

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 10 March 2022 at 10.00 am at Online/Virtual: please contact andrew.weir@southwark.gov.uk for a link to the meeting and the instructions for joining the online meeting

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Maria Linforth-Hall
Councillor Adele Morris

OFFICER SUPPORT: Charlotte Precious, legal officer
Wesley McArthur, 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: 11 MELBOURNE GROVE, EAST DULWICH, LONDON SE22 8RG

The licensing officer presented their report. They advised that all of the responsible authorities had conciliated with the applicant and had withdrawn their representations. Party 8 and Party 9 had also now withdrawn their representations.

Councillor Charlie Smith advised that he had submitted a representation, as a ward councillor. The licensing officer advised that this had not been received. The meeting adjourned at 10.15am to allow the licensing officer time to make further checks to see if the representation had been received.

The meeting reconvened at 10.25am and the licensing officer confirmed that the representation had not been received.

Members had no questions for the licensing officer.

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

The sub-committee heard from other persons, local residents, objecting to the application. Members had questions for the local residents.

All parties were given up to five minutes for summing up.

The meeting adjourned at 12.05pm for the sub-committee to consider its decision.

The meeting reconvened at 12.42pm and the chair advised everyone of the decision.

RESOLVED:

That the application made by Long 6lack Limited for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as Long 6lack Ltd, 11 Melbourne Grove, East Dulwich, London SE22 8RG be granted as follows:

1. Supply of alcohol on the premises:

- Friday: 17:00 to 22:00
- Saturday: 17:00 to 22:00

2. Opening hours:

- Monday to Thursday: 07:00 to 14:00
- Friday: 07:00 to 14:00 and then 17:00 to 22:30
- Saturday: 08:00 to 14:00 and then 17:00 to 22:30
- Sunday: 09:00 to 14:00

Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form, conditions agreed during the conciliation process and the following additional conditions as agreed by the licensing sub-committee:

1. During licensable hours, the accommodation limit for the premises shall not exceed 25 persons (excluding staff)
2. Deliveries, collections and disposal of bottles must take place within the hours of 08:00 to 20:00.
3. No alcoholic drinks will be permitted outside of the premises.
4. A clearly visible sign will be displayed to say that no alcoholic drinks are permitted outside of the premises.

Reasons

On 4 January 2022 Long 6lack Limited applied to this council for a new premises licence in respect of the premises known as Long 6lack Ltd, 11 Melbourne Grove, East Dulwich, London, SE22 8RG.

The applicants stated they took over the premises in 2021, continuing to operate as a coffee shop. They described their vision of the premises as creating a living room outside of patrons' houses for them to socialise with friends. They are applying for a licence to sell organic wine for two evenings a week. In the morning they will operate as usual as a specialist coffee shop until 14:00 hours, the premises will then close but will reopen on Friday and Saturdays at 17:00 until 22:30 hours to sell organic wines and soft drinks. The applicants stressed they do not intend to operate as a night club, bar or pub.

The applicants appeared passionate about the local area and keen to have a good relationship with residents. They had listened to the objections, reduced their intended operating hours and introduced security measures. They advised that they aim to provide a venue where young professionals who don't want to go to a pub can enjoy a glass of wine with low music. They want to create a culture around drinking responsibly and talking with friends. They are health professionals and own and run High Vibe across the road, they want people to be mindful of their

body, health and soul and will refuse service if they find a customer is intoxicated.

Whilst they will not provide hot food, cake will be available and the premises said they were happy to also include snacks like peanuts and pretzels. The sub-committee noted the premises said they intend to have a policy of over-18s only when alcohol is being sold. They also stated their packaging is compostable and committed to not using single-use plastics.

Eight residents living within close proximity of the premises and a local residents association submitted representations in advance of the hearing. The sub-committee noted that two of these residents had withdrawn their objections prior to the hearing. It was also noted that the metropolitan police service, the licensing authority and trading standards had withdrawn their representations after conditions were conciliated with the applicants.

Two of the residents living within close proximity of the premises and a representative of a local residents association were in attendance at the hearing. Concerns were raised in respect of customers congregating and drinking outside of the premises, increasing noise, nuisance and the risk of tailgating when residents enter their home late at night.

The sub-committee considered a condition prohibiting customers taking alcoholic drinks outside of the premises as well as the conciliated condition that patrons are not permitted outside of the premises after 22:00 hours other than to smoke would address these concerns. It was noted that the premises stated they would not permit customers to use the public parklet seating outside and that the area marked patio to the rear of the premises is a storage area and will not be available for use by customers.

Concerns were also raised in respect of events that had been held at the premises and the noise this created that could be heard in the surrounding properties. The sub-committee noted that these events occurred prior to the applicants taking control of the premises and they have no intention to hold such events.

Reference was made to potential planning issues but these are factors that must be raised with the planning department and are not for consideration by the licensing sub-committee. Further concerns were expressed in respect of the capacity of the premises and whether this may cause customers to spill out onto the streets. The sub-committee considered an accommodation limit of 25 people would address this concern. It was also noted the premises only have one toilet, which was an additional factor in reducing the accommodation limit.

The sub-committee considered the premises to be a niche bar that wishes to open two evenings a week for their clients and friends. The hours applied for are well within those suggested by Southwark's Statement of Licensing Policy 2021-2026 and the conditions conciliated and imposed by the sub-committee will address concerns and further the four licensing objectives.

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 12.46pm.

CHAIR:

DATED: