

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

Sent: Thursday, January 25, 2024 11:06 AM

To: [REDACTED]

Cc: Franklin, David <David.Franklin@SOUTHWARK.GOV.UK>

Subject: Morocco Bound 1A Morocco Street SE1 3HB ref 23/906

Good Evening Peter

Thank you for the e-mail and explanation as to why such a variation is requested. I understand the reasoning behind the introduction of the Business and planning act 2020 however its introduction was rather a blanket piece of legislation to assist premises to thrive following covid. The legislation does not however take into account the control measures placed on a licence at the point of it being granted especially in regards to public safety and obstruction of the highway for me to agree to remove such a condition without adequate safety precautions put in place would not be a sensible approach. I have visited the location and my concerns remain, the foot path I believe is less than 4ft wide and realistically the only way for persons to stand outside drinking without obstructing the highway would be for those persons to stand with their backs to the wall which is not realistically going to happen. I understand that no reports so far have been made in regards to persons causing an obstruction of the footpath or road or even persons injured however I would argue this is due to the conditions that are in place to prevent such issues. At this point the suggested conditions you offer do not address my concerns and I am afraid I cannot withdraw my representation.

Kind regards

Mark Lynch Pc 2246AS

Central South BCU – Southwark | Licensing Team

Southwark Police Station

305 Borough High Street, SE1 1JH

Email: [REDACTED]

From: Peter Mayhew [REDACTED]

Sent: 15 January 2024 19:49

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

Cc: MD Mailbox - Southwark Licensing <SouthwarkLicensing@met.police.uk>

Subject: RE: Morocco Bound 1A Morocco Street SE1 3HB ref 23/906

Hi Mark,

Apologies again for the delay in getting back to you, diary conflicts have made it difficult for us to arrange a call with the applicant. However, we managed to do that today and I thought it would be helpful for me to set out our suggestions and some of the reasoning behind them.

Any comments or proposed agreements / amendments are made without prejudice.

Hours

You have indicated in your subsequent communications that you have no fundamental objection to the hours applied for. We would therefore suggest these remain as per the application.

Conditions

On a more general level, it might be helpful to explain a little more why they are seeking these changes.

When they run one of their low-key events at the premises, be that an acoustic music event, book / poetry reading evenings and similar types of activities, people attending will often venture outside in small numbers during the breaks to get some fresh air. They will naturally occasionally take drinks with them.

Currently this is permissible under the exemptions granted by the Business & Planning Act 2020 as was recently confirmed in a meeting with the Licensing Officer.

To date this has not caused any issues of Crime & Disorder or Public Nuisance that we are aware of and this application seeks to ensure that operationally the ability for a few people to stand outside, does not have to change when these exemptions cease in March 2025.

This application seeks to remove the two conditions which would come back into force after March 2025.

343 Any 'off sales' of alcohol shall be provided in sealed containers and taken away from the premises.

The removal of this conditions will not change the current nature of the premises. It is and has currently been rendered unenforceable by virtue of the Business & Planning Act 2020 which now remains in place until March 2025.

To date the 'temporary removal' of this condition for the past few years has caused no issues at the premises and I see no reason why this would suddenly change from March 2025 onwards.

350 Alcoholic drinks will not be sold for immediate consumption immediately outside the premises at any time, including for those leaving for the purpose of smoking. For the purpose of this condition 'outside the premises' refers to areas outside of the area covered by the red line in the plans.

There is an argument that this condition may also be rendered unenforceable through the same Act. It was an Act which was after all brought into play, precisely to permit premises to allow people to drink outside during the pandemic. The recent extension to exemptions permitted by the Act in relation to off-sales, demonstrates that the Government at least felt there was no great rise in concerns around these changes.

The applicant held a meeting with the Licensing Officer recently to discuss these matters and how they pertained to this particular premises. My understanding is that they were in agreement, that the Act permitted these activities outside the premises until March 2025. This application simply seeks to make such permissions permanent.

It should be noted that no residents have objected to this application nor have the Noise Team from Environmental Health. That does of course in no way diminish the validity of the Police representation, but it does speak to the perceived lack of impact on the Public Nuisance Objective the proposed changes will have.

In respect of Public Safety, those concerns are acknowledged, but again to date care has been taken to address these concerns and no instances of a conflict between traffic and customers has been observed or reported. The applicant has been working for some time to address these issues further with the placement of street furniture and traffic calming measures having been proposed, discussed and partially implemented.

On the point of Crime & Disorder, the application does not propose to change the nature of the premises into a Bar or Pub with many people spilling out onto the street, no change has been proposed to the plans of the premises.

To date I am not aware of a single incident of Crime or Disorder associated with this premises and I see no reason why these proposals would change that.

We have included within the application a few new conditions, to ensure that people would not be outside late into the night and cause potential public nuisance. As a sign of good faith, the applicant would be willing to change two of these conditions offered to reflect the 22.00 closing time for the outside area, as you proposed. They would therefore read:

- No consumption of alcohol shall take place outside the premises (as delineated by the red lines on the plans) after 22.00 on any day, including those persons leaving temporarily for the purpose of smoking.
- All tables and chairs located in the external areas of the premises (as delineated by the red lines on the plans) shall be rendered unusable after 22.00 on each day.

If it would provide reassurance that large crowds of people would not gather on the pavement outside this premises drinking, we would be willing to consider limiting them by condition to an agreed number. This would be subject to an agreement being reached whereby the Police would withdraw their representation:

- No more than 12 persons would be permitted to consume alcohol in the area immediately outside the premises (as delineated by the red line on the plans) at any one time, unless seated in an area covered by a current tables and chairs licence.
- Customers consuming alcohol must remain on the pavement at all times and no customers shall be permitted to stand on the road while consuming alcohol. unless within the area covered by a current tables and chairs licence.

These proposals seek to initiate further discussion between the applicant and the Police with a view to resolving the issued raised in the representation. Where it is possible to do so, the applicant would seek to reach a position where the Police feel they are able to withdraw their representation.

I look forward to your comments.

Kind regards

Peter

Peter Mayhew - Director

Beyond the Blue

Training & Consultancy

[REDACTED]

[REDACTED]

Surrey [REDACTED]

[REDACTED]
[REDACTED]
Web. [REDACTED]

Web. [REDACTED]

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

Sent: Wednesday, January 10, 2024 11:50 AM

To: Peter Mayhew [REDACTED]

Subject: RE: Morocco Bound 1A Morocco Street SE1 3HB ref 23/906

Good Morning

Thank you for your reply. I have re-read the application and would be happy to suggest the following that would allow future use of an outdoor area subject to patrons being seated and licensed by Southwark council

All off sales of alcohol shall be provided in sealed containers for consumption away from the premises with the exception of those persons seated in any area covered by a current tables & Chairs licence issued by Southwark Council.

Alcoholic drinks will not be sold for immediate consumption immediately outside the premises at any time, including for those leaving for the purpose of smoking with the exception of those seated in any area covered by a current tables & Chairs licence issued by Southwark Council. For the purpose of this condition outside the premises refers to areas outside of the area covered by the red line in the plans.

That the use of any outside area covered by a current tables and chairs licence issued by Southwark council shall cease at 2200hrs and all table and chairs shall be rendered unusable.

I hope this addresses our concerns and the reasoning behind the application. I will not be in the office again until 24/01/2024 however please feel free to liaise with my colleague Pc Clements using the main e mail address :-
SouthwarkLicensing@met.police.uk

Kind regards

Mark Lynch Pc 2246AS

Central South BCU – Southwark | Licensing Team

Southwark Police Station

305 Borough High Street, SE1 1JH

From: Peter Mayhew [REDACTED]

Sent: 04 January 2024 18:05

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

Subject: RE: Morocco Bound 1A Morocco Street SE1 3HB ref 23/906

Hi Mark,

I did receive your representation, apologies I should have acknowledged it sooner.

With Christmas and everything else, a formal response has been somewhat delayed and as my out of office hopefully suggested, I am away for a few more days.

As it happens, I emailed the applicant earlier today with some proposals as to how we might approach resolving this matter and am awaiting their response.

The issue with the conditions is an important one, these were not proposed to be removed on a whim, with an application for an extension of the hours. They were one of the driving forces behind the application, so some sort of resolution will need to be found.

We may be in a positions to offer some additional conditions to reassure you further that this will not fundamentally change the current nature of the premises and if you had given any consideration to conditions which might help in this regard, I would be interested to discuss them with you further.

It may be helpful for us to organise an informal call, when I could maybe provide you with further clarification on the intentions and we could try and find some middle ground?

I am back in the UK from 10/01/2024.

Kind regards

Peter

Peter Mayhew - Director

Beyond the Blue

Training & Consultancy

Web. [REDACTED]

Web. [REDACTED]

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

Sent: Thursday, January 4, 2024 4:26 PM

To: [REDACTED]

Subject: FW: Morocco Bound 1A Morocco Street SE1 3HB ref 23/906

Good Afternoon

Following on from my communication with David Franklin I just wanted to ensure you had received my representation and to clarify that my objection is not in regards to the hours being sought but is based upon the serious concerns in regards to public safety , prevention of crime and disorder and prevention of nuisance that would occur should condition 343 and 350 be removed and replaced with those the applicant has offered

Kind regards