

From: McArthur, Wesley
Sent: Thursday, August 31, 2023 3:46 PM
To: Krishnan, Anusyutha <Anusyutha.Krishnan@southwark.gov.uk>
Subject: RE: Representation - 880849.

Hi Anu,

Please find attached an amended version of my representation. Please delete the version previously sent from APP and replace it with this version, thanks.

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

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

From: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>
Sent: Thursday, August 31, 2023 12:00 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Representation

Dear Licensing,

Please find attached a representation regarding application 880849.

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

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

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: 30 August 2023
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	El Mero Taco Restaurant And Bar, Euro Traveller Hotel, 18 Amelia Street, London, SE17 3PY	
Ref':	880849	

We object to the grant of an application for a premises licence, submitted by El Mero Taco Ltd under The Licensing Act 2003 (the Act), in respect of the premises known as El Mero Taco Restaurant And Bar, 18 Amelia Street, London, SE17 3PY.

1. The application

The application seeks to allow the following -

Recorded music and performances of dance (both indoors):

Thursday – Saturday: 22:00– 03:30

It is stated that recorded music will be provided by way of a DJ.

Late night refreshment (indoors)

Monday - Sunday: 23:00 – 03:30

The sale of alcohol to be consumed on the premises:

Monday - Sunday: 10:00 – 03:30

The opening hours of the premises are:

Monday - Sunday: 10:00 – 04:00

The premises are located in the basement of the Eurotraveller Hotel at 18 Amelia Street.

In the application the premises, and the intended operation of the premises, are described as (verbatim) -

“Basement restaurant and bar within the Hotel.”

2. The Locale

The premises are located on Amelia Street, which leads directly from Walworth Road. Although Walworth Road itself is a busy thoroughfare, primarily containing commercial premises at ground level with some residential units at 1st floor level and above, it should be noted that Amelia Street is a quiet road that is primarily residential. There are high density residential units immediately to either side of the premises and further along Amelia Street to the west. A map showing the location of the premises and its proximity to residential dwellings is attached as appendix 1. Photo's showing the premises and residential dwellings close to the premises are attached as appendix 2.

3. Our objection

According to section 7 of this council's statement of licensing policy 2021 – 2026 (the SoLP), the premises fall within The Elephant and Castle Major Town Centre.

A copy of the SoLP is available via:

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

The following closing times are recommended in our SoLP in respect of various types of licensed premises located in the Elephant and Castle Major Town Centre as stated -

Public houses, wine bars or other drinking establishments and bars in other types of premises

Sunday – Thursday: 23:00
Friday – Saturday: 00:00

Restaurants, cafes & 'Event premises / spaces' where the sale of alcohol is included in, and ancillary to, a range of activities including meals –

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

Night clubs (with 'sui generis' planning classification) –

Monday – Thursday: 01:00
Friday – Saturday: 03:00
Sunday: 00:00

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

The closing times proposed in the application exceed those suggested in our SoLP. Recommended closing times are included in the SoLP, as this council believes that the

recommended closing times would assist in the promotion of all of the licensing objectives. Late operating hours provide an increased risk of public nuisance, crime and disorder and anti-social behaviour.

We object to the operating hours proposed in the application and suggest that they are amended as follows -

Recorded music and performances of dance (both indoors):

Thursday: 22:00 – 00:30
Friday & Saturday: 22:00 – 02:30

Sale of alcohol to be consumed on the premises:

Monday – Thursday: 10:00 – 00:30
Friday & Saturday: 10:00 – 02:30
Sunday: 10:00 – 23:30

Late night refreshment (indoors):

Monday – Thursday: 23:00 – 00:30
Friday & Saturday: 23:00 – 02:30
Sunday: 23:00 – 23:30

Opening hours:

Monday – Thursday: 10:00 – 01:00
Friday & Saturday: 10:00 – 03:00
Sunday: 10:00 – 00:00

In addition to the above, we note that in part ‘M’ of the application the applicant has proposed various licence conditions to address the licensing objectives. We welcome these conditions, but to ensure that any subsequent licensing conditions are *appropriate, practicable and enforceable* we recommend that the conditions proposed in part ‘M’ of the application are replaced ***in their entirety*** by the following proposed licence conditions:

A. General – all four licensing objectives:

- That all relevant 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 staff training logs’) shall be kept at the premises, shall be updated every 6 months and shall be made immediately available to responsible authority officers on request. The training logs shall include the trainee’s name (in block capitals), the trainer’s name (in block capitals), the date(s) of training and a declaration that the training has been received and understood by the trainee. If the staff training logs are a paper

hardcopy then the signature of the trainee and the signature of the trainer shall be included.

- That a written record of all staff authorised to sell alcohol at the premises shall be kept at the premises and will be made available to responsible authority officers immediately on request. The authorisation record shall include the name and address of the premises, the name of the licensee, the name of the DPS and the names, addresses and dates of birth of all staff authorised to sell alcohol at the premises.

B. The prevention of crime and disorder:

- That a minimum of two (2) SIA registered door supervisors will be deployed at the premises when the premises are in operation under this licence after 22:00 hours on Thursday to Saturday. They will be employed to control entry to the premises, to deal with the searching / scanning of customers, to deal with any anti-social or disorderly behaviour at the premises, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist with ensuring that the premises' dispersal policy is adhered to and to assist management in liaising with the police regarding instances of crime. When deployed they shall remain at the premises until at least 30 minutes after the premises has closed.
- That SIA security staff shall be supplied with and shall use hand held metal detectors to search all customer entries to the premises.
- That counting devices shall be used by the security staff who are controlling customer entry to the premises to keep an accurate count of the number of people at the premises and to ensure that the premises' accommodation limit is never exceeded. Staff using the counting devices should be able to determine the number of people at the premises immediately on the request of responsible authority officers.
- 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 storage device, CCTV footage at the immediate request of police and / or council officers.

- At least one CCTV camera will show a close-up of the entrance to the premises, to capture a clear, full-length image of anyone entering.
- That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers in the premises main floor areas and toilets advising to the effect that the taking of illegal drugs will not be tolerated at the premises. These notices shall be kept free from obstructions at all times.
- That a zero tolerance policy to illegal drug use will be implemented and maintained at the premises. All relevant staff shall be trained in respect of the premises' drug policy. A record of such training shall be kept in the staff training logs at the premises which shall include the printed name of the trainee(s) and the date(s) that the training was received.
- That an incident log shall be kept at the premises to record details of any of the following occurrences at the premises:
 - I. Instances of anti-social or disorderly behaviour
 - II. Calls to the police or other emergency services
 - III. Any complaints received
 - IV. Ejections of people from the premises
 - V. Visits to the premises by the local authority or emergency services
 - VI. Any malfunction in respect of the CCTV system
 - VII. All crimes reported by customers, or observed by staff
 - VIII. Any other relevant incidents

The incident log shall record the time, date, location in the premises and description of each incident, details of any action taken in respect of the incident and the printed name of the person reporting the incident and. The incident log shall be available / be accessible at the premises at all times that the premises are in use, and shall be made immediately available to responsible authority officers on request. Details of incidents shall be recorded contemporaneously. If the incident log is a paper hardcopy then the signature of the person reporting the incident in the log shall also be included. All relevant staff employed at the premises shall be trained in the use of the incident log. 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 an entry policy will be devised and maintained at the premises A copy of the entry policy shall be kept at the premises with the premises licence and shall be made immediately available for inspection to council and / or police officers on request. The entry policy shall cover (but not necessarily be limited to):
 - I. Safe customer entry to the premises,
 - II. If / when applicable searching / scanning of attendees,
 - III. The barring of customer entry to the premises for any reason,

IV. Restricted items (e.g. weapons / drugs or any other items restricted by the licensee),

V. Pre-opening safety checks of the premises,

VI. Dealing with overcrowding and / or crowd surges

VII. Dealing with suspect packages

All relevant staff shall be trained in the implementation of the latest version of the entry policy and details of such training shall be recorded in the staff training logs at the premises.

- That all drinks shall be sold in cans or plastic bottles, or will be decanted into recyclable polycarbonate (or a similar material), or cardboard drinking receptacles. Glass drinking receptacles will not be used at the premises at any time.

C. Public Safety

- 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 staff and shall not be exceeded at any time.

<< The applicant should provide the accommodation limit – WM>>

- That clearly legible signage shall be displayed where it can easily be seen and read by customers and staff identifying all emergency escape routes and emergency exits at the premises. Such signage shall be kept free from obstructions at all times.
- That illuminated emergency escape route and emergency exit signage ('emergency lighting') shall be installed at the premises, be maintained in full working order, be operational at all times that the premises are in use and shall be maintained free from obstruction at all times.
- That all emergency exits, emergency escape routes and entry / exit doors at the premises shall be kept free from obstructions at all times that the premises are in use.
- That any spills of liquid onto the floor at the premises' shall be cleared away as soon as possible on a continuous basis whilst the premises are in use. Any wet floors will be clearly demarcated to prevent slips being caused by the wet floors. Relevant staff shall be trained in this, 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.
- That broken or waste glass / earthenware shall be cleared away as soon as possible on a continuous basis whilst the premises are in use to minimise risk of injury. Relevant staff shall be trained in this, 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.

- That appropriate first aid equipment / materials shall be kept at the premises in a dedicated first aid box / boxes. The first aid box(es) shall be kept easily accessible and unobstructed at all times. All staff shall be made aware of where the first aid boxes are located.
- That an accident book / recording system shall be maintained at the premises and be available and in use at all times that the premises are in operation. The accident book / recording system shall meet all current legislative requirements. Details of any accidents will be recorded in the accident book / recording system contemporaneously. The accident book / recording system shall be made immediately available to council and / or police officers on request. Relevant staff shall be trained in this, 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.
- That 'Ask for Angela' posters (or posters relating to whatever similar scheme may be recommended at any time) shall be displayed in the female toilet facilities and kept free from obstructions at all times. All staff shall be trained in the 'Ask for Angela' scheme (or similar scheme) and shall perform the appropriate course of action in the event of a customer requesting assistance. Details of such training, including the printed name of the trainee and the date of the training, shall be recorded in the staff training logs at the premises.

D. The prevention of public nuisance

- 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:
 - I. Details as to how customer / staff egress at the premises shall be managed to minimise causing nuisance.
 - II. Details of public transport in the vicinity and how customers will be advised in respect of it.
 - III. Details of the management of taxis to and from the premises.
 - IV. Details of the management of any 'winding down' period at the premises.
 - V. Details of the use of security and stewarding in respect of managing customer dispersal from the premises.
 - VI. Details of any cloakroom facility at the premises and how it is managed.
 - VII. Details of road safety in respect of customers leaving the premises.
 - VIII. Details of the management of ejections from the premises.

IX. Details of how refuse / waste in the local vicinity arising through the operation of the premises will be cleared up (e.g. flyer clean up, post event clean up).

All relevant staff employed at the premises shall be trained in the latest version of the dispersal policy. 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 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. Relevant staff shall be trained in this, 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.
- 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.
- 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 external waste handling, collections of goods from the premises, deliveries of goods to the premises and the cleaning of external areas shall only occur between the 08:00 hours and 22:00 hours.
- That clearly legible signage stating a dedicated contact telephone number for the premises shall be prominently displayed where it can easily be seen and 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. If the telephone number relates to a mobile phone, then the duty manager / supervisor on duty shall have the mobile phone on their person at all times. Such signage shall be kept free from obstructions at all times.
- That if and when required, staff shall interact with customers to ensure that customers behave at the premises in a quiet and orderly manner and also leave the premises and locale in a quiet and orderly manner. Customers deemed by staff to be engaging in anti-social behaviour shall be asked to leave the premises. All relevant staff shall be trained in this, 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.

- That a sound limiting device (or similar equipment) shall be installed at the premises, be maintained in full working order and be in use at all times that the premises are in operation under this licence. All amplification equipment, entertainment devices and amplified instruments shall be routed through the sound limiting device (or similar equipment) which shall be calibrated so that the sound level of amplified sound at the premises does not cause a statutory or public nuisance. Only management staff shall have access to the sound limiting device (or similar equipment) and shall be able to demonstrate that it is in use at the immediate request of council and / or police officers.
- That only management staff shall have access to any amplification equipment at the premises, and only management staff shall be permitted to change any control settings on said equipment.
- That any external areas of the premises will be closed to customers between 22:00 hours and 10:00 hours the following day except for up to a maximum of 5 people at any one time using the external areas after 22:00 hours to smoke only. All outdoor furniture must be rendered unusable by 22:15 hours each day.

E. The protection of children from harm:

- 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.

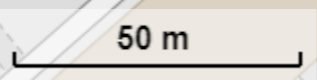
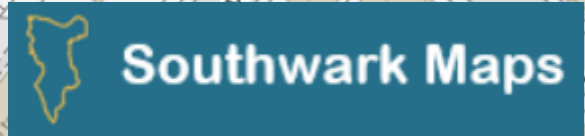
- That a register of refused sales of alcohol shall be maintained at the premises at all times. The register shall be clearly and legibly marked on the front cover as a register of refused alcohol sales, with the address of the premises and the name of the licence holder. The register shall be used to 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 children under the age of 18 must be accompanied by a responsible adult at all times. No person under the age of 18 shall be permitted at the premise after 22:00 hours.

We welcome discussion regarding any of the above, however should the applicant agree to all of the above conditions then we will withdraw this application.

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer

EUROTRAVELLER HOTEL 18 AMELIA STREET LONDON SE17 3PY



Scale = 1:1323.000

30-Aug-2023

Appendix 2

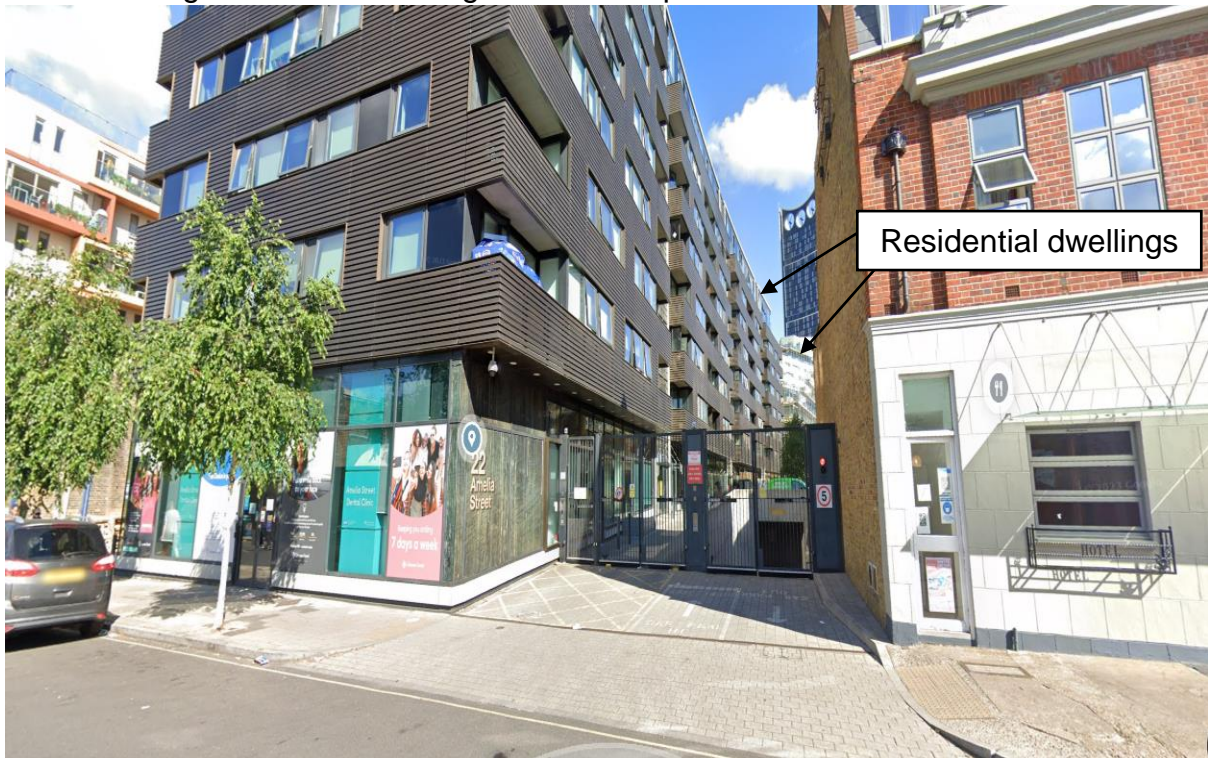
View due north across Amelia Street showing the premises and residential dwellings immediately to either side of the premises



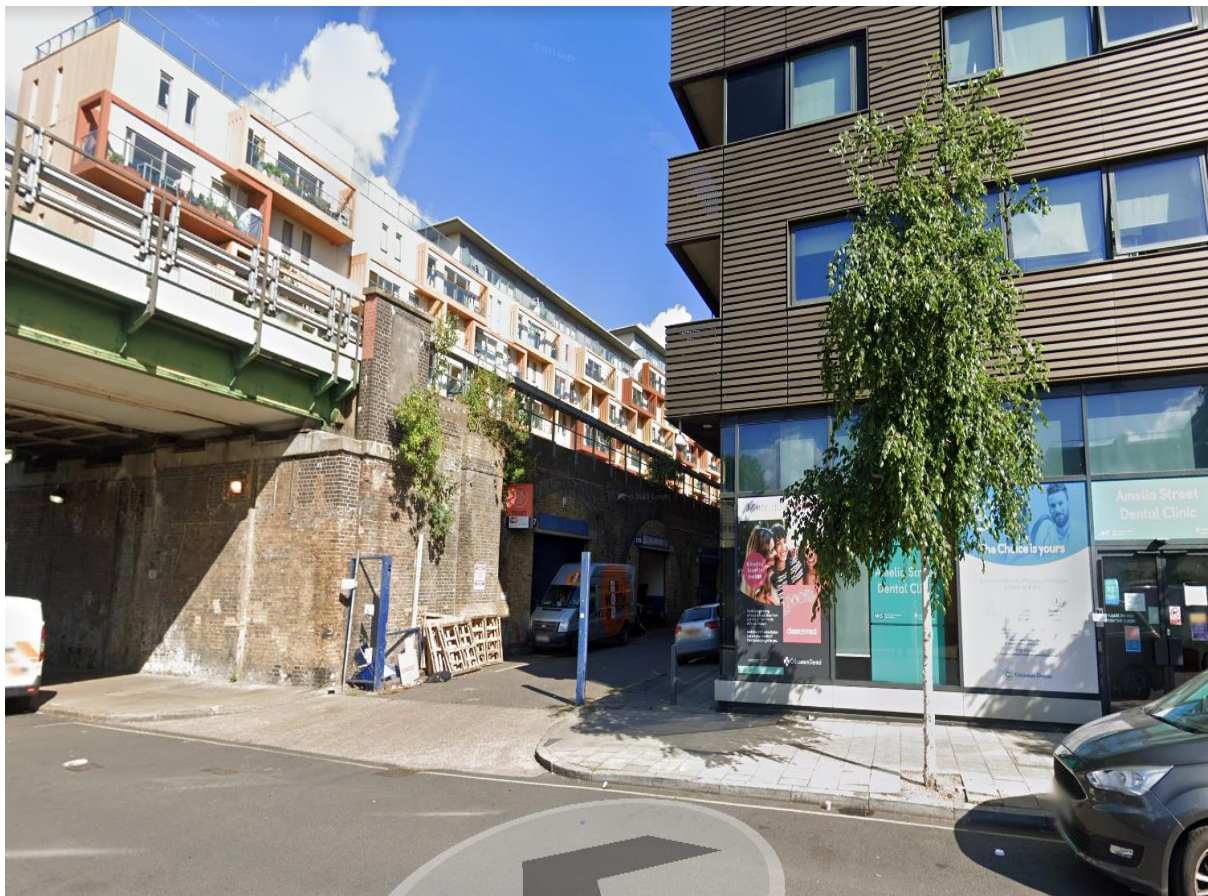
View due west along Amelia Street showing further residential dwellings



View showing residential dwellings behind the premises



Residential dwellings further west along Amelia Street



Residential dwellings further west along Amelia Street



View east along Amelia Street



View due north west across Amelia Street showing the premises and residential dwellings immediately to either side of the premises (2nd view)

