



APPENDIX B POLICE

The Licensing Unit
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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/21/062/22

Date: 28th April 2022

Dear Sir/Madam

Re: Castle Square, Unit 11 To 12,40 Elephant Road, London, SE17 1AY

Police are in possession of an application from the above for a new premises licence for the regulated entertainment within a public square which has a number of licensed premises around.

The premises is situated in The Elephant and Castle Major Town Centre Area however the square and surrounding area is mainly residential. Under the Southwark Statement of Licensing policy 2021 - 2026 the appropriate closing times for events in outdoor premises is 22:00.

Due to the high concentration of flats around the premises we would consider a terminal hour of 18.00hrs as reasonable, as the playing of music after this time would have an adverse impact on young children living in the area.

Minimal information has been supplied within the application that I would expect including dispersal policy and event management plan both of which should be conditioned on the licence and a copy supplied to all relevant authorities prior to licence being granted.

The applicant has stated that events will only happen a couple of times a month which I would like to see conditioned on the licence.

- The events shall be limited to 15 times a year and the police and the licensing authority must be notified 14 days in advance of when each event shall be held.

In addition to this the licence holder would be able to submit temporary event notices.

In its current format, I object to this granting of this licence, the applicant has not fully addressed the licensing objectives, in particular the protection of children from harm, crime and disorder.

Submitted for your consideration.
Yours Sincerely

PC Graham White 2288AS
Southwark Police Licensing Unit
Tel: 0207 232 6756

From: Andrews, Ken <Ken.Andrews@SOUTHWARK.GOV.UK>

Sent: Thursday, April 28, 2022 4:22 PM

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

Cc:

Subject: EPRA -representation Castle Square

Dear licensing,

Attached is the Environmental Protection Responsibility Authority (EPRA) representation.

Kind regards

Ken

Ken Andrews

Principal Environmental Health Officer

Environmental Protection Team

020 7525 4258

07939 469 058

MEMO: Environmental Protection Team

To	Regen.Lic	Date	27 April 2022	
Copies	[REDACTED]			
From	Ken Andrews	Telephone	020 7525 4258	Fax 020 7525 5705
Email	ken.andrews@southwark.gov.uk			

Subject **New Premises Licence – Castle Square, Unit 11 To 12, 40 Elephant Road, London, SE17 1AY**

EPRA has considered a New premises application for the provision of:
Plays (outdoors): Mon to Sun: 09:00 - 22:30
Films (outdoors): Mon to Sun: 09:00 - 22:30
Live music (outdoors): Mon to Sun: 09:00 - 22:30
Recorded music (outdoors): Mon to Sun: 09:00 - 22:30
Performance of Dance (Outdoors): Mon to Sun: 09:00 - 22:30
Entertainment Similar to live/recorded music / dance (Outdoors): Mon to Sun: 09:00 – 22:30 at **Castle Square, Unit 11 To 12, 40 Elephant Road, London, SE17 1AY**

Having reviewed the application, EPRA wishes to object to granting the licence under the Prevention of Public Nuisance licensing objectives.

Castle Square is a public space in proximity to several residential properties. The area is open, and as a result, there are no measures that can prevent the escape of sound and noise from impacting the occupancy of the residential properties. As a result, events such as plays, films, and live and recorded music, if they are not controlled are likely to cause the occurrence of Public Nuisance. In addition, the applicant has not provided any plan that can control the numbers and dispersions of patrons, which will be difficult since the area is a public space.

EPT considers that measures that can be applied to reduce the impact on the residents include:

- Reducing the days and times or frequency of the events.
- Reducing the proposed finishing times.
- Using non-amplified music or equipment.

Should the committee be minded to permit the licence, EPT suggests that it's not permitted to occur beyond 20:00 hrs and limit the days that these activities can take place.

MEMO: Licensing Unit

To Licensing Unit Date 28 April 2022
From Jayne Tear
Email jayne.tear@southwark.gov.uk

Subject Re: Castle Square, Unit 11 to 12, 40 Elephant Road, London, SE17 1AY
- Application for a premises licence

I write with regards to the above application for a premises licence submitted by Get Living PLC under the Licensing Act 2003, which seeks the following licensable activities:

- Plays (outdoors) on Monday to Sunday from 09:00 to 22:30
- Films (outdoors) on Monday to Sunday from 09:00 to 22:30
- Live Music (outdoors) on Monday to Sunday from 09:00 to 22:30
- Recorded music (outdoors) on Monday to Sunday from 09:00 to 22:30
- Performance of dance (outdoors) on Monday to Sunday from 09:00 to 22:30
- Anything of a similar description to live music, recorded music or performance of dance (outdoors) on Monday to Sunday from 09:00 to 22:30
- **Supply of alcohol – now removed from the application on 20 April.**
- Opening times on Monday to Sunday from 09:00 to 22:30

The premises is described within the application as *'Castle Square is primarily a retail destination comprised of 26 independent traders and retail units. This application is specifically for the adjoining public square which is used to bring the community together for publicly available events and also drive foot fall in support of the independent traders situated within Castle Square. It is also a popular thoroughfare connecting various parts of Elephant & Castle. Alcohol will be served at irregular events 1 to 2 times per month. Alcohol will be served from licensed pop up vendors within the main licensed area. Castle square is separated from the closest road and traffic via permanent bollards'*.

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, the prevention of public nuisance and the protection of children from harm.

The premises is situated in The Elephant and Castle Major Town Centre Area the area surrounding the square is highly residential. Under the Southwark Statement of Licensing policy 2021 - 2026 the appropriate closing times for events in outdoor premises is 22:00. Section 10 Paragraph 278 states: *'Date /hours of operation. It is suggested a finishing time of 22:00hrs is appropriate; however an earlier finish time may be requested subject to local circumstances'*.

The operating schedule is lacking and although a risk assessment has been provided, there is no event management plan or dispersal policy provided with the application it is difficult to suggest appropriate control measures to reduce the impact of crime and disorder or public nuisance that could affect the residents living in the local residential area.

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

- A copy of the event management plan (to be conditioned)
- A written dispersal policy for the premises (to be conditioned)

- To confirm the accommodation limit (to be conditioned) and to also confirm how this will be controlled.

Furthermore, under box K on the application form the following question is asked *'Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to these of the premises that may give rise to concern in respect of children'* and the applicant states the following *'No activities planned which are of concern for children of an adult nature'*. Because this is an outdoor space where anyone can walk including children unaccompanied by an adult, there could be films that are shown that are not appropriate for children. I would therefore suggest to the licensing sub-committee that should a licence be granted for this area that the following condition is added to the premises licence:

- Only films that are classified 'U' Universal for all shall be shown at the premises.

If the applicant does not accept this then I ask how the area will be controlled and how children will be prevented from viewing films above 'U' if they are unaccompanied by an adult and may be on other areas of the square but can still view the films shown.

The area to this premises has given notice of 2 Ten's this year, not applied for by the applicant but on behalf of the applicant company. There were no complaints received, however the events finished earlier and at a time that was likely not to impact on local residents. **I attach to this representation a table of the TENS.**

Based on the information provided with this application and to promote the licensing objectives I recommend to the licensing sub-committee to consider bringing the closing times in line with the appropriate hours for this open air space within a highly populated residential area, the same as the TENS that have been tried and tested without causing crime and disorder or public nuisance to local residents living in close proximity.

- Opening times on Monday to Sunday to cease at 18:00
- All licensable activities on Monday to Sunday to cease at 17:00 daily

I also suggest that the number of times these events can happen per year are limited as although I have suggested earlier closing times above. Every day of the week as applied for could cause a public nuisance to local residents and this application has provided no information to negate that. I therefore suggest the following conditions are added to the operating schedule:

- The events shall be limited to 15 times a year on any given day and the police and the licensing authority will be notified 14 days in advance of when each event shall be held.
- A register of the events held including dates and times shall be kept at the premises and made available for inspections by authorised council officers or the police.

I therefore submit this representation and welcome any discussion with the applicant. I may submit further comments once all of the information is received.

Jayne Tear
Principal Licensing Officer
In the capacity of Licensing Authority as a Responsible Authority

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>

Temporary Event Notices for Castle Square, Unit 11 to 12, 40 Elephant Road, London, SE17 1AY

Received Date	Ref. No.	Start date	End Date	Nature of premises EVENT	Times	Max. No. people	Sale of Alcohol	ENT	Late Night Refreshment	Police obj.	EPT obj.
22/3/2022	877097	16/04/2022	16/04/2022	The developer GET LIVING has hired us (We Communications) to deliver a series of events in the square of Caste Square. The events are for the community, especially families and children and to promote the Castle Square traders. This specific event will coincide with Easter. The Square will be decorated for paper decorations with some bunting and traders will give out samples of their food and cakes. We will run a bunting colouring workshop and a cookie decorating workshop and have face painting for children. We will have a station for selfies and play low background music. There will be a series of performances by the local kids dance school and a 15 mins performance by Elephant and Castle Choir.	Setting up the event from 7:00 till 11:00 Event from 11:00 till 17:00 Clearing space from 17:00 till 18:00	50	NO	YES	NO	NO	NO
27/1/2022	876662	12/2/2022	12/2/2022	The developer GET LIVING has hired us (We Communications) to deliver a series of events in the square of Caste Square. The events are for the community, especially families and children and to promote the Castle Square traders. The Square will be decorated for Saint Valentine with some bunting and traders will have stickers on their windows. We will run a cards making workshop for children and have face painting for children. We will have a station for selfies and play low background music.	Setting up the event from 7:00 till 11:00 Event from 11:00 till 17:00 Clearing space from 17:00 till 19:00	50	NO	YES	NO	NO	NO