

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 26 January 2023 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 Barrie Hargrove
Councillor Kath Whittam

OFFICER Toyin Calfos, legal officer
SUPPORT: Barry O'Callaghan, licensing officer
Ray Moore, trading standards 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 or urgent items of business.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003: SCRIBBLER HOLDINGS LTD. GROUND FLOOR, 9 HARMSWORTH STREET, LONDON SE17 3TJ

The licensing officer presented their report. They advised that trading standards and the applicant had now reached an agreement relating to a proposed condition. Members had no questions for the licensing officer.

The trading standards officer addressed the sub-committee. They advised the sub-committee that they would be happy to withdraw their representation if the applicant agreed to the proposed condition from trading standards. Members had no questions for the trading standards officer.

The applicant addressed the sub-committee. They advised that they were happy to accept the proposed condition from trading standards.

Neither party had anything to add for summing up.

The meeting adjourned at 10.21am for the sub-committee to consider its decision.

The meeting reconvened at 10.43am and the chair advised everyone of the decision.

RESOLVED:

That the application made by Scribbler Holdings Limited for a premises licence to be granted under Section 17 of the Licensing Act 2003, in respect of the premises known as Ground Floor, 9 Harmsworth Street, London SE17 3TJ, be granted as follows:

The supply and sale of alcohol (off sales)	Monday to Sunday: 08:00 to 18:00
Opening hours	Monday to Sunday: 08:00 to 18:00

Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operating schedule highlighted in Sections L and M of the application form and the following additional conditions agreed by the sub-committee:

1. That deliveries shall be made in accordance with the Royal Mail's agreed age verification policies and all deliveries will be made using the Royal Mail. A copy of the Royal Mail's agreement will be kept with the licence.

Reasons

The sub-committee heard from the licensing officer who outlined the basis of the application including the objection. The licensing officer explained that Scribbler Holdings Limited is a mail order gift card business who wished to be able to sell relatively small quantities of alcohol as part of their mail order business.

The licensing officer stated that trading standards, as a responsible authority, had objected because the application had failed to address how children would be protected from harm. He went on to state that the conciliation process had stalled as the applicant, for reasons beyond his control, was unable to respond to the objection within the permitted time frames.

The sub-committee were informed that the applicant had since accepted the proposal put forward by trading standards earlier that morning.

The sub-committee heard from the trading standards officer as they wanted to know their view regarding the new proposal agreed to by the applicant. The officer confirmed that he had a response from the applicant earlier that morning which confirmed that the applicant was going to ensure that all alcohol deliveries were going to be made using Royal Mail.

The officer confirmed that Royal Mail incorporated an age variation scheme within the service they provide. The officer suggested a condition that a copy of the Royal Mail Agreement must be kept with the licence if it were to be granted and; if the applicant were to change courier company, they should apply for a minor variation.

The officer went on to state that if the applicant was agreeable to the condition, the objection would be withdrawn. The officer went on to confirm that they did not object to the applicant's acceptance email, along with the attachments going before the sub-committee for consideration.

As all parties were in agreement, the acceptance email and attachments was admitted into evidence.

The sub-committee then heard from the applicant. The applicant explained that the business was online and so no customers would attend the premises. They then confirmed that they were agreeable with the condition put forward by trading standards.

The applicant went on to explain that greeting cards make up 65% of the business and that all plastic was removed where possible. They said that the packaging of any gift product sent out, was sent in recyclable cardboard boxes. The applicant

confirmed that the company had reduced its plastic usage by that 90%, and that they did not anticipate an increase use of plastics for alcoholic products.

It was apparent to the sub-committee that had the applicant and the trading standards responsible authority had more time during the conciliation process, conciliation would have been reached.

The sub-committee were impressed by the applicant's continued commitment to reduce plastics.

As the trading standards officer had withdrawn his objection, and having had sight of the applicant's arrangement to ensure alcohol is not served to under aged persons, the sub-committee agreed that the licence should be granted with the condition:

1. That deliveries will be made in accordance with the Royal Mail's agreed age verification policies and all deliveries will be made using the Royal Mail. A copy of the Royal Mail's agreement will be kept with the licence.

In reaching its decision, the sub-committee had regard to all of 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 desire to contend that:

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

may appeal 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 10.46am.

CHAIR:

DATED: