



## **Licensing Sub-Committee**

MINUTES of the OPEN section of the Licensing Sub-Committee held on Tuesday 19 August 2025 at 10.00 am at Online/Virtual

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**PRESENT:** Councillor Renata Hamvas (Chair)  
Councillor Sunil Chopra  
Councillor Barrie Hargrove (Reserve)

**OTHER MEMBERS PRESENT:** Councillor Charlie Smith (Ward councillor observing)

**OFFICER SUPPORT:** Debra Allday, legal officer  
Jayne Tear, licensing officer  
Andrew Weir, constitutional officer

### **1. APOLOGIES**

The chair explained to the participants and observers how the meeting would run.

Everyone then introduced themselves.

There were apologies from Councillor Suzanne Abachor. Councillor Barrie Hargrove was in attendance as the reserve member.

### **2. CONFIRMATION OF VOTING MEMBERS**

The voting members were confirmed verbally.

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

There were none.

### **4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were none.

**5. LICENSING ACT 2003: LONDIS EAST DULWICH, UNITS 1 AND 2, 4 MELBOURNE GROVE, LONDON SE22 8QZ**

The chair reminded all parties of the remit of the sub-committee.

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

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

The meeting adjourned for a comfort break from 10.59am. The meeting reconvened at 11.05am.

The licensing sub-committee heard from the other persons, local residents, objecting to the application.

The licensing sub-committee noted the written representations from other persons, some supporting and some objecting to the application, who were not present at the meeting.

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

The meeting adjourned at 11.28am for the sub-committee to consider its decision.

The meeting reconvened at 12.02pm and the chair advised the attendees of the decision.

**RESOLVED:**

That the application made by Sithamparanathan Linganathan for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as Londis East Dulwich, Units 1 and 2, 4 Melbourne Grove, London SE22 8QZ be granted.

**Hours**

The sale by retail of alcohol (off sales):	Monday to Sunday from 06:00 to 23:00
Late night refreshment (off-sales):	Monday to Sunday from 23:00 to 00:00
Opening hours:	Monday to Sunday from 06:00 to 00:00

## Conditions

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

1. That a maximum 20% floor space be taken by the display of alcohol.

The licensing sub-committee also **recommended**:

- i. That a bin be placed outside the premises (subject to the approval of the Highways Team due to the area being public realm).
- ii. That regular litter picks will be carried out with the final litter pick to take place after closing subject to risk assessment.
- iii. That wherever possible, single use plastics should not be used unless there is no alternative.

## Reasons

This was an application made by Sithamparanathan Linganathan in respect of the premises to be known as Londis East Dulwich, Units 1 and 2, 4 Melbourne Grove, London SE22 8QZ.

Due to the number of other persons who had submitted representations to the application, the chair of the licensing sub-committee explained the remit of the sub-committee, in that:

- a. That the sub-committee would be considering an application under the Licensing Act 2003 for the sale by retail of alcohol and the provision of late-night refreshment, both of which would be off sales only.
- b. That matters relating to planning issues were not relevant considerations as they were dealt with under a different regulatory regime.
- c. That there is no need for planning permission for late night refreshment.
- d. That issues relating to the sale of vapes were not regulated under the Licensing Act 2003 regime.
- e. That the premises would be in planning use class E (general commercial) and as such a shop, off licence or a café could operate without the need for planning permission. While planning permission would be needed for a hot food takeaway, Londis was a well-known established retail chain selling groceries and convenience goods in addition to beers, wines and spirits.

However, heated food and drink would be ancillary and secondary to its primary retail use, so unlikely to require planning permission unless the sale of hot food to take away proves to be more than ancillary.

The licensing sub-committee heard from the representative for the applicant who explained that the premises who advised that there was an established commercial premises that had previously been separated into two units but would be joined as a single unit renovated/refitted and operating as part of the Londis Retail Group, a well-known established retail chain selling groceries and convenience goods including beers wines and spirits. There would also be a coffee machine with a small warming cabinet for hot snacks (such as sausage rolls, pasties etc.). The premises would be operated as a family business.

As a local convenience store and part of Londis Retail Group, the sub-committee were invited to determine the application as an exception to the recommended hours detailed in Southwark's statement of licensing policy 2021-2026 (SoLP).

As a Londis (and therefore part of the Tesco brand) it would be more up market and would focus on the quality of food and the presentation of the shop. The location of the premises was more akin to a local centre/residential mix area and was commercially active.

The applicant, who lived close to the premises, operated another licensed premises in the area, Ronnie's Supermarket on East Dulwich Grove, London SE22 8PR. It was confirmed by the licensing officer that no complaints had been received and that there had been no compliance issues with Ronnie's Supermarket. Ronnie's Supermarket had a licence (granted under grandfather rights) for the sale of alcohol (off premises) Monday to Saturdays until 23:00 and Sundays until 22:30.

The applicant recognised that residents' concerns of school children purchasing alcohol but emphasised that the applicant had agreed to a number of conditions with trading standards about Challenge 25, and a refusal book.

The plan of the premises also highlighted alcohol would not be displayed within two metres of the shop front. There would also be a limit of two to three school children (in uniform) being allowed in the shop at any one time, plus one additional person to manage the shop then as well. In addition to the restriction of super strength beers, lagers and ciders of 7.0% ABV beers, lagers and ciders could not be purchased in containers above two litres.

Furthermore, the operating hours had already been reduced to midnight as agreed by the police. Regarding noise, a sign would be erected reminding customers to be mindful of residents and to leave the premises quietly.

The licensing officer confirmed residents who had submitted representations, both objecting and supporting, primarily resided on Melbourne Grove, Crystal Palace Road, Northcroft Road, Barry Road and Fountain Drive. If there were residents

living above the premises, they had not submitted a representation.

The licensing sub-committee heard from the representative for the Dulwich Society (other person 57), which was an amenity society whose aims were to maintain and foster the amenities of Dulwich in the interest of the residents and community. The Dulwich Society were aware of the lobbying and the objections in connection with the Londis licensing application.

The Dulwich Society had considered and were satisfied with the licensing conditions, as negotiated between the applicant and the police for the promotion of the licensing objectives. The only outstanding issue for the Dulwich Society was that under Southwark's statement of licensing policy 2021-2026 (SoLP), the area was classed as a residential area and the closing hours recommended within the SoLP was 23:00.

The licensing sub-committee heard from other person 53 whose primary concern related to litter and waste in the area, which was considered so bad that they had purchased a picker so they could clear cans and rubbish that collected around the public bench which was very close to the premises. If the premises were permitted to sell alcohol past 23:00, a time when all the other establishments in the vicinity were closed, it would result in the bench being a hub for further littering and anti-social behaviour.

The licensing sub-committee heard from other person 48, whose concerns related to the premises being located so close to a school. Although children in school uniform could easily be identified, the Charter School also had a sixth form many of whom would have ID, so could legally purchase alcohol. A licensed premises located directly outside the school could unwittingly sell alcohol to one of the sixth formers. Worryingly, there was potential for sixth formers to purchase age-restricted products such as alcohol (or vapes) on behalf of other school aged children, particularly if the licensing hours for the sale of alcohol included school finishing times at 15:00. There was nothing to prevent a person carrying out such proxy sales.

Other person 48 was of the view that there was nothing in the application relating to the prevention of proxy sales. It was pointed out by the legal advisor to the sub-committee that under Section 149 of the Licensing Act 2003 the purchase of alcohol by or on behalf of children was a criminal offence.

It was also noted that conditions regarding training and under age sales were contained in the operating schedule of the application and also, perfected conditions had been conciliated with trading standards regarding underage and proxy sales.

The licensing sub-committee heard from other person 18 who stated that their objection was based on the protection of children from harm and the overall welfare of children attending school as provided by other person 48. Other person 18 also concurred with the increase of rubbish in the area, particularly because the

flats had nowhere to put their dustbins and premises selling alcohol and takeaways would exacerbate the with littering.

Other person 31, whose objection was also based on the protection of children from harm, questioned whether there would be a sufficient number of staff at the peak school starting/finishing times because the applicant's verbal submission had suggested only one person would be in the premises.

Other person 4 added that a sign informing customers to leave the premises quietly was not a sufficient barrier to prevent noise nuisance. They stated that If residents called the police or the council's noise and nuisance service, to stop noise issues, their attendance would often not be until sometime after the noise disturbance had stopped, which was unacceptable.

An off-licence was unnecessary in the area and anyone wanting alcohol late at night should go to an existing licensed premises to purchase it, such as Payless, who had specifically designed serving hatch. Other person 4 therefore, objected to the opening time of the premises being beyond 23:00 and stressed concerns of increased litter in the vicinity.

When members asked questions during the informal section of the hearing, the applicant agreed to carry out litter picking outside the premises and/or have a litter bin for customers to throw away rubbish. The applicant stated that they were agreeable to undertake litter picking and have a communal bin. The applicant was reminded that because a bin on the pavement outside the premises amounted to public realm, approval would need to be obtained from the highways licensing team.

The applicant was also agreeable to a condition that a maximum 20% floor space being taken by the display of alcohol. Although extremely unlikely, this would ensure that the premises did not morph into an alcohol-led premises.

It was accepted by the sub-committee that as a convenience store, it could be difficult to limit the use of single-use plastics when selling fresh products such as fresh fruit, vegetables and fresh breads and drinks in plastic bottles. However, the SoLP did ask premises wherever possible to limit the use of them. The applicant's daughter confirmed that they would endeavor to limit the use as much as possible taking into account the difficulties presented with an outright ban.

The licensing sub-committee noted the representations from the police and trading standards had both been conciliated, with the applicant agreeing conditions with them.

The licensing sub-committee considered the written representations from the other persons who were not in attendance.

The licensing sub-committee was mindful that there were a significant number of resident objectors. However, the sub-committee may only consider those

objections when an application undermines the licensing objectives namely: the prevention of crime and disorder, the promotion of public safety; the prevention of nuisance and the protection of children from harm. Matters relating to planning (including the proximity between the licensed premises and the school) were not relevant considerations for the sub-committee.

For the benefit of residents, the need of a licensed premises in an area is also not a consideration for in licensing and residents are referred to paragraph 14.19 of the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 (February 2025) which provides: “.....” *“Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy*”.

However, under the SoLP, the premises was situated in a residential area where the recommended opening hours for off-licences and alcohol sales in grocers and supermarkets was 23:00 daily. The SoLP also provides that takeaways, including late-night refreshment, was appropriate for a residential area. It is for that reason the hours were reduced to 23:00 for the sale of alcohol. Late night refreshment was approved for an additional hour until 00:00.

In reaching this decision the licensing sub-committee had regard to all the relevant considerations, its equality duties 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 12.11pm.

**CHAIR:**

**DATED:**