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SUMMONS AND AGENDA

LICENSING COMMITTEE

Date: THURSDAY, 4 JANUARY 2024 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

Email: clare.weaser@lewisham.gov.uk

MEMBERS ARE SUMMONED TO ATTEND THIS MEETING

Councillors:

Councillor Susan Wise (Chair)

Councillor Yemisi Anifowose (Vice-Chair)

Councillor Dawn Atkinson

Councillor Bill Brown

Councillor Coral Howard

Councillor Edison Huynh

Councillor Mark Jackson

Councillor Eva Kestner

Councillor Liam Shrivastava

Councillor Luke Warner

Jeremy Chambers, Monitoring Officer

Laurence House

Catford

London SE6 4RU

Date: 22 December 2024

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private.

ORDER OF BUSINESS – PART 1 AGENDA

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The public are welcome to attend our Committee meetings, however, occasionally, committees may have to consider some business in private.



Licensing Committee

Minutes

Date: 4 January 2024

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to consider the Minutes of the meeting of the Licensing Committee, held on 13 December 2023.

Recommendation

That the Minutes of the meeting of the Licensing Committee, held on 13 December 2023 be confirmed and signed. (Minutes to follow)

Agenda Item 2



Licensing Committee

Declarations of Interest

Date: 4 January 2024

Class: Part 1

Ward(s) affected: All

Contributors: Head of Governance and Committee Services

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) <u>Undischarged contracts</u> 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) <u>Licence to occupy land</u> in the borough for one month or more.
 - (f) <u>Corporate tenancies</u> 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) <u>Beneficial interest in securities</u> 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. <a href="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).



Licensing Committee

Report title: Olivers Food 4 Life

Date: 4 January 2024

Key decision: No.

Class: Part 1.

Ward(s) affected: Brockley

Contributors: Community Services - Safer Communities Service

Outline and recommendations

Determination of New Application submitted on 23 October 2023 by Samantha Oliver

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

Timeline of engagement and decision-making

This application consultation period was extended from 20 November 2023 due to the applicant not displaying the blue notices in the correct time. It was advertised in accordance with regulation 25 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

The last day for representations was 1st December 2023.

1. Summary

1.1. Particulars of Application

<u>Films</u>

20:00 - 00:00 Monday - Thursday; 23:00 - 02:00 Friday & Saturday; 18:00 - 00:00 Sunday

Live Music

23:00 - 02:00 Friday - Sunday

Recorded Music

23:00 - 00:00 - Monday - Thursday; 23:00 - 02:00 Friday & Saturday; 23:00 - 00:00 Sunday

Late Night Refreshment

23:00 - 00:00 Monday - Thursday; 23:00 - 02:00 Friday & Saturday; 23:00 - 00:00 Sunday

Alcohol for consumption ON & Off the premises

12:00 – 00:00 Monday – Thursday; 12:00 – 02:00 Friday & Saturday; 12:00 – 00:00 Sunday

Seasonal variation

Until 02:00 am on the morning following the below days:

Christmas Eve, Christmas Day, New Year's Eve, New Years Day, Easter Sunday & Monday, Jamaican Independence 5 – 7 August.

- 1.2. Representations have been received from the Licensing Authority and the Police. The Licensing Authority have since withdrawn their objection as the applicant has agreed conditions with them. The Police have submitted further concerns and photos following a visit to the premises.
- 1.3. Following raised concerns from the Police, the London Fire Brigade attended the property to carry out an inspection. This was carried out after the application consultation period ended but as it refers to Public Safety I have attached their letter.
- 1.4. The original plan had a kitchen space in the basement. Following concerns raised by the Police the applicant has submitted an updated plan, removing the Kitchen from the plan in the basement.
- 1.5. The applicant has asked if the licence can be granted for use of the ground floor with a condition to be added as follows:

The basement cannot be used until such time as the required works, identified in the fire safety inspection have been completed.

Once the works are completed and London Fire Brigade have carried out a full inspection of the premises and are satisfied the condition could be removed.

1.6. 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. Recommendations

- 2.1 After having regard to the representation heard, Members must take such steps as they consider appropriate to promote the licensing objectives. The steps available to the Licensing Authority:
 - 1.) Grant the application as applied for
 - 2.) Grant the application subject to conditions modified to such extent as the authority considers appropriate for the promotion of the licensing objectives
 - 3.) Exclude from the scope of the licence any of the licensable activities to which the application relates.
 - 4.) Refuse to specify a person in the licence as the designated premises supervisor
 - 5.) Refuse to grant the application.

2.2 Either party has a right of appeal to the Magistrates Court against a decision which should be submitted to the court within 21 days of the date of the decision letter.

3. Policy Context

- 3.1. Decisions by Members of the Licensing Committee should have regard to the Licensing Act 2003 and the promotion of the four Licensing Objectives at all times, which are:
 - Protection of Children from Harm
 - Prevention of Crime and Disorder
 - Prevention of Public Nuisnace
 - Public Safety
- 3.2. Members should also have regard to the Licensing Authority's Statement of Licensing Policy 2020-25.
- 3.3. Decisions made will link in with the following objectives under the Council's Corporate Stategy Building an Inclusive Local Economy and Building Safer Communities.

4. Financial implications

4.1. Applicants have the right of appeal against any decision by the Licensing Committee. Therefore there would likely be costs for the Authority in seeking legal support should an appeal be brought by the applicant.

5. Legal implications

- 5.1 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.
- 5.2 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.

6. Equalities implications

- 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.
- 6.2 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.

- 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.
- 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 Mayor, bearing in mind the issues of relevance and proportionality. The Mayor 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.
- 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-codespractice

https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance

- 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
- 6.7 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

7. Climate change and environmental implications

7.1. Any decision made by Members must fall in line with the Licensing Act 2003, to that end there are no climate change or environmental considerations.

8. Crime and disorder implications

8.1. Under the Licensing Act 2003, one of the 4 licensing objectives is the Prevention of

Crime and Disorder.

8.2. It is the a requirement of the Licensing Act 2003 that any decsion made by the Licensing Committee must not negatively impact on the Licensing objectives.

9. Background papers

- 9.1. Application received 23 October 2023.
- 9.2. Representations from the Police
- 9.3. A letter from London Fire Brigade
- 9.4. Updated plan

10. Glossary

Term	Definition
Appeal	asking a court to overturn a lower court's decision. If the decision of a court is disputed it may be possible to ask a higher court to consider the case again by lodging an appeal.
Licence	an authority to do something.
Licensee	the holder of a licence to do something.
Licensing Authority	The Council (London Borough of Lewisham) Under section 3 of the 2003 Act, the licensing authority's area is the area for which the authority acts.
Licence Objectives	Under section 4 of the 2003 Act the Licensing Authority must promote the following 4 objectives Prevention of crime and disorder Public safety Prevention of public nuisance Protection of children from harm
Interested Person	A person who lives in the vicinity of the premises A body who represents the persons who live in that vicinity A person involved in a business in that vicinity A body representing businesses in that vicinity An elected member of the council

Relevant Representation	A representation that is specific to the premises in question, related to the four licensing objectives and/or the local licensing policy.
Responsible Authorities	Public bodies that must be notified of all applications and who are entitled to make representations in relation to Premises Licences, as follows: Licensing Authority Chief Officer of Police London Fire Brigade Trading Standards Planning Authority Public Health Environmental Enforcement (with respect to Noise) Children's Services Home Office Immigration

11. Report author and contact

Angela Mullin-Murrell Safer Communities Service Officer for Licensing Angela.mullin-murrell@lewisham.gov.uk. 11.1.

Paid 120123 - Auth 094533

Application for a premises licence to be granted under the Licensing Act 2003



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. Your right to work in the UK will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with the below guidance. (See page 14)

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

Cessai y.										
You may wish to keep a copy of the completed form for your records.										
	(Insert name(s) of applicant)									
	pply for a premises licence under section 17 of the Licensing Act 2003 for the premises escribed in Part 1 below (the premises) and I/we are making this application to you as be relevant licensing authority in accordance with section 12 of the Licensing Act 2003									
Part 1 – Prer	nises details									
Name and I	Postal address of premises or, if r	none, ordnar	ice st	urvey map reference or description						
Ouv	er's Food 4	life	4	-d						
129	Brockley (ross	. 1								
Bloc	Kley Jus									
Post town	landan			Postcode SFUIRE						
	L. C. Company									
	number at premises (if any)									
Non-domes	Non-domestic rateable value of premises £\\ 500									
Part 2 - App	olicant details									
Pleas Pleas	e state whether you are applying for e tick as appropriate	a premises	licen	ce as: ,						
a)	an individual or Individuals *		凶	please complete section (A)						
b)	a person other than an Individual	*								
	i as a limited company/limited	liability		please complete section (B)						
	partnership ii as a partnership (other than I	imited		please complete section (B)						
	liability) iii as an unincorporated associa	ation or		please complete section (B)						
	iv other (for example a statutory	y		please complete section (B)						
c)	corporation) a recognised club			please complete section (B)						
d)	a charity			please complete section (B)						
e)	the proprietor of an educational establishment	age 12		please complete section (B)						

	f)	a healtl	h serv	ice b	ody				please comp	lete sectio	n (B)
	g)	the Car	re Sta	ndard	ls Act 20	d under Par 000 (c14) in t hospital in			please comp	lete sectio	n (B)
	g:1	of Part 2008 (v	1 of tl vithin	ne He the m	alth and	d under Cha I Social Car of that Part ngland	e Act	<u></u>	please comp	lete sectio	n (B)
		the chie Englan				of a police fo	orce in		please comp	lete sectio	n (B)
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	the p	remises	for lic	ensa	ble activ	rities; or	business	s whic	h involves the	use of	
	lamı	statuto	ry fur	ction	or	suant to a virtue of He	r Majest	y's pre	erogative		
A) INDI	VIDU/		LICA	NTS (fill in as	applicable)	 Vis ☑		er Title (for		
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Julia	(Vt	R			, nst n	amoa	SHM	ANTI	14
Date o	f birth	M	V	1		am 18 year	s old or	over	Pleas	e tick yes	
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E-mail (Requ		ess		S	xaun	oliver	Ne		VVV		

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr 🔲	Mrs		Miss 🗌	Ms		Other Title (for example, Rev)	
Surname				F	irst n		
Date of birth			I am 1	8 years	old or	over 🗌 Please ticl	k yes
Nationality							
Current postal add different from prem address	ress if ilses						
Post town		J. J	,			Postcode	
Daytime contact telephone number							
E-mall address (Required)							

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	
Address	
Registered number (where applica	able)
Description of applicant (for exam	ple, partnership, company, unincorporated association etc.)
Telephone number (if any)	
E-mail address (Required)	
	_
!	

PART 3 - OPERATING SCHEDULE DD MM YYYYWhen do you want the premises licence to start? If you wish the licence to be valid only for a limited period, DD MM when do you want It to end? Please give a general description of the premises (please read guidance note 1) via Ubereats, + food alasha If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend. What licensable activities do you intend to carry on from the premises? (Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003) Please tick Provision of regulated entertainment(please read guidance note 2) all that apply plays (if ticking yes, fill in box A) a) films (if ticking yes, fill in box B) b) indoor sporting events (if ticking yes, fill in box C) c) d) boxing or wrestling entertainment (if ticking yes, fill in box D) e) live music (if ticking yes, fill in box E) recorded music (if ticking yes, fill in box F) f) g) performances of dance (if ticking yes, fill in box G) anything of a similar description to that falling within (e), (f) or (g) h) (if ticking yes, fill in box H) Provision of late night refreshment (if ticking yes, fill in box I) Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

Plays Will the performance of a play take Indoors Standard days and timings place indoors or outdoors or both -(please read guidance note 7) please tick (please read guidance note 3) Outdoors Day Start Finish Both Please give further details here (please read guidance note 4) Mon Tue Wed State any seasonal variations for performing plays (please read guidance note 5) Thur Fri Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6) Sat Sun В Films Will the exhibition of films take place \square Indoors Standard days and timings indoors or outdoors or both - please (please read guidance note 7) tick (please read guidance note 3) Outdoors Start Finish Both Day Please give further details here (please read guidance note 4) Mon 00:00 Tue 00:00 State any seasonal variations for the exhibition of films (please Wed 00:00 read guidance note 5) Mystmas Eve Thur 00,00 MONTSON 0,0:00-, ZAM Non-standard timings. Where you intend to use the premises Fri 2400 for the exhibition of films at different times to those listed in the column on the left, please list (please read duidance note 6) Sat Sun 00:00

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Sun

column on the left, please list (please read guidance note 6)

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Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please	Indoors		
(I-1		,	read guidance note 3)	Outdoors		
Day	Start	Finish		Both		
Mon	116W	ŌΦ;00	Please give further details here (please re	ead guidance	note 4)	
Tue	77 bil	QQ!QQ				
Wed	1/bt/	00100	State any seasonal variations for the pro- refreshment (please read guidance note 5	ovision of late) New Y	Easter Si	ınday
Thur	23.00	00.00	Christmas day Inde New years wellom-02.00	pendani 5th-7	th Aug	من الم
Fri	13.00	02.00	Non- standard timings. Where you inter for the provision of late night refreshme those listed in the column on the left, ple	<u>nt at differer</u>	<u>it times, to</u>	
Sat	23-00	02.00	guidance note 6)			
Sun	23.00	00-00				
J						
Stand	oly of alcohol dard days and se read guidar		Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises Off the premises		
Day	Start	Finish		Both		
Mon	12pm	00.00	State any seasonal variations for the sure read guidance note 5) CLANSHY AS EVE Jan		<u>hol</u> (please Independanc	Z_
Tue	12 pm	00.00	Christmas day Eas	5th 7th x		
Wed	12pm	00.00	New glavs and 12Pm - 2A	d Mond good 7 m	-nday	
Thur	12pm	06.00	Non- standard timings. Where you inte for the supply of alcohol at different tim column on the left, please list (please re	<u>ies to those</u>	<u>listed in the</u>	
I	1					1

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Fri

Sat

Sun

IRPM

02.00

OQ.00

00.00

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Samantha Oliver
Date of birth 07-08-66
Address
uunu
Postcode
Personal licence number (if known)
Issuing licensing authority (if known)

Κ

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

the pu Stand	ard days and	I timings	State any seasonal variations (please read guidance note 5) Christmas Eve
(pleas	e read guida	nce note 7)	Christmas day
Day	Start	Finish	Now your Fire
Mon	9 ₄ m	01.00	New years day
Tue	gam	01.00	Easter Mon + Sunday Jamaican Independence (Aug sth.7th)
Wed	9.Am	01.00	until 02.30
			Non- standard timings. Where you intend the premises to be open to the public at different times from those listed in the
Thur	9Am	01.00	column on the left, please list (please read guidance note 6)
Fri	9Am	02.30	
Sat	9Am	02-30	
Sun	9Am	00-30	

M Describe the steps you intend to take to promote the four licensing objectives: a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10) The delivery of alcohol wal not be made to anyme in apublic stace such as park, bus stop or smeet COMPay"b) The prevention of crime and disorder All entry points will be overed by CCTU and this will be awardable upon request from the police. c) Public safety An uncident togbook will be used to keep the day to day visits from council, police or refusal or faults from CETU. d) The prevention of public nuisance I will despray notices cesting patrons to leave quietly. Delivery diviters will not leave their engines ronning whish-wouting. e) The protection of children from harm I will implement the Challenge 25 to ensure that noone under age tries to boy about without Photographic I.D. Upon delivery I.D will be requested to ensure no underage scales.

Checklist:

Please tick to indicate agreement

0	I have provided a daytime telephone number in order to make payment over the phone by debit or credit card.	\square
ĕ	I have enclosed the plan of the premises.	
8	I have sent copies of this application and the plan to responsible authorities and others where applicable.	
0	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	
Ø	I understand that I must now advertise my application.	
8	I understand that if I do not comply with the above requirements my application will be rejected.	
	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).	

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 - Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	 [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licesable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature & Print Name	SOUVER
Date	23 10 23
Capacity	Manager
Signature & Print Name	
Date	
Capacity	
Signature & Print Name	
Date	
Capacity	
Contact name (where no application (please read Post town Telephone number (if an Your e-mail address (Re	Postcode S

Conditions agreed between Licensing Authority and Applicant

The premises shall install and maintain a comprehensive CCTV system. All entry and exit points of the public serving area 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 upon reasonable request of Police or authorized officer throughout the preceding 31-day period.

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. This staff member must be able to show a Local Authority or Police Officer recent data or footage upon reasonable request.

The CCTV must cover all areas of the venue that the public have access to. 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.

The smoking area must be covered by CCTV that is to the same standards as the internal CCTV system.

A zero tolerance to illegal drugs shall be operated at the premises.

A proof of age scheme, such as Challenge 25, must be operated at the premises where the only acceptable forms of identification are (recognized photographic identification cards, such as a driving license or passport / Holographical marked PASS scheme identification cards) appropriate signage must be displayed.

The premises license holder shall ensure all persons who work on the premises have provided satisfactory proof of identification and the right to work and have carried out checks on the home office website to verify identification, visa and the right to work documents. All documents of members of staff will be retained for a period of 12 months post termination of employment and will be made available to the police, immigration and/or Licensing officers upon reasonable request.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

- (a) All crimes reported to the venue
- (b) All ejections of patrons
- (c) Any incidents of disorder
- (d) Any faults in the CCTV system.
- (e) Any visit by a relevant authority or emergency service.

The premises shall prominently display signage at all entrances informing customers: -

- 1) CCTV is in operation throughout this premises and is made available to the police
- 2) Any person found carrying weapons or illegal drugs will be permanently excluded and the police will be informed
- 3) Management reserve the right to refuse entry
- 4) Please leave quietly

Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 4 persons at any one time.

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

On Friday and Saturday nights when the premises is open passed midnight and the venue is hosting over 30 people at least 1 SIA registered staff member will be present from 22:00 until 30mins passed the closing of the venue to ensure peaceful egress. This person will book in to and out of work by signing a security log.'

All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that: (a) The police (and, where appropriate, the London Ambulance Service) are called without delay; (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police; (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

New and seasonal staff must attend induction training and receive refresher training every six months.

The premises Licence Holder and/or Designated Premises Supervisor shall keep up to date policies and staff training records in relation to the following: Requirements of the challenge 25 scheme, drugs, identification & recognition of drunks, identification recognition and responsibilities of dealing with vulnerable persons and the correct procedures to be followed when refusing service regular training must be provided to all staff at least every six months, a record of the training will be maintained for at least twelve months.

All delivery drivers must not leave their engines running whilst waiting for their alcohol orders nor must they congregate on the road outside the premises.

Where an order involves alcohol, the customer will be required to confirm that they are over 18 at the point of completion of the order.

There will be a clear warning at the point of order that alcohol will only be delivered to someone over the age of 18 and that appropriate identification may be requested.

The delivery of alcohol will not be made to a person in a public place such as a street corner, park or bus stop etc. The delivery of alcohol to be made only to a residential or business address, where it is evident that the customer is a resident or occupies the business.

A noise limiter must be fitted and maintained within the premises. The limiter must be sealed in such a way that no unauthorised person can tamper with it. The level should be set in the presence of an authorised officer of the Safer Communities Service of the London Borough of Lewisham. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device. The device should be calibrated annually, and a record kept to be available for inspection by officers.



PC Gillian Pearce 9 Holbeach Road Catford SE6 4TW

Email:
Gillian.D.Pearce@met.police.uk
Your ref: Olivers food 4 life

14th November 2023

Oliver's food 4 life 12 Brockley Cross Brockley SE4 1BE

Lewisham Police Licensing acknowledge receipt of an application for a new premises licence for a food takeaway and delivery with an events space in the basement. The proposed operating hours range from 9am through to 2am the following day. Alcohol will be on sale from 12pm to 2am. It is unknown what the proposed capacity will be for the basement area.

Police would like to object to this application under the following Licensing objectives:

Public safety
Prevent Public Nuisance

After considering the application, conditions offered by the applicant and taking into account the proposed use for this venue it would appear that although the applicant is stating this is to be a take away restaurant they appear to place much more emphasis on the use of the basement as an events space.

The proposed use for this space is for live music, recorded music, late night refreshment, alcohol, films, later nights for Christmas Eve, New Years Eve, Easter Monday and Sunday, and Jamaican independence. With finishing times of 2am. Page 28

The police have concerns that the basement is not a suitable events space due to the size, lack of windows and doors and entry and egress routes. Also having a kitchen in an area with a lack of entry and egress routes and poor ventilation.

Police have been unable to view the premise in a timely manner as the applicant has been in hospital and was not available for a visit in the weeks suggested by the police. The local authority have however managed to visit and have stated the basement is not very big. Approximately 8 metres by 3 metres with stairs going down into the basement from the shop and another flight of stairs leading to the outside. The plans provided by the applicant do not show doors or windows and do show a kitchen in the basement.

Police have concerns that if there was a fire at the premise people would be trapped in the basement or trampled in a stampede to escape or overcome by smoke inhalation.

With regard to noise and nuisance the area is also densely populated with flats above the row of shops and terraced houses along from the venue on all sides.

The venue itself has a pedestrian crossing directly outside and this is a cause for concern with delivery drivers. Will they be on scooters? Where will they park? Will they be parking on the pavement directly outside the venue?

It does not appear the applicant has sought advice from The London Fire Brigade with regard to the use of the basement as an events space with a kitchen nor have they really explained how the basement will be used in terms of capacity.

Given the potential risk to life should there be a fire in the basement police believe both of these should be explored further.

Kind regards

PC Gillian Pearce Licensing Officer Lewisham



Fire Safety Regulation, South East 4 Team 169 Union Street London SE1 OLL T 020 8555 1200 x89171

> Minicom 020 7960 3629 london-fire.gov.uk

F.A.O. Gillian Pearce Met Police Gillian.D.Pearce@met.police.uk The London Fire Commissioner is the fire and rescue authority for London

Date 14 December 2023 Our Ref 90/002037 Your Ref

Dear Madam,

Premises: Oliver's Food 4 Life, 12 Brockley Cross, Brockley, SE4 1BE.

The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London. The Commissioner is responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (as amended) (The Order) in London.

With reference to your email dated 14th November 2022, in respect of the above-mentioned premises has been examined and I am **not** satisfied with the proposals in relation to the fire precautionary arrangements. This is mainly because there has been no Fire Risk Assessment carried out and there is a lack of fire safety provisions, including detection and warning within the premises.

A Fire Safety Advisor recently visited and told them to get a Fire Risk Assessment carried out by a competent person. They will then carry out a full fire safety inspection.

This is without prejudice to any requirements or recommendations that may be made by the Commissioner under the Regulatory Reform (Fire Safety) Order 2005 (as amended)/Petroleum (Consolidation) Act 1928, the local authority or the Health and Safety Executive.

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,

for Assistant Commissioner (Fire Safety)

Directorate of Operations FSR-AdminSupport@london-fire.gov.uk

Reply to Donna Trevellick E-mail donna.trevellick@london-fire.gov.uk Direct **T** 07748 110929

The London Fire Brigade promotes the installation of sprinkler suppression systems, as there is clear evidence that they are effective in suppressing and extinguishing fires; they can help reduce the numbers of deaths and injuries from fire, and the risk to firefighters.



PC Gillian Pearce 9 Holbeach Road Catford SE6 4TW

Email:
Gillian.D.Pearce@met.police.uk
Your ref: Olivers food 4 life

13th December 2023

Oliver's food 4 life 12 Brockley Cross Brockley SE4 1BE

Further to the police objection of 8th November 2023 for the above premise.

Police have now had the opportunity to visit the premise and speak with the applicant, however, this has only served to heighten concerns.

The applicant has informed police that she has an expectation of having up to 60 people in the basement at any one time as well as a DJ. When it was explained that 60 people in such a small space would be very tight she demonstrated they could stand along the walls. Police have concerns that the applicant is looking to have a nightclub in her basement and cram as many people in as possible causing a fire risk and also risk of people being trampled or over come with smoke inhalation in any event of a fire. It has been suggested to the applicant that she does not have vertical drinking in line with Lewisham Boroughs statement of licensing policy and also that she have a select number of tables and chairs for her patrons to use so that they can eat at the same time as drinking. This would fall more in line with what she is asking for on her application of have an entertainment space where she can have open debates and small gatherings.

The applicant has stated she does not want to have tables and chairs and is open to having SIA if she has more than 30 people in the basement. However, police ask why would a restaurant require SIA and also SIA are neither fire officers or paramedics so the risk of having 60 people crammed into a small basement that has no windows and doors on that level is not diminished.

On the plan the applicant has submitted there is a kitchen. When this was mentioned to the applicant that a kitchen in the basement would also add to a fire risk the applicant stated it is not used as a kitchen and is used as a store room. This again is not reflected in her application and an oven could easily be added after the licence is

agreed. The room is set up as a kitchen even if there is not currently an oven in there.

The applicant has also stated she would like a DJ to be used in the basement and it was put to the applicant the noise this would generate for the neighbours and local residents of this terraced property. The applicant stated she would not want to cause a nuisance but does not provide a plan to prevent this. Police would imagine a DJ in such a confined space which is no larger than the average lounge in a residential house would cause a tremendous noise and nuisance for the neighbours or flat above.

The basement is reached by a narrow steep flight of stairs from the street (or through the shop) and another that leads from the basement up to the only single toilet in the venue and a small court yard. There is a metal gate over the door that leads to the court yard another fire risk) and a metal locked gate that leads out of the back of the court yard.

With only one toilet at the venue patrons may be inclined to find somewhere else to go to the toilet if there is a queue. With up to 60 patrons at the venue this could be a regular problem, again causing nuisance to the local residents.

Directly outside the front of the premise is a pedestrian crossing. The applicant is asking for deliveries. Police have asked the applicant where her delivery drivers will park as there is concern of mopeds driving across the pavement and parking on the pavement as there is limited parking available outside the shop. The applicant states a venue along from her has deliveries but this does not answer where the applicants own delivery drivers will park or how she will manage this so that it is not a danger to pedestrians using the crossing.

Police have contacted the London Fire Brigade and asked them to visit the venue and so far have received an email stating the basement is not suitable and we await a full report.

Police maintain the objection under the original Licensing Objectives set out below:

Prevent crime and disorder Public safety Prevent public nuisance Protect children from harm.

Kind regards

PC Gillian Pearce Licensing officer Lewisham

Lewisham Police Licensing acknowledge receipt of an application for a new premises licence for a food takeaway with an events space in the basement. The proposed operating hours range from 9am through to 2am Page 34

the following day. Alcohol will be on sale from 12pm to 2am. It is unknown what the proposed capacity will be for the basement area.

Police would like to object to this application under the following Licensing objectives:

Prevent crime and disorder
Public safety
Prevent public nuisance
Protect children from harm

After considering the application, conditions offered by the applicant and taking into account the proposed use for this venue.

location of the proposed premises and its environs Police licensing feel that the proposed premises will undermine not only the Licensing objectives but also greatly affect the local residences and the quality of their lives. The applicant has failed to take into account and address the negative impact that this venue will have. The extensive hours proposed will impact greatly on the lives of those in the surrounding areas, giving very little respite for residents. Further to this, there are already several venues in the immediate surrounding area which is at saturation point with this kind of venue.

Dear

Yours sincerely,

CCTV

Fire Exit

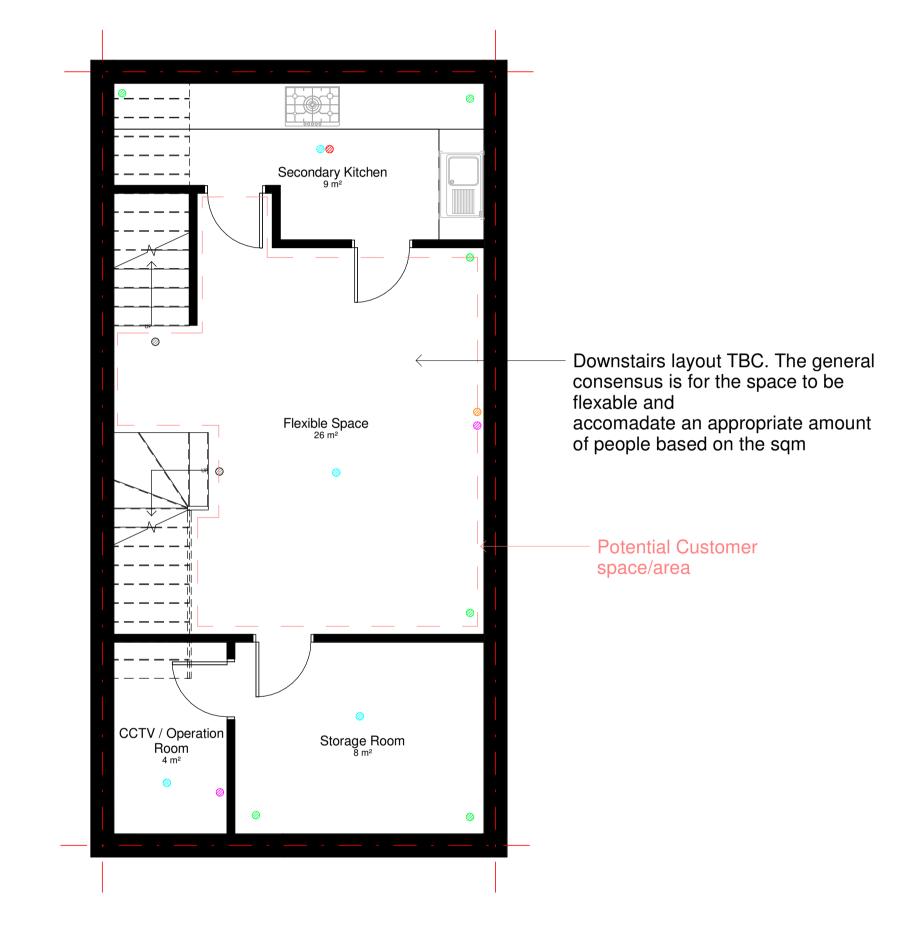
- Fire Blanket

- Foam Fire Extinguishers

- Fire Alarm

- Gas Detector Alarm - License Coverage Area

> Storage Unit Back of House Extractor Fan FD30 Door Kitchen Serving Window Front of House Food Disply Unit & Till - Customer space/area Oliver Food 4 Life Store Entrance Entrance to Basement Floor/ Storage



Basement Floor
1:50



PROJECT:
Oliver's Food 4 Life

12 Brockley Close, SE4 1BE

DATE: 27/07/23 PROJECT NO 270723AL1 REVISION DATE

NOTES:

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It is the responsibility of the contractor to conduct the necessary survey and take accurate dimensions prior to ordering windows, doors, stairs, kitchen, furniture, and equipment

All dimensions and levels to be checked on site by contractor prior to preparation of alterations. Any alterations and specialist drawings should be ammended before any commencement of works on site.



Premise Plan -Ground **Floor**

SCALE:

0m 1m 2m 3m 4m VISUAL SCALE 1:50 @ A1

> Background Ventilation: to new room(s) is required to comply with Table 1.2a Approved Document F1 (2006) (equivalent areas) and provided to habitable rooms by means of controllable and secure ventilation opening having a total area of not less than 8000mm2 located to avoid draft (trickle ventilator) hit or miss ventilator. Background ventilation to bathrooms, En-suites, WC's, kitchen to give 4000mm2 as above.
>
> Ventilation: Mechanical ventilation to be provided to bathrooms/ensuites having an output of at least 15 litres/second ducted direct to external air. Mechanical ventilation to be provided to kitchen and utility room having an output of at least 60 litres/second ducted to external air. Mechanical ventilation to be provided to kitchen incorporated in cooker hood having an output of at least 30 litres/second ducted to external air. Mechanical ventilation to be provided to WC having an output equivalent to 6 litres/second and 3 air changes per hour with 15min. over-run connected to light switch and then ducted direct to external air.

Ground Floor
1:50

Steel Work: Steel work to structural calculations. Steel beams to be encased with two layers of 12.5mm plasterboard fixed to 50mm x 25mm timber cradle with 7mm of gypsum plaster. Steel beams to rest on concrete padstones

minimum end bearing of 225mm. Twin beams to be diaphragm bolted together with spacers at 900mm centres. Steel Grade 43.

Contractor to refer to Structural Calculations and Structural Design Drawings as provided by Structural Engineer. These detail to take precedence over notes and designs contained within these drawings.

Structural Timbers: to be treated with approved timber preservatives and to be grade C24. Floor joists etc. must be set on joist hangers (and not built into the wall itself). All timber exposed and built into walls to be treated with preservative in accordance with C.P 98 timber in roof void to be pressure impregnated with preservative

Windows Min. Areas: All windows to be double-glazed and of a size not less than 10% of the floor area of each room. Window openings to provide a minimum of 1/20th of the floor area of each room. Ensure rooms have purge ventilation in accordance with Approved Document F (1/20th of the floor area for window openings 300 or more. Otherwise 1/10th of floor areas). Glazing in timber or plastic frames - double glazing with 16mm gap and a 'soft' low E coating or double glazing with 16mm air gap. Argon filled and soft low E coating (U value 1.6w/m2k). Tickle vents should be located a minimum of 1.7m above finish floor level. POSITION AND HEIGHT OF ALL WINDOWS TO BE CHECKED BY BUILDER BEFORE CONSTRUCTION COMMENCES. Windows Max. Areas: The area of windows, roof windows and doors in extesnions should normally be limited to a max area not exceeding 25% of the floor area of the extension plus the area of any windows or doors that as a result

of the extension works, no longer exist or are no longer exposed. Where it is proposed to have an increase to the 25% limit there are alternative options to demonstrate compliance (Area weighted U-Value method OR Whole dwelling calculation method). Escape Windows: Provided to all new first floor habitable rooms, being not less than 450mm wide with a minimum area of 33m2. Cill heights to be not more than 1100mm from finish floor level. Escape window to loft to be velux roof light or similar with clear opening of 850mm high by 550mm wide to be set back from eaves maximum 1.7m and bottom of opening to be not less than 600mm and not more than 1100mm. Vents are required above and below

i.e U value for external doors and side panels to achieve minimum 1.8w/m2k.

Glazing: In critical location i.e below 800mm height and to all doors to be safety glass. Glazing to new and replacement doors adjacent sidelights up to heights of 1.5m above F.F.L to be in safety glass to comply with BS6206 Class C. All new window and external doors to be double glazed and to have a 'U' value of 1.6W/m2K. Glazing in critical locations to be in a accordance with Approved Document K. All glazing, window and door contractors to be FENSA approved.

External Doors: All new doors and glazed side panels to be double glazed and should achieve the required area weighted average U-values specified in table 2 of Approved Document Llb (2006). Roof Lights - All Roof lights to be Manufactured by Velux and to include switched spurs for electrical power operation and electronic remote control with electrically operable blinds.

Stairs: For a private stair the maximum rise must not exceed 220mm, the minimum going should not be less than 220mm and the pitch should not exceed 42°. The normal relationship between the dimensions is (2R+G) should be between 550mm and 700mm. Head height above the pitch line of all nosings to be a minimum of 2000mm. Opening between balustrades should not exceed 100mm. Handrails: Should be fixed between 900mm and 1000mm from the pitch line of the stair. There should be at least one handrail to all stairs.

Guarding: Must not be climable. Horizontal guarding is not appropriate.

Stairs to loft: Base of stairs to lofts should be provided with an unobstructed landing of at least 400mm.

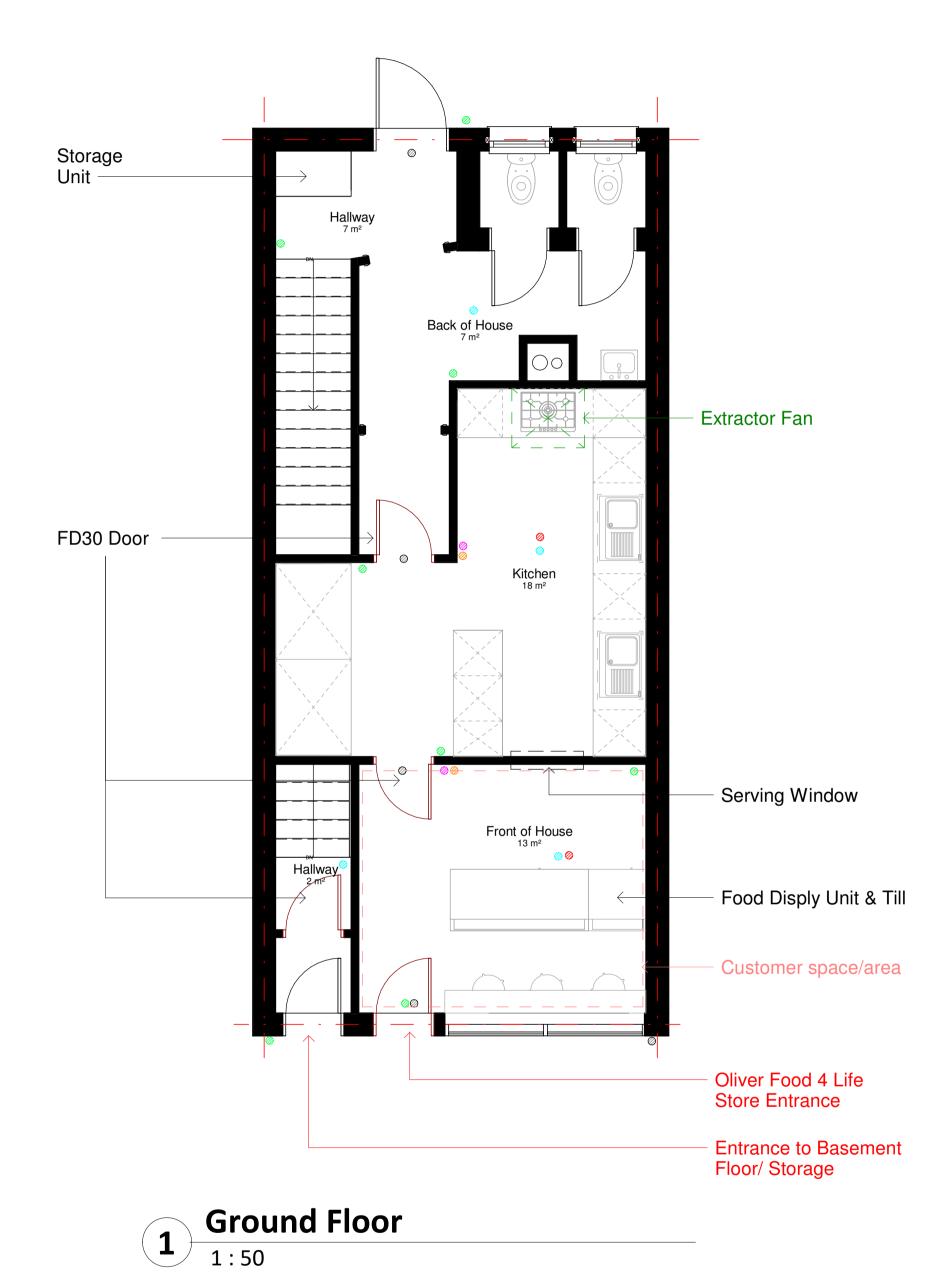
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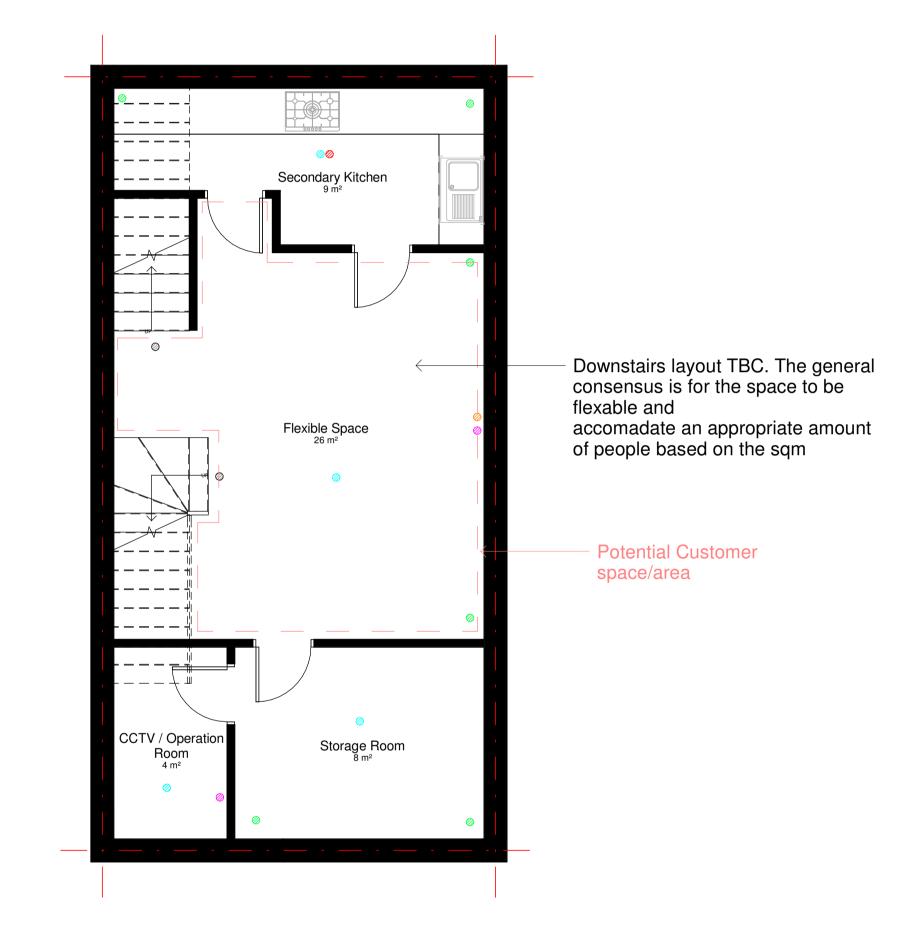
- Foam Fire Extinguishers

- Fire Alarm

- Gas Detector Alarm

- License Coverage Area





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PROJECT:
Oliver's Food 4 Life

12 Brockley Close, SE4 1BE

DATE: 27/07/23 PROJECT NO 270723AL1 REVISION DATE

NOTES:

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It is the responsibility of the contractor to conduct the necessary survey and take accurate dimensions prior to ordering windows, doors, stairs, kitchen, furniture, and

equipment

All dimensions and levels to be checked on site by contractor prior to preparation of alterations. Any alterations and specialist drawings should be ammended before any commencement of works on site.



Premise Plan -Ground **Floor**

SCALE:

DRAWN BY:

Background Ventilation: to new room(s) is required to comply with Table 1.2a Approved Document F1 (2006) (equivalent areas) and provided to habitable rooms by means of controllable and secure ventilation opening having a total area of not less than 8000mm2 located to avoid draft (trickle ventilator) hit or miss ventilator. Background ventilation to bathrooms, En-suites, WC's, kitchen to give 4000mm2 as above.

Ventilation: Mechanical ventilation to be provided to bathrooms/ensuites having an output of at least 15 litres/second ducted direct to external air. Mechanical ventilation to be provided to kitchen and utility room having an output of at least 60 litres/second ducted to external air. Mechanical ventilation to be provided to kitchen incorporated in cooker hood having an output of at least 30 litres/second ducted to external air. Mechanical ventilation to be provided to

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0m 1m 2m 3m 4m

VISUAL SCALE 1:50 @ A1

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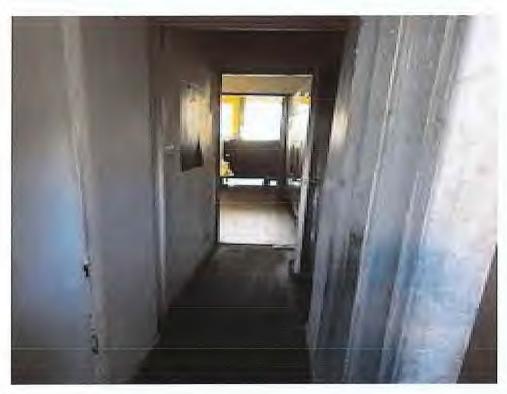
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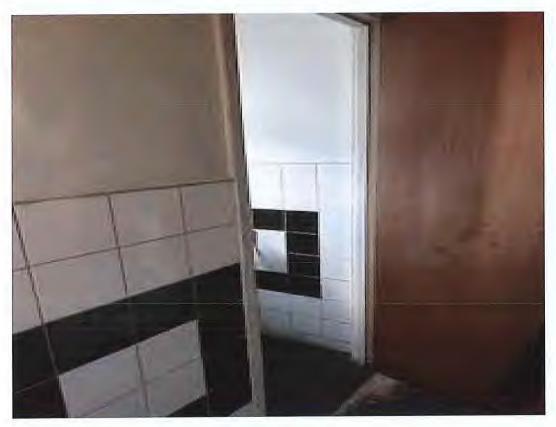


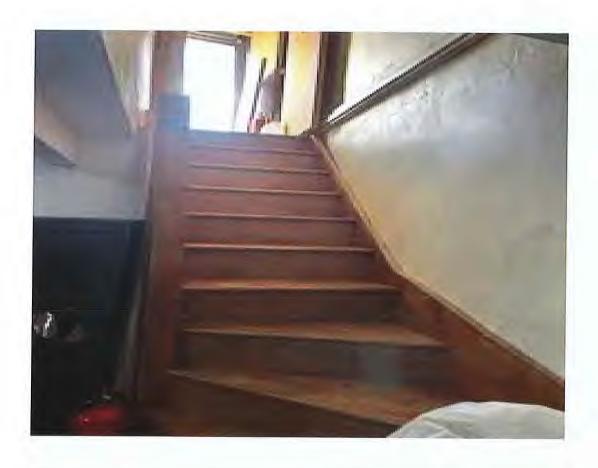






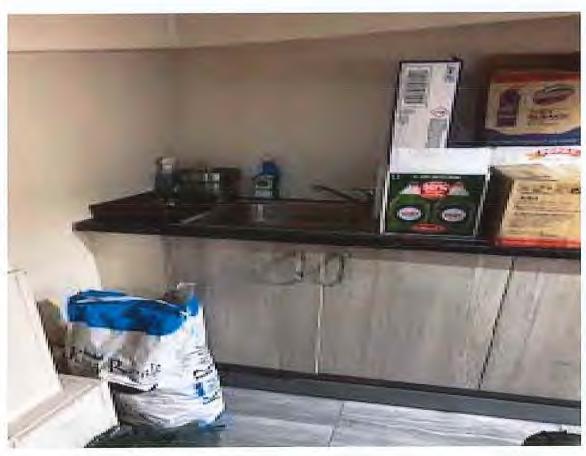












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