

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 8 April 2021 at 10.00 am at Online/Virtual: please contact [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk) for a link to the meeting and the instructions for joining the online meeting

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**PRESENT:** Councillor Renata Hamvas (Chair)  
Councillor Margy Newens  
Councillor Ian Wingfield

**OFFICER SUPPORT:** Charlotte Precious, legal officer  
Richard Kalu, licensing officer  
Andrew Weir, constitutional officer

### 1. APOLOGIES

This was a virtual licensing sub-committee meeting.

The chair explained to the participants and observers how the virtual meeting would run. Everyone then introduced themselves.

There were no apologies for absence.

### 2. CONFIRMATION OF VOTING MEMBERS

The voting members were confirmed verbally, one at a time.

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

There were no late and urgent items of business.

### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

**5. LICENSING ACT 2003: MI LLAJTA SABORES DE BOLIVIA LTD, 315 CAMBERWELL ROAD, LONDON SE5 0HQ**

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

The applicant addressed the sub-committee. Members had questions for the applicant.

The licensing sub-committee noted that there was now one outstanding objection to the application as the other objections had been conciliated.

The other person objecting to the application and their witness addressed the sub-committee. Members had questions for the other person and their witness.

Both parties were given five minutes for summing up.

The meeting adjourned at 10.58am for the sub-committee to consider its decision.

The meeting reconvened at 11.22am and the chair advised all parties of the decision.

**RESOLVED:**

That the application made by Mi Llajta Sabores De Bolivia Ltd for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as Mi Llajta Sabores De Bolivia Ltd, 315 Camberwell Road, London SE5 0HQ be granted as follows:

- Supply of alcohol for consumption on the premises:
  - Monday to Sunday: 11:00 to 22:00
- Opening hours:
  - Monday to Sunday: 09:00 to 22:30.

**Conditions**

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form, the conditions agreed with the Metropolitan Police Service and the following conditions and recommendations made by the licensing sub-committee:

1. That the collection of waste will take place between the hours of 08:00 and 20:00.
2. That the premises shall display a contact number for residents to use in the event of any issues that arise.

## Reasons

On 5 February 2021 Mi Llajta Sabores de Bolivia applied under section 17 of the Licensing Act 2003 for a new premises licence in respect of the premises known as Mi Llajta Sabores De Bolivia Ltd, 315 Camberwell Road, London SE5 0HQ.

The applicant explained the premises will provide a food-led service, they wish to sell alcohol to compliment this. They advised that the premises will only open until 22:30 and the service of alcohol will be to seated customers by table-service only and ancillary to a meal. The applicant expressed their intention to have a better relationship with their neighbours and are open to receiving contact to try and resolve any issues.

One resident living above the premises submitted representations and was in attendance. They voiced concerns the premises were renovating the outside area with the intention to use it for members of the public. They also made representations that the presence of the premises would further contribute to the anti-social behaviour in the area as well as cause a public nuisance when disposing of their rubbish. Finally they considered smokers standing directly outside the premises would be intimidating when entering and leaving the building.

The licensing sub-committee noted that other representations had been conciliated in advance of the hearing and that several conditions had been agreed with the Metropolitan Police Service.

The sub-committee were mindful of the objections raised by the resident and considered that the premises displaying a contact number may assist in resolving any issues with local residents. They noted the premises do not intend to use the area to the rear of their premises to serve customers, the seventh condition agreed in conciliation would prevent this in any event. The premises also confirmed that they will not use the area for private events.

Whilst the premises had not made arrangements for rubbish collections, the applicant explained the premises had the facilities to store and contain rubbish in the basement, away from the area that food preparation is conducted. The condition restricting the hours that rubbish can be collected will assist in preventing a public nuisance to residents.

In respect of the resident's concerns about smokers, the sub-committee recommend that those smoking outside the premises be directed not to stand in front of the entrance residents use to enter the building.

Whilst the premises is in the Camberwell cumulative impact area, the policy does not apply to restaurants, as set out in paragraph 153 of the Southwark statement of licensing policy (SOLP) 2021-2026. There is therefore no presumption against the grant of a licence for the premises to rebut. Furthermore, the hours proposed are within those recommended by the SOLP. It is on this basis that the application was granted.

In reaching this decision, the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

### **Appeal rights**

The applicant may appeal against any decision:

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

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

- a) That the licence ought not to have been granted; or
- b) That, on granting the licence, the licensing authority ought not to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

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

The meeting ended at 11.27am.

**CHAIR:**

**DATED:**

**[CABINET ONLY]**

**DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, [DATE].**

**THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE. SHOULD A DECISION OF THE CABINET BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.**