

Licensing Act 2003 Premises Licence

APPENDIX A

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

Premises licence number

879415

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
These Days Aperitivo Bar 100 Druid Street London SE1 2HQ	
Ordnance survey map reference (if applicable), 533713179601	
Post town London	Post code SE1 2HQ
Telephone number	

Where the licence is time limited the dates
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Licensable activities authorised by the licence
Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

The opening hours of the premises
For any non standard timings see Annex 2
Monday 10:00 - 23:00
Tuesday 10:00 - 23:00
Wednesday 10:00 - 23:00
Thursday 10:00 - 23:00
Friday 10:00 - 23:00
Saturday 10:00 - 23:00
Sunday 10:00 - 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 Sale by retail of alcohol to be consumed off 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

Sale by retail of alcohol to be consumed on premises

Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 22:30
Saturday	10:00 - 22:30
Sunday	10:00 - 22:30

Sale by retail of alcohol to be consumed off premises

Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 22:30
Saturday	10:00 - 22:30
Sunday	10:00 - 22:30

Part 2

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

Oliver Man

[Redacted]

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

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

Oliver Man

[Redacted]

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. [Redacted]

Authority L.B Westminster

Licence Issue date 25/04/2023

[Redacted]

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 Trained staff members will be present at all times.

341 Always more than one staff member.

342 Furniture designed to promote sitting down rather than crowded standing

343 Predominantly lower abv options on the drinks menu

344 Glassware will be tough, no stemmed glasses and no pints served at all

345 No one carrying any other glass, alcohol or products not served on the premises will be allowed in

346 No customers can leave the premises with open containers of alcohol

347 An incident log will be maintained by the DPS at all times

348 Strict drugs policy implemented and all staff members trained on the procedure to deal with any incidents

349 The police will be notified of any seizure or incident involving drugs

350 A secure area for customers' personal belongings is available

351 Adequate first aid policies and equipment on site at all times

352 At least one first aid-trained staff member on site at all times

353 Disposal of waste not to take place between 23:00 and 7:00

354 Door installed to reduce noise

355 Measures taken to reduce noise inside the premises including soft, fire-retardant furnishings

356 The outside area will close an hour before full closing time

357 Staff members always cleaning litter throughout opening hours

358 That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises.

359 All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.

360 A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.

361 That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.

362 That the supply of alcohol for consumption off the premises shall be in sealed containers and not sold for immediate consumption in the area around the premises.

363 The designated outside area must be cleared of customers and street furniture by no later than 22:00hrs with the exception of those who temporarily leave the premises to smoke, this shall be limited to five persons and shall be controlled by staff.

364 The smoking area shall be clearly marked by barriers.

365 All external doors and windows shall be kept closed after 21.00 on any day, except for access and egress.

366 Clearly legible signage shall be prominently displayed at all exits where it can easily be seen and read, requesting that customers leave the premises in a quiet and orderly manner that is respectful to neighbours.

367 The written dispersal policy shall be kept at the premises with the licence and made available for inspection by authorised council officers or the police. All relevant staff shall be trained in the implementation of the dispersal policy.

368 That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that alcohol sold as off sales should not be opened and consumed in the vicinity of the premises.

369 The outside drinking area may only be used by customers on Thursdays 17:00 to 21:00hrs, Fridays 16:00hrs and 21:00hrs, Saturdays between 11:00hrs and 21:00hrs, Sunday 12:00hrs to 18:00hrs

370 That a telephone number be displayed that is visible from the outside of the premises for residents to contact management about issues.

371 There shall be an outside management plan implemented at the premises whenever that area is in use, with all staff trained on the contents and requirements of the plan. A record of staff training on the outside management plan shall be kept at the premises and a copy of the plan and training records be made available to the council or police on request".

372 That the premises management shall regularly monitor the external areas to the premises and take all necessary steps to ensure that noise from patrons does not cause disturbance or public nuisance to its neighbours.

373 The premises shall risk assess the requirement for SIA security officers to effectively control outside drinking during busy periods, to ensure the conditions on the premises licence are complied with and to promote the licensing objectives. In any event, the designated outdoor area must be monitored by staff whenever it is in use.

4AA The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.

4AB All staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

4AC Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required.

4AI A register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by Council authorised officers or the Police.

374 No unaccompanied children under the age of 16 will be allowed on the premises.

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

840 That the premises shall not exceed a capacity of 60 people.

Annex 4 - Plans - Attached

Licence No. 879415

Plan No. 879415 24/01/2023

Plan Date

NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 23 MARCH 2023

SECTION 29 LICENSING ACT 2003: THESE DAYS APERITIVO BAR, 100 DRUID STREET, LONDON, SE1 2HQ

Decision

That the application made by Oliver Man for a licence to be granted under s.17 of the Licensing Act 2003 in respect of the premises known as These Days Aperitivo Bar, 100 Druid Street, London, SE1 2HQ is granted as follows:

1. The supply of alcohol (on and off the premises):
 - Monday to Sunday: 10:00 to 22:30
2. Opening hours:
 - Monday to Sunday: 10:00 to 23:00

Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form, conditions agreed during the conciliation process and the following additional condition as agreed by the licensing sub-committee:

1. That the premises shall not exceed a capacity of 60 people.

Reasons

This was an application for a premises licence in respect of These Days Aperitivo Bar, 100 Druid Street, London, SE1 2HQ. The premises was described as follows:

Arch located on the Bermondsey Beer Mile situated behind on the other side of the tracks to Maltby Street Market. The arch is typical of the others along the stretch - 26m x 5m. One bathroom at the back which will be used for staff only. There's only one entrance at the front which is fully lockable and shuttered. The front third of the arch nearest the door (about 10m) will act as a bar while the back will be a fully functioning canning facility and not open to the public. The arch has about 2.5m x 6m space outside between the front of the arch and the road which we also intend to use for a small number of customers during the summer"

The sub-committee heard from the applicant who advised they are an Aperitivo brand that had launched in 2021. Their values are centred around promoting a drinking style that does not encourage drinking to get drunk, but to drink in a slower, more considered way. This is exemplified in their choices of drinks on the menu, which are predominantly of lower ABV. They will not serve pints or spirits, the latter will not be present at the bar.

The majority of the space at the premises will be taken up by a fully functioning canning facility which will not be open to the public. The canning facility will operate between 09:00 and 17:00, at which point it will be promptly closed and the bar will open. Off sales can be bought whilst the canning facility is open but once it closes no off sales will be permitted. The bar will typically open between 17:00 and 21:00 hours, the applicant stated they are absolutely not focussed on being a late night venue.

The bar will not be the primary revenue driver, the applicant will shortly be partnering with Honest Burgers and supplying drinks to all of their sites. The applicant was keen to make the distinction that they are not a brewery and are distinct from other premises within the area. They are not a beer bar and will only have one small bottled beer on their menu. The space has been designed for predominantly seated customers with no vertical drinking outside.

The premises has three members of staff, two of which have personal licences and years of experience in managing bars and working with neighbours to ensure they are happy. The applicant will be displaying a telephone number that will always be available in the event of any issues and will work in partnership with the existing premises in the area in terms of security.

The applicant confirmed they are aware of the policy regarding single-use plastics within Southwark's statement of licencing policy 2021-2026 and products will be served in cans, bottles or glassware.

One other person submitted a representation against the application in advance of the hearing. The sub-committee gave consideration to this along with the links to other material that had been supplied. Whilst the premises is not situated in a cumulative impact area, there is evidence of cumulative impact and it is entirely proper that the committee takes it into account.

Paragraph 14.42 of the s.182 Guidance under the Licensing Act 2003 provides:

“14.42 The absence of a [cumulative impact assessment/policy] does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives, However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact”.

The sub-committee considered all the facts before it:

Licensing as a responsible authority and the gatekeeper of Southwark's statement of licensing policy 2021-2026 did not submit a representation. It was therefore reasonable to conclude that licensing as a responsible authority were satisfied that the application would not undermine any of the licensing objectives.

It was further noted that those responsible authorities who had submitted representations had subsequently withdrawn them after conciliation with the applicant. Comprehensive conditions had been agreed and were set out within the operating schedule. These conditions, coupled with the applicant's intended operating hours and policies, would prevent further public nuisance within the area by noise and disruption.

The sub-committee considered the premises to be distinct from those in the surrounding area and noted the applicant's comment that they are trying to diversify the arches. The applicant appeared to have given great thought to avoiding any negative impact on residents and the sub-committee were satisfied that the conditions that would be imposed as a result of granting this licence would facilitate this aim and promote the licensing objectives. It is on this basis that the licence was granted.

In reaching this decision the sub-committee had regard to all of the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

Appeal rights.

The applicant may appeal against any decision:

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desires to contend:

- a) That the licence ought not to have been granted; or
- b) That, on granting the licence, the licensing authority ought not to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Assistant Chief Executive – Governance and Assurance

Date: 23 March 2023