

Licensing Sub-Committee

Friday 13 April 2018

10.00 am

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

Membership

Councillor Adele Morris (Vice-Chair, in the Chair)
Councillor Sunil Chopra
Councillor Maria Linforth-Hall

Reserves

Councillor David Hubber

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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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: 3 April 2018



Licensing Sub-Committee

Friday 13 April 2018

10.00 am

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

Order of Business

Item No.	Title	Page No.
	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: R&T NEWS, 12 DUNTON ROAD, LONDON SE1 5TJ(LICENSING APPLICATION)	1 - 29
	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: 3 April 2018

Item No. 5.	Classification: Open	Date: 13 April 2018	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: R&T News – 12 Dunton Road, London, SE1 5TJ	
Ward(s) or groups affected:		Grange	
From:		Strategic Director of Environment and Social Regeneration	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Tarunkumar Patel to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as: R&T News, 12 Dunton Road, London SE1 5TJ.
2. Notes:
 - The application seeks to vary the premises licence held under current legislation in respect of the premises known as: R&T News, 12 Dunton Road, London SE1 5TJ, under section 34 of the Licensing Act 2003. Existing permitted licensable activities are not under consideration at this meeting. The variation application is subject to outstanding representations submitted by local residents and is therefore referred to the sub-committee for determination.
 - Paragraph 8 of this report provides a summary of the existing premises licence. A copy of the existing premises licence is attached at Appendix A.
 - Paragraphs 10 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 B. A map showing the location of the premises is attached as Appendix D.
 - Paragraphs 14 to 16 of this report deal with the representations submitted in respect of the application. Copies of the representations for responsible authorities and local residents are attached in Appendix C.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a new licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, this council wholly administers the licensing responsibility.

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 interested parties 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 current premises licence

8. The original licence was converted from the old Justice's Licence. The current premises licence for the premises known as R&T News, 12 Dunton Road, London SE1 5TJ, was issued following a designated premises supervisor (DPS) variation application. The licence permits the following:
 - The sale of alcohol to be consumed off the premises:
 - Monday to Saturday from 08:00 to 23:00
 - Sunday from 10:00 to 22:30
 - Opening hours:
 - There are no restrictions on opening hours on the licence.
9. A copy of the existing premises licence is attached as Appendix A.

The variation application

10. On 5 February 2018 Tarunkumar applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence issued in respect of the premises known as R&T News, 12 Dunton Road, London SE1 5TJ.

11. The application for variation is described as wanting to commence the sale of alcohol from 06:00 everyday, the hours sought are now:
 - Monday to Sunday from 06:00 to 20:30.
12. A copy of the application is attached to this report as Appendix B.

Designated premises supervisor

13. The designated premises supervisor (DPS) under the existing premises licence is Tarunkumar (the premises licence holder), holding a personal licence with the London Borough of Merton.

Representations from responsible authorities

14. The Metropolitan Police Service have made representation requesting additional conditions. The Applicant has intimated that he is open to accepting all conditions, with the exception of the 'high strength' condition, which states:
 - "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."
15. Southwark trading standards (TS) have made representation requesting additional conditions. The applicant had intimated that he is open to accepting all conditions, with the exception of the 'high strength' condition, which is similar in wording to that requested by the Metropolitan Police Service, stating:
 - "No beers, lagers or 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."
16. Southwark public health (PH) had made representation, but this has since been conciliated and withdrawn. The Applicant has agreed to bring back the start times of the sales of alcohol to 07:00hrs. Therefore the hours of the sale of alcohol will now be:
 - Monday to Sunday from 07:00 to 20:30.
17. All representations can be found in Appendix C.

Representations from other persons

18. No representations have been received from other persons.

Conciliation

19. Copies of representations were provided to the Applicant. At the point of publication of this report, the applicant had not fully responded to the concerns of the police and trading standards; and had not confirmed that he had indeed accepted any of the proposed conditions. Therefore both representations are outstanding in full.

Operating history

20. Since the original licence was issued, the application has been transferred and varied into

21. There is no history of temporary events notices at this premises.
22. No complaints have been received by the council's licensing department in relation to this premises.

Map

23. A map of the area is attached to this report as **Appendix D**. There is only one other licensed premises in the immediate vicinity:

VP Food Fare – 8 Dunton Road, SE1 5TJ, licenced for:

- The sale by retail of alcohol (off sales)
 - Monday to Thursday from 08:00 to 19:00
 - Friday to Sunday from 08:00 to 20:00.

Southwark council statement of licensing policy

24. 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.

25. 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.
26. Within Southwark's statement of licensing policy, the premises are identified as being outside of a cumulative impact policy area, but within a residential area. Relevant closing times recommended in the statement of licensing policy for licensed premises in residential areas are as follows:
 - Closing time for off-Licences and alcohol sales in grocers and supermarkets is 23:00 daily.

Resource implications

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

Consultation

28. Consultation has been carried out in respect of this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper twice (there was an error on the initial advert; however, this was republished within the specified time period to the satisfaction of the Licensing Authority). A similar notice exhibited at the premises for a period of 28 consecutive days. This was inspected by a Licensing Officer during the consultation period and found to be compliant.

Community impact statement

29. 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

30. The sub-committee is asked to determine the application to vary the premises licence under Section 34 of the Licensing Act 2003.
31. The principles which sub-committee members must apply are set out below.

Principles for making the determination

32. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.
33. The general principle is that applications for variation 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.
34. 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 other party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
35. 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:
- Add to, omit, and/or alter the conditions of the licence, or
 - Reject the whole or part of the application for variation.

Conditions

36. 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.
37. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
38. 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.
39. 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.
40. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors. The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2003 introduced three new conditions in respect of irresponsible promotions, the oral dispensing of alcohol and free tap water. In October 2010 an additional two conditions came into force: age verification policy and smaller measures for alcoholic drinks.
41. 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

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

Hearing procedures

43. 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.
44. This matter relates to the determination of an application to vary a premises licence under section 34 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

45. 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.
46. 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.

47. 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.
48. 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.
49. 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.
50. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
51. 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.
52. 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.
53. 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

54. The head of regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office 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	Mrs Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Copy of the existing premises licence
Appendix B	Copy of the application
Appendix C	Copies of representations from responsible authorities:
Appendix D	Map of the local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Social Regeneration		
Report Author	Andrew Heron, Principal Licensing Officer		
Version	Final		
Dated	28 March 2018		
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		29 March 2018	

APPENDIX A

Licensing Act 2003 Premises Licence



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

862083

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
R & T News 12 Dunton Road London SE1 5TJ Ordnance survey map reference (if applicable), 178833533760	
Post town London	Post code SE1 5TJ
Telephone number [REDACTED]	

Where the licence is time limited the dates

Licensable activities authorised by the licence
Sale by retail of alcohol to be consumed off premises

The opening hours of the premises
For any non standard timings see **Annex 2**

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities
For any non standard timings see Annex 2 of the full premises licence


Sale by retail of alcohol to be consumed off premises

Monday	08:00 - 23:00
Tuesday	08:00 - 23:00
Wednesday	08:00 - 23:00
Thursday	08:00 - 23:00
Friday	08:00 - 23:00
Saturday	08:00 - 23:00
Sunday,	10:00 - 22:30

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Tarunkumar Patel
 12 Dunton Road
 London
 SE1 5TJ

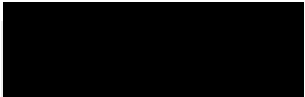
Registered number of holder, for example company number, charity number (where applicable)**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Tarunkumar Patel


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



Licence Issue date 25/01/2018


 Head of Regulatory Services
 Hub 1, 3rd Floor
 PO Box 64529
 London, SE1P 5LX
 020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

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

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

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

2. For the purpose of the condition set out in paragraph (1):

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

(b) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where-

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

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

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

(v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax; (2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

124 Alcohol shall not be sold or supplied except during the permitted hours. In this condition the permitted hours means:

- a. On weekdays, other than Christmas Day, 8.00.a.m. to 11.00.p.m.
- b. On Sundays, other than Christmas Day, 10.00.a.m. to 10.30.p.m.
- c. On Christmas day, 12 noon to 3.00.p.m. and 7.00.p.m. to 10.30.p.m.
- d. On Good Friday, 8.00.a.m. to 10.30.p.m.

The above restrictions do not prohibit:

- i) During the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel
- ii) The ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- iii) The sale of alcohol to a trader or club for the purposes of the trade or club ;
- iv) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces .

125 Alcohol shall not be sold in an open container or be consumed in the licensed premises.

127 Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- a. With and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- b. For consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- c. To a canteen or mess.

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

Annex 4 - Plans - Attached

Licence No. 862083

Plan No. N/A

Plan Date N/A

APPENDIX B

Business - Application to vary a premises licence under the Licensing Act 2003

02/02/2018

Business - Application to vary a premises licence under the Licensing Act 2003

Ref No. 966489



Please enter the name(s) of the premises licence holders who is applying to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

	Tarunkumar Patel
Premises licence number	862083

Non-domestic rateable value of premises in order to see your rateable value click here (opens in new window)

£	4800.00
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Postal address of premises or, if none, ordnance survey map reference or description

Address Line 1	12 DUNTON ROAD
Address Line 2	
Town	LONDON
County	
Post code	SE1 5TJ
Ordnance survey map reference	
Description of the location	Off Licence shop
Telephone number	

Please select the capacity in which you are applying to convert your existing licence

Daytime contact telephone number	
Email address	
Postal Address if different from premises address	
Town / City	
Postcode	

Do you want the premises licence to have effect as soon as possible?

Please tick	Yes
-------------	-----

If not from what date do you want the variation to take effect?

Business - Application to vary a premises licence under the Licensing Act 2003

(DD/MM/YYYY)	
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Please describe briefly the nature of the proposed variation (see guidance note 2)

	I got licence to start from 08am Monday to Saturday and 10:00 on Sunday. Instead of these I would like to start 06am everyday.
--	--

If 5,000 or more people attend the premises at any one time, please state the number

Please select number from range	Less than 5000
If your proposed variation would mean that 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 of the Licensing Act 2003 and schedule 1 and 2 to the Licensing Act 2003)
--	---

Provision of regulated entertainment

Provision of late night refreshment

--	--

Supply of alcohol

	j) Supply of alcohol
--	----------------------

Will the supply of alcohol be for consumption (Please read guidance note 8)

Business - Application to vary a premises licence under the Licensing Act 2003

	Off the premises
--	------------------

Standard days and timings for Supply of alcohol (Please read guidance note 7)

Day	Start	Finish
Mon	06:00	23:00 20:30
		23:00
Tues	06:00	23:00 20:30
Wed	06:00	23:00 20:30
Thur	06:00	23:00 20:30
Fri	06:00	23:00 20:30
Sat	06:00	23:00 20:30
Sun	06:00	23:00 20:30

State any seasonal variations for the supply of alcohol (Please read guidance 5)

--	--

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, (Please read guidance note 6)

--	--

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)

	No
--	----

Hours premises are open to the public (standard timings Please read guidance note 7)

Day	Start	Finish
Mon	06:00	19:30 20:30
Tues	06:00	19:30 20:30
Wed	06:00	19:30 20:30
Thur	06:00	19:30 20:30
Fri	06:00	19:30 20:30
Sat	06:00	19:30 20:30
Sun	07:00 06:00	19:00 20:30

State any seasonal variations (Please read guidance note 5)

--	--

Business - Application to vary a premises licence under the Licensing Act 2003

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, (Please read guidance note 6)

--	--

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

	Timing which starts from 08 am and 10:00 am.
--	--

a) General - all four licensing objectives (b,c,d,e) (Please read guidance note 10)

	No
--	----

b) the prevention of crime and disorder

	I will make sure not to sell alcohol to anybody who is already drunk and and who are making noise out side shop, I will tell them to move away. And if they don't listen then I will contact police immediately.
--	--

c) public safety

	I will make sure to not sell alcohol to who are already drunk. And also make sure who buy alcohol, they will not make any noise out side.
--	---

d) the prevention of public nuisance

	I will make sure the customers won't make any noise out side the shop and if anything happens like this, I will request them to move away from shop.
--	--

e) the protection of children from harm

	I will make sure alcohol won't be sold under age.
--	---

If the plan of the premises are varying please upload a plan of the premises,

Upload proposed plans	
Upload existing plans	

Checklist

Business - Application to vary a premises licence under the Licensing Act 2003

	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.
--	---

I agree to the above statement

	I agree
PaymentDescription	200003372099, ,
AuthCode	575682
LicenceReference	ks102 94212
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If completing on behalf of the applicant, please state in what capacity.

Full name	Tarunkumar Patel
Date (DD/MM/YYYY)	02/02/2018
Capacity	Business owner

Where the premises licence is jointly held, please enter the 2nd applicants name (the current premises licence holder) or 2nd solicitor or other authorised agent (please read guidance note 13). If completing on behalf of the applicant, please state i

Full name	
Date (DD/MM/YYYY)	
Capacity	

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

Contact name and address for correspondence	
Telephone No.	
If you prefer us to correspond with you by e-mail, your email address (optional)	

Please tick to indicate agreement

	I am not a company or limited liability partnership
--	---

Please upload proof of entitlement to work in the UK

Business - Application to vary a premises licence under the Licensing Act 2003

	image.jpg
--	-----------

I agree to the above statement

	Yes
--	-----

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.



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: MD21/3082/18

Date: 1st March 2018

Dear Sir/Madam

Re:- R & T News, 12 Dunton Road, London SE1 5TJ

Police are in possession of an application from the above for a variation to the premises licence.

Although the hours applied for are within that recommended by Southwark's licensing policy the applicant has applied to open earlier at 06.00hrs and reduce the closing time to 20.30hrs and have alcohol sales in line with this.

The applicant should give consideration to issues caused by opening and selling alcohol in the early morning as it would attract alcohol dependent people and the problems associated with this. When setting out the steps they will take to promote the licensing objectives these factors should be considered.

These steps should be set out in the operating schedule and should be precise and enforceable, but none have been offered. Police would like to see further control measures.

1. 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.
2. No alcohol to be stored or displayed within 2 metres of the entrance/exit unless behind the staff counter.
3. 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. It should cover the outside area to the front where the delivery vehicles park and the entrance to the premises.
4. 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.

5. 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.
6. 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.

The Following is submitted for your consideration.

Yours Sincerely

PC Graham White 288MD
Southwark Police Licensing Unit
Tel: 0207 232 6756

Heron, Andrew

From: Tahir, Sarah
Sent: 13 March 2018 14:02
To: Heron, Andrew
Subject: FW: Application to vary premises licence - R&T News 12 Dunton Road SE1 5TJ
Sensitivity: Confidential

Added to l1u - 862153

From: Regen, Licensing
Sent: Tuesday, March 13, 2018 12:57 PM
To: Tahir, Sarah
Subject: FW: Application to vary premises licence - R&T News 12 Dunton Road SE1 5TJ
Sensitivity: Confidential

From: Masini, Bill
Sent: Tuesday, March 13, 2018 12:21 PM
To: Regen, Licensing
Cc: Tear, Jayne
Subject: Application to vary premises licence - R&T News 12 Dunton Road SE1 5TJ
Sensitivity: Confidential

As a Responsible Authority under The Licensing Act, Trading Standards are in receipt of an application from Tarunkumar Patel to vary the Premises Licence for a business called R & T News at 12 Dunton Road London SE1 15TJ and respond accordingly under the Licensing Objectives.

Trading Standards note the premise is close to Harris Academy School and that there are very few conditions on the current licence. Whilst the applicant states in Paragraph M e) under the objective – The protection of children from harm, “I will make sure alcohol won’t be sold under age”, Trading Standards would like to see the following conditions to be added to the licence.

- 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 do express their concern that the applicant seeks to start selling alcohol from 6.00am. Currently there are no conditions restricting the alcoholic strength of beers, lagers and ciders. Trading Standards are concerned that those alcohol dependent people who consume such super strength beers and ciders, would be attracted to the premise if it were allowed to sell alcohol from 6.00am onwards. Such people in need of these drinks first thing in the morning are prone to drinking these in the immediate vicinity of where they bought them and thus in this case, near to the school. To alleviate this, and allow the premise to be open at the hour the applicant seeks, Trading Standards would like the following condition to be added to the licence:

- No beers, lagers or 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

Without these conditions added to the premises licence, Trading Standards objects to application for the earlier licensable hours of 06.00am.

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



<http://www.southwark.gov.uk/business/trading-standards-and-food-safety/illegal-tobacco-e-cigarettes-and-shisha>

Please consider the environment - do you really need to print this email?

Heron, Andrew

From: Jerrom, Charlie
Sent: 01 March 2018 10:46
To: Heron, Andrew
Subject: FW: Consultation - Major Variation, 12 Dunton Road

fyi

From: Jerrom, Charlie **On Behalf Of** Regen, Licensing
Sent: Thursday, March 01, 2018 10:43 AM
To: Jerrom, Charlie
Subject: FW: Consultation - Major Variation, 12 Dunton Road

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Thursday, March 01, 2018 10:43 AM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: Consultation - Major Variation, 12 Dunton Road

To whom it may concern:

Re: 12 Dunton Road, London SE1 5TJ

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 to vary their current license to extend the hours for the sale of alcohol off the premises from 08:00-23:00 Monday – Saturday and 10:00-22:30 on Sunday to 06:00-20:30 daily.

I have concerns regarding the early-morning sales of alcohol requested. Early morning purchasers of alcohol are more likely to be alcohol misusers and thereby contribute to anti-social behaviour in the local area. The applicant has made no justification for their request to sell alcohol earlier in the morning and have also given very little appreciation to how they will promote the four licensing objectives in the operating schedule of their application.

Further, this premises is located within close proximity to a large alcohol recovery hostels housing extremely vulnerable people with alcohol misuse issues;

- Grange road, 39 beds, located 7 minutes' walk away

Recommendations

In order to protect vulnerable people housed in the local vicinity of this premises and to promote the four licensing objectives, I recommend this application is rejected

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

From: Jerrom, Charlie

Sent: 05 February 2018 11:57

To: Alcohol@homeoffice.gsi.gov.uk ; Sharpe, Carolyn; Chowdhury, Farhad; Chudasama, Sailesh; Taylor, Dan; DIP Team; Farrington, Ian; FireSafetyRegulationSE@london-fire.gov.uk ; Graham White; Ifepa; Masini, Bill; Planning.Enquiries; Public Health Licensing; Reg Env Protection; Richards-Vassell, Thomas; Qau Safeguarding; safer; Shannon, Rochelle; southwark.repro@pbms.co.uk; Tear, Jayne; West Team diary

Subject: Consultation - Major Variation, 12 Dunton Road

Heron, Andrew

From: Sharpe, Carolyn
Sent: 12 March 2018 09:53
To: Heron, Andrew
Cc: [REDACTED]
Subject: 12 Dunton road

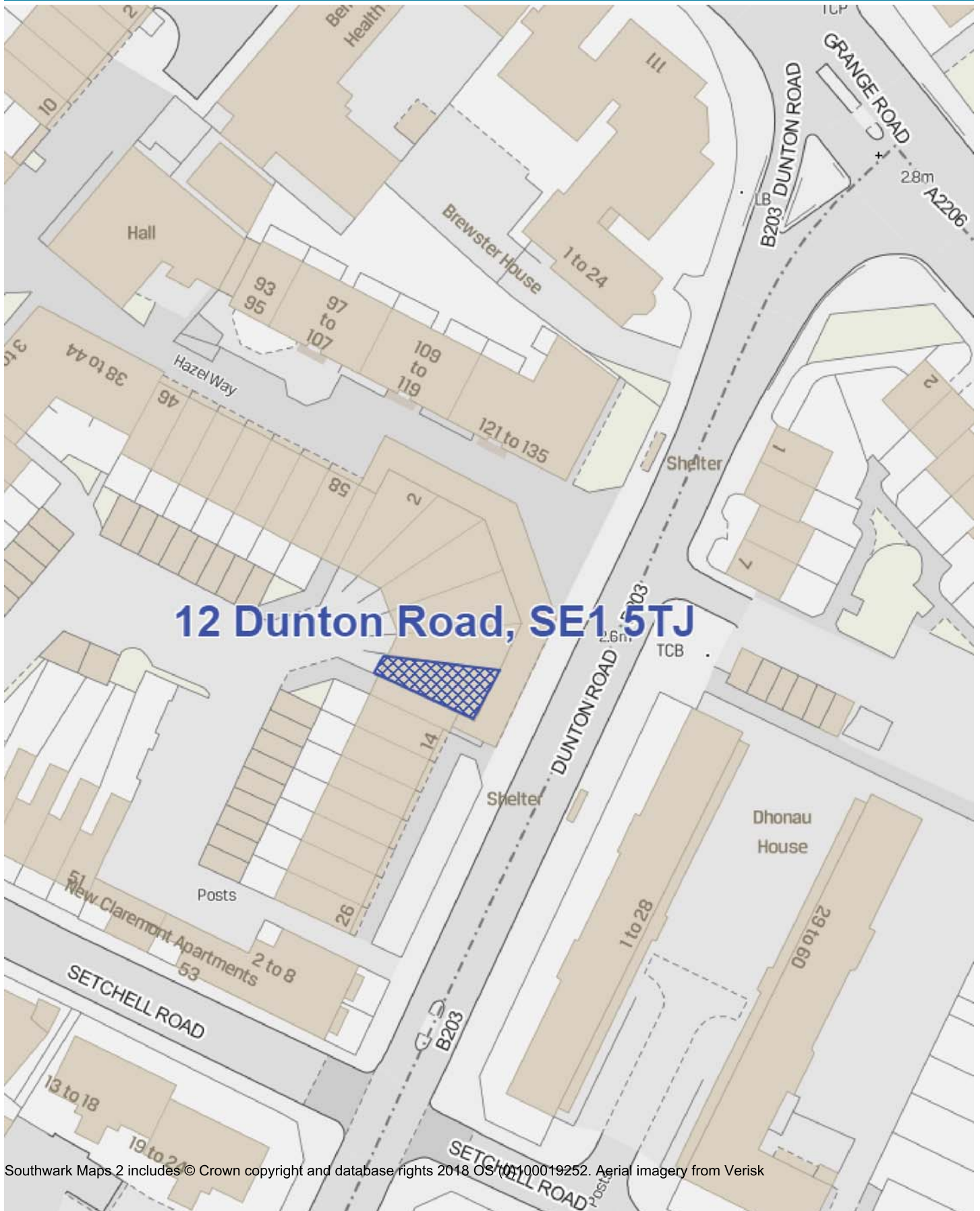
Follow Up Flag: Follow up
Flag Status: Completed

Dear Andrew,

Thank you for putting me in contact with the applicant, we just discussed this application and have agreed a compromise of 7am to start selling alcohol in the morning daily. With this new start time agreed, I am happy to withdraw my representation.

Best wishes,
Carolyn

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



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27-Mar-2018

Scale = 1 : 661.500

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

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Andrew Weir - Tel: 020 7525 7222

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Councillor Maria Linforth-Hall	1	Bill Masini, trading standards team	1
		P.C. Graham White, Metropolitan Police Service	By email
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