

Licensing Sub-Committee

Thursday 1 August 2024
10.00 am
Online/Virtual

Membership

Councillor Renata Hamvas (Chair)
Councillor Barrie Hargrove
Councillor Andy Simmons

Reserves

Councillor Ian Wingfield

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.

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Access

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Contact

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

Webpage:

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 23 July 2024



Licensing Sub-Committee

Thursday 1 August 2024
10.00 am
Online/Virtual

Order of Business

Item No.	Title	Page No.
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PART A - OPEN BUSINESS

1. APOLOGIES

To receive any apologies for absence.

2. CONFIRMATION OF VOTING MEMBERS

A representative of each political group will confirm the voting members of the committee.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.

5. LICENSING ACT 2003: THE KERNEL TAPROOM, 132 SPA ROAD, LONDON SE16 3AE

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

Item No.

Title

Page No.

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: 23 July 2024

Meeting name:	Licensing Sub-Committee
Date:	1 August 2024
Report Title	Licensing Act 2003: The Kernel Taproom, 132 Spa Road, London SE16 3AE
Ward(s) or groups affected:	South Bermondsey
Classification:	Open
Reasons for lateness (if applicable):	N/a

RECOMMENDATION

1. That the licensing sub-committee considers an application made by The Kernel Taproom Ltd. for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as The Kernel Taproom, 132 Spa Road, London SE16 3AE.
2. Notes:
3. 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 3 responsible authorities (which have now been withdraw) and 15 other person and is therefore referred to the sub-committee for determination.
 - a) Paragraphs 7 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.
 - b) Paragraphs 11 to 17 of this report deal with the representations received from responsible authorities. Paragraph 21 to 26 of this report deal with representations received from others persons. Copies of the representations submitted are attached in Appendix B and D of this report. A map showing the location of the premises is attached to this report as Appendix E.
 - c) 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

4. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol

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

KEY ISSUES FOR CONSIDERATION

The premises licence application

9. On 3 June 2024, The Kernel Taproom Ltd. applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as The Kernel Taproom, 132 Spa Road, London SE16 3AE. The premises and purpose is described as follows:
- ‘The premises will function as a brewery bar and bottle shop which serves food. It is a ground floor venue with customer seating making over 50% of the customer space. There will be a small takeaway counter for off-sales’.
10. The hours applied for are summarised as follows:
- The sale by retail of alcohol (on and off the premises):
 - Monday to Sunday from 09:00 to 23:00

- Opening hours:
 - Monday to Sunday from 09:00 to 23:00.
11. The premises licence application form provides the applicant's operating schedule. Parts 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

12. The proposed designated premises supervisor is Evin O'Riordain who holds a personal licence issued by the London Borough of Hackney Council.

Representations from responsible authorities

13. Representations have been submitted by trading standards, the Metropolitan Police Service, and the councils licensing authority as a responsible authority.
14. The representation by trading standards recommends that four conditions are added to the operating schedule in order to promote the protection of children from harm licensing objective.
15. The police representation objects to the granting of the application in its current format and say that the control measures offered within the operating schedule are not adequate to address the licensing objectives, in particular to that of the prevention of crime and disorder.
16. The representation from the licensing authority as a responsible authority relates to the promotion of the prevention of crime and disorder, public nuisance, public safety and the prevention of public nuisance licensing objectives.
17. The licensing responsible authority contends that the measures offered within the operating schedule do not sufficiently address the licensing objectives and recommends 34 conditions to be added to the premises licence should the application be granted in order to promote the licensing objectives.
18. The licensing responsible authority further states that the southwark statement of licensing policy 2021-2026 recommends that this type of premises should close on a Monday to Sunday at 23:00 hours and recommend that the hours applied for regarding 'on sales' of alcohol are cut back to allow for half an hour drinking up time.
19. The representations from the responsible authorities are attached as Appendix B.

Conciliation

20. Following conciliation with trading standards, the police and licensing as a responsible authority the applicant has agreed to add the conditions recommended

within their representations to the operating schedule and amend the finish times for alcohol 'on sales' and as such trading standards the police and licensing as a responsible authority have now withdrawn their representations.

21. Copies of the conciliated conditions of trading standards and the metropolitan police service, with their withdrawal statements are attached to this report as Appendix C.
22. At the hearing to determine this application the licensing sub-committee will be apprised as to any further conciliation that may have taken place.

Representations from other persons.

23. Representations have been submitted by 15 other persons.
24. The other person representations are concerned with the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm licensing objectives.
25. The other person's representation states the establishment is in a residential block of apartments and this residential block has a children's playground in it that is in use frequently and directly next door to the bar. The playground, although private is accessible, viewable and in earshot from both Spa Road and Rouel Road.
26. The representations refer to the existing Bermsondsey beer mile which already causes noise nuisance, crime and disorder and anti-social behaviour in the local area. Both noise and drunkenness already cause problems to residents on the whole length of Enid Street; there is often a lot of litter and there are either no toilets in the premises, or they are woefully inadequate. There here have been many observations of public urination.
27. The noise and congregation of people around a drinking establishment will increase the noise and street disturbances.
28. Some of the representations refer to planning permission

Note: The planning, regeneration, building control and licensing regimes will be properly separated to avoid duplication and inefficiency. Each regime involves consideration of different (albeit related) matters. Neither licensing nor planning committees are bound by decisions made by the other.

Temporary event notices

29. No temporary event notices (TENs) have been submitted in respect of the premises.

Map

30. A map showing the location of the premises and a list of licensed premises shown on the map is attached to this report as Appendix E.

Southwark Council statement of licensing policy

31. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021.
32. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
 - Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
 - Section 5 – Determining applications for premises licenses and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
 - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
33. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
34. Members should take into consideration both the Southwark statement of licensing policy and the Section 182 Guidance when making decisions. Links are below.

Southwark policy:

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

Section 182 Guidance:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Cumulative Impact Area (CIA)

35. The premises does not fall within a Cumulative Impact Area (CIA)
36. The premises are situated in a residential area.
37. 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

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

Community impact statement

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

Equalities (including socio-economic) impact statement

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

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

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

42. The equalities impact assessment is available at:

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

Health impact statement

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

General guidance

44. Members should take into consideration both the Southwark statement of licensing policy and the Section 182 Guidance when making decisions.
45. Members are required to have regard to the Home Office guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Climate change implications

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

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

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

Resource implications

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

Consultation

51. 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

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

Principles for making the determination

54. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.
55. The principles which sub-committee members must apply are set out below.
56. 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.
57. 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.
58. 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

59. 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.
60. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
61. 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.
62. 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.
63. 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

64. 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

65. 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.

66. 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

67. 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.
68. 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.
69. 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.
70. 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.

71. 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.
72. 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.
73. 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.
74. 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

75. 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 and Governance

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

BACKGROUND DOCUMENTS

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

licensing policy		
Case file		

APPENDICES

Name	Title
Appendix A	Application for a premises licence
Appendix B	Representations submitted by responsible authorities
Appendix C	Conciliation/withdrawal statements from the responsible authorities
Appendix D	Representations submitted by other persons
Appendix E	Map of the locality including details of licensed premises shown on map.

AUDIT TRAIL

Lead Officer	Toni Ainge, Strategic Director Environment, Neighbourhoods and Growth	
Report Author	Jayne Tear, Principal Licensing Officer	
Version	Final	
Dated:	17 July 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 and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	19 July 2024	

03/06/2024

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

Ref No. 2239539

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

The Kernel Taproom Ltd.

Notes for Guidance

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

2. In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority

concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital. • Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

• Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

o any entertainment taking place on the hospital premises of the health care provider where the Business - Application for a premises licence to be granted under the Licensing Act 2003

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:

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

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

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

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;

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

(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

No

Premises trading name

Kernel Taproom

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2003 Postal address of premises or, if none, ordnance survey map reference or

description

Do you have postcode?
a Southwark Yes

Address Line 1 132 SPA ROAD

Address Line 2

Town LONDON

Post code SE16 3AE

Ordnance survey
map reference

Description of the
location

Telephone number



Applicant Details

Please select whether you are applying for a premises licence as

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

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

I am carrying on or proposing to carry on a business which involves the use of the

premises for licensable activities

Other Applicants

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

Name - First Entry

The Kernel Taproom Ltd

Address - First Entry

building name
01 Spa Business Park

Street number or

Street Description Spa Road

Town London County

Post code SE16 4EJ

Registered applicable)
number (where [redacted]

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company,
unincorporated
association etc
)

Description of
applicant (for
example,
partnership,
Company

Contact Details - First Entry

Telephone number [redacted]

Email address [redacted]

Operating Schedule

When do you want the premises licence to start?

01/07/2024

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

General description of premises (see guidance note 1)

The premises will function as a brewery bar and bottle shop which serves food. It is a ground floor venue with customer seating making over 50% of the customer space. There will be a small takeaway counter for off-sales.

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)

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

2003 Provision of regulated entertainment (Please read guidance note 2)

Provision of late night refreshment

Supply of alcohol

j) Supply of alcohol

In all cases please complete boxes K, L and M.

J - Supply of Alcohol

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

Both

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

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

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

5) n/a

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

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

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

Premises Supervisor

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

Full name of proposed designated premises supervisor

First names Evin
Surname O'Riordain

DOB

Date Of Birth [Redacted]

Address of proposed designated premises supervisor

Building name
Street number or [Redacted]

Street Description [Redacted]

Town [Redacted]

County

Post code [Redacted]

Personal licence number of proposed designated premises supervisor, if any,
Business - Application for a premises licence to be granted under the Licensing Act 2003

number (if known) [Redacted]
Personal licence

known) [Redacted]
Issuing authority (if

K

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

n/a

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 23:00

Tues 09:00 23:00

Wed 09:00 23:00

Thur 09:00 23:00

Fri 09:00 23:00

Sat 09:00 23:00

Sun 09:00 23:00

State any seasonal variations (Please read guidance note 5)

n/a

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

n/a

M - Steps to promote four licencing objectives

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

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

All staff will be fully trained in all 4 licensing objectives.

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

Premises management shall regularly monitor outside the premises and take all necessary steps to ensure that noise from patrons does not cause disturbance or public nuisance

There shall be no use of any external area after 22:00 on any day, other than for access egress and smoking.

No drinks shall leave the licensable area of the premises at any time other than off sales, or in the case of alcohol sold for consumption in any delineated external area for use of customers off the premises. Alcohol for consumption off the premises shall not be sold for immediate consumption in the area around the premises and shall be supplied in sealed containers that require a tool such as a bottle opener or corkscrew to be opened.

b) the prevention of crime and disorder

A suitable CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.

Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.

CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.

Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.

SIA registered door staff shall be employed at the premises in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.

When employed, a register of those door staff employed shall be maintained at the premises and shall include:

- the number of door staff on duty;
- the identity of each member of door staff;
- the times the door staff are on duty.

Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.

c) public safety

A first aid box will be available at the premises at all times.

Regular safety checks shall be carried out by staff.

Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.

The premises shall maintain an Incident Log and public liability insurance.

d) the prevention of public nuisance

Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of above and nearby premises.

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

The exterior of the building shall be cleared of litter at regular intervals.

Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.

The emptying of bins into skips, and refuse collections will not take place between 9pm and 9am.

e) the protection of children from harm

Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18.

A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.

Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force.

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

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

Home Office Declaration

Please tick to indicate agreement

I am a company or limited liability partnership
Business - Application for a premises licence to be granted under the Licensing Act 2003

Declaration

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

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

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

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

I agree to the above statement

Yes
PaymentDescription [REDACTED]
inorUnits [REDACTED]
PaymentAmountInM [REDACTED]
AuthCode [REDACTED]
LicenceReference [REDACTED]
PaymentContact [REDACTED]

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

Full name Evin O'Riordain
Date 03/06/2024
(DD/MM/YYYY)

Capacity Director, DPS

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 Capacity
(DD/MM/YYYY) 03/06/2024

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. 02072314516

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

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.

Tear, Jayne

From: Jerrom, Charlie
Sent: 11 June 2024 10:16
To: [REDACTED]
Cc: Tear, Jayne; Moore, Ray; Forrest, Yemisi; Regen, Licensing
Subject: New Premises Licence, The Kernel Taproom, 132 Spa Road, London, SE16 3AE Ref: 883223
Attachments: Best practice guide 2022.pdf; Age verification policy 2022.pdf; Saying no 2023.pdf; Proof of age cards 2022.pdf; Alcohol 2023.pdf; Southwark Refusals Register 2023.pdf; FINAL_c25-poster-enga-1_WSTA.pdf

Trading Standards as a responsible authority are in receipt of a new premises license application from The Kernel Taproom Ltd.in respect of premises 132 Spa Road, London, SE16 3AE. 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:-

“The premises will function as a brewery bar and bottle shop which serves food. It is a ground floor venue with customer seating making over 50% of the customer space. There will be a small takeaway counter for off-sales.”

The opening hours are to be:-

Monday to Sunday 09:00 to 23:00

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

Monday to Sunday 09:00 to 23:00

Under the licensing objectives the application does mention challenge 25, training records and refusals log, which is good, as a way of tidying up the conditions Trading Standards therefore simply asks that the following conditions be agreed.

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
T: 020 7525 7529
W: southwark.gov.uk





The Licensing Unit

Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service

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

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/24/630

Date: 28/06/2024

Dear Sir/Madam

Re:- Kernel Taproom, 132 Spa Road, SE16 3AE

Police are in possession of an application from the above for a new premises licence for supply of alcohol, on and off sales. The premises describes itself as a “brewery bar and bottle shop which serves food”.

The hours requested are also within those recommended in the Southwark statement of licensing policy. The hours requested are as follows;

Hours Open to the Public

Mon-Sun 0900hrs-2300hrs

Supply of Alcohol On/Off Sales

Mon-Sun 0900hrs-2300hrs

The applicant has attempted to offer some control measures to combat the licensing objectives, however some of the conditions are quite vague and not enforceable so would require some amendments to bring them to an acceptable standard.

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

The metropolitan police object to the granting of this Premises license in its current form. The applicant has provided some control measures, but these do not sufficiently cover the licensing objectives, in particular, to that of Prevention of Crime and anti-social behaviour.

Submitted for your consideration.

Yours Sincerely

PC Walter MINKA AGYEMAN

Licensing Officer
Southwark Police Licensing

To: Licensing Unit	From: Wesley McArthur wesley.mcarthur@southwark.gov.uk 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority)		Date: 03 July 2024
Subject:	Representation		
Act:	The Licensing Act 2003 (the Act)		
Premises:	Kernel Taproom, 132 Spa Road, London, SE16 3AE		
Application number:	883223		
Location ID:	201565	Ward:	South Bermondsey

We object to the grant of an application for a premises licence, submitted by The Kernel Taproom Ltd. under The Licensing Act 2003 (the Act), in respect of the premises known as Kernel Taproom, 132 Spa Road, London, SE16 3AE.

1. The application

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

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

- **Monday - Sunday: 09:00 – 23:00**

The proposed opening hours of the premises are –

- **Monday - Sunday: 09:00 – 23:00**

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

- *“The premises will function as a brewery bar and bottle shop which serves food. It is a ground floor venue with customer seating making over 50% of the customer space. There will be a small takeaway counter for off-sales.”*

2. The Statement Of Licensing Police

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 -

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

Monday - Sunday: 23:00

Restaurants and cafes

Monday - Sunday: 23:00

3 Our objection

We do not object to the application *in principal*, however, in part 'M' of the application, the applicant has proposed various measures to address the licensing objectives and whilst we welcome these measures, we do not feel that they sufficiently address the licensing objectives *at all*, and we 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 any 'off sales' of alcohol shall be provided in sealed containers to be taken away from the premises.
3. That, to discourage 'street drinking' in the locale by customers of the premises, 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.

B. The prevention of crime and disorder:

4. 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.

5. 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.
6. 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.
7. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers advising to the effect that CCTV is in operation at the premises. The signage shall be kept free from obstructions at all times.
8. 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.
9. 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.

10. That any 3rd parties / members of the public using the premises for a promoted or private event must complete a venue hire agreement as written and supplied by 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.
11. 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 for a minimum of six months and provided to responsible authority officers immediately on request.

12. 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.
13. That when SIA door supervisors are deployed at the premises, a register of the door supervisors which shall include:
- The number of door staff on duty;
 - The identity of each member of door staff;
 - The times the door staff are on duty
- shall be kept at the premises and shall be made immediately available to responsible authority officers on request.

C. Public Safety

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 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.
18. 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.
19. That prior to the premises opening to customers on each day, the premises will be

inspected to ensure that there are no health & safety risks to the public. A log of such inspections shall be kept at the premises and shall include the printed name of the person who undertook the inspection, the time and date of the inspection, and if any actions are required subsequent to the inspection, what these actions are and when they were taken. The log shall be made immediately available to responsible authority officers on request.

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 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.
23. 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.
24. 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.

25. That external doors at the premises shall be kept closed except for immediate, and emergency, access and egress to and from the premises.
26. That any openable windows at the premises shall be kept closed at all times that licensable activities are taking place at the premises.
27. 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.
28. 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 09:00 hours and 21:00 hours.
29. 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.
30. That staff shall periodically monitor outside the premises and take all necessary steps to ensure that noise from patrons, or arising because of the premises' operation, does not cause disturbance or public nuisance. A log of such monitoring including the printed name of the person who undertook the monitoring, the date & time of the monitoring and any observations or actions taken subsequent to the monitoring shall be kept at the premises and be made immediately available to responsible authority officers on request.
31. That any external areas of the premises will be closed to customers between 22:00 hours and 09:00 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. No open drinks shall be permitted into any external area after 22:00 hours.
32. 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:

33. That no person under 16 years old shall be permitted on the premises unless they are accompanied by an adult.
34. That no deliveries from the premises of alcohol shall be permitted.

Lastly we request that on sales of alcohol at the premises cease at 22:30 to allow for 30 minutes 'drinking up' time.

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: Jerrom, Charlie
Sent: 20 June 2024 10:31
To: arch
Cc: Evin | [REDACTED] Tear, Jayne; [REDACTED], Licensing
Subject: RE: Fwd: New Premises Licence, The Kernel Taproom, 132 Spa Road, London, SE16 3AE Ref: 883223

Dear [REDACTED]

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

The agreed conditions will be done by licensing, so no need to amend anything.

Regards

Charlie Jerrom
 Enforcement Officer
 Trading Standards
 T: 020 7525 7529
 W: southwark.gov.uk

From: arch <arch7@thekernelbrewery.com>
Sent: Wednesday, June 12, 2024 2:26 PM
To: Jerrom, Charlie <Charlie.Jerrom@southwark.gov.uk>
Cc: Evin | [REDACTED] Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>; [REDACTED] Regen, Licensing <Licensing.Regan@southwark.gov.uk>
Subject: Fwd: Fwd: New Premises Licence, The Kernel Taproom, 132 Spa Road, London, SE16 3AE Ref: 883223

Hi Charlie,

We're very happy to accept these conditions. Would you like us to amend our application or will you be able to do it at your end?

Thanks,

[REDACTED]

----- Forwarded Message -----

Subject: New Premises Licence, The Kernel Taproom, 132 Spa Road, London, SE16 3AE Ref: 883223

Date: Tue, 11 Jun 2024 09:16:04 +0000

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

To: [REDACTED]

CC: Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>, [REDACTED]

[REDACTED] Regen, Licensing <Licensing.Regan@southwark.gov.uk>

Trading Standards as a responsible authority are in receipt of a new premises license application from The Kernel Taproom Ltd.in respect of premises 132 Spa Road, London, SE16 3AE. 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:-

“The premises will function as a brewery bar and bottle shop which serves food. It is a ground floor venue with customer seating making over 50% of the customer space. There will be a small takeaway counter for off-sales.”

The opening hours are to be:-

Monday to Sunday 09:00 to 23:00

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

Monday to Sunday 09:00 to 23:00

Under the licensing objectives the application does mention challenge 25, training records and refusals log, which is good, as a way of tidying up the conditions Trading Standards therefore simply asks that the following conditions be agreed.

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
T: 020 7525 7529
W: southwark.gov.uk



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Where opinions are expressed in the email they are not necessarily those of Southwark Council and Southwark Council is not responsible for any changes made to the message after it has been sent.

Tear, Jayne

Subject: FW: Application for a premises licence: Kernel Taproom, 132 Spa Road, London, SE16 3AE (our ref: L1U 883223) - Loc ID: 201565 - South Bermondsey ward

From: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>

Sent: Monday, July 8, 2024 5:46 PM

To: Evin | [REDACTED] Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Cc: Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>; arch [REDACTED]

Subject: RE: Application for a premises licence: Kernel Taproom, 132 Spa Road, London, SE16 3AE (our ref: L1U 883223) - Loc ID: 201565 - South Bermondsey ward

Thanks Evin,

My representation is withdrawn.

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

From: Evin | [REDACTED]

Sent: Monday, July 8, 2024 4:20 PM

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

<Licensing.Regen@southwark.gov.uk>

Cc: Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>; arch [REDACTED]

Subject: Re: Application for a premises licence: Kernel Taproom, 132 Spa Road, London, SE16 3AE (our ref: L1U 883223) - Loc ID: 201565 - South Bermondsey ward

Hi Wesley,

Thanks for sending that through.

I confirm that we accept the final list of conditions as detailed below.

And I also confirm the amendment of the hours for the sale of alcohol to Monday - Sunday: 09:00 – 22:30 .

Yours sincerely,

Evin

On 08/07/2024 15:39, McArthur, Wesley wrote:

Hi Evin,

Further to our phone conversation just now please can you confirm that the final list of conditions is as follows (amendments in bold red type):

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 any 'off sales' of alcohol shall be provided in sealed containers to be taken away from the premises.
3. That, to discourage 'street drinking' in the locale by customers of the premises, 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.

B. The prevention of crime and disorder:

4. 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.
5. 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.
6. 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.

7. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers advising to the effect that CCTV is in operation at the premises. The signage shall be kept free from obstructions at all times.
8. 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.
9. That an incident log shall be kept at the premises to record details of any of the following occurrences at the premises:
 1. Instances of anti-social or disorderly behaviour
 2. Calls to the police or other emergency services
 3. Any complaints received
 4. Ejections of people from the premises
 5. Visits to the premises by the local authority or emergency services
 6. Any malfunction in respect of the CCTV system
 7. All crimes reported by customers, or observed by staff
 8. 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.

10. That any 3rd parties / members of the public using the premises for a promoted or private event must complete a venue hire agreement as written and supplied by 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.
11. 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 for a minimum of six months and provided to responsible authority officers immediately on request.
12. 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.

13. That when SIA door supervisors are deployed at the premises, a register of the door supervisors which shall include:
 1. The number of door staff on duty;
 2. The identity of each member of door staff;
 3. The times the door staff are on duty
 shall be kept at the premises and shall be made immediately available to responsible authority officers on request.

C. Public Safety

14. That the maximum number of people permitted on the premises at any one time (the 'accommodation limit') is **200** people (excluding staff). The accommodation limit shall be known by all staff and shall not be exceeded at any time.
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 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.
18. 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.
19. That prior to the premises opening to customers on each day, the premises will be inspected to ensure that there are no health & safety risks to the public. A log of such inspections shall be kept at the premises and shall include the printed name of the person who undertook the inspection, the time and date of the inspection, and if any actions are required subsequent to the inspection, what these actions are and when they were taken. The log shall be made immediately available to responsible authority officers on request.

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:
1. Details as to how customer / staff egress at the premises shall be managed to minimise causing nuisance.
 2. Details of public transport in the vicinity and how customers will be advised in respect of it.
 3. Details of the management of taxis to and from the premises.
 4. Details of the management of any 'winding down' period at the premises.
 5. Details of the use of security and stewarding in respect of managing customer dispersal from the premises.
 6. Details of any cloakroom facility at the premises and how it is managed.
 7. Details of road safety in respect of customers leaving the premises.
 8. Details of the management of ejections from the premises.
 9. 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 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.
23. 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.
24. 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.

25. That external doors at the premises shall be kept closed **after 21:00 hours** except for immediate, and emergency, access and egress to and from the premises.
26. That any openable windows at the premises shall be kept closed **after 21:00 hours** at all times that licensable activities are taking place at the premises.
27. 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.
28. 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 09:00 hours and 21:00 hours.
29. 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.
30. That staff shall periodically monitor outside the premises and take all necessary steps to ensure that noise from patrons, or arising because of the premises' operation, does not cause disturbance or public nuisance. A log of such monitoring including the printed name of the person who undertook the monitoring, the date & time of the monitoring and any observations or actions taken subsequent to the monitoring shall be kept at the premises and be made immediately available to responsible authority officers on request.
31. That any external areas of the premises will be closed to customers between 22:00 hours and 09:00 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. No open drinks shall be permitted into any external area after 22:00 hours.
32. 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:

33. That no person under 16 years old shall be permitted on the premises unless they are accompanied by an adult.
34. That no deliveries from the premises of alcohol shall be permitted.

Please also confirm that the hours regarding on sales are amended to:

- **Monday - Sunday: 09:00 – 22:30**

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

Tear, Jayne

Subject: FW: Application for a premises licence: Kernel Taproom, 132 Spa Road, London, SE16 3AE (our ref': L1U 883223) - Loc ID: 201565 - South Bermondsey ward

From: Ian.Clements@met.police.uk <Ian.Clements@met.police.uk>
Sent: Monday, July 15, 2024 12:58 PM
To: Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>; Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: Walter.MinkaAgyeman@met.police.uk; mark.A.Lynch@met.police.uk
Subject: RE: Application for a premises licence: Kernel Taproom, 132 Spa Road, London, SE16 3AE (our ref': L1U 883223) - Loc ID: 201565 - South Bermondsey ward

Hi Jayne

Police agree and accept the conditions as agreed with the other responsible authorities. We are now in a position to withdraw our representation.

Kind Regards

Ian

From: Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>
Sent: 15 July 2024 12:35
To: Clements Ian J - AS-CU <Ian.Clements@met.police.uk>
Subject: FW: Application for a premises licence: Kernel Taproom, 132 Spa Road, London, SE16 3AE (our ref': L1U 883223) - Loc ID: 201565 - South Bermondsey ward
Importance: High

Hi Ian,

If it makes it easier – I have put all conciliated conditions agreed on a word document, Please see attached,

Kind regards

Jayne

Jayne Tear - Principal Licensing Officer
Southwark Council | Licensing Unit
160 Tooley Street | London | SE1 2QH
Direct line 020 7525 0396 | Fax 020 7525 5735 | Call Centre 020 7525 2000

From: Tear, Jayne
Sent: Monday, July 15, 2024 11:48 AM
To: 'Ian.Clements@met.police.uk' <Ian.Clements@met.police.uk>
Cc: 'Walter.MinkaAgyeman@met.police.uk' <Walter.MinkaAgyeman@met.police.uk>
Subject: FW: Application for a premises licence: Kernel Taproom, 132 Spa Road, London, SE16 3AE (our ref': L1U

883223) - Loc ID: 201565 - South Bermondsey ward

Importance: High

Hi Ian.

Regarding the Police representation.

Please see the list of conciliated conditions below (agreed with licensing). They have also agreed to cut the alcohol hours back to 22:30 each day.

Also Trading standards have conciliated as the applicant has accepted the following conditions

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 wondered whether what has been conciliated would also address the concerns within the Police representation.

Please let me know

Kind regards

Jayne

OTHER PERSON 1

From: [REDACTED]
Sent: Monday, June 17, 2024 11:46 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Premises Licence; The Kernel Taproom Licence Number: 883223

- Name: [REDACTED]
- Date of objection: 17/06/2024
- Opposition to New Premises Licence: The Kernel Taproom Licence Number: 883223
- Reasons are based on:
 - The prevention of crime and disorder
 - The prevention of nuisance
 - The protection of children from harm

Dear Licencing Team

I wish to object to the premises licence application: The Kernel Taproom Licence Number: 883223

The grounds for objection are based on the following:

The establishment has applied to allow alcohol to be consumed both on and off premises, 7 days a week 9am through to 11pm.

The establishment is in a residential block of apartments and this residential block has a children's playground in it that is in use frequently and directly next door to the bar. The playground – although private – is accessible, viewable and in earshot from both Spa Road and Rouel Road – my primary objection therefore is for the protection of children from harm.

In addition to being underneath a block of residential apartments, the premises applied for are also across the street from two other residential blocks. Neither Spa Road or Rouel Road have any other such licenced premises but are a through road to Enid Street, which has several. The effect just of being 'on the way' to the nearby bars is; excess noise, public disorder and nuisance, with frequent fights, unruly behaviour that prevents me from safely leaving my flat on some nights (or even using my balcony, which is on [REDACTED]) due to feeling unsafe. There is also an excess of alcohol cans, plastic pint glasses and general rubbish being left on both Spa Road and Rouel Road, especially at weekends. Therefore I fear this would all get much worse by the addition of a large bar to Spa Road as this would exacerbate the ongoing public nuisance that is caused by this unruly behaviour, from morning to late at night - seven days a week. My second and third objection then is on the matter of preventing crime and disorder and the prevention of a public nuisance. Why open a large bar in a residential street that has no such premises, in a residential block that houses a children's playground and is surrounded by some 400+ residents in flats and apartments that will be directly affected by this type of establishment opening, from morning until late night, seven days a week, that will allow people to consume alcohol both on the premises and off the premises, leaving no room for residents to get relief from the noise, rubbish and disorder as a direct result – making life for people who just want to live and sleep at home in peace so much harder and unpleasant? The mental health of residents has to be taken into account, as well as their physical safety and their children's safety.

A copy of this objection is also attached in word format.

Kind Regards, [REDACTED]

OTHER PERSON 2

From: [REDACTED]
Sent: Wednesday, June 19, 2024 11:20 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Objection to Opening Hours for the Kernal Taproom, 132 Spa Road Bermondsey, SE16 3AE

For The Attention of :
 Claire Beswick
 Unit Support Officer
 Southwark Council | Licensing | Regulatory Services
 Tel: 0207 525 2285

Dear Madam

It has come to my attention that an application has been made to approve the opening hours of the Restaurant/Bar at Kernal Taproom, 132 Spa Road Bermondsey, SE16 3AE. As a concerned resident, living opposite this establishment [REDACTED], [REDACTED]

[REDACTED], I am writing to object strongly to the proposed venue opening hours. Where they have asked to operated from 9.00 am to 23.00 pm, 7 days a week. My strong objection is that it is located in the middle of a residential area and the noise/disruption associated with such a business, will be a Health and Safety issue for the local residence. It is a known Human Factor, that individuals need sufficient daily rest in order to operate efficiently, effectively and most importantly safely. If you approve the proposed opening hours, you will be introducing a disruption to the current rest patterns of the local residence, which could cause them harm. The early shift workers will be particularly affected with the proposed 23.00 pm closure. As any disruption at this late hour, will dramatically reduce their sleep / rest periods and they will never be able to recover from this, since the 23.00 pm closure is proposed for all 7 day per week. As a council, you have a legal duty of care to all residents. So I believe that these opening hours should be dramatically reduced, to allow the opportunity for local residents to have sufficient rest, for work the following day.

Regards

[REDACTED]

OTHER PERSON 3

From: [REDACTED]
Sent: Friday, June 21, 2024 2:47 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Opposition to New Premises Licence: The Kernel Taproom Licence Number: 883223

To: Southwark Council, Licensing Department

From: [REDACTED]

Date: 21st June, 2024

RE: Opposition to New Premises Licence: The Kernel Taproom Licence Number: 883223

Hello,

I am writing to raise concerns around, and opposition to, a recent application for licence (Number 883223), on the grounds of Prevention of Nuisance.

The area is establishing itself as desirable for individuals and small businesses, and a large premise serving alcohol (7 days a week, 9am - 11pm), will further exacerbate the anti-social behaviour (rubbish, public urination, drunk & disorderly) experienced at other parts of the "Beer Mile".

It is with much hope that I request your thoughtful consideration on this matter, preventing the neighborhood descending into another alcohol fueled wasteland each and every weekend.

Sincerely,

[REDACTED]

OTHER PERSON 4

From: [REDACTED]
Sent: Thursday, June 13, 2024 8:18 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: The Kernal Taproom, 132 Spa Road Bermondsey, SE16 3AE

Dear Sir/Madam

It has come to my notice that an application has been approved for the opening of a Restaurant/Bar at the above address. I am therefore writing to voice my concerns over the opening hours for this proposed venue. This venue is going to be operated from 9.00 to 23.00, 7 days a week in a residential area where people live and work and it is totally unacceptable that residents are to be disturbed 7 nights a week from noise coming from this site. I have taken time to look at other venues nearby - namely Cafe Amisha and I have noticed that not only are they situated on Grange Road, Bermondsey, and outside a residential area, but their opening hours start at 12 noon and close at 22.30 Tuesday - Saturday and on Sunday 12 noon and close at 21.00. The Kernel situated at Arch 7, Dockley Road Industrial Estate, Dockley Road operates on a Saturday between 11.00 - 21.00, Sunday 12.00 - 20.00 and Thursday-Friday 15.00 - 22.00.

The building in question has two entrances - one situated on Spa Road and this is a single door and the other on Rouel Road is a double door. I was informed that no visitors to the premises are allowed outside the venue but it is highly likely on nights when it is very hot, one or both of these doors will be opened thereby allowing noise which will undoubtedly disturb residents who leave very early for work each day. Sundays are supposed to be a day of rest and I also find it disrespectful that again this venue is to open from 9.00 until 23.00.

I would ask that the opening hours be looked at in a more realistic way. I am suggesting 12 noon to 22.00 Monday to Thursday and 12 noon to 23.00 on Friday and Saturday. Sunday should be closed but if this is not acceptable then at least 12.00 to 20.00.

Regards

[REDACTED]

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OTHER PERSON 5

From: [REDACTED]
Sent: Saturday, June 22, 2024 2:44 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk> [REDACTED]
Subject: Application for a new Premises License | The Kernel Taproom, 132 Spa Road, SE16 3AE
To: Licensing Service, Southwark Council
 As a resident and homeowner [REDACTED], I am writing to make representations about the likely effect of the application to Southwark Council for a new Premises License in respect of The Kernel Taproom, 132 Spa Road, Bermondsey, SE16 3AE.

My concerns about the likely effect are the following:

1. Violates planning permission

The planning permission granted at the Dockley Road Industrial Estate in 2019 specified that the commercial properties on the ground floor were for Class A1, A3 or B8¹¹, with Class A1 and A3 for the proposed location of the Kernel Taproom.

The proposed plan, with Kernel Taproom, is an establishment that primarily serves alcohol. The location of production will not move to the proposed location, but remain under the arches. As a drinking establishment that also serves food, the Kernel Taproom's primary use is not as a warehouse or distribution, retail, or a cafe or restaurant. It does not align with the original planning permission and class A1, A3 or B8, but likely would have fit Class A4.

Note: since the planning permission was granted, use cases have been reclassified. Changes in the allocation of use cases since 1 September 2020 reclassify A1 and A3 as E or F.2, while pubs and bars are Sui Generis. Therefore, Kernel Brewery does not fit under the new E classification (or the B8 classification), and the original planning permission.

Based on the above information, the licensing permission should be refused.

2. Devaluation of property

In addition to breach of the Planning Application as granted, a Class A4 or Sui Generis classification (for a drinking establishment) will result in a devaluation of the properties in the development, including impacting on access to mortgage providers. Further, the property would be devalued by the likely increase in noise and street disturbances around an establishment to serve alcohol. Already, the current location of Kernel Taproom extends into the street and can be heard over a block away in evenings. The new location indicates an expanded scale of the Kernel Taproom's operations, at a location that is surrounded by residential flats. Without clear provisions to limit service on the pavement and into the streets it is likely that the noise disturbances will increase, further reducing the value of properties in the area, beyond the development.

3. Negative impact on the community and environment

Objections about the Dockley Development's negative impact on neighbouring residents were made and addressed in the Application 18/AP/0091 for Full Planning Application shared at the Planning Committee meeting on 2 April 2019 (when the recommendation that planning permission be granted was made). The proposal for the Kernel Taproom are not in line with the response to the objections.

The response to Objections specified in paragraphs 184 and 187 on detrimental impact on neighbouring residents and on noise indicated no detrimental impact. However, the noise and congregation of people around a drinking establishment will increase the noise and street disturbances. It does not fit within the Class A1, A3 (now Class E) and B8 as indicated. It also specified 'Conditions are also recommending limiting servicing hours and plant noise from the development'. However, the proposal for the Kernel Taproom states it will supply alcohol seven days a week from 9:00 - 23:00. This is not in line with the content or spirit of the response to the objections, and will likely result in an increase in noise and disturbances for neighbouring residents.

4. Possible fire hazard

Fire safety risks will also likely be heightened due to the combination of serving alcohol and smoking outside around the establishment. Again, as primarily a residential development and street, this is an added concern that must be addressed prior to approval.

In response to these concerns, I request **any licensing is required to stay within the terms of agreement for the Planning Application as granted**. This includes the spirit of the response to the Objections, which indicated provisions would be made to limit service to minimise any disruption and noise for neighbouring residents. This includes restricting uses to those approved in the original granted application for Dockley Road Industrial Estate (Class A1, A3 (Class E), B8 for the ground floor); restricting the hours of operation; and strictly enforcing noise and other disturbances onto the pavement and streets.

I look forward to your response,
Best

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

OTHER PERSON 6

From: [REDACTED]
Sent: Saturday, June 22, 2024 10:47 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Licence 883223

To whom it may concern,

I object strongly to the application by The Kernal Tap Room to open a bar serving inside and outside (it will mostly be the latter) between 9am and 11pm seven days a week at 132 Spa Road, SE16 3AE.

The Kernal Tap Room already has premises as a local independent business, which will, I hope, continue. But to move to such a large outside space with such extended hours will create a great deal of noise and involve considerable antisocial behaviour.

We already have such problems from the 'beer mile' on Enid Street but, at least it is limited to weekends. Both noise and drunkenness already cause problems to residents on the whole length of Enid Street; There is often a lot of litter and there are either no toilets in the premises, or they are woefully inadequate. There have been many observations of public urination. I should like to see steps being taken to alleviate the already existing nuisances and antisocial behaviour caused by the other bars under the arches along Enid Street. Allowing a bar to trade all day every day, in a large outdoor space in front of the property will make the situation much, much worse.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

OTHER PERSON 7

From: [REDACTED]
Sent: Friday, June 21, 2024 6:33 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: License number 883223

Dear sirs

I am writing to object to the above license being granted.

I live on the ground floor on [REDACTED]. On Friday, Saturday and Sundays, there is a large volume of footfall of customers from the breweries on Enid St. There is often anti social behaviour, shouting, banging on our windows. Rubbish thrown into my balcony. People urinating in the rail bridge underpasses.

[REDACTED]
[REDACTED]
[REDACTED]

21.06 2024

Opposition to The Kernel Taproom License 883223.

Reasons for my objections, the protection of children from harm, there is a playground on Spa Rd, the playground is visible from both sides and earshot of the bar.

It is a very long time to have a bar opened 9am- 11pm 7 days a week. We already have too much antisocial behaviour on this Rd due to the bars on Enid Street .

My objection is also to do with the prevention of crime and disorder. We have shouting, fighting and assaults on this street already. People urinating in the streets. If we have a bigger bar and longer waiting times living on this street will become more unpleasant.

Yours sincerely [REDACTED]

OTHER PERSON 8

From: [REDACTED]
Sent: Wednesday, June 26, 2024 4:18 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Objection to Kernel Tap Room Bar

Please find attached my objections to the opening of this bar.

Thank you

[REDACTED]

[REDACTED]
[REDACTED]
To: Southwark Council Licensing 26 June 2024 **Re: Opposition to new premises licence: The Kernel Taproom Licence Number: 883223**

To Whom it may concern, I would like to formally object to the above proposed licence for the Kernel Taproom bar. I understand that the application is for a site on the corner of Spa Road and Rouel Road. I live on the corner of [REDACTED] and [REDACTED] and my objections are as follows: This area is first and foremost a quiet residential area. There are young families living here, so having a bar on a street with young families - which will be open daily from 9am-7pm will be a major public nuisance. As it is we have to endure monthly 'brewery crawls' where the breweries open to the public late once a month. This already results in a high level of noise and anti social behaviour (including urinating in the street and on the wall of my and other people's property; increased litter, vomit in the street) from visitors to the area. This kind of behaviour is a nuisance. I am extremely concerned that this bar will also be open next to a children's playground area. I would like to live in an area where the council is committed to protecting

children from harm. This is also a public safety issue. There is already levels of crime which happens on Enid street - which includes fighting in the street due to people being drunk (because of the breweries which open to the public on the weekend). An additional bar on Spa Road will make the current situation exponentially worse, so I appeal to you to please revoke this licence. With regards, [REDACTED]

OTHER PERSON 9

From: [REDACTED]
Sent: Monday, June 24, 2024 5:09 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Response to Licence application number:883223

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

To:
 Claire Beswick
 Unit Support Officer
 Southwark Council | Licensing | Regulatory Services
Licensing@southwark.gov.uk

Date: Monday 24th June 2024

Re Application:

Licence number:	883223
Trading name and address:	The Kernel Taproom 132, Spa Road, SE16 3AE
Ward:	South Bermondsey

I am a resident of [REDACTED], opposite the road from the application above and would like to raise an objection and suggestion.

The Kernel have been a great neighbour all these years. This has been in context of their premises being tucked under the working arches (away from all but one residential building) and shutting at residential and reasonable hours: Weds, Thursday, Friday 3- 10pm, Saturday 11am – 9pm, and Sunday 12pm-8pm.

Changing to 11pm every night of the week is a significant change. Given the extension of the hours *in* the location of the new site we raise an objection on the grounds of the **prevention of nuisance**: specifically **noise**.

I am attaching a picture at the bottom of this letter (enclosed in the PDF) of outside their current Taproom at 7:52pm (just over an hour before closing).

As you can see, everyone is on the pavement even though there is seating inside. There is a significant amount of noise coming from that many people outside and we understand, it was a sunny day.

At the moment this site is under the arches, affecting one facing of a residential building – the new venue where this application is lodged will be in the heart of three residential buildings. If the members of the licencing committee are to visit the new site, they will see it is all quiet residential flats in the evening– and the sounds echoes severely.

Looking at the plan we see there is a small selection of outdoor seating. Given that it is taproom where people will be coming to drink and it is a very quiet residential area at nighttime, what provisions are being made for noise? Does the licence extend to this many people being able to stand outside or is it just the two seats as laid out in the plan? What about smokers and the talking outside?

At the moment we sometimes have people who are louder than normal (having been drinking) coming from the brewery having loud conversations on the street (we have been witness to more than one dramatic break up) but it is manageable given the hours they are open.

If all that noise was to congregate in this new site until 11pm every evening it would cause significant noise nuisance in a very quiet residential area (we cannot hear all the noise from the Brewery mile from here). Especially after the hours of 9pm on weeknights or Sundays when the Spa road/ Rouel road connection where people will be trying to sleep in their apartments.

We would raise no objection to the continuation of the hours they currently open with things ending at 10pm, 9pm and 8pm on the days they currently do. Or if everything was held inside and the smoking area was around the corner at the current tap room or in a small designated area.

Very happy to discuss this with someone in more detail

Many thanks

A large black rectangular redaction box covering the signature area.



OTHER PERSON 10

From:

Sent: Friday, June 28, 2024 4:48 PM

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

Subject: Opposition to New Premises Licence: The Kernel Taproom Licence
Number: 883223

Dear Southwark Licensing Team,

I trust that you are well.

It is with great concern and sadness that we hear of the forthcoming opening of the Kernel new bar on the corner of Spa Road and Rouel Road.
By the looks of it, they have started working on the premises, so it appears that you have granted them a licence already.

Name: [REDACTED]

Address: [REDACTED]

Date of objection: 28 June 2024

Opposition to New Premises Licence: The Kernel Taproom Licence Number: 883223

Reasons listed below:

1. There are several schools and playgrounds nearby. St. James' CE Primary School (Old Jamaica Road), Boucher Church of England Primary School (Grange Road), Kintore Way Nursery School and Children's Centre (Grange Road), Harris Academy Bermondsey (Southwark Park Road) as well as Spa School (Monnow Road). Children walk up and down Spa Road to go to school. They will be walking directly past this new bar to go to school or to the park and playgrounds. We don't think that a large bar opening everyday, 7 days a week is an appropriate addition to the area.
 2. We have enough bars which are attracting large crowds. We have seen an increase in loitering and people urinating and vomiting on our streets.
 3. We have seen an increase in anti-social behaviour. There has been a marked increase in thefts, fights, drugs and attacks on residents. We do not need to add any more fuel or attract any more unwelcome attention to the area.
 4. As this is a residential area, the noise this bar will create will greatly affect our ability to sleep and get any respite over the weekend. Having drunken individuals leaving premises at 23:00 will greatly impair our ability to function. People need to rest to be able to work and go about their lives. Not to mention how this will affect families with young children.
 5. Deliveries. These will create additional traffic noise and congestion.
 6. Residents' safety and quality of life should be Southwark Council's priority.
- I do hope that you will take this into consideration. I would hate to have to move as I love the area.

Kind regards,

[REDACTED]
[REDACTED]

OTHER PERSON 11

-----Original Message-----

From: [REDACTED]

Sent: Monday, July 1, 2024 2:57 PM

To: Krishnan, Anusyutha <Anusyutha.Krishnan@southwark.gov.uk>

Subject: Re: Application for a new Premises License | The Kernel Taproom, 132 Spa Road, SE16 3AE

Hi Anusyutha,

Apologies -

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Thank you,
[REDACTED]

> On 1 Jul 2024, at 14:22, Krishnan, Anusyutha
<Anusyutha.Krishnan@southwark.gov.uk> wrote:
>
> Dear [REDACTED]
>
> Thank you for your email lodging a representation.
>
> Please give us your full name and address, as required for a valid representation.
> <https://www.southwark.gov.uk/business/licences/business-premises-licensing/how-to-lodge-a-representation>
>
> Thank you in advance.
>
> Kind regards,
>
> Anusyutha Krishnan
> Unit Support Officer
> Licensing | Regulatory Services
> Southwark Council, 3rd Floor, Hub 1 | PO Box 64529 | London | SE1P 5LX
> Tel - 020 7525 7421 Licensing email - licensing@southwark.gov.uk
>
> In future if you wish to submit a licensing application, a quicker way would be to
apply online
>
>
>
>
> Licensing Service, Southwark Council Email: licensing@southwark.gov.uk
>
> 21 June 2024
>
> To: Licensing Service, Southwark Council
>
> Subject: Application for a new Premises License | The Kernel Taproom, 132 Spa
Road, SE16 3AE
>
> I am writing to make representations about the likely effect of the application to
Southwark Council for a new Premises License in respect of The Kernel Taproom,
132 Spa Road, Bermondsey, SE16 3AE.
> My concerns about the likely effect are the following:

>

> 1. Violates planning permission

> The planning permission granted at the Dockley Road Industrial Estate in 2019 specified that the commercial properties on the ground floor were for Class A1, A3 or B81, with Class A1 and A3 for the proposed location of the Kernel Taproom.

>

> The proposed plan, with Kernel Taproom, is an establishment that primarily serves alcohol, while production will likely remain under Arch 7. As a drinking establishment that also serves food, the Kernel Taproom's primary use is not as a warehouse or distribution, retail, or a cafe or restaurant. It does not align with the original planning permission and class A1, A3 or B8, but likely would have fit Class A4.

>

> Note: since the planning permission was granted, use cases have been reclassified. Changes in the allocation of use cases since 1 September 2020 reclassify A1 and A3 as E or F.2, while pubs and bars are Sui Generis. The Kernel Taproom does not appear to fit under the new E classification (or the B8 classification), and therefore, the original planning permission.

> Based on the above information, the licensing permission should be refused.

>

> 2. Devaluation of property

> In addition to breach of the Planning Application as granted, a Class A4 or Sui Generis classification (for a drinking establishment) will result in a devaluation of the properties in the development, including impacting on access to mortgage providers. Further, the property would be devalued by the likely increase in noise and street disturbances around an establishment to serve alcohol. Already, the current location of Kernel Taproom extends into the street and can be heard over a block away in evenings. The new location indicates an expanded scale of the Kernel Taproom's operations, at a location that is surrounded by residential flats. Without clear provisions to limit service on the pavement and into the streets it is likely that the noise disturbances will increase, further reducing the value of properties in the area, beyond the development.

>

> 3. Negative impact on the community and environment Objections about the Dockley Development's negative impact on neighbouring residents were made and addressed in the Application 18/AP/0091 for Full Planning Application shared at the Planning Committee meeting on 2 April 2019 (when the recommendation that planning permission be granted was made). The proposal for the Kernel Taproom are not in line with the response to the objections.

> The response to Objections specified in paragraphs 184 and 187 on detrimental impact on neighbouring residents and on noise indicated no detrimental impact. However, the noise and congregation of people around a drinking establishment will increase the noise and street disturbances. It does not fit within the Class A1, A3 (now Class E) and B8 as indicated. It also specified 'Conditions are also recommending limiting servicing hours and plant noise from the development'. However, the proposal for the Kernel Taproom states it will supply alcohol seven days a week from 9:00 - 23:00. This is not in line with the content or spirit of the response to the objections, and will likely result in an increase in noise and disturbances for neighbouring residents.

>

> 4. Possible fire hazard

> Fire safety risks will also likely be heightened due to the combination of serving alcohol and smoking outside around the establishment. Again, as primarily a residential development and street, this is an added concern that must be addressed prior to approval.

>

> In response to these concerns, I request any licensing is required to stay within the terms of agreement for the Planning Application as granted. This includes the spirit of the response to the Objections, which indicated provisions would be made to limit service to minimise any disruption and noise for neighbouring residents. This includes restricting uses to those approved in the original granted application for Dockley Road Industrial Estate (Class A1, A3 (Class E), B8 for the ground floor); restricting the hours of operation; and strictly enforcing noise and other disturbances onto the pavement and streets.

>

> I look forward to your response,

>

> Best,

██████████

>

> 1 See Application 18/AP/0091 for Full Planning Application shared at the Planning Committee meeting on 2 April 2019, paragraphs 17, 21. See: <https://modern.gov.southwark.gov.uk/documents/s81499/Report%20and%20Appendix%201%20and%202%20Dockley%20Road%20Industrial%20Estate%202%20Dockley%20Road%20London%20SE16%203SF.pdf>

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>

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OTHER PERSON 12

From: ██████████

Sent: Tuesday, July 2, 2024 6:25 PM

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

Subject: Kernal tap room

Hello there,

I'm writing to lodge an objection to the trading hours 9am to 11pm 7-days per week against Kernal Tap Room on Spa Road, London SE16.

My Name: [REDACTED]
My Tel: [REDACTED]
My Address: [REDACTED] Date of objection:
2nd July 2024 Opposition to new premissis licence: 883223

The bar currently operates on a laneway nearby attracting antisocial behaviour including public drug taking outside my apartment building on Saturday afternoons. I'm therefore objecting on the following grounds:

- 1 Public safety: since urination and public drug taking is already taking place
- 2 Protection of children from harm: since there is playground beside the new premissis
- 3 Prevention of nuisance: since my bedrooms overlooks the premissis
- 4 Prevention of crime and disorder: since the consumption of alcohol is already leading to public fights on weekends and evenings

Kind regards
[REDACTED]

OTHER PERSON 13

From: [REDACTED]
Sent: Tuesday, July 2, 2024 5:59 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Kernel Tap Room, Spa Road, London SE16: 883223

Hello,

I'm writing to lodge an objection to the trading hours 9am to 11pm 7-days per week against Kernal Tap Room on Spa Road, London SE16.

My Name: [REDACTED]
My Tel: [REDACTED]
My Address: [REDACTED]
Date of objection: 2nd July 2024
Opposition to new premissis licence: 883223

The bar currently operates on a laneway nearby attracting antisocial behaviour including public drug taking outside my apartment building on Saturday afternoons. I'm therefore objecting on the following grounds:

- 1 Public safety: since urination and public drug taking is already taking place
- 2 Protection of children from harm: since there is playground beside the new premissis
- 3 Prevention of nuisance: since my bedrooms overlooks the premissis
- 4 Prevention of crime and disorder: since the consumption of alcohol is already leading to public fights on weekends and evenings

Thank you,
[REDACTED]

OTHER PERSON 14

From: [REDACTED]
 Sent: Tuesday, July 2, 2024 10:34 PM
 To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
 Subject: RE: Application for a new Premises License (83223)
 Please review the letter appended to this email.
 Kind regards,

[REDACTED]

[REDACTED]

Licensing Service, Southwark Council

Via Email: licensing@southwark.gov.uk

2 July 2024

Dear Sir/Madam,

RE: Application for a new Premises License (83223) - The Kernel Taproom, 132 Spa Road, SE16 3AE

I am writing to make representations about the likely effect of the application to Southwark Council for a new Premises License in respect of The Kernel Taproom, 132 Spa Road, Bermondsey, SE16 3AE.

I welcome the addition of local businesses to the area that provide employment opportunities and leisure activities for local people as well as stimulating the Southwark economy. However, I am concerned about the impact of this licencing application will have on local residents, particularly those like me who like me, live in [REDACTED] [REDACTED] – the apartments directly above the proposed licensed venue. I wish to lodge an objection on the basis that granting the planning application would be in conflict with the following licensing objectives set out in the Licencing Act 2003:

1. Prevention of crime and disorder;
2. Prevention of public nuisance; and
3. Public safety.

My specific concerns which may result in the planning objectives not being met are:

Violation of use codes granted under historic planning permissions

The planning permission granted at the Dockley Road Industrial Estate in 2019 specified that the commercial properties on the ground floor were for Class A1, A3 or B8¹

¹ See Application 18/AP/0091 for Full Planning Application shared at the Planning Committee meeting on 2 April 2019, paragraphs 17, 21. See: , with Class A1 and A3 for the proposed location of the Kernel Taproom.

<https://modern.gov.southwark.gov.uk/documents/s81499/Report%20and%20Appendix%201%20and%202%20Dockley%20Road%20Industrial%20Estate%20%20Dockley%20Road%20London%20SE16%203SF.pdf>

The proposed plan, with Kernel Taproom, is an establishment that primarily serves alcohol, while production will likely remain under Arch 7. As a drinking establishment that also serves food, the Kernel Taproom's primary use is not as a warehouse or distribution, retail, or a cafe or restaurant. It does not align with the original planning permission and class A1, A3 or B8, but likely would have fit Class A4.

Note: since the planning permission was granted, use cases have been reclassified. Changes in the allocation of use cases since 1 September 2020 reclassify A1 and A3 as E or F.2, while pubs and bars are Sui Generis. The Kernel Taproom does not appear to fit under the new E classification (or the B8 classification), and therefore, the original planning permission.

Based on the above information, the licensing permission should be refused.

Property Devaluation

In addition to breach of the Planning Application as granted, a Class A4 or Sui Generis classification (for a drinking establishment) will result in a devaluation of the properties in the development, including impacting on access to mortgage providers. Further, the property would be devalued by the likely increase in noise and street disturbances around an establishment to serve alcohol. Already, the current location of Kernel Taproom extends into the street and can be heard over a block away in evenings. The new location indicates an expanded scale of the Kernel Taproom's operations, at a location that is surrounded by residential flats. Without clear provisions to limit service on the pavement and into the streets it is likely that the noise disturbances will increase, further reducing the value of properties in the area, beyond the development.

Negative impact on the community and environment

Objections about the Dockley Development's negative impact on neighbouring residents were made and addressed in the Application 18/AP/0091 for Full Planning Application shared at the Planning Committee meeting on 2 April 2019 (when the recommendation that planning permission be granted was made). The proposal for the Kernel Taproom are not in line with the response to the objections. The response to Objections specified in paragraphs 184 and 187 on detrimental impact on neighbouring residents and on noise indicated no detrimental impact. However, the noise and congregation of people around a drinking establishment will increase the noise and street disturbances. It does not fit within the Class A1, A3 (now Class E) and B8 as indicated. It also specified 'Conditions are also recommending limiting servicing hours and plant noise from the development'. However, the proposal for the Kernel Taproom states it will supply alcohol seven days a week from 9:00 - 23:00. This is not in line with the content or spirit of the response to the objections, and will likely result in an increase in noise and disturbances for neighbouring residents. Further, authorisation to operate out of a residential development 7 days a week from 9am to 11am is likely to be distressing to residents whom have the right to peaceful enjoyment of their properties. Residents should also be allowed to use their balconies without being subjected to cigarettes and vaping devices and any planning application should only be approved on the basis that a designated smoking area is set up entirely away from the property.

Fire risks

Fire safety risks will also likely be heightened due to the combination of serving alcohol and smoking outside around the establishment. Again, as primarily a residential development and street, this is an added concern that must be addressed prior to approval.

In response to these concerns, I request any licensing is required to stay within the terms of agreement for the planning application as granted. This includes the spirit of the response to the objections, which indicated provisions would be made to limit service to minimise any disruption and noise for neighbouring residents. This includes restricting uses to those approved in the original granted application for Dockley Road Industrial Estate (Class A1, A3 (Class E), B8 for the ground floor); restricting the hours of operation; and strictly enforcing noise, disturbances and violations of the licence conditions, particularly where such violations and disturbances sprawl onto the pavement and streets.

Yours faithfully, [REDACTED]

OTHER PERSON 15

From: [REDACTED]
Sent: Thursday, July 4, 2024 10:19 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Re: OBJECTION - licence number 883223
 sorry - must have missed that by mistake
 [REDACTED]

On Thu, Jul 4, 2024 at 10:04 AM Regen, Licensing <Licensing.Regen@southwark.gov.uk> wrote:

Dear [REDACTED]
 Thank you for your email lodging a representation.
 Please provide the flat number as part of your address.
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/how-to-lodge-a-representation>

Thank you in advance.

Kind regards,

Anusyutha Krishnan

Unit Support Officer

Licensing | Regulatory Services

Southwark Council, 3rd Floor, Hub 1 | PO Box 64529 | London | SE1P 5LX

Tel - 020 7525 7421 Licensing email - licensing@southwark.gov.uk

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

From: [REDACTED]
Sent: Wednesday, July 3, 2024 8:34 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: OBJECTION - licence number 883223
Kernel Tap Room 132 Spa Road SE16 3AE
Licence Number 883223
 [REDACTED]

2 July 2024

Opposition to New Premises Licence: Kernel Tap Room Licence number 883223

We wish to object to the licence for the above premises.

Whilst we support new ventures in the area and the Kernel brewery itself, we oppose this licence on the following grounds:

1. Public Safety

Fights, verbal abuse, threatening behaviour and sexual harassment – the bars on Enid and Druid Street and “Beer Mile” overall already cause significant and multiple examples of these. These bars already attract large groups primarily of men drinking throughout the day and evening with abusive behaviour that is particularly threatening to women. This licence will extend the behaviour to Spa Road and Rouel Road. As a woman often walking alone I already avoid the existing areas on Druid/Enid Street especially when it is dark as I feel unsafe. This will bring such threatening behaviour right to my doorstep making me feel unsafe entering and exiting my apartment, even to use our bin store. Moreover, Spa Road is busy in the evening with people, including many lone women, walking home from the tube station and families during the day to use Spa Gardens. They will also be subjected to this abusive behaviour. Elderly and disabled people will also be adversely affected.

2. Nuisance Behaviour

There is currently no other such bar on Spa/Rouel Road. This will extend the existing anti-social behaviour that exists on Enid Street, including urinating (most likely outside our entrance door), shouting and jeering and generally rowdy behaviour, which will affect many

people living in the area and trying to enjoy their balconies and outside space as well as having windows open.

3. Crime and Disorder

Fights, littering and harassment will increase in this part of Spa Road and Rouel Road, an area used by many families and lone women.

4. Children

There are many families living right beside the premises and children of all ages regularly walking past or playing in nearby play areas/gardens, with older children and teenage girls often unaccompanied by adults. It is not appropriate to introduce large groups of intoxicated men into the vicinity with their harassing and disturbing behaviour, especially affecting children/teenagers walking home or entering their own homes

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Where opinions are expressed in the email they are not necessarily those of Southwark Council and Southwark Council is not responsible for any changes made to the message after it has been sent.

List of Premises Shown On Map

Gimlet Drinks Ltd, 2, Unit 6B, Spa Arch Lane, SE16 3AG, licensed for:

- The sale of alcohol to be consumed off the premises
 - Monday to Saturday: 09:00 - 19:00
- The sale of alcohol to be consumed on the premises
 - Monday to Saturday : 09:00 - 18:30
- Opening hours
 - Monday to Saturday: 09:00 - 19:00

Lucocoa Chocolate, Unit 3, Spa Business Park, Spa Road, SE16 4EJ, licensed for:

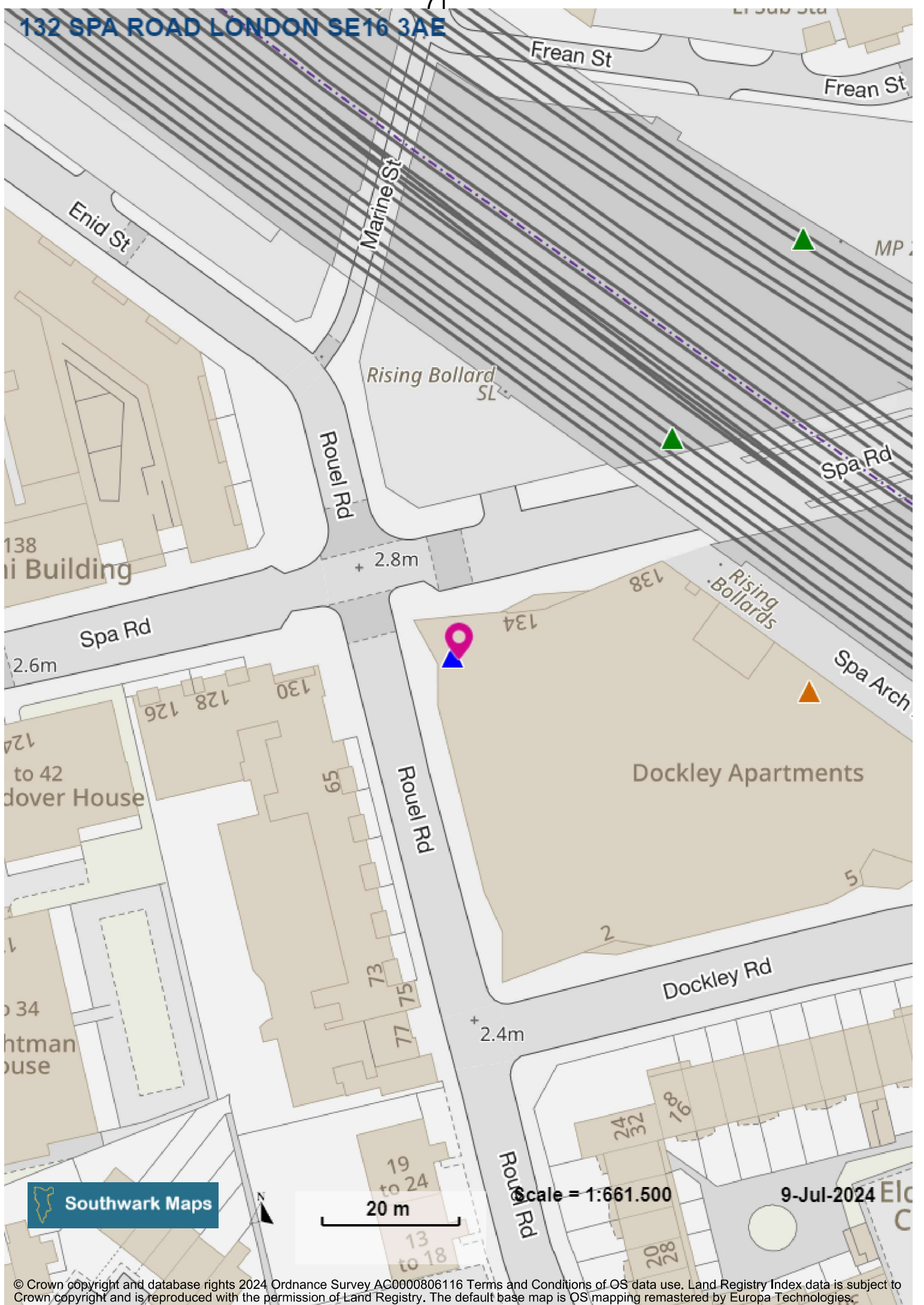
- The sale of alcohol to be consumed on and off the premises
 - Sunday to Friday: 10:00 - 22:00, Saturday: 09:00 to 22:00
- Opening hours
 - Sunday to Friday: 10:00 - 22:00, Saturday: 09:00 to 22:00

Oliveology, Unit 4, Voyager Business Estate, Spa Road, SE16 4RP, licensed for:

- The sale of alcohol to be consumed on and off the premises
 - Monday to Sunday: 09:00 - 22:00
- Opening hours
 - Monday to Sunday: 09:00 - 22:30

132 SPA ROAD LONDON SE16 3AE

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Scale = 1:661.500

9-Jul-2024

Southwark Maps

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

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