



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 reference: MD/004/23

Date: 05/01/2023

Dear Sir/Madam

Re: Fireaway Pizza 69 Norwood Road SE24 9AA

Police are in possession of an application from the above for a New Premises Licence for Late Night Refreshment. The operating schedule describes it as a Takeaway Pizza shop. The Hours requested are as follows:

Opening hours to the public
Mon-Sun-1100hrs to 0300hrs

Late Night Refreshment
Mon-Sun-2300hrs to 0300hrs

The venue is situated in the Herne Hill District Town centre and the hours requested are in excess of the closing times recommended in Southwark's Statement of licensing policy which are;

Sun-Thurs-0000hrs
Fri-Sat-0100hrs

The applicant should take note of the council policy in regards to hours and addressing licensing objectives. Although this application is for Late Night Refreshment only there is still an expectation that the applicant addresses the licensing objectives especially in view of the late hours.

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.

I object to the granting of this licence in its current format as the applicant has not addressed the licensing objectives and the hours are in excess of the current Southwark statement of licensing policy. Police welcome the opportunity to communicate with the applicant to progress this application

Submitted for your consideration.

Yours Sincerely

PC Mark Lynch 2246AS

Southwark Police Licensing Unit

Tel: 0207 232 6756/6639

O'Callaghan, Barry

From: Regen, Licensing
Sent: 25 January 2023 08:37
To:
Subject: FW: Fireaway Pizza ref 004/23

Kirby Read

Processing Manager
Southwark Council | Licensing | Regulatory Services
Tel: 0207 525 5748 | **Fax:** 020 7525 5705
Call Centre: 020 7525 2000
Email: licensing@southwark.gov.uk

Please note:

The number for the council's 24 hour automated telephone payments line has changed to 0345 6000 611.

If your enquiry is about wanting to hold an event in one of our outdoor public spaces
www.southwark.gov.uk/events-culture-and-heritage/events/planning-an-event

In future if you wish to submit an application, a quicker way would be to [apply online](#).

You will need to apply for a premises licence if you wish to sell alcohol or if you provide hot food/drink between 11pm and 5am.

Please see <https://www.southwark.gov.uk/business/licences/business-premises-licensing/alcohol-late-night-refreshment-and-entertainment-licences/premises-licence>

If you wish to check whether this premises is situated in the cumulative impact zone send us email

Licensing Committee Report see link below

<https://moderngov.southwark.gov.uk/mgCommitteeDetails.aspx?ID=17>

<https://www.southwark.gov.uk/business/food-safety-and-hygiene/registering-a-food-business>

please see above link on how to register your food business

Postal Address: Regulatory Services, Licensing Team, Hub 1, 3rd Floor, P.O Box 64529, SE1P 5LX

Visitor's Address: 160 Tooley Street, London, SE1 2QH

From: mark.A.Lynch@met.police.uk <mark.A.Lynch@met.police.uk>

Sent: Wednesday, January 25, 2023 7:46 AM

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

Cc: O'Callaghan, Barry <Barry.O'Callaghan@southwark.gov.uk>

Subject: FW: Fireaway Pizza ref 004/23

Good Morning

After consultation the applicant has agreed to the below conditions in red to be added the licence should it be granted therefore we would like to withdraw our objection to the granting of the licence for Fireaway Pizza 69 Norwood Road SE249AA

1. That staff shall monitor the internal and external areas of the premises and ensure the orderly conduct of patrons at the premises.
2. That clearly legible signs shall be prominently displayed at all exits, and so that they can easily be seen and read by customers, requesting to the effect that customers leave the premises and area in a quiet and orderly manner. Such signs shall be maintained free from obstruction when the premises are in use in accordance with this licence.
3. That clearly legible notices shall be prominently displayed at the entrance of the premises where they can easily be seen and read by customers requesting to the effect that customers wait for service inside the premises. Such notices shall be kept free from obstructions at all times.
4. That a CCTV system which can capture footage of the interior and exterior of the premises has been installed at the premises & maintained in full working order, also continually recording at all times the premises are that are in use. The CCTV system it's capable of capturing a clear facial image of every person who enters the premises.
5. All CCTV footage will be kept for a period of 31 days and shall be made available to the police or council officers for viewing immediately on request.
6. That at all times the premises are in operation there shall be a member of staff on duty who is capable of viewing and downloading recordings immediately should the police or council officers request a copy any recordings.

Kind regards
Mark Lynch Pc 2246AS
Southwark Police Licesning

From: [REDACTED]
Sent: 23 January 2023 13:45
To: Lynch Mark A - AS-CU <mark.A.Lynch@met.police.uk>
Subject: Re: FW: Fireaway Pizza ref 004/23

Dear Mark,

I hope this finds you well. Yes, I accept all these conditions.

Kind regards
[REDACTED]
Fireaway Herne Hill

On 21 January 2023 at 10:38:09 -00:00, mark.A.Lynch@met.police.uk wrote:

Good Morning

Apologies for the additional email however it would appear that my previous email may not have been fully correct , please take time to read the below which are standard conditions and wording

And if you are happy to accept the conditions reply confirming such and we will be in a position to consider withdrawing our objection :

1. That staff shall monitor the internal and external areas of the premises and ensure the orderly conduct of patrons at the premises.

2. That clearly legible signs shall be prominently displayed at all exits, and so that they can easily be seen and read by customers, requesting to the effect that customers leave the premises and area in a quiet and orderly manner. Such signs shall be maintained free from obstruction when the premises are in use in accordance with this licence.

3. That clearly legible notices shall be prominently displayed at the entrance of the premises where they can easily be seen and read by customers requesting to the effect that customers wait for service inside the premises. Such notices shall be kept free from obstructions at all times.

4. That a CCTV system which can capture footage of the interior and exterior of the premises has been installed at the premises & maintained in full working order, also continually recording at all times the premises are that are in use. The CCTV system it's capable of capturing a clear facial image of every person who enters the premises.

5. All CCTV footage will be kept for a period of 31 days and shall be made available to the police or council officers for viewing immediately on request.

6. That at all times the premises are in operation there shall be a member of staff on duty who is capable of viewing and downloading recordings immediately should the police or council officers request a copy any recordings.

Kind regards

Mark Lynch Pc 2246AS

Southwark Police Licesning

From: Lynch Mark A - AS-CU

Sent: 18 January 2023 06:46

To: [REDACTED]

Cc: O'Callaghan, Barry <Barry.O'Callaghan@southwark.gov.uk>

Subject: RE: Fireaway Pizza ref 004/23

Good Morning

Thank you for taking the time to look at the policy ,although I indicated certain paragraphs I was trying to get you to look at the policy and suggest some conditions that would assist the promotion of the licence objectives . I have below suggested some conditions for the licence that would assist ,please take time to read these

1.That staff shall monitor the internal and external areas of the premises and ensure the orderly conduct of patrons at the premises.

2.That clearly legible signs shall be prominently displayed at all exits, and so that they can easily be seen and read by customers, requesting to the effect that customers leave the premises and area in a quiet and orderly manner. Such signs shall be maintained free from obstruction when the premises are in use in accordance with this licence.

3.That clearly legible notices shall be prominently displayed at the entrance of the premises where they can easily be seen and read by customers requesting to the effect that customers wait for service inside the premises. Such notices shall be kept free from obstructions at all times.

4.That a CCTV system which can capture footage of the interior and exterior of the premises has been installed at the premises & maintained in full working order, also continually recording at all times the premises are that are in use. The CCTV system it's capable of capturing a clear facial image of every person who enters the premises.

5. All CCTV footage will be kept for a period of 31 days and shall be made available to the police or council officers for viewing immediately on request.

6.That at all times the premises are in operation there shall be a member of staff on duty who is capable of viewing and downloading recordings immediately should the police or council officers request a copy any recordings.

if you are in agreement please confirm such and I hope we can progress

Kind regards

Mark Lynch Pc 2246AS

From: [REDACTED]
Sent: 14 January 2023 16:49

To: Lynch Mark A - AS-CU <mark.A.Lynch@met.police.uk>; licensing@southwark.gov.uk
Subject: Re: Fireaway Pizza ref 004/23

Good afternoon,

We have all the procedures and policies in place that ensure the safety and meets the late night refreshments.

Section 176 is regarding Alcohol and we don't even sell alcohol.

Upon speaking with our neighbour, I found some even have license to stay open till 5 and us not being able to stay open till late will dramatically affect our ability to continue trading.

Many thanks

Fireaway pizza



On 6 Jan 2023, at 12:58, mark.A.Lynch@met.police.uk wrote:

Good Afternoon

Thank you for taking the time to email us , I am aware of previous licences granted in the near area some exceed the policy and some to which are within policy. It may assist you to take a look at the Southwark Statement of Licensing policy in particular paragraph 173 and paragraph 176 which can be accessed via the Southwark council website ,this may help with addressing the licensing objectives in regards to late hours requested

Kind Regards

Mark Lynch Pc2246AS

Southwark Police Licensing

From: 

Sent: 06 January 2023 12:39

To: Lynch Mark A - AS-CU <mark.A.Lynch@met.police.uk>

Cc: licensing@southwark.gov.uk

Subject: Re: Fireaway Pizza ref 004/23

Hi there,

There are plenty of shops next to us that stays open till 3am and some even until 4am.

I have attached a screenshot for your reference.

Kind regards

Fireaway Herne Hill

01:49

5

Morley's Herne Hill

3.0 ★★☆☆☆ (46) ⓘ · £

Fried chicken takeaway · Open

Overview

Reviews

Menu



DIRECTIONS



SHARE



SAVE



Takeaway · Delivery



25 Norwood Rd, London SE24
9AA

See other locations



Thursday

11am-3am

LICENSING

To: Licensing Unit	From: Wesley McArthur wesley.mcarthur@southwark.gov.uk 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority)	Date: 17 January 2023
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	Fireaway Pizza, 69 Norwood Road, London, SE24 9AA	
Ref':	879182	

We object to the grant of a premises licence application, submitted by Fireaway SE LTD under The Licensing Act 2003 (the Act), in respect of the premises known as Fireaway Pizza, 69 Norwood Road, London, SE24 9AA.

The application is to allow for:

Late night refreshment (outdoors)

Monday – Saturday: 23:00 hours – 03:00 hours

The proposed opening hours of the premises are:

Monday – Saturday: 11:00 hours – 03:00 hours

The premises, and its intended operation, are described as - “*We are a pizza takeaway shop and want a licence to stay open until 3 am. We don't have an eat-in facility, so there will be no crowd of people. We won't be playing loud music and have alcohol on premises.*”

According to section 7 of this council's statement of licensing policy 2021 – 2026 (hereafter referred to as the 'SoLP'), the premises fall within Herne Hill District Town Centre.

The immediate locale is of mixed use, but has a large number of residential dwellings.

A copy of the SoLP is available via:

<https://www.southwark.gov.uk/assets/attach/7473/Statement-of-Licensing-Policy-2021-2026-final.pdf>

My objection is based on the following criteria:

1. The control measures offered in the operating schedule of the application, which will form the basis of the conditions of any premises licence issued in respect of the premises, do not sufficiently address the licensing objectives.
2. The closing times proposed regarding the premises exceed those recommended in the SoLP for licensed premises located in Herne Hill District Town Centre.

The following closing times are recommended for the listed types of licensed premises located in Herne Hill District Town Centre –

Restaurants & cafes and take-away establishments (for late night refreshment) –

Sunday – Thursday 00:00 hours (midnight)

Friday & Saturday 01:00 hours

We contend that it is likely that the proposed operation of the premises will lead to public nuisance in the locale. We recommend the following proposed licence conditions, and amendments to the application, be included in the application–

- That members of the public shall not be permitted on the premises after 00:00 hours on Sunday to Thursday and 01:00 hours on Friday and Saturday. After these hours the premises shall only provide late night refreshment by delivery.
- That after 00:00 hours on Sunday to Thursday, and 01:00 hours on Friday and Saturday, the entrance to the premises shall be kept closed except to allow the immediate access and egress of delivery drivers in respect of deliveries from the premises, or in respect of emergency access and egress.
- That signage shall prominently displayed where it can easily be seen and read by passers-by stating to the effect that the premises are shut for walk in service after 00:00 hours on Sunday to Thursday and 01:00 hours on Friday and Saturday. This is to discourage members of the public approaching the premises after these hours.
- That signage stating at least one contact phone number that is in operation between, 00:00 hours on Sunday to Thursday and 01:00 hours on Friday and Saturday, and when the premise ceases operating daily, and with a message to the effect that if local residents are disturbed by noise arising from the operation of the premises then local residents can contact the premises' management via the phone number, shall be prominently displayed where it can easily be seen and read by passers-by.
- That delivery drivers will be instructed to turn their engines off when collecting orders for delivery from the premises.
- That clearly legible signage shall be prominently displayed both inside and outside the premises where it can easily be seen and read by delivery drivers advising to the effect that (a), all vehicle engines are turned off (b), that all delivery drivers behave in a quiet and orderly manner with respect to local residents (c), that delivery drivers do not use vehicle horns to attract the attention of workers at the premises or otherwise use their vehicle horns unnecessarily when approaching or leaving the premises and (d), that delivery drivers do not engage in unnecessary revving of engines on approaching or leaving the premises and locale.
- That staff shall be trained in minimizing possible noise nuisance that may arise due to the operation of the premises. The training shall include all of the steps that staff are expected to take to minimize the operation of the premises from causing noise nuisance. Training records, which include the trainee's printed name, the trainee's signature, the date that the trainee received the training and a declaration that the training has been received and understood by the trainee, shall be kept at the premises with a written copy of the training. The training records and written copy of the training shall be made available to council and / or police officers immediately on request.

- That a digital hard drive CCTV system shall be installed at the premises, shall be maintained in full working order and shall be continually recording at all times that the premises are in use. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises. The CCTV system shall be correctly time and date stamped. The CCTV system shall cover all interior and exterior areas of the premises, including the frontage of the premises, and shall collect clearly defined / focused footage.
- The CCTV system shall be correctly time and date stamped. The CCTV system shall cover all interior and exterior areas of the premises, including the frontage of the premises and emergency exits. The CCTV system shall always collect clearly defined / focused footage.
- That all CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available to council and / or police officers on request.
- That a member of staff shall be on duty at all times that the premises are in use, who is trained in the use of the CCTV system and who is able to view, and download to a removable storage device, CCTV footage at the immediate request of police and / or council officers.
- That all staff shall be trained in their responsibilities under the Licensing Act 2003, the promotion of the licensing objectives and the terms and conditions of this licence. Records pertaining to such training shall be kept, shall be updated every 6 months and shall be made immediately available police and / or council officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals) and a declaration that the training has been received and understood.
- That staff shall be instructed to arrive at, leave and conduct themselves at the premises in a quiet and orderly manner at all times with particular care taken when staff close the site at the end of trade on each day. Such instruction shall be included in any written staff training / induction material.
- That external waste / recycling handling, deliveries of goods to the premises and the cleaning of external areas shall only occur between the 08:00 hours and 20:00 hours.

We welcome discussion with the applicant on any of the matters above, however should the applicant agree to the inclusion of the above conditions in any licence issued subsequent to the application then we will withdraw this representation.

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer