Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 11 June 2026 at 10.00 am at Online/Virtual

---

PRESENT:	Councillor Jane Salmon (Chair) Councillor Margy Newens Councillor Kath Whittam
OTHER MEMBERS PRESENT:	Councillor Ruth Bannister (observing) Councillor Selena Gray (observing) Councillor Andy Higson (observing)
OFFICER SUPPORT:	Toyin Calfo, legal officer Wesley McArthur, licensing officer Esther Jones, licensing responsible authority officer Mark Prickett, environmental protection officer Paul Newman, environmental protection 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.

1. 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 none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003: GERMAN DONER KEBAB, 222-224 BOROUGH HIGH STREET, LONDON SE1 1JX

The licensing officer presented their report. Members had no questions for the licensing officer.

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

The licensing responsible authority officer addressed the sub-committee. Members had no questions for the officer.

The environmental protection officer addressed the sub-committee. Members had no questions for the officer.

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

The meeting adjourned at 10.32am for the sub-committee to consider its decision.

The meeting reconvened at 11.10am and the chair advised everyone present of the sub-committee's decision.

RESOLVED:

That the application made West London Foods Ltd to vary the premises licence under S34 of the Licensing Act 2003 in respect of the premises known as German Doner Kebab, 222-224 Borough High Street, London SE1 1JX is refused as follows:

Reasons

The licensing sub-committee convened to determine the variation to the premises licence in respect of the premises, German Doner Kebab, 222-224 Borough High Street, London SE1 1JX. The variation related to the provision of late night refreshment and the opening hours only.

The licensing officer explained that the premises is situated within a cumulative impact area and that objections from licensing and environmental protection, in their capacity as responsible authorities, remained outstanding. He added that a local councillor had also objected to the application and that objection also remained.

The licensing sub-committee heard from the parties.

The applicant stated that the premises had been operating in accordance with licensing and planning conditions once issues were identified and adjusted, and that they had previously used temporary event notices to trade late. The applicant emphasised that there had been no complaints associated with the premises.

The purpose of the application was to extend hours in order to participate in the late night economy. The applicant stated that after 11pm the operation would be delivery only, with no public access for takeaway, and that a staff member or door supervisor would restrict entry. The applicant also stated that they could work with delivery platforms to request bicycles or electric vehicles during the final hour and ensure engines were not left idling. They further confirmed that, if the licence variation were granted, a planning application would be submitted to align the hours.

The licensing authority objected on the basis that the hours sought exceeded the council's statement of licensing policy recommended hours. It was noted that the existing licence already exceeded policy and the application sought to extend those hours further. The authority also highlighted that the proposed hours would effectively allow near continuous trading on certain days.

The environmental protection authority supported the policy objection and emphasised that the current licence already exceeded recommended hours. They noted the mismatch between planning and licensing hours and raised concern about the potential for public nuisance if the hours were further extended. While acknowledging that there had been no significant complaints and that the premises appeared to be well run, they stressed the importance of adhering to policy to avoid setting a precedent.

During questioning, members asked how a delivery only operation would be enforced. The applicant responded that no members of the public would be permitted to enter the premises after the specified time and that a staff member or door supervisor would control access, allowing only delivery drivers collecting pre-ordered food. Members also asked how the type of delivery vehicles would be controlled. The applicant responded that they had authority from delivery platforms to request bikes or bicycles during that final hour, although larger orders above a specified value might require a car. The applicant stated that in such cases vehicles could be required to turn off engines while waiting.

Members asked about seating and use of the premises. The applicant confirmed that seating capacity existed but that dine in service ceased at 11pm and after that time the operation would be delivery only. Questions were also raised about the relationship between planning and licensing permissions. The applicant confirmed they were now operating within planning hours and had instructed a planning agent to submit an application to vary planning permission if the licence variation

succeeded.

After each party was invited to sum up their submissions, the sub-committee retired to determine the application. In its deliberation, the sub-committee was mindful to recognise that planning and licensing are two separate regimes and therefore did not take the planning conflicts into account. It went on to consider the applicant's oral evidence, the licensing officer's report, the submissions made by the responsible authorities and all written representations.

The sub-committee noted that the existing licence already exceeded the statement of licensing policy and that the further extension sought would exacerbate that position.

The sub-committee had significant concerns that the hours sought would extend late night refreshment to 03:00 on Fridays and Saturdays and noted that, under the variation, the premises could trade until the early hours of the morning and then resume later that morning at 05:00 without the need for a licence. This would in effect create a business that could operate for twenty-three hours a day.

Whilst the sub-committee had regard to the applicant's wish to remain competitive within the night-time economy and acknowledged the absence of complaints, it considered that the hours applied for were unreasonable in light of policy and its location within the cumulative impact area.

In reaching its decision, the licensing sub-committee had regard to all the relevant considerations including the Licensing Act 2003, the Section 182 Guidance and National Licensing Policy Framework (November 2025), 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 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.

6. LICENSING ACT 2003: CHICKEN EXPRESS, 179 SOUTHAMPTON WAY, LONDON SE5 7EJ

It was noted that this item had been conciliated prior to the meeting.

7. LICENSING ACT 2003: LEBANESE MIX GRILL, 204 OLD KENT ROAD, LONDON SE1 5TY

The licensing officer presented their report. Members had no questions for the licensing officer.

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

The licensing responsible authority officer addressed the sub-committee. Members had questions for the officer.

The environmental protection officer addressed the sub-committee. Members had questions for the officer.

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

The meeting adjourned at 11.41am for the sub-committee to consider its decision.

The meeting reconvened at 12.11pm and the chair advised everyone present of the sub-committee's decision.

RESOLVED:

That the application made Lebanese Mix Grill Ltd to vary the premises licence under S17 of the Licensing Act 2003 in respect of the premises known as Lebanese Mix Grill, 204 Old Kent Road, London, SE1 5TY is refused.

Reasons

The licensing sub-committee convened to determine an application for a new premises licence in respect of the premises, Lebanese Mixed Grill, 204 Old Kent Road, London SE1 5TY.

The application related to the provision of late night refreshment only. The

licensing officer introduced the report and confirmed that no amendments had been made other than receipt of an additional bundle from the applicant. The licensing officer explained that the premises is situated within a residential area and that objections from licensing and environmental protection, in their capacity as responsible authorities, remained outstanding. The officer clarified that the late night takeaways were not considered to be appropriate for that type of area and restaurants have a recommended closing time of 23:00.

The licensing sub-committee heard from the parties.

The applicant explained that the premises is a food led takeaway with no alcohol or regulated entertainment. The applicant stated that the application was before the sub-committee primarily due to the hours sought being outside the council's statement of licensing policy rather than due to operational concerns. It was confirmed that the police had withdrawn their objection following agreement of conditions and that there were no objections from local residents.

The applicant further stated that the premises had operated under approximately twenty temporary event notices over the preceding months, trading until early morning hours without complaints or enforcement action. The hours sought had been reduced following consultation with the police.

The applicant stated that after approximately 11pm the premises would operate as takeaway and delivery only, with minimal seating and active management of customers to prevent loitering. It was submitted that the application should be considered on its own merits, with particular reliance placed on the evidence of previous compliant operation. The applicant also emphasised the importance of the extended hours for the viability of the business.

The licensing responsible authority objected on the basis that the hours sought exceeded the framework hours contained within the statement of licensing policy. It was submitted that the area is not considered suitable for late night takeaway use at those hours as it exceeded the recommended hours in the statement of licensing policy. The officer went on to referred to a previous incident in which the premises had been found to be carrying out licensable activity without authorisation, which ceased once the matter was brought to the operator's attention.

The environmental protection authority objected on policy grounds, stating that the premises is located within a mixed residential area with residential properties in close proximity. It was submitted that late night takeaway use carries an increased risk of public nuisance and that the council's policy indicates that such uses are inappropriate in that location. The authority acknowledged that the applicant had operated temporary event notices without complaint but stated that it was for the sub-committee to determine whether that evidence justified a departure from policy.

During questioning, members asked about seating arrangements and the use of

tables and chairs. The applicant confirmed that tables and chairs would be removed at approximately 10:30pm and would not be available for use after 11pm. It was also confirmed that the premises does not provide cutlery and operates primarily as a takeaway.

Members asked about delivery practices and whether delivery vehicle types could be restricted. The applicant stated that this had not been implemented but could be explored with delivery platforms, and noted that most deliveries in the area are undertaken by bicycles or similar vehicles. Without further investigation, the applicant could not provide a firm undertaking that restrictions could be imposed.

Members also asked about waste management and litter. The applicant stated that while they could not control customer behaviour once they had left the premises, they could display signage requesting that customers dispose of waste responsibly and would ensure that their own waste was managed through an appropriate contract.

Members further asked about packaging materials. The applicant confirmed that food is currently served in foil containers and plastic bags but indicated a willingness to consider the use of alternative materials such as paper or biodegradable packaging.

After each party was invited to sum up their submissions, the sub-committee retired to determine the application. In its deliberation, the sub-committee considered the applicant's oral submissions, the licensing officer's report, the representations made by the responsible authorities, and all written material before it.

The sub-committee recognised that the hours sought fell outside the recommended hours in the statement of licensing policy and that the premises is located in a mixed residential area.

It also noted that there were residential premises directly above the premises. It was concerned that the grant of the licence could give rise to an increased risk of public nuisance, particularly given the proximity of residential properties.

Whilst the sub-committee had regard to the applicant's evidence of operation under temporary event notices without complaint, it considered that a permanent grant of the hours sought would represent a departure from policy that was not justified on the evidence before it.

In reaching its decision, the licensing sub-committee had regard to all relevant considerations including the Licensing Act 2003, the section 182 Guidance, the statement of licensing policy, its equality duties and the four licensing objectives, and considered that refusal of the application was appropriate and proportionate in order to promote the prevention of public nuisance.

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 12.14pm.

CHAIR:

DATED: