



APPENDIX C POLICE

The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/072/20

Date: 27th May 2020

Dear Sir/Madam

Re:- Peachy Goat, 16 Half Moon Lane, London SE24 9HU

Police are in possession of an application from the above for a variation to the premises licence for the sale of alcohol on the premises, Friday and Saturday between 10.00hrs and 01.00hrs, Recorded music between 10.00hrs and 01.00hrs and the premises will be open to the public between 10.00hrs and 01:30hrs on each day of the week. Sunday to Thursday between 10.00hrs and 00.00hrs, Recorded music between 10.00hrs and 00.00hrs and the premises will be open to the public between 10.00hrs and 00:30hrs

The premises are situated in the Herne Hill District Town Centre Area as designated by the Southwark Statement of Licensing policy. The terminal hours recommended within the Statement of Licensing policy for restaurants are 00.00hrs Sunday to Thursday and 01.00hrs Friday to Saturday. Bars have a recommended terminal hour of 23.00hrs Sunday to Thursday and 00.00hrs Friday to Saturday.

The applicant suggest within the application that other premises have a later terminal hour casing unfair trading. The other premises in Half moon lane or Norwood road with a closing time later than that recommended within the Southwark statement of licensing policy were granted prior to the policy implementation and where not subject to the policy.

In the original application submitted in 2019 the premises is described as a restaurant style premises including the amount of covers inside and out and requesting alcohol sales of craft beers and speciality wines to compliment to food. However, the applicant has not included any control measures to restrict the use of the premises to a restaurant where the sale of alcohol would be ancillary to the consumption of a meal.

The applicant has also failed to apply for late night refreshment after 23.00hrs, which indicates that it wishes to change the operation of the premises to that of a bar/Nightclub. This would completely change the operation of the premises and the

conditions required. This would include the requirement for SIA and possibly ID Scan dependent on the terminal hour granted.

If the premises wish to operate as a bar then I would be happy to extend the hours of opening until 00.00hrs Friday and Saturday and Alcohol sales to 23.30 hrs, which would allow for 30 minutes drinking up time and have the following condition on the licence.

- That SIA registered door supervisors will be engaged at the premises on Friday and Saturday. They will be employed at all times after 20:00hrs until the end of business and all patrons have vacated the premises they will be engaged to monitor admission and re-admissions to the premises, security, protection, screening and dealing with conflict.

To fully promote the prevention of crime and disorder licensing objective I ask the applicant to consider the following if they wish to extend the hours in line with the licensing policy for restaurants. However as they have not applied to extend late night refreshments we would only recommend 00.00hrs seven days a week with the last food being served at 23.00hrs allowing 1 hour to finish food and drinks. They would also need to the following condition.

- Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such person as an ancillary to his meal. All off sales of alcohol will be in sealed containers for the consumption away from the premises.

The application is also looking to extend the use of the outside area to 23.00hrs, which the police object to in full. The statement of licensing policy also recommends that outside areas close at 22.00hrs, which I see no reason to deviate from, as the extended use would lead to the likely increase of public nuisance to local residents.

The Following is submitted for your consideration.

Yours Sincerely

PC Graham White 2288AS

Southwark Police Licensing Unit
Mobile - 07880 053191

PLANNING

From: Brittain, Alison
Sent: Wednesday, May 06, 2020 1:45 PM
To: Regen, Licensing
Subject: Peachy goat 16 Half Moon Lane

My comments:

My previous comments on the licence application for this premises were:

Planning permission 19AP2649 permitted a change of use to a cafe (Class A3). This permission is subject to a condition limiting hours to 7am to 11pm.

I wish to OBJECT to the proposed licence which cites hours until 3.30am. It is considered that these hours would be harmful to the amenity of nearby residents. It is also questionable whether a use offering drinking until 3am would be considered as a Class A3 cafe/restaurant.

I note that the licence application has been amended to:

Sat - Thurs - 10am to 12.30am

Fri - Sat - 10am to 1.30 am

The hours still exceed those of the planning permission by some margin, and late drinking suggests a use that may not fall within Class A3, which is restaurant. As such, I maintain my objection.

Alison Brittain BSc(Hons), BTP, DMS, MRTPI
Manager, Planning Enforcement Team
Development Management
Place and Wellbeing Department
5th Floor
160 Tooley Street
London SE1P 5LX
Tel: 0207 525 5427
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Alison.brittain@southwark.gov.uk

**ENVIRONMENTAL
PROTECTION**

From: Binya, Raymond

Sent: Thursday, April 09, 2020 3:22 PM

To: Regen, Licensing

Cc: [REDACTED]

Subject: Major variation to increase opening hours for Peachy Goat, 16 Half Moon Lane, EPT's ref 921360

Dear Licensing Team,

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

Application reference number: 872348

Address: Peachy Goat

16 Half Moon Lane
London
SE24 9HU

I wish to make a representation on behalf of Southwark Environmental Protection Team (EPT) in our capacity as Environmental Health Responsible Authority, about the likely effect of the grant of the premises licence on the promotion of the 'prevention of public nuisance' licensing objective.

Application is for: **Major variation to increase opening hours to 0900-0330 Mon-Sun**

add/change recorded music to indoors and outdoors 0900-0300 Mon-Sun
extend sale of alcohol hours to 1200-0300 Mon-Sun on the premises

EPT have reviewed the above application and we have serious concerns over the proposed extension on hours. With residential properties above the premises and neighbouring properties and consider that that the operating within the proposed will have detrimental effects to the nearby residents as a result of late night noise.

In addition, we were unable to find from our records any information to support applicant's reason to extend the hours, that there are other businesses in the area (who have a later licence) fairly with regards to alcohol sales.

Furthermore, there are also further restrictions on hours of use under Planning. Although I appreciate that Planning and Licensing are two different regimes, however, it is important to mention that applicants applied to planning team for a **Change of use of ground floor unit from Use Class A1 (Retail) to Use Class A3 (Cafe)** (planning application 19/AP/2649) which was granted on 10/10/2019 subject to the following condition:

3. The use hereby permitted for cafe purposes shall not be carried on outside of the hours 07:00 to 23:00 on Monday to Saturday and on Sunday and Public Holidays.

Reason: To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

Therefore, based on the above points, we object this application on the grounds of public nuisance and recommend for it to be refused.

Kind Regards,

Raymond Binya
Principal Environmental Protection Officer

MEMO: Licensing Unit

To	Licensing Unit	Date	15 May 2020	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

Subject Re: Peachy Goat, 16 Half Moon Lane, London, SE24 9HU.

Application to vary a premises licence

I write with regards to the above application for to vary a premises licence submitted by Oliver Sechi under the Licensing Act 2003, which seeks the following licensable activities:

- To add recorded music (outdoors) on Sunday to Thursday from 10:00 to 00:00 and on Friday and Saturday from 10:00 to 01:00 the following day
- To extend recorded music (indoors)(by 1 hour) on Sunday to Thursday from 23:00 to 00:00 and on Friday and Saturday from 23:00 to 01:00 the following day
- To extend the supply of alcohol (on the premises) on Sunday to Thursday from 22:45 to 00:00 and on Friday and Saturday from 22:45 to 01:00 the following day
- Overall opening times shall be on Sunday to Thursday from 10:00 to 00:30 the following day and on Friday and Saturday from 10:00 to 01:30 the following day

The variations is described as '*Opening hrs to be increased to include later trading. Our current licence doesn't enable us to compete with other businesses in the area (who have a later licence) fairly with regards to alcohol sales. Current premises is a bar/restaurant with a garden*'

My representation is based on the Southwark Statement of Licensing policy 2019 – 2021 and relates to the licensing objectives for the prevention of crime and disorder, the prevention of public nuisance.

This premises is situated in the Herne Hill District Town Centre and under the Southwark Statement of Licensing policy 2019 – 2021 and the appropriate closing time for restaurants and cafes on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours The appropriate closing time for public houses, wine bars or other drinking establishments on Sunday to Thursday is 23:00 hours and for Friday and Saturday 00:00 hours.

The opening hours applied for to extend the premises licence are way in excess of that which is appropriate for this area in the licensing policy. Further to this the applicant now wants to play recorded music in the outdoors until 01:00 daily. (The current licence allows only for recorded music indoors). Further to this the applicant states within the application that they want to amend a condition regarding the time that the garden closes. Condition 315 states '*The outside area shall be closed to patrons at 22:00 daily*' this in in line with recommendations in the licensing policy. The applicant now wants the time to change to 23:00.

I am also confused by the alcohol on sales times applied for as on the part of the application regarding these times the alcohol is too cease on Sunday to Thursday at 00:00 and on Friday and Saturday to cease at 01:00 the following day. Yet on the part of the application addressing the

licensing objectives, Part A) all four licensing objectives, it is written '*supply of alcohol on the premises to cease on Monday to Friday at 3am*' The information given is conflicting.

The premises was described in the initial application for the premises licence as '*Small A3 licensed property. 30 covers inside, 30 covers in the garden. Fully working kitchen. Small basement (not used for service). To compliment the food we want to be able to serve some craft beers and some special wines*'

The applicant states within this operating schedule '*we will not be required to do table service*', It would therefore seem that the nature of the premises is changing from a restaurant to that of a bar/nightclub as the applicant has not asked for late night refreshment within this application.

The back garden area of these premises backs on to Stradella Road which is has lots of residential properties and the applicant has not offered any controls measures within the operating schedule to promote the prevention of public nuisance and the prevention of crime and disorder should the premises be open at the later hours applied for.

I therefore recommend to the licensing sub committee that this application is refused.

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

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

RESPONSE TO LICENSING

Sent: 18 May 2020 16:09

To: Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>

Subject: Re: REPRESENTATION RE PEACHY GOAT 2nd representation to resubmitted application

Dear Jayne,

Thank you for your representation and for pointing out contradicting aspects of the licence application. I obviously overlooked some of these when I was changing the times to aim to be in line with Southwark Statement of Licensing policy 2019 – 2021. I have gone through and amended the application to try and offer some clarity. (please let me know if the PDF sent through works as I know there were a few issues with this last time.

If there are any other issues or mistakes that you can see please let me know and I will endeavour to fix them.

We have no intention of playing outdoor music until 1 am (again I miss typed) we intend to be able to offer music to patrons while the garden is open and we hope to increase those hrs to 23:00 as opposed to 22:00. Music will NOT be left on after the garden is closed.

In regards to the alcohol sales again I apologise for the conflicting hrs. I again must have miss typed. We have no intention of selling alcohol until 3 am the following day. As can be seen from the blue site notice and the application in the local paper we intend to be able to sell alcohol until 1 am. Again, please see amended application correcting for typo.

The description of the premises in the original application still stands. we do not intend to become a bar or night club. But on several occasions, we were approached at the bar for a drink to take back to their table or indeed had people sitting eating at the bar. We have a barman on every service and to not allow people to grab a coffee, soft drink, or alcoholic drink from the bar where they can see what's on offer seems unnecessarily restrictive.

The back of our property actually back directly onto a private car park and not onto Stradella road. The car park is reached by Stradella road but we aren't backing directly onto residential properties. The Half Moon pubs beer garden also shares a wall into the same private car park. We will make sure that patrons are inside by 23:00 and we are happy to listen to any recommendations you might have in how to further promote the prevention of public nuisance and the prevention of crime and disorder.

Again, thank you for your representation and we hope to be able to work with the council in order to come to a conclusion that everyone is happy with. Please don't hesitate to get back in touch.

Kind regards,

Oliver sechi