refused.

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

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 desires to contend:

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

may appeal against the decision.

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

Issued by the Constitutional Team on behalf of the Assistant Chief Executive - Governance and Assurance.

Date: 26 September 2023.



NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 12 SEPTEMBER 2023

SECTION 17 LICENSING ACT 2003: LONDON BRIDGE FOOD & WINE, 85-87 PART GROUND FLOOR BOROUGH HIGH STREET, LONDON, SE1 1NH

Decision

That the application made by Shital Mehta for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as London Bridge Food & Wine, 85-87 Part Ground Floor Borough High Street, London SE1 1NH be refused.

Reasons

This was an application made by Shital Mehta for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as London Bridge Food & Wine, 85-87 Part Ground Floor Borough High Street, London SE1 1NH.

The licensing sub-committee heard from the applicant's representative who advised Mr and Mrs Mehta were seeking to operate an off licence. Mrs Mehta had recently undertaken a personal licence training course which was carefully focused on what the cumulative impact policy sought to prevent, principally people drinking in the streets. She previously worked in a Poundland on the tills and managing the stock, she had also worked in a shop to obtain some experience with alcohol. The conditions within the operating schedule were highlighted as well as the shop being of a very small size, 300 square feet excluding storage.

Whilst there were similar premises within the area, it was submitted that this was the only one within that section of the street and that, within a busy area with many commuters, residents, stall holders and so forth, even that distance is important for people to legitimately, properly and safely, buy beers, wines and whatever they need for home consumption in a safe and controlled environment.

The licensing sub-committee heard from the Metropolitan Police Service, as a responsible authority, who advised the premises was located within the Borough and Bankside cumulative impact area (CIA) which applied to night clubs, public houses & bars, restaurants & cafes, off-licences, supermarkets and grocers. Under paragraph 131 of Southwark's statement of licensing policy 2021-2026 there was a rebuttable presumption that applications for new premises licences would be deemed likely to add to the existing cumulative impact and would normally be refused.

The police submitted that there were four off licences within fifty metres of the premises, one of which had a 24 hour licence. Whilst one of those premises may not currently sell alcohol, the licence still existed and this could be resumed at any time.

Street drinking within Borough High Street was very prevalent. They stated that it was a burden upon the emergency services and street drinkers tend to move from off licence to off licence or loiter outside begging for money to purchase alcohol. The prevalence was acute at the present time and a further off licence could only have a negative impact on an already saturated area, no matter how well it was run, and so the licensing Sub-Committee was invited to refuse the application as a result.

Licensing as a responsible authority also raised that the premises was located within a CIA. They advised that there were six convenience stores in close proximity to the premises and that multiple off licences often become a magnet or hub for drinkers of all types, not just street drinkers but also social drinkers. It was submitted that the area is completely saturated with off sales and that this application should be refused.

The licensing sub-committee noted the two written representations from other persons objecting to the application.

The licensing sub-committee were concerned that the premises was an off licence, rather than a convenience store; it would be alcohol led and the applicant intended for alcohol to represent 60% of their income. The designated premises supervisor had limited experience of selling alcohol and the premises was situated within an area that had an acute problem with street and social drinking, particularly given the proximity to Borough Market, the Thames Path and the station.

It was of further concern that Mr Mehta, who did not have any experience, intended to run the premises in the evening, which would likely be the most problematic time. The licensing sub-committee carefully considered whether any conditions would allay their concerns but determined the applicant had failed to mitigate how the premises would not contribute to an already saturated area.

The applicant has therefore failed to rebut the presumption to refuse this premises licence application.

The sub-committee were referred to R (on the application of Westminster City Council) - v- Middlesex Crown Court [2002] EWHC 1104 in which HHJ Baker adjudicated "Notwithstanding the applicant being a fit and proper person and the premises would be well run a licence could be refused on the sole ground that the area was already saturated with licence premises....and the cumulative effect of the existing premises was impacting adversely on the area to an unacceptable level".

In the circumstances, since the premises is located in the Borough and Bankside CIA, this application is refused.

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

Appeal rights.

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- b) That, on granting the licence, the licensing authority ought not to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.








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

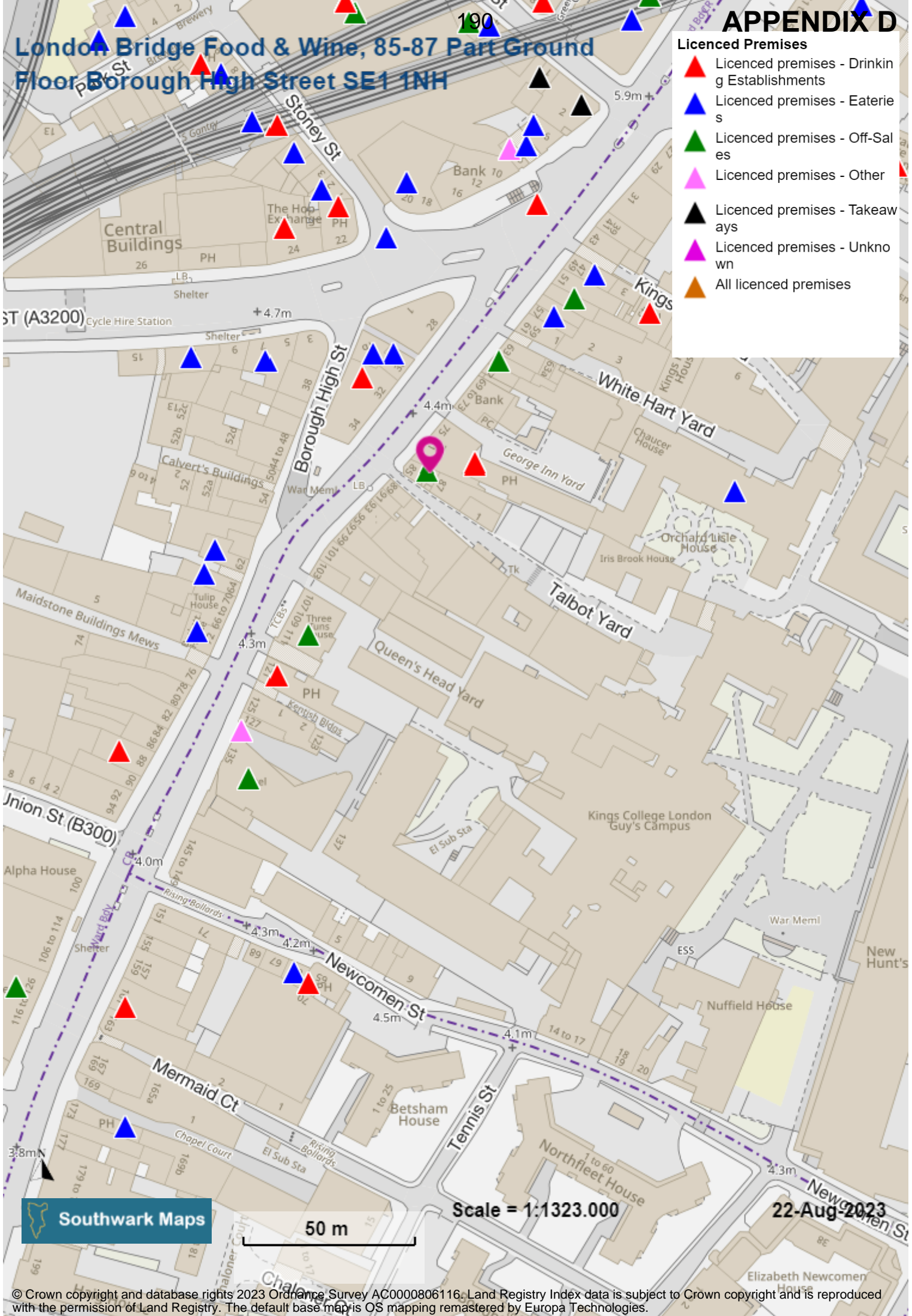
Issued by the Constitutional Team on behalf of the Assistant Chief Executive - Governance and Assurance.

Date: 26 September 2023.

APPENDIX D

London Bridge Food & Wine, 85-87 Part Ground Floor, Borough High Street SE1 1NH

-  Licenced Premises - Drinking Establishments
-  Licenced premises - Eateries
-  Licenced premises - Off-Sales
-  Licenced premises - Other
-  Licenced premises - Takeaways
-  Licenced premises - Unknown
-  All licenced premises



Southwark Maps

50 m

Scale = 1:1323,000

22-Aug-2023

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

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