

Licensing Sub-Committee

Tuesday 9 July 2024

10.00 am

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

Membership

Councillor Renata Hamvas (Chair)
Councillor Maria Linforth-Hall
Councillor Charlie Smith

Reserves

Councillor Margy Newens

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

The council is committed to making its meetings accessible. For details on building access, translation, provision of signers or any other requirements for this meeting, please contact the person below.

Contact

Andrew Weir by email: andrew.weir@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 1 July 2024



Licensing Sub-Committee

Tuesday 9 July 2024
10.00 am
Innovation Space, Ground Floor, 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	LICENSING ACT 2003: THE NAGS HEAD, 231-235 RYE LANE, LONDON SE15 4TP - REVIEW	1 - 82
6.	LICENSING ACT 2003: DELICIAS COLOMBIANAS, 720 - 722 OLD KENT ROAD, LONDON SE15 1NG	83 - 169

ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: 1 July 2024

Meeting name:	Licensing Sub-Committee
Date:	9 July 2024
Report Title	Licensing Act 2003: The Nags Head, 231-235 Rye Lane, London SE15 4TP - Review
Ward(s) or groups affected:	Rye Lane
Classification:	Open
Reasons for lateness (if applicable):	N/a

RECOMMENDATION

1. That the licensing sub-committee considers an application submitted by an other person (local resident) under Section 51 of the Licensing Act 2003 (the Act) for the review of the premises licence held by The Craft Union Pub Company Limited in respect of the premises known as The Nags Head, 231-235 Rye Lane, London SE154TP.
2. Notes:
 - a) The grounds for the review are stated in paragraphs 13 to 19 of this report. A copy of the premises licence review application is attached as Appendix A.
 - b) The review application is supported by representations submitted from two responsible authorities and four other persons and are attached as Appendices C and D. Details of the representations are provided in paragraphs 20 to 30 of this report.
 - c) A copy of the current premises licence issued in respect of the premises is attached to this report as Appendix B. A map of the area that the premises are located in is attached as Appendix I.
 - 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

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

4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm
6. In carrying out its licensing functions, a licensing authority must also have regard to:
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations
7. The applications 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. 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.
8. The premises licence once issued remains valid for the life of the business unless surrendered or revoked. However, under section 51 of the Act it remains open to any Responsible Authority or other person to apply to the local Licensing Authority for a review of the premises licence where there are ongoing concerns regarding one or more of the four stated licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence

9. The premises licence holder is The Craft Union Pub Company Limited.
10. The premises licence allows the provision of licensable activities as follows:
 - Live music (indoors):
 - Friday and Saturday: 20:00 to 00:00
 - Sunday: 15:00 to 18:00 and 20:00 to 00:00
 - Recorded music (indoors):
 - Monday to Sunday: 09:00 to 01:00

- Facilities for dancing (indoors):
 - Friday and Saturday: 20:00 to 00:00
Sunday: 15:00 to 18:00 and 20:00 to 00:00
- Provisions similar to making music and dancing (indoors):
 - Friday and Saturday: 20:00 to 00:00
Sunday from 15:00 to 18:00 and from 20:00 to 00:00
- Late night refreshment (indoors):
 - Monday to Sunday from 23:00 to 01:00
- The sale by retail of alcohol (on and off the premises):
 - Monday to Sunday from 09:00 to 01:00
- Opening hours:
 - Monday to Sunday from 09:00 to 01:30.

11. The licence is subject to the mandatory conditions set down under the Act and further conditions consistent with the operating schedule submitted with the application for the licence. A copy of the full premises licence is attached to the report as Appendix B.

Designated premises supervisor (DPS)

12. The current designated premises supervisor (DPS) named on the licence is Mr James Andrew Dawkins, who holds a personal licence with the London Borough of Waltham Forest.

The review application

13. On 15 May 2024, an application was submitted by another person under Section 51 of the Licensing Act 2003, for the review of the premises known as The Nags Head, 231-235 Rye Lane, London SE15 4TP.

14. The applicant served the application on the licensee on 22 May 2024, therefore the 28 consultation period was started from that day.

15. The review application was submitted in respect of the prevention of crime and disorder and the prevention of public nuisance licensing objectives, on the grounds that there is excessive noise egress from the premises and its patrons, anti-social behaviour such as shouting and screaming, patrons vomiting outside residential properties and graffiti.

16. The applicant states that she has made several complaints to the local authorities about this premises over the years.

17. In May 2022 the applicant states that she received an email from the Southwark licensing team supervisor Andrew Heron and quotes:

“The Council is restricted on enforcement action, as there are no conditions on the premises licence that are being breached. All we can do is advise the management of complaints, but have no powers to impel them to act. The Police deal with antisocial behaviour in the street, so they do have powers to act here. The likely only way forward for you would be to review the licence, as the Council have tried to intervene, but clearly have not made a difference.”

18. In August 2022 the applicant had a meeting with the premises and police after a community trigger was filed and there were some improvements. However, the applicant says the situation has gone back to how it was and with the summer months approaching it is only going to get worse.
19. Full details of the grounds for the review are provided within the application. A copy of the review application is attached to the report as Appendix A.

Representations from responsible authorities

20. Representations supporting the application have been submitted by two responsible authorities, namely the Metropolitan Police Service and the councils licensing authority as a responsible authority.
21. The police representation is in relation to the prevention of crime and disorder and the prevention of public nuisance.
22. The police have carried out searches on the police intelligence and recording systems from the last five years and provided a detailed list of crime reports and notification of offences served at the premises for breaches of licensed conditions.
23. The representation from the licensing authority is made the prevention of crime and disorder and the prevention of public nuisance licensing objectives.
24. The licensing representation evidences complaints that have arisen at the premises including details of community triggers instigated twice based on the complaints of two local residents on 12 May 2022, which is a tool to deal with high levels of complaints regarding anti-social behaviour.
25. The licensing representation also suggest further conditions to be added to the premises licence.
26. The representations from responsible authorities are attached to the report at Appendix C.

Representations from other persons

27. Four representations supporting the application have been received from other persons (local residents) in the vicinity, citing excessive noise from patrons, crowds of patrons on the street causing antisocial behaviour and spreading into neighbouring streets, drunken behaviour and the subsequent impact on neighbouring residents.

28. Some of the representations from other persons state that the premises is constantly breaching the licensed conditions.
29. The representations from other persons are attached to the report as Appendix D.
30. There are no representations in support of the licence holder.

Operating History

31. On 18 December 2005 a premises licence was granted to Thomas Matthew Grehan and Natalie Anne Hutson. The designated premises supervisor (DPS) named on the licence was Natalie Anne Hutson.
32. Following a transfer application a premises licence was issued to The Craft Union Pub Company Limited on 28 September 2020. At this time Natalie Anne Hutson remained the DPS attached to the licence.
33. Following a DPS variation application submitted on 5 October 2020, Cary Anthony Faria became the DPS attached to the premise licence.
34. On 18 March 2021 a minor variation application was submitted, to vary the premises plans due to refurbishment. The licence was issued on 6 April 2021.
35. On 10 May 2021 an application to vary the DPS to Ryan John Eggeling was granted.
36. On 23 March 2022 an application to vary the DPS to Melonie Daly was granted.
37. A further DPS variation application to vary the DPS to James Andrew Dawkins was granted on 5 April 2022.
38. On 1 December 2022 a minor variation application was submitted, to add the following 3 conditions to the premises licence:
 - The consumption of alcohol or other drinks is not permitted in any outside area after 2200.
 - All tables and chairs in the outside areas of the premises will be removed and stored inside by 2200.
 - No more than 10 customers will be permitted in the designated smoking area after 22:00.
39. The licence was issued on 15 December 2022.

Temporary event notices

40. There have been 11 temporary event notices (TENs) submitted in respect of the premises since December 2021. A table of TENs is attached to this report as Appendix E.

Complaints

41. A table of complaints made to the councils licensing and noise team since 17 September 2021 regarding the premises are attached to the report as Appendix F.

Compliance Visits

42. On 22 May 2024 at 20:15 a licensing officer carried out an inspection at the premises and was told by the DPS James Dawkins that the premises is currently allowing up to 20 customers in the smoking area up until 00:45. This is contrary to condition 345 on the premises licence which states “No more than 10 customers will be permitted in the designated smoking area after 22:00”
43. The licensing officer sent a warning letter to the applicant on 23 May 2024 regarding the inspection. A copy of the warning letter is attached to this report as Appendix G.
44. A log of the night time economy (NTE) visits to the premises are attached to the report as Appendix H.

The local area

45. A map showing the location of the premises and a list of licence premises shown on the map is attached to this report as Appendix I.

Southwark Council statement of licensing policy

46. Council assembly approved Southwark’s statement of licensing policy 2021-2026 received assent on 25 November 2020 and came into effect on 1 January 2021.
47. 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.
48. 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.
49. Members should take into consideration both the Southwark statement of licensing policy and the Section 182 Guidance when making decisions. The links for these are below.

Southwark policy:

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

Section 182 Guidance:

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

Cumulative impact area (CIA)

50. The premises falls within the Peckham cumulative impact area.
51. The types of premises that the CIA applies to are:
- Night clubs, public houses and bars, off-licences, supermarkets, grocers, convenience stores and similar premises
52. The premises are also situated in Peckham major town centre.
53. Under the Southwark’s statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within Peckham Major Town Centre
- Public houses, wine bars or other drinking establishments:
 - Sunday to Thursday: 23:00
 - Friday and Saturday: 00:00.

Climate change implications

54. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
55. 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.

56. Examples of such an agreement may be:

- Not to use single use plastics, such as disposable plastic glasses, when selling alcohol at the premises.
- Encourage patrons not to drive to venues by providing details of public transport on their webpages/tickets.

57. The council's climate change strategy is available at:

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

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

Community impact statement

58. 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

59. 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.

60. 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.

61. 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>.

62. The equalities impact assessment is available at:

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

Health impact statement

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

Resource implications

64. There is no fee associated with this type of application

Consultation

65. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was exhibited outside of the premises for a period of 28 consecutive days and the application was also advertised on the council's website.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive - Governance and Assurance

66. The sub-committee is asked to determine, under Section 51 of the Licensing Act 2003, following an application, made under Section 51 of the same act, for a review of premises licence. At any stage, following the grant of a premises licence, a responsible authority or any other person may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
67. The principles, which sub-committee members must apply, are set out below.

Principles for making the determination

68. Under Section 52 the licensing authority must hold a hearing to determine the review and any relevant representations.
69. The four licensing objectives are:
- The prevention of crime and disorder
 - The protection of public safety
 - The prevention of nuisance
 - The protection of children from harm.
70. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:
- Modify the conditions of the licence by altering, omitting or adding any condition
 - Exclude a licensable activity from the scope of the licence
 - Remove the designated premises supervisor
 - Suspend the licence for a period not exceeding three months
 - Revoke the licence.

71. For the purpose of determining a relevant representation under section 52 of the Act a “relevant representation” means representations which:
- Are relevant to one or more of the licensing objectives
 - Are made by the holder of the premises licence, a responsible authority or another person within the prescribed period
 - Have not been withdrawn
 - If made by another person (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority frivolous or vexatious.
72. Modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months.
73. The authority may decide that no action is necessary if it finds that the review does not require it to take any steps appropriate to promote the licensing objectives.
74. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
75. It is of particular importance that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

Reasons

76. Where the authority determines an application for review it must notify the determination and reasons why for making it to:
- The holder of the licence
 - The applicant
 - Any person who made relevant representations
 - The chief officer of police for the area (or each police area) in which the premises are situated.

Hearing procedures

77. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.

- The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
- The committee shall disregard any information given by a party which is not relevant:
 - To the particular application before the committee, and
 - The licensing objectives.
- The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
- In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

78. This matter relates to the review of the premises licence under section 51 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

Council's multiple roles and the role of the licensing sub-committee

79. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
80. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
81. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.

82. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
83. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
84. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities.
85. Under the Human Rights Act 1998, the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
86. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

87. Members are required to have regard to the Home Office guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Strategic Director of Finance

88. The head of community safety and enforcement has confirmed that the costs of this process are borne by the service.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office Revised Guidance to the Act Secondary Regulations Southwark statement of licensing policy Case file	Southwark Licensing, C/O Community Safety and Enforcement, 160 Tooley Street, London SE1 2QH	Mrs Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Application for a review
Appendix B	The premises licence
Appendix C	Representations from responsible authorities
Appendix D	Representations from other persons
Appendix E	Table of temporary event notices
Appendix F	Log of complaints
Appendix G	Copy of warning letter
Appendix H	Night time economy team log
Appendix I	Map of the locality and list of licensed premises

AUDIT TRAIL

Lead Officer	Toni Ainge, Strategic Director Environment, Neighbourhoods and Growth	
Report Author	Jayne Tear, Principal Licensing Officer	
Version	Final	
Dated	26 June 2024	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Strategic Director of Finance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		28 June 2024

[Insert name and address of relevant licensing authority and its reference number (optional)]

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I [REDACTED]

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Nags Head Pub, 231-235 Rye Lane	
Post town London	Post code (if known) SE154TP

Name of premises licence holder or club holding club premises certificate (if known)

Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

✓

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms ✓ Other title
 (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

✓

**Current postal
 address if
 different from
 premises
 address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
 (optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder ✓
- 2) public safety
- 3) the prevention of public nuisance ✓
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 2)

The pub is located in a residential area surrounded by flats and it is noisy every single day of the week not just the weekends. It is becoming very difficult to sleep at night. We have spoken with the pub several times and they have tried different measures to keep the noise down but the fact remains that it should not have a license for an outdoor space until so late at night (I believe it is until 2 am). Furthermore, when the drunk pub goers leave they shout and scream and often stay under the windows of the apartments. We often smell cigarette smoke in our bedrooms.

Recently graffiti has shown up on our building and we often have drunk pub-goers throwing up outside our front door. It is a complete nuisance and I often do not feel safe walking past the pub on my way home at night owing to the drunk people on the street.

Please provide as much information as possible to support the application (please read guidance note 3)

I have made several complaints to the local authorities about this pub over the years. Whilst I believe they have made some efforts to make the situation better it is just not acceptable to have a pub on the ground floor of a block of flats open until 2 am every day of the week.

In May 2022 I received the following email from the Southwark licensing team supervisor Andrew Heron

“The Council is restricted on enforcement action, as there are no conditions on the premises licence that are being breached. All we can do is advise the management of complaints, but have no powers to impel them to act. The Police deal with antisocial behaviour in the street, so they do have powers to act here.

The likely only way forward for you would be to review the licence, as the Council have tried to intervene, but clearly have not made a difference.”

In August 2022 we had a meeting with the pub and police after a community trigger was filed and there were some improvements.

However, the situation has gone back to how it was. With the summer months approaching it is only going to get worse.

Please tick ✓ yes

Have you made an application for review relating to the NO
premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to the premises please state what they were
and when you made them**

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date 15/5/2024

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Licensing Act 2003 Premises Licence



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

Premises licence number

879032

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
The Nags Head The Nags Head 231-235 Rye Lane London SE15 4TP Ordnance survey map reference (if applicable), 534447176023	
Post town London	Post code SE15 4TP
Telephone number [REDACTED]	

Where the licence is time limited the dates

Licensable activities authorised by the licence
Live Music - Indoors Recorded Music - Indoors Facilities for Dancing - Indoors Provisions Similar to making music and dancing - indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

The opening hours of the premises	
For any non standard timings see Annex 2	
Monday	09:00 - 01:30
Tuesday	09:00 - 01:30
Wednesday	09:00 - 01:30
Thursday	09:00 - 01:30
Friday	09:00 - 01:30
Saturday	09:00 - 01:30
Sunday	09:00 - 01:30

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Sale by retail of alcohol to be consumed on premises

Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities

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

Live Music - Indoors

Friday 20:00 - 00:00

Saturday 20:00 - 00:00

Sunday 15:00 - 18:00

Sunday 20:00 - 00:00

Recorded Music - Indoors

Monday 09:00 - 01:00

Tuesday 09:00 - 01:00

Wednesday 09:00 - 01:00

Thursday 09:00 - 01:00

Friday 09:00 - 01:00

Saturday 09:00 - 01:00

Sunday 09:00 - 01:00

Facilities for Dancing - Indoors

Friday 20:00 - 00:00

Saturday 20:00 - 00:00

Sunday 15:00 - 18:00

Sunday 20:00 - 00:00

Provisions Similar to making music and dancing - indoors

Friday 20:00 - 00:00

Saturday 20:00 - 00:00

Sunday 15:00 - 18:00

Sunday 20:00 - 00:00

Late Night Refreshment - Indoors

Monday 23:00 - 01:00

Tuesday 23:00 - 01:00

Wednesday 23:00 - 01:00

Thursday 23:00 - 01:00

Friday 23:00 - 01:00

Saturday 23:00 - 01:00

Sunday 23:00 - 01:00

Sale by retail of alcohol to be consumed on premises

Monday 09:00 - 01:00

Tuesday 09:00 - 01:00

Wednesday 09:00 - 01:00

Thursday 09:00 - 01:00

Friday 09:00 - 01:00

Saturday 09:00 - 01:00

Sunday	09:00 - 01:00
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Sale by retail of alcohol to be consumed off premises

Monday	09:00 - 01:00
Tuesday	09:00 - 01:00
Wednesday	09:00 - 01:00
Thursday	09:00 - 01:00
Friday	09:00 - 01:00
Saturday	09:00 - 01:00
Sunday	09:00 - 01:00

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

The Craft Union Pub Company Limited
3 Monkspath Hall Road, Shirley, Solihull,
B90 4SJ

[REDACTED]
[REDACTED]

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

09429990

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

James Andrew Dawkins

[REDACTED]
[REDACTED]
[REDACTED]

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

Licence No. [REDACTED]

Authority [REDACTED]

Licence Issue date 15/12/2022

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

Annex 1 - Mandatory conditions

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

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

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

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

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities,

carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –

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

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

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

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

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

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

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

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification

policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

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

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

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

489 The responsible person shall ensure that -

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

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

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

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

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

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

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

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

where-

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

charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

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

Annex 2 - Conditions consistent with the operating Schedule

109 Alcohol shall not be sold or supplied except during permitted hours. In this condition permitted hours means the hours stated elsewhere on this licence and:

a. On Good Friday, 1200 to 2230 hours

b. On Christmas Day, 1200 to 1500 hours, and 1900 to 2230 hours

c. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit;

i) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;

ii) The sale of alcohol to a trader or club for the purposes of the trade or club;

iii) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

iv) The taking of alcohol from the premises by a person residing there; or

v) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by the persons so supplied; or

vi) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the alcohol is supplied at the expense of their employer or the person carrying on, or in charge of, the business on the premises

110 No statutory regulations for music and dancing shall apply so as to require any licence for the provision in the premises of public entertainment by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only

which is produced solely by the reproduction of recorded sound is permitted.

111 This licence provides for the provision of private music and dancing entertainment that is promoted for private gain

122 No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies

a. He is the child of the holder of the premises licence

b. He resides in the premises, but is not employed there

c. He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to and from which there is no other convenient means of access or egress

d. The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary. In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as ancillary to their table meals.

127 Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

a. With and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;

b. For consumption by a person residing in the premises or his guest and paid for together with his accommodation;

c. To a canteen or mess.

114 This licence allows for the premises to extend the following licensable activities for non standard timings as stated below on the following days:

Provision of regulated entertainment

Live Music

Provision of Entertainment Facilities

Dancing, Entertainment of a Similar Description.

St Georges Day 20:00 to 00:00

St Patrick Day 13:00 to 18:00 and 20:00 to 00:00

288 That the CCTV system installed upon the premises shall be maintained in good working condition and operable at all times

326 That all appropriate staff shall be trained in the age identification scheme required at the premises and records of training shall be kept and made available for inspection by authorised officers of the Council

334 That an age identification scheme shall be established and maintained. The scheme shall Require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol

340 Doors and windows shall be kept closed while entertainment is taking place

341 No live music and only background recorded music shall be played until noise limiters, set to a limit prescribed by the noise team, are installed at the premises

342 Individuals who appear to be intoxicated shall not be served

343 The consumption of alcohol or other drinks is not permitted in any outside area after 22:00hrs

344 All tables and chairs in the outside areas of the premises will be removed and stored inside by 22:00hrs

345 No more than 10 customers will be permitted in the designated smoking area after 22:00hrs.

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

Annex 4 - Plans - Attached

Licence No. 879032
Plan No. 5982-601A
Plan Date March 2021



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 6758
Email: SouthwarkLicensing@met.police.uk

Our reference: 573/23

Date: 11th June 2024

Dear Sir/Madam

Re: Nags Head Pub, 231-235 Rye Lane, SE15 4TP

Police are in possession of an application for a review of the above premises licence in relation to the following licensing objectives; the prevention of crime and disorder, the prevention of public nuisance.

The application provides details of the concerns they have with regard to the operation of the premises, the continued noise and nuisance disturbance caused by patrons from the premises. The police have the following comment to make in relation to this application to review the premises licence.

Police have carried out searches on the police intelligence and recording systems from the last five (5) years and found the following;

- 3035719/21 – Crime report for Common assault

Incident of common assault where the bar manager had alleged that the suspect had hit him in the face twice, but this wasn't captured on CCTV. Independent witnesses stated that they hadn't witnessed the assault and that it was the staff from the pub who had come over to the female suspect and thrown/dragged her to the ground

- MDD21694 - Notification of offences (Form 694) 09/12/2021

Following an inspection of the premises, it was found that there are breaches in regards to the following conditions;

326 - That all appropriate staff shall be trained in the age identification scheme required at the premises and records of training shall be kept and made available for inspection by authorised officers of the Council

334 - That an age identification scheme shall be established and maintained. The scheme shall Require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol

- 3023926/22 – Crime report for Theft

Female had her handbag stolen from the premises while out. She stated that she was given a ride by some strangers and when she got out of the car, she realised that her bag wasn't with her

- 01/65740/24 – GBH

Police attended a call to an injured person who had been bottled from behind. CCTV showed the male walking towards the pub and past a female, the female then proceeds to grab a glass and hits the male over the back of their head.

- MDD24187 – Notification of offences (Form 694) 17/05/2024

Visit to the premises showed that there was a breach to Section 57(7) – Failure to produce a premises licence or a certified copy.

I found a number of calls and incidents in the locality of the premises but could not directly link them to the operation of Nags Head, 231-235 Rye Lane, SE15 4TP as there are other services in the area.

This is submitted for the information of the licensing subcommittee.

The Following is submitted for your consideration.

Yours Sincerely

PC Walter MINKA AGYEMAN 1264AS

Southwark Police Licensing Unit

To: Licensing Unit	From: Wesley McArthur wesley.mcarthur@southwark.gov.uk 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority)	Date: 18 June 2024
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	The Nag's Head, 231-235 Rye Lane, Peckham, London, SE15 4TP	
Ref:	883052	
Location ID:	2572	
Ward:	Rye Lane	

We support the application for the review of the premises licence, submitted by the an other person (that being a local resident) under The Licensing Act 2003 (the Act), in respect of the premises known as Nag's Head, 231-235 Rye Lane, Peckham, London, SE15 4TP

1. The application

The application relates to the prevention of crime and disorder and the prevention of public nuisance licensing objectives. The grounds for the review in the application are as follows (copied verbatim):

- “The pub is located in a residential area surrounded by flats and it is noisy every single day of the week not just the weekends. It is becoming very difficult to sleep at night. We have spoken with the pub several times and they have tried different measures to keep the noise down but the fact remains that it should not have a license for an outdoor space until so late at night (I believe it is until 2 am). Furthermore, when the drunk pub goers leave they shout and scream and often stay under the windows of the apartments. We often smell cigarette smoke in our bedrooms.

Recently graffiti has shown up on our building and we often have drunk pub-goers throwing up outside our front door. It is a complete nuisance and I often do not feel safe walking past the pub on my way home at night owing to the drunk people on the street.

I have made several complaints to the local authorities about this pub over the years. Whilst I believe they have made some efforts to make the situation better it is just not acceptable to have a pub on the ground floor of a block of flats open until 2 am every day of the week.

In May 2022 I received the following email from the Southwark licensing team supervisor Andrew Heron

“The Council is restricted on enforcement action, as there are no conditions on the premises licence that are being breached. All we can do is advise the management of complaints, but have no powers to impel them to act. The Police deal with antisocial behaviour in the street, so they do have powers to act here. The likely only way forward for you would be to review the licence, as the Council have tried to intervene, but clearly have not made a difference.”

In August 2022 we had a meeting with the pub and police after a community trigger was filed and there were some improvements.

However, the situation has gone back to how it was. With the summer months approaching it is only going to get worse.”

2. The premises

The current licensee (The Craft Union Pub Company Limited) took control of the premises 28 September 2020.

Various designated premises supervisors (DPSs) have been employed at the premises. The current DPS, Mr James Dawkins, was specified as DPS at the premises on 05 April 2022.

A map showing the location of the premises is attached as appendix 1.

Figure 1: View looking due north showing the premises and the residential blocks where the review applicant lives

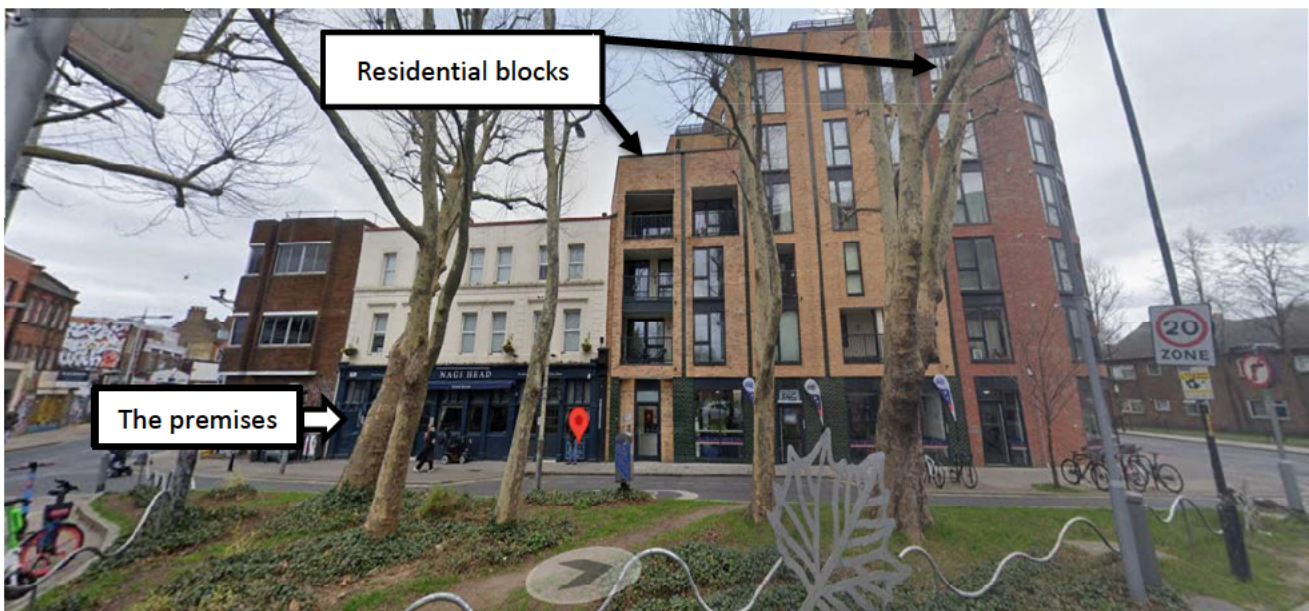
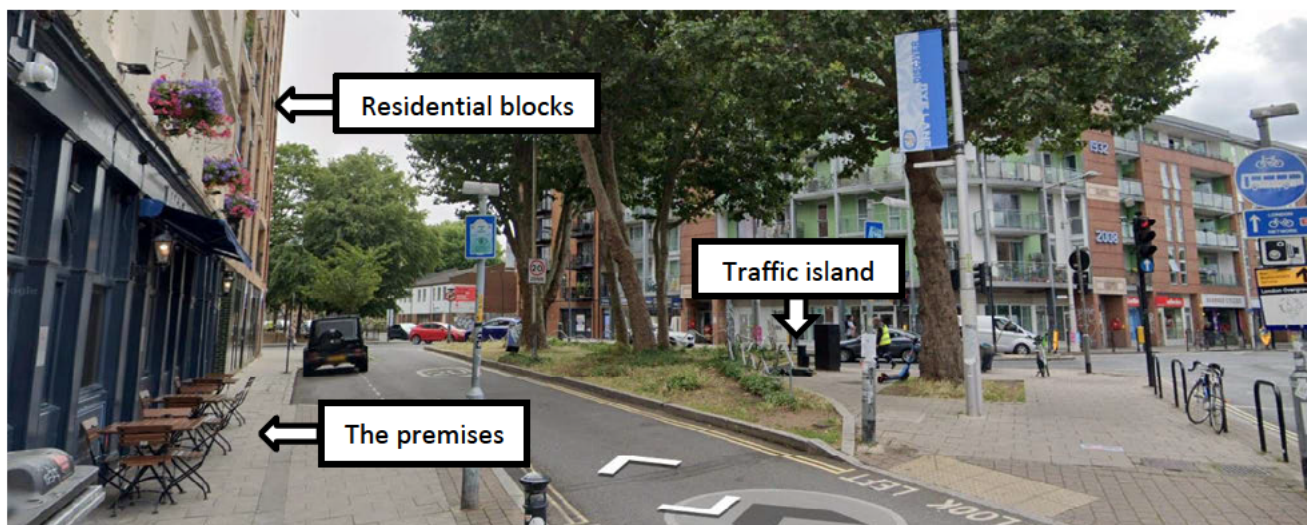


Figure 2: Close up view of the premises and residential blocks adjacent to the premises



Figure 3: View looking south east showing the premises and traffic island opposite the premises used by the premises' customers



3. Complaints

The Licensing Unit has received the following complaints regarding the operation of the premises:

Table 1:

Complaint reference	Date received	Source	Details
902233	03 June 2019	Local resident 1	Doors open, noise nuisance emanating from the premises and customers acting in a drunken and disorderly manner in the vicinity of the premises.
962144	17 September 2021	Local resident 2	Noise nuisance emanating from the premises and customers acting in a drunken and disorderly manner in the vicinity of the premises. Resident unable to sleep.
970398	31 January 2022	Local resident 3 (the review applicant)	Noise nuisance emanating from the premises and customers acting in a drunken and disorderly manner in the vicinity of the premises. Resident

			unable to sleep. Customers fighting.
976508	12 May 2022	Local Resident 2	Community Trigger activated due to 3 ASB complaints relating to: <ul style="list-style-type: none"> • 03/01/2022 • 21/01/2022 • 09/04/2022 (Full details in appendix 2).
976508	12 May 2022	Local resident 3	Community Trigger activated due to 3 ASB complaints relating to: <ul style="list-style-type: none"> • 07/09/2021 • 15/01/2022 • 08/02/2022 (Full details in appendix 3).
No reference. Email sent directly to licensing officer	19 July 2022	Local Resident 2	Drunk, loud and aggressive people congregating outside of the premises. Photos attached as appendix 4.
993515	06 February 2023	Local Resident 4	The Nag's Head pub on Rye Lane SE15 locks one of the two fire exit doors on weekends when the bouncers work. At these times the pub is packed and the fire exit door shouldnt be locked.
A21045	14 May 2024	Local Resident 2	Customers drinking in the streets in the immediate vicinity of the premises.

Although the complaints are unsubstantiated, we contend that the complaints are indicative of the operation of the premises causing residual problems in the locale, and that the local residents perceive a genuine problem as being caused by the operation of the premises.

Please note that 'unsubstantiated' simply means that we were not able to investigate the complaints at the time we received them. We received the complaints after the alleged problems had occurred. It means that we cannot verify whether the alleged incidents detailed in the complaints occurred, **not that they did not occur**.

It is worth noting that prior to 28 September 2020 (the date that the current licensee took control of the premises), the Licensing Unit had only received one complaint regarding the premises), on 03 June 2019.

All other complaints have been received after the current licensee took control of the premises.

It is possible (but speculation) that more complaints would have been received had it not been for the lock-downs in the COVID Pandemic.

On 12 May 2022 the community trigger, which is a tool to deal with high levels of complaints regarding anti-social behaviour, was instigated twice based on the complaints of two local residents (referred to as local residents 2 and 3 in table 1 above).

A meeting with the premises' management, area management, the police, local residents and the Licensing Unit was held on 05 July 2022. The minutes of the meeting are attached as appendix 5

Subsequent to this meeting, on 01 December 2022 the licensee submitted a minor variation to add the following conditions to the premises licence issued in respect of the premises:

1. The consumption of alcohol or other drinks is not permitted in any outside area after 22:00.
2. All tables and chairs in the outside areas of the premises will be removed and stored inside by 22:00
3. No more than 10 customers will be permitted in the designated smoking area after 22:00

The application was granted and these conditions are numbered 343 – 345 in the premises licence issued in respect of the premises.

Details of visits to the premises are attached as appendix 6.

4. Outcomes

The licensing sub-committee may choose to:

1. Take no further action
2. Impose further conditions
3. Curtail or remove licensable activities
4. Remove the DPS from the premises licence
5. Suspend the premises licence for a period of up to 3 months
6. Revoke the premises licence

We suggest that further conditions may be applicable as follows:

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 clearly legible signage 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.
3. That the requirement for the deployment of SIA registered door supervisors at the premises shall be risk assessed on an ongoing basis. We would expect that risk assessments would be undertaken regarding any 'special events' at the premises such as parties, receptions, wakes, discos, major sporting events or any events where a large number of customers are expected at the premises. Copies of any such risk assessments shall be kept at the premises and provided to responsible authority officers immediately on request.
4. When SIA registered door supervisors are deployed at the premises, the door supervisors will be employed to control entry to the premises, to deal with the searching / scanning of customers, to deal with any anti-social or disorderly behaviour at the premises, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist management in liaising with the police regarding instances of crime and to assist with ensuring that the premises' dispersal policy is adhered to. When deployed, they shall remain at the premises until all patrons have vacated the premises and until at least 30 minutes after the premises close. The door supervisors shall be easily identifiable.
5. That a dispersal policy to assist with patrons leaving the premises in an orderly and safe manner shall be devised and maintained regarding the premises. A copy of the dispersal policy shall be accessible at the premises at all times that the premises are in operation. The policy should include (but not necessarily be limited to) the following:
 - I. Details as to how customer / staff egress at the premises shall be managed to minimise causing nuisance.
 - II. Details of public transport in the vicinity and how customers will be advised in respect of it.
 - III. Details of the management of taxis to and from the premises.
 - IV. Details of the management of any 'winding down' period at the premises.
 - 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.

6. That staff at the premises will be trained to interact with customers to request 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, prevent customers from

congregating outside of the premises and to ensure that customers do not block the roads or pavements in the immediate vicinity of the premises. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises and shall be made immediately available to responsible authority officers on request.

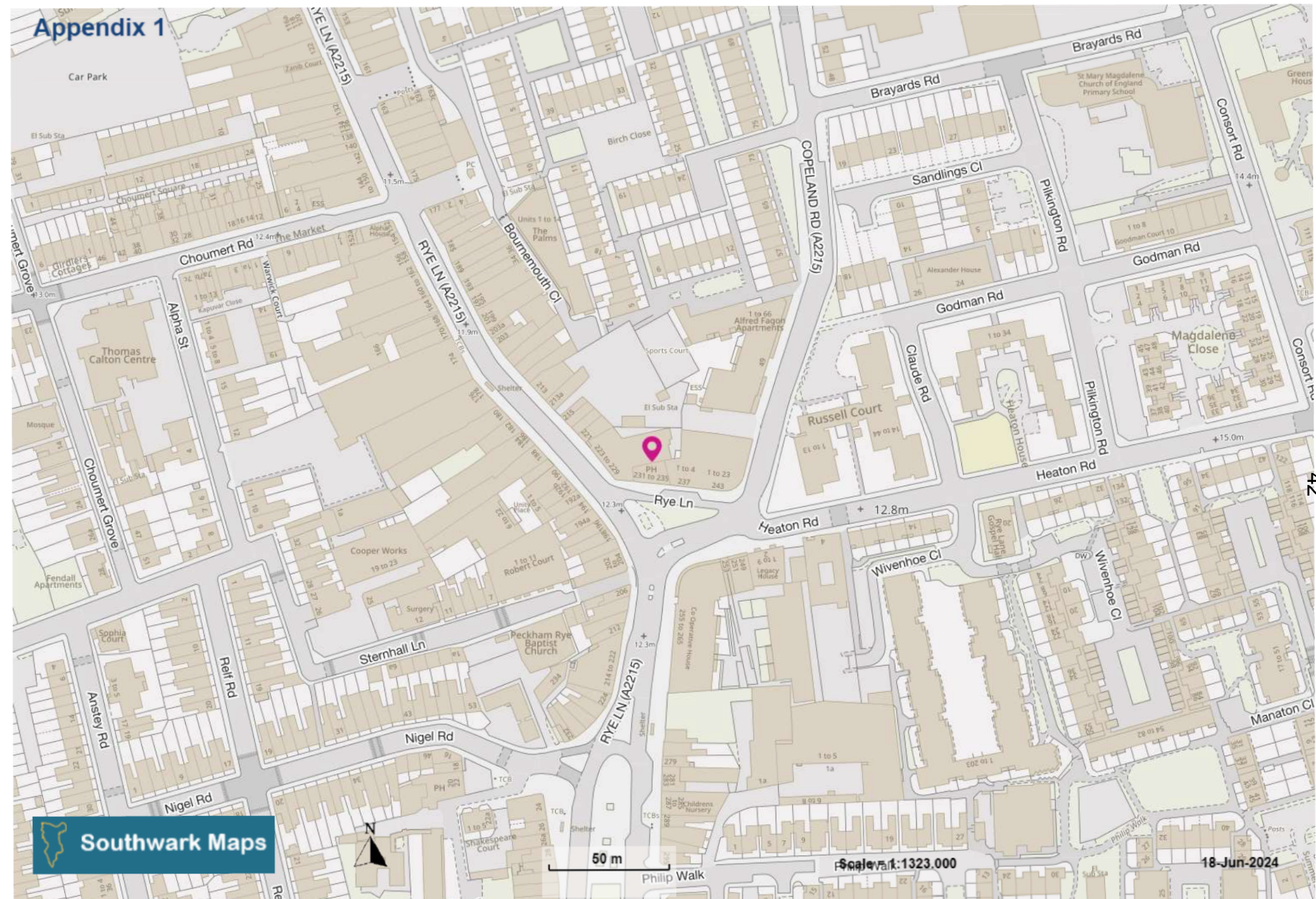
7. That any 'off sales' of alcohol shall be provided in sealed containers to be taken away from the premises.
8. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers at all exits requesting to the effect that customers do not consume alcoholic drinks bought at the premises in the vicinity of the premises. Such signage shall be kept free from obstructions at all times.

The LSC may also wish to consider any further conditions as it sees fit.

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer

Appendix 1



42

Anti social behaviour Community Trigger

ASB Incident Details

Have you previously reported three separate ASB incidents in the last six months?	Yes
---	-----

Which dates did you report these ASB incidents?

Incident 1	03/01/2022
Incident 2	21/01/2022
Incident 3	09/04/2022

Who have you reported these incidents to?

Incident 1	SWK 1330221 and Police crime fight CAD 207/03/01/2022 and ASB 270/03/01/2022. Drunk people outside the pub, rowdy, loud, shouting, throwing glasses after a fox. 00:30 police arrived, 3rd sleepless nig
Incident 2	SWK 1334237G2D9 ASB outside the pub
Incident 3	Police CAD 58/09/04/2022 shouting, screaming, drunk people outside pub, on Lane and pavement Slept at 3am, exhausted

About the Incidents

Where did the incidents take place?	In front of Nags Head Pub 231 Rye Lane, Peckham
Who was involved in the incidents?	Customers of the pub
Please briefly describe what happened?	Since pub has opened under new owners/ management after the lockdown it became a nightmare to have a flat nearby. Previously it was old men's pub for local community with door closed after 11pm and everyone inside, NO tables outside, no groups of 20-30 people outside drinking, shouting, screaming, sometimes fighting. Now we cannot predict if it will be another sleepless night or not. Often happens during the week which impacts health (sleep deprivation) and work performance. It is unbearable. Customer crowds outside also attract other drunkards that are leaving other premises that (surprisingly!) close much earlier, coming here already off their face (it is illegal to sell alcohol to someone who is already drunk). Then some men urinate at the corner of our entrance door and many times there was vomit or even a man sleeping in their own vomit. Not great thing to see when neighbours take their kids to the park on Sunday morning. Also people's cigarettes smoke travels up here so I have not been able to open windows - only in pub closing hours. Pub opening hours are longer than grocery shop. It is utterly disgusting that pub is some sort of sanctuary and drunk people have more rights than people who just want to enjoy their home after work. It also does not feel safe on nights when there were fights if you happened to be on your way home. After each weekend there are plastic beer cups and other rubbish on the little square and pavement.
Has anyone else witnessed this?	Neighbours, police
How are the incidents affecting you?	Sleep deprivation affecting health (long term illness) and performance at work (I work for the NHS as some of my neighbours as well). Cigarette stink if I open the window. Anxiety, irritability, not feeling safe to come back home late. Cannot face the summer with the pub being open till 1 am. I cannot afford to leave MY HOME every weekend to sleep at friends or go away, and why should I? I am not able to enjoy my home any

	more.
--	-------

Do you believe any of the following was the motivation for the above incidents?

If "Other", please specify the cause of incidents.	

Contact details

Name	
Address	
Postcode	
Email address	
Mobile phone	
Home phone	
Alternative phone	
Do you have a landlord?	Yes
If yes, please specify your Landlords name	

Monitoring questions

Date of Birth	
Race	
Religion or belief	
Gender (sex)	
Sexual orientation	
Do you consider yourself to be disabled?	No

Anti social behaviour Community Trigger

ASB Incident Details

Have you previously reported three separate ASB incidents in the last six months?	Yes
---	-----

Which dates did you report these ASB incidents?

Incident 1	17/09/2021
Incident 2	15/01/2022
Incident 3	08/02/2022

Who have you reported these incidents to?

Incident 1	Southwark Council Noise Team
Incident 2	Police
Incident 3	police

About the Incidents

Where did the incidents take place?	The Nags head pub 231 rye Lane
Who was involved in the incidents?	The customers of the pub and staff from the pub
Please briefly describe what happened?	The pub has become an unbearable nuisance for the neighbourhood with people drinking in the street until long past 1 am. They are very noisy and aggressive and often we can smell the smoke from the smoking area. Several fights have broken out in the street including between the bouncer and one of the customers. The police have been called to the pub several times and the street is a complete mess the next day and full of broken glass and spilled drinks. We have tried to resolve the issue with the pub directly but they refuse to help in any way, every weekend has become unbearable and it is impossible to go to sleep before 1.30 or 2 am.
Has anyone else witnessed this?	Yes, many people have witnessed it including in my building.
How are the incidents affecting you?	Very negatively, not only is it difficult to walk past the pub on the street because the customers are taking up the entire walk way and are often very drunk and aggressive, but it is also impossible to sleep. You can hear shouting at all times of the night and I can smell smoke, both from cigarettes and weed in my bedroom - I am on the 4th floor.

Do you believe any of the following was the motivation for the above incidents?

If "Other", please specify the cause of incidents.	
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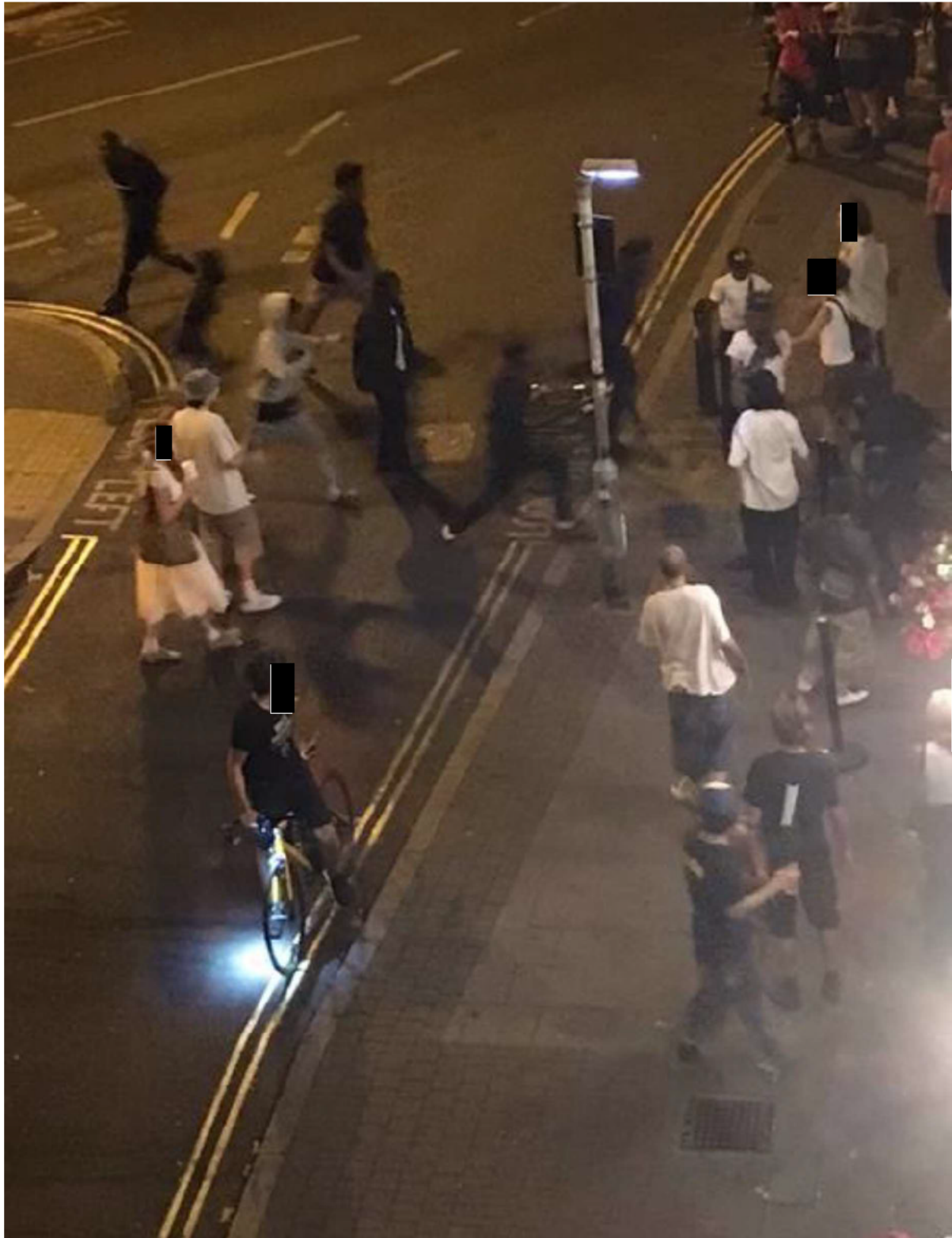
Contact details

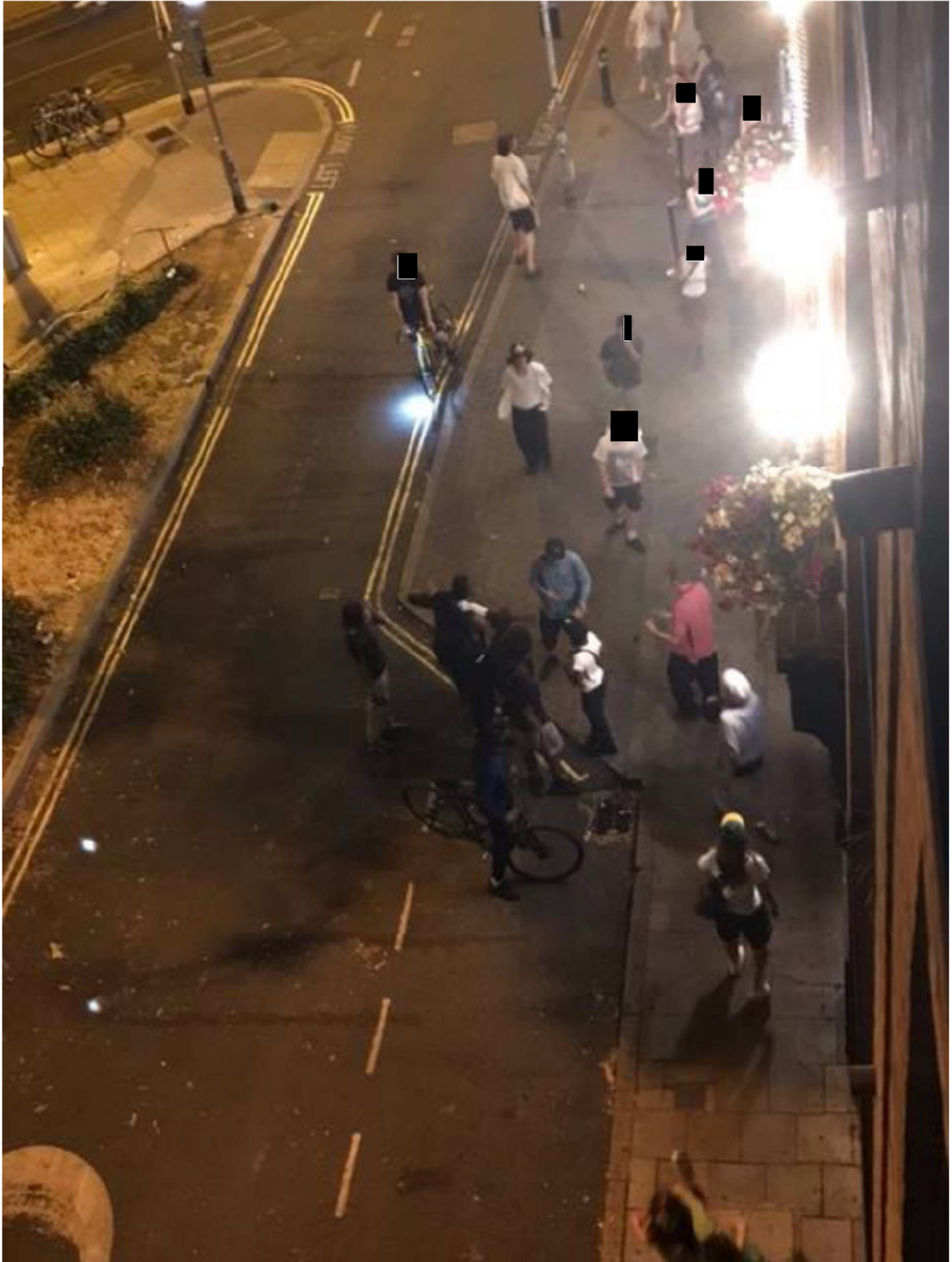
Name	
Address	
Postcode	
Email address	
Mobile phone	
Home phone	
Alternative phone	
Do you have a landlord?	No
If yes, please specify your Landlords name	

Monitoring questions

Date of Birth	
Race	
Religion or belief	
Gender (sex)	
Sexual orientation	
Do you consider yourself to be disabled?	

Appendix 4







Appendix 5

From: McArthur, Wesley

Sent: Wednesday, July 6, 2022 3:10 PM

To: William McLean [REDACTED]; Ian.Clements@met.police.uk;
neil.gardiner [REDACTED]

Cc: Heron, Andrew <Andrew.Heron@southwark.gov.uk>

Subject: RE: Nags Head Peckham

Hi All,

Below are my notes regarding yesterday's meeting:

Meeting regarding community trigger complaints in respect of The Nag's Head, 231 – 235 Rye Lane, Peckham, London, SE15 4TP.

05 July 2022 - 12:30

For Craft Union Pub Company Ltd (CU) – the licensee

Will McClean - Regional Manager, South London – Craft Union

Neil Gardiner - Licensing Manager, Stonegate Group –
neil.gardiner@stonegroup.co.uk

James Dawkins – DPS – The Nag's Head

Enforcement:

PC Ian Clements – Southwark Police Licensing

Wesley McArthur – Principal Enforcement Officer, Licensing, Southwark Council

The nature of the complaints were discussed and the fact that the community trigger had been engaged. CU were keen to know specific details of the complaints that had engaged the community trigger. CU acknowledged prior complaints and that a lot of customers do congregate outside of the premises, however CU stated that their customers were not loud and didn't engage in ASB. We advised CU that, even if the customers who congregate outside of the premises are behaving in an orderly manner, one of the complainants has felt intimidated and has avoided using the stretch of pavement immediately outside of the premises.

CU stated that they had voluntarily undertaken the following measures 2 weeks ago:

1. No drinks permitted outside after 10pm
2. Tables and chairs taken inside at 10pm
3. Barriers deployed at 10pm to delineate a smoking area
4. 10 smokers are permitted in the smoking area after 10pm (this number may increase to up to 20 people depending on how busy the premises are over summer)

5. One SIA door supervisor is deployed between Sunday to Wednesday, two are deployed between Thursday to Saturday

CU also stated that they sweep up the pavement in front of the premises daily.

CU were advised that the above measures were welcome and appropriate. CU stated that, to their knowledge, the above measures had been effective.

CU enquired if further complaints had been received recently (since the above measures were being actioned). I advised that I will provide an update.

CU were advised that local residents could submit a review of the premises licence issued in respect of the premises and that the police would support the review if evidence suggested there were any substantiated crime and disorder issues regarding the premises. CU were advised that a licence review could lead to further conditions being imposed on the licence.

The possibility of CU submitting a minor variation to formalise the above measures (1-5) was discussed. CU stated that they would need to consider an appropriate and workable figure regarding the number of smokers permitted outside if a licence condition regarding the number of smokers is recommended.

CU stated that they have received some complaints directly via social media (Instagram) from a specific local resident, but that the resident began to contact them incessantly (bordering on harassment) and so they ceased this line of communication, however CU are keen to engage with the complainants on a formal basis at a Teams meeting.

CU would like the meeting to take place on either 19 or 26 July.

It was decided that the situation would be monitored going forward, and if complaints persisted, or were substantiated, then CU would consider submitting a minor variation to add further relevant conditions to the PL. CU were advised to consult with the police prior to submitting a minor variation.

Follow up actions:

WM to invite complainants to a meeting to take place on 26 July 2022.

I have attached details of recent complaints submitted regarding the premises. Please note that these are complaints that have been submitted to the Licensing Unit, I do not have any details of complaints that may have been made directly to the police, or any that may have been made to the council's Noise and Nuisance Team.

Regards,

Wesley McArthur

Principal Enforcement Officer

London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779 (Please only call this number from MS Teams)

Fax: 020 7525 5705

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

Date	Time	Officer	Notes
16/04/2020	17:32 NTE Visit	Jayne Tear	16/4/2020 17:32 closed ATOV
04/02/2022	22:08 NTE Visit	Richard Kalu	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B.X2 tables and chairs located at front of premises. X2 couple sat at tables and chairs. X4 males smoking at front of premises. Within the premises from my monitoring point observed X14 patrons drinking.
04/02/2022	23:18 NTE Visit	Richard Kalu	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B. No patrons located externally ATOV. No sound escape attributable from premises ATOV. No ASB witnessed ATOV connected to premises.
06/02/2022	21:01 NTE Visit	Richard Kalu	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B. No patrons located externally ATOV. X18 patrons located within premises drinking.
06/02/2022	22:57 NTE Visit	Richard Kalu	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B.X1 patron located externally smoking ATOV. No ASB issues witnessed ATOV at the front of premises or in the immediate vicinity of the premises.
11/02/2022	21:41 NTE Visit	Richard Kalu	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B.X2 tables and chairs located at front of premises. 0 patrons located externally ATOV. X2 SIA staff positioned at the front of the premises carrying out ID checks and monitoring the front of the premises.
13/02/2022	20:51 NTE Visit	Richard Kalu	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B.0 patrons located externally. X9 patrons within premises drinking. X2SIA members of staff at entrance of premises. No ASB activity witnessed at time of observation.
18/02/2022	20:49 NTE Visit	Richard Kalu	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B.X2 SIA staff at the front of premises carrying out ID checks. Notables and chairs located externally. X14 patrons within the premises drinking.
06/05/2022	23:05 NTE Visit	Charlie Jerrom	30-40 people outside, loud people noise was audible from the group of people, however no tables and chairs were in use and SIA staff were monitoring

13/05/2022	00:18 NTE Visit	Richard Kalu	<p>Visit to premises with Farhad Chowdhury (Principal Health & Safety Environmental Health Officer). Frontage has been modified with a roof and plastic sheet covering at sides. At time of visit, no patrons located at the front of premises. Additionally no tables and chairs were positioned in this area. We entered the premises and noted that there were X2 staff within the premises. No patrons were located within the premises. Farhad and myself discussed the structure at the front of premises and we were advised that planning have sent communication in respect of a planning enforcement Notice about the structure. We have been advised that they are now in discussion with planning about the structure and following a planning application process. We have also been advised that they will be providing a report to show that the area conforms to 50/50. Farhad has advised that he will schedule in a repeat visit with a colleague to assess whether this area can be regarded as 50 / 50 compliant. Will request repeat visit by NTE officers next week.</p>
13/05/2022	01:11 NTE Visit	Richard Kalu	<p>Visit to premises with Farhad Chowdhury (Principal Health & Safety Environmental Health Officer). X2 SIA staff at the front of premises at entrance. A One way entrance and exit from premises for members of the public has been set up. An entrance and exit door at the front of the premises closest to local resident(s) properties has now been closed. The aim of this is to stop patrons exited the premises and congregating beneath residential flats beside the premises. A new smoking area has been positioned to side of the property away from local residential flats at the side of the premises. SIA staff are monitoring this area and ensuring patrons stay within this defined area. ATOV SIA staff were advising patrons that the premises was very busy and that they were operating a one in and one way out policy ATOV. When I approached the SIA member of staff at the front of the premises, he stated "sorry sir it's probably unlikely you will get in tonight we are closing shortly". The SIA member of staff then stated, "come along next". I identified myself and asked to speak to the manger. 2 - 3 minutes later a Mr James David – XXXXXXXXXXX identified himself as manager and DPS of the premises. I have discussed the complaints received to date and the community trigger. James has advised that the premises is attempting to do everything it can to stop disturbance to local residents living in the immediate</p>

			vicinity of the premises. Noted as we were speaking members of the public walking past not connected to the premises were walking and shouting and screaming. James quickly moved over to these members of the public and asked if it would be possible for them to move on. James stated this is the issue that he was having as the road is a cut off junction. James advised us that he could only control his patrons but not drunk members of the public just walking down the road past his premises. I have advised James that the premises needed to get control mechanism in place to stop issues occurring externally. I have also advised James that there will be further routine visits to ensure compliance.
20/05/2022	00:40 NTE Visit	Charlie Jerrom	observations done, around 15 people outside smoking no drinking was witnessed and security were monitoring.
17/05/2024	21:45 NTE Visit	Ray Moore	21:45hrs, The Nags Head, 231 Rye Lane, SE15... Manager / DPS wasn't there so had to deal with the supervisor, Mathew LAW, who was very young and seemed somewhat inexperienced (he is not a personal licence holder). I spoke to the DPS at some length on the phone (James DAWKINS). There was a large number of people outside the venue (as the weather was very warm) and he said that the area was cleared at 22:00hrs ... which they were doing before we left - obviously any noise from there is going to head straight across the road to the flats above the supermarket. Gave notice number 3331 about these matters.
24/05/2024	20:50 NTE Visit	Ray Moore	4. The Nag's Head, 231 Rye Lane...not that many outside compared to previous week ... review notices up - pictures sent to Jayne Tear
31/05/2024	21:15 NTE Visit	Sayed Kadri	9 people in the cordoned off smoking area, 2 x SIA Staff members manning the front pavement area, I witnessed the SIA staff challenging 2 males that came from inside Nags Head that were attempting to light a cigarette outside the smoking area.
31/05/2024	21:45 NTE Visit	Sayed Kadri	whilst driving past we noticed more than 10 people in the smoking area but we didn't stop to take a photo as we was on route to East Dulwich Tavern.
07/06/2024	20:00 NTE Visit	Ray Moore	20:00hrs The Nags Head, 231 Rye Lane, SE15 -- People drinking outside, in the road and on the grass opposite. Photos sent to Jayne TEAR.

OTHER PERSON 1

From: [REDACTED]
Sent: Monday, June 17, 2024 8:57 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: [REDACTED]
Subject: Licencing Service Nags Head Peckham

Dear Licencing Service,

I am writing in response to the invite for the representation regarding the request for review of the licence of Nags Head Pub.

Due to the continuous nuisance caused by the pub that violates my **Human Rights, Article 8 – Respect For Private and Family Life** and **Protocol 1 Article 2 – Right to Enjoy Your Property Peacefully**, I propose for their license to be modified **to close at 11 pm** as is the Southwark suggested closing hours for licensed premises in the residential area. Statement of Licensing Policy 2021-2026.pdf Section 7

This is to ensure that around 11.30pm there is a chance to fall asleep without being woken up after 1 am when drunk patrons leave the premises.

We routinely have vomit on or by our front door, which we have to clean ourselves and step over to come and go from the building.

I appreciate that the Nags Head is a local institution and have no problem with its daytime opening hours. I think it's a good place for some of the older community to gather and socialize. Where the issue comes is the university students drinking late into the night and not caring about the local neighbors.

Many Thanks,
[REDACTED]

OTHER PERSON 2**From:** [REDACTED]**Sent:** Thursday, June 6, 2024 11:34 PM**To:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>**Subject:** Re: Licence number: 883052 The Nags Head Pub, 231-235 Rye Lane

Dear Sir/Madam

I write in reference to the below license register application

*Licence number: 883052*My Name and Address are below
[REDACTED]

I live in Co-Operative house opposite the Nags Head and have lived there since 2008. I wish to object to the application for a late night licence (past midnight) of the Nags Head pub on the grounds of noise late at night outside the pub - specifically past midnight and the behaviour of those outside the pub after 10:00 PM and leaving after midnight.

The pub seems to be open to 1:30AM although this varies and they have been open until 3:00AM in the past even though I don't see this on the license register. Often some people seem to hang around outside until 2:00am. I would have expected (being a pub goer myself) that someone would tell them to be quiet and respect the neighbours the noise but often shouting and screaming goes on - so maybe this clientele ignore it - shouldn't they be reminded by someone outside ?. A lot of people seem to be drinking on the street outside the pub.

The residents in the flats - opposite and to the right would under normal circumstances be younger and maybe not so bothered by late night noise but due to the issues with building cladding stopping the sale of flats more then the usual amount families still live here who brought in 2007.

I feel a more suitable closing time would be 12:00 midnight - the Angel Oak down the road closes at 11:00PM week nights and 12:00 on weekends.

I also noticed the below in the license and note the tables and chairs are sometimes left outside all night (this doesn't bother me personally) and I assume the area in front of the pub is the designated smoking area and should be limited to 10 people with no drinks after 10PM.

343 - The consumption of alcohol or other drinks is not permitted in any outside area after 22:00hrs

344 - All tables and chairs in the outside areas of the premises will be removed and stored inside by 22:00hrs

345 - No more than 10 customers will be permitted in the designated smoking area after 22:00hrs

Kind regards
[REDACTED]

OTHER PERSON 3**From:** [REDACTED]**Sent:** Tuesday, June 18, 2024 12:15 AM**To:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>**Subject:** Nags's Head pub, Rye Lane

To the Licensing Service,

I'm writing following the invitation for representation regarding the review of the licensing conditions of the Nag's Head pub in Rye Lane, Peckham.

I live at [REDACTED] Rye Lane and our [REDACTED] balcony is located right above the Nag's Head pub. Prior to the Covid-19 lockdown the pub was not a problem, but since the pub reopened under new management during lockdown we have experienced multiple types of antisocial behaviour which directly results from the pub. These are:

- Smoke from patrons of the pub who are allowed to smoke directly underneath our balcony
- Excessive noise, particularly late at night
- Vomit and urine directly outside the communal entrance to our building
- Litter, notably empty bottles/pint glasses/cups/broken glass

As a parent of two small children, having to navigate puddles of bodily fluids outside our building first thing in the morning is not a pleasant experience. Nor is making sure our children avoid the broken glass and discarded beer bottles from the night before. Additionally, my son has asthma and the smoke from patrons of the Nag's Head drifting upwards into our balcony will often trigger his asthma, which severely detracts from his ability to spend time outside on our balcony. Therefore, I would also like to see proper consideration given to establishing a dedicated smoking area that does not negatively affect local residents.

Regarding the other issues, I have no wish to see the Nag's Head closed but I do think the licensing conditions need to be made more stringent. This should be coupled with effective enforcement. There is absolutely no reason why patrons of the pub should be allowed to drink outside after 10 pm. Keeping people inside will alleviate the late-night noise, it will reduce the amount of litter and hopefully also reduce the number of people who think our building entrance is a urinal. Serious consideration should also be given to shortening the opening hours if the problems of antisocial behaviour continue.

Regards,

[REDACTED]

[REDACTED]

OTHER PERSON 4

Date: 17/06/2024

To: The Licencing Service Southwark Council

Dear Licencing Service,

I am writing in response to the invite for the representation regarding the request for review of the licence of Nags Head Pub.

Due to continuous nuisance caused by the pub that violate my **Human Rights, Article 8 – Respect For Private and Family Life** and **Protocol 1 Article 2 – Right to Enjoy Your Property Peacefully** I propose for their licence to be modified **to close at 11.pm as is the Southwark suggested closing hours for licenced premises in the residential area.** [Statement of Licensing Policy 2021-2026.pdf](#) Section 7

This is to ensure that around 11.30pm there is a chance to fall asleep without being woken up after 1 pm when drunk patrons leave the premises.

I also request to closely monitor if pub is not breaching their licence conditions and if they do, to close the pub. It's been 3 years of nuisance and disrupted sleep not only at the weekends but also during the week. Some people must wake up at 7 am and go to work which is absolutely disrespected by the pub and their customers.

Clearly the space could be better used for the benefit of the local the community.

1.

[Licence Applied for Licence Number: 883052 - Southwark Council](#)

342 - Individuals who appear to be intoxicated shall not be served

343 - The consumption of alcohol or other drinks is not permitted in any outside area after 22:00hrs

344 - All tables and chairs in the outside areas of the premises will be removed and stored inside by 22:00hrs

345 - No more than 10 customers will be permitted in the designated smoking area after 22:00hrs.

These licence conditions have been breached every night, apart from 344, which previous pub has never been licenced for anyway and tables appeared outside due to covid regulations.

2. Please note that your note/advertisement regarding invite has been removed and torn before 10/06/24 (deadline for submission is 18/06/2024). **Please request CCTV.**

Date: 17/06/2024

Around the same time as the note appeared – a new graffiti also appeared on the side of our block, which may be coincidental, but removal, no doubt, will find way to [REDACTED] Rye Lane residents service charge.



3. The *new* Nags Head opened during the pandemic. We had no good way of finding out about the licence application and how it would change our lives, even though I assume there had been some public notice somewhere for 4 weeks. In my view this was not enough, especially as the nature of the place was to change from a local boozier for local population with one karaoke night on Fridays to endure to a late drinking place for people coming from all over London congregating till small hours outside of the pub, in front of our bedrooms.

Since summer 2021 the place has been a nuisance with noise, rowdy people late at night that woke up all the neighbours who have bedrooms facing the lane. Often there were fights and police visited (please also see the recent videos of fights sent to the Licencing Team dated

Date: 17/06/2024

14/06/2024). After multiple calls to the noise team and police, complaints to a ward PCSO, complaints to the licencing team, community trigger was raised (all evidence already with the licencing team) on **12/05/2022**.

Meet with new pub responsible manager, neighbours, The Craft Union Pub Company and council licencing team, and PC followed in person on **26/07/2022** and F/U online.

Meeting regarding community trigger complaints in respect of The Nag's Head, 231 – 235 Rye Lane, Peckham, London, SE15 4TP.

26 July 2022 - 13:00

Agenda:

1. Open business
2. Introductions

For Craft Union Pub Company Ltd (CU) – the licensee

Will McClean - Regional Manager, South London – Craft Union

Neil Gardiner - Licensing Manager, Stonegate Group

James Dawkins – DPS – The Nag's Head

Enforcement:

PC Ian Clements – Southwark Police Licensing (IC)

Wesley McArthur – Principal Enforcement Officer, Licensing, Southwark Council (WM)

Local Residents:

NB – NB may also be speaking on other residents' behalf) – our ref. 976509

AT – our ref. 976508

3. Residents' representations regarding their complaints

(i) NB then (ii) AT

4. Comments from CU

5. Questions to / comments from the police and the council

6. Next steps

7. A.O.B

Date: 17/06/2024

Since July 2022 some improvement has been noticed when pub had introduced *The Crowd Dispersing Policy* but often it is hit and miss (depending on the bouncers employed) and pub are still breaching **the licence every single day/night.**

The Nags Heads Pub has been a nuisance since its opening and breaching its licence every single day/night by:

- People drinking and sitting on the lane in front of the pub and F45 gym. The lane is NOT the pub's premise.
- Patrons leaving rubbish, broken glass, urinating and vomiting – depending on the night. Also vomiting in front of our entrance door which is not the thing neither adult or children want to see first thing in the morning on Sunday. This is general antisocial behaviour.
- The pavement and lane in front of the pub is NOT the pub's premise but council's premise.
- People congregating outside the pub drinking, being loud, especially at night – is neither the premise nor licenced for. This caused disrupted sleep to many of us that also can have adverse effect on our health. Last instance happened last Sunday. This resulted in me not being able to perform all my work duties on Monday due to disrupted sleep and skipping my exercise class that I paid for as I needed to catch up with my sleep. On Friday night there was a fight and throwing glasses (that was the video sent recently). It definitely does not increase the safety in the area.

This is not the first time the way the pub operates, and late opening hours **negatively affected my work and my life.**

- Graffiti on hour block multiple times– CCTV required to discern if pub patrons or not related. This increases our service charge each year.

Relevant law:

The Anti-social Behaviour Crime and Policing Act 2014

The Clean Neighbourhoods and Environment Act 2005

The Health Act 2006

The Human Rights Act 1998 (Article 8 and Protocol 1- Article 2)

Alcohol Harm Reduction Strategy (Southwark Council)

[Statement of Licensing Policy 2021-2026.pdf](#)

Date: 17/06/2024

The licensing objectives set up in the policy have been breached multiple times, namely prevention of public nuisance and to lesser extent the prevention of crime and disorder.

The licensing objectives 35. In carrying out its licensing functions the Council will promote the four licensing objectives set out in the Licensing Act 2003

They are:

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

Preventing nuisance outside of premises p. 62 (all section)

Licensees have a responsibility for the conduct of their customers while they are in **and around their premises** (also not to sell alcohol to people who are already drunk). If provision is made for customers to smoke outside the premises, then sufficient controls must be put in place to ensure no nuisance or disturbance is caused to local residence. Closing time of the outside area no later than 22.00 (**breached every night as smoking bay is a drinking bay and number of people always exceeds 10**). **No drinks allowed outside after this time also breached every night. Smoking gets into our flats, and you cannot open a window at all which is hard to endure during summer especially.**

Section 7 – Hours of operations

guidance also.

Table 2 – Suggested closing times of licensed premises

Type of premises	Major town centres and strategic cultural area	District town centres	Local centres and small shopping parades	Residential areas
	Bankside and Borough London Bridge Canada Water Elephant and Castle (including Walworth Road) Peckham St Mary's Churchyard (Rotherhithe)	Camberwell Herne Hill Lordship Lane Note: Borough and Bankside and London Bridge are also classified as District Town Centres. However, as they have dual Categorization as Strategic Cultural Areas the later hours apply	The Blue Dulwich Village Nunhead Forest Hill Road Great Suffolk Street Southampton Way Southwark Park Road	All other
Restaurants and cafes	Fri – Sat 01:00 Sun – Thurs 00:00	Fri – Sat 0:100 Sun – Thurs 00:00	Fri – Sat 00:30 Sun – Thurs 23:30	23:00 daily
Public houses, wine bars, or Other drinking establishments and bars in	Fri – Sat 00:00 Sun – Thurs 23:00	Fri – Sat 00:00 Sun – Thurs 23:00	Fri – Sat 00:00 Sun – Thurs 23:30	23:00 daily

Date: 17/06/2024

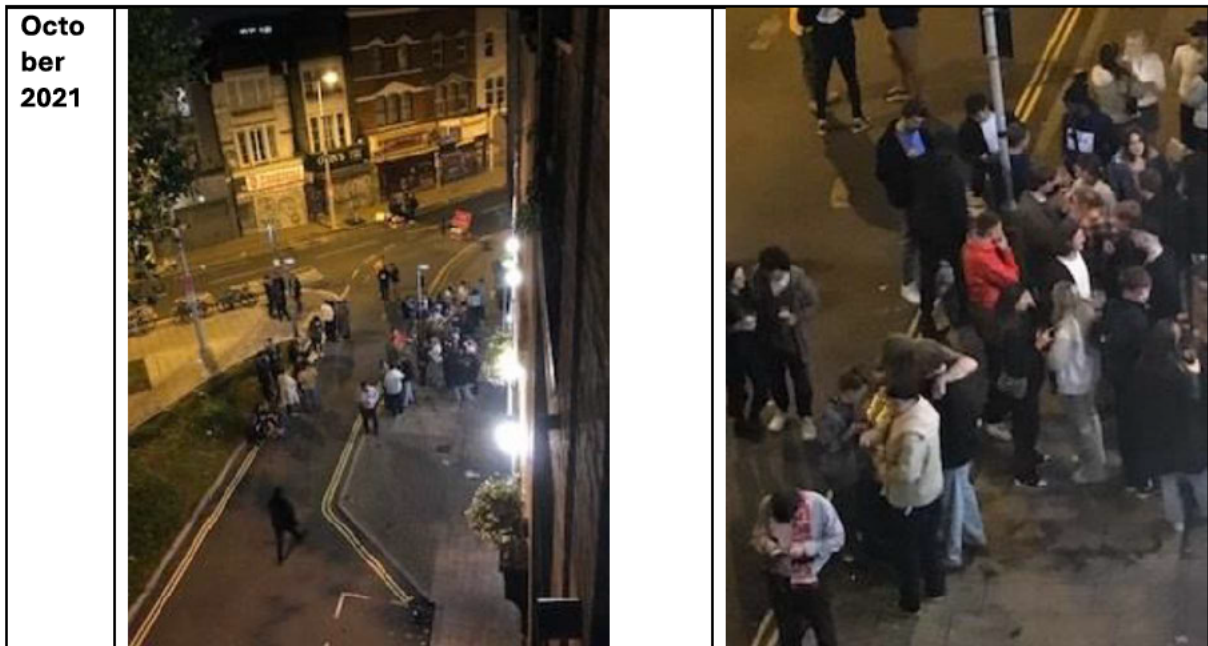


Many thanks,



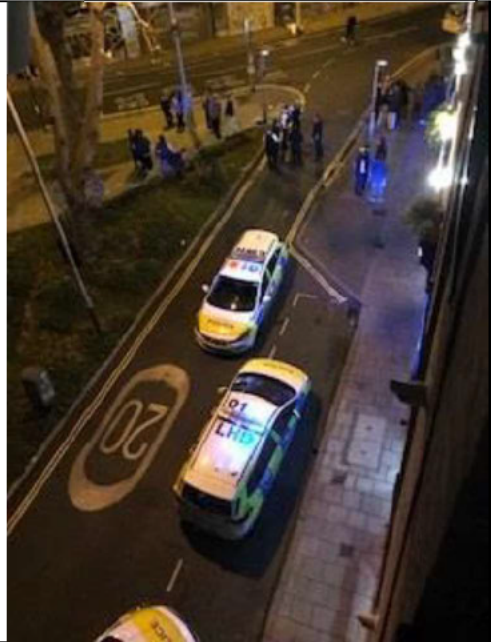
Annex

Please note these photos are not exhaustive and are the ones that I have still on my phone.

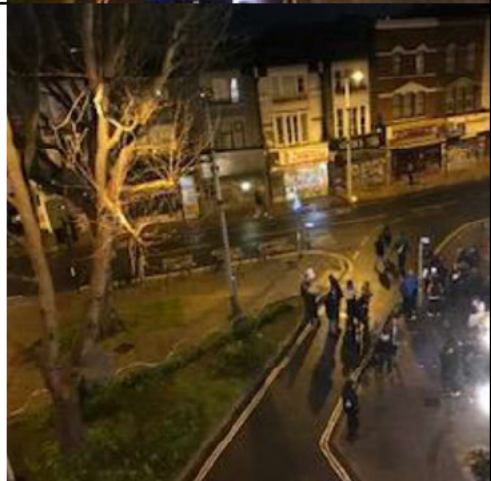


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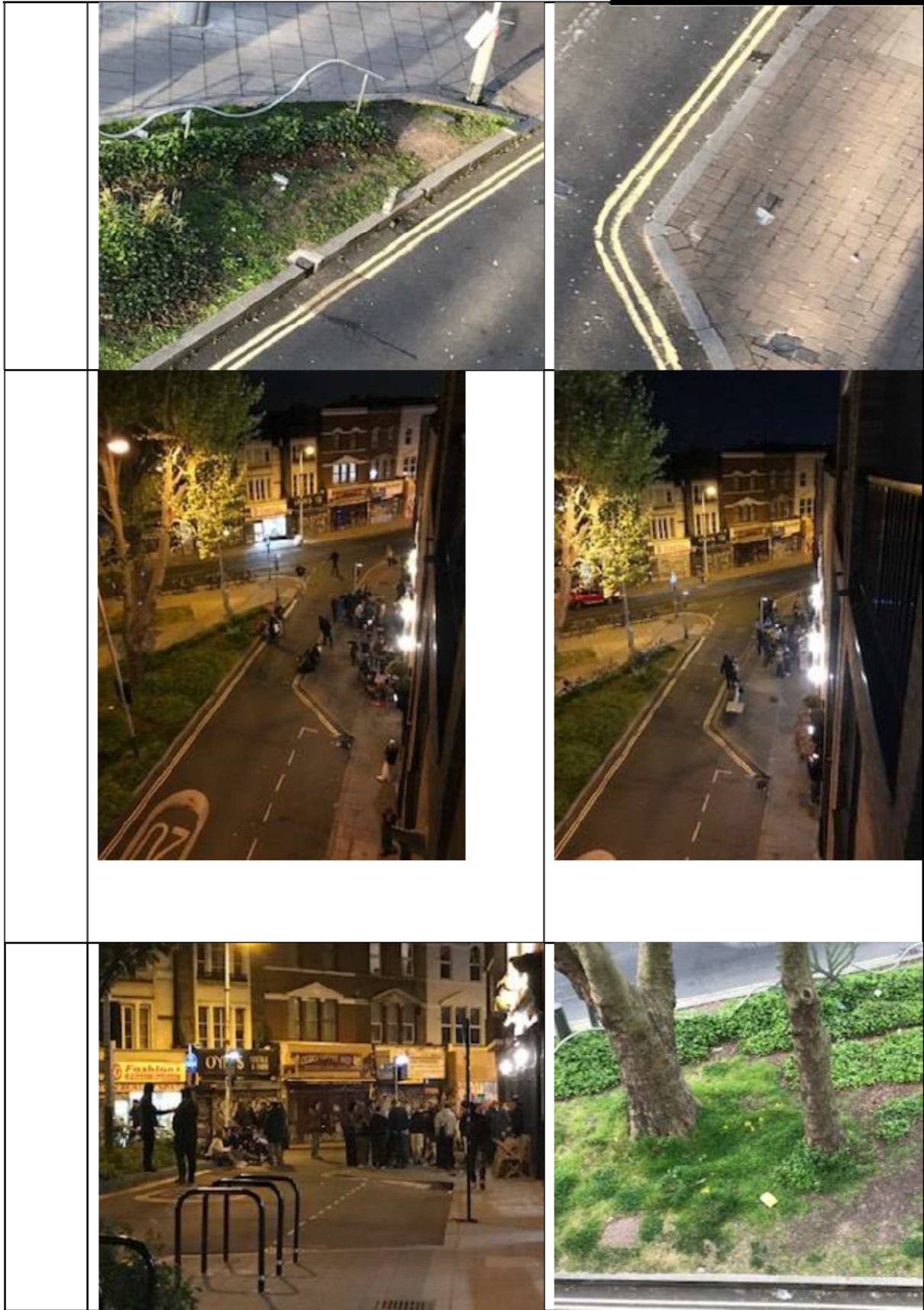
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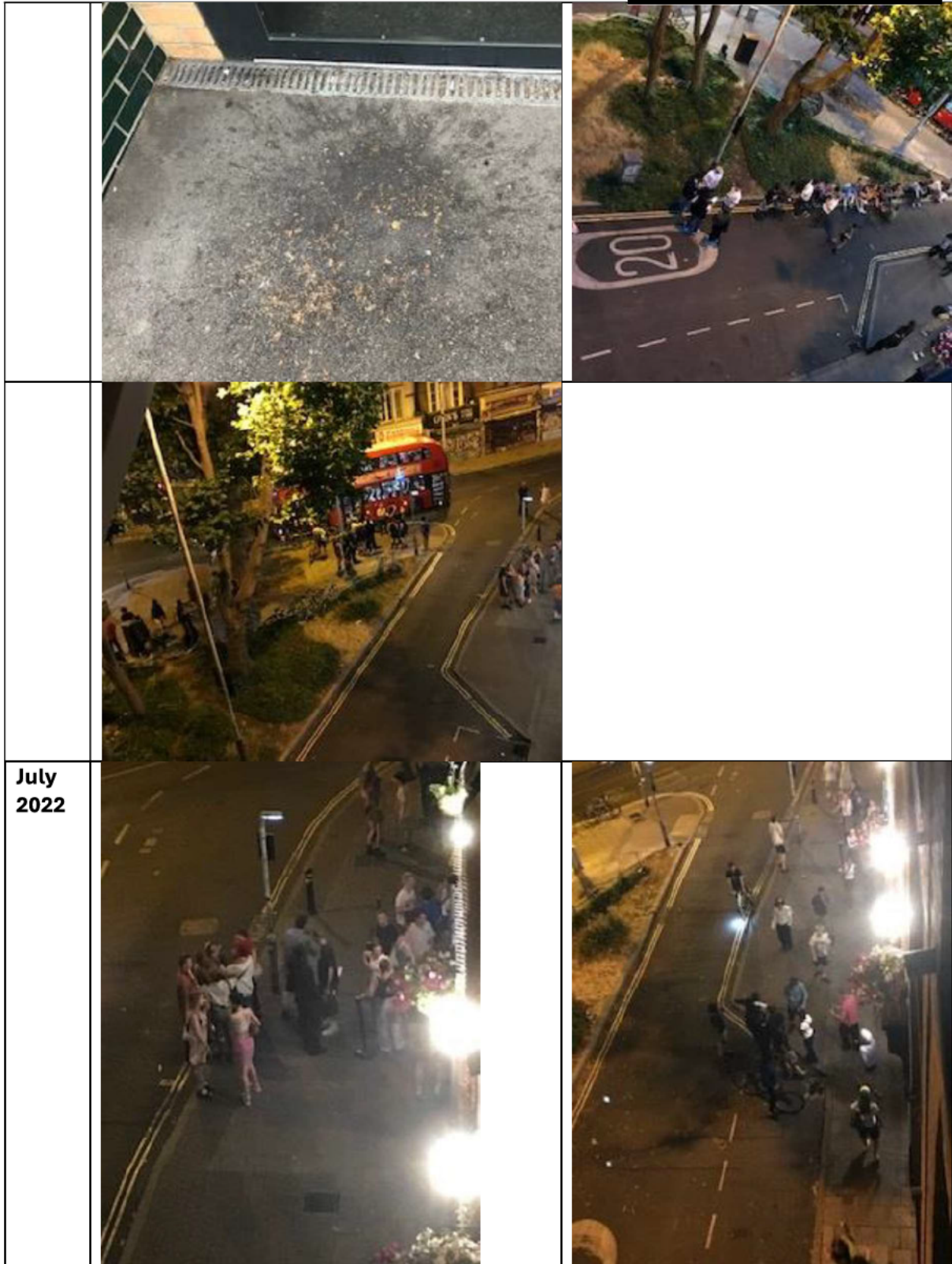


Date: 17/06/2024



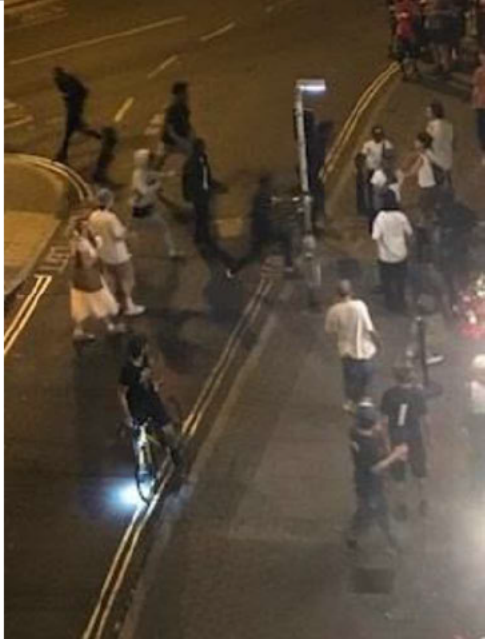
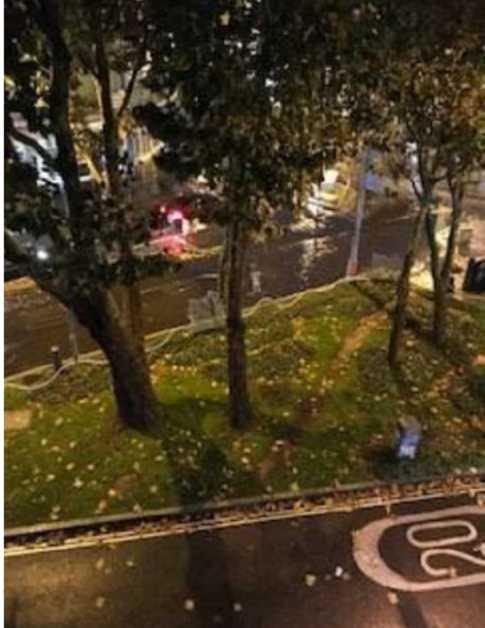
	A daytime photograph showing a street corner with a double yellow line on the asphalt and a concrete curb. There is green foliage on the sidewalk.	
<p>May 2022</p>	A nighttime photograph of a street corner. A red double-decker bus is visible on the left. A large crowd of people is gathered on the sidewalk and crossing the street. Streetlights illuminate the scene.	
<p>June 2022</p>	A nighttime photograph of a street corner, similar to the May 2022 image. A large crowd of people is gathered on the sidewalk and crossing the street. Streetlights illuminate the scene.	A daytime photograph of a street corner. A red double-decker bus is visible on the right. A large crowd of people is gathered on the sidewalk and crossing the street. A white van is also visible. Streetlights illuminate the scene.

Date: 17/06/2024



Date: 17/06/2024



	 A nighttime photograph of a street scene. Several people are walking on the sidewalk and crossing the street. A person is riding a bicycle with a bright headlight. The scene is illuminated by streetlights.	
<p>October 2022</p>	 A nighttime photograph of a street scene. The view is from a slightly elevated position looking down at a road. There are trees and a grassy area in the foreground. A speed limit sign with the number '20' is visible on the road. The scene is illuminated by streetlights.	

Date: 17/06/2024

<p>Sept 2023</p>		
<p>Feb 2024</p>		

Date: 17/06/2024



Date: 17/06/2024

**June
2024**



16/06/2024

Happens every day.



Nags Head temporary event notices

received date	refno	start_date	end_date	times	max no people	sale of alcohol	for consumption	reg. ent	LNR	late_ten	police_obj	ept_obj	desc1
01/12/2021	876276	25/12/2021	25/12/2021	11:00-00:00	50	Yes	On Premises	No	No	No	No	No	
13/12/2021	876374	31/12/2021	01/01/2022	11:00-04:00	70	Yes	On Premises	No	Yes	Yes	No	No	
13/01/2022	876528	14/02/2022	14/02/2022	01:00-04:00	60	Yes	On Premises	Yes	Yes	No	No	No	
16/01/2023	879345	12/02/2023	13/02/2023	23:00-05:00	45	Yes	On Premises	No	Yes	No	No	No	
18/04/2023	880041	30/04/2023	01/05/2023	11:00-03:00	60	Yes	On Premises	Yes	No	Yes	No	No	
25/04/2023	880098	07/05/2023	08/05/2023	11:00-03:00	70	Yes	On Premises	No	No	Yes	No	No	
09/05/2023	880207	26/05/2023	28/05/2023	11:00-03:00	70	Yes	On Premises	No	No	No	No	No	
18/07/2023	880727	25/08/2023	27/08/2023	11:00-03:00	80	Yes	On Premises	No	No	No	No	No	
22/01/2024	882241	11/02/2024	12/02/2024	11:00-4:00	40	Yes	On Premises	No	No	No	No	No	rejected /no payment
23/01/2024	882255	11/02/2024	12/02/2024	11:00-04:00	40	Yes	On Premises	No	No	No	No	No	
25/03/2024	882678	06/04/2024	07/04/2024	01:00 -04:00	50	Yes	On Premises	Yes	Yes	Yes	No	No	

Nags Head complaints

rdate	refno	catg	unit	txline
17/09/2021	962144	L72 Public nuisance	LIC Southwark Licensing	SASBU (ASB): 2021/09/16
09/10/2021	963961	NR1 Loud Music - RR	NRR Noise Rapid Response	Music - RR: Customer is reporting loud music, gathering of people
30/12/2021	968712	N04 People Noise - Banging, shouting, unreasonable behaviour etc	NTT Noise Team	People Noise (Footsteps, Talking) - NR: Customers shouting and
02/01/2022	968819	NR4 People Noise - Inadequate Sound Insulation - RR	NRR Noise Rapid Response	People Noise (Footsteps, Talking) - RR: Customer is reporting loud
22/01/2022	969842	N04 People Noise - Banging, shouting, unreasonable behaviour etc	NTT Noise Team	People Noise (Footsteps, Talking) - NR: Nags Head people
31/01/2022	970398	L72 Public nuisance	LIC Southwark Licensing	SASBU (ASB): 2022/01/29
15/04/2022	974738	N71 Other / Unidentified	NRR Noise Rapid Response	Noise - Other Unidentified - RR: Resident complaining of people noise
27/04/2022	975552	N71 Other / Unidentified	NRR Noise Rapid Response	Noise - Other Unidentified - RR: Resident complaining of people noise
12/05/2022	976508	L72 Public nuisance	LIC Southwark Licensing	Anti social behaviour Community Trigger
12/05/2022	976509	L72 Public nuisance	LIC Southwark Licensing	Complaint RE: The pub has become an unbearable nuisance for the neighbourhood with people drinking in the street until long past 1 am. They are very noisy and aggressive and often we can smell the smoke from the smoking area. Several fights have broken out in the street including between the bouncer and one of the customers
01/06/2022	977832	N71 Other / Unidentified	NRR Noise Rapid Response	Noise - Other Unidentified - RR: Tenant called to report loud noise
06/02/2023	993515	L71 Public safety	LIC Southwark Licensing	Complaint RE: One of the two fire exit doors on weekends is locked when the bouncers work. At these times the pub is packed and the fire exit door shouldn't be locked.
14/05/2024	A21045	L72 Public nuisance	LIC Southwark Licensing	Complaint RE: People drinking in the street



THE CRAFT UNION PUB
COMPANY LIMITED
3 MONKSPATH HALL ROAD
SHIRLEY
SOLIHULL
B90 4SJ

Licensing Unit

Direct Line: 020 7525 5779

Direct Fax: 020 7525 3137

Our Ref: CMU A21045

Via post and email

[REDACTED]

DATE: 23 May 2024

Dear Sirs,
Licensing Act 2003 (The Act)

Re: The Nags Head, 231-235 Rye Lane, London, SE15 4TP

I write to inform you that on 22 May 2024 at 20:15 I visited your premises and noted the following matters of concern:

During my inspection I spoke to the DPS James Dawkins who informed me that the premises is currently allowing up to 20 customers in the smoking area up until 00:45.

- 1) 345 "No more than 10 customers will be permitted in the designated smoking area after 22:00hrs."

Each of the matters listed potentially constitutes a contravention of either the licences issued under the Licensing Act 2003 by this Council in respect of the premises operation; or of other related legislation.

In particular, I would advise you that Section 136 (1) (a) of the Licensing Act 2003 states that:

A person commits an offence if -

Southwark Council - Regulatory Services, Licensing team, Hub 1, 3rd Floor, PO Box 64529, SE1P 5LX
Switchboard - 020 7525 5000 Website - www.southwark.gov.uk
Strategic Director of Environment, Neighbourhoods and Growth - Toni Ainge

- (a) He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or
- (b) Knowingly allows a licensable activity to be so carried on.

In this instance this Service does not intend to take any further formal action. However, we would advise you to take such reasonable steps as may be necessary to prevent any further repetition of the matters raised. We would also warn you that should any further breach be reported to us we will give consideration to the appropriate legal action to be taken. You should understand that this could lead to legal proceedings being taken and / or the suspension or loss of your licences.

I would make clear that it is the practice of the Council's Licensing Unit to send officers to visit premises to check to see if unauthorised activities are being provided. Licensing officers will gain admission to the premises in the same way as ordinary members of the public, and will not necessarily make themselves known to the staff or publican at the time of the visit.

You should also understand that where other Services have interest in the matters noted we will be notifying them of this recent visit. You may receive follow-up visits from them.

Please ensure you act promptly on this letter. If you require advice or assistance on how to comply with the matters raised please contact us on the telephone number given above.

Yours sincerely,



Sayed Kadri
Licensing Enforcement Officer
Sayed.Kadri@southwark.gov.uk

Nags Head NTE visits

adate	desc	adtext
04/02/2022	22:08 NTE Visit	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B.X2 tables and chairs located at front of premises. X2 couple sat at tables and chairs. X4 males smoking at front of premises. Within the premises from my monitoring point observed X14 patrons drinking.
04/02/2022	23:18 NTE Visit	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B. No patrons located externally ATOV. No sound escape attributable from premises ATOV. No ASB witnessed ATOV connected to premises.
06/02/2022	21:01 NTE Visit	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B. No patrons located externally ATOV. X18 patrons located within premises drinking.
06/02/2022	22:57 NTE Visit	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B.X1 patron located externally smoking ATOV. No ASB issues witnessed ATOV at the front of premises or in the immediate vicinity of the premises.
11/02/2022	21:41 NTE Visit	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B.X2 tables and chairs located at front of premises. 0 patrons located externally ATOV. X2 SIA staff positioned at the front of the premises carrying out ID checks and monitoring the front of the premises.
13/02/2022	20:51 NTE Visit	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B.0 patrons located externally. X9 patrons within premises drinking. X2SIA members of staff at entrance of premises. No ASB activity witnessed at time of observation.
18/02/2022	20:49 NTE Visit	Visit to premises to carry out observations following repeal to government Covid - 19 lockdown restrictions to Plan B.X2 SIA staff at the front of premises carrying out ID checks. Notables and chairs located externally. X14 patrons within the premises drinking.
06/05/2022	23:05 NTE Visit	30-40 people outside, loud people noise was audible from the group of people, however no tables and chairs were in use and SIA staff were monitoring

13/05/2022	00:18 NTE Visit	<p>Visit to premises with Farhad Chowdhury (Principal Health & Safety Environmental Health Officer). Frontage has been modified with a roof and plastic sheet covering asides. At time of visit, no patrons located at the front of premises. Additionally no tables and chairs were positioned in this area. We entered the premises and noted that there were X2 staff within the premises. No patrons were located within the premises. Farhad and myself discussed the structure at the front of premises and we were advised that planning have sent communication in respect of a planning enforcement Notice about the structure. We have been advised that they are now in discussion with planning about the structure and following a planning application process. We have also been advised that they will be providing a report to show that the area conforms to 50/50. Farhad has advised that he will schedule in a repeat visit with colleague to assess whether this area can be regarded as 50 / 50 compliant. Will request repeat visit by NTE officers next week.</p>
13/05/2022	01:11 NTE Visit	<p>Visit to premises with Farhad Chowdhury (Principal Health & Safety Environmental Health Officer). X2 SIA staff at the front of premises at entrance. A One way entrance and exit from premises for members of the public has been set up. An entrance and exit door at the front of the premises closest to local resident(s) properties has now been closed. The aim of this is to stop patrons exited the premises and congregating beneath residential flats beside the premises. A new smoking area has been positioned to side of the property away from local residential flats at the side of the premises. SIA staff are monitoring this area and ensuring patrons stay within this defined area. ATOV SIA staff were advising patrons that the premises was very busy and that they were operating a one in and one way out policy ATOV. When I approached the SIA member of staff at the front of the premises, he stated "sorry sir it's probably unlikely you will get into night we are closing shortly". The SIA member of staff then stated, "come along next". I identified myself and asked to speak to the manager. 2 - 3 minutes later a Mr [REDACTED] - [REDACTED] identified himself as manager and DPS of the premises. I have discussed the complaints received to date and the community trigger. J [REDACTED] has advised that the premises is attempting to do everything it can to stop disturbance to local residents living in the immediate vicinity of the premises. Noted as we were speaking members of the public walking past not connected to the premises were walking and shouting and screaming. [REDACTED] quickly moved over to these members of the public and asked if it would be possible for them to move on. [REDACTED] stated this is the issue that he was having as the road is a cut off junction. [REDACTED] advised us that he could only control his patrons but not drunk members of the public just walking down the road past his premises. I have advised [REDACTED] that the premises needed to get control mechanism in place to stop issues occurring</p>

		externally. I have also advised [REDACTED] that there will be further routine visits to ensure compliance.
20/05/2022	00:40 NTE Visit	Observations done, around 15 people outside smoking no drinking was witnessed and security were monitoring.
17/05/2024	21:45hrs NTE Visit	21:45hrs, The Nags Head, 231 Rye Lane, SE15... Manager / DPS wasn't there so had to deal with the supervisor, [REDACTED] who was very young and seemed somewhat inexperienced (he is not a personal licence holder). I spoke to the DPS at some length on the phone ([REDACTED]). There was a large number of people outside the venue (as the weather was very warm) and he said that the area was cleared at 22:00hrs ... which they were doing before we left - obviously any noise from there is going to head straight across the road to the flats above the supermarket. Gave notice number 3331 about these matters.
24/05/2024	NTE Visit	4. 20:50hrs The Nag's Head, 231 Rye Lane...not that many outside compared to previous week ... review notices up - pictures sent to Jayne Tear
31/05/2024	NTE Visit 21:15	9 people in the cordoned off smoking area, 2 x SIA Staff members manning the front pavement area, I witnessed the SIA staff challenging 2 males that came from inside Nags Head that were attempting to light a cigarette outside the smoking area.
31/05/2024	NTE Visit 21:45	Whilst driving past we noticed more than 10 people in the smoking area but we didn't stop to take a photo as we was on route to East Dulwich Tavern.
07/06/2024	20:00 NTE Visit	20:00hrs The Nags Head, 231 Rye Lane, SE15 – People drinking outside, in the road and on the grass opposite. Photos sent to Jayne Tear.
07/06/2024	20:00 NTE Visit	20:00hrs The Nags Head, 231 Rye Lane, SE15 – People drinking outside, in the road and on the grass opposite. Photos sent to Jayne Tear.
21/06/2024	22:05hrs NTE Visit	21/06/2024 22:05 hrs Small group smoking outside in designated area. Otherwise they have cleared people out of the street area after 22:00hrs as per licence condition. I suspect the complaints concern people out there before 10pm. Picture sent to Jayne.

List of Premises Shown On Map

Two Hundred Rye Lane, 200, Rye Lane, SE15 4NF, licensed for:

- Late night refreshment (indoors)
 - Friday and Saturday from 23:00 to 01:00
- The sale by retail of alcohol (off the premises):
 - Monday to Sunday from 10:00 to 22:00
- The sale by retail of alcohol (on the premises):
 - Sunday to Thursday from 10:00 to 00:00, Friday and Saturday from 10:00 to 00:30
- Opening hours
 - Sunday to Thursday from 10:00 to 00:00, Friday and Saturday from 10:00 to 01:00

Taste of Paradise Ltd, 207 Rye Lane, SE15 4TP, licensed for:

- Late night refreshment (indoors)
 - Sunday to Wednesday from 23:00 to 00:00, Thursday from 23:00 to 02:00, Friday and Saturday from 23:00 to 03:30
- Performance of dance – indoors
 - Thursday from 21:00 to 02:00, Friday and Saturday from 21:00 to 03:30 and Sunday from 21:00 to 00:00
- Recorded music (indoors)
 - Sunday to Wednesday from 21:00 to 00:00, Thursday from 21:00 to 02:00, Friday and Saturday from 21:00 to 03:30
- The sale by retail of alcohol (on the premises):
 - Sunday to Wednesday from 11:00 to 00:00, Thursday from 11:00 to 02:00, Friday and Saturday from 11:00 to 03:30
- Opening hours
 - Sunday to Wednesday from 07:00 to 01:00, Thursday from 07:00 to 02:30, Friday and Saturday from 07:00 to 04:30

Bairro Alto, 206 Rye Lane, SE15 4NL, licensed for:

- Recorded music (indoors)
 - Monday to Sunday from 09:00 to 23:00
- The sale by retail of alcohol (on and off the premises):
 - Monday to Sunday from 10:00 to 23:00
- Opening hours
 - Monday to Sunday from 09:00 to 23:30

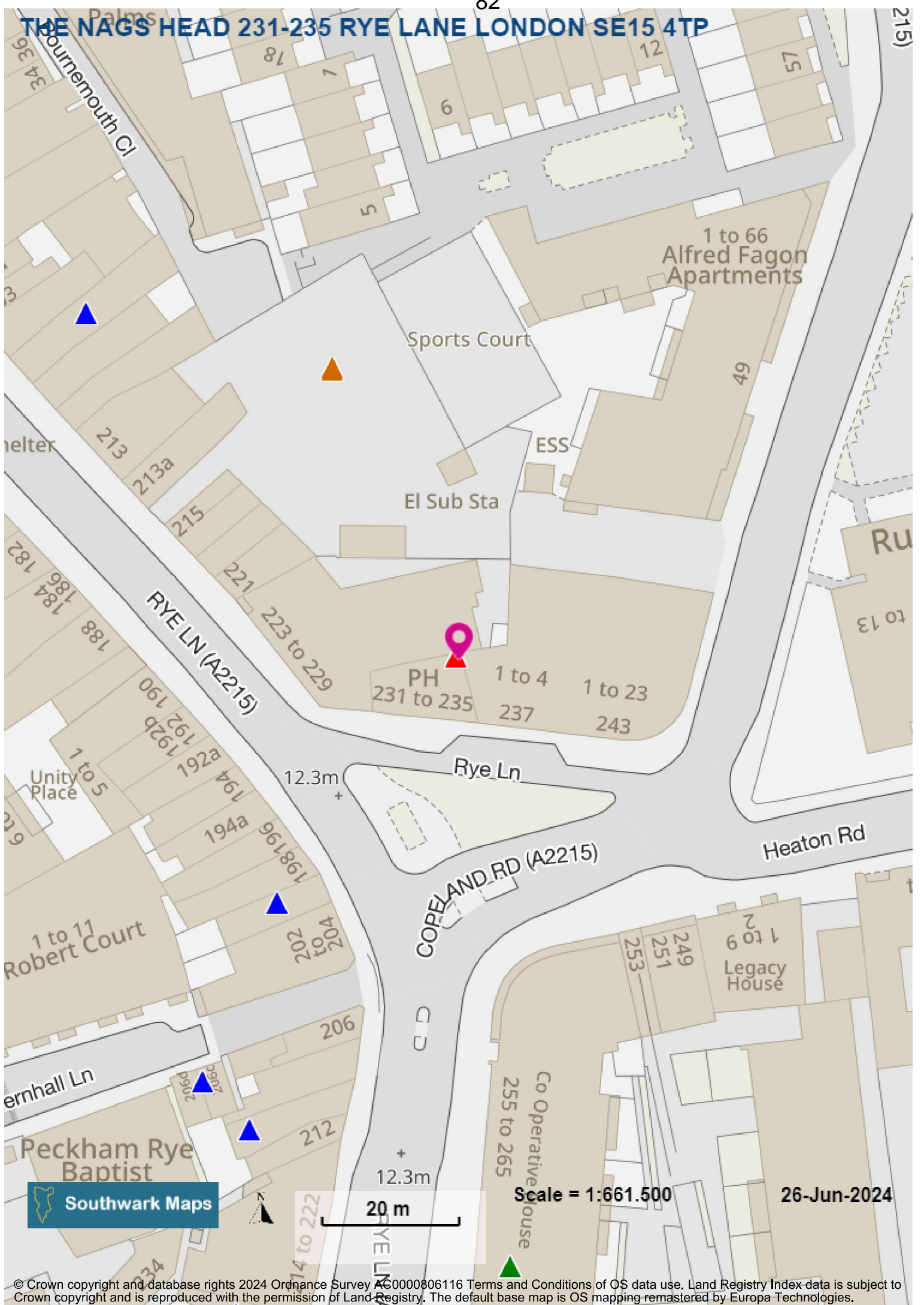
210, 210 Rye Lane, SE15 4NL, licensed for:

- Late night refreshment (indoors)
 - Sunday to Thursday from 23:00 to 23:30, Friday and Saturday from 23:00 to 00:30
- Recorded music (indoors)
 - Sunday to Thursday from 23:00 to 00:00, Friday and Saturday from 23:00 to 01:00
- The sale by retail of alcohol (on and off the premises):
 - Sunday to Thursday from 10:00 to 23:30, Friday and Saturday from 10:00 to 00:30
- Opening hours
 - Sunday to Thursday from 07:30 to 00:00, Friday and Saturday from 07:30 to 01:00

Tesco, 265 Rye Lane, SE15 4UR, licensed for:

- The sale by retail of alcohol (off the premises):
 - Monday to Sunday from 06:00 to 23:00
- Opening hours
 - Monday to Sunday from 06:00 to 23:00

THE NAGS HEAD 231-235 RYE LANE LONDON SE15 4TP



Southwark Maps

20 m

Scale = 1:661.500

26-Jun-2024

Meeting name:	Licensing Sub-Committee
Date:	9 July 2024
Report Title	Licensing Act 2003: Delicias Colombianas, 720 - 722 Old Kent Road, London SE15 1NG
Ward(s) or groups affected:	Old Kent Road
Classification:	Open
Reasons for lateness (if applicable):	N/a

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Sigifredo Ramirez for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Delicias Colombianas, 720 - 722 Old Kent Road, London SE15 1NG.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from 4 responsible authorities and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 12 to 24 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted are attached in Appendix B of this report. A map showing the location of the premises is attached to this report as Appendix F.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing procedure, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

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

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

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 28 March 2024, Sigifredo Ramirez applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Delicias Colombianas, 720 - 722 Old Kent Road, London SE15 1NG. The premises and purpose is described as follows:

‘Latin American Restaurant and Cocktail Bar, food area plus dancing space’.

9. The hours applied for are summarised as follows:
 - Plays (indoors)
 - Sunday to Thursday from 11:00 to 00:00
 - Friday 11:00 to 02:30
 - Saturday from 11:00 to 02:00
 - Live music (indoors):
 - Sunday to Thursday from 11:00 to 00:00
 - Friday and Saturday from 11:00 to 02:00

- Recorded music (indoors):
 - Sunday to Thursday from 10:00 to 00:30
 - Friday and Saturday from 10:00 to 02:30
 - Performance of dance (indoors):
 - Sunday to Thursday from 11:00 to 00:30
 - Friday and Saturday from 11:00 to 02:30
 - Late night refreshment (indoors):
 - Sunday to Thursday from 23:00 to 00:30
 - Friday and Saturday from 23:00 to 02:30
 - The sale by retail of alcohol (on the premises):
 - Sunday to Thursday from 11:00 to 00:30
 - Friday and Saturday from 11:00 to 02:30
 - Opening hours:
 - Sunday to Thursday from 09:00 to 01:00
 - Friday and Saturday from 09:00 to 03:00.
10. The premises licence application form provides the applicant's operating schedule. Parts A, E, F, G, I, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application is attached to this report in Appendix A.

Designated premises supervisor

11. The proposed designated premises supervisor is Sigifredo Ramirez who holds a personal licence issued by Bexley Council.

Representations from responsible authorities

12. Representations have been submitted by four responsible authorities, namely the Metropolitan Police Service, and the council's trading standards team, environmental protection team and licensing authority as a responsible authority.
13. The police representation states that the premises is in a residential area and the hours applied for are outside of that recommended in this area for a restaurant in the Southwark statement of licensing policy. The police ask that the hours requested be reduced to be in line with the hours recommended by the statement of licensing policy.

14. The police state that the venue was given a closure notice for operating without a license on 18 May 2024 and that this shows a flagrant disregard to the process of obtaining a license, and shows that the applicant cannot be trusted to run a licenced premises in a responsible manner and is not what should be expected of a seasoned operator.
15. Further to this the police state that the control measures the applicant offers do not effectively address the licensing objectives, in particular that of prevention of crime and disorder and that here 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.
16. The representation by trading standards is submitted with regards to all four of the licensing objectives but mainly the protection of children from harm and initially recommended that four conditions are added to the operating schedule.
17. Trading standards submitted further supporting information to the representation stating that a trading standards officer working with the night time economy team (NTET) visited the premises on 18 May 2024 and witnessed the premises operating without having a licence in place. In addition to this tobacco and alcohol found on the premises was seized under the provisions the Consumer Rights Act 2015.
18. The environmental protection team state that the proposed hours of operation fall outside of the recommended hours for this location in the council's statement of licensing policy which recommends that drinking establishments in this area should close at 23:00 daily.
19. The environmental protection team representation is concerned with the prevention of public nuisance licensing objective and states that the floors above the premises are in residential occupation. The proposed activities could cause nuisance to the occupants of the above floors and neighbouring residents.
20. If the licensing sub-committee members are of a mind to grant the licence, the environmental protection team recommend a suite of 12 conditions to be added to the premises licence operating schedule.
21. The representation from the licensing authority as a responsible authority relates to the promotion of the prevention of crime and disorder, public safety and the prevention of public nuisance licensing objectives.
22. The licensing representation recommends that the operating hours are brought in line the Southwark statement of licensing policy and further recommends a suite of 41 conditions in order to promote the licensing objectives.
23. Licensing submitted further supporting evidence to the representation referring to an enforcement visit by trading standards and including a warning letter sent by licensing.
24. The representations and supporting evidence from responsible authorities are attached as Appendix B.

Representations from other persons.

25. There are no representations received from other persons

Application history

26. The premises has previously held a licence ((6427). This licence was granted to Thi Bich Nhung Nguyen and Phuong Le on 1 August 2005.

27. The previous premises licence (6427) issued in respect of the premises allowed the following licensable activities:

- Films; live music, recorded music, performance of dance, entertainment similar to live music, recorded music or performance of dance, facilities for making music, facilities for dancing, and entertainment similar to making music or facilities for dancing:
 - Sunday to Thursday from 09:00 to 01:00
 - Friday and Saturday from 09:00 to 03:00
- Late night refreshment
 - Sunday to Thursday from 23:00 to 01:30
 - Friday and Saturday from 23:00 to 02:30
- The sale by retail of alcohol (on and off the premises):
 - Sunday to Thursday from 10:00 to 01:00
 - Friday and Saturday from 10:00 to 02:00
- No opening times stipulated

28. A copy of the previous premises licence is attached to this report as Appendix C.

29. The previous premises licence was surrendered on by Thi Bich Nhung Nguyen on 2 December 2023 and Phuong Le on 7 December 2023.

Temporary event notices

30. There have been 8 temporary event notices (TENs) submitted in respect of the premises since March 2024. A table of TENs is attached to this report as Appendix D.

Complaints

31. No complaints have been received regarding the premises

Compliance visits

32. On 18 May 2024 at 00:50 officers working on the night time economy team visited the premises and found that the premises was providing licensable activities without a licence/or TEN in place and also tobacco and alcohol found on the premises was

seized under the provisions the Consumer Rights Act 2015 by the trading standards officer.

33. A licensing officer sent a warning letter to the applicant on 20 May 2024 regarding the unlicensed activity at the premises. I attach a copy of the warning letter to this report as Appendix E
34. Officers working on the night time economy team made a further visit to the premises on 8 June 2024 at 01:20 and found the premises closed.

Map

35. A map showing the location of the premises and a list of other premises in the vicinity, shown on the map, is attached to this report as Appendix F.

Southwark Council statement of licensing policy

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

38. 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.
39. Members should take into consideration both the Southwark statement of licensing policy and the Section 182 Guidance when making decisions. The links for these are below.

Southwark policy:

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

Section 182 Guidance:

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

Cumulative impact area (CIA)

40. The premises does not fall within a cumulative impact Aaea (CIA).
41. The premises are situated in a residential area.
42. Under the Southwark's statement of licensing policy 2021 - 2026 the following closing times are recommended as appropriate within a residential area
 - Restaurants and cafes:
 - Monday to Sunday: 23:00
 - Public houses, wine bars, or other drinking establishments and bars in other types of premises:
 - Monday to Sunday: 23:00
 - Nightclubs (with 'sui generis' planning permission):
 - Not considered appropriate for residential areas.
43. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
44. 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.

45. Examples of such an agreement may be:

- Not to use single use plastics, such as disposable plastic glasses, when selling alcohol at the premises.
- Encourage patrons not to drive to venues by providing details of public transport on their webpages/tickets.

46. The council's climate change strategy is available at:

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

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

Community impact statement

47. 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

48. 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.

49. 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 with 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.

50. 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>.

51. The equalities impact assessment is available at:

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

Health impact statement

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

Resource implications

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

Consultation

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance

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

Principles for making the determination

57. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.
58. The principles which sub-committee members must apply are set out below.
59. 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.
60. 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.
61. 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

62. 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.
63. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
64. 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.
65. 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.
66. Members are also referred to the Home Office Revised Guidance issued under Section 182 of the Licensing Act 2003 on conditions, specifically section 10.

Reasons

67. 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

68. 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.

69. 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

70. 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.
71. 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.
72. 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.

73. 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.
74. 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.
75. 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.
76. 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.
77. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

78. Members are required to have regard to the Home Office guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Strategic Director of Finance

79. The head of regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office Revised Guidance to the Act Secondary Regulations Southwark statement of licensing policy Case file	Southwark Licensing, C/O Community Safety and Enforcement, 160 Tooley Street, London SE1 2QH	Mrs Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Application for a premises licence
Appendix B	Representations and supporting evidence from responsible authorities
Appendix C	Copy of previous licence
Appendix D	Table of temporary event notices
Appendix E	Copy of warning letter
Appendix F	Map of the locality and list of licensed premises

AUDIT TRAIL

Lead Officer	Toni Ainge, Strategic Director Environment, Neighbourhoods and Growth	
Report Author	Jayne Tear, Principal Licensing Officer	
Version	Final	
Dated	21 June 2024	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Strategic Director of Finance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		27 June 2024

28/03/2024

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

Ref No. 2203787

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

SIGIFREDO RAMIREZ

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)

£	██████████
	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

	DELICIAS COLOMBIANAS
--	----------------------

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

Do you have a Southwark postcode?	Yes
Address Line 1	720-722
Address Line 2	OLD KENT ROAD
Town	
Post code	SE15 1NG
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	Mr
If other, please specify	
Surname	RAMIREZ
Forenames	SIGIFREDO
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	
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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.

Do you wish to add a second individual applicant?

	No
--	----

Operating Schedule

When do you want the premises licence to start?

	26/04/2024
--	------------

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 RESTAURANT AND COCKTAIL BAR, FOOD AREA PLUS DANCING SPACE.
--	---

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)

	a) plays
	e) live music
	f) recorded music
	g) performance of dance

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.

A - Plays

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

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

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

	ARTIST WILL PERFORM FOR CUSTOMERS
--	-----------------------------------

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

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

State any seasonal variations for performing plays (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the performance of plays 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.

E - Live Music

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

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

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

	ARTIST WILL PERFORM FOR CUSTOMERS
--	-----------------------------------

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

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

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

--	--

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

--	--

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

F - Recorded Music

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

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

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

	BACKGROUND MUSIC WILL BE PLAYED FOR CUSTOMERS TO ENJOYED AND DANCE.
--	---

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

Day	Start	Finish
Mon	10:00	00:30
Tues	10:00	00:30
Wed	10:00	00:30
Thur	10:00	00:30
Fri	10:00	02:30
Sat	10:00	02:30
Sun	10:00	00:30

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

--	--

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

--	--

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.

G - Performances of Dance

Will the performances of dance take place indoors or outdoors or both? (Please read guidance note 3)

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

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

	DANCE TEACHER WILL PERFORM AND TEACH CUSTOMERS.
--	---

Standard days and timings for Performance of dance (Please read guidance note 7)

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

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

--	--

Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed. (Please read guidance note 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 ENJOYED A SELECTION OF COCKTAILS AND SPIRITS AND
--	---

	DELICIOUS FOOD FROM THE MENU.
--	-------------------------------

Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 7)

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

State any seasonal variations for the provision of late night refreshment (Please read guidance note 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	00:30
Tues	11:00	00:30

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

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

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

Premises Supervisor

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

Full name of proposed designated premises supervisor

First names	SIGIFREDO
Surname	RAMIREZ

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)	██████

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	09:00	01:00
Tues	09:00	01:00
Wed	09:00	01:00
Thur	09:00	01:00
Fri	09:00	03:00
Sat	09:00	03:00
Sun	09:00	01:00

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 in the premises
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b) the prevention of crime and disorder

	<p>Our proposed activities and operations are designed to actively prevent crime and disorder on our premises. We prioritize security through the implementation of comprehensive measures:</p> <ul style="list-style-type: none"> CCTV surveillance covering key areas to deter illegal activities and provide evidence in case of incidents. Trained security personnel who will monitor the premises and handle any security concerns professionally. Strict entry controls and age verification procedures to prevent underage access and unauthorized individuals from entering the premises.
--	---

c) public safety

	<p>Public safety is a paramount concern for us, and our operations are structured to ensure a safe environment:</p> <ul style="list-style-type: none"> Compliance with fire safety regulations, including regular inspections, fire alarms, and clearly marked emergency exits for swift evacuation. Crowd management strategies during events to prevent overcrowding, maintain order, and ensure emergency access for patrons and staff. Ongoing staff training in first aid procedures and emergency response protocols to address any safety incidents promptly and effectively.
--	---

d) the prevention of public nuisance

	<p>We are committed to minimizing public nuisance factors associated with our activities and operations:</p> <ul style="list-style-type: none"> Implementation of noise control measures such as soundproofing in performance areas, monitoring of volume levels, and agreements with artists/performers on noise management. A comprehensive waste management plan to maintain cleanliness within and around the premises, including regular cleaning schedules and responsible waste disposal practices.
--	--

e) the protection of children from harm

	<p>Ensuring the protection of children and young people is a core aspect of our operational approach:</p> <p>Strict adherence to age verification procedures for alcohol sales, with staff trained to identify and prevent underage drinking.</p> <p>Designated child-friendly areas within the premises that are separate from areas where alcohol is served, ensuring a safe and suitable environment for families and minors.</p> <p>Clear signage and communication regarding our policies on protecting children from harm, including guidance for parents and guardians.</p>
--	--

Guidance note 10

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

Please upload a plan of the premises

--	--

Please upload any additional information i.e. risk assessments

--	--

Checklist

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

Home Office Declaration

Please tick to indicate agreement

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

Declaration

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

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

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

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

I agree to the above statement

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

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

Full name	SIGIFREDO RAMIREZ
Date (DD/MM/YYYY)	27/03/2024
Capacity	OWNER

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

Full name	
Date (DD/MM/YYYY)	27/03/2024
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.

Risk assessment measurement:

- **Control Measures:**

- a. **Physical Hazards Control:**

- Implement regular cleaning schedules to address spills and maintain dry floors.
- Install anti-slip mats in high-risk areas such as kitchen and bar areas.
- Conduct regular inspections of electrical systems and equipment by qualified professionals.

- b. **Biological Hazards Control:**

- Train staff on proper food hygiene practices, including handwashing and safe food handling techniques.
- Maintain pest control measures through professional pest management services.
- Ensure all food suppliers meet hygiene and safety standards.

- c. **Chemical Hazards Control:**

- Store cleaning chemicals and hazardous substances in designated areas away from food preparation areas.
- Provide appropriate personal protective equipment (PPE) for staff handling chemicals.
- Follow manufacturer guidelines for safe use, storage, and disposal of chemicals.

- d. **Operational Hazards Control:**

- Monitor and manage customer capacity to prevent overcrowding, especially during peak hours.
- Implement noise control measures during events, such as volume limits and soundproofing where necessary.
- Train security personnel to handle potential security risks and maintain a safe environment for customers and staff.

- **Emergency Procedures:**

- Develop and communicate emergency procedures for incidents such as fire, medical emergencies, and security threats.
- Display emergency contact numbers and evacuation routes prominently throughout the premises.
- Conduct regular drills and training sessions for staff to ensure they are prepared to respond effectively in emergencies.

- **Review and Monitoring:**

- Establish a schedule for reviewing and updating the risk assessment regularly, especially when changes occur in operations, premises layout, or regulations.
- Encourage staff to report hazards or concerns promptly to management for timely action.



The Licensing Unit
 Floor 3
 160 Tooley Street
 London
 SE1 2QH

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

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/478/24

Date: 30/05/2024

Dear Sir/Madam

Re: - Delicias Colombianas, 720-722 Old Kent Road, SE15 1NG

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 a "LATIN AMERICAN RESTAURANT AND COCKTAIL BAR, FOOD AREA PLUS DANCING SPACE", and it is situated in a residential area. The applicant has requested the following hours which far exceed those recommended in the Southwark Council Statement of Licensing Policy for this area.

Open hours to public

Sun-Thur – 0900hrs-0100hrs
 Fri-Sat – 0900hrs-0300hrs

Supply of Alcohol on sales

Sun-Thur – 1100hrs-0030hrs
 Fri-Sat – 1100hrs-0230hrs

Regulated Entertainment - Plays

Sun-Thur – 1100hrs-0000hrs
 Fri-1100hrs-0230hrs
 Sat – 1100hrs-0200hrs

Regulated Entertainment – Live Music

Sun-Thur – 1100hrs-0000hrs
 Fri-Sat – 1100hrs-0200hrs

Regulated Entertainment – Recorded Music

Sun-Thur – 1000hrs-0030hrs
 Fri-Sat – 1000hrs-0230hrs

Regulated Entertainment – Performance of Dance

Sun-Thur – 1100hrs-0030hrs

Fri-Sat – 1100hrs-0230hrs

Late Night Refreshment

Sun-Thur – 2300hrs-0030hrs

Fri-Sat – 2300hrs-0230hrs

A major concern in regards to this application is that the venue was given a closure notice for operating without a license on 18th May 2024, which was signed by the applicant. This shows a flagrant disregard to the process of obtaining a license, and shows that the applicant cannot be trusted to run a licenced premises in a responsible manner and is not what should be expected of a seasoned operator.

The application offers minimal conditions for a premises which wants to operate as a late night venue in a residential area. Police would expect to see more robust conditions that are clear, concise to address the licensing objectives effectively.

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 this Premises Licence as the applicant has requested hours which far exceed those recommended by the Southwark Council's Statement of licensing, and police would request that this be reduced to be in line with the hours recommended by the statement of licensing, which is 2300hrs (11pm) daily. The control measures the applicant offers do not effectively address 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

Tear, Jayne

From: Jerrom, Charlie
Sent: 12 June 2024 08:02
To: [REDACTED]
Cc: Regen, Licensing; Tear, Jayne; Moore, Ray
Subject: RE: New Premises Licence, DELICIAS COLOMBIANAS, 720-722 Old Kent Road, London, SE15 1NG Ref:

Further to my representations on 16May 2024, Ray MOORE from trading standards visited the premises on Saturday 18 May 2024 accompanied by a police officer from the night time economy team. When entered there were a small number of people in the bar drinking alcohol; there was a person behind the bar and a large dance floor to the rear of the premises. Some people were dancing. The owner (Director of Delicias Colombianas Ltd - Mt Sigifredo RAMIREZ) was sat at the bar. Mr MOORE spoke with him and did a TS inspection as there was a small quantity of illicit tobacco and alcohol lined up on the bar for sale. The tobacco was 10 packets of what at first he thought was old style Benson and Hedges gold pack but closer inspection showed they were just called "Gold Classics". Although they state on the packs they are made in the EU they are in fact a look like brand from Indonesia. There was also 6.2 litres of spirits that did not carry duty stamps. Mr Moore seized the tobacco and alcohol under the provisions the Consumer Rights Act 2015. He also spoke to Mr RAMIREZ about the fact he should not be selling alcohol / having music / dance etc until the application for a premises licence has been completed.

From: Jerrom, Charlie
Sent: Thursday, May 16, 2024 12:04 PM
To: [REDACTED]
Cc: Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>; Moore, Ray <Ray.Moore@southwark.gov.uk>
Subject: New Premises Licence, DELICIAS COLOMBIANAS, 720-722 Old Kent Road, London, SE15 1NG Ref:

Trading Standards as a responsible authority are in receipt of a new premises license application from SIGIFREDO RAMIREZ in respect of premises 720-722 Old Kent Road, London, SE15 1NG. 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 Restaurant And Cocktail Bar, Food Area Plus Dancing Space"

The opening hours are to be:-

Sunday to Thursday 09:00 to 01:00
 Friday to Saturday 09:00 to 03:00

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

Sunday to Thursday 11:00 to 00:30
 Friday to Saturday 11:00 to 02:30

Late Night Refreshment (indoors)
 Sunday to Thursday 23:00 to 00:30
 Friday to Saturday 23:00 to 02:30

Plays (indoors)

Sunday to Thursday 11:00 to 00:00

Friday to Saturday 11:00 to 02:30

Live Music (Indoors)

Sunday to Thursday 11:00 to 00:00

Friday to Saturday 11:00 to 02:00

Recorded Music (Indoors)

Sunday to Thursday 10:00 to 00:30

Friday to Saturday 10:00 to 02:30

Under the licensing objectives the application does not mention Challenge 25, training off staff or a refusal register.

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

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

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

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

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

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

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

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

Charlie Jerrom – Enforcement Officer (Trading Standards)

Southwark Council | Environment, Neighbourhoods and Growth | Regulatory Services

Direct line 020 7525 7529 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Visit our web pages www.southwark.gov.uk/TradingStandards

Need clear practical consumer advice? Visit Citizen's Advice Consumer Service

www.direct.gov.uk/consumer

Postal Address:

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

Visitor Address:

160 Tooley Street | London | SE1 2QH

Tear, Jayne

From: Regen, Licensing
Sent: 11 June 2024 16:13
To: Tear, Jayne
Subject: FW: Application for a new premises licence under the Licensing Act 2003 for Delicias Colombianas 720 Old Kent Road, London SE15 1NG our ref A21133

From: Binya, Raymond <Raymond.Binya@southwark.gov.uk>
Sent: Monday, June 10, 2024 3:10 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: [REDACTED]
Subject: Application for a new premises licence under the Licensing Act 2003 for Delicias Colombianas 720 Old Kent Road, London SE15 1NG our ref A21133

Dear Licencing Team,

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

Application reference number: 882702

Address: Delicias Colombianas
 720 Old Kent Road
 London
 SE15 1NG

Live Music

Day	Start	Finish
Mon	11:00	0:00
Tues	11:00	0:00
Wed	11:00	0:00
Thur	11:00	0:00
Fri	11:00	02:00
Sat	11:00	02:00
Sun	11:00	23:30

Recorded Music

Day	Start	Finish
Mon	10:00	00:30
Tues	10:00	00:30
Wed	10:00	00:30
Thur	10:00	00:30
Fri	10:00	02:30
Sat	10:00	02:30
Sun	10:00	00:30

Late night refreshment

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

Fri	23:00	02:30
Sat	11:00	02:30
Sun	23:00	00:30

Supply of alcohol

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

Premises has been Latin American restaurant and cocktail bar, food area plus dancing space
LAAMERICAN RESTAURANT AND COCKTAIL BAR, FOOD AREA PLUS DANCING SPACE.

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

a) Compliance with Licensing Policy

The proposed licensable activities are outside suggested closing times for licensed premises of this type within the this area as stated within Southwark Statement of Licensing Policy 2021-2026:

- **Restaurant** : Closing time for Restaurants and Cafes is 23:00 hours daily
- **Takeaway (Late Night Refreshments** : Takeaways are not considered appropriate for this area

b) Public nuisance and impact to neighbouring properties

The application site is on the ground floor. There floors above the premises are in residential occupation. We are concerned they are likely to be affected by premises running in late hours as applied and premises structural integrity to allow the proposed activities to run without causing nuisance to the occupants of the above floors and neighbouring residents.

In addition, assuming that they would be a stage for live music, however, the submitted plan does not show where the live music and dance will be performed.

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

- All external plant required for the operation of the premises (air handling plant, condensers, kitchen extraction systems, etc.) shall be designed, installed and maintained to ensure that noise output from the external plant does not cause a public nuisance or intrude inside the nearest, or most exposed, noise sensitive premises.
- Any kitchen extraction system required for the operation of the premises shall be installed with an appropriate discharge location (i.e. eaves height) and with adequate odour control filters installed and maintained to ensure that odour emissions do not cause a public nuisance or intrude inside in the nearest or most exposed sensitive premises

- All external doors and doors to noise lobbies used by patrons to enter the premises shall have acoustic seals and brushes and self-closers (in accordance with BS 6459 Pt. 1 1984) fitted to those doors.
- All speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or mats.
- During any licensed entertainment on the premises, all doors and windows shall remain closed (except for access or egress).
- Any background music played shall remain at a volume that permits normal conversation and the volume control of any music shall be behind the bar/counter and in the full control of staff at all times.
- Amplified music, song or speech shall not be broadcast in external areas at any time.
- No drinks or glassware are permitted outside at any time.
- External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 20.00hrs.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside.
- No external areas of the premises shall be used for the purposes of licensed entertainment.

Kind Regards

Raymond Binya
Principal Environmental Protection Officer

Environmental Protection Team
 Tel: 020 7525 4809

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

www.southwark.gov.uk



airTEXT - a free subscription service: daily information on pollution and more, by text, email, voicemail, or mobile phone app; download from: <http://www.airtext.info/>
 Southwark Website - information on what you can do to improve air quality.
 See: <http://www.southwark.gov.uk/environment/air-quality>

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Tear, Jayne

From: McArthur, Wesley
Sent: 17 June 2024 23:58
To: Regen, Licensing
Cc: Tear, Jayne; [REDACTED]
Subject: Application for a premises licence: Delicias Colombianas, 720-722 Old Kent Road, London, SE15 1NG (our ref: 882702) - Loc ID: 201404 - Old Kent Road ward
Attachments: Delicias Colombianas (882702) - LRA's rep'.docx.pdf; Delicias Colombianas (882702) - LRA's rep' - appendix 1 - map.pdf

Dear Licensing,

Please find attached a representation and appendix regarding the above application.

Regards,

Wesley McArthur

Principal Enforcement Officer - Licensing Unit

London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Switchboard: 020 7525 5000

Website: www.southwark.gov.uk

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



To: Licensing Unit	From: Wesley McArthur wesley.mcarthur@southwark.gov.uk 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority)	Date: 17 June 2024
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	Delicias Colombianas, 720-722 Old Kent Road, London, SE15 1NG	
Application number:	882702	
Location ID:	201404	Ward: Old Kent Road

We object to the grant of an application for a premises licence, submitted by Sigifredo Ramirez under The Licensing Act 2003 (the Act), in respect of the premises known as Delicias Colombianas, 720-722 Old Kent Road, London, SE15 1NG.

1. The application

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

Plays music (indoors) –

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

Live music (indoors) –

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

Recorded music (indoors) –

- **Sunday - Thursday:** 10:00 – 00:30
- **Friday & Saturday:** 10:00 – 02:30

Performances of dance (indoors) –

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

Late night refreshment (indoors) –

- **Sunday - Thursday:** 23:00 – 00:30
- **Friday & Saturday:** 23:00 – 02:30

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

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

The proposed opening hours of the premises are –

- **Sunday - Thursday:** 09:00 – 01:00
- **Friday & Saturday:** 09:00 – 03:00

The premises, and its intended operation, are described in the application as follows (verbatim):

- *“Latin American restaurant and cocktail bar, food area plus dancing space.”*

2. The Locale

The premises are located at the junction of Old Kent Road and Commercial Way. Elephant and Castle is a major transport hub. The premises are opposite a housing estate. Three large residential housing blocks are opposite the premises.

There are residential dwellings at 1st floor level and above in adjacent premises on Old Kent Road. There are residential dwellings directly behind the premises.

There are commercial premises opposite the premises Old Kent Road including a hand car wash in an open air lot, a barbers shop and church. There are residential dwellings at 1st floor level in the premises opposite the premises.

The Old Kent Road is a very busy thoroughfare, with heavy traffic throughout the day and night, and moderate traffic in the early hours of the morning. Many bus routes run along Old Kent Road.

The Old Kent Road corridor is part of major regeneration project in the Borough and over the next few years 1000's of residential dwellings will be built along its length, as well as new commercial and other types of premises.

Figure 1: View looking south east across Old Kent Road

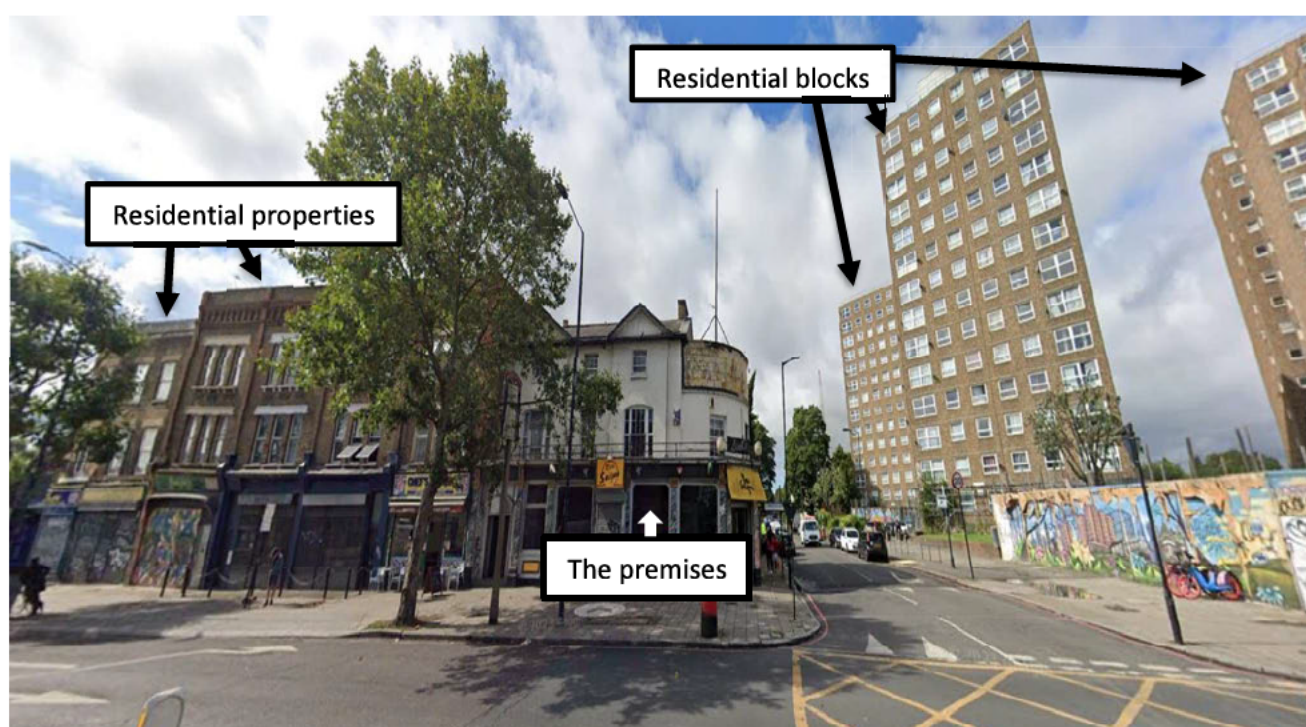


Figure 2: View from directly outside the premises on Old Kent Road looking due north across Old Kent Road. Commercial premises are shown at ground floor level with residential dwelling at 1st floor level and above



Figure 3: View looking south east down Old Kent Road showing residential dwellings at 1st floor level and above both adjacent to the premises and opposite the premises



Figure 4: View looking south west down commercial road showing residential blocks in close proximity to the premises

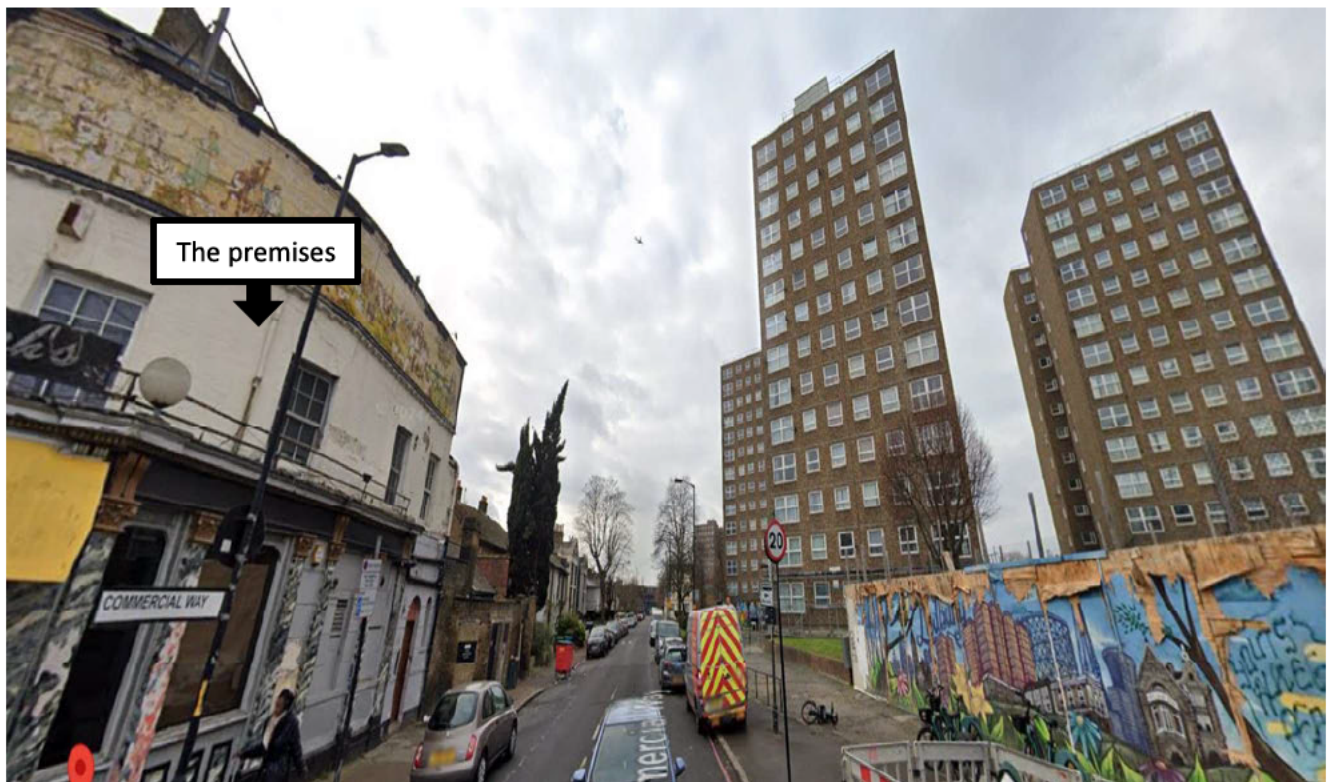


Figure 5: View looking south east across Commercial Way showing residential dwellings directly to the rear of the premises



A map showing the location of the premises and the local area is attached as appendix 1.

3. The Statement Of Licensing Police (SoLP)

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

A copy of the SoLP is available via:

<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 residential areas as stated -

Restaurants and cafes:

23:00 daily

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

23:00 daily

Event premises/ spaces where sale of alcohol is included in, and ancillary to, range of activities including meals

23:00 daily

Night clubs (with 'sui generis' planning classification)

Not considered suitable for residential areas

4. The prior premises licence

The premises previously operated as a Vietnamese bar / restaurant called New Saigon under different ownership.

A Justices On licence and special hours certificate, issued under prior licensing legislation known as The Licensing Act 1964, allowing the sale of alcohol at the premises and provision of late night entertainment at the premises had previously been in place in respect of the premises since at least 1998.

The Justices On Licence and special hours certificate were converted into a premises licence under 'grandfather rights' in 2005 under the current Licensing Act 2003. The prior premises licence number was 6427.

The prior premises licence was held by Thi Bich Nhung Nguyen and Phuong Le.

The licence was surrendered on 18 December 2023 and was not reinstated within the 28-day 'qualifying period' and so is permanently surrendered and cannot be reinstated now.

The prior premises licence allowed for the provision of licensable activities as follows:

Films, live music, recorded music, performances of dance, anything similar to live music, recorded music and performances of dance (all indoors) –

- **Sunday - Thursday:** **09:00 – 01:00**
- **Friday & Saturday:** **09:00 – 03:00**

Late night refreshment -

- **Sunday - Thursday:** **23:00 – 01:30**
- **Friday & Saturday:** **23:00 – 02:30**

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

- **Sunday - Thursday:** **09:00 – 01:00**
- **Friday & Saturday:** **09:00 – 02:00**

There were no specified closing times on the prior premises licence

5. Our objection

Our objection relates to the promotion of all of the licensing objectives.

5.1 Operating hours

We say that the late night / early morning sale of alcohol is likely to have a negative effect on the promotion the crime and disorder and the prevention of public nuisance licensing objectives. Late night venues also pose more of a risk regarding public safety and the prevention of children from harm.

We do not think it is appropriate to allow premises to sell alcohol later than 23:00 hours in an area with so many residential properties (often housing families and many people of working age) in close proximity. We say that granting extended operating hours is likely to have a detrimental effect on the quality of life and amenity of local residents.

Late operating hours can also have a negative effect on local residents and other people travelling through the local vicinity late at night.

Premises selling alcohol often become hubs for crime and disorder, anti-social behavior and nuisance. Confrontations can often arise between customers who are intoxicated.

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

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

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

We do note that the premises previously operated with similar operating hours to those sought in this application, however those hours were originally granted under prior, now repealed legislation.

The Justices On Licence and special hours certificate previously held regarding the premises were converted into a premises licence under 'grandfather rights' in 2005. At this time, our SoLP did not specify recommended closing times in respect of licensed premises, and even if it did, because the hours were granted under grandfather rights any recommended closing times couldn't have been imposed.

We therefore say operating hours regarding the prior premises licence issued in respect of the premises are not given any weight in the licensing sub-committee's determination of this application and remind the licensing sub-committee that ***this is a new application that must be judged on its own merits.***

We further say that the licensing sub-committee should be *the gatekeeper of the Statement of Licensing Policy* that was, in part, ratified by councillors who form part of this very licensing sub-committee itself.

We therefore recommend that regulated entertainment cease and the off sale of alcohol, and the premises close, at 23:00 daily and that the sale of alcohol to be consumed on the premises ceases at 22:30 (which would allow for 30 minutes 'drinking up' time).

5.2 Conditions

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 any 3rd parties / members of the public using the premises for a promoted or private event must complete a venue hire agreement with the premises licence holder. The venue hire agreement shall include the full name and address of the hirer, copy of valid photo identification of the hirer (kept on file in accordance with data protection requirements), the hirer's signature and the date that the venue hire agreement has been signed. The venue hire agreement shall include all of the licensee's terms of hire. Such agreements shall be kept on file for 6 months from the date of the event and be made immediately available to responsible authority officers on request.
10. That the requirement for the deployment of SIA registered door supervisors at the premises shall be risk assessed on an ongoing basis. We would expect that risk assessments would be undertaken regarding any 'special events' at the premises such as parties, receptions, wakes, discos, major sporting events or any events where a large number of customers are expected at the premises. Copies of any such risk assessments shall be kept at the premises and provided to responsible authority officers immediately on request.
11. When SIA registered door supervisors are deployed at the premises, the door supervisors will be employed to control entry to the premises, to deal with the searching / scanning of customers, to deal with any anti-social or disorderly behaviour at the premises, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist management in liaising with the police regarding instances of crime and to assist with ensuring that the premises' dispersal policy is adhered to. When deployed, they shall remain at the premises until all patrons have vacated the premises and until at least 30 minutes after the premises close. The door supervisors shall be easily identifiable.
12. 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

13. 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.
14. 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** >>

15. 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.
16. 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.
17. 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.

18. 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.
19. 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.
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 when regulated entertainment is taking place.
27. That any openable windows at the premises shall be kept closed at all times that licensable activities are taking place at the premises when regulated entertainment is taking place.
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 10 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.

34. That any advertising, marketing or media relating to the premises (including websites and social media) will advise customers that there is no readily available parking in the vicinity of the premises, shall list public transport options available in the vicinity and shall advise customers to refrain from driving to the premises.

E. The protection of children from harm:

35. That no person under 16 years old shall be permitted on the premises unless they are accompanied by an adult.

36. That a child protection / vulnerable persons policy will be devised and maintained at the premises. A copy of the child protection / vulnerable persons policy shall be kept at the premises with the premises licence and shall be made immediately available for inspection to council and / or police officers on request. All staff shall be trained in the implementation of the latest version of the child protection policy and details of such training including the printed name of the trainee and the date of the training, shall be recorded in the staff training logs at the premises.

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

38. That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons (including the prevention of 'proxy sales') and the challenge 25 scheme in operation at the premises. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises and shall be made immediately available for inspection at the premises to responsible authority officers on request.

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

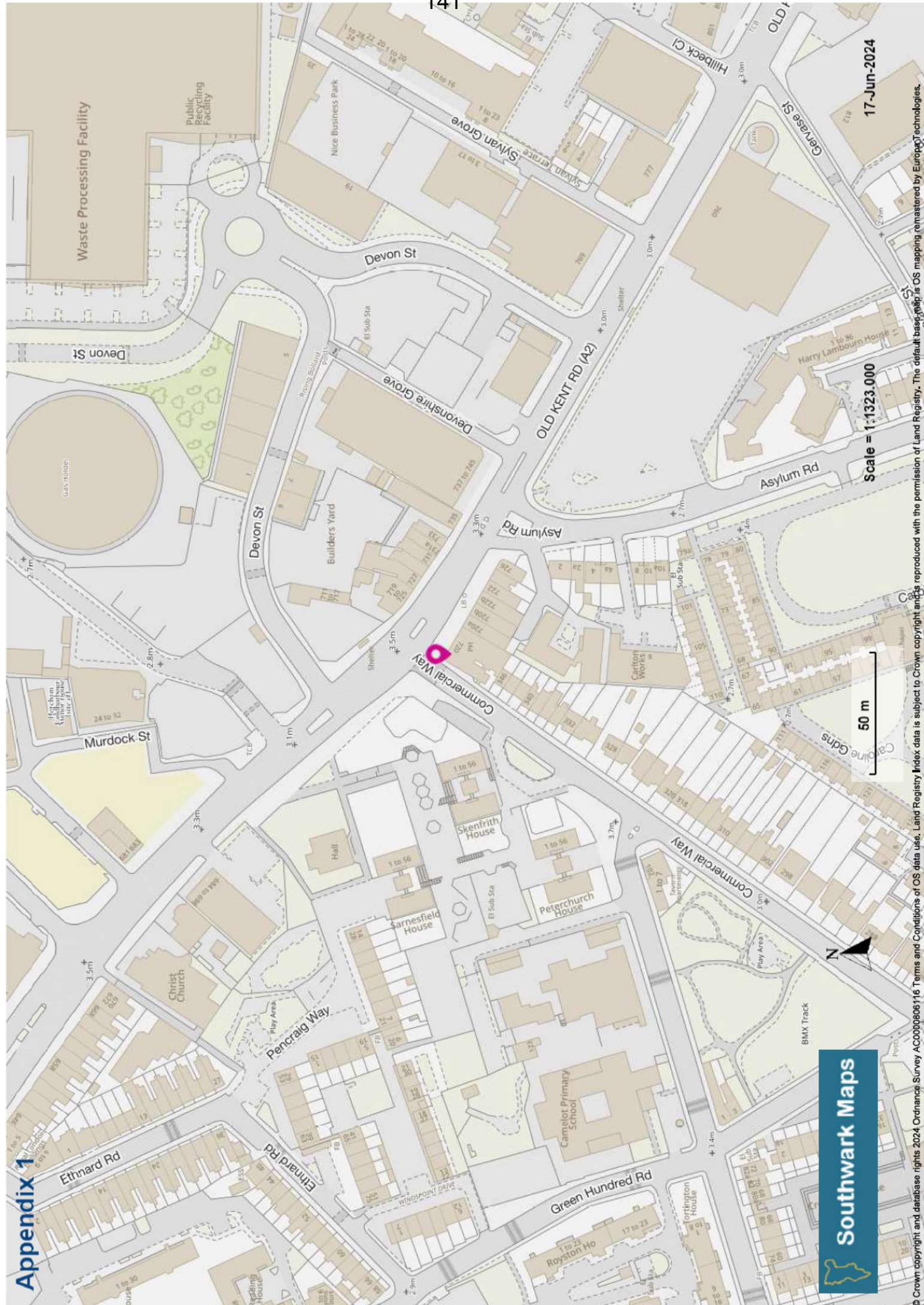
40. That a register of refused sales of alcohol shall be maintained at the premises at all times. The register shall be clearly and legibly marked on the front cover as a register of refused alcohol sales, with the address of the premises and the name of the licence holder. The register shall be used to record details of all refused sales of alcohol. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to responsible authority officers on request.

41. That no deliveries from the premises of alcohol shall be permitted.

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

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer



Tear, Jayne

From: McArthur, Wesley
Sent: 18 June 2024 01:14
To: Regen, Licensing
Cc: Tear, Jayne; [REDACTED]
Subject: RE: Application for a premises licence: Delicias Colombianas, 720-722 Old Kent Road, London, SE15 1NG (our ref': 882702) - Loc ID: 201404 - Old Kent Road ward
Attachments: Delicias Colombianas (882702) - LRA's rep' - additional information v2.pdf

Dear All,

Further to the representation attached to my prior email, please find attached further evidence in support of the representation.

Regards,

Wesley McArthur

Principal Enforcement Officer - Licensing Unit
London Borough of Southwark

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Phone: 020 7525 5779

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

From: McArthur, Wesley
Sent: Monday, June 17, 2024 11:58 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>; [REDACTED]
Subject: Application for a premises licence: Delicias Colombianas, 720-722 Old Kent Road, London, SE15 1NG (our ref': 882702) - Loc ID: 201404 - Old Kent Road ward

Dear Licensing,

Please find attached a representation and appendix regarding the above application.

Regards,

Wesley McArthur

Principal Enforcement Officer - Licensing Unit
London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Switchboard: 020 7525 5000

Website: www.southwark.gov.uk

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

To: Licensing Unit	From: Wesley McArthur wesley.mcarthur@southwark.gov.uk 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority)	Date: 18 June 2024
Subject:	Additional evidence in support of a representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	Delicias Colombianas, 720-722 Old Kent Road, London, SE15 1NG	
Application number:	882702	
Location ID:	201404	Ward: Old Kent Road

Further to our representation objecting to the grant of an application for a premises licence, submitted by Sigifredo Ramirez under The Licensing Act 2003 (the Act), in respect of the premises known as Delicias Colombianas, 720-722 Old Kent Road, London, SE15 1NG, we provide the following comments in support of the representation.

1. Visit to the premises by council officers

On 18 May 2024 at 00:50 hours council officers visited the premises and found that the premises were being used for the alleged illegal sale of alcohol and provision of unlicensed licensable entertainment. Further to this, illicit tobacco and alcohol appeared to be on offer for sale at the premises. The illicit tobacco and alcohol was seized by the visiting council officers.

The lead officer at the time of the inspection was Ray Moore. Mr Moore's visit notes, as extracted from this council's records are as follows (verbatim):

- *"00:50hrs, Delicias Colombianas, 720-722 Old Kent Road, SE11NG. Visited here at the request of the police... this was the Saigon Restaurant and they had relinquished the licence when they left. An application for a new licence was received last week and TS had already put reps in on Thursday 16th May 2024. When entered there were a small number of people in the bar drinking alcohol; there was a person behind the bar and a large dance floor to the rear of the premises. The owner (Director of Delicias Colombianas Ltd - Mt Sigifredo RAMIREZ) was sat at the bar. I spoke with him and did a TS inspection as there was a small quantity of illicit tobacco and alcohol lined up on the bar for sale. The tobacco was 10 packets of what at first I thought was old style Benson and Hedges gold pack but closer inspection showed they were just called "Gold Classics".. although they state on the packs they are made in the EU they are in fact a look like brand from Indonesia. There was also 6.2 litres of spirits that did not carry duty stamps. I seized the tobacco and alcohol under the provisions of our powers under the Consumer Rights Act 2015. I also spoke to Mr RAMIREZ about the fact he should be selling alcohol / music / dance etc etc until the application for a premises licence has been completed. I gave him a notice for all these matters and will be doing a follow up letter. Notes added to the licensing application. Notice to be attached tomorrow. Letter to follow."*

A warning letter regarding the above visit is attached below to these comments as appendix 2.

We say that the alleged illegal operation of the premises, and alleged offer for sale of illicit tobacco and alcohol products at the premises, does not give us confidence that the applicant will be able to operate the premises in accordance with the licence objectives easily.

We further say that granting closing times that exceed those suggested in the SoLP could lead to the operation of the premises causing problems in the locale late into the night and into the early hours of the morning.

By their nature, premises operating late at night and into the early hours of the morning can be difficult to operate compliantly, even for experienced licensees.

Such venues require management and staff who will remain responsible, diligent and work with attention to detail at all times – especially late at night / into the early morning when licensed premises can become extremely challenging to manage.

We say that the above is further evidence that, at this time, the premises should not operate past 23:00 hours *on any day of the week*.

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer

Appendix 2

SENT BY EMAIL TO:

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

Mr Sigifredo Ramirez
Delicias Colombianas
720 Old Kent Road
London
SE15 1NG

Licensing Unit
Direct Dial – 020 7525 0396
Email: jayne.tear@southwark.gov.uk
Ref: M/882702

20 May 2024

Dear Mr Ramirez,

RE: THE LICENSING ACT 2003 – Delicias Colombianas, 720 Old Kent Road, London, SE15 1NG

I write to inform you that on Saturday 18 May 2024 at 00:50 hours, council officers working on the night time economy team visited your premises and have reported to the Licensing Department the following matters of concern:

1) *That the premises were providing the following licensable activities without a licence having first been obtained:*

- The sale of and supply of alcohol
- The provision of regulated entertainment.

This potentially constitutes a contravention of under the Licensing Act 2003 or of other related legislation.

In particular, I would advise you that Section 136(1) (a) of the Licensing Act 2003 states that:

A person commits an offence if -

- (a) He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or
- (b) Knowingly allows a licensable activity to be so carried on.

Southwark Council - Regulatory Services, Licensing team, Hub 1, 3rd Floor, PO Box 64529, SE1P 5LX
Switchboard - 020 7525 5000 Website - www.southwark.gov.uk
Strategic Director of Environment, Neighbourhoods and Growth - Toni Ainge

This Service warns you that should any further breach be reported to us we will give consideration to the appropriate legal action to be taken. You should understand that this could lead to legal proceedings being taken.

I would make clear that it is the practice of the Council's Licensing Unit to send officers to visit premises to check to see if unauthorised activities are being provided. Licensing officers will gain admission to the premises in the same way as ordinary members of the public, and will not necessarily make themselves known to the staff or the licence holder at the time of the visit.

You should also understand that where other Services have interest in the matters noted we will be notifying them of this recent visit. You may receive follow-up visits from them.

Information and online applications can be found using the following link:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing>

Please ensure you act promptly on this letter. If you require advice or assistance on how to comply with the matters raised please contact us on the telephone number given above.

Yours sincerely,

Jayne Tear

Jayne Tear
Principal Licensing Officer
jayne.tear@southwark.gov.uk

Licensing Act 2003 Premises Licence



Environmental Health & Trading Standards
Licensing Unit
Chaplin Centre
Thurlow Street
London SE17 2DG

Premises licence number

6427

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
New Saigon Restaurant & Bar 720-722 Old Kent Road	
Ordnance survey map reference (if applicable), 177554 534752	
Post town London	Post code SE15 1NG
Telephone number [REDACTED]	

Where the licence is time limited the dates
--

Licensable activities authorised by the licence EB Films EE Live Music EF Recorded Music EG Performance Of Dance EH Entertainment Similar to EE, EF,EG EI Facilities for Making Music EJ Facilities for Dancing EK Entertainment Similar to EI,EJ LR Late Night Refreshment RA Sale by retail of alcohol to be consumed on premises RB Sale by retail of alcohol to be consumed off premises
--

The opening hours of the premises For any non standard timings see Annex 2
--

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies ON AND OFF SUPPLIES
--

The times the licence authorises the carrying out of licensable activities For any non standard timings see Annex 2			
Films	Monday	09:00	01:00
Films	Tuesday	09:00	01:00

Films	Wednesday	09:00	01:00
Films	Thursday	09:00	01:00
Films	Friday	09:00	03:00
Films	Saturday	09:00	03:00
Films	Sunday	09:00	01:00
Live Music	Monday	09:00	01:00
Live Music	Tuesday	09:00	01:00
Live Music	Wednesday	09:00	01:00
Live Music	Thursday	09:00	01:00
Live Music	Friday	09:00	03:00
Live Music	Saturday	09:00	03:00
Live Music	Sunday	09:00	01:00
Recorded Music	Monday	09:00	01:00
Recorded Music	Tuesday	09:00	01:00
Recorded Music	Wednesday	09:00	01:00
Recorded Music	Thursday	09:00	01:00
Recorded Music	Friday	09:00	03:00
Recorded Music	Saturday	09:00	03:00
Recorded Music	Sunday	09:00	01:00
Performance Of Dance	Monday	09:00	01:00
Performance Of Dance	Tuesday	09:00	01:00
Performance Of Dance	Wednesday	09:00	01:00
Performance Of Dance	Thursday	09:00	01:00
Performance Of Dance	Friday	09:00	03:00
Performance Of Dance	Saturday	09:00	03:00
Performance Of Dance	Sunday	09:00	01:00
Entertainment Similar to EE, EF,EG	Monday	09:00	01:00
Entertainment Similar to EE, EF,EG	Tuesday	09:00	01:00
Entertainment Similar to EE, EF,EG	Wednesday	09:00	01:00
Entertainment Similar to EE, EF,EG	Thursday	09:00	01:00
Entertainment Similar to EE, EF,EG	Friday	09:00	03:00
Entertainment Similar to EE, EF,EG	Saturday	09:00	03:00
Entertainment Similar to EE, EF,EG	Sunday	09:00	01:00
Facilities for Making Music	Monday	09:00	01:00
Facilities for Making Music	Tuesday	09:00	01:00
Facilities for Making Music	Wednesday	09:00	01:00
Facilities for Making Music	Thursday	09:00	01:00
Facilities for Making Music	Friday	09:00	03:00
Facilities for Making Music	Saturday	09:00	03:00
Facilities for Making Music	Sunday	09:00	01:00
Facilities for Dancing	Monday	09:00	01:00
Facilities for Dancing	Tuesday	09:00	01:00
Facilities for Dancing	Wednesday	09:00	01:00
Facilities for Dancing	Thursday	09:00	01:00
Facilities for Dancing	Friday	09:00	03:00
Facilities for Dancing	Saturday	09:00	03:00
Facilities for Dancing	Sunday	09:00	01:00
Entertainment Similar to EI,EJ	Monday	09:00	01:00
Entertainment Similar to EI,EJ	Tuesday	09:00	01:00
Entertainment Similar to EI,EJ	Wednesday	09:00	01:00
Entertainment Similar to EI,EJ	Thursday	09:00	01:00
Entertainment Similar to EI,EJ	Friday	09:00	03:00
Entertainment Similar to EI,EJ	Saturday	09:00	03:00
Entertainment Similar to EI,EJ	Sunday	09:00	01:00
Late Night Refreshment	Monday	23:00	01:30
Late Night Refreshment	Tuesday	23:00	01:30

Late Night Refreshment	Wednesday	23:00	01:30
Late Night Refreshment	Thursday	23:00	01:30
Late Night Refreshment	Friday	23:00	02:30
Late Night Refreshment	Saturday	23:00	02:30
Late Night Refreshment	Sunday	23:00	01:30
Sale by retail of alcohol to be consumed on premises	Monday	10:00	01:00
Sale by retail of alcohol to be consumed on premises	Tuesday	10:00	01:00
Sale by retail of alcohol to be consumed on premises	Wednesday	10:00	01:00
Sale by retail of alcohol to be consumed on premises	Thursday	10:00	01:00
Sale by retail of alcohol to be consumed on premises	Friday	10:00	02:00
Sale by retail of alcohol to be consumed on premises	Saturday	10:00	02:00
Sale by retail of alcohol to be consumed on premises	Sunday	10:00	01:00
Sale by retail of alcohol to be consumed off premises	Monday	10:00	01:00
Sale by retail of alcohol to be consumed off premises	Tuesday	10:00	01:00
Sale by retail of alcohol to be consumed off premises	Wednesday	10:00	01:00
Sale by retail of alcohol to be consumed off premises	Thursday	10:00	01:00
Sale by retail of alcohol to be consumed off premises	Friday	10:00	02:00
Sale by retail of alcohol to be consumed off premises	Saturday	10:00	02:00
Sale by retail of alcohol to be consumed off premises	Sunday	10:00	01:00

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

Thi Bich Nhung Nguyen

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

Phuong Le

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

Registered number of holder, for example company number, charity number (where applicable)**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

THI BICH NHUNG NGUYEN

██████████
 ████████
 ████████

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 code 00BE Authority L B Southwark

Licence Issue date 1 August 2005

.....
 Environmental Health and
 Trading Standards Manager
 Chaplin Centre
 Thurlow Street
 London SE17 2DG
 020 7525 5748
 licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

1000 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.

1001 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

1100 The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself.

1101 Where a film is to be submitted for classification to the licensing authority, the cinema or venue operator must submit the film intended for exhibition to the

authority at least 28 days prior to the first date upon which the film is intended to be exhibited

1102 Where a programme includes a film in the 12a, 15 or 18 category no person appearing to be under the age of 12 (and unaccompanied in that case), 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms

- 'PERSONS UNDER THE AGE OF (INSERT APPROPRIATE AGE) CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME'

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person's parent or legal guardian has first been obtained.

1103 Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the category of the film.

1104 Immediately before each exhibition at the premises of a film passed by the licensing authority notices shall be displayed both inside and outside of the premises so that persons entering can readily read them and be aware of the Category attached to any film or trailer.

Annex 2 - Conditions consistent with the operating Schedule

2000 Alcohol shall not be sold or supplied except during permitted hours, as stated elsewhere on this licence and on

a. On Good Friday, 12 noon to 10.30.p.m.

b. On Christmas Day, 12 noon to 3.00.p.m. and 7.00.p.m. to 10.30.p.m.

c. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit;

i) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;

ii) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

iii) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;

iv) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;

v) The ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;

vi) The sale of alcohol to a trader or club for the purposes of the trade or club;

vii) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

viii) The taking of alcohol from the premises by a person residing there; or

ix) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by the persons so supplied; or

x) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the alcohol is supplied at the expense of their employer or the person carrying on, or in charge of, the business on the premises.

2001 No statutory regulations for music and dancing shall apply so as to require any licence for the provision in the premises of public entertainment by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only which is produced solely by the reproduction of recorded sound is permitted.

2002 This licence provides for the provision of private music and dancing entertainment that is promoted for private gain;

2300 a. Subject to the following paragraphs, the permitted hours on weekdays shall extend until 2.00.a.m. in the morning following, except that -

i) The permitted hours shall end at midnight on any day on which music and dancing is not provided after midnight; and

ii) On any day that music and dancing end between midnight and 2.00.a.m. in the morning, the permitted hours shall end when the music and dancing end.

b. On relation to the morning on which summer time begins, the reference to 2.00.a.m. in the morning in a.

above shall be replaced by a reference to 3.00.a.m. in the morning.

c.Except on Sundays immediately before bank holidays, the permitted hours on Sundays shall extend until thirty minutes past midnight in the morning following, except that -

i)The permitted hours shall end at midnight on any Sunday on which music and dancing is not provided after midnight;

ii)Where music and dancing end between midnight on any Sunday and thirty minutes past midnight, the permitted hours on that Sunday shall end when the music and dancing end.

d.On Sundays immediately before bank holidays, the permitted hours shall extend until 2.00.a.m. in the morning following except that -

i)The permitted hours shall end at midnight on any Sunday on which music and dancing is not provided after midnight;

ii)Where music and dancing end between midnight on any Sunday and 2.00.a.m. the permitted hours on that Sunday shall end when the music and dancing end.

e.The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

2500 No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies

a.He is the child of the holder of the premises licence

b.He resides in the premises, but is not employed there

c.He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to and from which there is no other convenient means of access or egress

d.The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancilla. In this condition 'bar' includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as ancillary to their table meals.

2800 Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

a.With and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;

b.For consumption by a person residing in the premises or his guest and paid for together with his accommodation;

c.To a canteen or mess.

4000 The premises shall not open to the public before 9.00.a.m. On Sundays, Good Fridays and Christmas Day the premises shall not open before 2.00.p.m. for the performance of plays.

4001 The premises shall not be kept open after 11.00.p.m. for music, music and dancing, boxing, wrestling or indoor sports or after midnight for plays and film exhibitions

4002 a. The relevant licence or a copy of it shall be prominently exhibited in a position where the public can easily read it. For the purpose of this condition the licence shall be interpreted to mean the licence document containing the conditions specific to the premises, including any accommodation limits.

b.A copy of the standard licence conditions shall be readily available to the Duty Manager.

c.The premises shall not be used for any purpose for which a licence is required unless specifically licensed for that purpose.

4003 Authorised officers who carry written authorizations and proof of identity, which they will produce on

request, shall be admitted immediately to all parts of the premises at all reasonable times.

4004 The Licensee shall not permit any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. This condition does not apply to exhibitions given under the provisions of Section 2(1a) and 5 of the Hypnotism Act 1952.

4011 a. The Licensee shall not permit an entertainment that involves special risks except with consent.

b. The Licensee shall not permit any performances especially for children except with consent.

c. The licensee shall not permit explosives or highly flammable substances to be brought onto the premises except with consent.

4012 a. The Licensee shall not permit the use of special effects, except with consent.

b. The Licensee shall give to the Council at least 10 days notice in writing of any proposal to use special effects. The notice shall include, save in exceptional circumstances, exact details of the proposal including the date and time when the special effects can be demonstrated.

4013 Compressed or liquefied gases shall not be used except with consent. At least 10 days notice in writing shall be given to the Council of any proposal to bring storage cylinders into the premises

4014 a. The Licensee shall ensure that the premises continue to comply with the Council's Technical Regulations.

b. No alterations shall be made to the approved arrangements without consent.

c. The Licensee shall, except with consent, retain control over all parts of the premises.

d. Either the licensee or the Duty Manager shall be in charge of and within the premises whenever the public are present. However, the Licensee remains responsible for the observance of all licensing conditions.

4015 The Licensee may authorize in writing a Duty Manager, who shall be at least 18 years old, to deputise for him. This written authorization shall be kept on the premises and shall be readily available for examination by any Authorised Officer. The Licensee must be satisfied that anyone appointed as a Duty Manager understands the need to comply with the conditions of the licence and is competent to perform the functions of Duty Manager.

4016 The Licensee (if an individual) and any Duty Manager shall

a. Have undertaken an approved training course leading to the possession of the BIIAAB Level 2 National Certificate for Entertainment Licensees, or

b. Possess an equivalent qualification, for example for concert halls, the National Vocational Qualification in Cultural Venue Administration (Level 3) or

c. Be able to demonstrate to the satisfaction of the Council that he possess all relevant knowledge and experience

4017 a. The Licensee / Duty Manager shall ensure that he has sufficient trained staff on duty to ensure the safe evacuation of the premises in an emergency. Such staff shall have been specifically instructed on their duties in the event of an emergency by the Licensee or by a person nominated by him. The instruction given to staff shall include training on the safe and efficient running of the premises and the safe evacuation of the premises.

b. A nominated member of staff in addition to the Duty Manager shall have responsibility for fire prevention measures and for ensuring that all escape routes including exit doors are fully available.

c. No Door Supervisor shall be employed at premises outside London except with consent. Any employment shall be in accordance with additional conditions set by the Council.

d. Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role. The Licensee / Duty manager shall, once he

is satisfied as to the competence of each member of staff, record this in the Fire log book.

4018 a. The Licensee shall cause a Fire log-book to be kept.

b. Any authorized officer shall be entitled to obtain a photocopy of any page(s) of the log-book.

4019 The Licensee / Duty manager shall maintain a register indicating the numbers of staff, including any Door Supervisors and all performers, who are present when the public are present. This register shall be produced immediately on the request of an Authorised Officer. This Condition does not apply to any premises that are being used for a closely seated audience.

4020 Dancing shall be restricted to the areas designated by the Council.

4021 a. The Licensee / Duty Manager shall ensure that no nuisance is caused by noise

emanating from the premises or by vibration transmitted through the structure of the premises.

b. If required, legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

4022 1. The approved arrangements shall be maintained in good condition and in full working order. Fire fighting equipment, the fire alarm warning system and any smoke ventilators shall be maintained as follows:-

i) Fire Fighting Equipment.

a) The approved fire-fighting equipment shall be kept in the approved positions and be maintained in satisfactory working order, unobstructed and available for immediate use;

b) All fire fighting equipment shall be checked weekly. Note: The Council may consent to the variation of the frequency of checks where the premises are used infrequently and this will not endanger safety;

c) Portable fire-fighting equipment shall be inspected at least once a year in accordance with BS 5306-3 and recharged where necessary in compliance with the manufacturer's instructions. The date of inspection shall be clearly marked on the appliance or a stout tab securely attached to it and recorded in the fire log book;

d) Hose reels, drenchers and sprinklers shall be inspected in accordance with BS 5306 once a year to ensure that they are in working order. The date of the inspection shall be clearly marked on the control valves and recorded in the fire log book; and

e) For details of the certificates to be provided see condition 4045.

ii) Fire-alarm warning system

a) Any fire-alarm warning system shall be maintained in satisfactory working order;

b) The system shall be tested weekly. Note: The Council may consent to the variation of frequency of tests where the premises are used infrequently and this will not endanger safety;

c) All checks, tests and inspections shall be recorded in the fire log book; and

d) For details of the certificates to be provided see condition 4045.

iii) Smoke ventilators

a) Any smoke ventilators shall be maintained in satisfactory working order;

b) Any smoke ventilators shall be tested at least every 3 months;

c) For details of the certificates to be provided see condition 4045.

2. No alterations (including temporary alterations) shall be made except with the consent of the Council.

4023 The Licensee shall ensure that all performances or activities minimize any danger to the public.

4024 The Licensee / Duty manager shall ensure that, whenever disabled people are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency and that they are made aware of those arrangements.

4025 The Licensee / Duty Manager shall ensure that all necessary safety checks have been carried out

before the admission of the public. Details of the checks shall be entered in the Fire log-book; this may be by use of a separate check list.

4026 a.All escape routes and exits including external exits shall be maintained unobstructed, in good order with non- slippery and even surfaces, free of trip hazards and clearly identified in accordance with the approved arrangements.

b.All exits door shall be available and easily operable without the use of a key, card, code or similar means. Only approved fastenings shall be used.

c.Any removable security fastening shall be removed from the doors prior to opening the premises to the public. All such fastenings shall be kept in the approved positions.

d.If required, exit doors shall be secured in the fully open position when the public are present.

e.All fire-doors shall be maintained effectively self-closing and shall not be held open other than by approved devices.

f.Fire-resisting doors to ducts, service shafts and cupboards shall be kept locked shut.

g.The edges of treads of steps and stairways shall be maintained so as to be conspicuous.

4027 a.Hangings, curtains and temporary decorations shall be maintained fire-retarded

b.Any upholstered seating shall continue to meet the pass criteria for smouldering ignition source 0, flaming ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of BS5852;1990

4028 a. Any scenery shall be maintained flame- retarded in accordance with Additional Conditions S

b.Temporary decorations shall not be provided except with consent. When seeking consent for temporary decorations the Licensee shall advise the Council of the period for which it is desired to retain them

c.Curtains, hangings and temporary decorations shall be arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment.

4029 The Licensee / Duty manager shall ensure that the accommodation limit(s) specified on the licence are not exceeded and shall be aware of the number of the public on the premises. This information shall be provided to any authorized officer immediately on request.

4030 Notices detailing the actions to be taken in the event of fire or other emergencies, including how the fire brigade can be summoned, shall be prominently displayed and shall be protected from damage or deterioration.

4031 The fire brigade shall be called at once to any outbreak or suspected outbreak of fire, however, slight, and the details recorded in the fire log-book.

4032 The Licensee / Duty manager shall have readily available the telephone number of the local Fire Control Centre. The Licensee / Duty Manager shall notify the local Fire Control Centre as soon as possible if he is aware that the water supply to any hydrant, hose reel, sprinkler, drencher or other fire extinguishing installation is cut-off or restricted.

4033 Refuse receptacles shall be emptied regularly.

4034 Access for emergency vehicles shall be kept clear and free from obstruction.

4035 a.The Licensee / Duty Manager shall ensure that an adequate and appropriate supply of first aid equipment and materials is available on the premises.

b.If required, at least one suitably trained first aider shall be on duty when the public are present. If more than one suitably trained first-aider is present, each person's responsibilities shall be clearly identified.

4036 a.Toilet accommodation shall be provided free of charge and be kept clean and in proper working

order.

b. An adequate supply of hot and cold (or warm) water, toilet paper in holders or dispensers, soap and suitable hand and face drying facilities shall be provided in toilet accommodation.

4037 Where free drinking water is provided for the public, it shall, except with the consent of the Council, only be provided in a supervised area.

4038 a. Heating apparatus shall be maintained in a safe and functioning condition.

b. Portable heating or cooking appliances shall not be used except with consent.

4039 If required, a competent person shall be in charge of the electrical or other installation.

4040 a. In the absence of adequate daylight the management lighting in any area accessible to the public shall be fully in operation whilst the public are present.

b. Except as permitted under d. below there shall be adequate illumination to enable people to see their way out of the premises

c. Fire safety signs shall be adequately illuminated except as permitted under d.

below.

d. of essential to the entertainment and subject to consent, the management lighting in the entertainment area may be reduced or extinguished provided

(i) the lighting be controlled from a position with a clear view of the entertainment area; and

(ii) An operator remain by the controls whilst the lighting is reduced or extinguished; and

(iii) The operator restore the management lighting at once in

the event of any emergency; and

(iv) The escape route signs remain adequately illuminated.

4041 a. The emergency lighting battery shall be fully charged before the admission of the public.

b. The emergency lighting battery shall be fully charged before the admission of the public

c. In the event of failure of the normal lighting

(i) If the emergency lighting battery has a one hour capacity the public shall leave the premises within 20 minutes unless within that time the normal lighting has been restored and the battery is being re-charged; or

(ii) If the emergency lighting battery has a 3 hour capacity the public shall leave the premises within one hour unless within that time the normal lighting has been restored and the battery is being re-charged.

d. The public shall not be re-admitted to the premises until the normal lighting has been fully restored and the battery fully recharged except

(i) Where the emergency lighting battery has a one hour capacity and if the failure of the normal lighting was fully rectified within 20 minutes of failure and the battery is being re-charged; or

(ii) Where the emergency lighting battery has a 3 hour capacity and if the failure of the normal lighting was fully rectified within one hour of failure and the battery is being re-charged.

4042 a. Temporary electrical wiring and distribution systems shall not be provided without notification being given to the Council at least 10 days before the commencement of the work.

b. Temporary electrical wiring and distribution systems shall be inspected and certified before they are put in use. A copy of the certificate shall be sent to the Council as soon as possible.

c. Temporary electrical wiring and distribution systems shall be provided only for a period of up to 3 months. This period may be extended subject to a satisfactory electrical test and inspection report being submitted to the Council at the end of each 3 month period.

4043 a. The premises shall be effectively ventilated.

b. Where the ventilation system is designed to maintain a positive air pressure within that part of the premises, that pressure shall be maintained whenever the public are present in that part of the premises.

4044 a. Ventilation ducting and other shafts shall be kept clean.

b. Any air filters shall be periodically cleaned or replaced so as to maintain a satisfactory air supply.

c. All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned as frequently as necessary to prevent the accumulation of grease and fat and at least once per year.

d. Grease filters in extract ventilation hoods in kitchens and serveries shall be cleaned weekly or at other intervals as required.

4045 a) The following certificates shall be submitted to the Council at least once a year unless stated otherwise below. Note: Where a certificate covers a period of more than one year it will be sufficient to submit a photocopy of the certificate each year that the certificate remains valid.

i) Battery - The emergency lighting battery (including any self contained units) and associated control equipment. The inspection of the battery and control equipment shall be in accordance with BS 5266-1. The certificate shall be signed by a Corporate Member of the Institution of Electrical Engineers or a member of the Electrical Contractors Association or by a contractor enrolled with the National Inspection Council for Electrical Installation Contracting or, with consent, another competent person.

ii) Electrical installation - The entire electrical installation (including the emergency lighting installation but excluding any battery). The inspection shall be in accordance with Guidance Note 3 to BS 7671. In large or complex premises the electrical installation shall be visually inspected once a year and at least 20% of the installation tested in accordance with a programme approved by the Council such that the whole installation is tested every 5 years. The certificate shall be signed by a Corporate Member of the Institution of Electrical Engineers or a member of the Electrical Contractors Association or by a contractor enrolled with the National Inspection Council for Electrical Installation Contracting or, with consent, another competent person.

iii) Boilers and calorifiers - Any steam boiler, any electrode boiler working on a closed water system or any calorifier incorporating a steam receiver. A boiler insurance company shall issue the certificate of thorough examination and test;

iv) Fire alarm warning system - Confirmation from a fire alarm company or, with consent, another competent person that the fire alarm warning system continues to satisfy the requirements of BS 5839;

v) Fire fighting equipment - All portable fire-fighting equipment together with any hose reels or sprinklers in accordance with BS 5306;

vi) Mechanical installations - Any passenger lifts or escalators. All lifting equipment and permanently suspended equipment (These certificates should be copies of the records of examination provided under the Lifting Operations and Lifting Equipment Regulations 1998. Any permanently suspended loads, such as permanently installed stage lighting luminaires or loudspeakers or flown cinema screens, shall be treated as forming part of the lifting equipment installation and be examined by the competent person making the examination). The safety curtain, its operating gear and controls, the smoke ventilators and drencher. Any other mechanical installation (for example, stage, orchestra or organ lifts, revolving or moving platforms) if required.

vii) Lasers - Any permanently installed lasers, other than Class 1 and Class 2 lasers;

viii) Special effects - Permanently installed smoke machines, fog generators and strobe lighting;

ix) Ceilings - Ceilings and ornamental plaster; and

x) Gas installation - Any gas installation and gas appliances, if required. A member of the Council for registered Gas installers (CORGI) shall complete the certificate.

4200 Where the premises are not equipped with a staff alerting system the number of attendants present

shall be as set out as follows: - When the number of members of public is between 1 - 250, the minimum number of attendants requires to be on duty would be 2. There would be 1 additional attendant for each additional 250 member of the public present (or part thereof). Where there are more than 150 members of the public present in any auditorium or any floor or tier, at least 1 attendant shall be present in any auditorium or any floor or tier.

4201 Where the premises are not equipped with a staff alerting system the number of attendants present shall be as set out as follows: - When the number of members of public is between 1-500 minimum number of attendants will be 2 and the minimum number of staff who are able to assist in the event of an emergency will be 1, from 501-1000 minimum number of attendants will be 3 and the minimum number of staff who are able to assist in the event of an emergency will be 2, from 1001-1500 minimum number of attendants will be 4 and the minimum number of staff who are able to assist in the event of an emergency will be 4, with 1501 or more, the minimum number of attendants would be 5 plus 1 for every 500 (or part thereof) persons over 2000 on the premises, and the minimum number of staff who are able to assist in the event of an emergency will be 5 plus 1 for every 500 (or part thereof) persons over 2000 on the premises. Staff shall not be considered as being available to assist in the event of an emergency if they are: (i) the Licensee or Duty Manager; or (ii) a member of staff whose normal duties or responsibilities are likely to significantly affect or delay his/her response in an emergency situation; or (iii) a member of staff whose usual location when on duty is more than 60 metres from the location to which he is required to go on being alerted to an emergency situation. Attendants shall as far as is reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the public have access. The staff alerting system shall be maintained in working order.

4202 The level of management lighting in the auditorium shall be as great as possible consistent with the effective presentation of the films. Note; the level of illumination maintained in the auditorium during the showing of films will be regarded as satisfactory if it complies with the standards specified in BS CP 1007: Maintained Lighting for cinemas.

4203 The categories U, PG 12 15 and 18 have the following meaning: - U - Universal - suitable for all PG - Parental Guidance. Some scenes may be unsuitable for young children. 12 - Passed only for persons of 12 years and over. 15 - Passed only for persons of 15 years and over. 18 - Passed only for persons of 18 years and over. RESTRICTED (18) Passed only for persons of 18 or over who are members (or their guest) of a properly constituted club. The addition of the Council's name (e.g. Guildford) after the category means that the film has been passed by the Council for exhibition in the Council's area in the category shown.

4204 No film shall be exhibited unless: (i) it is a current news reel; or (ii) it has been passed by the British Board of Film Classification as a U, PG, 12, 15, 18 or RESTRICTED (18) film and no notice of objection to its exhibition has been given by the Council, or (iii) the film has been passed by the Council as U*, PG*, 15*, 18* or RESTRICTED (18)* with *being the name of the Council.

4205 If the Licensee is notified by the Council in writing that it objects to the exhibition of a film specifying the grounds of objection, such film shall not be exhibited. Note: Any objection is likely to be on the ground that in the opinion of the Council: (i) the film is likely (a) to encourage or incite to crime, or (b) to lead to disorder, or (c) to stir up hatred against any section of the public on grounds of colour, race or ethnic or national origin, disability, religious beliefs, sexual orientation or gender, or (d) to promote violence, sexual humiliation or degradation; or (ii) the effect of the film is, if taken as a whole, such as to hold up to ridicule or contempt (a) people of a particular gender, sexual orientation, colour, race or ethnic or racial origin, or (b) people with disabilities or particular religious beliefs unless such film is depicting an historical event or should be exhibited in the public interest; or (iii) the film contains a grossly indecent performance thereby outraging the standards of public decency.

4206 Films in the RESTRICTED (18) category shall only be shown with consent. Any application to permit such films to be shown shall be advertised in accordance with the Council's conditions governing applications for annual entertainment licences.

4207 Not less than 28 days notice in writing shall be given to the Council of any proposal to exhibit any other film which has not been classified as specified in Condition C4. Such a film may only be exhibited if consent has been obtained and in accordance with the terms of any such consent.

4208 (a) When the programme includes a film in the 12, 15 or 18 categories no person appearing to be

under the age of 12, 15, or 18 as appropriate shall be admitted to any part of the programme.(b) This condition shall not apply to members of the staff of 16 or 17 years of age provided the prior written consent of the person's parent or legal guardian has first been obtained. This consent shall be available for examination by Authorised Officers at all reasonable times

4209 If the Council does not agree with the category of any film as passed by the British Board of Film Classification, it may alter the category or prohibit the showing of the film.(a) On notice of alteration of category being given by the Council to the Licensee, the film shall thereafter be treated as being in the altered category and the conditions applicable to the exhibition of films in the altered category shall be observed.(b) On notice of prohibition of exhibition being given by the Council to the Licensee, the film shall not be exhibited.

4210 (a) Immediately before each exhibition at the premises of a film (other than a current news-reel) passed by the British Board of Film Classification there shall be exhibited on the screen for at least 10 seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer, of the statement approved by the Board indicating the category of the film.(b) For a film passed by the Council notices shall be conspicuously displayed both inside and outside the premises so that persons entering can readily read them. The notices shall state without the addition of any other words

Southwark Council(Insert title of Film)has been passed by the London Borough of Southwark as(here insert the definition of the category and the category assigned)

Where a trailer is to be exhibited advertising a film passed by the Council the notice shall state: -

Southwark Council*...trailer advertising +... film

(*Here insert the category of the trailer)(+ Here insert the category of the film)

4211 Every poster, advertisement, photograph, sketch, synopsis or programme relating to a film (other than a current news reel) exhibited, or to be exhibited at the premises, shall indicate clearly the category of the film.

4212 No flammable films shall be upon the premises without consent

4213 (a) When any television entertainment or part of such entertainment is described by the broadcasting authority in advance of the day on which it is to be broadcast as unsuitable for viewing by any particular group of persons, a notice to that effect, indicating the group of persons concerned, shall be displayed in a conspicuous position at each entrance to the premises.(b) Unless consent has been obtained no such entertainment shall be given on the premises during the time that any child under or appearing to be under the age of 16 is therein unless the child is accompanied by any person over the age of 18 and bona fide in charge of the child

4214 (a) When the programme includes a film in RESTRICTED(18) category the Licensee shall display in a conspicuous position at each entrance to the premises a clear notice stating: - CIMENA CLUB - MEMBERS AND GUESTS ONLY.

5015 All exit doors shall be available for egress during the whole time that the public are on the premises.

6000 That the CCTV system installed upon the premises shall be maintained in good working condition and operable at all times

6001 That recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days

6010 That one Security Industry Authority licensed Door Supervisor shall be employed with a counting device from the SIA to control admissions to and departures from the premises when entertainment is provided.

7100 That the maximum number of persons that may be accommodated within the licensed area at any one time in the ground floor bar shall not exceed one hundred and eighty five (185).

7101 That on each of the nights Friday and Saturday there shall be no new admissions, or re-admissions, of the public to the premises after (12:30 am).

8002 That notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner

9501 Maintain the sound limiting device in full working order and ensure it remains at the level set by the Noise Team. Ensure at all times that any amplified music is through the sound limiting device.

9502 That suitable staff shall be employed and shall take all reasonable steps during the course of the evening to ensure customers are not causing disturbance to residents or causing nuisance.

9503 That suitable numbers of staff shall be employed outside the premises for up to one hour after the terminal hour to take all reasonable steps to ensure patrons leave in quiet and orderly manner so as not to disturb local residents.

9504 That at the end of the terminal hour all music being played shall be turned off.

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

Annex 4 - Plans

As attached

Temporary Event Notices – Delicias Colombianas, 720 - 722 Old Kent Road London, SE15 1NG

Start Date	End Date	Times	Premises User	Max. No. People	Sale Of Alcohol	For Consumption	Reg. Ent.	Late night refreshment	Police OBJ.	EPT OBJ.	Counter Notice Served
29/03/2024	01/04/2024	Friday and Saturday from 12:00 am till 02:00 am. Sunday to Monday from 12:00 am till 01:00 am.	Sigifredo Ramirez	99	Yes	On Premises	Yes	Yes	No	No	
05/04/2024	07/04/2024	Friday and Saturday from 11.00am till 02.00am.Sunday from 11.00 till 23.30pm	Sigifredo Ramirez	120	Yes	On Premises	Yes	Yes	No	No	
12/04/2024	14/04/2024	Friday and Saturday from 11.00am till 02.30 Sunday from 11.00am till 23.45pm	Sigifredo Ramirez	140	Yes	On Premises	Yes	Yes	No	No	
19/04/2024	22/04/2024	Friday and Saturday from 11.00am till 03.00am Sunday from 11.00am till 02.00	Sigifredo Ramirez	130	Yes	On Premises	Yes	Yes	No	No	
26/04/2024	29/04/2024	Friday and Saturday from 11.00am till 03.00am Sunday from 11.00am till 01.00am.	Sigifredo Ramirez	140	Yes	On Premises	Yes	Yes	No	No	
03/05/2024	06/05/2024	Friday and Saturday from 11.00am till 03.00am Sunday from 11.00am till 02.00am	Sigifredo Ramirez	140	Yes	On Premises	Yes	Yes	No	No	
31/05/2024	02/06/2024	Friday and Saturday from 11.00am till 03.00 and Sunday from 11.00am till 23.45pm	Sigifredo Ramirez	140	Yes	On Premises	Yes	Yes			Yes (personal allowance exceeded)
10/06/2024	13/06/2024	Friday and Saturday from 11.00 am till 02.00am Sunday from 11.00 am till 01.00 am	Sigifredo Ramirez	120	Yes	On Premises	Yes	Yes			Yes (personal allowance exceeded)



SENT BY EMAIL TO:

████████████████████
Mr Sigifredo Ramirez
Delicias Colombianas
720 Old Kent Road
London
SE15 1NG

Licensing Unit
Direct Dial – 020 7525 0396
Email: jayne.tear@southwark.gov.uk
Ref: M/882702

20 May 2024

Dear Mr Ramirez,

RE: THE LICENSING ACT 2003 – Delicias Colombianas, 720 Old Kent Road, London, SE15 1NG

I write to inform you that on Saturday 18 May 2024 at 00:50 hours, council officers working on the night time economy team visited your premises and have reported to the Licensing Department the following matters of concern:

1) *That the premises were providing the following licensable activities without a licence having first been obtained:*

- The sale of and supply of alcohol
- The provision of regulated entertainment.

This potentially constitutes a contravention of under the Licensing Act 2003 or of other related legislation.

In particular, I would advise you that Section 136(1) (a) of the Licensing Act 2003 states that:

A person commits an offence if -

- (a) He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or
- (b) Knowingly allows a licensable activity to be so carried on.

Southwark Council - Regulatory Services, Licensing team, Hub 1, 3rd Floor, PO Box 64529, SE1P 5LX
Switchboard - 020 7525 5000 Website - www.southwark.gov.uk
Strategic Director of Environment, Neighbourhoods and Growth - Toni Ainge

This Service warns you that should any further breach be reported to us we will give consideration to the appropriate legal action to be taken. You should understand that this could lead to legal proceedings being taken.

I would make clear that it is the practice of the Council's Licensing Unit to send officers to visit premises to check to see if unauthorised activities are being provided. Licensing officers will gain admission to the premises in the same way as ordinary members of the public, and will not necessarily make themselves known to the staff or the licence holder at the time of the visit.

You should also understand that where other Services have interest in the matters noted we will be notifying them of this recent visit. You may receive follow-up visits from them.

Information and online applications can be found using the following link:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing>

Please ensure you act promptly on this letter. If you require advice or assistance on how to comply with the matters raised please contact us on the telephone number given above.

Yours sincerely,

Jayne Tear

Jayne Tear
Principal Licensing Officer
jayne.tear@southwark.gov.uk

List of Premises Shown On Map

New Chan's Take-Away, 726, Old Kent Road, SE15 1NG licensed for:

- Late night refreshment (indoors)
 - Monday to Sunday from 23:00 to 00:30
- Opening hours
 - Monday to Sunday from 12:00 to 00:30

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

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

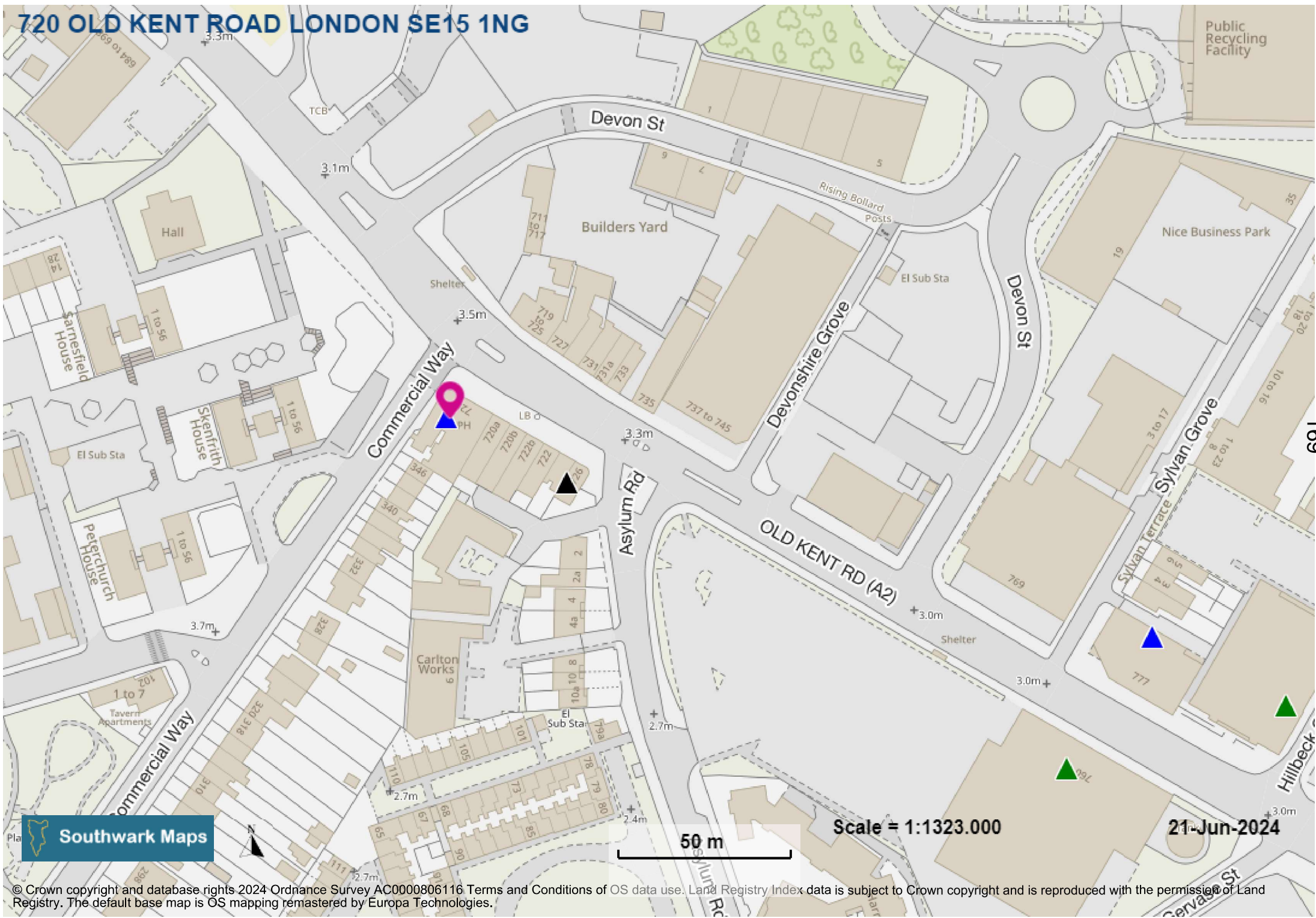
The Empire Lounge, Unit 1 and 2, 777 Old Kent Road, SE15 1NZ, licensed for:

- Late night refreshment (indoors)
 - Sunday to Thursday from 23:00 to 00:00, Friday and Saturday from 23:00 to 02:00
- Recorded music (indoors)
 - Sunday to Thursday from 11:00 to 00:00, Friday and Saturday from 11:00 to 02:00
 -
- The sale by retail of alcohol (off the premises):
 - Monday to Sunday from 11:00 to 00:00
- The sale by retail of alcohol (on the premises):
 - Sunday to Thursday from 11:00 to 00:00, Friday and Saturday from 11:00 to 02:00
- Opening hours:
 - Sunday to Thursday from 11:00 to 00:30, Friday and Saturday from 11:00 to 02:30

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

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

720 OLD KENT ROAD LONDON SE15 1NG



Southwark Maps

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

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

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Councillor Maria Linforth-Hall	1	Toyin Calfos, legal team	
Councillor Charlie Smith	1	Charlotte Precious, legal team	
		Jayne Tear, licensing team	
Reserve		P.C. Walter Minka Agyeman, Metropolitan Police Service	
Councillor Margy Newens	1	P.C. Mark Lynch, Metropolitan Police Service	
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