



## APPENDIX B POLICE

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**                    **MD/877023**  
**reference:**

**Date:**                **07/April/2022**

Dear Sir/Madam

### **Re: Pollo 2 Dartchelor Place SE5 7AP**

Police are in possession of an application from the above for a new premises licence to operate as a Takeaway Premises

Opening Times                Mon-Sat 1030-0500

Late Night Refreshment Mon-Sat 2300-0500

The terminal hours as requested are outside the Southwark Statement of Licensing Policy.

The application appears to contain no enforceable control measures within the operating schedule. The Home office guidance issued under Sec 182 of the licensing Act 2003 'General principles' state that it is important in setting the parameters within which the premises may operate. Conditions must be precise and enforceable.

The application appears to be confused as to if it is a seated restaurant with a takeaway or purely a takeaway facility that operates for delivery only. The area is adjacent to residential buildings. The applicant needs to be clear and concise as to how it wishes to operate and as such I cannot comment any further until this is clarified.

I object to the granting of this licence as the applicant has not made clear its operating schedule and not sufficiently addressed the licensing objectives, in

particular the Prevention of crime and Disorder licensing objective and Prevention of nuisance

Southwark Police licensing would invite the applicant to consider the concerns mentioned and would welcome the opportunity to conciliate with the applicant should the need arise.

Submitted for your consideration.

Yours faithfully

**PC Mark Lynch 2246AS**

Southwark Police Licensing Unit

Tel: 0207 232 6756

**ENVIRONMENTAL  
PROTECTION TEAM (EPT)**

**From:** Binya, Raymond <[Raymond.Binya@southwark.gov.uk](mailto:Raymond.Binya@southwark.gov.uk)>

**Sent:** Monday, April 11, 2022 11:51 AM

**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>

**Cc:** [REDACTED]

**Subject:** Application for a new premises licence for Pollo, 2 Datchelor Place, London SE5 7AP our ref 972791

Dear Licensing Team,

Application for a new premises licence under the Licensing Act 2003

**Application reference number:** 877023

**Address:** Pollo

2 Datchelor Place

London

SE5 7AP

I wish to make a representation on behalf of Southwark Environmental Protection Team (EPT) in our capacity as Environmental Health Responsible Authority, about the likely effect of the sought licence if granted on the promotion of the 'prevention of public nuisance' licensing objective.

The application seeks licence to be granted for late night refreshment outdoors 23:00-05:00 Mon-Sat Opening hours 10:30-05:00 Mon-Sat.

The Licensing Policy for this area states:

- Closing time for Take-away establishment : Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours
- Closing time for Restaurants and Cafes : Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours

There are residents above the premises and in buildings neighbouring this premises, who in our opinion, would likely suffer from public nuisance as a result associated activities if this licence is granted as applied. Such activities could include delivery vehicles and people noise that have caused noise disturbance from similar premises especially during the early hours of morning as applied which are also outside the policy hours.

Therefore, in light of the reasons above on difference between the current Licensing Policy recommended hours within this CIP area to those that are being sought, I object to this application

Kind Regards

**Raymond Binya**  
**Principal Environmental Protection Officer**  
Environmental Protection Team  
Tel: 020 7525 4809

## RESPONSE TO EPT

**From:** Binya, Raymond <Raymond.Binya@southwark.gov.uk>  
**Sent:** Tuesday, April 12, 2022 12:31 PM  
**To:** Mark Jordan Architect [REDACTED]  
**Cc:** ITA Corporation [REDACTED] Heron, Andrew  
<Andrew.Heron@southwark.gov.uk>  
**Subject:** RE: Application for a new premises licence for Pollo, 2 Datchelor Place, London SE5 7AP our ref 972791

Dear Mark,

I was wondering if you could confirm/clarify whether you are proposing to change the applied closing times to match Policy hours for this CIP area i.e. Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours? Or are you suggesting that you will only takeaways only from those hours to 0500 hours just as you applied? This will still be outside the policy hours.

It will be ideal if delivery drivers could park on main road (is this Peckham Road or Datchelor Place?) and walk to the premises but I am not sure this can be conditioned or enforced. I believe Andrew is the Licensing Officer for this area and would be able to assist on that.

Kind Regards

**Raymond Binya**  
**Principal Environmental Protection Officer**  
Environmental Protection Team  
Tel: 020 7525 4809

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

Air Quality web pages: <http://www.southwark.gov.uk/air-quality>  
Construction web pages: <http://www.southwark.gov.uk/construction>  
Centre for Low Emission Construction - <http://www.clec.uk/>

**airTEXT** - a free subscription service: daily information on pollution and more, by text, email, voicemail, or mobile phone app; download from: <http://www.airtext.info/>  
**Walk-it** – free London route planner for less polluted, quieter walking and cycling routes. Download the mobile phone app from: <http://walkit.com/walk/?city=london>



Please consider the environment - do you really need to print this email?

**From:** Mark Jordan Architect [REDACTED]  
**Sent:** Monday, April 11, 2022 1:54 PM  
**To:** Binya, Raymond <[Raymond.Binya@southwark.gov.uk](mailto:Raymond.Binya@southwark.gov.uk)>  
**Cc:** ITA Corporation [REDACTED]  
**Subject:** Application for a new premises licence for Pollo, 2 Datchelor Place, London SE5 7AP our ref 972791

Dear Raymond,

Further to your objection, we would be happy for the following condition to be added to the licence:

*On Sunday to Thursday at 00:00 and on Friday and Saturday at 01:00 the premises shall be closed to the public and any provision of late-night refreshment shall be provided by delivery service only*

Please note that the takeaway food service will only be ordered via Deliveroo, Uber eats etc. and will not be open to public collection. Once an order is placed the driver parks on the main road and comes in to collect the delivery.

To avoid loitering outside the premises and causing a nuisance my client will have a notice in the window demanding that there should be no waiting outside and that drivers would need to wait inside the premises for their order. Anybody not abiding by these rules would be banned from picking up future orders.

There will be no seating inside after 10.00pm, so there will be space for this directive.

In addition, during public opening times, my client will provide a polite notice which requests that customers do not eat outside the premises, in Datchelor Place, reminding them that this is a residential area and that customers should leave the premises quietly.

I believe that the above measures should prevent any increase in nuisance caused by the proposed extended hours.

I trust that this should alleviate your concerns, but should you wish to discuss this further, please do not hesitate to contact me.

Kind Regards

Mark Jordan

# MEMO: Licensing Unit

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To Licensing Unit Date 12 April 2022  
From Jayne Tear  
Email jayne.tear@southwark.gov.uk

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Subject Re: Pollo, 2 Datchelor Place, London, SE5 7AP  
– Application for a premises licence

I write with regards to the above application for a premises licence submitted by Base (Islington) Limited- director Mr Francesco Marzano under the Licensing Act 2003, which seeks the following licensable activities:

- Late night refreshment (outdoors) on Monday to Sunday to from 23:00 to 05:00 the following day
- Overall opening times shall be on Monday to Sunday from 10:30 to 05:00 the following day.

The premises is described with in the application as *'Takeaway sandwiches'*.

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 premises is situated in the Camberwell District Town Centre Area and under the Southwark Statement of Licensing policy 2021 – 2026 the appropriate closing time for a take-away establishment is Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours.

This premises also falls within the Camberwell Cumulative Impact Policy Area.

The closing times asked for within this application exceed that which is appropriate for a takeaway establishment in the licensing policy for this area.

The operating schedule is confusing and initially it would seem that the premises will be closed to the public during the times that late night refreshment is supplied (23:00 to 05:00) and that the premises will provide delivery service only at these times (under the prevention of crime and disorder). Further on within the application (under prevention of public nuisance) it states *'Although it is not anticipated that there would be a large footfall of walk-in customers, there will be a polite notice which requests that customers do not eat outside the premises, particularly in Datchelor Place, reminding them that this is a residential area and that customers should leave the premises quietly'*. Then (under protection of children from harm) it states *'Since the premises will not be open to the public after opening hours, therefore children would not be expected in the premises during the Late night refreshment hours'*.

To promote the licensing objectives I ask the applicant to bring the opening hours back in line as recommended for a takeaway within the policy as follows:

- Opening times on Sunday to Thursday shall cease at 00:00 and on Friday and Saturday shall cease at 01:00 the following day
- Late night refreshment (outdoors) on Sunday to Thursday to cease at 00:00 the and on Friday and Saturday to cease at 01:00 the following day

Due to the limited information on the application form and to promote the licensing objectives I also ask the applicants to provide the following information:

- A written dispersal policy for the premises (to be conditioned)
- To confirm the accommodation limit for whole of the premises (to be conditioned)

Alternately, if it is intention for the premises to be closed to the public whilst late night refreshment is being provided I would request the following condition is added to the operating schedule:

The premises will be closed to walk in customers between the hours of 23:00 and 05:00 and that only delivery service shall be provided during these times.

I reserve the right to make further comment once all of the above information has been received and welcome any discussion with the applicant to consider the above representation.

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