

Licensing Sub-Committee

Monday 29 February 2016
10.00am

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Stephanie Cryan
Councillor Sunny Lambe
Councillor Sandra Rhule

Reserves

Councillor Lorraine Lauder MBE

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
Webpage: www.southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 19 February 2016



Licensing Sub-Committee

Monday 29 February 2016
10.00am

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APPOINTMENT OF CHAIR	
	To appoint a chair for the meeting.	
2.	APOLOGIES	
	To receive any apologies for absence.	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
4.	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.	
5.	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.	

Item No.	Title	Page No.
6.	LICENSING ACT 2003: ORGANIC VILLAGE MARKET, 18 LORDSHIP LANE, LONDON SE22 8HN	1 - 38
7.	LICENSING ACT 2003: PRICECUTTER, 145 CAMBERWELL NEW ROAD, LONDON SE5 0SU	39 - 71

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

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.”

Date: 19 February 2016

Item No. 6.	Classification: Open	Date: 29 February 2016	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Organic Village Market, 18 Lordship Lane, London SE22 8HN	
Ward(s) or groups affected:		East Dulwich	
From:		Strategic Director of Environment	

RECOMMENDATIONS

1. That the licensing sub-committee considers an application made by Muhammad Sajid Khan to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Organic Village Market, 18 Lordship Lane, London SE22 8HN.
2. Notes:
 - a) This application seeks to vary existing licensable activities held under current legislation in respect of the premises known as Organic Village Market under Section 34 of the Licensing Act 2003. Existing permitted licensable activities are not the subject of representations and are not under consideration at this meeting. The variation application is subject to representations from responsible authorities and an other person and is therefore referred to the sub-committee for determination
 - b) Paragraphs 9 and 10 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.
 - c) Paragraphs 12 to 18 of this report deal with the representations received in respect of the application. Copies of the relevant representations and associated correspondence are attached as Appendix C.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 received Royal Assent on 10 July 2003. The Act provides a licensing regime for:
 - a) The sale of and supply of alcohol
 - b) The provision of regulated entertainment
 - c) 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:
 - a) The prevention of crime and disorder
 - b) The promotion of public safety
 - c) The prevention of nuisance

- d) 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 current premises licence

8. The current licence in respect of the premises known as Organic Village Market, 18 Lordship Lane, London SE22 8HN was issued on 26 July 2011. It allows the following licensable activities:
- Sale of alcohol (off the premises):
Monday to Saturday 08:00hrs to 23:00hrs
Sunday 10:00hrs to 22:30hrs

There are no restrictions on the opening hours of the premises.

9. A copy of the existing premises licence is attached as Appendix A.

The variation application

10. On 27 November 2015, Mr Muhammad Sajid Khan applied to this council to vary the premises licence issued in respect of the premises known as Organic Village Market, 18 Lordship Lane, London SE22 8HN. The application is summarised as follows:
- To extend sale of alcohol hours, to now be from 07:00hrs to 02:00hrs Sunday to Thursday, and from 07:00hrs 03:30hrs Friday and Saturday.
 - The opening hours of the premises stated in the application are 24 hours a day seven days a week.
11. The variation to the premises licence application form provides the applicant operating schedule. Parts J, K, L and M set out the operating controls 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 the licence. A copy of the application is attached to this report as Appendix B.

Designated premises supervisor

12. The designated premises supervisor under the existing premises licence is Muhammad Sajid Khan. Mr Khan holds a personal licence issued by the London Borough of Southwark.

Representations from other persons

13. A representation was submitted by a local ward councillor. The representation is concerned that extended hours in regards to the sale of alcohol are not in keeping with the surrounding area which is primarily residential and that extended hours in respect of the sale of alcohol may have the effect of attracting people from outside of the area who would buy and consume alcohol in the surrounding streets which would cause nuisance to residents. The applicant replied to the councillor's representation, however at this time the councillor's representation has not been conciliated and must be considered by the sub-committee.

Representations from responsible authorities

14. There were three representations received from responsible authorities.
15. The Metropolitan Police Service submitted a representation which suggested control measures that should become conditions on any licence issued in respect of the application. The applicant accepted the proposed control measures and the police withdrew their representation.
16. The public health responsible authority submitted a representation concerned with the prevention of crime and disorder, the protection of public safety and the prevention of public nuisance. The representation contends that the proposed extension to the hours permitted for the sale of alcohol may contribute to anti-social behaviour, increased alcohol related harm, consumption of excessive amounts of alcohol and an increase in public nuisance. The representation suggests amended operating hours. The applicant contacted the public health responsible authority for further information in respect of the representation. At this time the representation has not been conciliated and must be considered by the sub-committee.
17. The environmental protection responsible authority submitted a representation which suggested control measures that should become conditions on any licence issued in respect of the application. The applicant accepted the proposed control measures and the environmental protection responsible authority withdrew their representation.
18. Copies of all the representations received and further correspondence related to those representations are attached to this report as Appendix C.

Conciliation

19. Representations submitted by the metropolitan police and the environmental protection responsible authority have been conciliated after the applicant accepted conditions proposed by the metropolitan police and the environmental protection responsible authority. Representations submitted by a local ward councillor and by the public health responsible authority have not been conciliated at this time and must be considered by the sub-committee.

Operating history

20. In December 2005 the existing licence was converted to a premises licence under the Licensing Act 2003.
21. In November 2008 a licensing inspection was conducted and the premises were found to be compliant.
22. In October 2010 a licensing inspection was conducted and the premises were found to be compliant.
23. In May 2011 trading standards submitted a review application as there had been 3 separate occasions where cigarettes had been sold to persons under 18 years of age. Five conditions were added to the licence as a result of the review.
24. In June 2011 a licensing inspection was carried out and the premises were found to be compliant.
25. On 13 July 2016 an application to vary the premises licence to extend the hours permitted for the sale of alcohol was submitted. The application was subsequently withdrawn on 24 September 2015.
26. On 12 September 2015 a licensing inspection was undertaken. The premises were found to be operating non-compliantly and a warning letter was sent to the licensee.
27. On 24 September 2015 an application to transfer the licence to the current licensee, Muhammad Sajid Khan was submitted with immediate effect. An application to specify Mr Khan as the designated premises supervisor of the premises was also submitted with immediate effect.
28. On 9 October 2015 a licensing inspection was undertaken. The premises were found to be operating non-compliantly and a warning letter was sent to the licensee.
29. On 23 October 2016 a licensing re-inspection was undertaken and the premises were found to be operating compliantly.
30. No complaints have been received in respect of the operation of the premises.

Temporary event notices

31. There have been no temporary event notices for Organic Village Market within the last 12 months.

The local area

32. A map of the area is attached to this report as Appendix D. The premises are identified at the centre of the map by a black diamond. For purposes of scale only, the circle on the map has a 100 metre radius. The following licensed premises including terminal hours are within the radius shown on the map:

- **EDT, 1 Lordship Lane, London SE22 8EW** (Monday to Thursday 08:00hrs to 00:30hrs; Friday and Saturday 08:00hrs to 01:30hrs; Sunday 09:00hrs to 00:30hrs)
- **Payless Food & Wine/Costcutter, 24 Lordship Lane, London SE22 8HN** (24hrs, 7 days a week)

- **Kebab & Wine, 19 Lordship Lane, London SE22 8EW** (Monday to Thursday 10:00hrs to 03:00hrs; Friday and Saturday, 10:00hrs to 05:00hrs; Sunday 10:00hrs to 02:00hrs)
- **Franco Manca, 21 Lordship Lane, London SE22 8EW** (Sunday to Wednesday 07:00hrs to 00:30hrs; Thursday to Saturday 07:00hrs to 01:30hrs)
- **The Bishop, 27 Lordship Lane, London SE22 8EW** (Monday to Thursday 11:00hrs to 01:30hrs; Friday and Saturday 11:00hrs to 02:30hrs; Sunday 12:00hrs to 01:30hrs)
- **Toast E. D., 38 Lordship Lane, London SE22 8HJ** (Monday to Saturday 07:00hrs to 00:00hrs; Sunday 07:00hrs to 23:00hrs)

Southwark Council statement of licensing policy

33. Council assembly approved Southwark's statement of licensing policy 2011-14 on 12 October 2011. Sections of the statement that are considered to be of particular relevance to this application are:
- Section 3 which sets out the purpose and scope of the policy and reinforces the four licensing objectives;
 - Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence;
 - Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998;
 - Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours;
 - Section 8 provides general guidance on ensuring public safety including safe capacities;
 - Section 9 provides general guidance on the prevention of nuisance; and
 - Section 10 provides general guidance on the protection of children from harm.
34. 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.

Resource implications

35. A fee of £190 has been paid by the applicant in respect of this application being the statutory fee payable for premises within non-domestic rateable value band B.

Consultations

36. 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 a similar notice exhibited outside of the premises for a period of 28 consecutive days.

Community impact statement

37. 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

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

Principles for making the determination

40. 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.
41. 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.
42. 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.
43. 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

44. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the variation, 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.
45. The four licensing objectives are
- a) The prevention of crime and disorder
 - b) Public safety
 - c) The prevention of nuisance
 - d) The protection of children from harm.

46. 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.
47. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to late night refreshment and take away aspect of the licence 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.
48. 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 3 new conditions in respect of irresponsible promotions, the oral dispensing of alcohol and free tap water. In October 2010 an additional 2 conditions came into force; age verification policy and smaller measures for alcoholic drinks.
49. Members are also referred to the Department for Culture, Media and Sport (DCMS) guidance on conditions, specifically section 7, and Annexes D, E, F and G.

Reasons

50. 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

51. 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.

52. 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.

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

53. 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.
54. 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.
55. 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.
56. 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.
57. 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.
58. 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.
59. 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

60. Members are required to have regard to the DCMS 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	C/O Southwark Licensing, Community Safety & Enforcement, 3rd Floor Hub C, 160 Tooley Street PO Box 64529 SE1 5LX	Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Copy of existing premises licence
Appendix B	Copy of the application
Appendix C	Copies of the representations
Appendix D	Map

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Wesley McArthur, Principal Licensing Officer	
Version	Final	
Dated	16 February 2016	
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 Corporate Services	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	16 February 2016	

Licensing Act 2003 Premises Licence



Environmental Health & Trading Standards
Licensing Unit
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

849843

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Organic Village Market 18 Lordship Lane	
Ordnance survey map reference (if applicable): 175204533798	
Post town London	Post code SE22 8HN
Telephone number [REDACTED]	

Where the licence is time limited the dates
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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


Muhammed Sajid Khan


Registered number of holder, for example company number, charity number (where applicable)

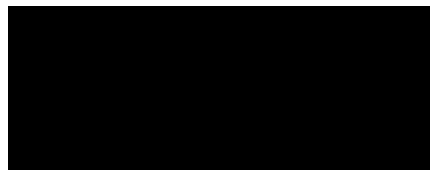
Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Muhammed Sajid Khan


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 No.: 
Authority: L B Southwark

Licence Issue date 25/09/2015



Anti-Social Behaviour, Noise Nuisance &
Licensing Manager
Hub 2, 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.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

(a) a holographic mark; or

(b) an ultraviolet feature.

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

8AA The premises shall operate an agecheck 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.

8AB All staff involved in the sale of alcohol shall be trained in the agecheck 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

8AC Agecheck or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an agecheck 'Challenge 25' policy applies and proof of age may be required

8AI A register of refused sales of alcohol and cigarettes sales, which is clearly marked with the details of the premises, address and name of licence holder shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the Council's authorised officers or the Police

836 A personal licence holder shall be on the premises at all times licensable activities are undertaken.

Annex 4 - Plans - Attached

Licence No. 849843

Plan No. N/A

Plan Date N/A

Application to vary a premises licence 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.

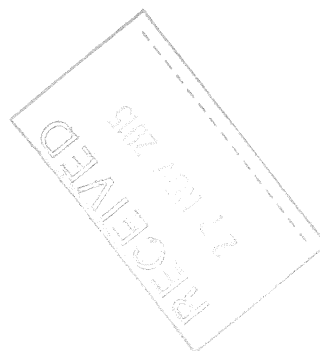
I/We Muhammad Sajid Khan
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 849843

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Organic Village Market 18 Lordship Lane			
Post town	London	Postcode	SE22 8HN
Telephone number at premises (if any)	020 8299 2214		
Non-domestic rateable value of premises	£16,000		



Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town	London	Postcode	SE22 9EA

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

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

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Extend the hours of Sale by retail of alcohol to be consumed off premises

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:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment**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

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

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) N/A		
Mon	07:00 -----	02:00 -----			
Tue	07:00 -----	02:00 -----			
Wed	07:00 -----	02:00 -----			
Thur	07:00 -----	02:00 -----			
Fri	07:00 -----	03:30 -----			
Sat	07:00 -----	03:30 -----			
Sun	07:00 -----	02:00 -----			
			<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) N/A		

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) N/A
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	<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) N/A
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

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.
NONE

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

PLEASE SEE BELOW

b) The prevention of crime and disorder

A CCTV system will 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 will be capable of capturing an image of every person that enters the premises.

All CCTV footage will be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council.

c) Public safety

Existing conditions apply

d) The prevention of public nuisance

Existing conditions apply

e) The protection of children from harm

1. The licensee shall adopt 'Challenge 25', the NARTS's advice for supermarkets, and promote it through the prominent display of posters.
2. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instructions given to staff, detailing the areas covered and make them available for inspection upon request by the licensing team, police and trading standards.
3. The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age; proof of age cards carrying the 'PASS' logo (and no others) a passport or UK Driving licence bearing the photograph and date of birth of the bearer
4. The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	25th November 2015
Capacity	Licensing agent

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) 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 address for correspondence associated with this application (please read guidance note 14)

NARTS
53 Stoke Newington High Street

Post town	London	Post code	N16 8EL
Telephone number (if any)	020 3745 6500		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
licensing@narts.org.uk			

Representation submitted by a local ward councillor and related correspondence

From: Smith, Charlie
Sent: Friday, December 11, 2015 9:37 AM
To: McCarthy, Debbie
Subject: RE: Consultation LDO 25.12.2015 Variation of hours Organic
Market Village 18 Lordship Lane

Dear Debbie McCarthy, thank you for this. I thought I had already made an objection against this application. In the event that it has not been logged, I would like to make a formal objection on the grounds that the late hours being asked for to sell alcohol are not conducive with the surrounding area which is mainly residential. Many of the other outlets that sell alcohol in or around Lordship Lane have generally finished serving around midnight and in some case 1am. Asking to sell alcohol as late as three in the morning may have the effect of attracting people from outside of the area who would buy and consume alcohol in the surrounding streets which would cause nuisance to residents.

Yours Sincerely

Councillor Charlie Smith
East Dulwich Ward Member

-----Original Message-----

From: Kalu, Richard
Sent: Thursday, January 28, 2016 11:40 AM
To: Smith, Charlie
Subject: FW: Organic Supermarket

Dear Councillor Charlie Smith,

I note that you have submitted an objection to the variation premises licence application for Organic Market Village based at 18 Lordship Lane, London, SE22 8HN.

As an update I would like to confirm that the applicant has now agreed conditions with the Police and Environmental Health and I believe they are now in the process of agreeing conditions with Public Health. The Police and Environmental Health have now withdrawn their objections and I am now awaiting confirmation from Public Health that based on agreement of conditions they also intend to withdraw their objection.

The applicant has asked that I forward to you (below) their comments in relation to your objection which they would like you to consider.

It would be helpful if you could now confirm your position.

Regards

Richard Kalu – Licensing Enforcement Officer Southwark Council |
Licensing Unit
160 Tooley Street | London | SE1 2QH
Direct line 020 7525 4642 | Fax 020 7525 5735 | Call Centre 020 7525
2000 Visit our web pages <http://www.southwark.gov.uk/licensing>

-----Original Message-----

From: Mahir Kilic [mailto:licensing@narts.org.uk]
Sent: Thursday, January 07, 2016 12:40 PM
To: Kalu, Richard
Subject: Organic Supermarket

Dear Mr Kalu,

Please find our clients response to Cllr's representation is below:

I would like to discuss my case with local council because I believe it's not fair. My next door 24 lordship Lane, shop call Payless Off license and Supermarkets have already 24 hours alcohol licence and also on 19 Lordship Lane shop call Kebab and Wine Restaurant have already late hours alcohol sell licence and they served to costumer till 4 o'clock in the morning. And also 93-95 Lordship Lane shop call Londis have already 24 hours alcohol licence.

At the moment on Lordship Lane rent is so high and I can't run my business easy to be competitive with other supermarket around me. So I believe it will be not fear if my application for rejected by local council while there is a lot at shop and pup around me have got already 24 hours alcohol licence.

Please forward above response to Cllr. We would be happy to talk to the Cllr at a sub-committee meeting if necessary.

Kind Regards,
Mahir Kilic

Dear Sir/Madam,

The Environmental Protection Team (EPT) has reviewed the application for a new premises licence for the Supply of Alcohol -

from 07:00-02:00 hours only Monday-Thursday & Sunday and from 07:00-03:30 hours Friday-Saturday .

The EPT has no objections to the application for a new premises licence subject to agreeing to the conditions below:

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
2. The applicant shall prominently display clearly legible signage at all patron exits requesting that patrons leave the premises in a quiet and orderly manner that is respectful to the neighbours
3. The applicant shall not permit Patrons to consume alcohol in front of the premise and/or congregate in significant number in front of the premises that may give rise to public nuisance in the area
4. The applicant shall keep the pavement in the immediate vicinity of the premises free from litter emanating from the premises while the premises are open.
5. The applicant shall not move, remove or place rubbish including bottles in outside areas of the premises between 2300 hours and 0800hours.

Regards,

Michael Turay
Principal Environmental Protection Officer
Environmental Protection Team
| 3rd floor | Hub 2 | 160 Tooley Street | London | SE1 5LX.
Tel: 020 7525 7235 | Fax: 0207 525 5705
Email: michael.turay@southwark.gov.uk
Please consider the environment - do you really need to print this email?

From: Mahir Kilic
Sent: Tuesday, December 22, 2015 12:30 PM
To: Turay, Michael
Subject: re: New Premises Licence Application-Organic Village Market, 18 Lordship Lane, London, SE22 HN

Dear Mr Turay,

I would like to confirm that we accept the conditions proposed below are now accepted by the applicant.

Kind Regards,
Mahir Kilic

From: Turay, Michael
Sent: Tuesday, December 22, 2015 1:58 PM
To: Mahir Kilic
Cc: Kalu, Richard; Regen, Licensing; SouthwarkLicensing@met.police.uk
Subject: RE: New Premises Licence Application-Organic Village Market, 18 Lordship Lane, London, SE22 HN

Dear Mahir Kilic,

Thank for confirming acceptance of all the proposed conditions, in effect, the EPT withdraws its objections to the premises licence application.

Regards

Michael Turay

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/21/ 2727/15

Date: 8th December 2015

Re:- Dulwich supermarket, 18 Lordship Lane, London SE22 8HN

Dear Sir/Madam

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

Police would recommend the following conditions to be included on the licence.

1. No beers / ciders in single cans, bottles or multi-packs with an ABV of above 7% will be displayed / sold or offered for sale from the premises, unless written permission is obtained from the Police Licensing Officer prior. Such permission must be kept at the premises and made available immediately on request to relevant authorities.
2. 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, behind a lockable blind or behind the counter.
3. A personal licence holder will be on the premises at all times after 22:00 and intoxicating liquor is being offered for sale.

The Following is submitted for your consideration, Police would welcome the opportunity to conciliate should the need arise.

Yours Sincerely

PC Graham White 288MD
Southwark Police Licensing Unit

-----Original Message-----

From: Mahir Kilic
 Sent: Thursday, January 07, 2016 12:24 PM
 To: SouthwarkLicensing@met.police.uk
 Cc: Kalu, Richard;
 Subject: Acceptance of Police Representation

Dear Pc White,

I would like to confirm that the applicant has accepted the conditions listed on your representation letter dated 8th Dec'15.

He is happy to have the following conditions to be endorsed to his Premise Licence.

1. No beers / ciders in single cans, bottles or multi-packs with an ABV of above 7% will be displayed / sold or offered for sale from the premises, unless written permission is obtained from the Police Licensing Officer prior. Such permission must be kept at the premises and made available immediately on request to relevant authorities.
2. 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, behind a lockable blind or behind the counter.
3. A personal licence holder will be on the premises at all times after 22:00 and intoxicating liquor is being offered for sale.

I would like to therefore invite you to withdrawn you objection.

Kind Regards,
 Mahir Kilic.

-----Original Message-----

From: Graham.S.White@met.pnn.police.uk
 [mailto:Graham.S.White@met.pnn.police.uk]
 Sent: Thursday, January 07, 2016 12:45 PM
 To: Kalu, Richard
 Subject: RE: Acceptance of Police Representation

Richard,

What premises are we talking about as I did a number on the 8th Thanks
 Graham

PC Graham White 288MD
 Southwark Police Licensing Unit
 323 Borough High Street
 London
 SE1 1JL

-----Original Message-----

From: Kalu, Richard [mailto:Richard.Kalu@southwark.gov.uk]
 Sent: 07 January 2016 13:03
 To: White Graham S - MD
 Subject: RE: Acceptance of Police Representation

Graham,

Apologies. I thought the address was in the subject on the email.

The premises is Organic Market Village, 18 Lordship Lane, London, SE22 8HN

Regards

Richard Kalu - Licensing Enforcement Officer Southwark Council |
Licensing Unit
160 Tooley Street | London | SE1 2QH
Direct line 020 7525 4642 | Fax 020 7525 5735 | Call Centre 020 7525
2000 Visit our web pages <http://www.southwark.gov.uk/licensing>

-----Original Message-----

From: Graham.S.White@met.pnn.police.uk
[mailto:Graham.S.White@met.pnn.police.uk]
Sent: Thursday, January 07, 2016 1:22 PM
To: Kalu, Richard
Subject: RE: Acceptance of Police Representation

Richard,
Thanks yes we withdraw as conditions accepted in full.
Thanks
Graham

PC Graham White 288MD
Southwark Police Licensing Unit
323 Borough High Street
London
SE1 1JL



Dr Ruth Wallis FFPH
 Director of Public Health
 Lambeth and Southwark Public Health
 1st Floor, Hub 2 160 Tooley Street
 LONDON SE1 2QH

Licensing Unit
 Hub 2, Floor 3,
 160 Tooley Street,
 LONDON SE1 2QH

24 December 2015

To whom it may concern:

Re: Dulwich Supermarket, 18 Lordship Lane, London SE22 8HN

As Director of Public Health for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

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

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

General Comments

My representation is in response to the application for extended hours of alcohol sales. My objection to the earlier start time of alcohol sales, and the later finish time of alcohol sales.

The applicant has requested that the start time of alcohol sales be changed from 0800 to 0700. I would welcome further clarity from the applicant about the likely clientele who might purchase alcohol between the hours of 0700 and 0800. Early-morning alcohol purchasers are more likely to be alcohol misusers and may thereby contribute to antisocial behaviour such as street drinking.

The applicant has requested the finish time of alcohol sales to be changed from 2300 to 0200 for Monday through to Thursday, from 2300 to 0330 on Fridays and Saturdays, and from 2230 to 0200 on Sundays. There is evidence to show extending the hours of alcohol sales increases alcohol-related harm. There is also evidence to show buying alcohol at later times is associated with drinking excessive amounts of alcohol, which in turn increases the likelihood of harm to the drinker and others, and public nuisance.



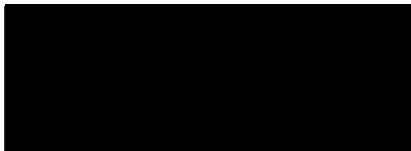
Recommendation

I would request that:

- the start time of alcohol sales remain at 0800
- the finish time for alcohol sales from Sunday – Thursday be 2300
- the finish time for alcohol sales for Fridays and Saturdays be 0000

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

Yours faithfully,



Dr Ruth Wallis BM FFPH
Director of Public Health - Lambeth and Southwark

PLEASE RETURN ANY CORRESPONDENCE TO richard.pinder@southwark.gov.uk.

From: Licensing Team
Sent: Thursday, January 28, 2016 11:49 AM
To: Pinder, Richard
Subject: Public health objection for Dulwich Supermarket, 18 Lordship Lane, London SE22 8HN

Re: Dulwich Supermarket, 18 Lordship Lane, London SE22 8HN

Dear Richard,

I am writing to you in regards to the objection from the Public Health Department. In Dr Ruth's objection, she states "There is evidence to show extending the hours of alcohol sales increases alcohol related harm... there is also evidence to show buying alcohol at later times is associated with drinking excessive amounts of alcohol, which in turn increases the likelihood of harm to the drinker and others, and public nuisance".

Dr Ruth Wallis seems to have made a very general representation about our application. Could Dr Ruth be more specific about her concerns with this particular application and provide evidence for the statement to which she refers, as well as how it is linked specifically to the premises.

Many thanks

Flora Raymond
NARTS Licensing

From: Pinder, Richard
Sent: Friday, January 29, 2016 8:54 AM
To: 'Licensing Team'
Cc: Bradbury, Sarah; McCarthy, Debbie
Subject: RE: Public health objection for Dulwich Supermarket, 18 Lordship Lane, London SE22 8HN

Dear Ms Raymond,

Thank you for your email. We will get back to you next week regarding your query.

Kind regards,

Richard Pinder

Dr Richard Pinder



Item No. 7.	Classification: Open	Date: 29 February 2016	Meeting Name: Licensing sub-committee
Report title:		Licensing Act 2003: Pricecutter, 145 Camberwell New Road, London SE5 0SU	
Ward(s) or groups affected:		Camberwell Green	
From:		Strategic Director of Environment	

RECOMMENDATIONS

1. That the licensing sub-committee considers an application made by Mukhtar Ahmad and Kaleem Dad to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Pricecutter, 145 Camberwell New Road, London SE5 0SU.
2. Notes:
 - a) This application seeks to vary existing licensable activities held under current legislation in respect of the premises known as Pricecutter, 145 Camberwell New Road, London SE5 0SU under Section 34 of the Licensing Act 2003. Existing permitted licensable activities are not the subject of representations and are not under consideration at this meeting. The variation application is subject to representations from responsible authorities and an other person and is therefore referred to the sub-committee for determination
 - b) Paragraphs 9 and 10 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.
 - c) Paragraphs 13 to 16 of this report deal with the representations received in respect of the application. Copies of the relevant representations and associated correspondence are attached as Appendix C.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 received Royal Assent on 10 July 2003. The Act provides a licensing regime for:
 - a) The sale of and supply of alcohol
 - b) The provision of regulated entertainment
 - c) 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:
 - a) The prevention of crime and disorder

- b) The promotion of public safety
 - c) The prevention of nuisance
 - d) The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to
- a) The Act itself
 - b) The Guidance to the act issued under Section 182 of the Act
 - c) Secondary regulations issued under the Act
 - d) The licensing authority's own statement of licensing policy
 - e) The application, including the operating schedule submitted as part of the application
 - f) 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 current premises licence

8. The current licence in respect of the premises known as Pricecutter, 145 Camberwell New Road, London, SE5 0SU was issued on 25 June 2013. It allows the following licensable activities:
- Sale of alcohol (to be consumed off the premises) and premises opening hours:
Sunday to Thursday: 06:00hrs to 00:00hrs
Friday and Saturday: 06:00hrs to 01:30hrs
9. A copy of the existing premises licence is attached as Appendix A.

The variation application

10. On 31 December 2015, Mukhtar Ahmad and Kaleem Dad applied to this Council to vary the premises licence issued in respect of the premises known as Pricecutter, 145 Camberwell New Road, London, SE5 0SU.

The application is summarised as follows:

- To extend sale of alcohol hours, to now be from 06:00hrs to 02:00hrs Sunday to Thursday, and from 06:00hrs 03:00hrs Friday and Saturday.
 - To extend the opening hours of the premises to 24 hour a day, seven days a week.
11. The variation to the premises licence application form provides the applicant's operating schedule. Parts M, N, O and P set out the operating controls in full, with reference to the four licensing objectives as outlined in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in Part P of the operating schedule will form the basis of conditions that will

be attached to the licence. A copy of the application is attached to this report as Appendix B.

Designated premises supervisor

12. The designated premises supervisor (DPS) under the existing premises licence is Kaleem Dad. Kaleem Dad holds a personal licence issued by the London Borough of Brent.

Representations from other persons

13. No representations have been submitted by other persons

Representations from responsible authorities

14. There were two representations submitted by responsible authorities.
15. The Metropolitan Police Service submitted a representation which states concerns that the proposed increased hours for the sale of alcohol at the premises and increased opening hours of the premises would cause unnecessary public nuisance to local residents and increase the possibility of anti social behaviour and crime and disorder in the area. The representation makes reference to guidance in regards to suggested operating hours in respect of licensed premises as per this council's Statement of Licensing Policy 2016-2020.
16. N.B. The application was submitted to this council and the responsible authorities on 31 December 2015 when this council's Statement of Licensing Policy 2011-2014 was still in effect. The Statement of Licensing Policy 2016-2020 did not come into effect until 1 January 2016 and so must not be considered in respect of this application. Although the hardcopy of the application was received on 4 January 2016, an electronic copy of the application was properly submitted on 31 December 2015 (see email in Appendix B).
17. The public health responsible authority submitted a representation which contends that increased hours of alcohol sales are associated with an increase in alcohol-related harm and states that research shows that those people who buy alcohol at later times during a night are more likely to drink in excess that night. The public health responsible authority suggests that the proposed extended hours in respect of the sale of alcohol at the premises are refused.
18. Copies of all the representations received are attached to this report as Appendix C.

Conciliation

19. The applicant's agent was advised to contact those responsible authority's who submitted representations in an effort to conciliate those responsible authorities. To date there has been no conciliation of the responsible authorities who submitted the representations and so the sub-committee must consider the representations and determine the application. The sub-committee will be updated at the hearing to determine the application as to any conciliation.

Operating history

20. A premises licence was issued in respect of the premises on 25 June 2013 to Muktar Ahmad.

21. On 31 December 2015 an application to transfer the licence to Mukhtar Ahmad and Kaleem Dad jointly was submitted with immediate effect.
22. On 31 December 2015 an application to specify Kaleem Dad as the DPS was submitted with immediate effect.
23. On 31 December 2015, Mukhtar Ahmad and Kaleem Dad applied to this Council to vary the premises licence as per paragraphs 9 and 10 above.
24. On 8 January 2016 a licensing inspection of the premises was undertaken. During the inspection one breach of the premises licence issued in respect of the premises was noted. It was not possible to ascertain whether the CCTV system at the premises could retain 31 days worth of footage.
25. On 29 January 2016 a re-inspection of the premises was undertaken. The premises were found to be fully compliant.
26. No complaints have been received in respect of the operation of the premises.

Temporary event notices

27. There have been no temporary event notices submitted in respect of the premises within the last 12 months.

The local area

28. A map of the area is attached to this report as Appendix D. The premises are identified at the centre of the map by a black diamond. The following licensed premises hours are shown on the map and provide licensable activities as stated below:

- **Royal Kebab & Fish & Chips, 171 Camberwell New Road SE5 0TJ**
Late night refreshment: Sunday to Thursday 11:00hrs to 01:00hrs, Friday and Saturday 11:00hrs to 02:00hrs
- **The Co-operative Store, 177-183 Camberwell New Road SE5 0TJ**
Sale of alcohol to be consumed off the premises: Monday to Saturday 08:00hrs to 23:00hrs, Sunday 10:00hrs to 22:30hrs
- **D T Allen newsagents, 153 Camberwell New Road SE5 0SU**
Sale of alcohol to be consumed off the premises: Monday to Sunday 07:00hrs to 00:00hrs (midnight)

Southwark Council statement of licensing policy

29. Council assembly approved Southwark's statement of licensing policy 2011-14 on 12 October 2011. Sections of the statement that are considered to be of particular relevance to this application are:
 - Section 3 which sets out the purpose and scope of the policy and reinforces the four licensing objectives
 - Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence

- Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998
 - Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours
 - Section 8 provides general guidance on ensuring public safety including safe capacities
 - Section 9 provides general guidance on the prevention of nuisance
 - Section 10 provides general guidance on the protection of children from harm.
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.

Resource implications

31. A fee of £190 has been paid by the applicant in respect of this application being the statutory fee payable for premises within non-domestic rateable value band B.

Consultations

32. 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 a similar notice exhibited outside of the premises for a period of 28 consecutive days.

Community impact statement

33. 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

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

Principles for making the determination

36. 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.
37. 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.
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 other 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
- Add to, omit, and/or alter the conditions of the licence or;
 - Reject the whole or part of the application for variation.

Conditions

40. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the variation, 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:
- a) The prevention of crime and disorder
 - b) Public safety
 - c) The prevention of nuisance
 - d) 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 late night refreshment and take away aspect of the licence 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. 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 3 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.
45. Members are also referred to the Department for Media, culture and Sport (DCMS) guidance on conditions, specifically section 7, and Annexes D, E, F and G.

Reasons

46. 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

47. 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.
48. 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.

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

49. 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.
50. 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.

51. 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.
52. 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.
53. 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.
54. 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.
55. 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

56. Members are required to have regard to the DCMS 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	C/O Southwark Licensing, Community Safety & Enforcement, 3rd Floor Hub C, 160 Tooley Street PO Box 64529 SE1 5LX	Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Copy of existing premises licence
Appendix B	Copy of the application
Appendix C	Copies of the representations
Appendix D	Map

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Wesley McArthur, Principal Licensing Officer	
Version	Final	
Dated	15 February 2016	
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	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	16 February 2016	

Licensing Act 2003 Premises Licence



Environmental Health & Trading Standards
Licensing Unit
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

850848

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Pricecutter 145 Camberwell New Road	
Ordnance survey map reference (if applicable): 177244531753	
Post town London	Post code SE5 0SU
Telephone number	

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
Monday 06:00 - 00:00
Tuesday 06:00 - 00:00
Wednesday 06:00 - 00:00
Thursday 06:00 - 00:00
Friday 06:00 - 01:30
Saturday 06:00 - 01:30
Sunday 06:00 - 00:00

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	06:00 - 00:00
Tuesday	06:00 - 00:00
Wednesday	06:00 - 00:00
Thursday	06:00 - 00:00
Friday	06:00 - 01:30
Saturday	06:00 - 01:30
Sunday	06:00 - 00:00

Part 2

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

MUKHTAR AHMED

Kaleem Dad

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

Kaleem Dad

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 No.: [REDACTED]

Authority: LB Brent

Licence Issue date 04/01/2016

[REDACTED]
Head of Regulatory Services
Hub 2, 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.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

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

311 That suitable notices shall be displayed requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.

336 That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied after 22:00 until closing.

4AC Agecheck or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an agecheck 'Challenge 25' policy applies and proof of age may be required.

4AB All staff involved in the sale of alcohol shall be trained in the agecheck 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

288 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 open. The CCTV System must be capable of capturing an image of every person who enters the premises.

289 That all CCTV footage shall be kept for a period of twenty eight (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council.

340 That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months.

341 All staff should receive regular training with regard to an approved age identification scheme. All records of staff training should be kept and made available for inspection by Police or other licensing authorities

342 The premises will not sell or offer for sale any beers, lagers or ciders with an ABV of above 7%.

343 The premises shall operate an agecheck 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.

4A1 A register of refused sales of alcohol and if applicable, cigarette sales which is clearly marked with details of the premises, address and name of licence holder shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

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

Annex 4 - Plans - Attached

Licence No. 850848

Plan No. N/A

Plan Date 17 May 2013

From:**Sent:** Thursday, December 31, 2015 12:45 PM**To:** Jerrom, Charlie; McArthur, Wesley; Read, Kirty; Regen, Licensing**Cc:** Graham.White4@met.police.uk; FireSafetyRegulationsSE@london-fire.co.uk; Regen, Trading Standards; environmental protection; Planning.Enquiries; SSCB; Regen, OHS; alex.trouton@soluthwark.gov.uk**Subject:** Re: Online premises licence variation/transfer/change of DPS - Pricecutter, 145 Camberwell New Road

Dear Sirs

Further to my previous emails regarding the above premises I now attach a transfer application, DPS change application and variation application in respect of Pricecutter, 145 Camberwell New Road. I also attach supporting documentation.

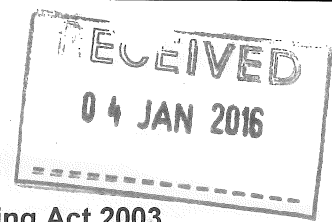
I will be sending in tonight's post the original consent forms plus the back signed pages of the application forms, plus the premises licence summary which is the only page of the licence that Mr Ahmed has in his possession. I will also send you a cheque for £236 in respect of the fees. I have taken into account that you will not be able to process these applications until the fees are paid so I have calculated the last date for representations to be 1st February. Please advise if that is not the correct date.

I have copied this email to all of the relevant responsible authorities.

Please confirm receipt of this email and advise if there is anything further you require with regard to this application.

Yours faithfully

Debra Silvester
Licensing Services Agency



Application to vary a premises licence 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 Mukhtar Ahmed and Kaleem Dad

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

841138

Part 1 – Premises Details

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

Pricecutter
145 Camberwell New Road

Post town London

Post code

SE5 0SU

Telephone number at premises (if any)

Non-domestic rateable value of premises

£4650

Part 2 – Applicant details

Daytime contact

telephone number

E-mail address (optional)

Current postal address if different from premises address

c/o Licensing Services Agency

Post Town

Postcode

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year		

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

INCREASE IN HOURS FOR THE SALE OF ALCOHOL AND OPENING TIMES

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- | | |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3) NOT APPLICABLE		
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	0600	0200			
Tue	0600	0200			
Wed	0600	0200			
Thur	0600	0200			
Fri	0600	0300			
Sat	0600	0300			
Sun	0600	0200	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 (please read guidance note 5)		

N

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 8)
NONE EXCEPT FOR THE SALE OF ALCOHOL

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4) None
Day	Start	Finish	<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 5)
Mon	0000	2400	
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

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
Restriction to permitted hours for the sale of alcohol

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

TRAINING OF ALL STAFF ON THE PREMISES TO ENSURE THAT THEY UNDERSTAND AND ADHERE TO THE LAW RELATING TO THE SALE OF ALCOHOL. REFRESHER TRAINING WILL BE GIVEN ON A REGULAR BASIS AND TRAINING RECORDS WILL BE KEPT AND MADE AVAILABLE TO POLICE OR COUNCIL OFFICIALS ON REQUEST

b) The prevention of crime and disorder

CCTV INSTALLED THAT MEETS THE STANDARDS REQUIRED BY THE POLICE, AND MAINTAINED SO FULLY OPERATIONAL AT ALL TIMES. RECORDINGS TO BE KEPT IN ACCORDANCE WITH POLICE GUIDELINES, FOR A MINIMUM OF 30 DAYS AND TO BE MADE AVAILABLE TO POLICE/COUNCIL OFFICERS IF REQUIRED.
ALARM SYSTEM IN PLACE. SHUTTERS AT FRONT WINDOWS.
A SERVING HATCH WILL BE USED FROM MIDNIGHT TO 6AM DAILY. NO CUSTOMERS WILL BE ALLOWED INSIDE THE SHOP DURING THIS TIME. NO BEERS CIDERS ARE LAGERS OVER 7% WILL BE SOLD OR DISPLAYED FOR SALE AT ANY TIME.

c) Public safety

ALL STAFF TRAINED TO DEAL WITH ANY OUTBREAK OF FIRE AT THE PREMISES. FIRE EXTINGUISHERS INSTALLED AND REGULARLY SERVICED IN ACCORDANCE WITH FIRE AUTHORITY GUIDELINES
TO COMPLY WITH ANY REQUIREMENTS OF THE FIRE AUTHORITY

d) The prevention of public nuisance

ANYONE WHO IS DRUNK OR UNDER 18 OR APPEARS TO BE BUYING ALCOHOL FOR SOMEONE WHO IS DRUNK OR UNDER 18 WILL BE REFUSED THE SALE OF ALCOHOL

e) The protection of children from harm

CHALLENGE 25 TO BE OPERATED AT ALL TIMES, AND ANYONE ATTEMPTING TO BUY ALCOHOL WHO APPEARS TO BE UNDER THE AGE OF 25 WILL HAVE TO PROVIDE PHOTO ID IN THE FORM OF AN INDUSTRY APPROVED PROOF OF AGE IDENTITY CARD, PASSPORT OR PHOTO DRIVING LICENCE TO PROVE THAT THEY ARE 18 OR OVER.
SIGN TO BE DISPLAYED AT POINT OF SALE - 'NO PROOF OF AGE - NO SALE'. A REFUSALS/INCIDENT BOOK, DETAILING ALL INCIDENTS WHERE ALCOHOL AND OTHER AGE RELATED PRODUCTS ARE REFUSED, AND ANY OTHER RELEVANT INCIDENTS, IS TO BE KEPT AND MADE AVAILABLE TO AUTHORISED OFFICERS ON REQUEST.

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

BEING FORWARDED FIRST CLASS POST WITH ORIGINAL COPIES OF OTHER
RELEVANT DOCUMENTATION AND PAYMENT

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	[REDACTED]
Date	31.12.2015
Capacity	Agent

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	[REDACTED]
Date	31.12.2015
Capacity	Agent

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Licensing Services Agency

[REDACTED]

Post town	[REDACTED]	Post code	[REDACTED]
Telephone number (if any) [REDACTED]			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
[REDACTED]			



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: [REDACTED]
Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/27/16
Date: 27th January 2016

Dear Sir/Madam

Re:- Pricecutter, 145 Camberwell New Road, London SE5 0SU

Police are in possession of an application from the above for a variation to a premise licence. The application is for an off licence type premises. The premises are situated on the corner of Camberwell New Road near the junction with Warham Street. The area is deemed as a residential area under the New Southwark Statement of Licensing Policy. The premises are situated below residential flats and have other residential properties in close proximity. Although each application is looked at upon its own merits, this application does not offer the exceptional circumstance for consideration to be given to move away from the current licensing policy.

With residential premises situated in the area and the noise that would be generated by people gathered in one place we object to the granting of the application in full. Any operation outside what has already been granted which is already outside the current hours set out within the Licensing Policy would cause unnecessary public nuisance to local residents. It would also increase the possibility of anti social behaviour and crime and disorder in the area.

The premises has offered a number of condition including window hatch services after Midnight with a 24 hour opening, this could contribute to noise and public nuisance to local residence with customers gathering on the pavement outside the premises waiting to be served and consuming alcohol purchased at the premises.

The Following is submitted for your consideration.

Yours Sincerely

PC Graham White 288MD
Southwark Police Licensing Unit
Tel: [REDACTED]



Dr Ruth Wallis FFPH
 Director of Public Health
 Lambeth and Southwark Public Health
 1st Floor, Hub 2 160 Tooley Street
 LONDON SE1 2QH

Licensing Unit
 Hub 2, Floor 3,
 160 Tooley Street,
 LONDON SE1 2QH

25 January 2016

To whom it may concern:

Re: Pricecutter, 145 Camberwell New Road, London SE5 0SU

As Director of Public Health for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

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

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

General Comments

My representation concerns the requested finish time of alcohol sales. The applicant has requested the finish time of alcohol sales to be changed from 0130 to 0300 on Friday and Saturdays, and from 0000 to 0200 for Sundays through to Thursdays.

I am opposed to these requested finish times of alcohol sales. Increased hours of alcohol sales are associated with an increase in alcohol-related harm. Furthermore, research shows that those people who buy alcohol at later times during a night are more likely to drink in excess that night.

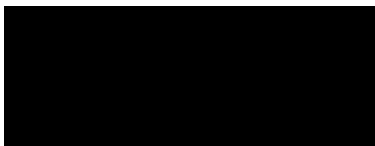
Recommendation

I would request that the requested changes to the finish time of alcohol sales be rejected.

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



Yours faithfully,

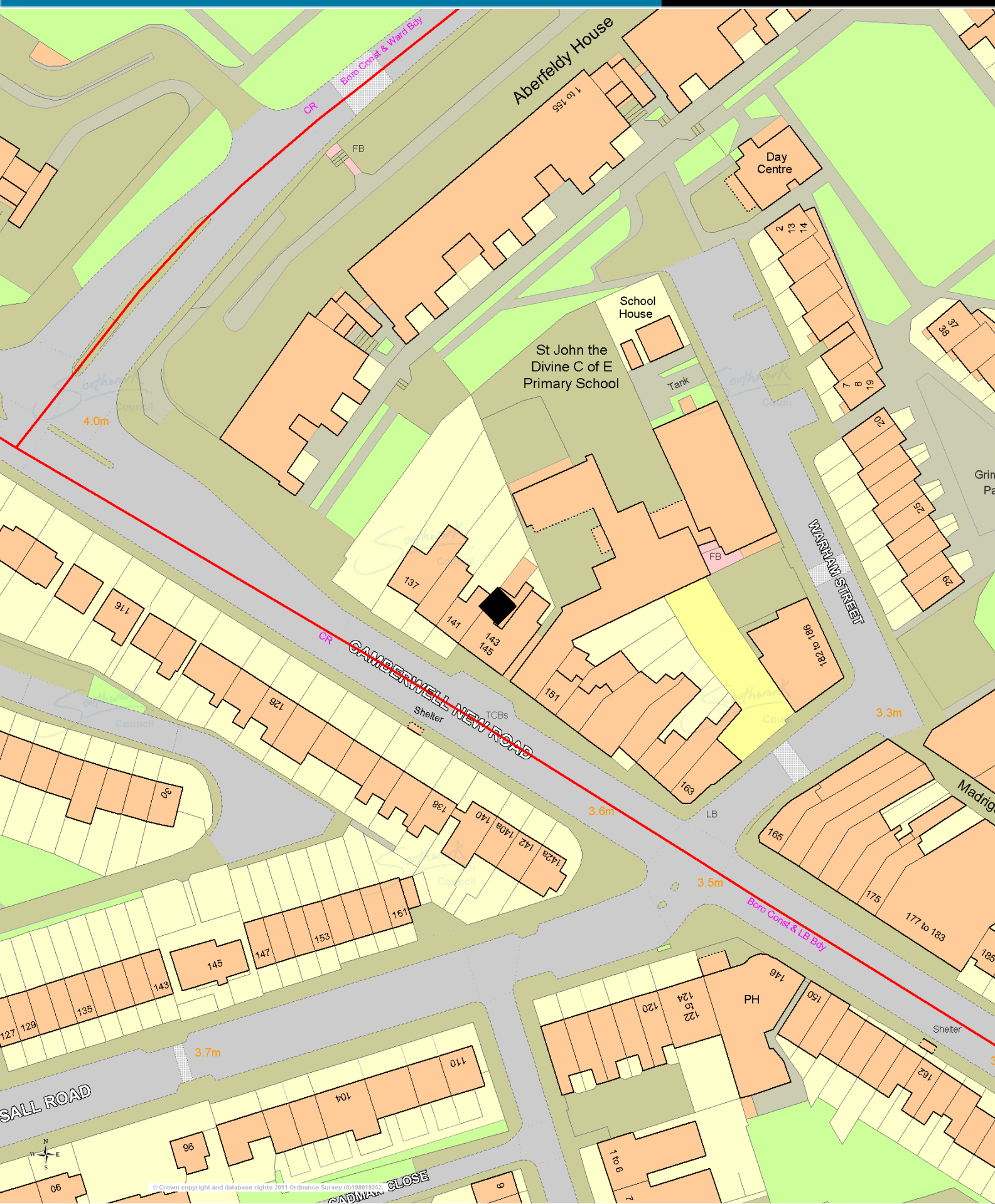


Dr Ruth Wallis BM FFPH
Director of Public Health - Lambeth and Southwark

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