

MEMO: Licensing Unit

To Licensing Unit **Date** 15 July 2019

Copies

From Jayne Tear **Telephone** 020 7525 0396 **Fax**

Email jayne.tear@southwark.gov.uk

Subject Re: Hawkes, 90 Druid Street, London, SE1 2HQ

– Application to review the premises licence.

I write with regards to the above application to review the premises licence submitted by Ms Scarlett Bochan under the Licensing Act 2003.

The application is submitted under the prevention of crime and disorder; the prevention of public nuisance, public safety and the protection of children from harm licensing objectives.

In summary the application is concerned that the premises is 'associated with *Public Nuisance: Breaching of licence conditions, noise emanating from the premises, patrons being allowed to drink outside and create noise. Public Safety: Severe Anti Social Behaviour (ABS) due to allowing patrons to drink outside. Protection of children from harm: The noise and ASB is having a huge impact on family life*'.

The premises is situated in a residential area and under the Southwark Statement of Licensing policy the appropriate closing times for Restaurants; Cafes, Public Houses, Wine bars or other drinking establishments is 23:00 daily.

The premises is currently licensed, in line with the licensing policy, as follows:

- Opening hours: Monday to Sunday from 07:00 to 23:00
- Sale by retail of alcohol to be consumed on premises: Monday to Sunday from 10:00 to 22:30
- Sale by retail of alcohol to be consumed off premises: Monday to Sunday from 10:00 to 23:00

The licensee is Hawkes Cider Limited and the designated premises supervisor (DPS) is now Jennifer Macfarlane

My representation is submitted under the prevention of crime and disorder; the prevention of public nuisance and public safety licensing objectives and has regard to the Southwark Statement of Licensing Policy 2019 – 2021.

At the time this review was submitted on 15 June 2019 the DPS was Megan Elizabeth Drummond and an application to vary the DPS to Jennifer Macfarlane was received on 25 June 2019.

Following ongoing complaints received Licensing officers visited the premises on 29 June 2019 to carry out an inspection and found the premises to be in breach of the licence conditions a warning letter was sent to the licensee on 2 July 2019. I attach a copy of the warning letter to this representation.

There have been previous complaints to the licensing unit regarding noise and antisocial behaviour from the patrons of the premises and officers of the councils Night Time Economy Team and Noise Team have been monitoring the area.

I therefore submit this representation and may provide further supporting information at a later stage.

Southwark's Statement of Licensing Policy 2019 – 2021 can be found on the following link:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>

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

Hawkes
92-96 Druid Street
London
SE1 2HQ

Licensing Unit
Direct Line: 02075257529

2 July 2019

Dear Hawkes Cider Limited

**RE: THE LICENSING ACT 2003 – WARNING LETTER
(Hawkes, 92-96 Druid Street, London, SE1 2HQ)**

On 29 June 2019 at 21:40 Licensing Enforcement Officers carried out an inspection to determine whether the licensable activities at the above premises were carried out in accordance with your authorisation.

In addition to the above, the Officers also considered 'risk assessment' criteria that would help determine the frequency of future inspections to your premises.

During the inspection the officer witnessed the following:

1. 345 That a member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device. **Contrary to condition 345 on the premises licence**
2. 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 **Contrary to condition 289 on the premises licence**
3. That there shall be a personal licence holder on duty on the premises at all times when alcohol is being supplied. **Contrary to condition 336 on the premises licence**

Each of the matters listed above potentially constitutes a breach of the licence issued by the Council under the Licensing Act 2003.

You must ensure that licensable activities and hours of operation are in accordance with those listed on your premises licence. You must also ensure that the conditions attached to your licence are adhered to. A further visit will be made to check on these matters.

Southwark Council - Regulatory Services, Licensing team, Hub 1, 3rd Floor, PO Box 64529, SE1P 5LX
Switchboard - 020 7525 5000 **Website** - www.southwark.gov.uk
Strategic Director of Environment and Leisure- Caroline Bruce

If compliance is not achieved the Council may take formal action that may affect your license or lead to a prosecution. A person found guilty of an offence under the above section is liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding £20,000.

I hope this warning will ensure that compliance is achieved and no further action will be required.

Thank you in anticipation of your co-operation. Should you wish to discuss this matter with a Licensing Enforcement Officer Please contact us by email at licensing@southwark.gov.uk or by telephone on between the hours of 9.00 and 17.00, Monday to Friday. Alternatively you can write or visit us at the above address.

Yours sincerely,

Charlie Jerrom
Licensing Enforcement Officer
charlie.jerrom@southwark.gov.uk



Hawkes Brewing Company Limited
92 Druid Street
London
SE1 2HQ

Licensing Unit
Direct Line: 020 7525 5767
Direct Fax: 020 7525 5705
Our Ref: CMU: 885430

23 October 2018

Dear Sirs,

Licensing Act 2003 – Warning Letter
Hawkes - 92 Druid Street, London, SE1 2HQ

The Licensing Authority has been receiving a number of complaints from local residents in relation to the management of your premises. The complaints are mainly in regards to the use of the external area, immediately in front of your premises, onto Druid Street.

I note from your premises licence that there is condition which states:

356 *No more than 30 customers are permitted in the designated outside area at any one time.*

Visit at 19:10 on Friday 19 October, I visited the premises and spoke to supervisor Anna Gunn. Whilst no issues were present at the time of the visit, I have since received a video from a resident which clearly shows 40+ persons in the external area. It would appear that the crowd had arrived via two red double decker busses, on open-topped, with information that this took place over the weekend of October 12th/13th.

In addition, the video complainant also tells us that you have permitted children on the premises beyond 20:00hrs. Be reminded that you have the following condition on the licence:

353 No entry to children after 8pm.

I would advise you that each of the above are potential breached of the premises licence which constitute offences under Section 136 (1) (a) of The Act states that:

“A person commits an offence if -

Licensing Unit - Environment & Housing, Hub 2, Floor 3, 160 Tooley Street, London, SE1 2QH
Switchboard - 020 7525 5000 **Website** - www.southwark.gov.uk
Strategic Director Environment & Housing - Deborah Collins
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- (a) *He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or*
- (b) *knowingly allows a licensable activity to be so carried on.*

A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or an unlimited fine.

Licensing Officers will be monitoring your premises and any breaches may lead to enforcement action, which could result in a prosecution and/or a review of the licence.

In addition, the Authority continues to receive noise complaints regarding the premises, again this mainly focuses on the use of the external area. Please make sure that you SIA staff remain vigilant to the needs of your residential neighbours.

Yours sincerely,

Andrew Heron
Principal Licensing Enforcement
andrew.heron@southwark.gov.uk