

Tear, Jayne

From: Jerrom, Charlie
Sent: 12 April 2024 16:03
To: [REDACTED]
Cc: Moore, Ray; Tear, Jayne; Regen, Licensing
Subject: RE: New Premises Licence, 229 Old Kent Road, London, SE1 5LU Ref: 882730

Dear Raul,

Thank you for your email, Trading Standards as a responsible authority now withdraw their representations on the basis of the email below.

Regards

Charlie Jerrom – Enforcement Officer (Trading Standards)
Southwark Council | Environment, Neighbourhoods and Growth| Regulatory Services
Direct line 020 7525 7529 | Fax 020 7525 5735 | Call Centre 020 7525 2000

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Postal Address:
Trading Standards Unit | 3rd Floor, Hub 1 | PO Box 64529 | London | SE1P 5LX

Visitor Address:
160 Tooley Street | London | SE1 2QH

From: raul [REDACTED]
Sent: Tuesday, April 9, 2024 11:22 AM
To: Jerrom, Charlie <Charlie.Jerrom@southwark.gov.uk>
Subject: Re: New Premises Licence, 229 Old Kent Road, London, SE1 5LU Ref: 882730

Good afternoon Charlie Jerrom
I'm sorry for the late reply.
We appreciate the information that you have provided us and we will use it to train our team.
We agree with the conditions above mentioned and we are happy to apply those conditions and used the electronic documents for training.

Raul Gimeno

El El vie, 5 abr 2024 a la(s) 14:29, Jerrom, Charlie <Charlie.Jerrom@southwark.gov.uk> escribió:

Trading Standards as a responsible authority are in receipt of a new premises license application from Jose Rafael Ferreira Minaya, in respect of [229 Old Kent Road, London, SE1 5LU](#). 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:-

“Spanish Restaurant and Tapas 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

Live music (indoors)

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

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

Recorded Music (indoors)

Sunday to Thursday 10:00hrs to 23:30hrs

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)

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Tear, Jayne

From: mark.A.Lynch@met.police.uk
Sent: 23 April 2024 14:22
To: Regen, Licensing
Cc: [REDACTED] Tear, Jayne
Subject: Malibu 229 Old kent Road SE1 5LU ref 330/24

Good Afternoon

In view of the applicant and police agreeing to the below conditions in red to be added to the venues licence, police would like to withdraw their objection to the granting of the premises licence for Malibu 229 Old Kent Road SE1 5LU

1. 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 in all lighting conditions. The CCTV system shall be correctly time and date stamped at all times. 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. That all CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available to Police and responsible authority officers on request.
2. 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 responsible authority officers.
3. That clearly legible signage 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.
4. 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, the signature of the trainer shall be included. That all Digital records of training and/or logs shall be made immediately available to Police and responsible authority officers on request.
5. Clearly legible signs shall be prominently displayed where they can easily be seen and read by customers at all exits from the premises, requesting that
 - (A) Customers leave the premises and area in a quiet and orderly manner.
 - (B) Customers do not consume alcoholic drinks bought at the premises in the vicinity of the premises. Such signs shall be maintained free from obstruction when the premises are in use in accordance with this licence.
6. That the supply of alcohol on the premises shall be to a person seated taking a substantial hot table meal there and for consumption by such a person as ancillary to their meal.
7. All off Sales of alcohol shall only be sold in sealed containers to persons purchasing substantial a takeaway meal for consumption away from the premises.
8. An incident book/incident recording system shall be kept at the premises to record details of any of the following occurrences at the premises:
 - (i) Instances of anti-social or disorderly behaviour or Violence

- (ii) Calls to the police or fire brigade
- (iii) Abuse of staff and/or customers
- (iv) Ejections of people from the premises
- (v) Visits to the premises by the local authority, police or fire brigade
- (vi) Refused sales of alcohol
- (vii) Any malfunction in respect of the CCTV system
- (viii) Any other relevant incidents

The incident book/incident recording system shall record the time, date, location, and description of each incident as well as the printed name of the person reporting the incident and any action taken in respect of the incident. The incident book/incident recording system shall be available and accessible at the premises at all times that the premises are in use in accordance with this licence and shall be made available immediately to Police and responsible authority officers upon request. A record of the preceding 12 months' incidents shall be available at the premises at any time. That all Digital records of training and/or logs shall be made immediately available to Police and responsible authority officers on request.

9. That if a Pubwatch scheme exists in respect of the local area, then the licensee / management will join and participate in the Pubwatch scheme. (details can be obtained from Southwark Police Licensing and Night Time Economy team)

10. Premises must have a welfare and vulnerability policy and all staff must receive this training. All new staff must receive this training before starting their role and all staff must have refresher training every 12 months. All training must be recorded and these records must be available on immediate request by responsible authority officers. That all Digital records of training and/or logs shall be made immediately available to Police and responsible authority officers on request.

11. The venue shall support "Ask for Angela" or another similar safety initiative and posters shall be displayed on the premises. All staff shall be trained in "Ask Angela" or a similar safety initiative and a record of this training shall be kept on the premises and made available for inspection immediately to responsible authority officers upon request. That all Digital records of training and/or logs shall be made immediately available to Police and responsible authority officers on request.

12. That customers shall use no outside area other than those who temporarily leave the premises to smoke with no more than five (5) people permitted to smoke at one any time. The Staff shall monitor the area and ensure patrons do not obstruct the highway or cause any disturbance to their neighbours.

13. 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. vii. Details of road safety in respect of customers leaving the premises.
- viii. Details of the management of ejections from the premises.
- VIII. Details as to how any physical altercations at the premises are to be managed
- 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).

14. There shall be no removal of glassware by patrons from the premises at anytime.

15. There shall be no dj led events held at the venue.

Kind regards



Mark Lynch Pc2246AS
Southwark Licensing Team
Central South BCU
Metropolitan Police Service
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Southwark Police station 323 Borough high St, SE1 1JL
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f X Lambeth X Southwark

From: Lynch Mark A - AS-CU
Sent: 17 April 2024 08:31
To: raul [REDACTED]
Subject: RE: Malibu 229 Old kent Road SE1 5LU ref 330/24

Good Morning

Thank you for your reply , I have noticed that your application does not include off sales therefore the condition 7 initially shown is not required . I see in your reply you agreed to all the conditions however could you please confirm that you happy to accept the wording I have proposed and the removal of condition 7

Kind regards
Mark



Mark Lynch Pc2246AS
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f X Lambeth X Southwark

From: raul [REDACTED]
Sent: 15 April 2024 11:52
To: Lynch Mark A - AS-CU <mark.A.Lynch@met.police.uk>
Subject: Re: Malibu 229 Old kent Road SE1 5LU ref 330/24

Good afternoon sir.
Thank you for your email and your consideration for our premises license .
Please find below the answers of the questions that you had asked in the previous email.
I tried to contact you by phone.

Kind regards.

1. CCTV System Installation and Maintenance:

- Agree: A digital CCTV system capable of capturing clear facial images in all lighting conditions will be installed and maintained in full working order.

2. Staff Training and CCTV Monitoring:

- Agree: A trained staff member will be on duty at all times to monitor and download CCTV footage upon immediate request by police or responsible authority officers.

3. Signage for CCTV Operation:

- Agree: Clearly legible signage will be displayed advising customers of CCTV operation at the premises.

4. Staff Training Records:

- Agree: All relevant staff will be trained in their responsibilities under the Licensing Act 2003 and the terms and conditions of the license. Training logs will be kept at the premises, updated every 6 months, and made available to responsible authority officers upon request.

5. Exit Signage and Customer Conduct:

- Agree: Clearly legible signs will be displayed at all exits requesting customers to leave quietly and not to consume alcohol bought on the premises in the vicinity.

6. Supply of Alcohol with Meal:

- Agree: Alcohol will only be supplied to persons seated taking a substantial hot table meal on the premises.

7. Off Sales of Alcohol:

- Agree: Off sales of alcohol will only be sold in sealed containers to persons purchasing substantial takeaway meals.

8. Incident Recording System:

- Agree: An incident book/recording system will be kept at the premises to record relevant incidents and will be made available to police and responsible authority officers upon request.

9. Participation in Pubwatch Scheme:

- Agree: If a Pubwatch scheme exists, the licensee/management will join and participate.

10. Welfare and Vulnerability Policy:

- Agree: The premises will have a welfare and vulnerability policy, and all staff will receive training. Records of training will be available on immediate request by responsible authority officers.

11. Support for Safety Initiatives:

- Agree: The venue will support "Ask for Angela" or a similar safety initiative, and all staff will be trained accordingly. Records of training will be available on immediate request by responsible authority officers.

12. Use of Outside Area and Smoking:

- Agree: Customers will only use designated outside areas, with a maximum of five people permitted to smoke at any time.

13. Dispersal Policy:

- Agree: A dispersal policy will be devised and maintained regarding the premises, including management of customer egress, public transport advice, management of taxis, winding down periods, use of security/stewarding, road safety, management of ejections, and clearing up refuse/waste.

14. Removal of Glassware:

- Agree: There will be no removal of glassware by patrons from the premises at any time.

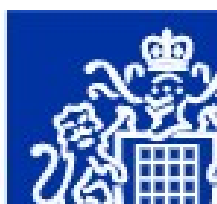
15. DJ-Led Events:

- Agree: There will be no DJ-led events held at the venue.

El vie, 12 abr 2024 a las 8:50, <mark.A.Lynch@met.police.uk> escribió:

Good afternoon

please find attached Southwark Police representation in regards to the application for a New Premises licence for Malibu 229 Old kent Road SE1 5LU



Mark Lynch Pc2246AS

Southwark Licensing Team

Central South BCU

Metropolitan Police Service

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