



The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756
Email: SouthwarkLicensing@met.police.uk

Our reference: MD/24/40

Date: 26/01/2024

Dear Sir/Madam

**Re:- EL VACILON DE ESQUINA, 58A CAMBERWELL CHURCH STREET, SE5
8QZ**

Police are in possession of an application from the above for a new premises licence for supply of alcohol, live music, late night refreshment, and recorded music. The premises describes itself as a Restaurant and Bar.

The premises is within the Camberwell Cumulative Impact Area (CIA) as designated by Southwark council. The hours requested exceed those recommended within the Southwark statement of licensing policy which are closing 0000hrs on Sunday to Thursday, and 0100hrs on Fridays and Saturday. The hours requested are as follows;

Hours Open to the Public

Mon-Thur – 00hrs-0030hrs
Fri-Sat – 0900hrs-0200hrs
Sun - 0900hrs-0000hrs

Live and Recorded Music

Mon-Thur – 1100hrs-0000hrs
Fri-Sat – 1100hrs-0130hrs
Sun - 1100hrs-2330hrs

Late Night Refreshment

Mon-Thur – 2300hrs-0000hrs
Fri-Sat – 2300hrs-0130hrs
Sun - 2300hrs-0000hrs

Supply of Alcohol

Mon-Thur – 0900hrs-0000hrs
Fri-Sat – 0900hrs-0130hrs
Sun - 0900hrs-2330hrs

The High Court approval of Cumulative impact policies came in Westminster City Council v Middlesex Crown Court. In brief, it stated 'A licence could be refused on the sole ground that the area was already saturated with licensed premises'. The local area has for a number of years been subject to problems with street drinking, alcohol abuse and the associated crime and disorder.

The applicant has offered some control measures to support the application and attempt to cover the licensing objectives, however it fails to cover the premises being within the Camberwell Cumulative impact area, and the timings requested are outside of those recommended by the Southwark Statement of Licensing. A further concern is also that a majority of the conditions offered by the applicant are quite vague and not enforceable.

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 precise and enforceable.

The location of the premises has been subject over a number of years to alcohol related Anti-Social Behaviour and this is supported by the area being in the cumulative impact zone. There are already over 20 restaurants in the area, with 7 of them offering alcohol as part of their license within 200m of the application venue, and Police see no benefit to the local community in the provision of another premises, but instead, believe this can only add to the local alcohol led issues, especially with the proposed closure time.

The metropolitan police object to the granting of this variation as the hours requested far exceed those recommended within the Southwark statement of licensing policy, this is without taking into account the fact the premises is situated in the cumulative impact area . The applicant has provided some control measures, but these do not sufficiently cover the licensing objectives, in particular, to that of Prevention of Crime and Disorder.

Submitted for your consideration.
Yours Sincerely

PC Walter MINKA AGYEMAN

Licensing Officer
Southwark Police Licensing

**ENVIRONMENTAL
PROTECTION**

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

Sent: Tuesday, March 19, 2024 1:06 PM

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

Cc: [REDACTED]

Subject: Application for a new premises licence under the Licensing Act 2003 for El Vacilon De Esquina 58a Camberwell Church Street, London SE15 4RZ our ref A16749

Dear Licencing Team,

RE: New premises application to be granted under the Licensing Act 2003.

Application reference number: 882505

Address: El Vacilon De Esquina
Basement and Ground Floor
58a Camberwell Church Street
London
SE5 8QZ

Live Music

Day Start Finish

Mon 11:00 0:00

Tues 11:00 0:00

Wed 11:00 0:00

Thur 11:00 0:00

Fri 11:00 01:30

Sat 11:00 01:30

Sun 11:00 23:30

Recorded Music

Day Start Finish

Mon 11:00 0:00

Tues 11:00 0:00

Wed 11:00 0:00

Thur 11:00 0:00

Fri 11:00 01:30

Sat 11:00 01:30

Sun 11:00 23:00

Late night refreshment

Day Start Finish

Mon 23:00 00:00

Tues 23:00 00:00

Wed 23:00 00:00

Thur 23:00 00:00

Fri 23:00 01:30

Sat 11:00 01:30

Sun 23:00 00:00

Supply of alcohol

Day Start Finish

Mon 12:00 04:00

Tues 12:00 04:00

Wed 12:00 04:00

Thur 12:00 04:00

Fri 12:00 04:00

Sat 12:00 04:00

Sun 12:00 04:00

On behalf of the Environmental Protection Team (EPT) I wish to make representation to this application on the grounds:

a) Compliance with Licensing Policy

The proposed licensable activities are outside suggested closing times for licensed premises of this type within the this area as stated within Southwark Statement of Licensing Policy 2021-2026. Closing times: Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours.

b) Public nuisance and impact to neighbouring properties

There are residents; we are concerned they are likely to be affected by premises running in late hours as applied.

However, if the committee is minded to granting this application, we recommend the following conditions in addition to those proposed by the applicants:

- 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
- All external doors and doors to noise lobbies used by patrons to enter the premises shall have acoustic seals and brushes and self-closers (in accordance with BS 6459 Pt. 1 1984) fitted to those doors.

- All speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or mats.
- During any licensed entertainment on the premises, all doors and windows shall remain closed (except for access or egress).
- Any background music played shall remain at a volume that permits normal conversation and the volume control of any music shall be behind the bar/counter and in the full control of staff at all times.
- Amplified music, song or speech shall not be broadcast in external areas at any time.
- No drinks or glassware are permitted outside at any time.
- External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 20.00hrs.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside.
- No external areas of the premises shall be used for the purposes of licensed entertainment.

Kind Regards

Raymond Binya
Principal Environmental Protection Officer

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: 03 April 2024
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	El Vacilon De La Esquina, 58a Camberwell Church Street, London, SE5 8QZ	
Ref:	882505	

We object to the grant of a premises licence application, submitted by El Vacilon De La Esquina Limited under The Licensing Act 2003 (the Act), in respect of the premises known as El Vacilon De La Esquina, 58a Camberwell Church Street, London, SE5 8QZ.

1. The application

The application is to allow for the provision of the following licensable activities and opening hours:

The sale of alcohol for consumption on the premises as follows -

- **Monday – Thursday:** 11:00 – 00:00 (midnight)
- **Friday & Saturday:** 11:00 – 01:30
- **Sunday:** 11:00 – 23:30

Live music & recorded music –

- **Monday – Thursday:** 11:00 – 00:00
- **Friday & Saturday:** 11:00 – 01:30
- **Sunday:** 11:00 – 23:30

Late night refreshment –

- **Monday – Thursday:** 11:00 – 00:00
- **Friday & Saturday:** 11:00 – 01:30
- **Sunday:** 11:00 – 23:30

The proposed opening hours of the premises are -

- **Monday – Thursday:** 09:00 – 00:30
- **Friday & Saturday:** 09:00 – 02:00
- **Sunday:** 09:00 – 00:00

The premises are described in the application as (verbatim):

- *“London Bridge Local is a small general convenience store located on Borough High Street about 50 metres south from London Bridge Station.”*

- *“El Vasilon de la Esquina, occupies a ground floor and basement level, carefully designed to offer a seamless dining and entertainment experience while prioritizing safety and compliance.*

Ground Floor:

- *Upon entry, guests are welcomed into a stylish reception area, leading seamlessly into comfortable seating arrangements for dining or enjoying our delectable offerings.*
- *A designated counter facilitates efficient takeaway orders, ensuring smooth operations and customer satisfaction.*
- *Booth seating options are available, enhancing both comfort and privacy for patrons.*

Basement Floor:

- *The heart of our establishment resides on the basement level, housing the main dining area adorned with elegant seating arrangements, a fully equipped kitchen ensuring the highest culinary standards, and a sophisticated bar area.*
- *Ample storage facilities are strategically placed to optimize workflow and maintain a pristine environment.*
- *Thoughtfully placed conveniences ensure the comfort and convenience of our guests throughout their visit.*

Alcohol Service:

- *Complementing our culinary creations, a carefully curated selection of alcoholic and non-alcoholic beverages will be served, enhancing the overall dining experience.*
- *To uphold responsible alcohol service practices, we strictly limit alcohol consumption to our premises, fostering a safe and enjoyable environment for all patrons.*

Entertainment:

- *Delightful ambiance is further enriched by low-volume background music, creating an inviting atmosphere conducive to relaxation and enjoyment.*
- *Occasional live music performances, featuring genres such as Jazz and R&B, promise to captivate and entertain our esteemed guests, elevating their dining experience.*

Safety Measures:

- *Prioritizing the safety and well-being of our guests, our premises boast multiple emergency exit routes in addition to the main entrance, ensuring swift evacuation in unforeseen circumstances.*
- *Stringent safety protocols are in place, meticulously designed to comply with regulatory standards and provide peace of mind to both patrons and staff alike.*

This enhanced description not only showcases the establishment's offerings but also emphasizes its commitment to safety, compliance, and providing an exceptional dining experience, aspects that licensing officers would likely appreciate and scrutinize during their assessment.

Live music: We will on occasion have live singing & of DJ playing music to entertain our restaurant guests. This will typically be on Fridays and Saturdays.

Recorded music: Recorded music will be played at background music volume to create an atmosphere throughout the restaurant. On Fridays and Saturday and during live performances, recorded music will be played at 'bar volume'.

From the description of the premises and its operation as above it is clear that the premises will be operated as a bar / restaurant.

2. The Locale

The premises are located on Camberwell Church Street, which is a major thoroughfare. It is a densely urbanised road with various commercial premises, offices, licensed premises and residential properties. There are 46 licensed premises on Borough High Street itself, with many more in the locale.

3. The Statement of Licensing Policy (SoLP)

According to sections 6 & 7 of this council's SoLP, the premises are located in Camberwell District Town Centre and the Camberwell Cumulative Impact Area (hereafter referred to as the Camberwell CIA).

Restaurants and Cafe:

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

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

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

4. Our objection

Our objection relates to the prevention of crime and disorder, public safety and the prevention of public nuisance licensing objectives as follows:

The premises fall within, and are subject to, Camberwell CIA.

Paragraph 131 this council's statement of licensing policy 2021 – 2026 states –

- *“Applications made within specified Cumulative Impact Areas (CIAs) are deemed likely to add to the potential impact the policy is intended to avoid. There is therefore an automatic presumption that such applications will be refused, however each application will be judged on its own merits.”*

Paragraph 153 of the statement of licensing policy stipulates regarding the Camberwell CIA that –

- “The classes of premises to which the policy applies is defined as follows – night clubs; **pubs and bars**; off-licences, grocers, supermarkets, convenience stores and similar premises.” (Emphasis added).

Therefore, the above premises is of a type of premises that is subject to the Camberwell CIA. The Camberwell CIA does not apply to restaurants.

As per paragraph 153 of the statement of licensing policy, the council has found that certain types of premises are likely to increase the negative cumulative impact in the Camberwell CIA of licensed premises in that area. We are in agreement with this stance and are therefore of the opinion that the application be refused.

Paragraph 132 of the statement of licensing policy states that –

- *“It is normally the case that a representation citing a relevant CIA will have to be determined at a Licensing Sub-Committee hearing.”*

We further note that section 136 of the statement of licensing policy states –

- *“The effect of publishing a cumulative impact assessment is to create a rebuttable presumption that applications for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following relevant representations. In such circumstances, it is for the Applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.”*

Full details of the statement of licensing policy are available via:

[Premises licence \(Licensing Act 2003\) - Southwark Council](#)

In addition to the above, it is clear that there are already a large number of licensed premises to provide an offering to the local area.

The applicant hasn't addressed cumulative impact in the application and, in our opinion; the applicant has not demonstrated that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

Further, we contend that granting the application **will** further contribute to the negative local cumulative impact of licensed premises in the Camberwell CIA.

The particular stretch of Camberwell Church Street where the premises are located attracts problem drinkers including intoxicated people who have been drinking at other licensed premises in the locale, street drinkers and other people with substance abuse problems.

The area *in general* has a large problem with street drinking and alcohol / drug abuse, and the associated crime and disorder puts a heavy burden upon the police, the London Ambulance Service and other emergency services. This is partly the reason the area is subject to the cumulative impact policy.

Granting another premises licence allowing the sales of alcohol and provision of entertainment late at night on Camberwell Church Street will exacerbate the serious problems caused by licensed premises in the locale.

We also refer to R (on the application of Westminster City Council) -v- Middlesex Crown Court [2002] EWHC 1104 in which HHJ Baker adjudicated

“Notwithstanding the applicant being a fit and proper person and the premises would be well run a licence could be refused on the sole ground that the area was already saturated with licence premises....and the cumulative effect of the existing premises was impacting adversely on the area to an unacceptable level.”

This means that the above application can be refused on the **sole basis** that it is subject to a cumulative impact area.

Full council assembly approved the current version of the SoLP and have maintained the Camberwell CIA four times in a row, showing that the problems related to licensed premises in the locale (including bars) are **longstanding and ongoing**.

In addition to the above, the operating hours are longer than those suggested in the SoLP for the style of operation of the premises, where the premises are located.

We say that the late night / early morning sale of alcohol and provision of entertainment is likely to have a negative effect on the promotion the crime and disorder, public safety and the prevention of public nuisance licensing objectives, and be detrimental to the quality of life for local residents.

Premises selling alcohol and providing entertainment late at night, or into the early morning, have increased risk factors. We do not think it is appropriate to allow premises to sell alcohol and provide entertainment in the early morning in an area with so many residential dwellings in close proximity.

We say that allowing operating hours further extended past those recommended in the SoLP is likely to give rise to nuisance, crime and disorder and anti-social behavior in the locale late into the night and into the early morning.

Full council assembly approved the current version of the SoLP, and have maintained the suggested operating hours four times in a row. This shows that there is still a need for the recommended hours to be given **considerable** weight in the determination of premises licence applications.

We suggest that the licensing sub-committee adheres to this council's own policies, which have been applied for good reason. The Camberwell CIA, and the operational hours suggested in the SoLP, exist to protect residents in the borough, other people travelling through the borough and vulnerable people residing in, or traversing through, the borough.

5. Extant premises licence

Notwithstanding the above objections, we note that the premises has been operated as a licenced premises for over 20 years and has variously been a nightclub, bar and restaurant in the past.

There is an extant premises licence issued regarding the premises (licence number 869750).

The extant premises licence is issued to an entirely separate entity to the applicant. The premises operated under the extant licence as a restaurant called 'The Dutchie'.

The extant premises licence allows licensable activities as follows:

The sale of alcohol to be consumed on the premises:

Sunday – Thursday: 11:00 – 22:30
Friday & Saturday: 11:00 – 23:30

Live and recorded music:

Sunday – Thursday: 11:00 – 22:30
Friday & Saturday: 11:00 – 23:30

Late night refreshment:

Friday & Saturday: 23:00 – 23:30

Opening hours:

Sunday – Thursday: 11:00 – 23:00
Friday & Saturday: 11:00 – 00:00

The applicant could, in fact, transfer the extant premises licence to themselves, and trade under it with immediate effect.

Taking this into account, we say that if the applicant amended this application so that the hours of operation match those of the extant licence (number 869750), then there would likely be no increase in the negative impact of premises licensed to sell alcohol in the Camberwell CIA.

A copy of extant premises licence number 869750 is attached as appendix 1.

If the licensing sub-committee is minded to grant the application, we say that the operating hours allowed by premises licence number 869750 be imposed on any premises licence issued subsequent to this application.

Should this application be granted, we also invite the licensing sub-committee to consider whether the schedule of conditions provided in the application is sufficient to address the licensing objectives.

We may present further comments and evidence in support of this representation prior to, or at, the licensing sub-committee hearing to determine this application.

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer

Licensing Act 2003 Premises Licence



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

869750

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
The Dutchie 58a Camberwell Church Street	
Ordnance survey map reference (if applicable): 532798176689	
Post town London	Post code SE5 8QZ
Telephone number	

Licensable activities authorised by the licence
Live Music - Indoors Recorded Music - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises

The opening hours of the premises
For any non standard timings see Annex 2
Monday 11:00 - 23:00
Tuesday 11:00 - 23:00
Wednesday 11:00 - 23:00
Thursday 11:00 - 23:00
Friday 11:00 - 00:00
Saturday 11:00 - 00:00
Sunday 11:00 - 23:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies
Sale by retail of alcohol to be consumed on premises

The times the licence authorises the carrying out of licensable activities
For any non standard timings see Annex 2 of the full premises licence
Live Music - Indoors
Monday 11:00 - 22:30
Tuesday 11:00 - 22:30
Wednesday 11:00 - 22:30
Thursday 11:00 - 22:30
Friday 11:00 - 23:30
Saturday 11:00 - 23:30
Sunday 11:00 - 22:30

Recorded Music - Indoors

Monday	11:00 - 22:30
Tuesday	11:00 - 22:30
Wednesday	11:00 - 22:30
Thursday	11:00 - 22:30
Friday	11:00 - 23:30
Saturday	11:00 - 23:30
Sunday	11:00 - 22:30

Late Night Refreshment - Indoors

Friday	23:00 - 23:30
Saturday	23:00 - 23:30

Sale by retail of alcohol to be consumed on premises

Monday	11:00 - 22:30
Tuesday	11:00 - 22:30
Wednesday	11:00 - 22:30
Thursday	11:00 - 22:30
Friday	11:00 - 23:30
Saturday	11:00 - 23:30
Sunday	11:00 - 22:30

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

NMAS Enterprise Limited
The Dutchie
3 The Arcade
32-24 High Street
London
CR0 1YB

Registered number of holder, for example company number, charity number (where applicable)

08876305

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Norman Smith

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No.:
Authority:

Licence Issue date: 30/08/2019

Head of Regulatory Services
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- (a). At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b). At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

485 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

487 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol,

identification bearing their photograph, date of birth and either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence;

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

340 The entrance, windows and emergency exits will be secured to prevent any admittance from the public or any individual attempting to gain access to the building illegally.

341 SIA license door staff will be present at the entrance after standard restaurant hours and during any special events. Security staff will wear high visibility and or security labelled clothing to deter disorder or individuals loitering.

342 The premises will operate a zero tolerance policy on disorder, bad behaviour and drugs; where perpetrators will be banned from the premises.

343 A first aider will always be on duty during the opening hours. First aid equipment will be kept onsite and a spare in the management's office, which will also be checked as a result of going through the regular checklist.

344 Customers wanting to smoke outside will be directed away from the residential street Camberwell Grove and Datchelor Place.

345 The staff and security will ensure that customers do not congregate or loiter outside and particularly on the residential street Camberwell Grove and Datchelor Place.

Annex 3 - Conditions attached after a hearing by the licensing authority

840 That the premises will install a CCTV system and maintain this system in good working order; the system will be of evidential quality in all

lighting conditions and should be able to capture a clear facial image of all persons that enter the venue. All public areas will be covered including the bar and smoking areas. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available for inspection to officers of the Police and the Council;

841 There shall be at least one member of staff on duty at all times the premises are in operation under its licence trained and proficient in the operation of the CCTV system capable of operating and retrieving footage on request of the Police or other authorised officer;

842 That all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every six months and shall, upon request, be made immediately available to officers of the police and the council;

843 That the maximum occupancy of the premises shall not exceed 120 customers;

844 That save for emergencies, customers shall only enter and exit the premises via the doorway on Camberwell Church Street;

845 That all vehicles dropping off or collecting passengers and food at the premises must be requested to do so on Camberwell Church Street and not Camberwell Grove;

846 That all waste must be put out for collection on Camberwell Church Street and not on Camberwell Grove;

847 That the premises licence holder shall operate in accordance with a written dispersal policy (or subsequently amended version) as submitted in advance to the licensing authority and environmental protection which shall be kept at the premises and made available for inspection by authorised officers or the police;

848 That clear legible signage shall be prominently displayed both inside and outside the premises where it can be easily seen and read, reminding customers this is a residential area and requesting that customers leave the area in a quiet and orderly manner;

849 That the following persons associated with the previous management and ownership of the premises are not knowingly to be permitted to enter the premises whilst licensable activities are being carried on, or otherwise be involved in the day to day management of the premises: Omo Ayoade;

850 That a Personal Licence holder is on the premises and on duty at all times after 20:00 when intoxicating liquor is supplied;

851 That on any occasion when the premises is open after midnight, at least one SIA registered door supervisor will be engaged on Friday and Saturday nights. They will be employed from 21.00 when the premises is open after midnight until the end of business and all patrons have vacated the premises. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that

the dispersal policy for the premises is implemented. At all other times the premises licence holder must engage door supervisors in accordance with a risk assessment;

852 That all children on the premises shall be accompanied by a responsible adult after 21:00;

853 That on any occasion when the premises is open after 00:00 (midnight), there shall be no new entry or re-entry to the premises after 00:30;

854 That a local taxi cab number shall be displayed at the premises and taxis will be directed to pick up from Camberwell Church Street;

855 That written records of training shall be kept and made available to police or council officers on request;

856 That the premises shall actively engage with and work with police and safer neighbourhood team;

857 That management and staff shall discourage persons loitering outside the front of the premises and ensure that no drinks will be permitted outside the front of the premises at any time;

858 That a suitable container shall be provided for cigarette butts;

859 That a member of staff shall be detailed to monitor the use of the front, including smokers and tidiness of the area;

860 That a member of staff shall be detailed to monitor departing customers at closing and shall encourage customers to leave the area quietly and not to loiter outside the premises;

861 That no more than five patrons shall be permitted on the Camberwell Church Street frontage to smoke at any time when the premises is open and trading;

862 That all deliveries, collections and external cleaning shall occur between the hours of 08:00 and 20:00 on any day;

863 That a Challenge 25 proof of age policy shall be operated at the premises and only photographic driving licence, valid passport or proof of age card with the bearers photograph and the PASS logo/hologram on it will be accepted as proof of age;

864 That all staff shall be trained for their role on induction and refresher training given at regular intervals of six months thereafter. Training for their role will include:

- a) The operation of Challenge 25
- b) Identifying persons under 25
- c) Making a challenge
- d) Acceptable proof of Age ID and checking it
- e) Making and recording refused sales
- f) Avoiding conflict and responsible alcohol retailing

865 That notices shall be prominently displayed at the entry and point of sale stating that CCTV & Challenge 25 are in operation and provisions of the Licensing Act regarding underage/proxy sales;

866 That a written refusals log shall be kept and made available to Police or Council Officers upon request;

867 That service to tables will be by waiting staff only;

868 That intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal and for consumption by such persons as an ancillary to their meal with the

exception of patrons awaiting to be seated within a designated waiting area in the basement with a maximum of eight patrons at any time;

869 That there shall be no events held which are organised by externally promoted artists, DJs and MCs.

612 • 1 August, 6 August, 1 October (When these days fall on Friday and Saturday only): 11:00 to 00:00 (the following day)

- Sundays prior to Bank Holidays Mondays: 11:00 to 00:00

- On any day prior to a Public Holiday: 11:00 to 00:00

On these days all licensable activities shall cease 30 minutes before closing time.

Annex 4 - Plans - Attached

Licence No. 869750

Plan No. 58ach/p/01
58ach/p/02

Plan Date 12/03/2019