

<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 October 2024
<b>Subject:</b>	Representation		
<b>Act:</b>	The Licensing Act 2003 (the Act)		
<b>Premises:</b>	Bubble Bubble & Bar, 194 Old Kent Road, London, SE1 5TY		
<b>Ref':</b>	<b>882417</b>		
<b>Location ID</b>	199285	<b>Ward</b>	Faraday

We object to the grant of an application to vary a premises licence, submitted by Bubblekaraoke Ltd under The Licensing Act 2003 (the Act), in respect of the premises known as Bubble Bubble & Bar, 194 Old Kent Road, London, SE1 5TY.

## **1. Application history –**

### **Initial licence**

On 07 April 2022 Bubble Bubble & Bar Limited applied for a premises licence in respect of 194 Old Kent Road, London, SE1 5TY (to be known as Bubble Bubble Bar). At the time of the application the premises were described as (verbatim) “Bubble Tea Bar, Restaurant and Karaoke Rooms”. The licence sought the provision of regulated entertainment and the sale of alcohol (to be consumed on the premises) between 10:00 hours and 01:00 hours daily, and the provision of late night refreshment until 01:00 hours daily.

The application was objected to by the police and by this council’s licensing unit in its role as a responsible authority. Subsequent to the objections, the applicant agreed to include further conditions in the operating schedule of the application, and amended the operating hours sought in the application.

A premises licence (number 877210) was granted regarding the application. The licence allowed for the sale of alcohol (to be consumed on the premises) between 10:00 hours to 23:00 hours daily, the provision of recorded music between 10:00 hours and 23:30 hours daily, with a closing time of 23:30 hours daily.

### **Variation**

On 05 April 2023 Bubble Bubble & Bar Limited applied to vary premises licence number 877210.

The application sought to allow for the provision of live music and ‘off sales’ of alcohol at the premises, and to extend the hours permitted for licensable activities until 01:00 on Sunday to Thursday and until 03:00 hours on Friday and Saturday, with the premises to close 30 minutes later on each day.

The application was objected to by the police. Subsequent to the objection, the applicant agreed to include further conditions in the operating schedule of the application. Subsequently the amendments sought in the application were granted and premises licence number 879958 was issued.

### **Licence transfers**

On 04 June 2024 the premises licence was transferred from Bubble Bubble & Bar Limited

(director – Rin YOO) to Absolute Licence Solutions Limited (director – Patrick DALY). The premises licence number was updated to 883245.

On 22 July 2024 the premises licence was transferred from Absolute Licence Solutions Limited to Bubblekaraoke Ltd (director – Yong ZHAO). The premises licence number was updated to 883662, which is the current premises licence number.

## **2. The extant premises licence**

The extant premises licence (licence number 883662) allows for licensable activities and opening hours as follows –

### **The sale of alcohol to be consumed on the premises:**

- **Sunday - Thursday: 10:00 – 01:00**
- **Friday & Saturday: 10:00 – 03:00**

### **The sale of alcohol to be consumed off the premises:**

- **Sunday - Thursday: 10:00 – 23:00**
- **Friday & Saturday: 10:00 – 00:00 (midnight)**

### **Live & recorded music and late night refreshment:**

- **Sunday - Thursday: 23:00 – 01:00**
- **Friday & Saturday: 23:00 – 03:00**

### **The opening hours of the premises:**

- **Sunday - Thursday: 10:00 – 01:30**
- **Friday & Saturday: 10:00 – 03:30**

## **3. The variation application –**

The purpose of the variation is described in the application as follows (verbatim) –

- *“To extend the hours of licensable activity and opening hours until 06:00hrs seven days a week.”*

The application seeks to extend the premises’ operation hours as follows:

### **The sale of alcohol to be consumed on the premises:**

- **Monday - Sunday: 10:00 – 06:00**

**NB** – no application has been made to extend the hours regarding the off sale of alcohol.

### **Live & recorded music**

- **Monday - Sunday: 23:00 – 06:00**

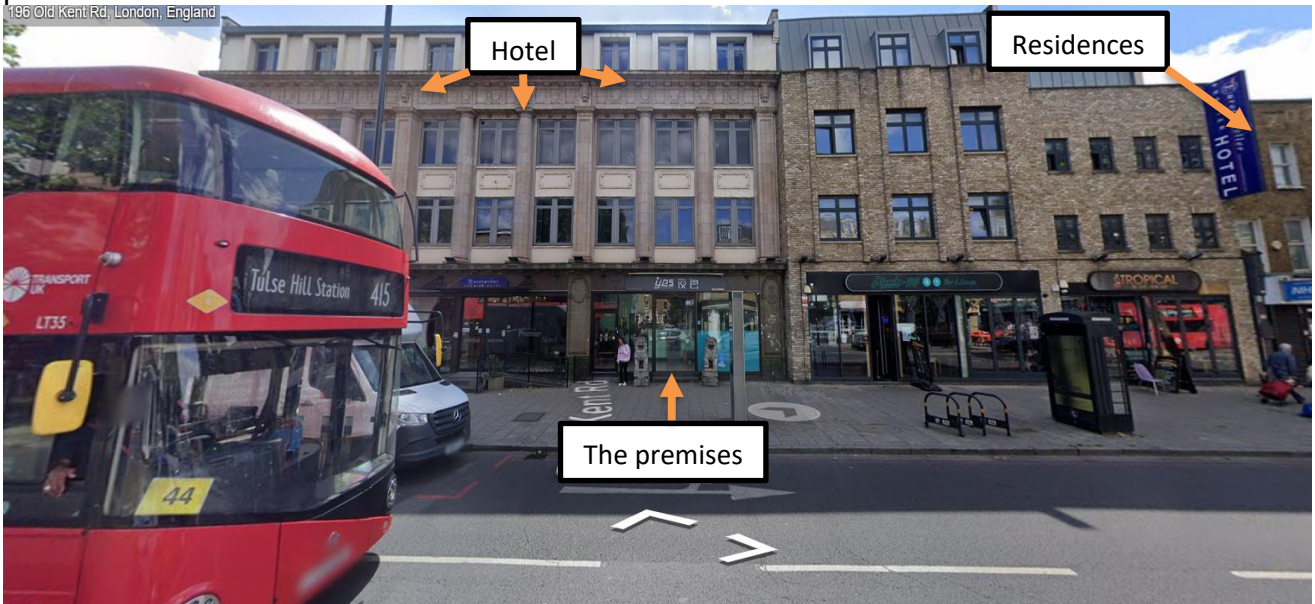
### **The opening hours of the premises:**

- **Monday - Sunday: 10:00 – 06:30**

#### 4. The Locale

The premises are located on Old Kent Road near where it intersects East Street and close to Brick Layers Arms roundabout. The Old Kent Road is an extremely busy arterial road with constant traffic 24 hours a day. It also hosts many bus routes. The premises are in a parade of commercial premises. The area has many high-density residential housing estates & residential blocks in the immediate and wider vicinity of the premises, in all directions. There is also a hotel in next to and above the premises. There are also many commercial premises (including other licensed premises) in the vicinity. A map of the local area (showing proximity to local residential dwellings) is attached as appendix 1.

**Figure 1:** View looking southwest across Old Kent Road showing the premises shop front and hotel rooms directly above the premises, and residential dwellings adjacent to the premises at 1<sup>st</sup> floor level and above



**Figure 2:** View looking northwest up Old Kent Road showing residential premises opposite the premises and on the same side of the premises at 1<sup>st</sup> floor level and above.





**Figure 3:** View looking southeast down Old Kent Road showing residential premises at 1<sup>st</sup> floor level and above, a hotel and various commercial premises at ground floor level.



**Figure 4:** View looking northeast across Old Kent Road from directly outside the premises entrance showing residential dwellings opposite the premises.



## **5. Statement of Licensing Policy (SoLP)**

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:

[Licensing and Gambling Act policy - Southwark Council](#)

The following closing times are recommended in our SoLP in respect of the type of licensed premises located residential areas as follows –

**Restaurants and cafes:**

Monday – Sunday: 23:00

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

Monday – Sunday: 23:00

**Nightclubs (with ‘sui generis’ planning permission):**

Not considered appropriate for residential areas.

**6. Our objection**

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

We say that the late night / early morning sale of alcohol and provision of entertainment is likely to have a negative effect on the promotion the crime and disorder, public safety, the prevention of public nuisance licensing objectives and the protection of children from harm licensing objectives and be detrimental to the quality of life for local residents.

Premises selling alcohol and providing entertainment late at night, or into the early morning, have increased risk factors. We do not think it is appropriate to allow premises to sell alcohol and provide entertainment in the early morning in an area with so many residential dwellings in close proximity. We say that granting extended operating hours is likely to have a severe negative effect on the amenity of local residents.

It seems that the style of operation proposed regarding the premises is moving away from the applied for restaurant / bubble tea bar with karaoke, to being primarily a late night / early morning karaoke bar. We contend that it is entirely inappropriate to situate a late night / early morning karaoke bar in the locale.

We add that it is possible that the premises may now be being operated by new people and not the original operators, and thus the ethos behind the premises’ style of operation may have significantly changed.

***In the interest of fairness***, we must say that there is absolutely nothing that prohibits a licensed premises being transferred to different individuals or entities, or a licensed premises’ style of operation changing, however, we say that it is likely that if, when the premises licence was originally applied for, it was proposed that the premises would be a late night / early morning bar, then responsible authorities (and local residents) may have sought that the licensing sub-committee determines the application, and that is what we say is required regarding this application.

We note that premises already benefits from a premises licence that allows closing times later than those suggested in the SoLP.

We say that allowing operating hours ***even further*** extended past those recommended in the SoLP is likely to give rise to nuisance, crime and disorder and anti-social behavior in the locale, in an area that has very dense residential housing.

Allowing customers to consume alcohol, or be on the premises after having already consumed alcohol, for extended hours **every day of the week** will allow for a high level of intoxication and more chance of confrontations between customers, as often happens in late night venues.

We say that the extant licence is already generous enough, and that the licensing sub-committee should not allow for hours **so much further past** those recommended in a policy that was ratified by local ward councilors. We suggest that the licensing sub-committee adheres to this council's own policies, which have been applied for good reason. The operational hours suggested in the SoLP exist to protect residents in the borough, and other people travelling through the borough.

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.

There are numerous other licensed premises in the locale 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, where there is queuing at fast food outlets or for public transport or when customers go to local off licences to purchase further alcoholic drinks after they have already been drinking in local licensed premises to 'carry the party on'.

We contend 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.

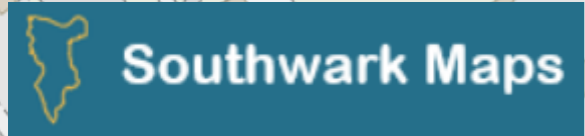
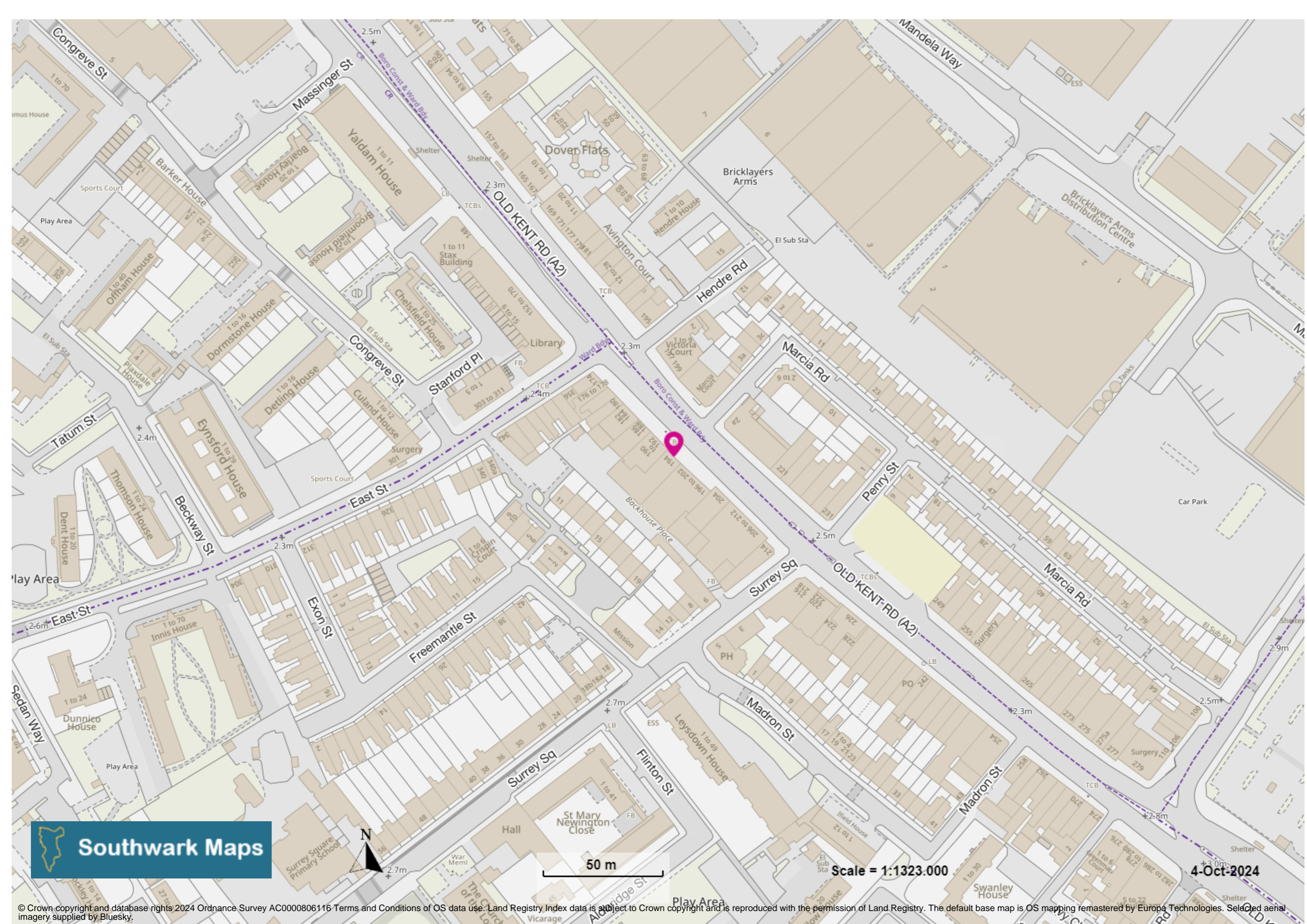
Taking into account all of the above, we recommend that this application is refused in its entirety by the licensing sub-committee, and that **no** extension of operating hours be granted at all.

We may present further submissions prior to, or at, the hearing to determine this application.

Yours sincerely,

**Wesley McArthur**  
Principal Enforcement Officer





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4-Oct-2024