



The Licensing Unit
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Our reference: MD/23/114

Date: 04/04/2023

Dear Sir/Madam

Re:- Bill and Beak 34-36 Choumert Road SE15 4SE

Police are in possession of an application from the above for a New Premises Licence. The application describes the premises as a restaurant. The premises is situated in the Peckham Major Town Centre as defined by Southwark's Statement of licensing policy. The venue has applied for the below hours

Open to the Public
Mon-Sun-0800hrs-2300hrs

Recorded Music
Mon-Sun-0800hrs-2300hrs

Supply of Alcohol on sales
Mon-Sun-0800hrs-2300hrs

These hours are within those recommended by Southwark's Statement of licensing Policy for restaurants in such an area.

There is very little information as to how the venue will be operated other than a food led restaurant and we would like to see more information in regards to this. The applicant has offered some control measures in the operating schedule however they are vague and in current guise not in an enforceable form. 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.

The area of the premises has been subject over a number of years to alcohol related Anti-Social Behaviour and this should be taken into consideration when addressing the licensing objectives.

My representations are made with regard to the fact that all four of the licensing objectives in particular the Prevention of crime and disorder have not been addressed in manner that is enforceable. It is for this reason that I object to this application in its current form. Police welcome communication with the applicant to progress this application the opportunity to

Submitted for your consideration.

Yours Sincerely

Pc Mark Lynch 2246AS
Southwark 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: 25 April 2023
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	Bill or Beak, 34 – 36 Choumert Road, Peckham, London, SE15 4SE	
Ref:	879901	

We object to the grant of an application for a premises licence, submitted by Bill or Beak Limited under The Licensing Act 2003 (the Act), in respect of the premises known as Bill or Beak, 34 – 36 Choumert Road, Peckham, London, SE15 4SE.

The application

The application is as follows:

1. Recorded music (indoors) -

Monday to Sunday 08:00 – 23:00

2. The sale of alcohol to be consumed on and off the premises -

Monday to Sunday 08:00 – 23:00

3. Opening hours -

Monday to Sunday 08:00 – 23:00

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

“The premises will operate as a restaurant.”

The Locale

The premises are located on Choumert Road, which houses a busy market and a variety of commercial premises towards its east end (and also many residential dwellings) and mainly houses / residential dwellings towards its west end. The premises are located to the east end of Choumert Road.

This council’s Statement of Licensing Policy

According to this council’s statement of licensing policy 2021 – 2026 (the SoLP), the premises fall within ‘Peckham Major Town Centre Area’ and within the Peckham Cumulative Impact Area. The premises are to operate as a restaurant and therefore are *not* subject to the Peckham Cumulative Impact Area.

The following closing times are recommended in section 7 of the SoLP in respect of restaurants in the Peckham Major Town Centre Area -

Sunday – Thursday: 00:00
Friday – Saturday: 01:00

A copy of the SoLP is available via:

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

Our objection

Our objection relates to the promotion of the prevention of public nuisance, the public safety and the protection of children from harm licensing objectives.

1. In part 'M' of the application, the applicant has proposed various control measures to address the licensing objectives. We welcome these measures, but to ensure that the licensing objectives are fully addressed, and that any subsequent premises licence conditions are practicable and enforceable, we recommend that a control measure stated in part 'M' of the application is replaced and that new control measures are included in the operating schedule of the application as follows -

Prevention of public nuisance (new conditions)

- That a dispersal policy to assist with patrons leaving the premises in an orderly and safe manner shall be devised and maintained regarding the premises. A copy of the dispersal policy shall be accessible at the premises at all times that the premises are in operation. The policy should include (but not necessarily be limited to) the following:
 - a) •Details as to how customer / staff egress at the premises shall be managed to minimise causing nuisance.
 - b) •Details of public transport in the vicinity and how customers will be advised in respect of it.
 - c) •Details of the management of taxis to and from the premises.
 - d) •Details of the management of any 'winding down' period at the premises.
 - e) •Details of any cloakroom facility at the premises and how it is managed.
 - f) •Details of road safety in respect of customers leaving the premises.
 - g) •Details of the management of ejections from the premises.

All relevant staff shall be trained in regards to the dispersal policy and details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises. The dispersal policy shall be made immediately available to responsible authority officers on request.

- That deliveries to and from the premises shall only take place between 07:00 hours and 17:00 hours.
- That external waste, recycling or waste glass / bottle depositing shall only take place between 07:00 hours and 17:00 hours. At all other times waste, recycling or waste glass / bottles shall be kept on the premises until they are due to be collected.
- That staff shall be trained to arrive at, conduct themselves at the premises at all times, and leave the premises in an orderly manner, with particular care taken when staff close the premises at the end of trade on each day. The details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.

Public Safety (new conditions)

- That the maximum number of people permitted on the premises at any one time (the 'accommodation limit') is **X** people (excluding staff). The accommodation limit shall be

known by all management, supervisory or other relevant staff and shall not be exceeded at any time.

<< 'X' to be determined by the applicant in accordance with their fire safety risk assessment>>
- WM

- That any spills of liquid onto the floor of the premises, and / or broken, used or waste glass / earthenware at the premises, shall be cleared away as soon as possible on a continuous basis whilst the premises are in use.

Protection of children from harm

Replace condition **10** as proposed in the application with the following conditions -

- That a challenge 25 scheme shall be maintained requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase or take receipt of alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a photo driving licence, passport, UK armed services photo ID card, any Proof of Age Standards Scheme (PASS) accredited card (such as the Proof of Age London (PAL) card) or any age verification card accredited by the Secretary of State.
- That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons (including the prevention of 'proxy sales'), and shall also be trained in the challenge 25 scheme in operation at the premises. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
- 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.
- That a register of refused sales of alcohol shall be maintained at the premises at all times. The register shall be clearly and legibly marked on the front cover as a register of refused alcohol sales, with the address of the premises and the name of the licence holder. The register shall be used to record details of all refused sales of alcohol. 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.
- That no deliveries of alcohol shall take place from 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