

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 27 February 2014 at 10.00 am at Ground Floor Meeting Room G01C - 160 Tooley Street, London SE1 2QH

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<b>PRESENT:</b>	Councillor Renata Hamvas (Chair) Councillor Adele Morris Councillor Lorraine Lauder MBE
<b>OTHERS PRESENT:</b>	Sunmuganathan Suganthan, applicant P. Wareing, applicant's representative P.C. Graham White, Metropolitan Police Service
<b>OFFICER SUPPORT:</b>	Cynthia Barrientos, legal officer Wesley McArthur, licensing officer Andrew Weir, constitutional officer

### 1. APOLOGIES

Apologies for absence were received from Councillor Abdul Mohamed.

### 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

There were none.

### 5. LICENSING ACT 2003: SJ FOOD & WINE, 144 LOWER ROAD, LONDON, SE16 2UG

The licensing officer presented their report. Members had no questions for the licensing officer.

The applicant's representative addressed the sub-committee. The applicant's representative asked to circulate copies of the Southwark licensing register as additional papers. The sub-committee agreed not to admit these extra papers. Members had questions for the applicant and their representative.

The Metropolitan Police Service representative addressed the sub-committee. Members had questions for the police representative.

All parties were given five minutes for summing up.

The licensing sub-committee went into closed session at 10.46am.

The licensing sub-committee resumed at 12.57pm and the chair read out the decision of the sub-committee.

## **RESOLVED**

That the application submitted by Sunmuganathan Suganthan for a variation of a premises licence granted under the Licensing Act 2003 in respect of the premises known as SJ Food & Wine, 144 Lower Road, London SE16 2UG be granted as follows:

<b>Licensable Activity</b>	<b>Monday to Sunday</b>
Sale and supply of alcohol to be consumed off the premises	07.00 to 01.30
Hours premises are open to the public	24 hours
Non standard timings	None

## **Conditions**

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in section M of the application form and the following conditions:

1. That a CCTV system be installed at the premises and be maintained in good working order to the satisfaction of the Metropolitan Police 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. That all CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available to officers of the police or the council upon request.
3. That all staff are trained in their responsibilities under the Licensing Act 2003 and records pertaining to such training shall be kept at the premises and updated every 6 months.
4. That between the hours of 22.00 and 01.30 there will be at least two members of staff on duty at the premises.
5. That when the premises are open to the public and the licence is not in operation, all

alcohol shall be stored in a locked cabinet/cooler.

### **Reasons**

This was an application submitted by Sunmuganathan Suganthan for a variation of the premises licence granted under the Licensing Act 2003 in respect of the premises known as SJ Food & Wine, 144 Lower Road, London SE16 2UG. The application was made under section 34 of the Licensing Act 2003.

The licensing sub-committee heard evidence from the applicant's representative, who informed the sub-committee that the applicant managed a safe convenience store selling both food and alcohol. He advised that the applicant was a responsible seller of alcohol and that the applicant has been selling beers and ciders in cans, bottles and multipacks with an ABV of above 7%. The applicant highlighted that there had been very few problems relating to the premises and that he had contacted the police where problems had arisen. He further advised that his premises had installed CCTV within the premises in 2006.

The licensing sub-committee heard evidence from the Metropolitan Police Service who informed the sub-committee that the police had no concerns regarding the management of the premises and that on the rare occasions where incidents had arisen, the applicant had acted responsibly by informing the police. The police raised concerns that this premises was in close proximity to residential buildings and a busy public house and were concerned that local residents might be disturbed should the extension to the sale of alcohol be granted 24 hours. The police provided evidence that restricting the sale of certain alcohol of above ABV 7% had reduced alcohol related crime significantly in areas where premises had voluntarily adopted that condition.

Having heard the evidence the sub-committee considered this application on its own merits. The sub-committee accepted that the applicant had managed the premises well to date and decided not to impose the proposed police condition relating to the restriction of the sale of certain alcohol of above ABV 7%.

However, the sub-committee was mindful of the public nuisance and crime and disorder licensing objectives, in particular in relation to the proximity of a large residential block of flats and have therefore granted this application in part in so far as that the sale of alcohol is limited to 07.00 to 01.30 each day.

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 the above 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 desires to contend that:

- a) The variation ought not to have been made or
- b) That when varying the premises 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 the decision.

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

The meeting closed at 1.00pm.

**CHAIR:**

**DATED:**