

## Licensing Sub-Committee

Thursday 20 June 2024  
Reconvened from 30 May 2024  
10.00 am  
Online/Virtual

### Membership

Councillor Renata Hamvas  
Councillor Margy Newens  
Councillor Kath Whittam

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#### Contact

Andrew Weir by email: [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Althea Loderick**

Chief Executive

Date: 11 June 2024



## Licensing Sub-Committee

Thursday 20 June 2024  
Reconvened from 30 May 2024  
10.00 am  
Online/Virtual

### Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>LICENSING ACT 2003: RINCON COSTENO, ARCH 146 MALDONADO WALK, EAGLE YARD, HAMPTON STREET, LONDON SE1 6SP</b>	1 - 75
	<b>ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.</b>	

**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: 11 June 2024

# Agenda Item 5

<b>Meeting Name:</b>	Licensing Sub-Committee
<b>Date:</b>	20 June 2024
<b>Report title:</b>	Licensing Act 2003: Rincon Costeno, Arch 146 Maldonado Walk, Eagle Yard, Hampton Street, London SE1 6SP
<b>Ward(s) or groups affected:</b>	North Walworth
<b>Classification:</b>	Open
<b>Reason for lateness (if applicable):</b>	N/a

## RECOMMENDATION

1. That it be noted that this is a reconvened sub-committee meeting from 30 May 2024.
2. That the licensing sub-committee considers an application made Irina Elizabeth Solorzano Chango for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Rincon Costeno, Arch 146 Maldonado Walk, Eagle Yard, Hampton Street, London SE1 6SP.
3. Notes:
  - a) This application is for a premises licence and has been submitted under Section 17 of the Licensing Act 2003. The application is subject to representations submitted by Responsible Authorities and 'other persons' and is therefore referred to the Licensing Sub Committee for determination.
  - b) Paragraphs 9 to 13 of this report provide a summary of the application. A copy of the application submitted with the application are attached to this report as Appendix A.
  - c) Paragraphs 15 to 24 of this report deal with the representations submitted in respect of the application. A copy of the representations from the responsible authorities are available in Appendix B. The representations from the other person is attached as Appendix C. A map showing the location of the premises is attached to this report as Appendix G.
  - 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 regulations, has been circulated to all parties to the meeting.

## **BACKGROUND INFORMATION**

### **The Licensing Act 2003**

4. 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.
5. Within Southwark, the licensing responsibility is wholly administered by this council.
6. 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.
7. 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.
8. 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**

9. On 25 March 2024 Irina Elizabeth Solorzano Chango applied to this council for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Rincon Costeno, Arch 146 Maldonado Walk, Eagle Yard, Hampton Street, London SE1 6SP.

10. The hours applied for are summarised as follows:

- The sale by retail of alcohol (on sales only):
  - Sunday to Thursday from 11:00 to 23:30
  - Friday and Saturday from 11:00 to 00:30
- The provision of late night refreshment (indoors):
  - Sunday to Thursday from 23:00 to 23:30
  - Friday and Saturday from 23:00 to 00:30
- The provision of regulated entertainment in the form of recorded music (indoors):
  - Sunday to Thursday from 10:00 to 23:00
  - Friday and Saturday from 10:00 to 00:30
- Opening hours:
  - Sunday to Monday from 08:00 to 00:00
  - Friday and Saturday from 08:00 to 01:00.

11. The premises, and the intended operation of the premises, are described in the application as follows:

- “Latin American traditional restaurant and bar.”

12. The premises licence application form provides the applicant’s operating schedule. Parts A, B, E, F, G, H, 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.

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

### **Designated premises supervisor**

14. The proposed designated premises supervisor is Irina Elizabeth Solorzano Chango, the premises licence Applicant, who holds a personal licence issued by the London Borough of Lambeth.

### **Representations from responsible authorities**

15. There are three representations from responsible authorities, namely the Metropolitan Police Service (Licensing Division), the council’s trading standards team and the council’s licensing authority.

16. The representation from the police raises concerns regarding ongoing issues from similarly-licensed premises in the vicinity causing complaints to the Police from local residents. It further states that the current conditions offered on the operating schedule are insufficient.
17. The representation from trading standards asks for additional conditions. These have been accepted and the representation withdrawn.
18. The representation from licensing asks for additional conditions. The conditions had been agreed and the representation withdrawn.
19. The representations are available in Appendix B.

### **Representations from other persons**

20. Representations have been submitted by four other persons, who are local residents. The representation raises concerns regarding a cumulative impact of premises within the Eagle Yard area and an ongoing history of antisocial behaviour caused by the existing premises being in such close proximity to residential dwellings.
21. Their representations are available in Appendix C.

### **Conciliation**

22. All representations were sent to the applicant. The police representation is still outstanding.
23. The representation from trading standards has been withdrawn. The wording of the agreed conditions are in their representation. The representation from the licensing authority has been withdrawn. The wording of the agreed conditions are in their representation. Their withdrawals are available in Appendix D.
24. The Applicant wrote to the other persons objecting. No responses were received at the point this report was composed. This letter is available in Appendix E.

### **Premises history**

25. The premises was previously licensed under the trading name of Pasaje Primavera. The licence was revoked by the licensing sub-committee in August 2021. A copy of the previous premises licence and notice of decision is available in Appendix F, for members' information only.
26. There are no recent complaints regarding this specific premises, though the locality continues to cause some issues with local residents living in the immediate vicinity. The area has received regular patrols from the local Safer neighborhood team and from the night time economy team, comprised of the Metropolitan Police Service and council enforcement officers, in order to carry out observations and to ensure compliance with currently granted premises licences.

27. There is no recent history of Temporary Event Notice applications.
28. The Licensing Sub Committee met on 30 May 2024 to consider the application. The meeting was adjourned. The Notice of Adjournment is available in Appendix G.

### Map

29. A map showing the location of the premises is attached to this report as Appendix G. The following are a list of similarly licensed premises are in the immediate vicinity of the premises application:

**Los Arrieros De Pito, Arch 144 Eagle Yard, London SE1 6SP**, licenced for:

- The sale by retail of alcohol (on sales):
  - Monday to Saturday: 09:00 to 20:30
  - Friday and Saturday: 10:00 to 20:30

**Aguila Restaurant, Arch 147 Eagle Yard, London SE1 6SP**, licenced for:

- The sale by retail of alcohol (on sales):
  - Sunday to Thursday: 10:00 to 22:00
  - Friday and Saturday: 10:00 to 00:30
- The provision of late night refreshment (indoors):
  - Sunday: 23:00 to 00:00
  - Friday and Saturday: 23:00 to 00:30
- The provision of regulated entertainment in the form of recorded music (indoors):
  - Sunday to Thursday: 23:00 to 00:00
  - Friday and Saturday: 23:00 to 01:00

**Rincon Tropical – Arch 147 Eagle Yard, London SE1 6SP**, licenced for:

- The sale by retail of alcohol (on sales):
  - Sunday to Thursday: 10:00 to 23:00
  - Friday and Saturday: 10:00 to 00:00
- The provision of late night refreshment (indoors):
  - Sunday: 23:00 to 23:30
  - Friday and Saturday: 23:00 to 00:30



**Carolina Bar – Arch 145 Eagle Yard, London SE1 6SP**, licenced for:

- The sale by retail of alcohol (on sales):
  - Sunday to Thursday: 10:00 to 23:30
  - Friday and Saturday: 10:00 to 00:30
- The provision of late night refreshment (indoors):
  - Sunday to Monday: 23:00 to 23:30
  - Friday and Saturday: 23:00 to 00:30
- The provision of regulated entertainment in the form of recorded music and films (indoors):
  - Sunday to Monday: 23:00 to 23:30
  - Friday and Saturday: 23:00 to 00:30

**Chaqueno Grill, Arch 145 Eagle Yard, London SE1 6SP**, licenced for:

- The sale by retail of alcohol (on sales):
  - Sunday to Thursday: 09:30 to 22:00
  - Friday and Saturday: 09:30 to 23:00
- The provision of regulated entertainment in the form of live and recorded music and films (indoors):
  - Sunday to Thursday: 09:30 to 22:00
  - Friday and Saturday: 09:30 to 23:00

**La Barra, Arch 147 Eagle Yard, London SE1 6SP**, licenced for:

- The sale by retail of alcohol (on sales):
  - Sunday to Thursday: 10:00 to 23:00
  - Friday and Saturday: 10:00 to 00:00
- The provision of late night refreshment (indoors):
  - Sunday to Monday: 23:00 to 23:30
  - Friday and Saturday: 23:00 to 00:00

**Southwark Council statement of licensing policy**

30. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
31. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:

- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this Authority relies in determining licence applications.
  - Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
  - Section 6 – Local cumulative impact policies. This sets out this authority’s approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
  - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
  - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
  - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
  - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
  - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
32. 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.
33. 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**

34. The premises is located outside of a cumulative impact area but within the Elephant and Castle major town centre.
35. The recommended opening hours for restaurants under the statement of licensing policy for that location are:
  - Sunday to Thursday until 00:00
  - Friday and Saturday until 01:00.

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

#### **Community impact statement**

36. 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**

37. 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.
38. 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.
39. 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>.
40. The equalities impact assessment is available at:
 

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

### **Health impact statement**

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

### **General guidance**

42. Members should take into consideration both the Southwark statement of licensing policy and the Section 182 Guidance when making decisions.
43. 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.

### **Climate change implications**

44. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
45. 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.
46. Examples of such agreements may be:
- Not use single use plastics, such as disposable plastic glasses, when selling alcohol at the premises.
  - Encourage patrons not to drive to venues by providing details of public transport on their webpages/tickets.
47. The council's climate change strategy is available at:

<https://www.southwark.gov.uk/assets/attach/48607/Climate-Change-Strategy-July-2021-.pdf>

### **Resource implications**

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

### **Consultation**

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

## 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.

### **Strategic Director of Finance**

73. 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**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Licensing Act 2003	Southwark Licensing, C/O	Mrs Kirty Read Tel: 55748
Home Office Revised Guidance to the Act	Regulatory Services, 160 Tooley Street, London SE1 2QH	
Secondary Regulations		
Southwark statement of licensing policy		
Case file		



## APPENDICES

No.	Title
Appendix A	Copy of the application
Appendix B	Representations from responsible authorities
Appendix C	Representations from other persons against the application
Appendix D	Correspondence referring to conciliation
Appendix E	Letter to other persons objecting
Appendix F	Copy of previous premises licence and notice of decision
Appendix G	Notice of Adjournment from 30 May 2024
Appendix H	Map of locality

## AUDIT TRAIL

<b>Lead Officer</b>	Toni Ainge, Strategic Director Environment, Neighbourhoods and Growth	
<b>Report Author</b>	Andrew Heron, Principal Licensing Officer	
<b>Version</b>	FINAL	
<b>Dated</b>	7 June 2024	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Assistant Chief Executive - Governance and Assurance	Yes	Yes
Strategic Director of Finance	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		7 June 2024

25/03/2024

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

Ref No. 2202131

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

IRINA ELIZABETH SOLORZANO CHANGO
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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)

£	12.500
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	Yes

#### Premises trading name

	RINCON COSTENO
--	----------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	ARCH 146
Address Line 2	EAGLE YARD HAMPTON STREET
Town	LONDON
Post code	SE1 6SP
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

## Applicant Details

Please select whether you are applying for a premises licence as

	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	Miss
If other, please specify	
Surname	SOLORZANO CHANGO
Forenames	IRINA ELIZABETH
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?

	01/05/2024
--	------------

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 )

	LATIN AMERICAN TRADITIONAL RESTAURANT AND BAR.
--	--

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)

	f) recorded music

Provision of late night refreshment

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

Supply of alcohol

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

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)

	BACKGROUND MUSIC PLAYED FROM A LAPTOP FOR CUSTOMERS TO ENJOY SOME MUSIC.
--	--

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

Day	Start	Finish
Mon	10:00	23:00
Tues	10:00	23:00
Wed	10:00	23:00
Thur	10:00	23:00
Fri	10:00	00:30
Sat	10:00	00:30
Sun	10:00	23:00

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

	NONE
--	------

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 )

--	--

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
--	---------

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

	CLIENTS WILL BE ABLE TO ENJOY A LATE DRINK WITH SOME FRESH FOOD.
--	--

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	23:30
Tues	23:00	23:30
Wed	23:00	23:30
Thur	23:00	23:30
Fri	23:00	00:30
Sat	23:00	00:30
Sun	23:00	23:30

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 )

--	--

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)

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

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

Day	Start	Finish
Mon	11:00	23:30
Tues	11:00	23:30
Wed	11:00	23:30
Thur	11:00	23:30
Fri	11:00	00:30
Sat	11:00	00:30
Sun	11:00	23:30

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

--	--

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

--	--

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

--	--

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

Premises Supervisor

State the name and details of the individual whom you wish to specify on the licence as the designated

premises supervisor (Please see declaration about the entitlement to work in the check list at the end of the form)

Full name of proposed designated premises supervisor

First names	IRINA ELIZABETH
Surname	SOLORZANO CHANGO

DOB

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

Address of proposed designated premises supervisor

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

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

Personal licence number ( if known )	████████████████████
Issuing authority ( if known )	LAMBETH

K

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

	NONE
--	------

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

L - Hours premises are open to public

- 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you

intend  
the premises to be used for the activity.

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

Day	Start	Finish
Mon	08:00	00:00
Tues	08:00	00:00
Wed	08:00	00:00
Thur	08:00	00:00
Fri	08:00	01:00
Sat	08:00	01:00
Sun	08:00	00:00

State any seasonal variations ( Please read guidance note 5 )

--	--

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

--	--

M - Steps to promote four licencing objectives

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

	For the Prevention of crime and disorder, Public Safety, Prevention of Public Nuisance, and Protection of Children from Harm see below steps to promote them on the premises
--	--

b) the prevention of crime and disorder

	Installation of CCTV in the premises that will be in operation at all times. We will display A4 signs advising that CCTV is in operation. An incident book will be maintained within which full details of all occurrences of disorder and refused alcohol sales at the premises must be recorded. The incident book will be kept on the premises at all times and will be made available for inspection by the police. No one carrying open or sealed bottles or glasses will be admitted to the premises at any time
--	--

c) public safety

	Irresponsible drinks promotions will not be on offer. The license holder will ensure that all staff receive appropriate training about emergency and general safety precautions and procedures. The license holder will ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol. Free drinking water will be available at all times the premises are open to the public. The
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	<p>electrical system at the premises, including portable appliances will be inspected and tested annually by a competent person, and a satisfactory safety report obtained. The gas system, including appliances, will be inspected annually and tested by a Gas Safe Registered engineer and a satisfactory Gas Safety Certificate must be obtained. All safety certificates and inspection reports will be kept on-site and made available for inspection by officers of relevant statutory bodies. The fire safety measures provided on the premises will be maintained in good working order, and their adequacy will be determined regularly, by the carrying out of a fire risk assessment as required by, and under the Regulatory Reform (Fire Safety) Order 2005. An adequate and appropriate supply of first aid equipment and materials will be available on the premises.</p>
--	---

d) the prevention of public nuisance

	<p>Prominent, legible notices requesting people to leave the premises and the area quietly will be displayed at all exists. The license holder will control the volume of regulated entertainment taking place at the premises, by the installation of a noise limiter. All external doors and windows will be kept shut, other than for access and egress, in all rooms when events involving amplified music or speech or other entertainment are likely to rise to noise. Where outside areas are provided for the use of customers facilities for the disposing and collection of litter will be maintained. To minimize the effect of littering, we will provide litter bins both inside and directly outside the premises</p>
--	---

e) the protection of children from harm

	<p>A proof of age policy agreed in writing will be enforced. A challenge 21/25 policy will be employed where those individuals who appear to be under the age of 21/25 attempting to purchase alcohol must be asked for identification. The only type of ID that will be accepted is PASS accredited ID, passport, or photo driving licence.</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

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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 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	██████████
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	IRINA ELIZABETH SOLORZANO CHANGO
Date (DD/MM/YYYY)	25/03/2024
Capacity	MANAGER

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)	25/03/2024
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	
Telephone No.	
If you prefer us to correspond with you by e-mail, your email address (optional)	

**GUIDANCE NOTES**

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

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

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

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

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

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

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



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** MD/327/24  
**reference:**

**Date:** 16/04/2024

Dear Sir/Madam

**Re:- Rincon Costeno, ARCH 146 Eagle Yard, Hampton Street, SE1 6SP**

Police are in possession of an application for a new Premises Licence for, Supply of Alcohol on sales, Regulated entertainment and Late Night Refreshment. The venue describes itself as "Latin American Traditional Restaurant and Bar". The applicant has requested the following hours which are within those recommended in the Southwark Council Statement of Licensing Policy.

Open hours to public

Sun-Thur – 0800hrs-0000hrs

Fri-Sat – 0800hrs-0100hrs

Supply of Alcohol on sales

Sun-Thur – 1100hrs-2330hrs

Fri-Sat – 1100hrs-0030hrs

Regulated Entertainment

Sun-Thur – 1000hrs-2300hrs

Fri-Sat – 1000hrs-0030hrs

Late Night Refreshment

Sun-Thur – 2300hrs-2330hrs

Fri-Sat – 2300hrs-0030hrs

The premises is along a row of railway arches to which there is already a high number of venues declaring to be "Restaurants", however their style of operation is alcohol led and this venue doesn't seem any different. It should be noted that the area is surrounded by residential buildings, and has for several years been subject of numerous complaints in regards to alcohol fuelled anti-social behaviour and disorder

caused by patrons attending and leaving venues, particular at weekends, and this continues to this day.

The applicant is expected to have some knowledge of the area to which they wish to operate and the control measures they offer should reflect how the venue would specifically ensure they will not add to the alcohol related problems that already exist. The applicant has offered some conditions to address the licensing objectives, however, the application does not effectively address all of the licensing objectives, in particular, that of prevention of crime and disorder. Police would expect to see more robust conditions that are clear, concise and address the local issues that are associated with venues supplying alcohol particular at busy periods such as weekends.

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

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

Submitted for your consideration.  
Yours Sincerely

PC Walter MINK AGYEMAN 1264AS

Licensing Officer  
Southwark Police Licensing

**TRADING STANDARDS**

**From:** Jerrom, Charlie <Charlie.Jerrom@southwark.gov.uk>

**Sent:** Friday, April 5, 2024 2:20 PM

**To:** [REDACTED]

**Cc:** Heron, Andrew <Andrew.Heron@southwark.gov.uk>; Moore, Ray <Ray.Moore@southwark.gov.uk>; Regen, Licensing <Licensing.Regen@southwark.gov.uk>

**Subject:** New Premises Licence, Arch 146 Eagle Yard, Hampton Street, London, SE1 6SP Ref: 882681

Trading Standards as a responsible authority are in receipt of a new premises license application from Irina Elizabeth Solorzano Chango, in respect of premises Arch 146 Eagle Yard, Hampton Street, London, SE1 6SP. Trading Standards as a responsible authority are making representation in respect of this application under all the licensing objectives, but primarily the protection of children from harm.

In the general description this is:-

“Latin American Traditional Restaurant and Bar”

The opening hours are to be:-

Sunday to Thursday 08:00hrs to 00:00hrs

Friday to Saturday 08:00hrs to 01:00hrs

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

Sunday to Thursday 11:00hrs to 23:30hrs

Friday to Saturday 11:00hrs to 00:30hrs

Recorded music (indoors)

Sunday to Thursday 10:00hrs to 23:00hrs

Friday to Saturday 10:00hrs to 00:30hrs

Late night refreshments (indoors)

Sunday to Thursday 23:00hrs to 23:30hrs

Friday to Saturday 23:00hrs to 00:30hrs

Under the licensing objectives the application does mention a refusals log and challenge 21/25 which is very good, however it does not mention staff training or signage.

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

<b>To:</b> Licensing Unit	<b>From:</b> Wesley McArthur <a href="mailto:wesley.mcarthur@southwark.gov.uk">wesley.mcarthur@southwark.gov.uk</a> 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority)	<b>Date:</b> 1 May 2024
<b>Subject:</b>	Representation	
<b>Act:</b>	The Licensing Act 2003 (the Act)	
<b>Premises:</b>	Rincon Costeno, Arch 146, Eagle Yard, Hampton Street, SE1 6SP	
<b>Application number:</b>	<b>882681</b>	
<b>Location ID:</b>	191848	<b>Ward:</b> Newington

We object to the grant of an application for a premises licence, submitted by Irina Elizabeth Solorzano Chango under The Licensing Act 2003 (the Act), in respect of the premises known as Rincon Costeno, Arch 146, Eagle Yard, Hampton Street, SE1 6SP\*.

**\*NB:** Eagle Yard was renamed Maldonado Walk in February 2018. Maldonado Walk is separate to Hampton Street. We believe the premises correct address to be 146, Maldonado Walk, SE1 6SP and advise the applicant to attend to this matter urgently, however the address need not be discussed by the licensing sub-committee as we are aware of what premises is being referred to in the application.

## 1. The application

The application is to allow for the provision of the following licensable activities and opening hours:

### Recorded music (indoors) –

- **Sunday - Thursday:** 10:00 – 23:00
- **Friday & Saturday:** 10:00 – 00:30

### Late night refreshment (indoors) –

- **Sunday - Thursday:** 10:00 – 23:30
- **Friday & Saturday:** 10:00 – 00:30

### The sale of alcohol for consumption on the premises as follows –

- **Sunday - Thursday:** 10:00 – 23:30
- **Friday & Saturday:** 10:00 – 00:30

### The proposed opening hours of the premises are –

- **Sunday - Thursday:** 08:00 – 00:00
- **Friday & Saturday:** 08:00 – 01:00

## 2. The Locale

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

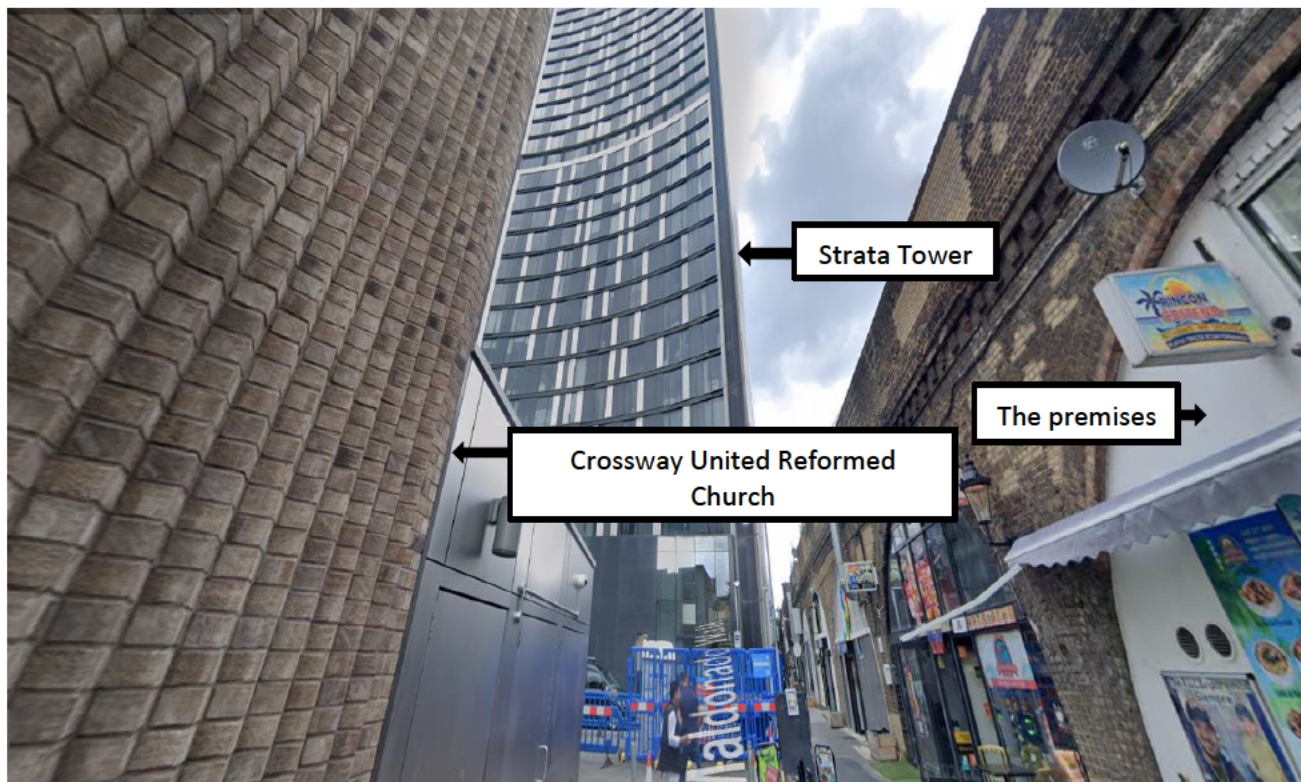


House, which are high-rise residential blocks. Many families, schoolchildren / students and people of working age live in the immediate and wider area.

**Figure 1:** View of the premises' entrance looking north up Maldonado Walk. The bottom of Strata Tower is shown to the left of the photo



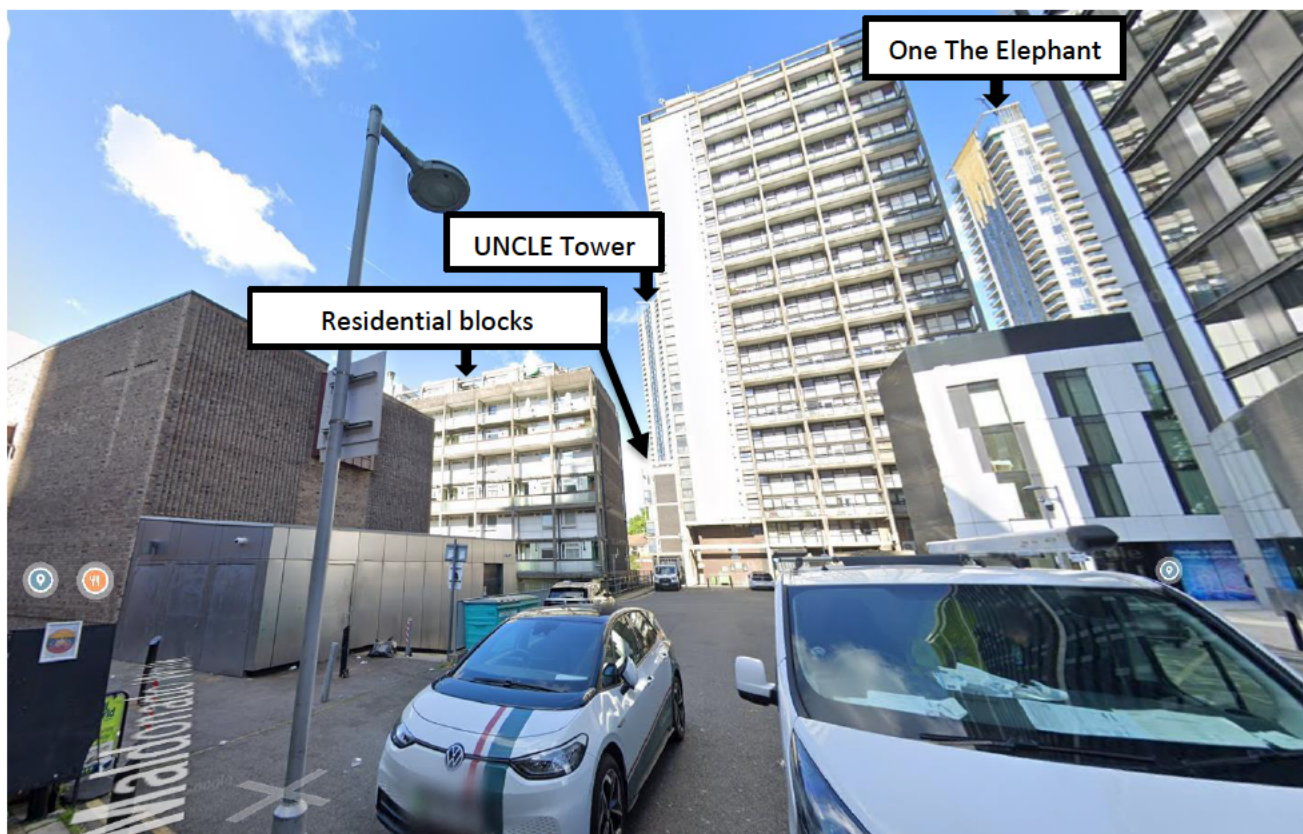
**Figure 2:** View showing the proximity of Strata Tower and the Crossways United Reformed Church from immediately outside the premises' entrance



**Figure 3:** View looking west from outside the premises' entrance showing Strata Tower and Draper House



**Figure 4:** View looking west from outside the premises' entrance showing other residential blocks in close proximity to the building, and further away in the background, UNCLE Tower and One The Elephant Tower



**Figure 5:** View looking south down Maldonado Walk showing Crossway United Reformed Church



A map showing the location of the premises, and its proximity to residential dwellings, is attached as appendix 1.

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

### **3. Our objection**

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

A copy of the SoLP is available via:

<https://www.southwark.gov.uk/assets/attach/7473/Statement-of-Licensing-Policy-2021-2026.pdf>

The following closing times are recommended in our SoLP in respect of various types of licensed premises located in the Elephant and Castle Major Town Centre as stated -

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

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

Restaurants, cafes & 'event premises / spaces' where the sale of alcohol is included in, and ancillary to, a range of activities including meals and takeaway establishments –

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

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

Further to the above, we contend that the conditions proposed need clarification to ensure that they are precise, practicable, enforceable and unambiguous.

Paragraph 1.16 (Licence conditions – general principles) of the Guidance to the Licensing Act 2003 issued by the Secretary of State under section 182 of the Licensing Act 2003 states that conditions –

- “*must be precise and enforceable;*”
- “*must be unambiguous and clear in what they intend to achieve;*”

We therefore recommend that the following conditions be included in any premises licence issued subsequent to this application, and replace the measures proposed in part 'M' of the application ***in their entirety***.

**A. General – all four licensing objectives:**

1. That all relevant staff shall be trained in their responsibilities under the Licensing Act 2003, the promotion of the licensing objectives and the terms and conditions of this licence. Records pertaining to such training ('the staff training logs') shall be kept at the premises, shall be updated every 6 months and shall be made immediately available to responsible authority officers on request. The training logs shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the date(s) of training and a declaration that the training has been received and understood by the trainee. If the staff training logs are a paper hardcopy then the signature of the trainee and the signature of the trainer shall be included.
2. That a written record of all staff authorised to sell alcohol at the premises shall be kept at the premises and will be made available to responsible authority officers immediately on request. The authorisation record shall include the name and address of the premises, the name of the licensee, the name of the DPS and the names of all staff authorised to sell alcohol at the premises.

**B. The prevention of crime and disorder:**

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

5. That a member of staff shall be on duty at all times that the premises are in use who is trained in the use of the CCTV system and who is able to view, and download to a removable storage device, CCTV footage at the immediate request of police and / or council officers.
6. That clearly legible signage (written in both English and Spanish) shall be prominently displayed where it can easily be seen and read by customers advising to the effect that CCTV is in operation at the premises. The signage shall be kept free from obstructions at all times.
7. 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. These notices shall be kept free from obstructions at all times.
8. That an incident log shall be kept at the premises to record details of any of the following occurrences at the premises:
  - Instances of anti-social or disorderly behaviour
  - Calls to the police or other emergency services
  - Any complaints received
  - Ejections of people from the premises
  - Visits to the premises by the local authority or emergency services
  - Any malfunction in respect of the CCTV system
  - All crimes reported by customers, or observed by staff
  - Any other relevant incidents

The incident log shall record the time, date, location in the premises and description of each incident, details of any action taken in respect of the incident and the printed name of the person reporting the incident. Details of incidents shall be recorded contemporaneously. The incident log shall be available / be accessible at the premises at all times that the premises are in use, and shall be made immediately available to responsible authority officers on request. Details of incidents shall be recorded contemporaneously. If the incident log is a paper hardcopy then the signature of the person reporting the incident in the log shall also be included. All relevant staff employed at the premises shall be trained in the use of the incident log. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.

9. That all drinks shall be sold in cans or plastic bottles, or will be decanted into recyclable polycarbonate (or a similar material), or cardboard drinking receptacles. Glass drinking receptacles will not be used at the premises at any time.

### **C. Public Safety**

10. That spirits (alcohol within an alcohol by volume (ABV) of 15% or more) shall not be sold by the bottle at the premises. Spirits shall only be sold in standard measures or multiples thereof.
11. That the maximum number of people permitted on the premises at any one time (the 'accommodation limit') is **X** people (excluding staff). The accommodation limit shall be known by all staff and shall not be exceeded at any time.

<< The applicant is to provide the accommodation limit – **WM** >>

12. That clearly legible signage shall be displayed where it can easily be seen and read by customers and staff identifying all emergency escape routes and emergency exits at the premises. Such signage shall be kept free from obstructions at all times.
13. That all emergency exits, emergency escape routes and entry / exit doors at the premises shall be kept free from obstructions at all times that the premises are in use.
14. That any spills of liquid onto the floor at the premises' shall be cleared away as soon as possible on a continuous basis whilst the premises are in use. Any wet floors will be clearly demarcated as such to prevent slips being caused by the wet floors. Relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
15. That broken or waste glass / earthenware shall be cleared away as soon as possible on a continuous basis whilst the premises are in use to minimise risk of injury. Relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
16. That appropriate first aid equipment / materials shall be kept at the premises in a dedicated first aid box / boxes. The first aid box(es) shall be kept easily accessible and unobstructed at all times. All staff shall be made aware of where the first aid boxes are located.
17. That an accident book / recording system shall be maintained at the premises and be available and in use at all times that the premises are in operation. The accident book / recording system shall meet all current legislative requirements. Details of any accidents will be recorded in the accident book / recording system contemporaneously. The accident book / recording system shall be made immediately available to responsible authority officers on request. Relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
18. That all public areas of the premises (including any public toilets) shall be kept in a sanitary, clean and tidy state at all times that the premises are in operation so that there is no risk to public health or safety regarding the sanitariness of the premises.
19. That all areas of the premises and all fittings and equipment, door fastenings, notices, lighting, heating, electrical, toilet, washing and other installations, will be maintained in good order and in a safe condition at all times.
20. That 'Ask for Angela' posters (or posters relating to whatever similar scheme may be recommended at any time) shall be displayed in the female toilet facilities and kept free from obstructions at all times. All staff shall be trained in the 'Ask for Angela' scheme (or similar scheme) and shall perform the appropriate course of action in the event of a customer requesting assistance. Details of such training, including the printed name(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.

#### **D. The prevention of public nuisance**

21. That a dispersal policy to assist with patrons leaving the premises in an orderly and safe manner shall be devised and maintained regarding the premises. A copy of the

dispersal policy shall be accessible at the premises at all times that the premises are in operation. The policy should include (but not necessarily be limited to) the following:

- I. Details as to how customer / staff egress at the premises shall be managed to minimise causing nuisance.
- II. Details of public transport in the vicinity and how customers will be advised in respect of it.
- III. Details of the management of taxis to and from the premises.
- IV. Details of the management of any 'winding down' period at the premises.
- V. Details of the use of security and stewarding in respect of managing customer dispersal from the premises.
- VI. Details of any cloakroom facility at the premises and how it is managed.
- VII. Details of road safety in respect of customers leaving the premises.
- VIII. Details of the management of ejections from the premises.
- IX. Details of how refuse / waste in the local vicinity arising through the operation of the premises will be cleared up (e.g. flyer clean up, post event clean up).

All relevant staff employed at the premises shall be trained in the latest version of the dispersal policy. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises. The dispersal policy shall be made immediately available to responsible authority officers on request.

22. That customers shall not be permitted to enter or leave the premises with open or sealed drinks containers of any kind.
23. That only management staff shall have access to any amplification equipment at the premises, and only management staff shall be permitted to change any control settings on said equipment.
24. That any litter caused by the operation of the premises shall be cleared away from the immediate vicinity of the premises periodically throughout operating hours, and at the end of trade, on each day that the premises are in operation. Relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
25. That suitable external containers for customer's cigarette butts shall be provided at all times that the premises are in use. Such containers shall be emptied regularly to ensure that they can be used at all times that the premises are in use, and so that they do not overflow and cause cigarette butt litter in the vicinity.
26. That external doors at the premises shall be kept closed except for immediate, and emergency, access and egress to and from the premises.
27. That any openable windows at the premises shall be kept closed at all times that licensable activities are taking place at the premises.
28. That staff shall be trained to arrive at, conduct themselves at the premises at all times, and leave the premises in an orderly manner, with particular care taken when staff close the premises at the end of trade on each day. The details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
29. That clearly legible signage (written in both English and Spanish) shall be prominently displayed where it can easily be seen and read by customers, at all exits from the premises and in any external areas, requesting to the effect that customers leave the

premises and locale in a quiet and orderly manner with respect to local residents. Such signage shall be kept free from obstructions at all times.

30. That external waste handling, collections of goods from the premises, deliveries of goods to the premises and the cleaning of external areas shall only occur between the 07:00 hours and 22:00 hours.
31. That clearly legible signage stating a dedicated contact telephone number for the premises shall be prominently displayed where it can easily be seen and read by passers-by. The signage shall state to the effect that the phone number shown can be used to contact the premises in respect of any complaints regarding the operation of the premises. If the telephone number relates to a mobile phone, then the duty manager / supervisor on duty shall have the mobile phone on their person at all times. Such signage shall be kept free from obstructions at all times.
32. That, if and when required, staff shall interact with customers to ensure that customers behave at the premises in a quiet and orderly manner and also leave the premises and locale in a quiet and orderly manner. Customers deemed by staff to be engaging in anti-social behaviour shall be asked to leave the premises. All relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
33. That any external areas of the premises will be closed to customers between 22:00 hours and 10:00 hours the following day except for up to a maximum of 5 people at any one time using the external areas after 22:00 hours to smoke only. All outdoor furniture must be packed away or rendered unusable by 22:15 hours each day.

#### **E. The protection of children from harm:**

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

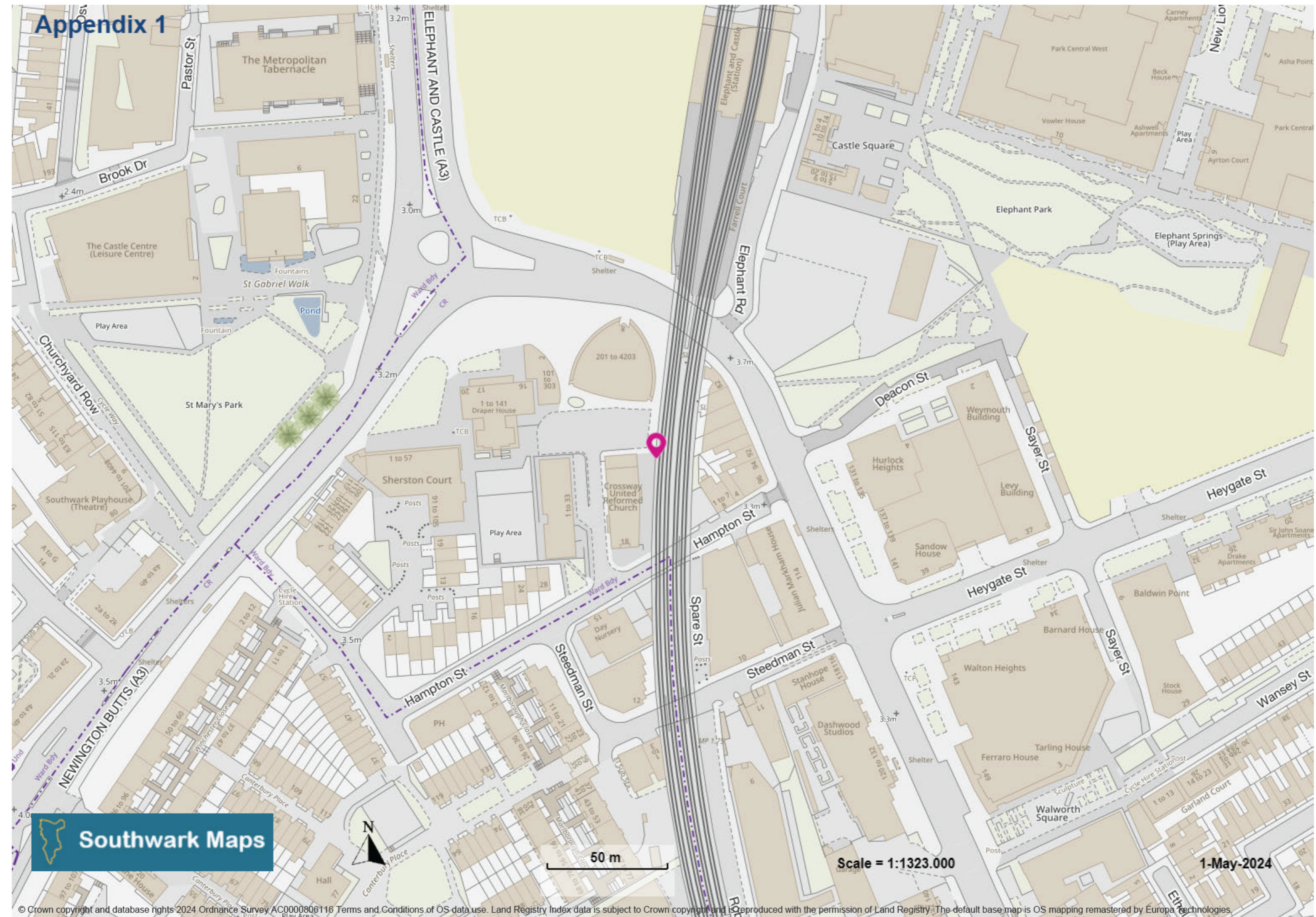
We welcome discussion regarding any of the above, however should the applicant agree to all of the above conditions then we will withdraw this application.

Yours sincerely,

**Wesley McArthur**  
Principal Enforcement Officer



# Appendix 1



 Southwark Maps



50 m

Scale = 1:1323.000

1-May-2024



Sunday 28 April 2024

Dear Sir/Madam

**Re: licence application 882681 - El Rincón Costeño**

I write in connection with the application by Irina Elizabeth Solorzano Chango for a new premises licence for Arch 146 in Maldonado Walk (also known as Eagle Yard) at the Elephant & Castle.

I object to the application in its current form but I think that with careful use of conditions - to protect the amenity of neighbouring residents - my concerns can be overcome.

Residents of the Draper Estate and the Strata SE1 tower have been in correspondence with councillors, council officers and the local policing team for several years about noise and nuisance arising from the venues on Maldonado Walk (and their customers).

As residents, we are keen to have a good relationship with the neighbouring businesses on Maldonado Walk, but this has been difficult when some venues have shown disregard for their impact on nearby homes.

This representation is primarily made in connection with the third licensing objective: the prevention of public nuisance.

My wife and I live in Draper House. I have lived at this address for more than nine years. Our flat is on the first floor and our bedroom and kitchen overlook the servicing yard at the rear of the Strata SE1 tower, looking east towards the row of railway arches where this venue is located.

In recent years - especially during the summer months - we have been disturbed on multiple occasions by noise associated with late night activity at this premises and the nearby venues on Maldonado Walk.

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

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

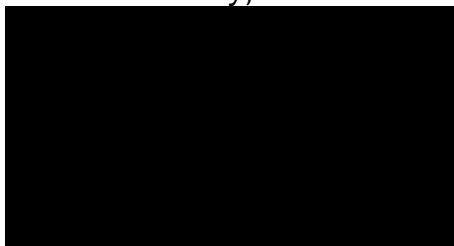
There are eight full-size railway arches between Walworth Road and Maldonado Walk. Currently there are six licensed premises in this parade, all concentrated in the southern 50 metres of the alleyway. The current application will add a seventh licensed premises.

The last time the council considered a licensing application for this row of arches, the report prepared for the sub-committee did not contain a complete or accurate summary of existing premises licences in the vicinity. Given the concentration of bars in this set of arches I would ask officers to ensure that members are properly informed of the context when a report on this application is prepared.

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

1. That the premises should have a dispersal policy specifically adapted to the circumstances in Maldonado Walk, including the cumulative impact of patrons leaving multiple venues and spilling out into the yard
2. That the times during which rubbish (including glass) can be placed outside the premises be limited to prevent nuisance to neighbours
3. That the premises should display contact details for an English-speaking staff member who can liaise with nearby residents in case problems arise
4. That arrangements for smokers outside the premises be governed by condition

Yours faithfully,



**From:** [REDACTED]  
**Sent:** Wednesday, May 1, 2024 3:30 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** [REDACTED]  
[REDACTED]

**Subject:** License Application for: IRINA ELIZABETH SOLORZANO CHANGO - 146 EAGLE YARD HAMPTON STREET SE1 6SP - License No. 882681

Southwark Council Licensing Committee

Re: License Application for:  
IRINA ELIZABETH SOLORZANO CHANGO - 146 EAGLE YARD HAMPTON STREET SE1 6SP - License No. 882681

Dear Licensing Committee,

I am writing to express my formal objection to the proposed license stated above. As a concerned and directly affected resident of neighbouring Draper House I feel compelled to address the significant issues arising from all the various establishment's operations based in Eagle Yard and their track record over last few years.

I'm further concerned that the Licensing Department does not appear to have a correct and complete list of all the various licenses granted in and around Eagle Yard as came to light during another recent application for Eagle Yard premisses.

Background to the Situation in Maldonado Walk:

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

Concerns and Violations:

Crime and Disorder:

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

Anti-Social Behavior:

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

Health and Safety:

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

Protection of Children from Harm:

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

Saturation Policy and Licensing Hours:

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

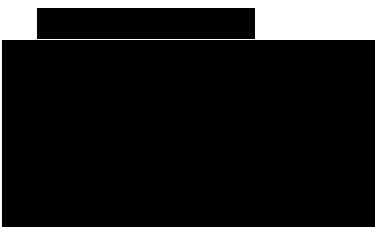
Proposed Conditions if License is Granted:

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

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

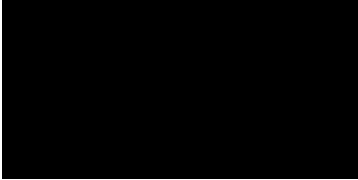
Please confirm receipt of my objection and keep me posted on the progress and any decisions made.

Sincerely,

A large black rectangular redaction box covering the signature and name of the sender.

**From:** [REDACTED]  
**Sent:** Wednesday, May 1, 2024 6:49 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:**

Wednesday 1<sup>st</sup> May 2024



To whom it may concern,

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

Arch 146  
Eagle Yard  
Hampton Street  
SE1 6SP

The reasons are as follows:

prevention of crime and disorder and public safety

At present, the 100m pedestrian walk has already four or five premises licensed to sell alcohol with live and or recorded music. Similar premises next to the applicant's venue have been attracting considerable amount of people, causing nuisance.

These gatherings often happened and still happen after closing hours, with the knowledge of the premises' management and despite conditions that should prevent this from happening. Several reports have been filed by local residents to the noise team as well as the police and anti-social behaviour team.

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

prevention of public nuisance

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

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

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

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

Your sincerely,

██████████

**From:** [REDACTED]  
**Sent:** Tuesday, April 30, 2024 9:43 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Subject:** arch146 SE1 6PS

Dear licensor/ Southwark Council,

Regarding the request for opening hours of arch 146 Eagle Yard, Hampton St SE1 6SP

I vehemently object to their request.

It will be the 7th venue in a stretch of 5 archs in a residential area.

Despite the very fact that a murder occurred there, any noise or bad dispersion policy passing 8pm will cause disturbances to us in Draper House and Strata.

We need to work the following day, we start early we are honest people and do not want that plethora of drug dealers, people screaming, drunk, urinating, defecating and causing trouble and antisocial behaviour.

It seems that Southwark Council cater more for the wild revellers than to us honest people.

Thanks.





**From:** Jerrom, Charlie <Charlie.Jerrom@southwark.gov.uk>

**Sent:** Friday, April 12, 2024 4:13 PM

**To:**

**Cc:** Heron, Andrew <Andrew.Heron@southwark.gov.uk>; Moore, Ray

<Ray.Moore@southwark.gov.uk>; Regen, Licensing

<Licensing.Regen@southwark.gov.uk>

**Subject:** RE: New Premises Licence, Arch 146 Eagle Yard, Hampton Street, London, SE1 6SP Ref: 882681

Dear Irina ,

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

I will arrange a date to visit and drop of the hard copies.

Regards

Charlie Jerrom – Enforcement Officer (Trading Standards)

Southwark Council | Environment, Neighbourhoods and Growth| Regulatory Services

**From:** McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>  
**Sent:** Thursday, May 2, 2024 4:47 PM  
**To:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>  
**Cc:** Heron, Andrew <Andrew.Heron@southwark.gov.uk>  
**Subject:** RE: Application for a premises licence: Rincon Costeno, Arch 146, Eagle Yard, Hampton Street, SE1 6SP (our ref': 882681) - Loc ID: 191848 - Newington ward

Dear All,

My representation is withdrawn.

Regards,

***Wesley McArthur***

Principal Enforcement Officer - Licensing Unit  
London Borough of Southwark

**E-mail:** [wesley.mcarthur@southwark.gov.uk](mailto:wesley.mcarthur@southwark.gov.uk)

**General:** [licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)

**Phone:** 020 7525 5779

**Switchboard:** 020 7525 5000

**Website:** [www.southwark.gov.uk](http://www.southwark.gov.uk)

**Address:** Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH

**From:**  
**Sent:** Thursday, May 2, 2024 4:13 PM  
**To:** McArthur, Wesley <[Wesley.McArthur@southwark.gov.uk](mailto:Wesley.McArthur@southwark.gov.uk)>; Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** Heron, Andrew <[Andrew.Heron@southwark.gov.uk](mailto:Andrew.Heron@southwark.gov.uk)>  
**Subject:** Re: Application for a premises licence: Rincon Costeno, Arch 146, Eagle Yard, Hampton Street, SE1 6SP (our ref': 882681) - Loc ID: 191848 - Newington ward

Dear Wesley McArthur,

I hope this email finds you well.

Thank you for reaching out and providing the representation regarding the above application for the premises licence. I have reviewed the conditions outlined in the attachment, and I would like to confirm that we agree to all of the conditions set out in the representation.

We understand the importance of compliance with licensing regulations and community standards, and we are committed to ensuring that our operations meet these requirements. Therefore, we are happy to accept the conditions outlined in the representation.

Please proceed with withdrawing the representation, as we acknowledge and agree to the conditions specified therein.

Thank you.

**Licence Application – Rincon Costeno – Arch 146 Eagle Yard**

Thank you for bringing your concerns regarding the new Premises Licence application to our attention. We appreciate the opportunity to address these matters and assure you that our goal is to operate responsibly and respectfully within the community.

While our venue is described as a "Latin American Traditional Restaurant and Bar," we want to emphasize that our primary focus is on providing a dining experience complemented by the responsible sale of alcohol. We are not intending to operate as a nightclub or contribute to any alcohol-related problems in the area.

Regarding the proposed operating hours and conditions, we have carefully considered the recommendations outlined in the Southwark Council Statement of Licensing Policy. Our aim is to create a welcoming environment for patrons while also being mindful of our neighbours' concerns.

We understand the importance of preventing crime and disorder, particularly in areas with residential buildings nearby. We are committed to implementing robust control measures to ensure the safety and well-being of our patrons and the local community.

We appreciate your feedback and are open to discussing any additional measures or conditions that may be necessary to address the licensing objectives effectively. Our priority is to work collaboratively with local authorities and residents to create a safe and enjoyable environment for all.

Thank you for considering our application, and we look forward to the opportunity to contribute positively to the community.

Thank you,

# Licensing Act 2003 Premises Licence



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

Premises licence number

869693

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Pasaje Primavera Arch 146, Eagle Yard Re-Instate Issued (Licensing) SE1 6SP	
Ordnance survey map reference (if applicable), 532056178732	
<b>Post town</b> London	<b>Post code</b> SE1 6SP
<b>Telephone number</b>	

<b>Where the licence is time limited the dates</b>
--

<b>Licensable activities authorised by the licence</b>
Recorded Music - Indoors Facilities for Making Music - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises

<b>The opening hours of the premises</b>
For any non standard timings see <b>Annex 2</b>
Monday            06:00 - 01:00
Tuesday          06:00 - 01:00
Wednesday       06:00 - 01:00
Thursday         06:00 - 01:00
Friday            06:00 - 03:00
Saturday         06:00 - 03:00
Sunday            06:00 - 01:00

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

<b>The times the licence authorises the carrying out of licensable activities</b>
---

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

**Recorded Music - Indoors**

Monday	06:00 - 00:00
Tuesday	06:00 - 00:00
Wednesday	06:00 - 00:00
Thursday	06:00 - 00:00
Friday	06:00 - 00:00
Saturday	06:00 - 00:00
Sunday	06:00 - 00:00

**Facilities for Making Music - Indoors**

Monday	06:00 - 00:00
Tuesday	06:00 - 00:00
Wednesday	06:00 - 00:00
Thursday	06:00 - 00:00
Friday	06:00 - 00:00
Saturday	06:00 - 00:00
Sunday	06:00 - 00:00

**Late Night Refreshment - Indoors**

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 00:00
Friday	11:00 - 02:30
Saturday	11:00 - 02:30
Sunday	11:00 - 00:00

**Sale by retail of alcohol to be consumed on premises**

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 00:00
Friday	11:00 - 02:30
Saturday	11:00 - 02:30
Sunday	11:00 - 00:00

## Part 2

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

RINCON COSTENO LIMITED

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

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

11689338

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

Segundo Vicente Gualavisi Carlosama

██  
 ██████████  
 ██████████

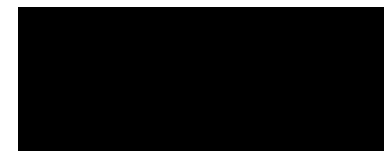
**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence No. ██████

Authority

**L B of Lambeth**

Licence Issue date 30/08/2019



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

## Annex 1 - Mandatory conditions

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

**489** The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or

supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

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

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

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

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

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

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

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

where-

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence:

- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

**Annex 2 - Conditions consistent with the operating Schedule**

**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.

**255** That fire extinguishers shall be kept at the premises and kept in unobstructed and easily accessible locations.

**288** That a CCTV system shall be installed at the premises and shall be maintained in full working order and be continually recording at all times that the premises is in use under this licence. The CCTV system must be capable of capturing an image of every person who enters the premises.

**289** That all CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available to officers of the police or council on request.

**293** That staff shall be trained in regards to all aspects of public safety at the premises.

**298** That clearly legible signs shall be prominently displayed to the satisfaction of the council stating "Drug Free Zone".

**309** That no electronically amplified instruments shall be played in the premises.

**310** That after 21:00 hours the front entrance doors shall be kept closed when regulated entertainment is taking place.

**311** That clearly legible signs shall be prominently displayed to the satisfaction of the council requesting that customers leave the premises in a quiet and orderly manner.

**332** That all persons under 18 years old attending the premises must be accompanied by a parent, guardian or responsible adult at all times.

**340** That a fire alarm system shall be installed at the premises and shall be maintained in full working order and be in operation at all times that the premises is in use under this licence.

**341** Maximum persons to be allowed at any one time including staff to be 80.

**342** A fire risk assessment and a evacuation plan will be implemented in case of fire or other emergencies.

**343** The management will ensure that all staff receive appropriate training and development to carry out their job in an effective manner - to ensure that all the policies including health & safety are consistently maintained.

**344** No bottles or glasses shall be taken off the premises.

**345** A specified time between last sales and the close of the premises shall be displayed.

**346** A display will set out conditions of entry to the premises in the vicinity of any entrance to the premises. a secure deposit box will be kept on the premises for the retention of confiscated items and ensure

that the police are informed of any item which require safe disposal.

**347** Windows and doors will always be kept closed acoustically treated ventilation/air conditioning will be utilised.

**348** Management will ensure that staff, DJs and artists understand the noise control requirements, and regularly monitor noise levels during operating hours.

**349** A complaints and incidents book would be held on the premises to record details of any complaints received from neighbours for inspection by council officers.

**4AB** All staff will receive documented training in relation to the licensing act 2003, and the 'Challenge 21' policy and the training shall be repeated every six months. Records of this training and written policies relating to it will be kept and made available to police or council officers on request.

**4AG** That the premises adopts the 'challenge 21 scheme' whereby any person that appears under 21 year of age has to prove they are 18 or over by providing identification bearing their photograph, date of birth and a holographic mark and/or ultraviolet feature. examples of appropriate identification include passport, photo card driving licence, military ID and proof of age card bearing the pass hologram.

**350** A Refusals Log be kept and maintained and be available to Police or Council Officers on request.

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

**840** That substantial food to be served at all times that alcohol is supplied on Fridays and Saturdays after 00:00;

**841** That a minimum of one SIA licensed door supervisors shall be on duty at the premises at all times when the premises are open between 00:00 and 03:00;

**842** That patrons admitted after midnight must have been invited;

**843** That there shall be no more than 80 patrons shall be present on the premises between 00:00 and 03:00;

**844** That no more than six patrons may use the outside smoking area at any one time. No drinks may be taken into this area;

**845** That no alcohol may be taken off the premises.

**846** That Mr Ian Gualavisi (Person A) and Mr Ronalo Palacios (Person B) be excluded from the premises.

**847** All staff to receive conflict management training with 28-days.

**848** All staff are retrained in the use of CCTV and their obligations in respect of Conditions 288 and 289 of the premises licence within 28-days

**Annex 4 - Plans - Attached**

Licence No. 869693

Plan No. 221102(lic)01

Plan Date May 2011

## NOTICE OF DECISION

### LICENSING SUB-COMMITTEE – 10 AUGUST 2021 (RECONVENED FROM 5 AUGUST 2021)

#### SECTION 53C LICENSING ACT 2003: PASAJE PRIMAVERA, ARCH 146, EAGLE YARD, HAMPTON STREET, LONDON SE1 6SP

#### 1. Decision

That the council's licensing sub-committee, having considered the application made under Section 53C of the Licensing Act 2003 by the Metropolitan Police Service for the review of the premises licence issued in respect of the premises known as Pasaje Primavera, Arch 146, Eagle Yard, Hampton Street, London SE1 6SP and having had regard to all other relevant representations, has decided it necessary for the promotion of the licensing objectives to:

- **Revoke the premises licence.**

#### 2. Reasons for the decision

This was an application made by the Chief of Police for the Metropolitan Police Service for the review of the premises licence known as Pasaje Primavera, Arch 146, Eagle Yard, Hampton Street, London SE1 6SP. The application was made under Section 53C of the Licensing Act 2003.

The licensing sub-committee heard from an officer from the Metropolitan Police Service who advised that on Saturday 10 July 2021, at approximately 02:40, calls were received by the police stating that a fight was taking place in or near Rincon Costeno, Arch 146 Eagle Yard. The premises are also known as Pasaje Primavera.

Shortly after the police received the calls, a call from the London Ambulance Service (LAS) was received, stating they were dealing with a male victim, named Ian Gualavisi who had significant head injuries and a possible machete wound to his back. Police arrived on scene to speak with the victim, who was uncooperative and saying he could not remember where or how he received his injuries and wanted the matter forgotten. For the avoidance of all doubt, Ian Gualavisi is the victim in the incident that took place on 10 July 2021. Ian Gualavisi is also the son of the designated premises supervisor (DPS).

The incident took place at 146 Eagle Yard, SE1 6SP. When police attended the premises, they found it to be locked and secure with no staff or patrons inside. A key holder attended the premises and allowed Police access. Inside the Police found a significant amount of blood, tables and chairs turned over and smashed glass over the floor. No calls were made to emergency services from the premises or staff at the premises.

The police accessed the CCTV from the premises, which showed between six and eight persons inside sat at a table drinking bottles of beer. The son/victim was also in the premises. He bent down behind the bar area and the suspect crept up behind him and smashed a glass bottle across the back of his head. A fight then ensues. The other people inside the premises attempted to break up the fight.

Ian Gualavisi was attended to by the ambulance service outside Elephant & Castle tube station and was taken to hospital for further treatment.

The officer informed the sub-committee of an incident that occurred on 18 December 2018 when police witnessed a fight outside the premises at 146 Eagle Yard. This incident triggered a summary review of the premises licence. The suspect on this occasion was Ian Gualavisi, the son of the premises licence holder. At the full review on 16 January 2019 the licensing sub-committee permanently barred Ian Gualavisi from the premises. A condition was also imposed that SIA door supervisors would be employed on Friday and Saturday nights when the premises operated after midnight. No SIA were employed at the premises on 10 July 2021.

The police officer advised that as a direct result of the breaches of the licence conditions of the premises licence, a serious assault was committed inside the premises against the son/victim and no calls were made by the premises to emergency services from the premises, staff or even the son/victim. After hearing from the licence holder's legal representative, the officer stated he had no confidence in the management of the premises and recommended that the licence be revoked.

The licensing sub-committee heard from an officer from the council's health and safety team who expressed concern that the incident demonstrated a lack of management control of the premises, required under the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999. The management of the premises failed to call an ambulance and failed to contact the police. Although the victim did not wish to pursue the matter with the police, the premises was still required to inform the Health and Safety Executive and these failures amounted to prosecutable offences.

The licensing sub-committee heard from the officer representing licensing as a responsible authority whose representation was submitted under the prevention of crime and disorder, prevention of public nuisance, public safety and protection of children from harm licensing objectives. The officer also had regard to the Southwark statement of licensing policy 2021–2026.

The officer advised of that the premises was previously subject to an expedited review and at the final hearing on 16 January 2019, the licensing sub-committee modified the premises licence. One of the conditions added to the licence was that Mr Ian Gualavisi (condition 846) be excluded from the premises.

The officer fully supported the police review and advised that the review in 2019 gave the licensee and DPS a chance to improve the operation at the premises by applying robust conditions as the licensee and DPS had not taken their responsibilities to promote the licensing objectives seriously.



The officer advised that allowing Mr Ian Gualavisi into the premises was a breach of condition 846. Condition 841 (that a minimum of one SIA licensed door supervisors shall be on duty at the premises at all times when the premises are open between 00:00 and 03:00) was also breached.

No one from the premises attempted to call the police or ambulance service at the time of the incident. The officer stated that this confirmed a complete lack of understanding as to the requirements in managing a licensed premises, a disregard for the conditions imposed and a failure in promoting the licensing objectives. The officer recommended that the premises licence should be revoked in order to promote the objectives.

The licensing sub-committee noted the representation of one other person who was not present at the meeting.

The licensing sub-committee then heard from the legal representative for the premises who advised that on 10 July 2021 the kitchen closed at approximately 20:00 and after cleaning, the kitchen staff left at 21:30, leaving the DPS and his wife at the premises.

At this point there were eight customers made up of two tables of four. At approximately 22:00 six new customers arrived and purchased a bucket of beer. They then purchased another bucket of beer at 23:00. This was the last order that was taken by the DPS.

The DPS felt ill and both he and his wife were tired having worked a 16 hour shift. The DPS and premises licence holder's son offered to assist his parents by finishing the evening for them and to then lock up the premises once the customers left the premises.

After the son/victim was assaulted, he left the premises and contacted his sister to attend the premises to lock up. As far as the premises licence holder and DPS were concerned, the premises closed at midnight. It was accepted by them that their son had sold alcohol after they had left the premises, against their instructions. A spreadsheet detailing the transactions for 10 July 2021 was referred to, but the exact times of the sales had not been included. The licence holder's representative advised that the last sale was made at approximately 02:00.

During the discussion stage of the meeting, the legal representative advised that after the son had been assaulted, he left the premises and telephoned his sister (the daughter of the DPS and premises licence holder) and requested that she attend the premises to lock up. No real explanation was given why the daughter could not be contacted in the first instance to finish and lock up in the son/victim's place.

When the DPS was asked to explain Challenge 25, the DPS was unable to do so. The legal representative explained that the DPS had held a personal licence for seven years and knew what was expected of him. The premises licence had conditions prohibiting under 18s to enter the premises. The legal representative advised that the DPS may not recognise the term Challenge 25, but the aim relating to the under 18 policy was the same.

The premises licence holder and DPS stated that they recognised the six customers that entered the premises at 22:00 hours, but did not know their names. None of these customers were the other named individual who was banned from the premises in condition 846. Licensable activities had taken place after the licence holder and DPS had left the premises. However, they were of the view that the premises were closed and pursuant to the licence conditions, did not need any SIA door supervisors.

In determining this review application, the sub-committee had the choice to

- i. Remove the designated premises supervisor;
- ii. Modify the premises licence by altering, omitting or adding any condition
- iii. Suspend the premises licence;
- iv. Exclude a licensable activity from the scope of the licence
- v. Revoke the premises licence.

Pasaje Primavera (also known as Rincon Costeno) is a family run restaurant. The premises licence holder is Rincon Costeno Limited. The director of the company is Rocio Del Pilar Chango Mullo. Rocio Del Pilar Chango Mullo is the wife of the DPS. The licensing sub-committee found the DPS's knowledge and understanding of the Licensing Act 2003 and the conditions attached to the premises licence inadequate. Despite being assisted with translation by his niece, the DPS's account was inconsistent and questionable. The sub-committee found that the DPS was wholly unfit to hold a personal licence.

It was felt that it would be inappropriate to remove the DPS due to the nature of the operation of the restaurant being a family business. Even if the DPS were removed, it was likely that he would still somehow be involved in it. The premises licence had already been modified in 2019 to include robust conditions, which were not complied with so a further modification of the licence could not guarantee compliance. A suspension of the licence was also considered. Members again did not feel this could guarantee the future compliance of the licence. Similarly, this was members' conclusion when considering the removal of licensable activities.

The DPS and his wife trusted their son to ensure that the table of six patrons left in a timely manner and to lock up. Instead, the son sold alcohol, a fight ensued and the premises was subsequently abandoned and left empty and open for anyone to enter. Had the premises had complied with the premises licence conditions this incident would not have occurred. The licensing sub-committee had no confidence in the management of the premises and felt there to be no other option but to revoke the premises licence.

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.

### 3. Appeal rights

This decision is open to appeal by either:

- a) The applicant for the review
- b) The premises licence holder
- c) Any other person who made relevant representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

### 4. Review of interim steps pending appeal

At the conclusion of the review hearing the licensing sub-committee reviewed the interim steps to determine which interim steps were appropriate for the promotion of the licensing objectives, pursuant to section 53D of the Licensing Act 2003. The sub-committee concluded that these interim steps were appropriate:

- **To suspend the premises licence.**

The licensing sub-committee were satisfied that these modified interim steps are more appropriate and proportionate to promote the licensing objectives to modify the interim steps, as detailed above

The interim steps are open to appeal by:

- a) The chief officer of police for the police area in which the premises is situated; or
- b) The holder of the premises licence

Such appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates Court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

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

Date: 10 August 2021

## NOTICE OF ADJOURNMENT

### LICENSING SUB-COMMITTEE – 30 MAY 2024

#### SECTION 17 LICENSING ACT 2003: RINCON COSTENO, ARCH 146 MALDONADO WALK, EAGLE YARD, HAMPTON STREET, LONDON SE1 6SP

#### 1. Decision

That the application made by Irina Elizabeth Solorzano Chango for a premises licence to be granted under s.17 of the Licensing Act 2003 in respect of the premises known Rincon Costeno, Arch 146 Maldonado Walk, Eagle Yard, Hampton Street, London SE1 6SP be adjourned until 10:00 hours on 20 June 2024 for Licensing as a responsible authority and the Metropolitan Police Service to attend.

#### 2. Reasons

When asked by the licensing sub-committee, the applicant initially stated that she was not connected with the previous operation of the premises when it was known as Pasaje Primavera that had its premises licence revoked on 10 August 2024. When probed by members, it transpired that the applicant was in fact related to the previous owners; the Applicant had taken over the premises and that family members would assist in the operation in the premises.

While the application being considered was for a premises licence, the sub-committee was conscious of the sentiment of paragraphs 94 and 95 of Southwark's statement of licensing policy 2021-2025:

*"95. Where, such applications are made, this Authority will require documented proof of transfer of the business / lawful occupancy of the premises (such as a lease), to the new proposed licence holder to support the contention that the business is now under new management control".*

The licensing sub-committee recognised that both the responsible authorities conciliated with the applicant and therefore not entitled to make further verbal representations. However, it was unclear whether either were aware the applicant's connection with the previous owner. In view of this, the sub-committee request that their attendance to confirm:

- i. Whether they were aware of the connection.
- ii. Whether any documentation was seen proving the transfer of the business/lawful occupancy of the premises (such as a lease) was provided by the Applicant to support the contention the business was under new management control.
- iii. In light of this information, whether responsible authorities remain satisfied with the conciliated control measures.

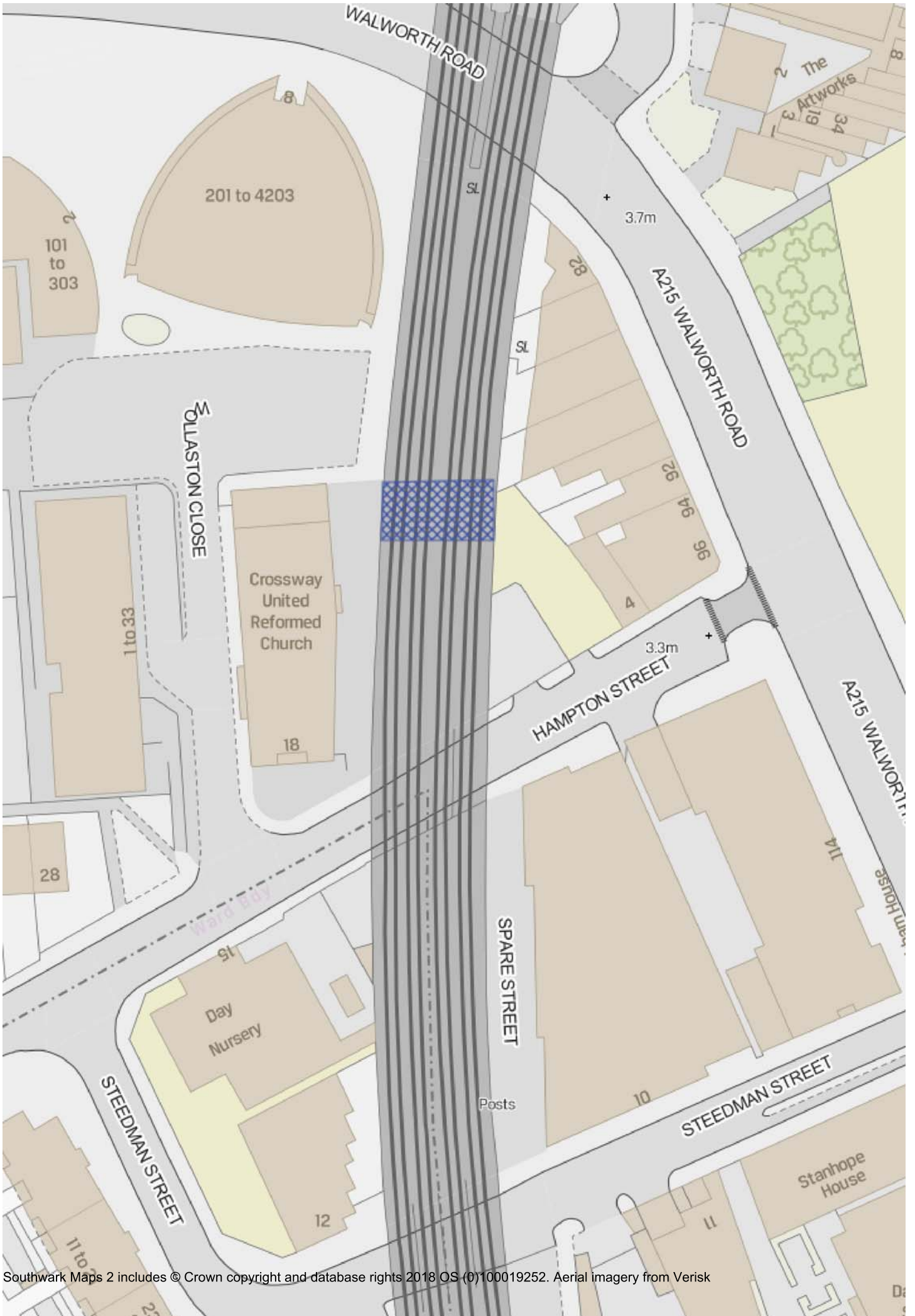
A copy of the transcript of the licensing sub-committee is to be made available to all parties.

### **3. Appeal rights**

There is no right to appeal this notice of adjournment.

Issued by the Constitutional Team on behalf of the Assistant Chief Executive - Governance and Assurance

Date: 3 June 2024



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**LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2022-23**

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