

ENVIRONMENTAL PROTECTION TEAM REPRESENTATION

From: Binya, Raymond <Raymond.Binya@southwark.gov.uk>

Sent: Monday, April 17, 2023 1:26 PM

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

Cc: [REDACTED]

Subject: Application for new licence to be granted under the Licensing Act 2003 for Pizza Hut, 35 Vestry Road, London SE8 8PG our ref 996001

Dear Licensing Team,

Application for a new premises for be granted under the Licensing Act 2003.

Application reference number: 879784

Address: Pizza Hut

35 Vestry Road

London

SE5 8PG

A new licence application seeks to operate as Pizza hut selling hot food delivery and takeaway finishing at 00:00 Monday to Friday 02:00 hours on Saturdays and Sundays.

The address falls within residential area category under the Southwark Statement of Licensing Policy 2021 – 2026. The policy recommends take-away establishments (LNR) are not appropriate in this area.

Measures given on Part M of the application do not fully address the possible public nuisance issues that are likely to be brought by associated activities.

I therefore 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 as a result of proposed hours and associated activities.

However, if the committee is minded to granting application, we recommend the following conditions:

- All external plant required for the operation of the premises (air handling plant, condensers, kitchen extraction systems, etc.) shall be designed, installed and maintained to ensure that noise output from the external plant does not cause a public nuisance or intrude inside the nearest, or most exposed, noise sensitive premises.
- Any kitchen extraction system required for the operation of the premises shall be installed with an appropriate discharge location (i.e. eaves height) and with adequate odour control filters installed and maintained to ensure that odour emissions do not cause a public nuisance or intrude inside in the nearest or most exposed sensitive premises.

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

www.southwark.gov.uk

LICENSING REPRESENTATION

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: 18 April 2023
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	Pizza Hut, 35 Vestry Road, Camberwell, London, SE5 8PG	
Ref':	879784	

We object to the grant of an application for a premises licence, submitted by Nine food group limited under The Licensing Act 2003 (the Act), in respect of the premises known as Pizza Hut, 35 Vestry Road, Camberwell, London, SE5 8PG.

The application

The application is as follows:

1. To allow for the provision of late night refreshment indoors -

Monday to Friday **23:00 – 00:00**
Saturday & Sunday: **23:00 – 02:00**

2. Opening hours -

Monday to Friday **11:00 – 00:00**
Saturday & Sunday: **11:00 – 02:00**

3. The premises, and its intended style of operation, are described in the application as (verbatim) –

“Pizza hut selling hot food delivery and takeaway.”

This council's Statement of Licensing Policy

The premises are located opposite a small parade of shops on an otherwise residential road. The premises are located beneath residential premises. The premises previously operated as a fish and chip take-away.

According to this council's statement of licensing policy 2021 – 2026 (the SoLP), the premises fall within a 'residential area'.

A copy of the SoLP is available via:

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

The following closing times are recommended in section 7 of the SoLP in respect of various types of licensed premises located in residential areas as follows -

Take-aways providing late night refreshment –

Not considered appropriate for residential areas

Restaurants and cafes –

Monday to Sunday: 23:00 hours

Our objection

Our objection relates to the promotion of the prevention of public nuisance and the prevention of crime and disorder licensing objectives.

1. The SoLP does not consider takeaway premises providing late night refreshment as appropriate to be located in residential areas. The proposed operation of the premises could give rise to noise nuisance affecting local residents late at night. The premises are not far from central Camberwell which is an area that has many late night bar, pub and similar premises. Premises offering late night refreshment in areas that have a lot of bars, pubs or similar are often hubs for crime and disorder

2. The applicant hasn't offered any suitable measures to address the licensing objectives in the application, and only offers the following in part 'M' of the application to address the licensing objectives–

- General: All staff to be trained in appropriate legislation.
- The prevention of crime and disorder: CCTV will be installed and will be fully operational at all times.
- Public Safety: All staff to be aware of the responsibilities under health and safety.
- The prevention of public nuisance: Notices will be displayed asking customers to leave quietly.
- The protection of children from harm: All staff to be trained in appropriate legislation.

We object to the proposed hours for licensable activities and the proposed opening hours, however the following hours of operation would be acceptable if the measures stated in part 'M' of the application form are replaced *in their entirety* with the proposed licence conditions below –

The provision of late night refreshment

Monday - Sunday: 23:00 - 00:00

Opening hours

Monday - Sunday: 11:00 - 00:00

Prevention of crime and disorder

- That a digital 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.
- 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 device, CCTV footage at the immediate request of police and / or council officers.
- That an incident log book shall be kept at the premises to record details of any of the following occurrences at the premises:
 - a) Instances of anti-social or disorderly behaviour
 - b) Calls to the police
 - c) Any complaints received
 - d) Ejections of people from the premises
 - e) Visits to the premises by the local authority, police or fire brigade
 - f) Any malfunction in respect of the CCTV system
 - g) All crimes reported
 - h) Any other relevant incidents

The incident log shall record the time, date, location and description of each incident, the printed and, if possible, signed name of the person reporting the incident and any action taken in respect of the incident. The incident log shall be available / be accessible at the premises at all times that the premises are in use and shall be provided to responsible authority officers on request. All staff shall be trained in the use of the incident log and details of such training shall be recorded in the staff training logs at the premises.
- 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 ('the training log') shall be kept, shall be updated every 6 months and shall be made immediately available to responsible authority 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 and understood.

Prevention of public nuisance

- 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 minimising 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. Details of such training, including the printed name of the trainee and the date of the training, shall be recorded in the staff training log at the premises.
- That clearly legible signage stating a dedicated contact telephone number for the premises shall be prominently displayed where it can easily be seen read by passers-by. The signage shall state to the effect that the phone number shown can be used to contact the premises in respect of any complaints regarding the operation of the premises. Such signage shall be kept free from obstructions at all times.
- That the premises shall be closed to 'walk in' customers after 23:30 hours.
- That signage shall prominently displayed where it can easily be seen and read by passersby stating to the effect that the premises are shut for walk in service after 23:30 hours. This is to discourage members of the public approaching the premises after 23:30 hours.
- That any litter caused by the operation of the premises shall be cleared away from the immediate vicinity of the premises periodically throughout operating hours, and at the end of trade, on each day that the premises are in operation.
- That after 23:30 hours 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 deliveries to premises, and the removal of waste or recycling from the premises, shall not take place after 23:00 hours.
- That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers, at all exits from the premises and in any external areas, requesting to the effect that customers leave the premises and locale in a quiet and orderly manner with respect to local residents. Such signage shall be kept free from obstructions at all times.
- 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. Details of such training, including the printed name of the trainee and the date of the training, shall be recorded in the staff training log at the premises.

We welcome discussion with the applicant on any of the matters above; however should the applicant agree to all of our proposed amendments to the application then we will withdraw this representation.

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer

LICENSING WITHDRAWAL OF REPRESENTATION

O'Callaghan, Barry

From: McArthur, Wesley
Sent: 25 April 2023 07:53
To: Heron, Andrew; Operations - Nine Group
Cc: Finance - Nine Group; O'Callaghan, Barry; Regen, Licensing
Subject: RE: Application for a premises licence: Pizza Hut, 35 Vestry Road, Camberwell, London, SE5 8PG - our ref': 879784 - Loc ID: 199923 (St. Giles Ward)

Dear All,

My representation is withdrawn.

Regards,

Wesley McArthur

Principal Enforcement Officer - Licensing Unit
London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Switchboard: 020 7525 5000

Website: www.southwark.gov.uk

Address: Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH

From: Heron, Andrew <Andrew.Heron@southwark.gov.uk>

Sent: Monday, April 24, 2023 5:26 PM

To: Operations - Nine Group McArthur, Wesley
<Wesley.McArthur@southwark.gov.uk>

Cc: Finance - Nine Group

Subject: RE: Application for a premises licence: Pizza Hut, 35 Vestry Road, Camberwell, London, SE5 8PG - our ref': 879784 - Loc ID: 199923 (St. Giles Ward)

Dear Lee,

This will not be necessary, we are happy to accept this as an amended application.

Regards,

Andrew Heron

Pronouns: He/Him

Team Leader - Licensing

London Borough of Southwark

Regulatory Services – Environment, Neighbourhoods and Growth

020 7525 5767

Address: Licensing Unit, Hub 1, Floor 3, 160 Tooley Street, London, SE1 2QH

Switchboard: 020 7525 5000

Website: www.southwark.gov.uk

From: Operations - Nine Group
Sent: Monday, April 24, 2023 1:22 PM
To: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>; Heron, Andrew <Andrew.Heron@southwark.gov.uk>
Cc: Finance - Nine Group
Subject: FW: Application for a premises licence: Pizza Hut, 35 Vestry Road, Camberwell, London, SE5 8PG - our ref': 879784 - Loc ID: 199923 (St. Giles Ward)

Dear Both,

Having reviewed the attached document I can confirm we would be happy to proceed on the basis you have outlined, adhering to all recommendations stated in the document in order to obtain a late night refreshment license from 23:00 to 00:00 Mon -Sun.

Do we need to re-submit the application?

Kind regards, Lee



From: Finance - Nine Group
Sent: Wednesday, April 19, 2023 1:30 PM
To: Operations - Nine Group
Subject: FW: Application for a premises licence: Pizza Hut, 35 Vestry Road, Camberwell, London, SE5 8PG - our ref': 879784 - Loc ID: 199923 (St. Giles Ward)

From: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>
Sent: Wednesday, April 19, 2023 1:26 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: Heron, Andrew <Andrew.Heron@southwark.gov.uk>; O'Callaghan, Barry <Barry.O'Callaghan@southwark.gov.uk>; Finance - Nine Group
Subject: RE: Application for a premises licence: Pizza Hut, 35 Vestry Road, Camberwell, London, SE5 8PG - our ref': 879784 - Loc ID: 199923 (St. Giles Ward)

Dear All,

There were a few typo's in the representation attached to my prior email. An amended version of the representation is attached. Please replace the representation previously sent with the amended version.

Regards,

Wesley McArthur
Principal Enforcement Officer - Licensing Unit
London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Switchboard: 020 7525 5000

Website: www.southwark.gov.uk

Address: Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH

From: McArthur, Wesley

Sent: Tuesday, April 18, 2023 8:35 PM

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

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

Subject: Application for a premises licence: Pizza Hut, 35 Vestry Road, Camberwell, London, SE5 8PG - our ref': 879784 - Loc ID: 199923 (St. Giles Ward)

Dear Licensing,

Please find attached a representation regarding the above application.

Applicant / Gursharan Chadha – should you wish to discuss the representation please contact me directly and keep my colleague, Andrew Heron, copied in.

Regards,

Wesley McArthur

Principal Enforcement Officer - Licensing Unit

London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

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