

APPENDIX C

Your reference:



Our reference: MD/21/2116/11

Date: 10/02/2011

The Licensing Unit
The Chaplin Centre
Thurlow Street
London SE17 2DG

Metropolitan Police Service
Licensing Office
Walworth Police Station,
12-28 Manor Place,
LONDON,
SE17 3RL

Tel: 020 -7232 – 6210 Fax6282

Dear Sir/Madam

Las Delicias 99 Southampton Way SE5 7SX

Police are in receipt of an application from the above for a New Premises Licence and have the following representation to make:

The applicant has applied for a New Premises Licence for a premises located within very close proximity of many dwellings and as a consequence additional control measures would be required to ensure that there would be no or little detrimental effect upon the local community and indicate that the management of the premises have given sufficient consideration to the four main licensing objectives.

The applicant has offered a number of control measures as part of the operating schedule and Police welcome that response, however Police would require additional measures. Some of the following conditions may have been already offered by the applicant as part of the operating schedule but the wording of each condition is vital to negate any ambiguity.

If the permitted hours for the sale/supply of alcohol were to be granted as per the application, Police would like to see the following control measures placed on the Premises Licence.

1. That at least two (2) SIA registered Door Supervisors, one of whom shall be a female, shall be employed from 10pm on Friday and Saturday


and remain until the terminal hour that the premises are in use under this licence. They should be provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.

2. All SIA Staff are required to record their details, including SIA Badge number, in a booking on/off register.
3. A security search of the premises is conducted prior to opening to the public and a record kept of who conducted the search.
4. That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'
5. That clearly legible notices shall be prominently displayed at each exit at the premises and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.
6. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an image of every person who enters the premises.
7. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council
8. That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' and once completed, you shall ensure that a copy of the agreement is provided to the Police Licensing Unit a minimum of fourteen days prior to the date of hire.
9. That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.
10. Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those leaving the premises should not be permitted to consume drinks whilst outside. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.


Respectfully submitted for your consideration, Police would welcome the opportunity for a conciliation meeting with the applicant should any issue arise as a result of the above recommendations.

Ian Clements

Licensing Officer Southwark Borough

 Phone: 0207 232 6155

 Mobile:

 Fax: 0207 232 6282

 E-mail: ian.clements@met.police.uk

 Mail: Licensing Office, Walworth Police Station,
12/28 Manor Place Walworth London
SE17 3RL

MEMO: Environmental Protection Team

To Regen.licensing; **Date** 16th February 2011
Copies Jayne Tear
From Alan P. Blissett **Telephone** 020 7525 5766 **Fax** 020 7525 5728
Email Alan.Blissett@southwark.gov.uk

Subject Las Delicias 99 Southampton Way SE5 7SX APP 509303

This application seeks to permit live and recorded music, dancing, late night refreshment and supply of alcohol

- Sunday to Thursday 0900 – 2100
- Friday to Saturday 0900 – 0400 the day following

The premises comprises ground floor converted shop with restaurant seating, small dance area and stage, rear bar and kitchen. There is single storey residential over, similar to others in the terrace although some of the shops have been converted to residential. The premises is opposite the Elmington Estate with new residential accommodation in Benhill Road / Harris Street.

Concerns have been raised by residents in adjoining premises of music noise from the premises in August and September 2009, although this may not be attributable to the current applicant.

Prevention of Public Nuisance

Music Sound Containment

I believe there is potential for music sounds to permeate the structure and escape from the frontage

The ground floor entrance is not equipped with a lobby, and the front windows are fixed pane with openable louvres above. The premises has already been equipped with a sound system, including mixer deck under the stairs and some speakers also a drum kit on the stage and several sound to light units. The applicant was not able to demonstrate operation at time of inspection, however there was no evidence of sound limitation apparatus. The premise does not appear to have been suitably insulated to ensure both air borne and structure borne sounds will be adequately contained.

Patron Sound

There is potential for patron noise on arrival and particularly departure at Friday & Saturday until the proposed curfew hour of 0400.

Ventilation

The premises is not equipped with any means of extract ventilation or cooling of air to facilitate dancing until 0400 without the entrance door and front windows being opened during performance particularly during the summer season

The premises in its present state is entirely unsuitable for the regulate entertainment proposed particularly until the proposed curfew hours on Friday and Saturday. The applicant has not expressed adequate proposals to address prevention of public nuisance.

I therefore object to the applicant

Alan Blissett - Principal Environmental Protection Officer

Environmental Protection Team - Environment & Housing, Chaplin Centre, Thurlow Street, London SE17 2DG
Switchboard - 020 7525 5000 **Website** - www.southwark.gov.uk
Strategic Director Environment & Housing - Gill Davies

McCarthy, Tracy (Enforcement Officer)

From: Regen, Licensing
Sent: 20 January 2011 13:52
To: McCarthy, Tracy (Enforcement Officer)
Cc: Tear, Jayne
Subject: FW: Representations - Las Delicias 99 Southampton Way

Please consider the environment before printing this email.

From: Masini, Bill
Sent: 20 January 2011 13:01
To: Regen, Licensing
Subject: Representations - Las Delicias 99 Southampton Way

Please note that the London Borough of Southwark's Trading Standards Service, as a responsible authority under the Licensing Act 2003, wish to make representations to the premises licence application for Las Delicias 99 Southampton Way SE5 7SX. The representations are based on the licensing objective for protection of children from harm with regard to underage sales of alcohol.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 requires an age verification policy as part of the operation of the premises. However the operating schedule does not include full details of what the operators' age verification policy will be. Without details of their policy the Trading Standards Service has concerns that the premises may not be operating procedures which are robust enough to prevent the sale of alcohol to children.

Trading Standards recommend the applicants amend their operating schedules to include the following conditions to ensure that their age verification policy is effective in protecting children from harm:

1. The premises shall operate an agecheck '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.
2. All staff involved in the sale of alcohol shall be trained in the agecheck '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.
3. Agecheck 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 agecheck 'Challenge 25' policy applies and proof of age may be required
4. 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 the Council's authorised officers or the Police.

Further details and guidance on age verification policies can be found at www.southwark.gov.uk/ageverification. The applicant may also contact Trading Standards for guidance and free agecheck signage materials.

Should the applicant wish to operate a different policy to the agecheck 'Challenge 25' scheme then we would request details of that scheme to be forwarded to the Trading Standards service.

Bill Masini

Trading Standards Officer
Southwark Environmental Health and Trading Standards
London Borough of Southwark



Regeneration and neighbourhoods
Planning & transport
Development management
5th Floor, Hub 2
PO Box 64529
LONDON SE1P 5LX

Ms R Read
Licensing Unit
Chaplin Centre
Thurlow Street
London
SE17 2DG

Your Ref: 176069
Our Ref: 11-CE- 00086
Contact: Alex Cameron
Telephone: 020 7525 5416
Fax: 020 3357 3101
E-Mail: alexander.cameron@southwark.gov.uk
Web Site: <http://www.southwark.gov.uk>

Date: 24/01/2011

Dear Ms Read

Premises Licensing re:
LAS DELICIAS 99 SOUTHAMPTON WAY, LONDON, SE5 7SX

Summary description: sale of alcohol on and off premises

Date Received: 17/01/2011

The premises was granted permission as a cafe(A3) on 29/01/1990 (LBS ref:1354/89) and the hours of operations for the use of the premises were not controlled by way of a planning condition attached to this application. I have attached, a copy of the planning permission here for your information.

Having reviewed the details of the licensing application, it appears that this cafe/restaurant may now be operating as a nightclub after midnight.

The surrounding area is of a mix use nature and there are a number of residential units within close proximity to the application site. An extension in the hours of operation of the cafe/restaurant to 04:00 Fridays and Saturdays might result in the intensification of the unauthorised nite club use without planning permission to the detriment of the amenity of adjoining occupiers by reason of noise, nuisance and disturbance contrary to the licensing objectives.

As such, Development Management objects to this licensing application as it would likely harm the amenity of the surrounding residential occupiers contrary to licensing objectives.

Yours sincerely

Alex Cameron
Planning Enforcement

SL 23908 -

LONDON BOROUGH OF SOUTHWARK

TP5B/C

TOWN AND COUNTRY PLANNING ACT 1971-1972

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDERS 1977-1981

To: Behet Mehmet
c/o Hassan Mustafa
83 Camberwell Road
London SE5

Case No: TP/ 2229-99/AH

Date:

The Council of the London Borough of Southwark, as the local planning authority within the meaning of the above-mentioned Act and Orders in pursuance of their powers thereunder, HEREBY PERMIT the following undermentioned development:-

The change of use of the ground floor of 99 SOUTHAMPTON WAY, SE5 from retail shop to cafe.

in accordance with the application ^{rec'd} ~~dated~~ 14/11/89 and Plans Register No. 1354/89 and applicant's plans No. 99/1

Such permission, however is given subject to the following condition(s):-

1. The development hereby permitted shall be begun before the end of five years from the date of this permission.
2. The use hereby permitted shall not be begun until full particulars and details of a scheme for the ventilation of the premises to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, has been submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

Reasons for the Imposition of the Conditions

1. As required by Section 41 of the Town and Country Planning Act 1971.
2. To ensure that the operation as a cafe does not result in any loss of amenity to local residents and that the ventilation accords with the Council's Environmental Health Departments requirements.

Informative

I01. You are advised to consult the Council's Head of Environmental Health Services with regard to how to best comply with the terms of Condition No. 2 on this permission. Please contact the Department of Consumer Protection, 19 Grange Road, London SE1 3BE (tel: 237 4551).

..../cont'd

DATED this 29 day of January 1990

Borough Planner



IMPORTANT - This is a PLANNING PERMISSION only and does not operate so as to grant any lease, tenancy or rights of occupation of or entry to the land to which it refers.

Your attention is drawn to the notes on the back of this form.

Any correspondence regarding this document should quote the case number and be addressed to:-

The Borough Planner, Angel Court, 199 Borough High Street, SE1 1HY.

2. The Council's Head of Environmental Health Services also has concern over the following:

- a) the amount of work space in the kitchen
- b) the location of the storerooms
- c) lack of detail of the refuse storage arrangements
- d) no food preparation sink in the kitchen.

Therefore you are advised to consult the Head of Environmental Health with regard to these points and comply with their requirements prior to the use commencing.