



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/24/966

Date: 07 21/08/2024

Dear Sir/Madam

Re: Hot Box Pizza and Chicken 30 Manor Place SE17 3BB

Police are in possession of an application from the above for a New Premises Licence for late night refreshment. The operating schedule describes it as Take-away and delivery of hot food, consumption of hot food on the premises, café area serving hot and cold drinks. The venue is situated in the Elephant and Castle Major Town Centre and the hours requested are outside those recommended in the Southwark council Statement of Licensing policy and are as follows

Open to the public
Sun-Thur-1100hrs-0200hrs
Fri-Sat-1100hrs-0300hrs

Late Night Refreshment
Sun-Mon-Thurs-2300hrs-0200hrs
Fri-Sat-2300hrs-0300hrs

The venue is located in the Elephant and Castle Major Town Centre according to the Southwark Statement of Licensing Policy however the venue has residential buildings opposite and to the side, this means any dispersal from the venue will have to pass residential buildings and is likely to cause a disturbance to local residents. This is in contradiction to the application which states "There are no residential properties nearby - the site is next to the railway line on one side and police station on the other - and so minimal opportunity for noise and disturbance"

The application also states that it will operate as "Take-away and delivery of hot food, consumption of hot food on the premises, café area serving hot and cold drinks".

The plan provided by the applicant also shows a shisha area which is not stated in the application , there is a lack of detail as to the venues operation and appears no capacity limit.

The applicant has provided some control measures in the operating schedule however they are either not clear and not easily enforced in their current format and do not address the licensing objective in particular that of prevention of crime and disorder, Police would expect to see more robust and clearer conditions for a venue in such an area.

In regards to the control measures offered 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 this licence in its entirety as the terminal hours proposed by the applicant would have a detrimental impact on the local community by means of an increase in crime and disorder, noise nuisance and anti-social behaviour particular at the terminal hours. The Police also have concerns in regards to the applicants attempt to address the licensing objectives whereby it is clear from the conditions offered they have not considered the local community or the impact the venue would have on them. The control measures offered do not address the licensing objectives in particular that of prevention of crime and disorder.

Submitted for your consideration.
Yours Sincerely

PC Mark Lynch 2246AS
Southwark Police Licensing Unit
Tel: 0207 232 6756/6639

MEMO: Environmental Protection Team

To Regen.licensing; **Date** 16/09/24

Copies [REDACTED]

From Ken Andrews **Telephone** 020 7525 4258 **Fax** 020 7525 5728

Email ken.andrews@southwark.gov.uk

Subject **Hot Box Pizza and Chicken SE17 3BB APP A27643 Responsible Authority (EPRA) representation;**

EPRA has reviewed an application for a new premises licence for the above address. In addressing how they will promote the licensing objective of preventing a public nuisance, the applicant indicated that “there were no residential properties nearby”. This, however, is not the case as there are residential properties along Manor Place that can be affected by the operation, particularly the delivery vehicles or motorbikes/ mopeds during the early morning hours.

I have discussed this with the applicant, who suggested delivery takes place at the back of the premises. I am satisfied that it’s a solution but want licensing to include it as a condition if possible.

I am proposing the following as a condition “that all deliveries related to the takeaway are conducted at the rear of the premises. This measure is necessary to mitigate any potential disturbances to the residents along Manor Place.

Kind regards

Ken

Ken Andrews - Principal Environmental Health Officer

MEMO: Licensing Unit

To Licensing **Date** 9th September 2024
Copies Wesley McArthur – Licensing Responsible Authorities
From Farhad Chowdhury **Telephone** 020 7525 0398
Email Farhad.chowdhury@southwark.gov.uk

Subject: Hot Box Pizza & Chicken, 30 Manor Place London SE17 3BB

I write in reference to the premises licence application made by Ibrahim Mohamed, for a new premises licence for Hotbox Pizza & Chicken, 30 Manor Place London SE17 3BB . I have read the application and visited the premises recently and would make the following comments: -

- 1) The general description says it is a café doing take away and delivery, however when I visited the premises, it is in fact operating as a Shisha bar and lounge. There were two arches at the rear and next door which the owner is currently refurbishing and will extend the premises.
- 2) The Hours applied for are outside that recommended in the Southwark statement of licensing policy.
- 3) Officers from the Nighttime Economy team witnessed customers smoking indoors also the premises was substantially enclosed at the time of the visit. As far as I can see the premises does not have a suitable outside area and is substantially enclosed, therefore does not comply with the Health Act 2006. Can the applicant explain how they will comply with the Health Act 2006 as smoking indoors is prohibited under the legislation.
- 4) There is no accommodation limit provided with the application, so I am unable to assess whether the premises is suitable for public safety, the applicant needs to provide details how they assessed the maximum capacity for the premises.

The rear area has a retractable roof shelter which is closed when it rains, therefore it does not comply with the Health Act 2006, as smoking shelters need to be 50% open at all times.

There is a open fire at the rear of the premises which is by the rear fire exit, I am concerned about the risk of fire spreading from using hot charcoals.

The premises does not comply with "The Health Act 2006" and "The Smoke-free (Premises and Enforcement) Regulations 2006". I therefore object to this application on grounds of public safety, until the matters above have been addressed properly.



Farhad Chowdhury
Principal Enforcement 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: 14 September 2024
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	Hot Box Pizza & Chicken, 30 Manor Place and part of Arch 182 Manor Place, Walworth, London, SE17 3BB	
Application number:	883753	
Location ID:	198396	Ward: North Walworth

We object to the grant of an application for a premises licence, submitted by Ibrahim Mohamed under The Licensing Act 2003 (the Act), in respect of the premises known as Hot Box Pizza & Chicken, 30 Manor Place and part of Arch 182 Manor Place, Walworth, London, SE17 3BB.

1. The application

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

Late night refreshment (indoors) –

- **Sunday & Thursday: 23:00 – 02:00**
- **Friday & Saturday: 23:00 – 03:00**

The proposed opening hours of the premises are –

- **Sunday & Thursday: 11:00 – 02:00**
- **Friday & Saturday: 11:00 – 03:00**

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

- *“Take-away, delivery and café
Take-away and delivery of hot food, consumption of hot food on the premises, café area serving hot and cold drinks”*

NB – We note from the plans submitted with the application that the premises will also house a shisha lounge.

2. The Locale

The premises are located towards the north of Manor Place, not far from the junction of Manor Place and Walworth Road.

Walworth Road is a very busy main thoroughfare and commercial road in the borough. Many bus routes use Walworth Road.

Walworth Road has a high level of traffic both day and night, being part of one of the main routes from the south to the north of the borough. It is a busy area in the daytime, and maintains a high level of pedestrian traffic in the early evening and late at night.

Manor Place itself, however, is a quiet road that has a low level of vehicular traffic in the daytime, and little such traffic at night, and is *not* a busy pedestrian travel route, except for local residents.

Where the premises are located, Manor place houses railway arches used for various commercial uses, warehouses, a police station, a postal sorting office and a vacant prior swimming pool.

The rest of Manor Place is primarily residential with many housing blocks, both old and new.

A map showing the location of the premises and the local area is attached as appendix 1.

3. The Statement Of Licensing Police (SoLP)

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 residential areas as stated -

Take away establishments providing late night refreshment

- **Sunday – Thursday: 00:00**
- **Friday and Saturday: 01:00**

4. Our objection

Our objection relates to the promotion of all of the licensing objectives.

4.1 Operating hours

We say that the late night / early morning provision of late night refreshment is likely to have a negative effect on the promotion the crime and disorder and the prevention of public nuisance licensing objectives.

Although, according to the SoLP, the premises are located in Elephant and Castle Major Town Centre area, Manor Place itself has a high density of residential dwellings and is a quiet road.

We do not think it is appropriate to allow premises providing late night refreshment later than the closing times suggested in the SoLP in area with so many residential properties (often housing families, school age children and many people of working age) in close proximity. We say that granting extended operating hours is likely to have a detrimental effect on the quality of life and amenity of local residents.

Late operating hours can also have a negative effect on local residents, and other people, travelling through the local vicinity late at night.

Premises providing late night refreshment late at night and in the early hours of the morning often become hubs for crime and disorder, anti-social behavior and nuisance. Confrontations

can often arise between customers who have been drinking at local licensed premises and are intoxicated.

We note that there are numerous late night licensed premises in the locale that sell alcohol and contend that in areas where the number, type and density of premises selling alcohol are high, serious problems of nuisance and disorder may arise some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area. Typically this occurs when customers leave premises at peak times **or where there is queuing at fast food outlets** or for public transport.

Moreover, large concentrations of people may also increase the incidence of other criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport services, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of people and this can lead to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be dispersed quickly. We therefore suggest that, if the application is granted, the premises are **not** permitted to close later than the hours suggested in the SoLP.

The operational hours suggested in the SoLP exist to protect residents in the borough.

The operational hours suggested in the SoLP were ratified by councilors at full licensing committee and we suggest that the licensing sub-committee adheres to this council's own policies, which we say have been applied for good reason.

We further add that 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 further say that the licensing sub-committee should be **the gatekeeper of the Statement of Licensing Policy** that was, in part, ratified by councillors who form part of this very licensing sub-committee.

We therefore recommend the following operating hours:

Late night refreshment (indoors) –

- **Sunday – Thursday: 23:00 - 00:00**
- **Friday and Saturday: 23:00 - 01:00**

Late night refreshment (delivery from the premises only) –

- **Sunday – Thursday: 23:00 - 02:00**
- **Friday and Saturday: 23:00 - 03:00**

Opening hours –

- **Sunday & Thursday: 11:00 – 02:00**
- **Friday & Saturday: 11:00 – 03:00**

4.2 Conditions

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 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, the signature of the trainer shall be included.

B. The prevention of crime and disorder:

2. 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.
3. 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.
4. 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.
5. 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.
6. 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 seizures of drugs or weapons
- 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.

If 3rd party hire of the premises will be allowed by the licensee then we propose the following condition.

7. That any 3rd 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.

If no 3rd party hire of the premises is to be permitted then we propose the following condition:

8. That no 3rd party hire of the premises shall be permitted at any time. All activities at the premises shall be under the direct control of the licensee, and any permanent staff employed directly by the licensee.

C. Public Safety

9. 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>>

10. That illuminated emergency escape route and emergency exit signage ('emergency lighting') shall be installed at the premises, be maintained in full working order, be operational at all times that the premises are in use and shall be maintained free from obstruction at all times.
11. 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.

12. 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.
13. 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.
14. That 'Ask for Angela' posters (or posters relating to whatever similar scheme may be recommended at any time) shall be displayed in the 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

15. That delivery drivers will be instructed to turn their engines off when collecting orders for delivery from the premises.
16. That clearly legible signage shall be prominently displayed both inside and outside the premises where it can easily be seen and read by delivery drivers advising to the effect that
 - (a) all vehicle engines are turned off,
 - (b) that all delivery drivers behave in a quiet and orderly manner with respect to local residents,
 - (c) that delivery drivers do not use vehicle horns to attract the attention of workers at the premises or otherwise use their vehicle horns unnecessarily when approaching or leaving the premises; and
 - (d) that delivery drivers do not engage in unnecessary revving of engines on approaching or leaving the premises and locale.
17. That the premises shall be closed to 'walk in' customers after 00:00 hours on Sunday to Thursday, and after 01:00 hours on Friday and Saturday.
18. That after 00:00 hours on Sunday to Thursday, and after 01:00 hours on Friday and Saturday, the entrance to the premises shall be kept locked closed except to allow the immediate access and egress of delivery drivers in respect of deliveries from the premises, or in respect of emergency access and egress.
19. That signage shall prominently displayed where it can easily be seen and read by passersby stating to the effect that the premises are shut for walk-in service after after 00:00 hours on Sunday to Thursday, and after 01:00 hours on Friday and Saturday This is to discourage members of the public approaching the premises after these times.

20. That clearly legible signage stating a dedicated contact telephone number for the premises shall be prominently displayed where it can easily be seen 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. Such signage shall be kept free from obstructions at all times.
21. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers, at all exits from the premises, in the shisha lounge and in any external areas, requesting to the effect that customers behave in a quiet and orderly manner and / or 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.
22. 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.
23. 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.
24. 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 20:00 hours, except for food deliveries from the premises.
25. 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.

E. The protection of children from harm:

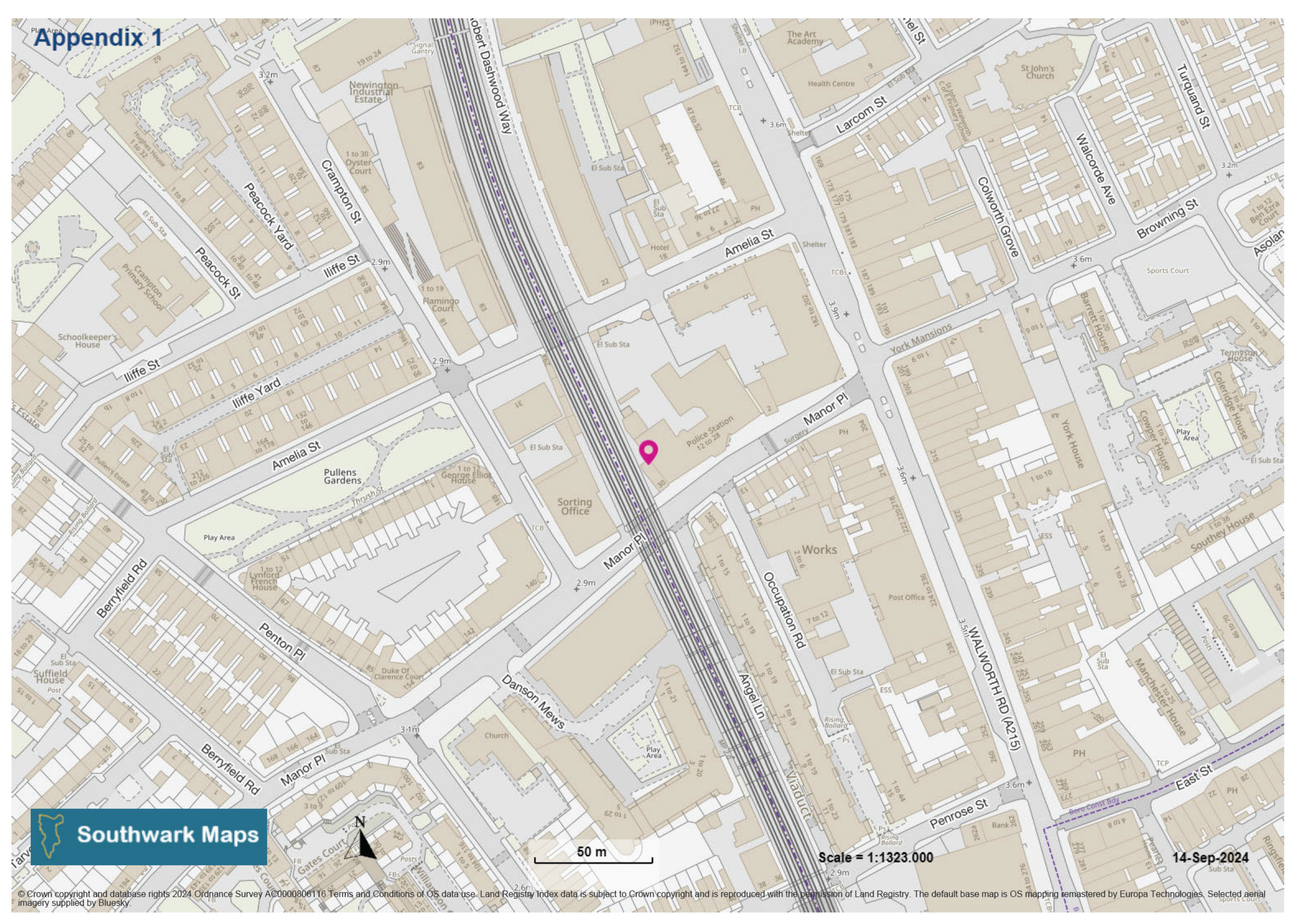
26. That after 22:00 no person under 16 years old shall be permitted on the premises unless they are accompanied by an adult.
27. That no person under 18 shall be permitted in the shisha lounge at the premises at any time.

We welcome discussion with the applicant on any of the matters above; however should the applicant agree to all of our proposed amendments to the application then we will withdraw this representation.

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer

Appendix 1



50 m

Scale = 1:1323.000

14-Sep-2024