

MEMO: Licensing Unit

To Licensing Unit Date 21 April 2022
From Jayne Tear
Email jayne.tear@southwark.gov.uk

Subject - Re: Little Cellars, Ground Floor, and 73 Camberwell Church Street, London, SE5
8TR – Application for a premises licence

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

- Supply of alcohol (on the premises) on Monday to Saturday from 11:00 to 22:30 and on Sunday from 11:00 to 19:30
- Supply of alcohol (off the premises) on Monday to Saturday from 11:00 to 23:00 and on Sunday from 11:00 to 20:00
- Opening times shall be on Monday to Saturday from 11:00 to 23:00 and on Sunday from 11:00 to 20:00

The premises is described within the application as *'After being granted a premises licence for 75 Camberwell Church Street on 6 January 2022 for a wine bar, kitchen and retail shop similar to the applicant's site in Peckham at 125 Queens Road, London SE15 2ND (<https://peckhamcellars.co.uk/>) the applicant has now been offered a lease of the adjoining property, 73 Camberwell Church Street. The intention is for number 73 to be operated as a separate unit with its own lease but with a similar offer, albeit there will be no outside area for customers. Back of house will be shared by both units but they have separate entrances/exits. Similar conditions are proffered as were granted on number 75, albeit with an additional condition preventing any premises licence being transferred to a more mainstream operator. The Applicant is aware that there is a rebuttable presumption to refuse any new premises licence application and that it is necessary to demonstrate that a grant will not add to cumulative impact. However, the Applicant believes that several factors provided at paragraph 162 of Southwark Council's Statement of Licensing Policy apply, namely:*

i) The Premises is small (with a maximum capacity of 50 excluding staff) and ceases operation well before midnight. ii) A suite of conditions has been proffered which will ensure that the premises must operate in a specified manner including waiter/waitress service and limiting the number of covers (see above). Nevertheless, if the Licensing Authority, any other statutory body or local resident still have concerns the Applicant is happy to discuss them'.

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 also falls within the Camberwell Cumulative Impact Policy Area

Section six of the policy (from page 34) deals with Southwark's local cumulative impact policies. This premises sits in the Camberwell policy area as defined in paragraph 152 of the policy and falls into the class of premises in 153 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 be contributing to crime and disorder and public nuisance within the policy area. The following may assist the applicant in addressing the rebuttal.

Within the operating schedule the following condition is offered:

12. That the premises shall have a written dispersal policy. 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

The dispersal policy has not been provided with this application therefore in order to promote the licensing objectives I ask the applicant to provide a copy of the dispersal policy to go with this condition.

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: Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>
Sent: Wednesday, May 11, 2022 3:00 PM
To:
Cc: Heron, Andrew <Andrew.Heron@southwark.gov.uk>
Subject: FW: Peckham Cellars - 73 Camberwell Church Street

Dear Niall

Thank you for sending me your dispersal policy (attached) to go with condition 12 in your operating schedule, my concerns have now been addressed and I can confirm that my representation is now withdrawn,

With kindest regards

Jayne

Jayne Tear - Principal Licensing Officer – As Responsible Authority for Licensing

Southwark Council | Licensing Unit

160 Tooley Street | London | SE1 2QH

Direct line 020 7525 0396 | Fax 020 7525 5735 | Call Centre 020 7525

From: Niall McCann
Sent: Wednesday, May 11, 2022 12:51 PM
To: Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>
Cc: Marilyn Gayle
Subject: RE: Peckham Cellars - 73 Camberwell Church Street

Good to speak to you – please see attached.

Best,

Niall McCann | Partner

From: Niall McCann
Sent: 11 May 2022 10:31
To: Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>
Cc: Marilyn Gayle
Subject: Peckham Cellars - 73 Camberwell Church Street

Morning

Hope you are well.

Please see attached the draft dispersal policy. Are you happy to withdraw your rep. on this basis?

Best,

Niall McCann | Partner

