

**Tear, Jayne**

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**From:** Jerrom, Charlie  
**Sent:** 11 June 2024 10:16  
**To:** [REDACTED]  
**Cc:** Tear, Jayne; Moore, Ray; Forrest, Yemisi; Regen, Licensing  
**Subject:** New Premises Licence, The Kernel Taproom, 132 Spa Road, London, SE16 3AE Ref: 883223  
**Attachments:** Best practice guide 2022.pdf; Age verification policy 2022.pdf; Saying no 2023.pdf; Proof of age cards 2022.pdf; Alcohol 2023.pdf; Southwark Refusals Register 2023.pdf; FINAL\_c25-poster-enga-1\_WSTA.pdf

Trading Standards as a responsible authority are in receipt of a new premises license application from The Kernel Taproom Ltd.in respect of premises 132 Spa Road, London, SE16 3AE. 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:-

“The premises will function as a brewery bar and bottle shop which serves food. It is a ground floor venue with customer seating making over 50% of the customer space. There will be a small takeaway counter for off-sales.”

**The opening hours are to be:-**

Monday to Sunday 09:00 to 23:00

**The hours for alcohol sales are to be (on/off sales)**

Monday to Sunday 09:00 to 23:00

Under the licensing objectives the application does mention challenge 25, training records and refusals log, which is good, as a way of tidying up the conditions Trading Standards therefore simply asks that the following conditions be agreed.

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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The Licensing Unit  
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**Licensing Office**  
Southwark Police Station,  
323 Borough High Street,  
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Tel: 020 7232 6756  
Email: SouthwarkLicensing@met.police.uk

**Our reference:** MD/24/630

**Date:** 28/06/2024

Dear Sir/Madam

**Re:- Kernel Taproom, 132 Spa Road, SE16 3AE**

Police are in possession of an application from the above for a new premises licence for supply of alcohol, on and off sales. The premises describes itself as a "brewery bar and bottle shop which serves food".

The hours requested are also within those recommended in the Southwark statement of licensing policy. The hours requested are as follows;

Hours Open to the Public  
Mon-Sun 0900hrs-2300hrs

Supply of Alcohol On/Off Sales  
Mon-Sun 0900hrs-2300hrs

The applicant has attempted to offer some control measures to combat the licensing objectives, however some of the conditions are quite vague and not enforceable so would require some amendments to bring them to an acceptable standard.

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 metropolitan police object to the granting of this Premises license in its current form. 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 anti-social behaviour.

Submitted for your consideration.  
Yours Sincerely

PC Walter MINKA AGYEMAN

Licensing Officer  
Southwark Police Licensing

<b>To:</b> Licensing Unit	<b>From:</b> Wesley McArthur <a href="mailto:wesley.mcarthur@southwark.gov.uk">wesley.mcarthur@southwark.gov.uk</a> 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority)		<b>Date:</b> 03 July 2024
<b>Subject:</b>	Representation		
<b>Act:</b>	The Licensing Act 2003 (the Act)		
<b>Premises:</b>	Kernel Taproom, 132 Spa Road, London, SE16 3AE		
<b>Application number:</b>	<b>883223</b>		
<b>Location ID:</b>	201565	<b>Ward:</b>	South Bermondsey

We object to the grant of an application for a premises licence, submitted by The Kernel Taproom Ltd. under The Licensing Act 2003 (the Act), in respect of the premises known as Kernel Taproom, 132 Spa Road, London, SE16 3AE.

### 1. The application

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

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

- **Monday - Sunday: 09:00 – 23:00**

The proposed opening hours of the premises are –

- **Monday - Sunday: 09:00 – 23:00**

**The premises, and its intended operation, are described in the application as follows (verbatim):**

- *“The premises will function as a brewery bar and bottle shop which serves food. It is a ground floor venue with customer seating making over 50% of the customer space. There will be a small takeaway counter for off-sales.”*

### 2. The Statement Of Licensing Police

According to section 7 of this council’s statement of licensing policy 2021 – 2026 (the SoLP), the premises fall within a residential area.

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 residential areas as stated -

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

Monday - Sunday: 23:00

## Restaurants and cafes

Monday - Sunday: 23:00

### **3 Our objection**

We do not object to the application *in principal*, however, in part 'M' of the application, the applicant has proposed various measures to address the licensing objectives and whilst we welcome these measures, we do not feel that they sufficiently address the licensing objectives *at all*, and we 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 any 'off sales' of alcohol shall be provided in sealed containers to be taken away from the premises.
3. That, to discourage 'street drinking' in the locale by customers of the premises, clearly legible signage shall be prominently displayed where it can easily be seen and read by customers at all exits requesting to the effect that customers do not consume alcoholic drinks bought at the premises in the vicinity of the premises. Such signage shall be kept free from obstructions at all times.

#### **B. The prevention of crime and disorder:**

4. 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.

5. 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.
6. 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.
7. 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.
8. 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.
9. 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.

10. That any 3<sup>rd</sup> parties / members of the public using the premises for a promoted or private event must complete a venue hire agreement as written and supplied by the premises licence holder. The venue hire agreement shall include the full name and address of the hirer, copy of valid photo identification of the hirer (kept on file in accordance with data protection requirements), the hirer's signature and the date that the venue hire agreement has been signed. The venue hire agreement shall include all of the licensee's terms of hire. Such agreements shall be kept on file for 6 months from the date of the event and be made immediately available to responsible authority officers on request.
11. That the requirement for the deployment of SIA registered door supervisors at the premises shall be risk assessed on an ongoing basis. We would expect that risk

assessments would be undertaken regarding any 'special events' at the premises such as parties, receptions, wakes, discos, major sporting events or any events where a large number of customers are expected at the premises. Copies of any such risk assessments shall be kept at the premises for a minimum of six months and provided to responsible authority officers immediately on request.

12. When SIA registered door supervisors are deployed at the premises, the door supervisors will be employed to control entry to the premises, to deal with the searching / scanning of customers, to deal with any anti-social or disorderly behaviour at the premises, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist management in liaising with the police regarding instances of crime and to assist with ensuring that the premises' dispersal policy is adhered to. When deployed, they shall remain at the premises until all patrons have vacated the premises and until at least 30 minutes after the premises close. The door supervisors shall be easily identifiable.
13. That when SIA door supervisors are deployed at the premises, a register of the door supervisors which shall include:
  - The number of door staff on duty;
  - The identity of each member of door staff;
  - The times the door staff are on dutyshall be kept at the premises and shall be made immediately available to responsible authority officers on request.

### **C. Public Safety**

14. 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** >>

15. 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.
16. 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.
17. 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.
18. 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.
19. That prior to the premises opening to customers on each day, the premises will be



inspected to ensure that there are no health & safety risks to the public. A log of such inspections shall be kept at the premises and shall include the printed name of the person who undertook the inspection, the time and date of the inspection, and if any actions are required subsequent to the inspection, what these actions are and when they were taken. The log shall be made immediately available to responsible authority officers on request.

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 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.

23. 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.

24. 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.

25. That external doors at the premises shall be kept closed except for immediate, and emergency, access and egress to and from the premises.
26. That any openable windows at the premises shall be kept closed at all times that licensable activities are taking place at the premises.
27. That clearly legible signage 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.
28. 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 09:00 hours and 21:00 hours.
29. 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.
30. That staff shall periodically monitor outside the premises and take all necessary steps to ensure that noise from patrons, or arising because of the premises' operation, does not cause disturbance or public nuisance. A log of such monitoring including the printed name of the person who undertook the monitoring, the date & time of the monitoring and any observations or actions taken subsequent to the monitoring shall be kept at the premises and be made immediately available to responsible authority officers on request.
31. That any external areas of the premises will be closed to customers between 22:00 hours and 09:00 hours the following day except for up to a maximum of 10 people at any one time using the external areas after 22:00 hours to smoke only. No open drinks shall be permitted into any external area after 22:00 hours.
32. That any advertising, marketing or media relating to the premises (including websites and social media) will advise customers that there is no readily available parking in the vicinity of the premises, shall list public transport options available in the vicinity and shall advise customers to refrain from driving to the premises.

#### **E. The protection of children from harm:**

33. That no person under 16 years old shall be permitted on the premises unless they are accompanied by an adult.
34. That no deliveries from the premises of alcohol shall be permitted.

Lastly we request that on sales of alcohol at the premises cease at 22:30 to allow for 30 minutes 'drinking up' time.

We welcome discussion regarding any of the above, however should the applicant agree to the all of the above amendments then we will withdraw this application.

Yours sincerely,

**Wesley McArthur**  
Principal Enforcement Officer