



APPENDIX B POLICE

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Metropolitan Police Service
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Date: 30th March 2022
Ref 051/21/2022

Re:-Chill Out Restaurant & Bar Arch 148 Eagle Yard Hampton Street SE16SP

Dear Sir/Madam

Police are in receipt of an application from the above for a new premises licence. The premises is described as a Tapas Cafe restaurant with Pool and Billiards tables on the First Floor

The operating hours are as follows

| | | |
|--------------------|-----------|--------------|
| Open to the public | Mon-Thu | 0800 to 0000 |
| | Fri – Sat | 0800 to 0330 |
| | Sun | 0800 to 0130 |
| Supply Alcohol | Mon – Thu | 1000 to 2330 |
| | Fri- Sat | 1000 to 0300 |
| | Sun | 1000 to 0100 |
| RM | Mon – Thu | 0800 to 2330 |
| | Fri – Sat | 0800 to 0300 |
| | Sun | 0800 to 0100 |
| LNR | Mon – Sat | 2300 to 0000 |
| | Fri – Sat | 2300 to 0300 |
| | Sun | 2300 to 0100 |

The premises is situated in the Elephant & Castle major town centre, the recommended closing time for Bars in this area is 2300 Sunday to Thursday and midnight on Friday & Saturday.

It is noted that the applicant has not provided any control measures that would restrict the use of the premises to that of a restaurant. Therefore the closing times as per the application are greater than the recommended closing times for a bar.

Eagle Yard off of Hampton Street has a number of bars and restaurants concentrated into a very small area. It is the subject of an ongoing Police operation to deal with anti-social behaviour and public nuisance caused by patrons from these premises and the noise issues relating to patrons leaving the venues.

There is in my opinion a case to answer that this small residential and commercial area is suffering from the cumulative impact of licensed premises concentrated into such a small area. Consideration should be given as to if this new application will add to the cumulative impact issues. I am aware that the premises already hold a premises licence but with greatly reduced operating hours. This was granted on the 26th May 2021.

This application also seeks to increase the capacity from the current 120 persons incusing staff to 150 persons plus staff. It also differs from the current licence by allowing later closing times for the outside area.

Essentially this is a drinking establishment with food and some pool tables available for patrons. Any increase in capacity and later operating hours is therefore likely to have a negative impact on the licensing objectives. The premises already benefits from a licence with hours greater than those recommended by Southwark's statement of licensing policy. The residents in the immediate vicinity of this premises have been suffering from noise and anti social behaviour associated with the premises is Eagle Yard.

As the application stands I object to the granting of this licence, a wet led vertical drinking establishment is not suitable for this location. The applicant has not considered control measures that would restrict the use of the premises to a restaurant. A vertical drinking establishment is likely to impact on the prevention of crime and disorder, public nuisance and protection of children from harm licensing objectives.

Police and council resources have been dedicated to this area to tackle the ongoing issues. The applicant should consider amending the application with a substantial reduction in operating hours and restricting its use to a restaurant.

Submitted for consideration.

Yours Sincerely

PC Ian Clements 2362AS

Licensing Officer
Southwark Police Licensing Unit

MEMO: Licensing Unit

To Licensing Unit Date 11 April 2022

From Jayne Tear

Email jayne.tear@southwark.gov.uk

Subject Re: Chill Out Billiards Pool Limited, Arch 148 Eagle Yard, Hampton Street,
London, SE1 6SP – Application for a premises licence

I write with regards to the above application for a premises licence submitted by Chill Out Billiards Pool Limited under the Licensing Act 2003, which seeks the following licensable activities:

- Recorded Music (indoors) on Monday to Thursday from 08:00 to 23:30, on Friday and Saturday from 08:00 to 03:00 the following day and on Sunday from 08:00 to 01:00 the following day
- Late night refreshment (indoors) on Monday to Thursday from 23:00 to 23:30, on Friday and Saturday from 23:00 to 03:00 the following day and on Sunday from 23:00 to 01:00 the following day
- Supply of Alcohol (on the premises) on Monday to Thursday from 10:00 to 23:30, on Friday and Saturday from 10:00 to 03:00 the following day and on Sunday from 10:00 to 01:00 the following day
- The opening hours will be on Monday to Thursday from 08:00 to 00:00, on Friday and Saturday from 08:00 to 03:30 the following day and on Sunday from 08:00 to 01:30 the following day
- **Non-standard timings requested:**
Licensable activities - On New Year's Eve from the end of permitted hours until the start of permitted hours on the following day. The permitted hours may be extended until 3am on Christmas Eve and Boxing Day
Opening times - On New Year's Eve from the end of permitted hours until the start of permitted hours on the following day. The permitted hours of opening may be extended until 3:30 am on Christmas Eve and Boxing Day

The premises is described within the application as a *'Tapas Cafe restaurant with Pool and Billiards tables on the first floor'*.

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.

The premises is situated in The Elephant and Castle Major Town Centre Area and under the Southwark Statement of Licensing policy 2021 - 2026 the appropriate closing times for public houses, wine bars or other drinking establishments on Sunday to Thursday is 23:00 hours and on Friday and Saturday 00:00 hours. **The appropriate closing times for Restaurants and Cafes on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours.** Appropriate closing times for Night Clubs (with 'sui generis' planning classification) on Monday to Thursday is 01:00 hours and for Friday and Saturday 03:00 hours and for Sunday 00:00 hours.

This premises has residents close by and this application is seeking opening hours in excess of that which is recommended for a restaurant establishment within the policy in this area on a Friday, Saturday and Sunday and the application does not provide any reasons to convince the Licensing sub-committee to divert from the opening hours recommended in the licensing policy.

Therefore to promote the licensing objectives I recommend to the applicant and the licensing sub-committee that the closing times are brought back in line with that which is appropriate for a restaurant in this area on a Friday, Saturday and Sunday within the licensing policy, and for all licensable activities to cease half an hour before the closing times as follows:

- Recorded Music (indoors) on Friday and Saturday to cease at 00:30 the following day and on Sunday to cease at 23:30.
- Late night refreshment (indoors) on Friday and Saturday to cease at 00:30 the following day and on Sunday to cease at 23:30
- Supply of Alcohol (on the premises) on Friday and Saturday to cease at 00:30 the following day and on Sunday to cease at 23:30
- The opening hours on Friday and Saturday to cease at 01:00 the following day and on Sunday cease at 00:00

To ensure that the premises retains its nature as a restaurant and not an upright drinking establishment (in which case the closing times and licensable activities would be less), I would also recommend the following condition is added to the operating schedule to promote the licensing objectives:

- Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a table meal and by consumption of such persons as an ancillary to their meal

The applicant has provided a dispersal policy with this application, however the closing times and licensable activities written within the policy are different to that which have been applied for. In fact they are in line with hours that I am recommending above.

Further to this I also recommend the following condition, for the use of the outside area for licensable activities is to cease at 22:00 daily. This would be in line with the statement of licensing policy recommendations in section 10 of the licensing policy.

- Patrons shall not be permitted to use the rear outside area of the premises (as defined on the premises plan) after 22:00 until 08:00 the following day, apart for access and egress and 10 patrons who may temporarily leave to smoke.

Additionally to this and to promote the licensing objectives further I also recommend that the following conditions are added to the cooperating schedule:

- The accommodation limit for the premises shall not exceed 150 persons (excluding staff)
- 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 am aware that the premises currently holds a premises licence no 874472 which currently has opening hours consistent with a restaurant in this area (although not the restaurant condition I have suggested above). It would seem that the premises is moving towards operating as a nightclub as the existing licence has a condition no. 846 which states *'That there shall be no dancing after 23:00'*. This condition has not been offered within this operating schedule and most of the other conditions have been offered from the existing premises licence (a few have been slightly altered such as an increase in the accommodation limit and closing times of the rear outside area). Therefore I also seek assurance that should this application be granted that the existing licence shall be surrendered or the following conditions are added to this premises licence operating schedule:

- The Licensing Authority and Police shall be informed at least 14 days prior to the provision of licensable activities under this licence.
- When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.

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