

Licensing Act 2003 Premises Licence

APPENDIX D



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

875945

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Peckham Cellars Limited Retail Unit 1 75 Camberwell Church Street London SE5 8TU	
Ordnance survey map reference (if applicable), 532891176707	
Post town London	Post code SE5 8TU
Telephone number [REDACTED]	

Where the licence is time limited the dates
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Licensable activities authorised by the licence
Recorded Music - Indoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

The opening hours of the premises
For any non standard timings see Annex 2
Monday 11:00 - 23:00
Tuesday 11:00 - 23:00
Wednesday 11:00 - 23:00
Thursday 11:00 - 23:00
Friday 11:00 - 23:00
Saturday 11:00 - 23:00
Sunday 11:00 - 20:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies
Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Sale by retail of alcohol to be consumed on premises

Monday	11:00 - 22:30
Tuesday	11:00 - 22:30
Wednesday	11:00 - 22:30
Thursday	11:00 - 22:30
Friday	11:00 - 22:30
Saturday	11:00 - 22:30
Sunday	11:00 - 19:30

Sale by retail of alcohol to be consumed off premises

Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 23:00
Saturday	11:00 - 23:00
Sunday	11:00 - 20:00

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Peckham Cellars Limited
BCL House,
2 Pavilion Business Park,
Royds Hall Road,
Leeds, LS12 6AJ

Registered number of holder, for example company number, charity number (where applicable)

12068275

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Helen Hall
[REDACTED]
[REDACTED]
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No. [REDACTED]
Authority L.B Southwark

Licence Issue date 6/ 1/2022

[REDACTED]
Head of Regulatory Services
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- (a). At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b). At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

485 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

487 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

340 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.

Annex 3 - Conditions attached after a hearing by the licensing authority

840 That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises;

841 That all CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the Council;

842 That a member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or Council Officer;

826 That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every six months and shall, upon request, be made immediately available to officers of the Police and the Council;

843 That all off sales of alcohol shall be sold in sealed containers, save for to any areas which have the benefit of a pavement licence;

844 All sale of alcohol for consumption on the premises, or in an area with the benefit of a pavement licence, shall be by waiter/waitress service;

845 That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that 'off sales' of alcohol are not opened and consumed in the vicinity of the premises;

8AA That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card;

8AB That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation. A record of such training shall be kept / be accessible at all times and be made immediately available for inspection to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received;

8AC That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times;

8AI That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept/ be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request;

846 That no noise generated on the premises, or by its associated plant or equipment shall emanate from the premises, nor vibration be transmitted through the structure of the premises which gives rise to a nuisance;

804 That a direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity;

815 That patrons shall not be permitted to use the external area of the premises (as defined on the premises plan) after 22:00hrs Monday to Saturday, 20:00hrs Sunday until 11:00hrs the following day, apart from access and egress and those who temporarily leave to smoke;

847 That there shall be no external disposal of glass between 20:00hrs and 08:00hrs;

848 That the premises will not use single use plastics wherever possible;

849 That the premises shall signpost patrons to use public transport, to leave the area quietly and not to congregate in front of the premises;

807 That the capacity of the premises shall be 50 exclusive of staff, including the external area of the premises;

850 That no alcohol is to be consumed in the external area of the premises unless patrons are seated;

851 That all external furniture must be rendered unusable or taken inside within half an hour of the external area closing;

852 That bins are to be provided for cigarette disposal and the external area of the premises must be swept upon closing.

Annex 4 - Plans - Attached

Licence No. 875945
Plan No. 020 Rev L1
Plan Date 12/10/2021

NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 6 JANUARY 2022

SECTION 17 LICENSING ACT 2003: PECKHAM CELLARS LIMITED, 75 CAMBERWELL CHURCH STREET, LONDON, SE5 8TU

Decision

That the application made by Peckham Cellars Limited for a premises licence to be granted under s.17 of the Licensing Act 2003 in respect of the premises known as Peckham Cellars Limited, 75 Camberwell Church Street, London, SE5 8TU be granted as follows:

1. Supply of alcohol for consumption on the premises:
 - Monday to Saturday: 11:00 to 22:30
 - Sunday: 11:00 to 19:30
2. Supply of alcohol for consumption off the premises:
 - Monday to Saturday: 11:00 to 23:00
 - Sunday: 11:00 to 20:00
3. Opening hours:
 - Monday to Saturday: 11:00 to 23:00
 - Sunday: 11:00 to 20:00

Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form, conditions agreed during the conciliation process with the licensing authority and the following additional conditions as agreed by the licensing sub-committee:

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises.
2. That all CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.

3. That a member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of police or council officer.
4. That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every six months and shall, upon request, be made immediately available to officers of the police and the council.
5. That all off sales of alcohol shall be sold in sealed containers, save for to any areas which have the benefit of a pavement licence.
6. All sale of alcohol for consumption on the premises, or in an area with the benefit of a pavement licence, shall be by waiter/waitress service.
7. That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that 'off sales' of alcohol are not opened and consumed in the vicinity of the premises.
8. That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
9. That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation. A record of such training shall be kept / be accessible at all times and be made immediately available for inspection to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
10. That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
11. That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept/ be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.
12. That no noise generated on the premises, or by its associated plant or equipment shall emanate from the premises, nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

13. That a direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
14. That patrons shall not be permitted to use the external area of the premises (as defined on the premises plan) after 22:00 Monday to Saturday, 20:00 Sunday until 11:00 the following day, apart from access and egress and those who temporarily leave to smoke.
15. That there shall be no external disposal of glass between 20:00 and 08:00.
16. That the premises will not use single use plastics wherever possible.
17. That the premises shall signpost patrons to use public transport, to leave the area quietly and not to congregate in front of the premises.
18. That the capacity of the premises shall be 50 exclusive of staff, including the external area of the premises.
19. That no alcohol is to be consumed in the external area of the premises unless patrons are seated.
20. That all external furniture must be rendered unusable or taken inside within half an hour of the external area closing.
21. That bins are to be provided for cigarette disposal and the external area of the premises must be swept upon closing.

Reasons

On 2 November 2021 Peckham Cellars Limited applied under section 17 of the Licensing Act 2003 for a new premises licence in respect of the premises known as Peckham Cellars Limited, 75 Camberwell Church Street, London, SE5 8TU.

The applicant proposed a mixed use of the premises: part wine bar with small plates of food and part wine shop selling wines that can't be found in a supermarket. They advised that there would be space for 13 people to be seated inside and 15 outside. They added that this would be a small bar that would not attract large groups drinking, particularly given the price of the drinks. Glasses of wine will be served in measurements of 125ml, the smallest measure. The cheapest bottle of wine will cost approximately £30 and they will not sell draft lager or the usual brands. Service will be by table-service only, the overall capacity is very small and the premises will close well before midnight.

A comprehensive suite of proposed conditions was submitted along with a dispersal policy. The applicant confirmed they had no access to an outside garden.

One resident was in attendance. He expressed concerns regarding noise nuisance in the area caused by the increase in premises and patrons using outside spaces. He was also concerned about the accumulation of rubbish, particularly cigarette waste.

The licensing sub-committee noted that the licensing authority had withdrawn their representation and no other responsible authorities had made representations in respect of this premises. The sub-committee were mindful of the objections raised both in writing and by the resident in attendance. The premises appeared to take objectors concerns on board and expressed their keenness to play a part in the community and establish a constructive relationship with residents.

The resident's concerns in respect of cigarette waste and other rubbish could be addressed by the provision of bins for cigarette ends and a condition requiring the premises to sweep their external area upon closing. The sub-committee considered public use of outdoor seating after external areas of the premises had closed would contribute to the noise nuisance in the area. This could be addressed by a condition rendering those tables unusable. The written dispersal policy will also assist in managing the noise and nuisance that can arise from patrons leaving the premises.

The sub-committee noted there was a discrepancy in the dispersal policy regarding last orders. The applicant agreed that this would be rectified. It is recommended the following wording would be appropriate: '...This also applies to the outside area where last orders will be served by 21:30 Monday to Saturday and 19:30 on Sunday'.

Whilst the premises is in the Peckham cumulative impact Area, paragraph 162 of the statement of licensing policy (SOLP) 2021-2026 details factors the sub-committee may take into account in demonstrating there will be no impact on the area. The premises is small and will not operate past 23:00 Monday to Saturday and 20:00 Sunday. The sub-committee noted the extensive conditions proposed by the premises and considered they would mitigate concerns and promote the licensing objectives. Furthermore, the hours proposed are within those recommended by the SOLP.

It is on this basis that the application was granted. In reaching this decision, the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

Appeal rights.

The applicant may appeal against any decision:

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desires to contend:

- a) That the licence ought not to have been granted; or
- b) That, on granting the licence, the licensing authority ought not to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy.

Date: 6 January 2022