

Licensing Sub-Committee

Monday 15 January 2018

10.00 am

Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Lorraine Lauder MBE
Councillor Kath Whittam

Reserves

Councillor Adele Morris

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

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Contact

Andrew Weir on 020 7525 7222 or email: andrew.weir@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 5 January 2018



Licensing Sub-Committee

Monday 15 January 2018
10.00 am

Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
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PART A - OPEN BUSINESS

1. APOLOGIES

To receive any apologies for absence.

2. CONFIRMATION OF VOTING MEMBERS

A representative of each political group will confirm the voting members of the committee.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.

5. LICENSING ACT 2003: PECKHAM NEWS, 133 PECKHAM HIGH STREET, LONDON SE15 5SL 1 - 28

ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT

Date: 5 January 2018

Item No. 5.	Classification: Open	Date: 15 January 2018	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Peckham News, 133 Peckham High Street, London SE15 5SL	
Ward(s) of group(s) affected		The Lane	
From		Strategic Director of Environment and Social Regeneration	

RECOMMENDATION

1. That the licensing sub-committee considers whether an application made by Fawad Karimi for a premises licence be granted under the Licensing Act 2003 in respect of the premises known as Peckham News, 133 Peckham High Street, London SE15 5SL.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from responsible authorities and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 13 to 18 of this report deal with the representations submitted in respect of the application. Copies of the representations are attached to this report as Appendix B. A map showing the location of the premises is attached to this report as Appendix C.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:

- The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to
- The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 16 November 2017 Fawad Karimi applied to this council for the grant of a premises licence in respect of Peckham News, 133 Peckham High Street, London SE15 5SL.
9. The application and is summarised as follows:
- **The sale of alcohol for consumption off the premises**
 - Monday to Sunday from 08:00 to 23:00
 - **Proposed opening hours of the premises**
 - Monday to Sunday from 06:00 to 23:00.
10. The premises licence application form provides the applicant's operating schedule. Parts J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operational control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application is attached to this report as Appendix A.
11. The premises are described as a convenience store, newsagents and grocery.

Designated premises supervisor

12. The proposed designated premises supervisor (DPS) is Fawad Karimi.

Representations from responsible authorities

13. Representations have been submitted by this council's trading standards service, Director of Public Health and licensing responsible authority. The Metropolitan Police Service has also submitted a representation.
14. The trading standards' representation suggests conditions, in regards to the implementation of a 'challenge 25' policy and limiting the alcohol by volume (ABV) of certain products to be sold at the premises, which trading standards contend should be included in any premises licence issued subsequent to the application.
15. The Director of Public Health's representation has been submitted in respect of the prevention of crime and disorder, the prevention of public nuisance and the protection of public safety licensing objectives. The representation states concerns regarding the hours requested in respect of alcohol sales. The representation notes that the premises are situated in the Peckham cumulative impact policy (CIP) area, that there is a high density of off licences in the locale, that there is an entrenched street drinking problem in the locale, that early morning purchasers of alcohol are more likely to be alcohol misusers and that the premises are in close proximity to two alcohol recovery hostels. The representation recommends that the start time for alcohol sales be amended to 11:00 and that a condition limiting the alcohol by volume (ABV) of certain products to be sold at the premises be imposed on any licence issued subsequent to the application.
16. The licensing responsible authority's representation has been submitted in respect of the prevention of crime and disorder and the prevention of public nuisance licensing objectives. The representation notes that the premises are situated in the Peckham CIP area. The representation contends that the application has not addressed the presumption to refuse the application and recommends that the application be refused unless the applicant can demonstrate that the operation of the premises will not contribute to crime and disorder and public nuisance in the locale. The representation requests that the applicant consider amending the operating schedule of the application to include two additional conditions regarding the containers that alcohol may be sold in and signage to be displayed at the premises.
17. The Metropolitan Police Service's representation notes that the premises are situated within the Peckham (CIP) area. The Metropolitan Police Service object to the granting of the application noting that the area that the premises are located in has a considerable amount of off licences and that the area suffers from problems related to alcohol abuse and street drinking. Should the licensing sub-committee be minded to grant the application the Metropolitan Police Service have recommended various conditions, relating to the prevention of crime and disorder, that should be imposed on the licence.
18. The representations submitted by responsible authorities are attached as Appendix B.

Representations from other persons

19. No representations were submitted by other persons.

Conciliation

20. The applicant has been provided with copies of all of the representations and has been advised to liaise directly with those responsible authorities who have submitted representations to facilitate any possible conciliation. At the time of the writing of this

report all of the representations submitted remain outstanding and must therefore be considered by the licensing sub-committee.

Premises history

21. No licensing authorisation has been issued in respect of the premises under the Licensing Act 2003 or any previous legislation.
22. No Temporary Event Notices have been submitted in regards to the premises.
23. On 16 November 2017 Fawad Karimi applied to this council for the grant of a premises licence in respect of Peckham News, 133 Peckham High Street, London SE15 5SL.

Map

24. A map showing the location of the premises is attached to this report as appendix D. The following licensed premises are also shown on the map and provide licensable activities as stated:

The Kentish Drovers, 71 – 79 Peckham High Street, London SE15 5RS licensed for:

- The provision of late night refreshment:
 - Sunday to Thursday from 23:00 to 00:30 the following day
 - Friday and Saturday from 23:00 to 01:00 the following day.
- The sale of alcohol to be consumed on and off the premises:
 - Sunday to Thursday from 09:00 to 00:30 the following day
 - Friday and Saturday from 09:00 to 01:00 the following day.

Peckham Town Square, Peckham High Street, London SE15 5RS licensed for:

- Films, live music, recorded music, anything similar to live or recorded music, performances of dance and plays:
 - Sunday to Thursday from 10:00 to 20:00
 - Friday and Saturday from 10:00 to 21:00.

Peckham Space, 89 Peckham High Street, London SE15 5RS licensed for:

- Films, boxing / wrestling, indoor sporting events, live music, recorded music, anything similar to live or recorded music, performances of dance and plays:
 - Monday to Sunday from 10:00 to 23:00

Yesil Irmak, 107 Peckham High Street, London SE15 5RS licensed for:

- The sale of alcohol to be consumed off the premises:
 - Monday to Sunday - 24 hours.

The Greyhound, 109 Peckham High Street, London SE15 5SE licensed for:

- The sale of alcohol to be consumed on the premises, live music and recorded music:
 - Monday to Sunday from 09:00 to 01:00 the following day.
- The provision of late night refreshment:
 - Monday to Saturday from 23:00 to 23:30.

Chick Chicken, 117 Peckham High Street, London SE15 5SE licensed for:

- The provision of late night refreshment:
 - Sunday from 23:00 to 00:00 (midnight)
 - Monday to Thursday from 23:00 to 01:00 the following day
 - Friday and Saturday from 23:00 to 02:00 the following day

Payless, 121 – 125 Peckham High Street, London SE15 5SF licensed for:

- The sale of alcohol to be consumed off the premises:
 - Sunday to Thursday from 06:00 to 01:00 the following day
 - Friday and Saturday from 06:00 to 02:00 the following day.

Peckham Food and Wine, 176 Peckham High Street, London SE15 5EG licensed for:

- The sale of alcohol to be consumed off the premises:
 - Monday to Sunday – 24 hours.

The Prince of Peckham, 1 Clayton Road, London SE15 5JA licensed for:

- The provision of late night refreshment:
 - Sunday to Thursday from 23:00 to 00:00
 - Friday and Saturday from 23:00 to 02:00 the following day.
- The sale of alcohol to be consumed on and off the premises, indoor sporting events, films and recorded music:
 - Sunday to Thursday from 09:00 to 00:00
 - Friday and Saturday from 09:00 to 01:00 the following day

The Copper Tap at the Red Cow, 190 - 192 Red Cow Peckham High Street SE15 5EG licensed for:

- Sale of alcohol to be consumed on and off the premises & performances of dance:
 - Monday to Thursday from 12:00 to 23:00
 - Friday and Saturday from 12:00 to 01:00 the following day
 - Sunday from 12:00 to 22:30.

Southwark council saturation policy for Peckham

25. Council assembly approved the introduction of a special policy for Peckham on the cumulative impact of a concentration of licensed premises (saturation policy) on 12 October 2011. This was renewed in November 2015 when full council assembly approved the 2016-2020 statement of licensing policy.
26. The decision to introduce saturation policy was taken with regard to the committee's concern over rising trends of late night alcohol related violence against the person and late night disorder and rowdiness associated with late night licensed premises in the area.
27. The effect of this special policy is that is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.
28. The applicant has been advised to address the committees concerns around cumulative impact at the meeting.

Southwark council statement of licensing policy

29. Council assembly approved Southwark's statement of licensing policy 2016 - 2020 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
 - Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
 - Section 5 - Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 - Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
 - Section 7 - Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 - The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 - Public safety. This provides general guidance on the promotion of the second licensing objective.

- Section 10 - The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 - The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
30. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
31. The premises are located in Peckham major town centre area. Below are closing times suggested in the statement of licensing policy, in respect of Peckham major town centre area, for off licences and grocers / supermarkets where sales of alcohol are permitted:
- Monday to Sunday: 00:00.

Resource implications

32. A fee of £190.00 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band B.

Consultation

33. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and similar notices were exhibited outside of the premises for a period of 28 consecutive days.

Community impact statement

34. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

35. The sub-committee is asked to determine the application for a premises licence under section 17 of the Licensing Act 2003.
36. The principles which sub-committee members must apply are set out below.

Principles for making the determination

37. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.

38. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an interested party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
39. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- To grant the licence subject to:
 - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
 - Any condition which must under section 19, 20 or 21 be included in the licence
 - To exclude from the scope of the licence any of the licensable activities to which the application relates
 - To refuse to specify a person in the licence as the premises supervisor
 - To reject the application.

Conditions

40. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
41. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
42. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
43. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
44. Members are also referred to the Home Office revised guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

Reasons

45. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision.

Hearing procedures

46. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives.
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
 - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
47. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

Council's multiple roles and the role of the licensing sub-committee

48. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
49. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing

of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.

50. As a quasi-judicial body, the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
51. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
52. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.

The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Other persons must live in the vicinity of the premises. This will be decided on a case to case basis.

53. Under the Human Rights Act 1998, the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
54. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

55. Members are required to have regard to the Home Office revised guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Strategic Director of Finance and Governance

56. The head of community safety and enforcement has confirmed that the costs of this process are borne by the service.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office revised guidance to the Act Secondary Regulations Southwark statement of licensing Policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH	Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Copy of the application
Appendix B	Copies of representations submitted by responsible authorities
Appendix C	Map of the local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Social Regeneration	
Report Author	Wesley McArthur, Principal Licensing Officer	
Version	Final	
Dated	4 January 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	4 January 2018	

**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. 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.

You may wish to keep a copy of the completed form for your records.

I/We MR FAWAD KARIMI

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description PECKHAM NEWS 133 PECKHAM HIGH STREET			
Post town	LONDON	Postcode	SE15 5SL
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£13,500.00	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |



- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname KARIMI			First names FAWAD		

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	

Daytime contact telephone number	
E-mail address (optional)	

(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 applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

CONVENIENCE STORE, NEWSAGENTS, GROCERY

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)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	08:00	23:00			
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00			
Fri	08:00	23:00			
Sat	08:00	23:00			
Sun	08:00	23:00			
			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

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 MR FAWAD KARIMI

K

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).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	06:00	23:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Tue	06:00	23:00	
Wed	06:00	23:00	
Thur	06:00	23:00	
Fri	06:00	23:00	
Sat	06:00	23:00	
Sun	06:00	23:00	

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)

1. Strict implementation of challenge 25 policy
2. CCTV to be installed and 31 days recording system
3. All staff to be trained in responsible alcohol retailing
4. Training manual will be available at the premises

b) The prevention of crime and disorder

1. The premise license holder shall ensure that CCTV camera and recorders are installed at the premises and are of a standard acceptable to and approved by the police
2. The system shall be maintained in good working order and at all times the premise is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access. All images should be stored for a minimum of 31 days
3. The CCTV views are not to be obstructed, at least one CCTV camera is to be placed near to the exit in order to capture clear facial images of all patrons leaving the premises
4. Signage will be prominently displayed advising customers that they are being filmed on CCTV
5. A suitable trained staff member will be able to show and provide police or council licensing officers recent data footage with the minimum delay when requested.
6. All goods, including those subject to duty payments i.e. alcohol and tobacco products will be brought from cash and carries with invoices being available upon request. No alcoholic drinks or tobacco will be purchased by the premises from unannounced sellers calling at the premises
7. All alcohol shall be purchased from AWRS registered cash & carry and wholesalers.
8. Incident book shall be available on premises, shall be updated as and when needed.

c) Public safety

1. Installation of appropriate safety equipment
2. Fire exit signs displayed
3. To comply with all current, fire, health and safety laws
4. CCTV working at all times

d) The prevention of public nuisance

1. Notice displayed asking customers to leave quietly from premises also customers will be told in person to leave quietly and not to disturb the local neighbourhood
2. Strict policy in place to tell all staff not to serve alcohol to drunks at all
3. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV

e) The protection of children from harm

1. A challenge 25 policy will be in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters displayed where alcohol is sold.
2. The only acceptable ID will be those with photographic identification documents; including passport, photo-card, driving license or proof of age card bearing the PASS hologram.
3. A refusal book shall be kept at the premises and updated as and when required, and made available for inspection on request to an Licensing Officer, Police or other responsible authority.
4. The licensee will ensure that staff are trained regularly as appropriate in respect to the Licensing Act 2003 legislation, staff to be trained regularly in underage sales prevention.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- 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.**

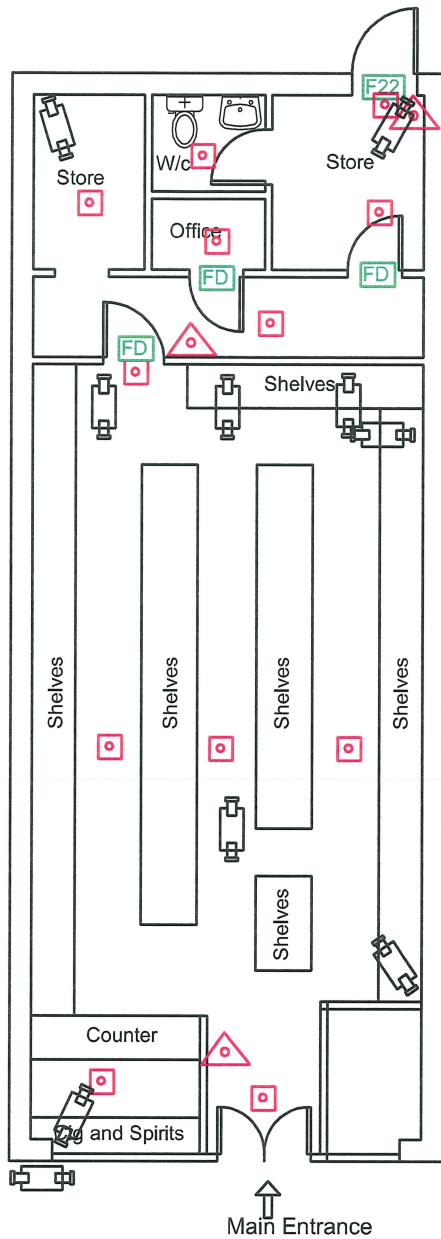
Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject 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 licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	14 – 11 – 2017
Capacity	DULY AUTHORISED AGENT

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

PROPOSED LICENSING PLAN



Property Address:
 133 Peckham High Street
 London
 SE15 5SL

Drawing no: P/HBS/114		Date: 13th Nov 2017	
Key		Scale:1:100	Paper: A4
	FIRE EXTINGUISHER		
	FIRE EXIT SIGNS		
	EMERGENCY LIGHTING		
	Fire Check Door		
	CCTV CAMERAS		
CCTV RECORDING 31 DAYS			
SHUTTERS PROVIDED			
ALARM SYSTEM TO AOISPEC OR SIMILAR FITTED			

Masini, Bill <Bill.Masini@southwark.gov.uk>

Wed 13/12, 14:33

Regen, Licensing (Licensing.Regen@southwark.gov.uk);

As a Responsible Authority under The Licensing Act, Trading Standards are in receipt of an application from Fawad Karimi for a Premises Licence for a shop called Peckham News at 133 Peckham High Street London SE15 5SL and respond accordingly under the Licensing Objectives.

Trading Standards welcome the statements made in Paragraph M e) under the objective – The Protection of children from harm. However, for the purposes of completeness and the avoidance of any ambiguity, Trading Standards would like to see the following conditions to go on the licence, if granted

- That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
- That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
- That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.

Trading Standards are very much aware of the alcohol related crime in the immediate vicinity of this premise and would therefore seek the following condition to be on the licence if granted

No beers, lagers or ciders in single cans, bottles or multi-packs with an ABV of more than 6.5% will be displayed, sold or offered for sale from the premises.

Trading Standards know Mr Karimi from his other shop at G & F Supermarket 272 Old Kent Road and earlier this year he agreed to this condition about super strength beers & ciders by way submitting a minor variation for that licence.

Bill Masini - Trading Standards Officer

Southwark Council Trading Standards | Environment & Social Regeneration

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

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

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

Need clear practical consumer advice? Visit Consumer Direct at www.direct.gov.uk/consumer

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing

Sent: Thursday, December 14, 2017 3:33 PM

To: Regen, Licensing

Cc: Public Health Licensing

Subject: RE: Consultation- New Premises Licence, 133 Peckham High St

To whom it may concern:

Re: 133 Peckham High Street, London SE15 5SL

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

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

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

The applicant requests a new licence for the sale of alcohol off the premises between 08:00 and 23:00 daily.

I have concerns regarding the early morning sales of alcohol requested. This premises is located in Peckham's cumulative impact policy area – a geographical zone within which the current saturation of licensed premises is having a negative impact on the local community. There is a high density of off-licensed premises in the local vicinity of this premises which is contributing to an entrenched street drinking issue. Early morning purchasers of alcohol are more likely to be alcohol misusers and thereby contribute to anti-social behaviour in the local area.

This premises is also located within close proximity to two alcohol recovery hostels housing extremely vulnerable people with alcohol misuse issues;

- Kairos Community Trust is a 15 minute walk away
- A community detox centre is a 17 minute walk away

Recommendations

- I recommended a start time for alcohol sales of 11am
- I recommend that no beers, lagers, ciders or similar alcohols to be sold in cans with an Alcohol By Volume (ABV) in excess of 6.5% or in bottles larger than 750ml with an ABV in excess of 6.5%.

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

Yours sincerely,

Carolyn Sharpe

on behalf of Professor Kevin Fenton, Director of Health and Wellbeing (incorporating the role of Director of Public Health)

Carolyn Sharpe | carolyn.sharpe@southwark.gov.uk | 02075250025 | 07927563567

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

MEMO: Licensing Unit

To: Licensing Unit
Date: 14 December 2017
Copies:
From: Jayne Tear
Telephone: 020 7525 0396
Email: Jayne.tear@southwark.gov.uk

Subject: Re: Peckham News, 133 Peckham High Street, London, SE15 5SL
 Application for a premises licence.

I write with regards to the above application for a premises licence submitted by Fawad Karimi under the licensing act 2003.

The application seeks the follows licensable activities:

- Supply of Alcohol (off the premises) on Monday to Sunday from 08:00 to 23:00
- The proposed opening hours will be on Monday to Sunday from 06:00 to 23:00

The premises is described as a '*Convenience store; newsagents, grocery*'.

My representation is submitted under the prevention of crime and disorder and the prevention of public nuisance licensing objectives and has regard to the Southwark Statement of Licensing Policy 2016 – 2020.

The premises is situated in Peckham Major Town Centre and also falls within the Peckham CIP Area. Under the Southwark Statement of Licensing Policy 2016 - 2020 the Local CIP applies to night clubs, public houses & bars, off-licenses, supermarkets, grocers, convenience stores and similar premises.

Section six of the policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Peckham policy area as defined in

paragraph 135 of the policy and, as an off licence type premises, falls into the class of premises in 136 of the policy.

Therefore under 119 of the policy there is a rebuttable presumption that applications for new premises licenses that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations. In such circumstances, it is for the applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

The applicant has not addressed the presumption to refuse this application within the operating schedule. I would recommend refusal of this application unless the applicant can demonstrate that the premises will not contributing to crime and disorder and public nuisance within the policy area.

Should the applicant provide further details within the operating schedule that members consider sufficient to prevent the operation of the premises contributing to crime and disorder and public nuisance within the policy area I would be in a position to withdraw my representation.

Due to the limited information in the application and to promote the licensing objectives I ask the applicant to consider adding the following conditons to the operating schedule:

- All 'off sales' of alcohol shall be provided in sealed containers and taken away from the premises.

- That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that 'off sales' of alcohol are not be opened and consumed in the vicinity of the premises

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

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

http://www.southwark.gov.uk/downloads/download/4399/licensing_act_2003_-_southwark_statement_of_licensing_policy_2016_-_2020

Jayne Tear

Principal Licensing officer

In the capacity of the Licensing Responsible Authority



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/3073/17

Date: 13th December 2017

Dear Sir/Madam

Re:- Peckham News, 133 Peckham High Street, London SE15 5SL

Police are in possession of an application from the above for a new premises licence. The application describes the operation as an Off Licence. It is within the Peckham cumulative community impact zone (CIZ). The hours requested are within the guidelines set out in the Southwark Statement of Licensing Policy.

The Police object to the granting of the licence for the sale of alcohol. The area the venue is situated has a considerable amount of Off Licence premises and the area is also problematic resulting from alcohol abuse including street drinking and associated issues.

If the licensing subcommittee feels that the applicant should be granted the licence inside CIZ the police have the following comments to make.

The applicant has offered a number conditions which should be included, but we would like to see the following additional conditions included on the licence to promote the crime and disorder licensing objectives. Some of which may have been offered as part of the operating schedule but the wording is important to avoid ambiguity.

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises
2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.
3. A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.
4. That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
5. No beers / ciders in single cans, bottles or multi-packs with an ABV of above 6.5% will be displayed / sold or offered for sale from the premises.
6. No alcohol to be stored or displayed within 2 metres of the entrance/exit unless behind the staff counter.
7. When the premises are open to the public and the licence is not in operation. All alcohol shall be stored in a cabinet/cooler with a lockable screen/door or behind the counter.

The Following is submitted for your consideration.

Yours Sincerely

PC Graham White 288MD

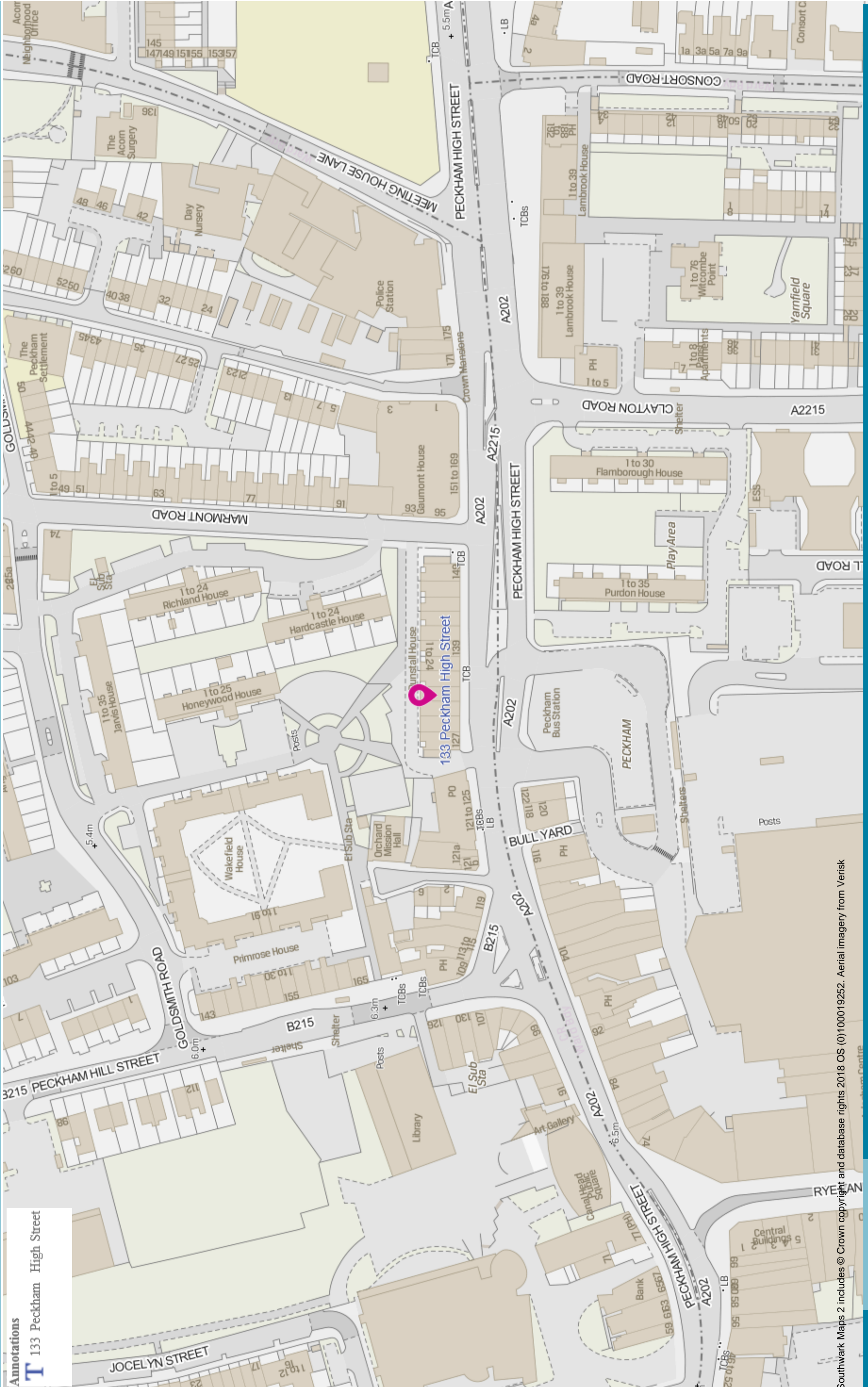
Southwark Police Licensing Unit

Tel: 0207 232 6756

133, PECKHAM HIGH STREET, SE15 5SL



Annotations
T 133 Peckham High Street



Southwark Maps 2 includes © Crown copyright and database rights 2018 OS (0)100019252. Aerial imagery from Verisk

50 m

Scale = 1 : 1323.000

4-Jan-2018



LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2017-18

NOTE: Original held by Constitutional Team; all amendments/queries to Andrew Weir - Tel: 020 7525 7222

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Councillor Kath Whittam	1	Jayne Tear, licensing team	1
Reserve		Carolyn Sharpe, public health team	1
Councillor Adele Morris	By email	Bill Masini, trading standards team	1
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