

MEMO: Licensing Unit

To Licensing Unit Date 20 December 2022
From Jayne Tear
Email jayne.tear@southwark.gov.uk

Subject Re: Four Arches LLP, Ground and Basement Commercial Unit, Arches B, C, D & E Montague Close, London, SE1 9DA - Application for a premises licence.

I write with regards to the above application for a premises licence submitted by The Four Arches LLP under the Licensing Act 2003, which seeks the following licensable activities:

- Films (indoors) on Monday to Sunday from 11:00 to 20:00
- Indoor sporting events on Monday to Sunday from 11:00 to 20:00
- Recorded music (indoors) on Monday to Sunday from 11:00 to 20:00
- Supply of alcohol (on the premises) on Monday to Sunday from 11:00 to 20:00
- Overall opening times shall be on Monday to Sunday from 07:00 to 20:00

Non standards timings:

- All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
An additional hour to the standard and non-standard times on the day when British Summertime commences.
- Opening hours shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
An additional hour to the standard and non-standard times on the day when British Summertime commences

The premises is described within the application as 'Crazy Golf and Cycle Storage/Hub facility'.

My representation is based on the Southwark Statement of Licensing Policy 2021 – 2026 and relates to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance.

This premise is situated within the Bankside, Borough, London Bridge Strategic Cultural and Bankside and Borough District Town Centre Area and also falls within the cumulative impact area (CIA) for Borough and Bankside. Under the Southwark Statement of Licensing Policy 2021 - 2026 the local CIA applies to night clubs, public houses & bars, restaurants & cafes, off-licences, supermarkets, convenience stores and similar premises.

Section six of the policy (from page 34) deals with Southwark's local cumulative impact policies. This premises sits in the Borough and Bankside policy area as defined in paragraph 149 of the policy and this premises could fall into the class of premises in 150 of the policy. Therefore under 131 of the policy there is a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations. In such circumstances, it is for the applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

The applicant has not addressed the presumption to refuse this application within the operating schedule. I would recommend refusal of this application unless the applicant can demonstrate that the premises will not contribute to crime and disorder and public nuisance within the policy area.

The application has not left any time between the last sale of alcohol 'on sales' and the closing time when patrons should have left the premises, this can lead to conflict between staff and the customer having purchased an alcoholic drink for consumption on the premises minutes before closing time and being asked to either finish the drink or hand it back and to leave the premises. Additionally this will encourage patrons to rush consumption of alcoholic drinks at the same time of closing which can lead to antisocial behaviour problems when patrons have left the premises.

Due to the limited information provided with the application and to promote the licensing objectives I ask the applicant to provide the following information:

- An accommodation limit for the premises (to be conditioned)
- A written dispersal policy (to be conditioned)

Should the licensing sub-committee be of a mind to grant a premises licence, in order to promote the licensing objectives I would also recommend the following:

- That the licensable activities sought cease at least half an hour before the closing times

And that the following conditions are added to the premises licence:

- That intoxicating liquor shall not be sold for consumption on the premises otherwise than to persons who are taking part in a combined offering with plonk golf at the premises and as ancillary to the crazy golf.
- The accommodation limit for the premises shall not exceed XXX (excluding staff).
(XXX to be confirmed)
- The written dispersal policy shall be kept at the premises with the licence and made available for inspection by authorised council officers or the police. All relevant staff shall be trained in the implementation of the dispersal policy

I may submit further comments once all of the information is received.

I therefore submit this representation and welcome any discussion with the applicant.

Southwark's Statement of Licensing Policy 2021 – 2026 can be found on the following link:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>

Jayne Tear

Principal Licensing Officer

In the capacity of Licensing Authority as a Responsible Authority

From: Moore, Ray <Ray.Moore@southwark.gov.uk>

Sent: Thursday, January 20, 2022 3:53 PM

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

Subject: Application for a new premises license - Four Arches LLP, Ground and Basement Commercial Unit, Arches B,C,D & E, Montague Close, London, SE1 9DA Ref 1777697 / 876445

Trading Standards as a responsible authority are in receipt of a new premises license application for Four Arches LLP in respect of a premises at Ground and Basement Commercial Unit; Arches B,C,D & E, Montague Close, London, SE1 9DA. Trading Standards as a responsible authority are making representation in respect of this application under all the licensing objectives including the protection of children from harm.

In the general description this is to be:-

“Crazy Golf and Cycle Storage/Hub facility.”

The application is for plays; films; indoor sporting events; recorded music, and similar plus on sales of alcohol. The hours for all activities would be 11:00hrs to 20:00hrs Monday to Sunday although the opening hours would be 07:00hrs to 20:00hrs.

The intended Designated Premises Supervisor is Emma Peters.

The premises license holder would be Four Arches LLP (Co No OC415826). It does not state on the companies house web site the nature of the business although the name of the LLP suggests that the applicant is the owner of the railway arch itself. The directors of the LLP are:-

Clare Margaret COULL

Nicholas Stephen Fay

Along with 7 others...

The company was formed on 8th February 2017.

At first appearance it would seem that the owners (leaseholders?) of the railway arch are making an application for the businesses that plan to operate there. If this were the case then there would be a disconnect between the premises license holder and the persons operating the premises license (i.e. Plonk Golf and the bike storage company).

Under the general – all four licensing objectives M(a) it states please see presentation and conditions attached – a kind of operating schedule.

Firstly the presentation part. This gives an overall picture of the planned activities and amongst other things states the following:-

“We’re Spokesafe and Plonk Golf – two very different businesses that have identified a mutually beneficial opportunity that would also act to serve the wider local community.”

There is no indication as to who Plonk Golf are or Spokesafe but a google search reveals a web site for plonk golf www.plonkgolf.co.uk and www.spokesafe.com.

On their web site plonkgolf advertise “bottomless Sundays” and private hire venues in London for “Corporate Events | Weddings | Birthday Parties | Christmas Parties”

For £30 at “Bottomless Sundays” the offering is as follows:-

Bottomless Sundays – £30

- One Round of Golf
- 5 Arcade Tokens
- One Hot Dog
- Bottomless Cocktails and Soft Drinks for 1 Hour

It is unclear from either website as to who the legal entities are behind these businesses. The first part of the presentation states that there are necessary synergies to provide the crazy golf and secure bike storage by reducing the cost of renting the railway arch and that the premises license is necessary to make the operation of these businesses viable.

Furthermore, in the presentation it states the following:-

“To mitigate some of the potential concerns we feel are likely to be raised, we would make it clear that this is not a surreptitious attempt to gain a premises licence in order to open yet another wet-led establishment in an area which already has an excess of similar venues. Plonk Golf relies upon a turnover of players with limited dwell time, and given that their customers are primarily attending to undertake a competitive social activity, they tend to consume alcohol less quickly than in a traditional bar or pub environment.”

This business is in the Borough and Bankside Cumulative Impact Area and there is a presumption not to grant a license to such a premises in the Southwark Statement of Licensing Policy.

Trading Standards would ask that this license is not granted in line with the Southwark Statement of Licensing Policy.

The second part of the document outlines proposed conditions:-

Under the protection of children from harm the document states the following:-

“PREVENTION OF CHILDREN FROM HARM

13. A challenge 21 proof of age scheme shall be operated at the premise where the only acceptable forms of identification are recognised photographic identification cards such as a driving licence, passport or proof of age card with the PASS hologram.”

If a premises license were to be granted then Trading Standards as a responsible authority would ask that these following conditions be added to the license including a conditions for films:-

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.

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

This authority can provide suitable training records and training materials for the business upon request at no cost. An easy to use refusals register can also be provided – again at no cost to the business.

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure| Regulatory Services

Post: 3rd Floor Hub 2, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 0816 | Fax 020 7525 5735 | Call Centre 020 7525 2000

www.southwark.gov.uk/TradingStandards

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