



AGENDA

LICENSING COMMITTEE

Date: TUESDAY, 12 APRIL 2022 at 7.00 pm

Via Microsoft Teams - the public are welcome to observe via the Council's website at <https://lewisham.public-i.tv/core/portal/home>

Enquiries to: Clare Weaser
Telephone: 0208 314 7369 (direct line)
Email: clare.weaser@lewisham.gov.uk

MEMBERS

This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed.

Councillors:

Councillor Eva Stamirowski (Chair)
Councillor Bill Brown (Vice-Chair)
Councillor Juliet Campbell
Councillor Colin Elliott
Councillor Alan Hall
Councillor Coral Howard
Councillor Caroline Kalu
Councillor Samantha Latouche
Councillor Susan Wise

Members are summoned to attend this meeting

Kim Wright
Chief Executive
Laurence House
Catford
London SE6 4RU
Date: 4 April 2022



The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

ORDER OF BUSINESS – PART 1 AGENDA

Item No		Page No.s
1.	Minutes	1
2.	Declarations of Interest	2 - 5
3.	2 Loampit Hill London SE13 7SW	6 - 44



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Licensing Committee

Minutes

Date: 12 April 2022

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive

Outline and recommendations

Members are asked to consider the Minutes of the meeting of the Licensing Committee, held on 24 March 2022.

Recommendation

That the Minutes of the meeting of the Licensing Committee, held on 24 March 2022 be confirmed and signed.

Agenda Item 2



Licensing Committee

Declarations of Interest

Date: 12 April 2022

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive

Outline and recommendations

Members are asked to declare any personal interest they have in any item on the agenda.

1. Summary

- 1.1. Members must declare any personal interest they have in any item on the agenda. There are three types of personal interest referred to in the Council's Member Code of Conduct:
 - (1) Disclosable pecuniary interests
 - (2) Other registerable interests
 - (3) Non-registerable interests.
- 1.2. Further information on these is provided in the body of this report.

2. Recommendation

- 2.1. Members are asked to declare any personal interest they have in any item on the agenda.

3. Disclosable pecuniary interests

3.1 These are defined by regulation as:

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:
 - (a) that body to the member's knowledge has a place of business or land in the borough; and
 - (b) either:
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

4. Other registerable interests

4.1 The Lewisham Member Code of Conduct requires members also to register the following interests:

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25.

5. Non registerable interests

- 5.1. Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

6. Declaration and impact of interest on members' participation

- 6.1. Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take not part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- 6.2. Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph 6.3 below applies.
- 6.3. Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- 6.4. If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- 6.5. Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

7. Sensitive information

- 7.1. There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

8. Exempt categories

- 8.1. There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-
 - (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
 - (b) School meals, school transport and travelling expenses; if you are a parent or

guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor

- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception).

Agenda Item 3



Licensing Committee

Report title: Le 5 Terre – 2 Loampit Hill, London, SE13 7SW

Date: 12 April 2022

Key decision: No.

Class: Part 1.

Ward(s) affected: Ladywell

Contributors: Community Services – Licensing Authority, Head of Law.

Outline and recommendations

Determination of an application for a variation to a Premises Licence submitted by Arpa Food Ltd.

After having regard to all the representations heard, Members must take such steps as they consider appropriate to promote the Licensing Objectives.

Timeline of engagement and decision-making

The Application was advertised in accordance with regulation 25 of the Licensing Act 2003.

The last day for representations was 17 March 2022.

This matter must be heard within 20 working days from the day after the last day of representations.

This is an application to vary an existing premises licence

1. Current Licence Status

The premises are currently licensed for the following activities:

Sale by retail of alcohol for consumption on and off the premises

11:00 – 23:00 Monday

11:00 – 23:00 Tuesday

11:00 – 23:00 Wednesday

11:00 – 23:00 Thursday

11:00 – 23:00 Friday
11:00 – 23:00 Saturday
11:00 – 23:00 Sunday

2. Application

- 2.1 The application to vary the existing premises licence was sent to all the Responsible Authorities.

The application is for the following variations:

- 2.2 Extend the hours for the sale by retail of alcohol (currently 1100 – 2300hrs daily) to 0500 daily.
- 2.3 To add late night refreshment (both ON and OFF the premises) 2300 – 0500 daily.
- 2.4 Two representations were received. Firstly, from the Metropolitan Police on the grounds of prevention of crime and disorder as well as the prevention of public nuisance and secondly the Crime, Enforcement and Regulation team (CER) from Lewisham Council on the grounds of prevention of public nuisance.
- 2.5 The representations received have been examined by Officers and are not considered to be vexatious or frivolous. The representations were received within the specified time.
- 2.6 The application for the new premises licence has been advertised in accordance with regulation 25, an advert in a local newspaper and a notice prominently displayed at the premises for a period of 28 consecutive days. The last date for receiving representations was the 17th March 2022.

3. Outline of objections received

- 3.1 The Metropolitan Police have objected on the grounds of prevention of crime and disorder as well as the prevention of public nuisance.
- 3.2 The premises is outside of the established areas for night time economy and is surrounded by residential properties, specifically in Elswick Road. It is suggested that customers and deliveries coming and going until 5am could therefore have a detrimental impact upon the amenity of residents.
- 3.3 There have been multiple reports of issues made to the Police over the last few years including noise nuisance, anti-social behaviour as well as other suspicious activities. On those occasions where Police have investigated alleged licensing breaches, they have suggested that they have been obstructed by those in control of the premises.
- 3.4 With this in mind, the Metropolitan Police are unwilling to support the variation of this licence to allow the sale of alcohol and late night refreshment until 5am every day of the week.
- 3.5 The Council's CER team have also objected on the grounds of prevention of public nuisance.

- 3.6 The premises is situated within an area classed as a District Hub; as such it is the CER teams view that cessation of licensable activities within bars, pubs and restaurants in such a location should be midnight Sunday – Thursday and 01:00 Friday and Saturday, in line with the Statement of Licensing Policy.
- 3.7 It is the concern of the CER team that should the application be granted in the current form, the premises would impact negatively on the local community and generate noise and anti-social behaviour reports, particularly from the dispersal of patrons at closing time.
- 3.8 In addition to this, the CER service have received objections from members of the public who live in close proximity to the premises who have had ongoing noise issues for the last 15 months from the premises. Due to fear of reprisals however, they have not been included within the objection pack for this committee.

4. Legal & Human Rights Implications

- 4.1 The Licensing authority is a public authority under the Human Rights Act 1998. Therefore the licensing authority is required to act compatibly with the convention rights in the exercise of their functions. Article 6 (1) of the Convention provides that everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial hearing established by law.
- 4.2 A Premises Licence is a possession for the purpose of the Human Rights Act 1998. The right to hold a licence is a qualified rather than an absolute right. Therefore the right to hold a licence may be interfered with if it affects the interests of local residents or others. Such interference may be justified if it is necessary and proportionate to promote the licensing objectives.

5. Equalities Implications

- 5.1 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 5.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
 - eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 5.3 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above.

- 5.4 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Committee, bearing in mind the issues of relevance and proportionality. The Committee must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 5.5 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>
- <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>
- 5.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- [The essential guide to the public sector equality duty](#)
 - [Meeting the equality duty in policy and decision-making](#)
 - [Engagement and the equality duty: A guide for public authorities](#)
 - [Objectives and the equality duty. A guide for public authorities](#)
 - [Equality Information and the Equality Duty: A Guide for Public Authorities](#)
- 5.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:
<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

6. Application for the variation of a premises licence

6.1 After having regard to all representations, Members must take such steps as they consider necessary for the promotion of the licensing objectives. The licensing committee may:

- (a) to modify the conditions of the licence;
- (b) to reject the whole or part of the application.

and for this purpose the conditions of the licence are modified if any of them is altered

- or omitted or any new condition is added.
- 6.2 An appeal may be made against the decision to the Magistrates Court within 21 days.

Background Papers

<u>Short Title of Document</u>	<u>Date</u>
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Application for Variation to Premises Licence	17 February 2022
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Evidence / documents	As dated
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Should you require any further information on this report please contact Richard Lockett at Licensing Services on 020 8314 3389.



Lewisham
Application to vary a premises licence
Licensing Act 2003

For help contact

[licensing@leisham.gov.uk](mailto:licensing@lewisham.gov.uk)

Telephone: 020 8314 7237

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

Yes

No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business	owner	The country where the headquarters of your business is located.
Home country	United Kingdom	
Registered Address		Address registered with Companies House.
Building number or name	2 loampit hill	
Street	Loampit hill	
District	LEWISHAM	
City or town	London	
County or administrative area		
Postcode	SE13 7SW	
Country	United Kingdom	

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number PL 1424

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	2 LOAMPIT HILL
Street	LOAMPI HILL
District	LEWISHAM
City or town	LONDON
County or administrative area	UK
Postcode	SE13 7SW
Country	United Kingdom

Premises Contact Details

Telephone number	020 8259 6485
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Continued from previous page...

Non-domestic rateable
value of premises (£)

5,400

Section 3 of 18

VARIATION

Do you want the proposed
variation to have effect as
soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

Yes No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

WE ARE ITALIAN PIZZERIA EAT IN AND TAKE AWAY, WE ALREADY HAVE PREMISES LICENCE FOR SUPPLIING ALCHOOOL DAY TIME AND WE WOULD LIKE TO APPLY FOR LATE NIGHT REFRESHEMNT

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to
vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to
vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Provide timings in 24 hour clock
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors

- Outdoors

- Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

NO MUSIC IN THE PREMISES, WE ARE JUST A PIZZA PLACE AND WE WOULD LIKE TO SELL OUR PRODUCTS LATE NIGHT,
MOST WILL BE DELIVERY AND TAKE AWAY SO NO HIGH MUSIC OR NOISE

Continued from previous page...

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NO VARIATIONS

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NO NON STANDARD TIMING

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes

No

Standard Days And Timings

MONDAY

Start	11:00
Start	[]

End	05:00
End	[]

Provide timings in 24 hour clock
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start	11:00
Start	[]

End	05:00
End	[]

WEDNESDAY

Start	11:00
Start	[]

End	05:00
End	[]

THURSDAY

Start	11:00
Start	[]

End	05:00
End	[]

FRIDAY

Start	11:00
Start	[]

End	05:00
End	[]

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NO SEASONAL VARIATIONS

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NO NON STANDARD TIMINGS

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NO ADULT ENTERTAINMENT

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Page 17

Continued from previous page...

MONDAY

Start

End

Provide timings in 24 hour clock
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NO SEASONAL VARIATIONS

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NO NON STANDARD TIMING

Continued from previous page...

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

NOW WE OPERATE EVERY DAY 11.00 TO 23.00, WE JUST WOULD LIKE TO SELL OUR FOOD TILL 5am

- I have enclosed the premises licence
 I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The Licensee, that is the person in whose name the premises licence is issued, shall ensure that all times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

b) The prevention of crime and disorder

CCTV installed, operated and maintained to the satisfaction of us and the chief officer of police in accordance with the requirements set out in our licensing policy.

• The CCTV system will operate at all times whilst the premises are trading. If the system is faulty or not working then the police and us must be informed immediately. Details of the malfunction must be recorded in the premises incident book. No customers will be permitted to take open containers of alcoholic or soft drinks from the premises.

That all alcohol sales for consumption off premises, will be sold in sealed containers.

That all alcohol sales for consumption off premises must be made online/Telephone for delivery only

c) Public safety

The licence holder or people authorised by them must check the premises before it opens to the public to ensure there are no risks to patrons and that all safety precautions are in place.

The licence holder must ensure that all staff receive appropriate training about emergency and general safety precautions and procedures.

The licence holder must ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol.

Free drinking water must be made available at all times the premises is open to the public.

The telephone numbers of local taxi operators must be prominently displayed at the premises for the benefit of customers.

All bottles and glasses and rubbish must be removed from public areas on a regular and frequent basis.

That all alcohol sales for consumption off premises, will be sold in sealed containers.

That all alcohol sales for consumption off premises must be made online/Telephone for delivery only.

Continued from previous page...

All safety certificates and inspection reports will be kept on site and made available for inspection by officers of relevant statutory bodies.

The fire safety measures provided on the premises must be maintained in good working order, and their adequacy will be determined on a regular basis, by the carrying out of a fire risk assessment as required by, and in accordance with the Regulatory Reform (Fire Safety) Order 2005.

An adequate and appropriate supply of first aid equipment and materials must be available on the premises.

d) The prevention of public nuisance

The licence holder must ensure that staff regularly patrol the premises both indoors and out to supervise the orderly conduct of patrons.

- Prominent, legible notices requesting people to leave the premises and the area quietly must be displayed at all times.
- The licence holder, or persons authorised by them, must control the volume of regulated entertainment taking place at the premises.
- No music or speech is permitted to be played by external speakers without written consent from us.
- The licence holder must control the volume of regulated entertainment taking place at the premises, by the installation of a noise limiter.
- All external doors and windows will be kept shut, other than for access and egress, in all rooms when events involving amplified music or speech or other entertainment are likely to rise to noise.
- Suitable signage must be displayed in the garden areas requesting patrons to respect the amenities of local residents.
- Where outside areas are provided for the use of patrons facilities for the disposing and collecting of litter will be maintained.
- To minimise the effect of littering, the applicant will provide litter bins both inside and directly outside the premises. During opening hours, and at the close of business, arrangement must be made for litter from the business to be collected from the immediate vicinity and stored inside the premises pending collection.
- Where drinks are going to be consumed in outdoor areas they must be served in plastic or toughened glass.

e) The protection of children from harm

- A proof of age policy agreed in writing by us must be enforced.
- A challenge 21/25 policy must be employed where those individuals who appear to be under the age of 21/25 attempting to purchase alcohol must be asked for identification. The only type of ID that will be accepted is PASS accredited ID, passport or photo driving licence.
- Only plastic glasses or bottles will be permitted in children's play areas, beer gardens and recreational areas, or in any area where customers are required to remove footwear.
- Any restrictions on the admission of children to the premises must be displayed outside the premises.
- No one under the age of 18 years must be admitted into the premises whilst entertainment of an adult nature is taking place.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Please go to this link for fees <http://www.lewisham.gov.uk/Business/LicencesAndStreetTrading/AlcoholAndEntertainmentLicences/FeesList.htm>

* Fee amount (£)

190.00

DECLARATION

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

Paolo Valetto

* Capacity

owner

* Date

12 / 02 / 2022

dd

mm

yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/lewisham/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
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PL - Lewisham Borough

9 Holbeach Road,
Catford. SE6 4TW

Telephone: 07795 801039
Email: Simon.Butler@met.police.uk
www.met.police.uk

Your ref:

Our ref:

17th March 2022

Dear Licensing Team,

Police have received an Application for a Full Variation of Licence at Le 5 Terre, 2, Loampit Hill, SE13 7SW.

Licence Conditions already in place –

Annex 2-Conditions consistent with the operating Schedule

- 1 The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations. The entire Licensable area must be covered by CCTV camera footage.
- 2 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.
- 3 The CCTV must cover all areas of the venue that the public have access to and entire Licensable area shown on plan submitted during application. There should be no obstructions to any internal camera that creates areas that are not wholly covered by CCTV, apart from within toilet cubicles and directly covering men's urinals.

- 4 The allocated smoking area must be covered by CCTV that is to the same standards as the internal CCTV system.
- 5 The premises shall prominently display signage at all entrances informing customers:-
 - a) All persons entering the premise will produce identification when asked to do so.
 - b) Police may be called if drugs or weapons are found.
 - c) CCTV is in operation throughout this premises and is made available to the police.
 - d) Management reserve the right to refuse entry.
- 6 All customers to use designated smoking area to smoke and No more than 4 customers to be allowed outside at any one time.
- 7 Prominent signage to customers to be displayed in smoking area to keep quiet to respect local residents.
- 8 No customers will be allowed to take drinks outside the Licensable area.
- 9 Licensable area marked on the plan submitted in application/yard (outside area) must not allow customers to stand and cause disturbances for neighbouring residents.
- 10 Any customers using outside areas must use Plastics and not glass drinking containers.
- 11 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 12 No customers shall be permitted to leave the premise with any glass containers.
- 13 No alcohol to be consumed on the footpath outside the Premises unless authorised with a valid permit or Pavement Licence.
- 14 Any smoking areas shall be kept clean and well swept to ensure environment and local areas are tidy and litter/ cigarette waste to be disposed of in correct dustbins/ashtrays provided.
- 15 No children under the age of 18 will be permitted on the premises unless accompanied by an adult.
- 16 An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police on request, which will record the following:
 - (a) All crimes reported to the venue
 - (b) All ejections of patrons
 - (c) Any complaints received
 - (d) Any incidents of disorder
 - (e) All seizures of drugs or offensive weapons
 - (f) Any faults in the CCTV system or searching equipment or scanning equipment

- (g) Any refusal of the sale of alcohol
- (h) Any visit by a relevant authority or emergency service.
- (l) advertise a number for complaints from the public and all complaints to be recorded in the incident book.

- 17 When using the function room, the license holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services. This to encourage dispersal at close of Business.
- 18 Doors and windows to remain closed when playing recorded music, to ensure noise is kept to levels that will not impact the residents and local community.
- 19 Management should keep staff records/Immigration checks and ensure all employees have permitted documentation to allow them to Work and reside in the UK. Police and Local Authority may ask staff to produce suitable Identification to show compliance.
- 20 A Challenge 25 Policy should be in place to ensure any sales of Alcohol are not made to under age customers.
- 21 The Management must report all kinds of Criminality to Police immediately and then record findings in the incident book along with any Cad numbers provided to them.
- 22 Any Alcohol sold and consumed on the premises must be with a substantial meal.

Police wish to object to this New Application on ground of Prevention of Crime and Disorder and Prevention of Public Nuisance. The Full Variation was submitted to Police, and I have been informed that Representations need to be in by 17th March 2022. The main Objection around this application is the Operating hours that it has applied to operate under.

Police have had extensive experience with regards to this Property and its History.

Location -

This Premises is described as a small end of terrace shop in a small parade on a main route into London, but surrounded by residential properties. The Premises is situated next to a residential street, Elswick Road, where no businesses or retail outlets are currently in operation. This road is a quiet residential street of housing and is a one way road. On the main road, Loampit Hill/ Loampit Vale and surrounding Le Terre, are the following business and the hours they operate.

All the nearest licensed premises are listed below with the times of closure.-

The Rising Sun Pub, 120 Loampit Vale – Closes at 2300hrs

Chicha Restaurant 26 Loampit Hill – Closes latest on Friday/Saturday at 0130hrs.

Morleys Chicken – 6 Loampit Hill – Closes 0200hrs daily.

The Bar Beach Loampit Vale – Closes Midnight daily.

Any other businesses similar take away outlets –

Perfect Fried Chicken – Loampit Hill closes at 2300hrs

Everest Curry King – Loampit Hill closes at 2200hrs.

Police believe that there is no reason for this Premises to operate until 0500hrs as requested by the business owners and it is hard to see that the business would benefit from any extra business off the back of any night time economy. The location of this premises is purely surrounded by residential properties with families. This would not be proportionate and reasonable to be operating until the small hours on a daily basis. Police believe that extra activity that this business would bring operating until 0500hrs would impact on the peace and tranquillity of residents and families living in its sounding streets.

Most of the Boroughs night time economy is in New Cross Corridor, Blackheath, or Catford Town centres that would be too far away to benefit this business and justify staying open until 5am. This business would look to draw on other drinking outlets to attract customers in after closing, like most take away businesses, and this would NOT be the case. This location has no night time economy open to assist with supplying this premises with extra custom and no night clubs nearby. Alpha Lounge, in Lewisham High Street being the nearest, that serves its own food in its own restaurant.

Police strongly believe that leaving this premises to operate into what most consider to be breakfast times it is hard to see how to justify a Pasta take away outlet to remain open until 5am. The Noise Nuisance and disturbances to the local community would impact on the public with the daily routine. The impact on general comings and goings of delivery operators, the operations of the business, any customers that it would possibly attract until 5am would unreasonably increase noise complaints and disturb families causing a Public Nuisance.

It is the feelings of the Police that the latest business operating in the area is Morleys until 2am is by far the latest time that the community should tolerate and not be in line with upholding Licensing Objectives.

History of the Premises –

Since 2018.

Police have been mindful of the way this premises has been operating for some years since the premises was involved in drugs and illegal gambling activities.

3rd July 2018 – Previous Licensing Officer obtaining a joint Warrant with Immigration, Gambling Commission and Local Authority. This resulted in the arrest of 6 males in rear rooms of the premises found playing poker on tables set up and Illegal gambling found taking place. Three males were deported and other offences include Possession Class A Drugs and False Identification in driving Licences etc were found. Crime reports 3214579/18, 3214580/18 and 3214582/18 being recorded and Cad 867/03JUL18.

4th July 2018 – Closure Order granted by Bromley Magistrates Court.

27TH September 2020 – Cad 7277 at 2259hrs – reports of ASB noise Nuisance reported to Police stating Suspicious activities taking place and increase of vehicles and people using the side entrance to rear function rooms.

11th November 2020 – Cad 6048 at 1816hrs – reports of suspicious behaviour taking place. No Police unit attended, no units to deal. Not attended.

8th January 2021 – Cad 4936 at 1732hrs – Reports that build up, like a party setting up and increase in cars parking up and people entering through side entrance in to rear units. Police attended and found premises closed and couldn't gain access to the premises in order to check it. Left scene.

18th January 2021 – New Licence Issued.

2nd February 2021 – Cad 9275 at 2245hrs – ASB Noise nuisance reported to police and referred to Local Authority as Noise issues by Police operator.

3RD February 2021 – Cad 4334 at 1256hrs – ASB Noise nuisance reported and cad closed without a visit by Police. No units to attend.

23rd February 2021 – Cad 6513 at 1842hrs – Reports made to police Rowdy inconsiderate behaviour and noise coming from premises. Police sent e mail to Police Licensing and did not attend.

14th June 2021 – Cad 8869 at 2308hrs – Reports of Prostitutes entering rear of premises and garage area to the shop/ function rooms of the building. Police Intel report put on PLRT00572594. Information stating illegal gambling happening and suspected brothel.

1st July 2021 – Request made to DPS Francesca Ali for Cctv images for 0300hrs – 2350hrs and requested to cover the activities that are alleged to have been taking place.

2nd July 2021 – A reply stating that No Manager who could do this was on site received on an e mail.

6th July 2021 – Visit made to premises at 2035hrs and found Multiple Breaches to Licence with Conditions 1, 2, 5a, 5d, 7, 11, 16, 20 all Breached. Requested a second time for Cctv footage sent and reminder that it is a Licence Breach to not provided what has been requested. Found Cctv does NOT work and no one can operate it and as Police found Multiple Breaches Closure put in place.

8th July 2021 – Reply via e mail stating that they were taking Legal Advice regarding the Section 19 issued to location. Failed to provide Cctv that was requested and further Breaches found on visit. Section 19 issued and in place Crimint ref PLRT 00572977 by Pc Butler placed onto Police Intel system.

12th July – Request from Owners Mr Paolo Valetta to remove the Section 19 in place as he has apparently sorted all the Breaches out and all is now correct. Found that cctv does not cover the second function room and this was pointed out that cctv does NOT cover all Licensable area that is on the original plans that were supplied. Adjustments required to get Cctv operational in this second function room.

15th July 2022 - This request was refused as due to the amount of Breaches a second Compliance visit will be required, also now Cctv cannot be provided for investigation into alleged illegal activities.

19th August 2021 – Cctv now covers all Licensable areas shown on the plans submitted and therefore Section 19 Rescinded and permitted to Sell Alcohol again.

2nd December 2021 – Cad 9218 at 2238hrs – Police generated call stating that suspicious activities taking place. Police attended and could not gain access as shutters were down and shop closed.

Summary -

In regards to this application Police would NOT support this application under the prevention of Crime and Disorder and Prevention of Public Nuisance.

The reasons stated above that Police are aware of multiple incidents being reported to Police in the number of Cad's being generated and when Police looked into these matters to investigate them, the investigation was hampered by the actions of the Premises.

Failing to uphold Licensing Conditions and multiple Breaches found and what Police consider to be Obstruction into the investigation into previous activities reported by the Public surrounding the activities at this premises. The Licence conditions were put in place in order to uphold licensing objectives and prevent Crime and Disorder and Illegal activities and Police consider that the Management had Failed in its actions to assist Police in investigating what activities are being reported, leaving the public frustrated at Nuisance that's been going on without much action taking place.

Police requested footage to be provided by the premises were ignored, the request for the footage having to wait for 5 days, prompting Police to visit and Only then finding multiple failings and the Cctv not in working order.

Police have received multiple calls over a period of time of suspicious activities and goings on. Investigations found to have been hampered by the owners and premises in order that Police can investigate fully follow up on what has been alleged.

It is also clear that the Public have been reporting considerable Nuisance calls and therefore causing considerable Public Nuisance along with reports of Crimes being alleged. Police visiting findings that management have multiple failings in Licence Breaches showing signs of mismanagement of the premises.

It is Police concerns that the premises hours wishing to extend until 5am daily, will cause even more of a Nuisance to local residence in an area that is mostly residential and has no night time economy to suggest an increase for its requirement. A granting of proposals to allow the business to stay open until 5am would seriously increase potential for Crime and disorder to increase and what is generally a quiet area of the community.

The hours proposed are not conducive to the surrounding businesses closing at a more socially acceptable hour. Police feel that the hours already match that of Perfect Fried Chicken and Everest Curry king take away outlets already in this slip of shops and are immediate neighbours, both are closed by 2300hrs.

I look towards the Committee to, therefore, consider restricting hours of business to extend no later than Midnight in order to keep the impact to the community to an acceptable level and to see that Anti-social behaviour and disturbances for local residents are kept to a minimum. Extra hours to be considered by Police as

Damaging for the Local Community and just not necessary and would hamper licensing objective being upheld in this location.

For your consideration

Regards

Simon Butler

Police Licensing Officer for Lewisham Borough

9 Holbeach Road, Catford SE6 4TW



Crime Enforcement and Regulation
Service
9 Holbeach Road
Catford
London SE6 4TW

LICENSING TEAM
9 Holbeach Road
London
SE6 4TW

Direct line: 0208 314 7237
Email: cer@lewisham.gov.uk

Date 17.3.22

Dear Licensing Team,

**RE: Objection to Premises Licence Application – LE 5 TERRE 2 Loampit Hill
SE13 7SW**

On behalf of the Crime, Enforcement and Regulation Service acting as the Licensing Authority, I am writing to object to the application for a Full Variation made by Arpa food Ltd Trading as LE 5 TERRE for the aforementioned premises on the grounds of Public Nuisance.

The applicant has applied for the following activities:

To Add Late Night Refreshment On & Off

23:00 – 05:00am daily

Alcohol for consumption ON and OFF the premises

23:00 – 05:00am Daily

To update conditions as application

They are currently licence for:

Sale of Alcohol

11.00 - 23.00 Monday
11:00 - 23:00 Tuesday
11:00 - 23:00 Wednesday
11:00 - 23:00 Thursday
11:00 - 23:00 Friday
11:00 - 23:00 Saturday
11:00 - 23:00 Sunday

The premises is situated within an area classed as a District Hub; as such it is the Licensing Authority's view that cessation of licensable activities within bars, pubs and restaurants in such a location should be midnight Sunday – Thursday and 01:00 Friday and Saturday.

For the purpose of clarity I refer to the Lewisham Council's Statement of Licensing Policy 2020 – 2025 points 15.4 – 15.7.

It is our concern that the proposed activity would result in the following issues:

- Noise nuisance upon dispersal of patrons at closing time
- Some risk of drunkenness and related crime/anti-social behaviour

It is the concern of this Service that should the application be granted in the current form, the premises would impact negatively on the local community and generate noise reports.

The CER service have received objections from members of the public who live in close proximity to the premises who have had ongoing noise issues for the last 15 months from the premises but due to fear of reprisals they have not been included within the objection pack for this committee. We feel that the granting of this licence would seriously put the licensing objectives at risk.

Should you require further information, please let me know.

Kind regards

Lisa Spall
Crime, Enforcement & Regulation Team Manager



**Licensing Act 2003, Schedule 12, Part A
Regulation 33, 34**

Premises licence number

PL 1424

Premises name

LE 5 TERRE

Part 1- Premises details

Postal address of premises, or if none, ordnance survey map reference or description

2 Loampit Hill

Post town London

Post code SE13 7SW

Telephone number 020 8259 6485

Premises licence holder name

Arpa Food Ltd.

Original Grant Date: 18/01/2021

Issue: 18/01/2021

Directorate for Community Services
Licensing Team
Holbeach Office
9 Holbeach Road
London
SE6 4TW

Proper Officer for Licensing
London Borough of Lewisham

Where licence is time limited the dates

Licisable activities authorised by the licence

Sale by retail of alcohol

for consumption on and off the premises

The times the licence authorises the carrying out of licensable activities

Sale of Alcohol

11.00 - 23.00 Monday
11:00 - 23:00 Tuesday
11:00 - 23:00 Wednesday
11:00 - 23:00 Thursday
11:00 - 23:00 Friday
11:00 - 23:00 Saturday
11:00 - 23:00 Sunday

The opening hours of the premises

11.00 - 23.00 Monday
11:00 - 23:00 Tuesday
11:00 - 23:00 Wednesday
11:00 - 23:00 Thursday
11:00 - 23:00 Friday
11:00 - 23:00 Saturday
11:00 - 23:00 Sunday

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On and Off

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Arpa Food Ltd.

2 Loampit Hill
London
SE13
7SW

Registered number of holder, for example company number, charity number (where applicable)

12289014
Company

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Francesca Ali

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

19/03602/LAPER
London Borough of Bexley

Annex 1- Mandatory conditions

Mandatory conditions are in accordance as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014 or as may be amended from time to time.

No supply of alcohol may be made under the Premises Licence.

- (a)** At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b)** At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

- (a)** a holographic mark or
- (b)** an ultraviolet feature.

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph I

(a) "Duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "Permitted price" is the price found by applying the formula

$$P = D + (DXV)$$

Where -

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "Relevant person" means, in relation to premises in respect of which there is in force a premises licence

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “Value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph **(b)** of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph **(2)** applies where the permitted price given by Paragraph **(b)** of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.

a) games or other activities which require or encourage, or are designed to require or encourage, individuals to

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The responsible person must ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures.

(I) beer or cider: $\frac{1}{2}$ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2-Conditions consistent with the operating Schedule

- 1 The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations. The entire Licensable area must be covered by CCTV camera footage.
- 2 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.
- 3 The CCTV must cover all areas of the venue that the public have access to and entire Licensable area shown on plan submitted during application. There should be no obstructions to any internal camera that creates areas that are not wholly covered by CCTV, apart from within toilet cubicles and directly covering men's urinals.
- 4 The allocated smoking area must be covered by CCTV that is to the same standards as the internal CCTV system.
- 5 The premises shall prominently display signage at all entrances informing customers: -
 - a) All persons entering the premise will produce identification when asked to do so.
 - b) Police may be called if drugs or weapons are found.
 - c) CCTV is in operation throughout this premises and is made available to the police.
 - d) Management reserve the right to refuse entry.
- 6 All customers to use designated smoking area to smoke and No more than 4 customers to be allowed outside at any one time.
- 7 Prominent signage to customers to be displayed in smoking area to keep quiet to respect local residents.
- 8 No customers will be allowed to take drinks outside the Licensable area.

- 9 Licensable area marked on the plan submitted in application/yard (outside area) must not allow customers to stand and cause disturbances for neighbouring residents.
- 10 Any customers using outside areas must use Plastics and not glass drinking containers.
- 11 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 12 No customers shall be permitted to leave the premise with any glass containers.
- 13 No alcohol to be consumed on the footpath outside the Premises unless authorised with a valid permit or Pavement Licence.
- 14 Any smoking areas shall be kept clean and well swept to ensure environment and local areas are tidy and litter/ cigarette waste to be disposed of in correct dustbins/ashtrays provided.
- 15 No children under the age of 18 will be permitted on the premises unless accompanied by an adult.
- 16 An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police on request, which will record the following:
 - (a) All crimes reported to the venue
 - (b) All ejections of patrons
 - (c) Any complaints received
 - (d) Any incidents of disorder
 - (e) All seizures of drugs or offensive weapons
 - (f) Any faults in the CCTV system or searching equipment or scanning equipment
 - (g) Any refusal of the sale of alcohol
 - (h) Any visit by a relevant authority or emergency service.
 - (i) advertise a number for complaints from the public and all complaints to be recorded in the incident book.
- 17 When using the function room, the license holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services. This to encourage dispersal at close of Business.
- 18 Doors and windows to remain closed when playing recorded music, to ensure noise is kept to levels that will not impact the residents and local community.

- 19 Management should keep staff records/Immigration checks and ensure all employees have permitted documentation to allow them to Work and reside in the UK. Police and Local Authority may ask staff to produce suitable Identification to show compliance.
- 20 A Challenge 25 Policy should be in place to ensure any sales of Alcohol are not made to under age customers.
- 21 The Management must report all kinds of Criminality to Police immediately and then record findings in the incident book along with any Cad numbers provided to them.
- 22 Any Alcohol sold and consumed on the premises must be with a substantial meal.

Annex 3- Condition attached after a hearing by the licensing authority

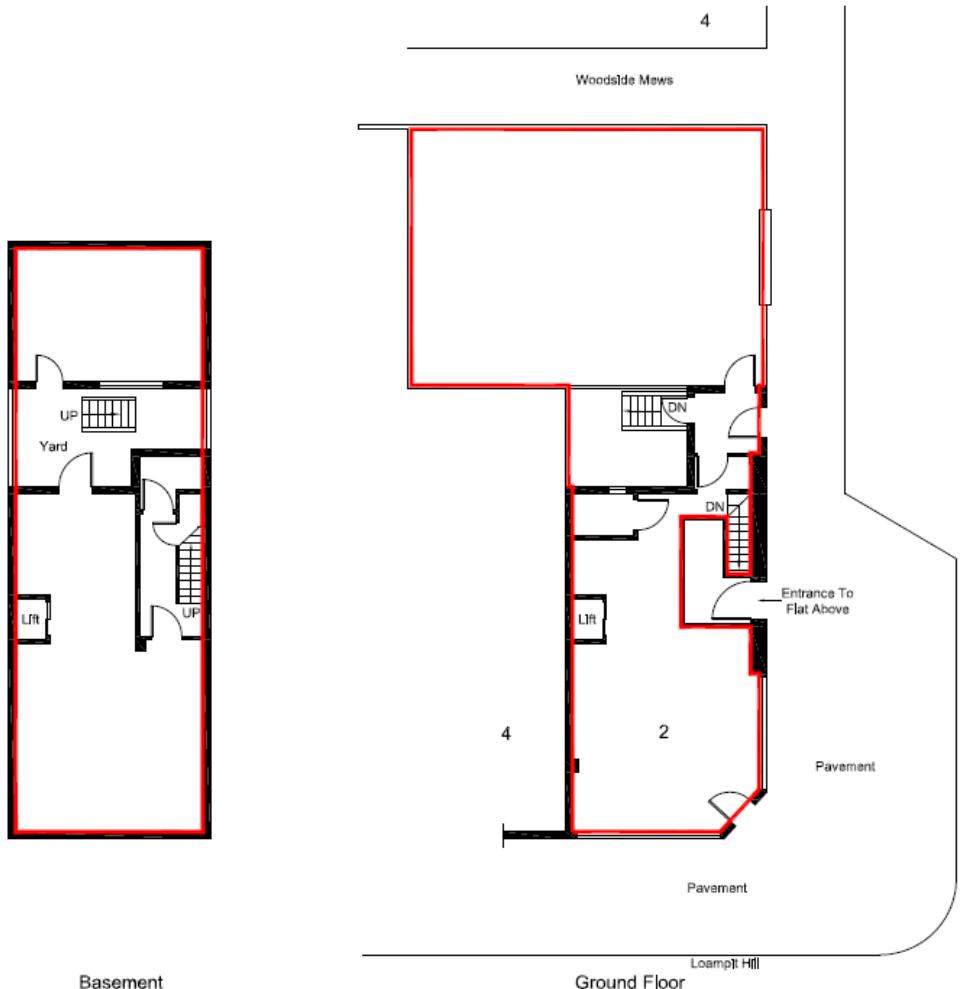
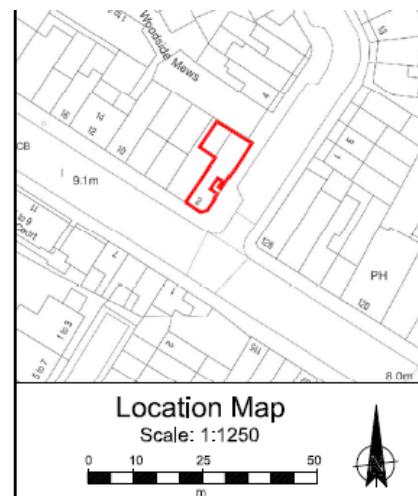
Annex 4- Plans

Full plans available at Licensing Services, London Borough of Lewisham

Basement and Ground Floors – L5T 01

Key:

- Demise of Premise



Note: To ensure correct scaling when printing select paper scaling "Option None"

2 Loampit Hill, London, SE13 7SW	date 07.04.2020	dwg.no.
Basement & Ground Floor Net Area. 100.96 sq.m.	scale 1:150 at A4	rev/sfn v0.A
Scale (Meters)		Trinity Alexander Group <i>turning the commercial world green™</i>

