



Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 26 November 2015 at 10.00 am at Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

PRESENT:

Councillor David Hubber
Councillor Sunny Lambe
Councillor Lorraine Lauder MBE

**OTHERS
PRESENT:**

Joanne Surguy, Sainsburys licensing officer
Robert Botkai, legal representative for Little Bird Gin
Taskin Muzaffer, owner at Little Bird Gin
Pru Clarke, General Manager at Little Bird Gin
Peter Thickett, local resident
Tony Walters local resident
Wendy Alldis, local resident

**OFFICER
SUPPORT:**

Debra Allday, legal representative
Joanne Devlin, legal representative
David Franklin, licensing officer
Richard Kalu, licensing officer
Jayne Tear, licensing officer
Gavin Blackburn, planning officer
Victoria Foreman, constitutional officer
Gerald Gohler, constitutional officer

1. APPOINTMENT OF CHAIR

RESOLVED:

That Councillor Lorraine Lauder be appointed Chair for the duration of the meeting.

2. APOLOGIES

There were no apologies for absence.

3. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

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

There were none.

5. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

6. LICENSING ACT 2003: SAINSBURY'S, 88 DULWICH VILLAGE, LONDON SE21 7AQ

The licensing officer presented their report. Members had questions of the licensing officer.

The applicant and the legal representative for the applicant addressed the sub-committee. Members had questions for the applicant and their legal representative.

The sub-committee heard from an objector to the application and asked questions of the objector.

All parties were given five minutes for summing up.

The meeting went into closed session at 10.35am.

The meeting resumed at 11.10am and the chair read out the decision of the sub-committee.

RESOLVED:

That the application by Sainsbury's Supermarkets Ltd for a grant of a Premises Licence issued under the Licensing Act 2003 in respect of Sainsbury's , 88 Dulwich Village, Southwark, SE21 7AQ be granted as follows:

Licensable Activity	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Sale and supply of alcohol (on the premises)	07:00 to 23:00	07:00 to 23:00	07:00 to 23:00	07:00 to 23:00	07:00 to 23:00	07:00 to 23:00	07:00 to 23:00
Hours premises are open to the public	00:00 to 24:00	00:00 to 24:00	00:00 to 24:00	00:00 to 24:00	00:00 to 24:00	00:00 to 24:00	00:00 to 24:00

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 all staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales:
 - Induction training which must be completed and documented prior to the sale of alcohol by the staff member.
 - Refresher/reinforcement training at intervals of no more than 6 months.

Training records will be kept at the premises available for inspection by a police officer or other authorised officer upon request.

- 2) That alcohol will not be displayed within 2 metres of the store entrance unless it is behind the checkout counters.
- 3) That there shall be no sale of beer, lager or cider with an ABV content of 5.5% ABV or above save for premium products which have been agreed with the police (email authority will suffice).
- 4) That outside of permitted hours for the sale of alcohol, and when the premises are otherwise open to customers, all alcohol within the trading area (this does not apply to the display behind the cashier counter) is to be kept behind shutters/screens/grills.

That deliveries to the store only be made during opening hours (from 7:00 until 23:00) excluding the delivery of newspapers and magazines.

Reasons

This was an application submitted by Sainsbury's Supermarket Ltd for a grant of a Premises Licence issued under the Licensing Act 2003 in respect of Sainsbury's, 88 Dulwich Village, Southwark, SE21 7AQ.

The licensing sub-committee heard evidence from the applicant who informed the sub-committee that the premises currently had a licence under the name of Shepherd's. The proposed Sainsbury's store would be a smaller micro-store which would have opening hours of 7:00 until 23:00, and that there was no intention to open as a 24-hour store. Regarding the resident's concerns about deliveries, these would be made from the front of the store, and there would be one main delivery a day. The applicant offered the condition that deliveries only be made during store opening hours, excluding deliveries of newspapers and magazines.

The licensing sub-committee heard from a local resident who welcomed Sainsbury's to the area but whose concerns related to the store's opening hours and deliveries. The objector was satisfied that the condition relating to deliveries offered by the applicant addressed his concerns.

The licensing sub-committee were pleased that the applicant had conciliated with the responsible authority and the local resident (Party 3), and were satisfied that the condition

offered by the premises would address all the concerns raised by the other persons.

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:

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desire to contend that:

- a) That the licence ought not to be granted; or
- b) That on granting the licence, the Licensing Authority ought to have imposed different or additional conditions 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 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' clerk 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.

7. LICENSING ACT 2003: LITTLE BIRD GIN NIGHTS & WEEKENDS, UNIT 1. DOVEDALE BUSINESS CENTRE, 22A BLENHEIM GROVE, LONDON SE15 4QN

The licensing officer presented their report. Members had questions for the licensing officer.

The applicant and the applicant's legal representative addressed the sub-committee. Members had questions for the applicant and the applicant's legal representative.

The representative from the planning authority addressed the sub-committee. Members had questions for the planning authority representative.

The local residents objecting to the application addressed the sub-committee. Members had questions for the local residents.

All parties were given five minutes for summing up.

The meeting went into closed session at 13.00pm.

The meeting resumed at 13.55pm and the chair read out the decision of the sub-committee.

RESOLVED:

Decision

That the application submitted by Johnson and Co Hospitality Limited, for a premises licence application to be granted under the Licensing Act 2003 in respect of the premises known as Little Bird Gin Nights & Weekends, Unit 1, Dovedale Business Centre, 22a Blenheim Grove, London SE15 4QN, be granted as follows:

Activity	
Sale of alcohol on-sales	10:00 to 22:00 hours Thursday to Sunday
Sale of alcohol off-sales	10:00 to 19:00 Monday to Sunday
Opening Hours	10:00 to 22:30 hours Monday to Sunday

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, any conditions agreed by the applicant in discussions with responsible authorities and the following additional conditions agreed by the licensing sub-committee:

1. That food will be available during the hours of licensable activities.
2. That the premises licence holder shall display a telephone number for local residents to contact management as and when necessary.
3. That a total of three portable WC's will be provided in the premises under contract from a reputable provider. This will include a service agreement.

Reasons

This was a meeting to consider the application made by Johnson and Co Hospitality Limited, for the grant of a premises licence, issued under the Licensing Act 2003, in respect of Little Bird Gin Nights & Weekends, Unit 1, Dovedale Business Centre, 22a Blenheim Grove, London SE15 4QN.

The licensing sub-committee heard from the applicant who advised that they had reduced the hours applied for since submitting the original application and had also agreed to remove live and recorded music from the application. They also highlighted that Health and Safety, Trading Standards, Police and the Environmental Protection Team had all conciliated with regards to adding additional conditions to the licence in order to address any concerns, thereby reducing the negative cumulative impact.

The applicant informed the committee that the premises distil their own gin and sought to attract a discerning clientele, and that they did not intend to run the premises as a mainstream bar.

The applicant also highlighted that they had recently operated 12 TENs (Temporary Event Notices) successfully without any complaints, thereby demonstrating that the premises is capable of operating as a responsible licensed premises, and that any concerns are therefore perceived concerns and not substantiated by the premises recent activities.

The licensing sub-committee heard from the Planning department who highlighted that the area was in a saturation zone, but also stated that planning considerations were to be considered separately from licensing objectives.

The licensing sub-committee heard from licensing as a responsible authority who stated that since raising the objection, the applicant had reduced the hours and removed the application for regulated entertainment, thereby addressing the officer's initial concerns.

Furthermore, the licensing officer noted the recent successful operation of all 12 TENs, and the additional conditions being added to the licence, such as an appropriate dispersal policy, the licensing authority was satisfied that such conditions would assist in reducing the negative cumulative impact on the area.

The licensing sub-committee heard from the objectors to the application who highlighted that the area was within a saturation zone and stated that they were not satisfied by the reduced hours, and considered the premises to be a bar that would attract crowds and cause noise nuisance. The residents indicated that if the licence was granted, their concerns could be addressed if the premises on-sales were limited to Thursday to Sunday and the premises did not sell beer, and if off-sales were limited to 19:00 Monday to Sunday.

Whilst the objectors expressed concerns that the venue could cause noise nuisance, it was also stated that he believed the applicant's sincerity in wanting to engage and develop a working relationship with the residents. The objectors also requested contact details to be made available, to allow residents to contact the applicant where necessary.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and felt that this decision was appropriate and proportionate to attach these conditions in order to address the licensing objectives.

The licensing authority concluded that they were satisfied with the current application, and conditions, and that there would be no negative cumulative impact on one or more of the licensing objectives.

Appeal rights

The applicant may appeal against any decision

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desire to contend that

- a) That the licence ought not to be been granted or

- b) That on granting the licence, the licensing authority ought to have imposed different or additional conditions to 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 are 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 the licensing authority of the decision appealed against.

The meeting ended at 2.10pm.

CHAIR:

DATED: