

From: Moore, Ray Ray.Moore@southwark.gov.uk
Sent: Friday, August 19, 2022 3:21 PM
To: Regen, Licensing Licensing.Regen@southwark.gov.uk
Subject: Review of premises license for 156 Wells Way, SE5 7SY Premises License Number 875973 / 878054?

Trading Standards as a responsible authority are responding to an application to review a premises license for the business operating at 156 Well Way, SE5 7SY. These representations are made under all four licensing objectives.

On the evening of Saturday 19th September 2020 Trading Standards Officer Ray MOORE visited the premises accompanied by members of the police Night Time Economy Team in response to a complaint about the premises. At the time the premises was laid out in accordance with prevailing Covid-19 restrictions at the time... i.e. seated table service in groups of six or less etc. Customer details were being taken at the door for contact tracing purposes; hand sanitizer was available and seating groups were socially distanced. They were also using a device for taking people's temperatures at the door, although this did not appear to be operating properly at the time. Covid-19 precautions were discussed with the designated premises supervisor, Mr Francis KPANDEH. Over the course of the following months a number of observations were made outside the premises and no issues around noise were noted at the times of those observations. Throughout the period of restrictions and closures the premises appeared to be operating within relevant closures / restrictions.

On Friday 29th July 2022, Ray MOORE accompanied by Clarissa O'Toole, (an ASB (Anti-Social Behaviour) Management Officer visited the premises at 19:45hrs. The premises was not open at this time but Mr KAPANDEH was outside and agreed to let Mr MOORE do a licensing inspection. Not all conditions could be checked due to the fact that the business was open at the time and that he could also not comment on some areas relating to noise matters (i.e. the operation of noise limiters etc.). A letter outlining issues with conditions accompanies these comments. Mr MOORE e-mailed a copy of the letter to Mr KPANDEH and also hand delivered the letter to Mr KPANDEH on a further visit to the premises at 03:00hrs on Saturday 6th August 2022.

The visit on Saturday 6th August 2022 at 03:00hrs was made by Charlie JERROM of the Licensing Team and Ray MOORE from the Trading Standards Team accompanied by two police officers. It was quiet at the time of the visit which lasted until 04:00hrs. Mr KPANDEH was again present and Mr JERROM went through the conditions on his license, on this occasion while the business was in operation. A number of issues that had arisen previously were resolved by the production of a book containing staff training details etc. Once again Mr JERROM would not have been able to comment on issues such as noise limiters etc. Mr MOORE was present and agreed to do a follow up letter with respect to conditions. The main issue was around the fact that the CCTV was not operating properly as the dates were incorrect and there did not appear to be the requisite number of days being recorded. Mr KPANDEH had claimed previously that the problems with the CCTV related to when a police officer had downloaded some footage in relation

to an incident which was not related to his business. He said he was in the process of getting it fixed.

Mr KPANDEH invited Mr MOORE and PC Maria O'MAHONEY to a public meeting he had arranged for local residents about any concerns they had about the business. This was held on Tuesday 9th August 2022 at the premises. He said that he had distributed the invite to all properties in the vicinity of the premises. Three residents turned up and a number of other interested parties. Mr MOORE explained at the start of the meeting that he and PC O'MAHONEY were only there as observers and could not make any comments on matters other than fielding questions about the process by which a review of a premises license takes place. The three residents said they were not aware of issues with noise from the business. Mr MOORE explained that if they wished to make any comments on the review they could do so by e-mailing their comments to licensing@southwark.gov.uk; writing to the licensing team etc. He also explained that they could attend in person if they wished but that they did not have to and any comments they wished to make could still be heard at the review hearing.

Attached: Letters with respect to visits on Friday 29th July 2022 (19:45hrs) and Saturday 6th August 2022(03:00hrs)

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure| Regulatory Services

Post: 3rd Floor Hub 2, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 0816 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Ray MOORE
Principal Trading Standards Officer
Trading Standards Team
Environmental Health and Trading Standards

Ray.moore@southwark.gov.uk

Tel: 0207 525 0816

Date: 04 August 2022

Ref: 875973

Cool and Cozy Lounge
FDN Arts & Events Ltd (Premises License Holder)
Francis KPANDEH (Designated Premises
Supervisor)
& Manuela KODO (Director)
Cool & Cozy Lounge
156 Wells Way
SE5 7SY

Dear Manuela KODO & Mr KPANDEH,

RE: THE LICENSING ACT 2003 – WARNING LETTER:

On 29 July 2022 at 19:15hrs Council Officers, Ray MOORE and Clarissa O'TOOLE visited the above premises and spoke with Mr KPANDEH about the conditions on the license.

It was noted that 2 reviews had been put in on the license by local residents.

During the inspection Mr MOORE witnesses the following issues with the conditions on the license:

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 license. The CCTV System must be capable of capturing an image of every person who enters the premises." Mr KAPANDEH showed the CCTV system but the dates appeared to be all wrong. He said this had occurred when police officers came to download images about an incident that had happened nearby. He said it was due to be fixed soon. (Breach of Premises Condition 288)
2. "That all CCTV footage shall be kept for a period of thirty one (31 days) and shall, upon request, be made immediately available to Officers of the Police and Council." There appeared to be 12 recorded days with the dates 15/04/2022 to 26/04/2022. (Breach of Premises Condition 289)
3. "That staff shall be trained to observe the measures necessary to promote the crime and disorder objective and a record of the dates and names of the staff trained kept." No such records were available for inspection. (Condition 293)

4. "That all appropriate staff shall be trained in the age identification scheme required at the premises and records of training shall be kept and made available for inspection by authorised officers of the council." Mr KAPANDE could not provide any such records. (Breach of Premises Condition 326)
5. "That an age identification scheme shall be established and maintained. The scheme shall require the production of evidence of age (comprising any PASS accredited card or passport or driving license) from any person appearing to staff engaging in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol." (Condition 334)
6. "That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall upon request, be made immediately available to officers of the police or council." (Breach of Premises Condition 355).
7. "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 ½ pint; (ii) gin, rum, vodka or whisky: 25ml or 35ml; and Still wine in a glass: 125ml; (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." There were no indication of prices in any format etc. (Breach of Premises License Condition 489).

It was not possible to assess if many of the other conditions were to be adhered to when the premises is operating. It is therefore necessary to do a full inspection at a time when the premises is in operation in order to assess compliance.

It should be noted that neither a full or short version of the license was available on the premises at the time of the visit as is required by the licensing act 2003.

In the meantime, should you wish to discuss this matter with a licensing enforcement officer please contact them by email at licensing@southwark.gov.uk or by telephone on between the hours of 09:00 and 17:00, Monday to Friday... 0207 525 5000.

Yours sincerely,



Ray MOORE

Principal Trading Standards Officer

Ray MOORE
Principal Trading Standards Officer
Trading Standards Team
Environmental Health and Trading Standards

Ray.moore@southwark.gov.uk

Tel: 0207 525 0816

Date: 09 August 2022

Ref: 875973

Cool and Cozy Lounge
FDN Arts & Events Ltd (Premises License Holder)
Francis KPANDEH (Designated Premises
Supervisor)
& Manuela KODO (Director)
156 Wells Way
SE5 7SY

Dear Manuela KODO & Mr KPANDEH

RE: The Licensing Act 2003 – WARNING LETTER

On 6 August 2022 at 03:00hrs Council Officers Ray MOORE and Charlie JERROM visited the above premises and spoke with Mr KPANDEH about the conditions on the license.

This followed on from the visit Mr MOORE made on 29 July 2022 and dealt with in a letter dated 4 August 2022.

Firstly, it was noted that the CCTV had still not been fixed and was displaying random dates that meant it would not be possible to search by date and time if an incident occurred. It is unclear what period is being kept as a record.

It was also noted that on this occasion there were a number of records available for inspection. Once again it was not possible to comment on certain conditions such as the use of noise limiters and these matters would have to be examined by someone who was suitably qualified to comment on these matters.

The following conditions were still not being complied with:

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 license. The CCTV system must be capable of capturing an image of every person who enters the premises." The situation with respect to the CCTV was still as it was on 29 July 2022. Again he said it would be fixed soon. (Breach of condition 288).
2. "That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police

and Council." The situation was the same as on 29 July 2022. (Breach of condition 289).

3. "That an age identification scheme shall be established and maintained. The scheme shall require the production of evidence of age (comprising any PASS accredited card or passport or driving license) from any person appearing to staff engaging in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol" (Condition 334).

I would also add that although staff had been trained... there is a condition requiring update training every six months and that there may also be a breach of condition 355. I supplied pdf documents that can be used by the business for this purpose with the previous letter....

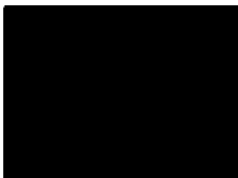
4. "That all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months and shall upon request, be made immediately available to officers of the police or council." (Condition 355).

Once again there were a number of other conditions that it was not possible to assess.

The short and full versions of the license were available on this occasion.

In the meantime, should you wish to discuss this matter with a licensing enforcement officer please contact them by email at licensing@southwark.gov.uk or by telephone between the hours of 09:00 and 17:00, Monday to Friday... 0207 525 5000.

Yours sincerely,



Ray MOORE
Principal Trading Standards Officer