



The Licensing Unit
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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/21/ 2840/16

Date: 23rd November 2016

Re:- Bola 8 Ltd, 113c & 122 Elephant Road SE17 1LB

Dear Sir/Madam

Police are in receipt of an application from the above for a new premises licence to be granted under the licensing act 2003.

The venue is described as a late night bar and restaurant and police have had a pre application meeting with the proposed designated premises Supervisor (DPS) at which he described it as an upmarket cocktail bar with restaurant. The target market would be young professionals from the new residential developments close to the elephant and castle.

The venue currently holds a licence for part of the premises but is looking to expand the licensed area and as such has submitted an application for a new licence. If granted police would like to see a condition that the old licence be surrendered.

The current licence has a 06.00hrs terminal hour 7 days a week and the granting of the new application would see a reduction in the operation and the police welcome this.

The following conditions are to be considered for the promotion of the four licensing objectives, in particular the prevention of crime and disorder. A number of the conditions were discussed and have been offered as part of the operating schedule but the wording is crucial to negate ambiguity.

1. 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 a clear facial image of every person who enters the licenced area and all areas used for licensable activities.

2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council. There will be at least one person on duty at all times that is familiar with the operation of the CCTV and able to download the footage upon request.
3. That all staff involved in the sale of alcohol are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
4. That two SIA registered door supervisors will be engaged when the premises are in operation after 22.00hrs and will be employed at all times the licence is in operation until the end of business and all patrons have vacated the premises they will be engaged to monitor admission and re-admissions to the premises, security, protection, screening and dealing with conflict.
5. That no spirits (alcohol containing more than 20% ABV) shall be sold by the bottle or half bottle.
6. That all spirits (alcohol containing more than 20% ABV) shall be sold by the measure of 25ml or 35ml at a maximum of two measures per container/glass
7. An ID scanning system to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 22.00hrs whilst the premises are in operation under the premises licence. All persons that enter the premises including staff, Patrons, DJ's and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days.
8. Customers shall use no outside area on Elephant Road after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette and No more than 5 people at one any time.
9. That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents

The Following is submitted for your consideration, Police would welcome the opportunity to conciliate with the applicant should the need arise.

Yours Sincerely

PC Graham White 288 MD
Southwark Police Licensing Unit

From: Newman, Paul
Sent: Wednesday, November 23, 2016 2:22 PM
To: Regen, Licensing
Cc: 'info@faktorylondon.co.uk'; Tear, Jayne
Subject: RE: Bola 8 Ltd - First and Ground Floor 113c Elephant Road

Hi Sarah

Thank you for the copy of an application for a new premises licence by Bola 8 Limited at 113C Elephant Road.

I wish to object to the application on the grounds of prevention of public nuisance.

The application specifies the premises to be a restaurant and bar, and currently holds a premises licence which has later hours than those sought on this application. This application seeks to permit use of an additional floor.

- If the sub-committee are minded to grant this application, I would recommend that the new licence does not take effect unless and until the current licence is surrendered.

The application includes live band and music with DJ, alongside sales of alcohol. These activities could allow the premises to be used for nightclub activities, in addition to the stated uses. The premises appears not to have the benefit of planning consent for use as a nightclub.

- I would recommend that a condition is imposed on the licence prohibiting use for nightclub activities unless and until the licence holder obtains sui generis planning consent for use of the premises as a nightclub.

New residential flats have recently been built nearby, and occupation will begin soon.

- I would recommend that a condition is imposed requiring entertainment noise from the premises to be inaudible at the façade of any residential premises after 11 pm.

Kind regards

Paul Newman

Principal Environmental Health Officer

Postal address: Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | PO Box 64529 | London | SE1P 5LX.

Office address (By appointment only) : Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

Tel: 020 7525 3551 | Fax: 020 7525 5705 | e mail: paul.newman@southwark.gov.uk

visit: <http://beta.southwark.gov.uk/air-quality>



Please consider the environment - do you really need to print this email?

MEMO: Licensing Unit

To	Licensing Unit	Date	25 November 2016	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

Subject Re: Bola 8 Ltd, Ground & First Floor, Railway Arches 113C, Elephant Road, London,
SE17 1LB – Application for a premises licence

I write with regards to the above application to vary the premises licence submitted by Bola 8 Ltd T/A FACTORY under the Licensing Act 2003, which seeks the following licensable activities:

- Live music (indoors) on Monday to Sunday from 11:00 to 02:00 the following day
- Recorded music (indoors) on Monday to Sunday from 11:00 to 05:00 the following day
- Anything of a similar description to live music, recorded music and performance of dance (indoors) on Monday to Sunday from 11:00 to 05:00 the following day
- Late night refreshment (indoors) on Monday to Sunday from 23:00 to 05:00 the following day
- Supply of alcohol (on the premises on Sunday to Wednesday from 11:00 to 02:30 the following day, and on Thursday to Saturday 11:00 to 04:30 the following day
- Overall opening times shall be on Monday to Sunday from 11:00 to 05:00 the following day

The premises is described as a '*Late night Bar and Restaurant*'

This premises is situated in the Elephant and Castle Major Town Centre area and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times for restaurants and cafes on Sunday to Thursday is 00:00 and on Friday and Saturday is 01:00. The appropriate closing times for public houses, wine bars or other drinking establishments on Sunday to Thursday is 23:00 and on Friday and Saturday 00:00

I therefore submit this representation with regards to crime and disorder and public nuisance as the later operation of the premises and of people leaving the premises later a night would impact upon local residents living nearby and in the surrounding streets. The management would have no control of patrons that have left the premises if it were allowed to open later and the possible impact of any rowdy and anti-social behaviour or crime and disorder.

Due to the limited information on the application form I ask the applicant to provide the following information

- That an accommodation limit of the premises is provided with details of how that will be controlled.
- To provide a written dispersal policy for the premises (depending on the accommodation limited).
- To consider amending the application in to be in line with the opening hours recommended in the licensing policy to promote the licensing objectives.

I therefore submit this representation and welcome any discussion with the applicant

Southwark's Statement of Licensing Policy 2016 – 2020 can be found on the following link:

[http://www.southwark.gov.uk/downloads/download/4399/licensing_act_2003 -
_southwark_statement_of_licensing_policy_2016 - 2020](http://www.southwark.gov.uk/downloads/download/4399/licensing_act_2003_-_southwark_statement_of_licensing_policy_2016_-_2020)

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

MEMO: Licensing Unit

To Licensing **Date** 22nd November 2016
Copies Jayne Tear – Responsible Authority
From Farhad Chowdhury **Telephone** 020 7525 0398
Email Farhad.chowdhury@southwark.gov.uk

Subject: Bola 8 Limited, T/A Faktory

I write in reference to the application made by Bola 8 Limited for a premises licence to be granted for ground floor and first floor, 113C Elephant Road London SE171LB.

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

- 1) 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.

- 2) Stipulate how many smoking areas will be at the premises. The first floor smoking area marked on the plan shall **not** be used for smoking. This area has a low ceiling corridor leading to the smoking area, and in case of emergency persons cannot escape safely. The Fire officer has also advised you not to use it, yet officers recently observed your customers using this space.

- 3) Ensure the ground floor smoking area complies with The Smoke-free (Premises and Enforcement) Regulations 2006. Ensure the ceiling is not substantially enclosed.

- 4) Provide an NICEIC approved electrical inspection report of the premises, and portable appliances testing records for all portable electrical appliances.

- 5) 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.

- 6) In the event of failure of main lighting explain how you would allow patrons to leave the premises in a safe manner. Will there be emergency lighting in all areas, how will customers be managed during power failures.
- 7) 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.
- 8) Please explain what the maximum capacity of the whole premises is including the first floor and ground floor, as it does not state in the application form.
- 9) Explain how you will control overcrowding within the premises.
- 10) Explain how many Fire Fighting Equipment you have within the premises.
- 11) Provide adequate method of heating and ventilation within the premises.
- 12) Provide suitable and sufficient WC's within the premises for both male and female customers including a disabled access WC, with a supply of hot and cold running water to the wash hand basin.

I therefore object to this application on grounds of public safety, until the matters above have been addressed properly.

Farhad Chowdhury
Principal Enforcement Officer

From: Masini, Bill
Sent: Monday, November 07, 2016 3:50 PM
To: Regen, Licensing
Cc: Tear, Jayne
Subject: Application for new licence - Bola 8 Ltd - Railway arches 113c & 122 Elephant Road SE17 1LB

As a Responsible Authority under The Licensing Act, Trading Standards are in receipt of the application for a premise licence for Bola 8 Ltd at Railway arches 113c & 122 Elephant Road SE17 1LB and respond accordingly under the Licensing objectives of The Protection of Children from harm.

Trading Standards note from the application the business to be “late night bar and restaurant “

Trading Standards note the requested hours for:

1. live music to be 11:00 to 02:00 - 7days a week
2. recorded music and “anything similar” to be 11:00 to 05:00 – 7days a week
3. late night refreshment to be 23:00 to 05:00 – 7days a week

4. supply of alcohol to be:

Monday 11:00- 02:30

Tuesday 11:00 – 02:30

Wednesday 11:00 – 02:30

Thursday 11:00 – 04:30

Friday 11:00 – 04:30

Saturday 11:00 – 04:30

Sunday 11:00 – 02:30

5. Opening hours to be 11:00 – 05:00 – 7 days a week

Trading Standards welcome the statements in the application to promote the four licensing objectives but for completeness and clarity would like to see the following conditions on the licence to address the potential for harm of selling alcohol to children and their well being.

- That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
- That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
- That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.
- Any children must be accompanied and supervised by a responsible adult.
- There shall be no children on the premise after 10pm.

Bill Masini - Trading Standards Officer

Southwark Council Trading Standards | Environment & Leisure

3rd Floor Hub 1, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 2629 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Visit our web pages www.southwark.gov.uk/TradingStandards

Need clear practical consumer advice? Visit Consumer Direct at

www.direct.gov.uk/consumer

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Monday, November 21, 2016 2:51 PM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: RE: Bola 8 Ltd - Ground and First Floor Railway Arches 113C

To whom it may concern:

Re: Bola 8 Ltd, 113c & 112 Elephant Road, London SE17 1LB

On behalf of the Acting Director of Public Health for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

The representation is made in respect of the following licensing objective(s):

- The prevention of crime and disorder
- Prevention of public nuisance
- Public safety

General Comments

The applicant requests a new licence for the sale of alcohol on the premises between the hours of 11:00 and 02:30 on Sundays to Wednesdays and 11:00 – 04:30 on Thursdays to Saturdays. I have concerns regarding the hours of alcohol sales requested. I would suggest an earlier finishing time for alcohol sales. Research suggests that increased hours of alcohol sales are associated with increased alcohol consumption, increased alcohol-related injuries, and increased alcohol-related harm. Moreover, Southwark's statement of licensing policy recommends a closing time for alcohol sales of 23:00 on Sundays to Thursdays and 00:00 on Fridays and Saturdays for this type of establishment in this location.

Recommendations

- I recommend that the end time for alcohol sales be changed to 23:00 on Sundays to Thursdays and 00:00 on Fridays and Saturdays, as per Southwark's statement of licensing policy

If you have any further questions, please do not hesitate to contact me.

Carolyn Sharpe

on behalf of Dr Jin Lim, Acting Director of Public Health

Carolyn Sharpe | carolyn.sharpe@southwark.gov.uk | 02075250025

Public Health Officer (People & Health Intelligence), London Borough of Southwark, 160 Tooley Street, London SE1 2QH



Chief executive's department

Planning division
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EH & TS Licensing Unit
Hub 2 3rd Floor Tooley Street

X

Your Ref: 856325
Our Ref: 16-CE-01046
Contact: Gavin Blackburn
Telephone: 020 7525 7007
Fax: 020 3357 3101
E-Mail: planning.enquiries@southwark.gov.uk
Web Site: <http://www.southwark.gov.uk>

Date: 17/11/2016

Dear Sir/Madam

Premises Licensing re:

BOLA 8 LIMITED RAILWAY ARCHES 111C TO 122, ELEPHANT ROAD, LONDON, SE17 1LB

Summary description: New Application

Date Received: 28/10/2016

The licence is objected to on grounds of nuisance and that it is likely to result in criminal activity.

The premises exits onto a narrow road where a large mixed use development has recently been completed. Whilst late night train service provision is increasing in terms of underground services. The immediate area is not well suited to quiet dispersal of patrons at 5:00am because of the side street nature of the road. There are other late night venues at the Walworth Road end of the road, but these are further away from residents and are long established adding a further late night venue on this road would be an over provision in a confined area that would result in disturbance in the early morning. The ground floor of the proposed premises is subject to a planning enforcement notice. The first requirement of the notice is to cease use of the property as a mixed use incorporating, a cafe snack bar, restaurant, bar and nightclub and any use including a bar or nightclub element.

The hours of operation proposed, the security measures described, the reference to DJs within the application are indicative that use as a late night bar and nightclub is proposed. That use would clearly be in contravention of the planning enforcement notice and an offence under section 179 Town & Country Planning Act 1990. Whilst licensing and planning are separately regulatory systems regard to the prevention of crime objective of the licensing system cannot be sustained if a licence is granted that will plainly result in the commission of a criminal offence.

Yours faithfully

Gavin Blackburn

Senior Enforcement Officer