



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 MD/327/24
reference:

Date: 16/04/2024

Dear Sir/Madam

Re:- Rincon Costeno, ARCH 146 Eagle Yard, Hampton Street, SE1 6SP

Police are in possession of an application for a new Premises Licence for, Supply of Alcohol on sales, Regulated entertainment and Late Night Refreshment. The venue describes itself as "Latin American Traditional Restaurant and Bar". The applicant has requested the following hours which are within those recommended in the Southwark Council Statement of Licensing Policy.

Open hours to public

Sun-Thur – 0800hrs-0000hrs

Fri-Sat – 0800hrs-0100hrs

Supply of Alcohol on sales

Sun-Thur – 1100hrs-2330hrs

Fri-Sat – 1100hrs-0030hrs

Regulated Entertainment

Sun-Thur – 1000hrs-2300hrs

Fri-Sat – 1000hrs-0030hrs

Late Night Refreshment

Sun-Thur – 2300hrs-2330hrs

Fri-Sat – 2300hrs-0030hrs

The premises is along a row of railway arches to which there is already a high number of venues declaring to be "Restaurants", however their style of operation is alcohol led and this venue doesn't seem any different. It should be noted that the area is surrounded by residential buildings, and has for several years been subject of numerous complaints in regards to alcohol fuelled anti-social behaviour and disorder

caused by patrons attending and leaving venues, particular at weekends, and this continues to this day.

The applicant is expected to have some knowledge of the area to which they wish to operate and the control measures they offer should reflect how the venue would specifically ensure they will not add to the alcohol related problems that already exist. The applicant has offered some conditions to address the licensing objectives, however, the application does not effectively address all of the licensing objectives, in particular, that of prevention of crime and disorder. Police would expect to see more robust conditions that are clear, concise and address the local issues that are associated with venues supplying alcohol particular at busy periods such as weekends.

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 must be precise and enforceable.

The metropolitan police object to the granting of the Premises Licence as the applicant has not effectively addressed the licensing objectives in particular that of prevention of crime and disorder. There are also serious concerns that another late night weekend venue at the location will only add to crime and disorder in the area and have a detrimental effect on local residents.

Submitted for your consideration.
Yours Sincerely

PC Walter MINK AGYEMAN 1264AS

Licensing Officer
Southwark Police Licensing

TRADING STANDARDS

From: Jerrom, Charlie <Charlie.Jerrom@southwark.gov.uk>

Sent: Friday, April 5, 2024 2:20 PM

To: [REDACTED]

Cc: Heron, Andrew <Andrew.Heron@southwark.gov.uk>; Moore, Ray <Ray.Moore@southwark.gov.uk>; Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: New Premises Licence, Arch 146 Eagle Yard, Hampton Street, London, SE1 6SP Ref: 882681

Trading Standards as a responsible authority are in receipt of a new premises license application from Irina Elizabeth Solorzano Chango, in respect of premises Arch 146 Eagle Yard, Hampton Street, London, SE1 6SP. Trading Standards as a responsible authority are making representation in respect of this application under all the licensing objectives, but primarily the protection of children from harm.

In the general description this is:-

“Latin American Traditional Restaurant and Bar”

The opening hours are to be:-

Sunday to Thursday 08:00hrs to 00:00hrs

Friday to Saturday 08:00hrs to 01:00hrs

The hours for alcohol sales are to be (on sales)

Sunday to Thursday 11:00hrs to 23:30hrs

Friday to Saturday 11:00hrs to 00:30hrs

Recorded music (indoors)

Sunday to Thursday 10:00hrs to 23:00hrs

Friday to Saturday 10:00hrs to 00:30hrs

Late night refreshments (indoors)

Sunday to Thursday 23:00hrs to 23:30hrs

Friday to Saturday 23:00hrs to 00:30hrs

Under the licensing objectives the application does mention a refusals log and challenge 21/25 which is very good, however it does not mention staff training or signage.

Trading Standards therefore simply asks that the following conditions be agreed by way of tidying up these matters.

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.

I attach electronic documents of training materials and a refusals register which can be used to meet the above conditions in terms of staff training and use of a refusal register. This effectively saves the business the cost of paying a consultant to undertake such activities. There is no reason why a person in the business who holds a personal license cannot undertake such training for staff and this can form part of a defence for the business should a member of staff supply alcohol to a minor.

If you are happy to accept these conditions then trading standards, as a responsible authority, will be happy to lift the representations made in respect of the application.

Hard copies of the above documents can be provided on request.

Charlie Jerrom – Enforcement Officer (Trading Standards)
Southwark Council | Environment, Neighbourhoods and Growth| Regulatory Services

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 May 2024
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	Rincon Costeno, Arch 146, Eagle Yard, Hampton Street, SE1 6SP	
Application number:	882681	
Location ID:	191848	Ward: Newington

We object to the grant of an application for a premises licence, submitted by Irina Elizabeth Solorzano Chango under The Licensing Act 2003 (the Act), in respect of the premises known as Rincon Costeno, Arch 146, 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 146, 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 is to allow for the provision of the following licensable activities and opening hours:

Recorded music (indoors) –

- **Sunday - Thursday:** 10:00 – 23:00
- **Friday & Saturday:** 10:00 – 00:30

Late night refreshment (indoors) –

- **Sunday - Thursday:** 10:00 – 23:30
- **Friday & Saturday:** 10:00 – 00:30

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

- **Sunday - Thursday:** 10:00 – 23:30
- **Friday & Saturday:** 10:00 – 00:30

The proposed opening hours of the premises are –

- **Sunday - Thursday:** 08:00 – 00:00
- **Friday & Saturday:** 08:00 – 01:00

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. Many families, schoolchildren / students and people of working age live in the immediate and wider area.

Figure 1: View of the premises' entrance looking north up Maldonado Walk. The bottom of Strata Tower is shown to the left of the photo



Figure 2: View showing the proximity of Strata Tower and the Crossways United Reformed Church from immediately outside the premises' entrance

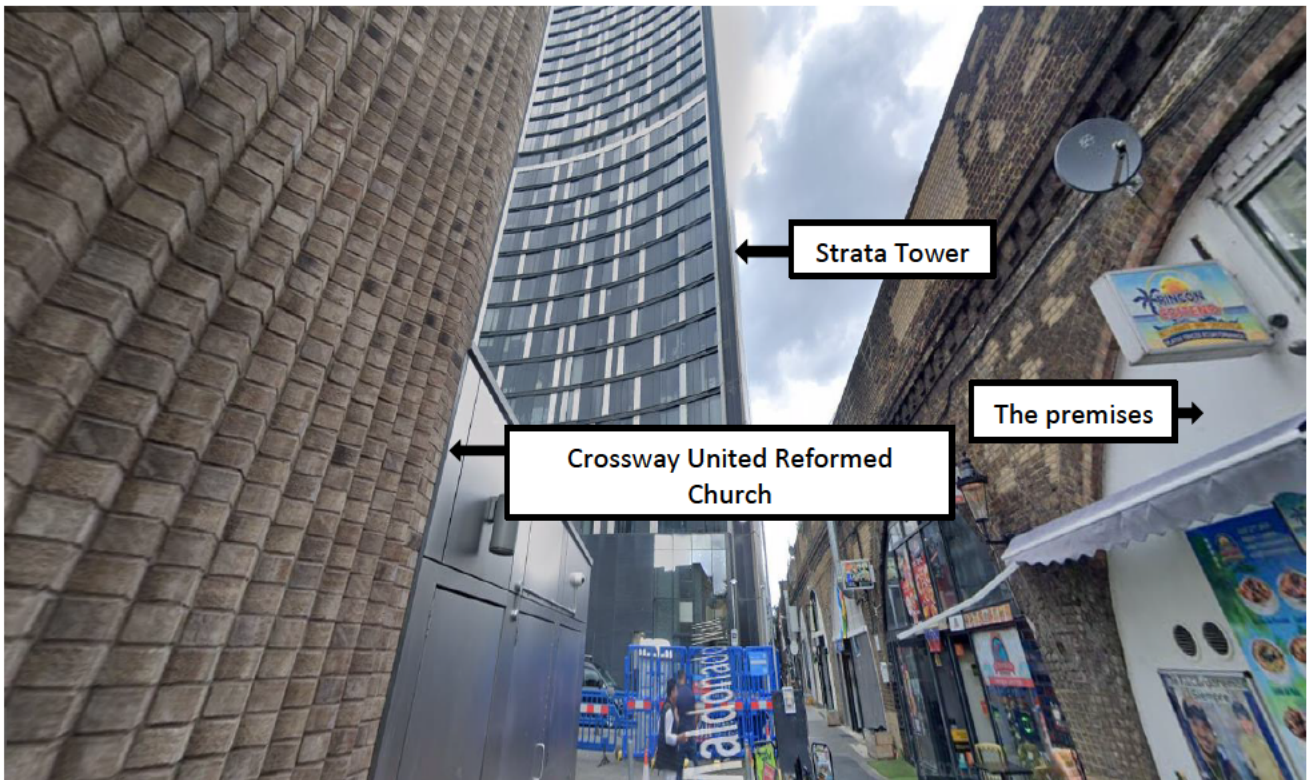


Figure 3: View looking west from outside the premises' entrance showing Strata Tower and Draper House



Figure 4: View looking west from 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

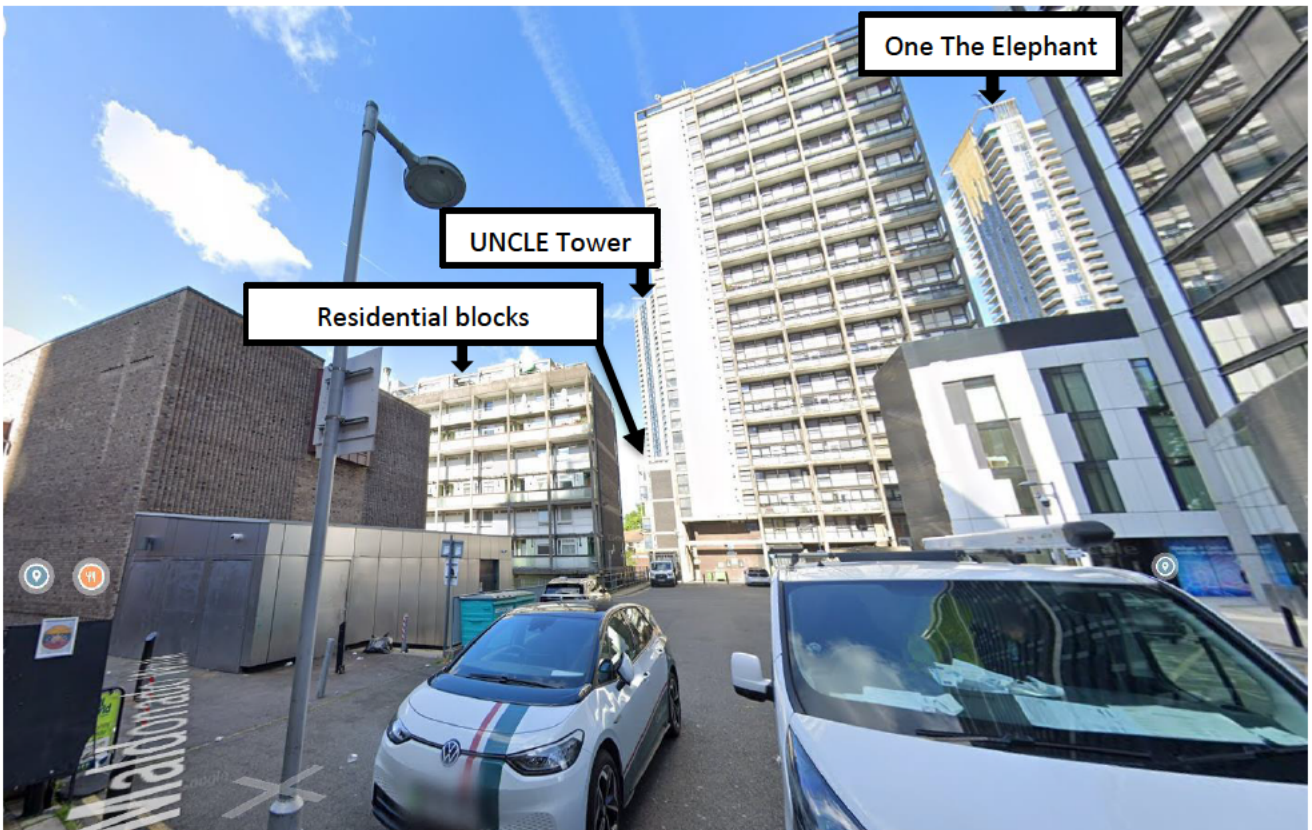


Figure 5: View looking south down Maldonado Walk showing Crossway United Reformed Church



A map showing the location of the premises, and its proximity to residential dwellings, is attached as appendix 1.

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 and takeaway establishments –

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

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 and say that further conditions are required.

Further to the above, we contend that the conditions proposed need clarification to ensure that they are precise, practicable, enforceable and unambiguous.

Paragraph 1.16 (Licence conditions – general principles) of the Guidance to the Licensing Act 2003 issued by the Secretary of State under section 182 of the Licensing Act 2003 states that conditions –

- “*must be precise and enforceable;*”
- “*must be unambiguous and clear in what they intend to achieve;*”

We therefore recommend that the following conditions be included in any premises licence issued subsequent to this application, and replace the measures proposed in part 'M' of the application ***in their entirety***.

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 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 responsible authority 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 advising to the effect that CCTV is in operation at the premises. The signage shall be kept free from obstructions at all times.
7. That clearly legible signage 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.
8. 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. Details of incidents shall be recorded contemporaneously. 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.

9. 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

10. That spirits (alcohol within an alcohol by volume (ABV) of 15% or more) shall not be sold by the bottle at the premises. Spirits shall only be sold in standard measures or multiples thereof.
11. 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 is to provide the accommodation limit – **WM** >>

12. 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.
13. 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.
14. 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 as such 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.
15. 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.
16. 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.
17. That an accident book / recording system shall be maintained at the premises and be available and in use at all times that the premises are in operation. The accident book / recording system shall meet all current legislative requirements. Details of any accidents will be recorded in the accident book / recording system contemporaneously. The accident book / recording system shall be made immediately available to responsible authority officers on request. Relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
18. That all public areas of the premises (including any public toilets) shall be kept in a sanitary, clean and tidy state at all times that the premises are in operation so that there is no risk to public health or safety regarding the sanitariness of the premises.
19. That all areas of the premises and all fittings and equipment, door fastenings, notices, lighting, heating, electrical, toilet, washing and other installations, will be maintained in good order and in a safe condition at all times.
20. 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(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.

D. The prevention of public nuisance

21. 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.

22. That customers shall not be permitted to enter or leave the premises with open or sealed drinks containers of any kind.
23. That only management staff shall have access to any amplification equipment at the premises, and only management staff shall be permitted to change any control settings on said equipment.
24. 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.
25. That suitable external containers for customer's cigarette butts shall be provided at all times that the premises are in use. Such containers shall be emptied regularly to ensure that they can be used at all times that the premises are in use, and so that they do not overflow and cause cigarette butt litter in the vicinity.
26. That external doors at the premises shall be kept closed except for immediate, and emergency, access and egress to and from the premises.
27. That any openable windows at the premises shall be kept closed at all times that licensable activities are taking place at the premises.
28. 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.
29. 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.

30. 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 07:00 hours and 22:00 hours.
31. 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.
32. 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.
33. That any external areas of the premises will be closed to customers between 22:00 hours and 10:00 hours the following day except for up to a maximum of 5 people at any one time using the external areas after 22:00 hours to smoke only. All outdoor furniture must be packed away or rendered unusable by 22:15 hours each day.

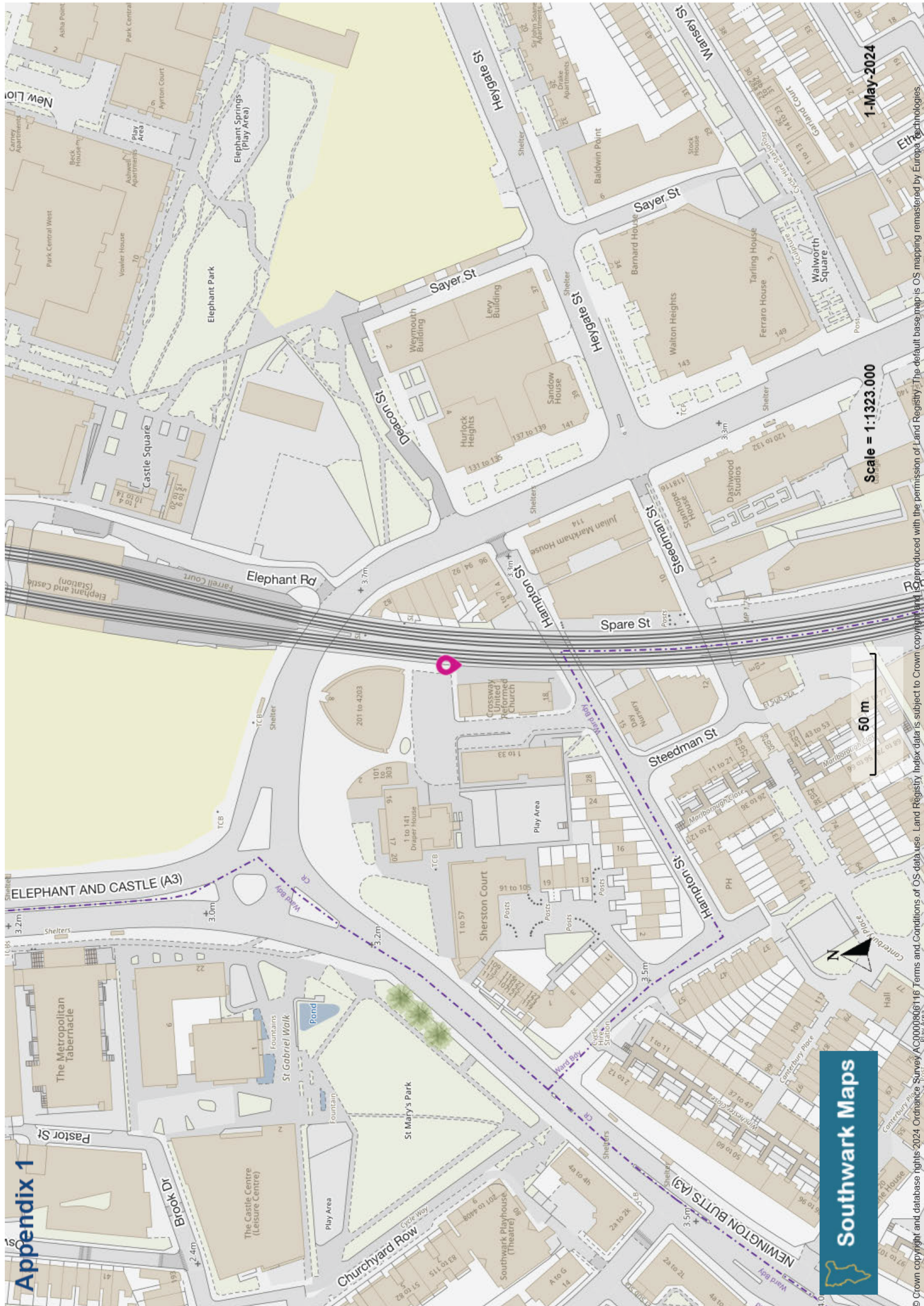
E. The protection of children from harm:

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

We 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



1-May-2024

Scale = 1:1323,000

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