

From: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>

Sent: Tuesday, December 5, 2023 1:24 PM

To: Emmanuel Davis <[REDACTED]>

Cc: Tucker, Matt <Matt.Tucker@southwark.gov.uk>; [REDACTED]

Subject: RE: Application for a premises licence: Los Arrieros De Pito Ltd, Ground Floor, Arch 144, Eagle Yard, Hampton Street, SE1 6SP - our ref: 881493 - Loc ID: 201010 - North Walworth ward

Dear Licensing,

The applicant has accepted all of my proposed conditions and my representation is therefore withdrawn.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: Emmanuel Davis <[REDACTED]>

Sent: Monday, December 4, 2023 5:18 PM

To: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>

Cc: Tucker, Matt <Matt.Tucker@southwark.gov.uk>; [REDACTED]

Subject: Re: Application for a premises licence: Los Arrieros De Pito Ltd, Ground Floor, Arch 144, Eagle Yard, Hampton Street, SE1 6SP - our ref: 881493 - Loc ID: 201010 - North Walworth ward

Good afternoon Wesley,

I can confirm that as my client and her staff are aware. Thank you

Kind regards

On Mon, Dec 4, 2023 at 3:59 PM McArthur, Wesley <Wesley.McArthur@southwark.gov.uk> wrote:

Dear Emmanuel,

Further to your email below, please can you confirm that your client accepts the following condition:

1. That the maximum number of people permitted on the premises at any one time (the 'accommodation limit') is **60** people (excluding staff). The accommodation limit shall be known by all staff and shall not be exceeded at any time.

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: Emmanuel Davis <[REDACTED]>

Sent: Monday, December 4, 2023 3:53 PM

To: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>

Cc: Tucker, Matt <Matt.Tucker@southwark.gov.uk>

Subject: Re: Application for a premises licence: Los Arrieros De Pito Ltd, Ground Floor, Arch 144, Eagle Yard, Hampton Street, SE1 6SP - our ref: 881493 - Loc ID: 201010 - North Walworth ward

Good afternoon Mr Wesley McArthur,

I can confirm that my client **Ginna** accepts all the conditions as proposed in your Representation. Accommodation limit of the premises for the maximum number of customers is roughly 60 customers. Thank you.

Kind regards

From: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>
Sent: Friday, December 1, 2023 8:00 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: Tucker, Matt <Matt.Tucker@southwark.gov.uk>; [REDACTED]
Subject: Application for a premises licence: Los Arrieros De Pito Ltd, Ground Floor, Arch 144, Eagle Yard, Hampton Street, SE1 6SP - our ref: 881493 - Loc ID: 201010 - North Walworth ward
Importance: High

Dear Licensing,

Please find attached a representation regarding the above application.

Emmanuel and Ginna – please contact me directly should you wish to reply to the representation, and copy the application case officer, Matt Tucker, in. Matt is copied into this email.

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

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: 1 December 2023
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	Los Arrieros De Pito Ltd, Ground Floor, Arch 144, Eagle Yard, Hampton Street, SE1 6SP	
Ref':	881493	

We object to the grant of an application for a premises licence, submitted by Los Arrieros De Pito Ltd under The Licensing Act 2003 (the Act), in respect of the premises known as Los Arrieros De Pito Ltd, Ground Floor, Arch 144, Eagle Yard, Hampton Street, SE1 6SP*.

***NB:** Eagle Yard was renamed Maldonado Walk in February 2018. Maldonado Walk is separate to Hampton Street. We believe the premises' correct address to be 'Ground floor, Arch 144, Maldonado Walk, SE1 6SP and advise the applicant to attend to this matter urgently, however the address need not be discussed by the licensing sub-committee as we are aware of what premises is being referred to in the application.

1. The application

The application seeks to allow the following -

The sale of alcohol to be consumed on the premises:

Monday - Friday: 09:00 – 21:00
Saturday: 09:00 – 23:00
Sunday: 10:00 – 23:00

The opening hours of the premises are:

Monday - Friday: 09:00 – 21:00
Saturday: 09:00 – 23:00
Sunday: 10:00 – 23:00

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

- “Eat in or take away food shop.”

2. The Locale

The premises are located on Maldonado Walk, which leads directly from the very north of Walworth Road and is in close proximity to the traffic system at the south of Elephant and Castle. Walworth Road and Elephant and Castle are extremely busy thoroughfares, primarily containing commercial premises and high volume residential blocks. Elephant and Castle is a major transport hub. The premises are in very close proximity to Strata Tower and Draper House, which are high-rise residential blocks.

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.

Maldonado Walk as whole has been subject to many complaints from local residents regarding the conduct of existing licensed premises on Maldonado Walk, and in relation to crime and disorder, anti-social behaviour and nuisance over the past 12 months. The area is currently regarded as a 'hotspot' in respect of these matters.

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

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

In part 'M' of the application, the applicant has proposed various measures to address the licensing objectives. We welcome these measures, but do not feel that they sufficiently address the licensing objectives.

To ensure that any licensing conditions derived from part 'M' of the form are *appropriate, practicable and enforceable* we recommend that the measures stated in part 'M' of the application are replaced ***in their entirety*** by the following proposed licence conditions:

A. General – all four licensing objectives:

1. 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.
2. 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:

3. 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.
4. 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.
5. 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.

6. That clearly legible signage (written in both English and Spanish) shall be prominently displayed where it can easily be seen and read by customers in the 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.
7. That an incident log shall be kept at the premises to record details of any of the following occurrences at the premises:
 - Instances of anti-social or disorderly behaviour
 - Calls to the police or other emergency services
 - Any complaints received
 - Ejections of people from the premises
 - Visits to the premises by the local authority or emergency services
 - Any malfunction in respect of the CCTV system
 - All crimes reported by customers, or observed by staff
 - 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.

8. 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

9. 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 >>

10. 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.

11. 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.
12. 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.
13. 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.
14. 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.
15. 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

16. 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.

- 17. 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.
- 18. 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.
- 19. That clearly legible signage (written in both English and Spanish) 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.
- 20. 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.
- 21. 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.
- 22. 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.

23. That any external areas of the premises will be closed to customers between 22:00 hours and 09:00 hours the following day except for up to a maximum of 10 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:

- It is noted that the applicant has already agreed to conditions with this council's trading standards service to address this licensing objective.

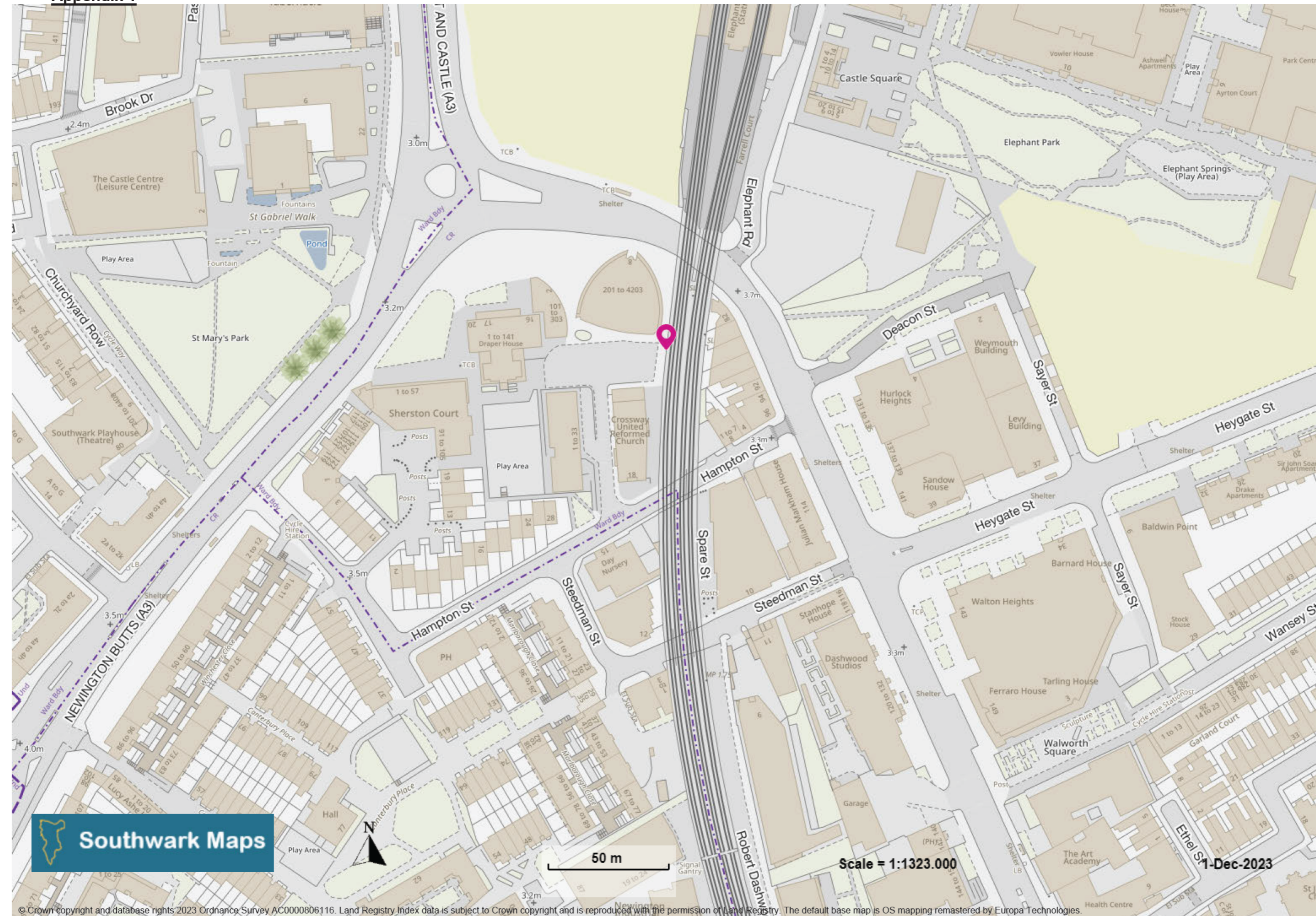
We also recommend that the sale of alcohol ceases at the following hours to allow customers sufficient time to finish their drinks prior to the premises closing on each day:

Monday - Friday: 20:30
Saturday: 22:30
Sunday: 22:30

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

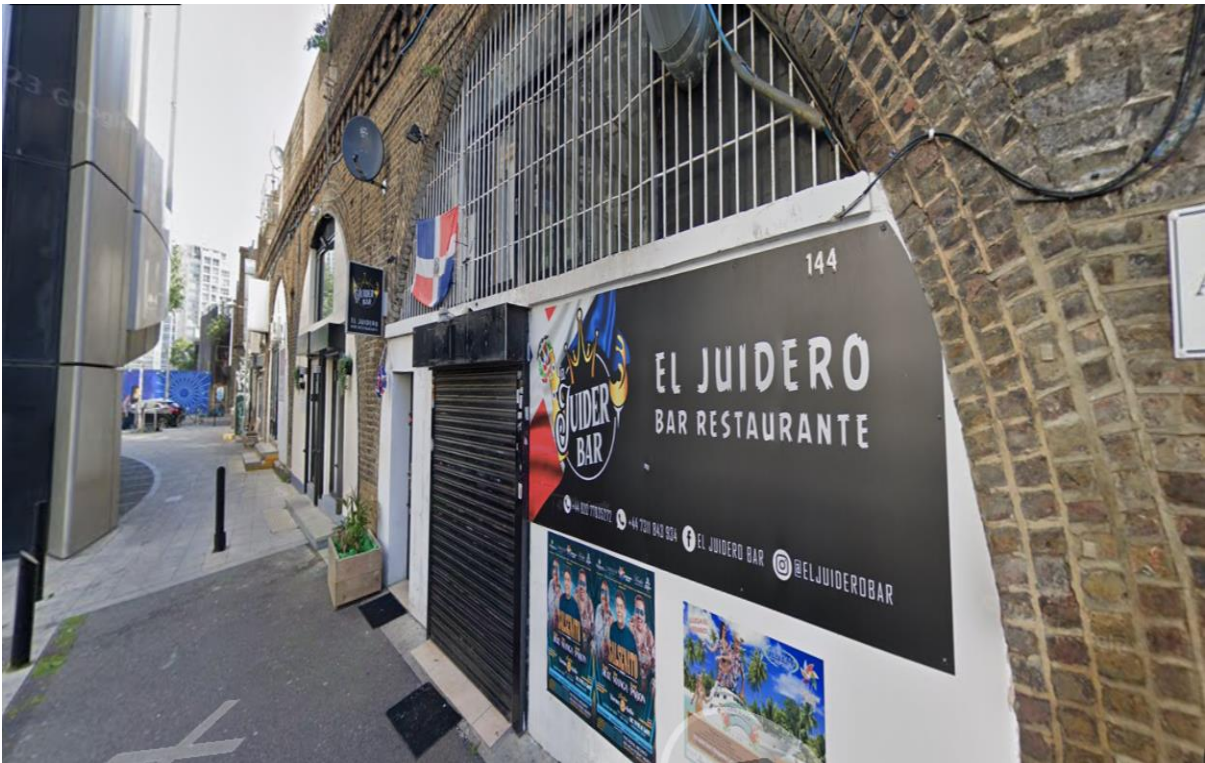


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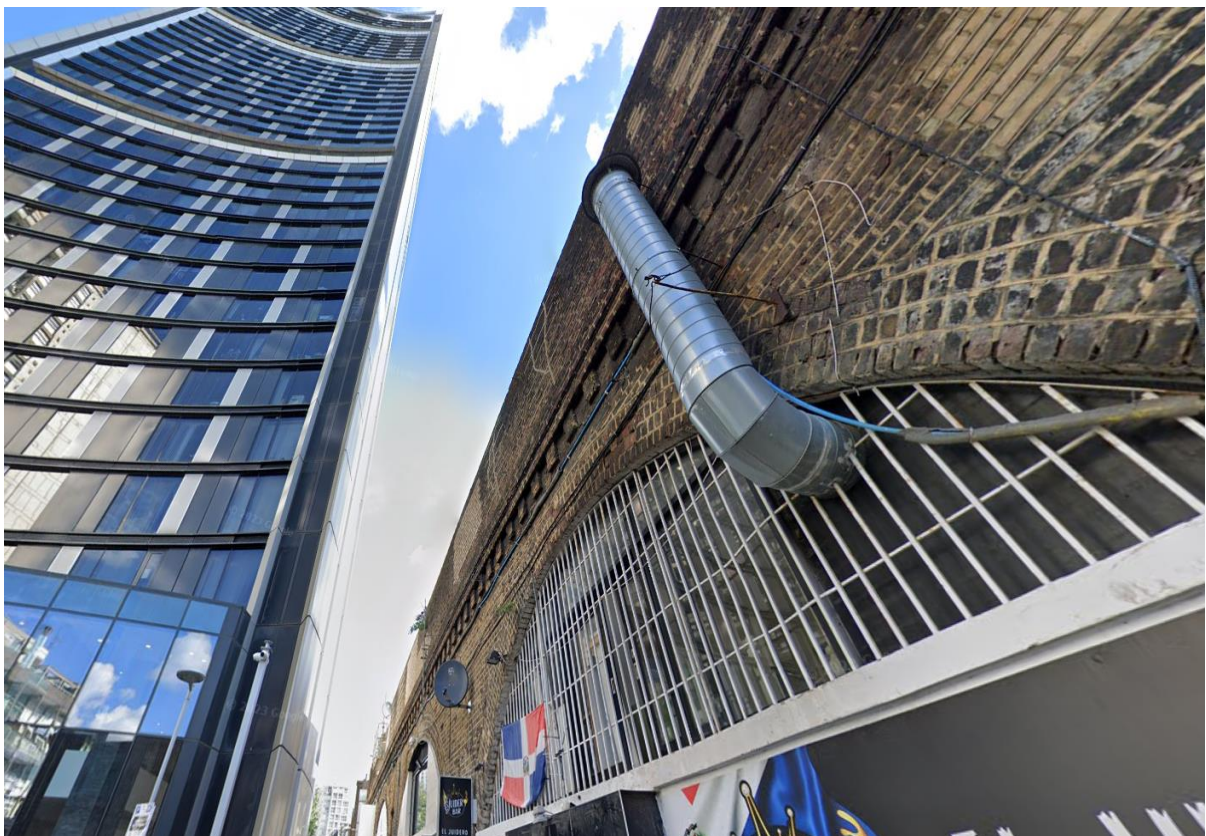
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1-Dec-2023

View of the premises entrance looking north up Maldonado Walk. The bottom of Strata Tower is shown to the left of the photo.



View of Strata Tower (left) from immediately outside the premises' entrance.



View looking west from immediately outside the premises' entrance showing Strata Tower and Draper House.



View looking west from immediately outside the premises' entrance showing other residential blocks in close proximity to the building and further away in the background UNCLE Tower and One The Elephant Tower



View looking south down Maldonado Walk showing Crossway United Reformed Church

