

From: Newman, Sarah
Sent: Wednesday, April 29, 2015 12:01 PM
To: Regen, Licensing
Cc: Tear, Jayne
Subject: Application for a premises license at Level 9& 10 Peckham Multi Storey Car Park, 95a Rye Lane (Franks Bar)

Hi Licensing,

EP have just looked at the application for the adjacent space in the Car-Park (Franks Bar).

This application does not mention regulated entertainment and is only for the sale of alcohol. Given the size of the premises; depending where the red lines are going to go once clarified; and whether it is the applicants intention to provide public entertainment using the deregulation provisions of the Licensing Act; there is some uncertainty regarding whether it will be necessary to apply license conditions to ensure the licensing objective the prevention of public nuisance is upheld.

In previous years this premises has held many arts events, markets, exhibitions, theatre, orchestral events, film, live music (both amplified and acoustic) and recorded music as part of previous time limited premises licenses and under TEN's applications and there is a substantial history of public complaint regarding noise from events held at this location.

EP Team have been waiting for the applicants solicitor to give some clarity regarding the business model for the premises and to advise which activities that premises intends to offer that would be covered by the recent de-regulation of the Licensing Act, however, there has been no response to date.

This premises is a multi storey car park, is open on all sides and has no roof, therefore, has no effective means of containing noise from any de-regulated entertainment that, given the site history, is very likely and expected to occur should this full premises license be granted.

The EP Team object to this application

Best regards

Sarah Newman

Team Leader
Environmental Protection Team
Southwark Council

0207 525 4320

MEMO: Licensing Unit

To	Licensing Unit	Date	5 May 2015	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax 020 7525 5705
Email	Jayne.tear@southwark.gov.uk			

Subject Re: Frank's Café, Level 9 and 10 Peckham Multi Storey Car Park, 95A
Rye Lane, London, SE15 4ST, Application to vary the premises Licence.

I write with regards to the above application submitted under the licensing act 2003 for a premises licence.

The application seeks the follows licensable activities:

- Supply of Alcohol on Monday to Sunday from 11:00 to 00:00
- The proposed opening hours will be Monday to Sunday from 11:00 to 00:30

This premises has submitted a 3 month time limited application for the past six years. The three month period has taken place in the summer months.

This year the application is not time limited and is a permanent licence, which will operate all year instead of three of the summer months and the hours of operation asked for have been also been extended.

There has been extensive consultation with the responsible authorities in the past which resulted in the applicant amending the operating schedule to incorporate conditions/control measures to address the four licensing objectives. The good management of this premises in the past have included the control measures on subsequent applications to address the licensing objectives.

It is mentioned in the application that regulated entertainment has not been applied for and that the operating schedule has been simplified to reflect this, however most of the previous control measures designed to address the four licensing objectives (that are not related to regulated entertainment) have not been added to the operating schedule of this application.

This premises is situated within the saturation area for Peckham. The effect of this special policy is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

Licensing Unit - Environment & Leisure, Hub 2, 3rd Floor, PO Box 64529, London SE1P 5LX

Switchboard - 020 7525 5000 **Website** - www.southwark.gov.uk

Strategic Director of Environment & Leisure - Gill Davies

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Please see the following link to download a copy of Southwark's Statement of licensing policy

https://www.southwark.gov.uk/downloads/download/622/licensing_act_2003southwark_statement_of_licensing_policy_2008-2011

The operating schedule of the application is inadequate and does not address how the premises will not add to or raise crime and disorder or public nuisance or public safety.

I there submit this representation for the licensing sub-committee to consider

Jayne Tear
Principal Licensing officer
In the capacity of the Licensing Responsible Authority

MEMO: Licensing Unit

To	Licensing (DCM)	Date	30 th April 2015	
Copies				
From	Farhad Chowdhury	Telephone	020 7525 0398	Fax 020 7525 5705
Email	Farhad.chowdhury@southwark.gov.uk			

Subject: Frank's Café, Levels 9 and 10 Peckham Multi storey car park, 95A Rye Lane SE15 4ST

I write in reference to the application submitted by Franks Café Limited for a premises licence to be granted for level 9 and 10 Peckham Multi storey car park, 95A Rye Lane SE15 4ST.

I have read the application and would request further information or clarification on the following points and made some recommendations where appropriate:-

- A comprehensive risk assessments to be done by a competent person. All findings of the risk assessments shall be made available to this authority or the Police and London Fire and Emergency Planning Authority.
- A comprehensive dispersal policy needs to be produced, maintained and updated and all staff needs to be trained and made aware of any changes, a copy of the dispersal policy shall be made available to the Council or Police on request.
- provide an NICEIC approved electrical inspection report of the premises.
- An evacuation plan shall be provided in regards to the premises and shall detail steps to be taken should all or any part of the premises need to be evacuated. The evacuation procedure needs to be in writing and made available to the Council, Police or Fire officers on request.
- All premises staff need to be trained in evacuation procedures including wheelchair users and this needs to be documented. Provide details of training undertaken by staff.
- All equipment, devices and systems used in the premises shall be maintained in good state of repair and effective working order, Please provide details of your maintenance regime.
- In the event of failure of main lighting explain how you would allow guests to leave the premises in a safe manner. Will there be emergency lighting in all areas, how will customers be managed during power failures.

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Strategic Director of Environment & Leisure – Debra Collins

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- Floors and traffic routes needs to be kept free of obstacles, obstructions and any other article or substances that may cause person to slip, trip or fall.
- All gas appliances and installations to be used on the premises must be inspected and tested by a competent person who must be a GAS SAFE registered engineer.
- An appropriate sloped surface/ structure shall be provided to the flat surface of the perimeter wall to the whole of the licensed areas in order to discourage and minimise the risk of persons sitting on the surface of the wall and placing objects onto the surface of the walls. The structure must be appropriate strength and rigidity to withstand potential pressures which may be applied and be appropriately and substantially fixed, and in such a way that it can not be removed or tampered with by members of the public. The sloped structure/barrier shall be inspected daily by a competent person and any defects shall be repaired immediately.
- Dedicated members of staff shall monitor the outside perimeter walls on both level 9 and 10 to ensure no one attempts horseplay or to climb on the wall, explain your procedure.
- The seating structure shall be constructed and maintained so as to minimise any risk of structural failure or collapse. All demountable temporary structures should be designed and constructed in accordance with the guidance contained in the institute of structural engineers publication “ Temporary Demountable Structures”. The structures shall be inspected by an independent competent person on completion and a certificate obtained to state that the structure has been inspected and is safe and fit for purpose intended.
- Ensure that all drinks are served in polycarbonate glassware to prevent injuries to staff and to prevent incidents of violence where glassware can be used as weapons.

I therefore object to this application on grounds of Public Safety until the matters above have been addressed.

Farhad Chowdhury
Principal Enforcement Officer