

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 26 November 2012 at 10.00 am at Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Sunil Chopra (Chair)
Councillor Wilma Nelson
Councillor David Hubber

OTHERS PRESENT: Noel Samaroo, licensing agent for the applicants

OFFICER SUPPORT: Debra Allday, legal officer
Dorcas Mills, licensing officer
Sean Usher, constitutional officer

1. APOLOGIES

Apologies were received from Councillor Dora Dixon Fyle. Councillor David Hubber, the reserve member, attended in her absence.

2. CONFIRMATION OF VOTING MEMBERS

The three members present were confirmed as the voting members.

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

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Chopra declared he had a non pecuniary interest in the item as he owns an unrelated business in the vicinity of the premises.

5. LICENSING ACT 2003 - T & S AFRO COSMETIC CENTRE, 213A RYE LANE, LONDON SE15 4TP

The licensing officer presented her report and informed the sub-committee that the objector, Councillor Rowenna Davis, had confirmed she would not attend.

The agent for the applicant presented the application to the sub-committee. Members had questions for the agent.

The agent was given five minutes to sum up.

The sub-committee went into closed session at 10.26am to consider the application.

The sub-committee resumed at 10.46am and the chair read out the following decision.

RESOLVED:

That the application by Mr T Thanabalasingham and Mr T Savagi for a variation of a premises licence issued under the Licensing Act 2003 in respect of the premises known as T & S Afro Cosmetic Centre, 213A Rye Lane, London SE15 4TP be granted as follows:

Licensable activity	Monday to Saturday	Sunday
Alcohol sales	23.00 to 02.00	08.00 to 01.00
Opening hours	23.00 to 03.00	08.00 to 01.00

Non-standard timing requested for Christmas Day:

- Christmas Day from 08.00 to 02.00.

The following conditions to be removed from Annexe 2 of the premises licence:

- Condition 2700 entirely.

Conditions

In addition to the decision as above, the following conditions will apply:

1. That the premises will install and use a night hatch for the sale of alcohol and all other products from 23.00 until the terminal hour as detailed on the premises licence.
2. That the premises will not sell or offer for sale, any single cans, bottles or multi-packs of beers or ciders with an alcohol by volume (ABV) of above 8%. All beers and ciders with an ABV of above 5.5% will not be offered for sale from any area to which the public have access.

Reasons

This was an application by Mr T Thanabalasingham and Mr T Savagi for a variation of a premises licence issued under the Licensing Act 2003 in respect of T & S Afro Cosmetic Centre, 213A Rye Lane, London SE15 4TP. The licensing sub-committee heard evidence from the applicant's representative.

The licensing sub-committee noted the written representation from the ward councillor.

The licensing sub-committee noted that the police had withdrawn their representation, following a conciliation agreement with the applicant. The conditions requested by the police as part of that conciliation agreement are listed as conditions 1 and 2 above.

There were no longer any police objections, there were no representations from local residents, they have traded for eight years without incident and any issues could be subject to a review.

In reaching this decision the sub committee had regard to all the relevant considerations and the four licensing objectives.

The licensing sub-committee considered that it was appropriate and proportionate to attach these conditions in order to address the licensing objectives.

Appeal rights

The applicant may appeal against any decision to modify the conditions of the licence and any person who made relevant representations in relation to the application who desire to contend that:

- a) That the variation ought not to have been made; or
- b) That, when varying the licence, the licensing authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at 10.55am.

CHAIR:

DATED: