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| To: Licensing Unit | From: Wesley McArthur wesley.mcarthur@southwark.gov.uk 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority) | Date: 07 November 2023 |
| Subject: | Representation | |
| Act: | The Licensing Act 2003 (the Act) | |
| Premises: | Local Express, 154 Jamaica Road, London, SE16 4RT | |
| Ref: | 881323 | |

We object to the grant of an application to vary a premises licence, submitted by Mr Thanigasalam Senthuran & Kajananan Thanigasalam under The Licensing Act 2003 (the Act), in respect of the premises known as Local Express, 154 Jamaica Road, London, SE16 4RT.

1. The extant licence –

The extant premises licence (licence number 881220) allows for licensable activities and opening hours as follows –

The sale of alcohol to be consumed on the premises:

Monday - Sunday: 09:00 – 00:00 (midnight)

The opening hours of the premises are:

Monday - Sunday: 00:00 – 00:00 (24 hour opening)

The premises are a convenience store.

A copy of licence 881220 is attached as appendix 1.

2. The variation application –

The purpose of the variation is described in the application as follows (verbatim) –

- *“Extend the current Alcohol license to 24 Hours. The shop is a 24 Hour local convenient store, no alcohol is consumed on the premises.”*

The application seeks to allow the sale of alcohol for consumption off the premises as follows:

The supply of alcohol for consumption on the premises:

Monday to Sunday: 00:00 – 00:00 (24 hour sales of alcohol)

2. The Locale

The premises are located towards approximately half way along Jamaica Road, which is a busy thoroughfare. The premises are in a parade of shops in close proximity to Bermondsey Tube Station and local bus stops. The area has many high-density residential housing estates / blocks in the immediate and wider vicinity of the premises, in all directions. A map of the local area is attached as appendix 2. Photographs showing the premises and its immediate

surroundings (including residential dwellings adjacent to, and in close proximity to, the premises) are attached as appendix 3.

4. Our objection

According to section 7 of this council's statement of licensing policy 2021 – 2026 (the SoLP), the premises fall within a residential area.

A copy of the SoLP is available via:

[Licensing and Gambling Act policy - Southwark Council](#)

The following closing times are recommended in our SoLP in respect of the type of licensed premises located residential areas as follows –

Off licences and alcohol sales in grocers and supermarkets:

Monday – Sunday: 23:00

Our objection relates to the promotion of all the licensing objectives.

In the interest of transparency, the section 7 of the SoLP relates to 'closing times'. The premises is *already* permitted to open for 24 hours.

Notwithstanding the above, we say that the 24 hour sale of alcohol is likely to have a negative effect on the promotion of all of the licensing objectives and be detrimental to the quality of life for local residents.

Anecdotally, my experience (as a licensing officer for 16 years) is that off-licenses that allow for the 24 hour sale of alcohol often attract problem drinkers (e.g. alcoholics, street drinkers and / or people with substance abuse problems), post club / late night venue attendees who wish to consume alcohol further (to 'carry the party on') after the venues they have attended have shut, and also people from outside the area who wish to purchase alcohol because their locale does not have premises selling alcohol 24 hours a day.

Again, anecdotally, I contend that off-licences allowing for the 24 hour sale of alcohol often become a hub for irresponsible alcohol consumers and often contribute disproportionately to crime and disorder in the area that they are located in.

Although the SoLP relates to 'closing times', rather than the times permitted for licensable activities, I contend that it is sensible that recommended closing times, and the terminal hours for licensable activities should be considered equitable.

Premises selling alcohol late at night, or into the early morning, have increased risk factors. We do not think it is appropriate to allow premises to sell alcohol 24 hours a day in a residential area.

I do note however that originally the premises licence (number 833499) issued in respect of the premises allowed for alcohol sales until 01:00 hours. These hours were amended by the prior licensee, on 12 August 2019, to finish at 00:00 (midnight), i.e. the current permitted hours for the sale of alcohol, to avoid the prior licensee having to pay the late night levy.

I strongly object to the proposal for the 24 hour sale of alcohol.

I also object to *any* extension of the hours permitted for the sale of alcohol, however should the licensing sub-committee be minded to grant any extension to the hours permitted for the sale of alcohol we suggest that a maximum daily terminal hour for the sale of alcohol of 01:00 be considered.

If *any* extension of hours is granted by the licensing sub-committee we recommend the following amendments to existing licence conditions, and additional licence conditions, to address the licensing objectives be considered:

Conditions 288, 289 and 351 to be replaced by the following:

- That a digital CCTV system shall be installed at the premises, shall be maintained in full working order and shall be continually recording at all times that the premises are in use. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises. The CCTV system shall be correctly time and date stamped at all times. The CCTV system shall cover all interior and exterior areas of the premises, including the frontage of the premises, and shall collect clearly defined / focused footage.
- That all CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available to responsible authority officers on request.
- That a member of staff shall be on duty at all times that the premises are in use, who is trained in the use of the CCTV system and who is able to view, and download to a removable storage device, CCTV footage at the immediate request of responsible authority officers.
- That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers advising to the effect that CCTV is in operation at the premises. The signage shall be kept free from obstructions at all times.

Condition 348 to be replaced by the following:

- That an incident log shall be kept at the premises to record details of any of the following occurrences at the premises:
 - I. Instances of anti-social or disorderly behaviour
 - II. Calls to the police or other emergency services
 - III. Any complaints received
 - IV. Ejections of people from the premises
 - V. Visits to the premises by the local authority or emergency services
 - VI. Any malfunction in respect of the CCTV system
 - VII. All crimes reported by customers, or observed by staff
 - VIII. Any other relevant incidents

The incident log shall record the time, date, location in the premises and description of each incident, details of any action taken in respect of the incident and the printed name of the person reporting the incident and. The incident log shall be available / be accessible at the premises at all times that the premises are in use, and shall be made immediately available to responsible authority officers on request. Details of incidents shall be recorded contemporaneously. If the incident log is a paper hardcopy then the signature of the person reporting the incident in the log shall also be included. All relevant staff employed at the premises shall be trained in the use of the incident log. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff

training logs at the premises.

Further to the control measures proposed in part 'm' of the application, the following conditions are also recommended, should the licensing sub-committee be minded to grant any extension to the hours permitted for the sale of alcohol :

- That a minimum of 16 HD CCTV camera are installed at the premises, covering all public areas.
- That the premises is fitted with automatic doors that can be locked by operating switches away from the entrance. All relevant staff employed at the premises shall be trained in the use of the operating switches. Details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
- That at any time that alcohol shall be sold after 00:00 (midnight), a minimum of three (3) staff shall be employed, and on duty on the shop floor of the premises at all times.

In addition to the above, we also recommend the following addition conditions:

- That all relevant staff shall be trained in their responsibilities under the Licensing Act 2003, the promotion of the licensing objectives and the terms and conditions of this licence. Records pertaining to such training ('the staff training logs') shall be kept at the premises, shall be updated every 6 months and shall be made immediately available to responsible authority officers on request. The training logs shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the date(s) of training and a declaration that the training has been received and understood by the trainee. If the staff training logs are a paper hardcopy then the signature of the trainee, the signature of the trainer shall be included.
- That a written record of all staff authorised to sell alcohol at the premises shall be kept at the premises and will be made available to responsible authority officers immediately on request. The authorisation record shall include the name and address of the premises, the name of the licensee, the name of the DPS and the names, addresses and dates of birth of all staff authorised to sell alcohol at the premises.
- That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers, at all exits from the premises and in any external areas, requesting to the effect that customers leave the premises and locale in a quiet and orderly manner with respect to local residents. Such signage shall be kept free from obstructions at all times.
- That any 'off sales' of alcohol shall be provided in sealed containers to be taken away from the premises.
- That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers at all exits requesting to the effect that customers do not consume alcoholic drinks bought at the premises in the vicinity of the premises. Such signage shall be kept free from obstructions at all times.
- That if and when required, staff shall interact with customers to ensure that customers behave at the premises in a quiet and orderly manner and also leave the premises and locale in a quiet and orderly manner. Customers deemed by staff to be engaging in

anti-social behaviour shall be asked to leave the premises. Staff shall be trained in this and details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises and shall be made immediately available to responsible authority officers on request.

We reiterate that we suggest this application is refused and that *no* extension to the hours permitted for the sale of alcohol is granted.

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer

Licensing Act 2003 Premises Licence



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

881220

Part 1 - Premises details

| | |
|---|------------------------------|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| Local Express 154 Jamaica Road | |
| Ordnance survey map reference (if applicable): 534486179454 | |
| Post town London | Post code SE16 4BD |
| Telephone number | |

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| Licensable activities authorised by the licence |
| Sale by retail of alcohol to be consumed off premises |

| | |
|---|---------------|
| The opening hours of the premises | |
| For any non standard timings see Annex 2 | |
| Monday | 00:00 - 00:00 |
| Tuesday | 00:00 - 00:00 |
| Wednesday | 00:00 - 00:00 |
| Thursday | 00:00 - 00:00 |
| Friday | 00:00 - 00:00 |
| Saturday | 00:00 - 00:00 |
| Sunday | 00:00 - 00:00 |

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|---|
| Where the licence authorises supplies of alcohol whether these are on and/ or off supplies |
| Sale by retail of alcohol to be consumed off premises |

| | |
|---|---------------|
| The times the licence authorises the carrying out of licensable activities | |
| For any non standard timings see Annex 2 of the full premises licence | |
| Sale by retail of alcohol to be consumed off premises | |
| Monday | 09:00 - 00:00 |
| Tuesday | 09:00 - 00:00 |
| Wednesday | 09:00 - 00:00 |
| Thursday | 09:00 - 00:00 |
| Friday | 09:00 - 00:00 |
| Saturday | 09:00 - 00:00 |
| Sunday | 09:00 - 00:00 |

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Kajananan Thanigasalam Thanigasalam Senthuran

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Thanigasalam Senthuran

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No.:

Authority. L.B.:

Licence Issue date: 09/10/2023

Head of Regulatory Services
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- (a). At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b). At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula $P = D + (D \times V)$,

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale

or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the

period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

255 That a fire precaution system shall be installed at the premises.

293 That all staff shall undertake a recognised training scheme in respect of the sale and supply of intoxicating liquor.

340 All staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by Council authorised officers or the Police.

341 Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required.

342 A register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by Council authorised officers or the Police.

343 That alcohol shall be stored and / or displayed away from the front entrance / exit at the premises

345 That shop front and door shutters shall be installed at the premises.

346 That an intruder alarm shall be installed at the premises.

347 That health and safety and fire risk assessments shall be devised in respect of the premises and revised periodically or whenever the operation of the premises changes. The risk assessments shall be kept at the premises and be made available to council officers on request

348 That an incident log shall be maintained at the premises.

349 That the premises and the area immediately outside of the premises shall be maintained in a clean and tidy manner.

350 No Beers, lagers or ciders in single cans, bottles or multi – packs with an ABV of more than 6.5% will be displayed, sold or offered for sale from the premises.

288 An approved CCTV system shall be installed at the premises that records clear images of both the interior and the exterior of the premises. The CCTV installed inside the premises shall be positioned to capture the sale of alcohol and tobacco products

289 The CCTV system shall have a minimum of 31 days recording facility and will be maintained in full working order at all times and be

continually recording at all times the premises is in use under the licence. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises. All CCTV footage shall be kept for a period of thirty one (31) days and shall. Upon request, be made immediately available to the Police and /or Authorised Officers from Southwark Council.

351 All Staff working at the premises shall be trained and be fully conversant in the correct operation of the CCTV and be able to demonstrate its operation on immediate request by Police and /or Authorised Officers from Southwark Council.

352 When alcohol is not for sale, the area where it is available during licensable hours will be blocked off so that the public cannot have access to it. A clear notice stating "Alcohol is not for sale between 01:00hrs and 09:00hrs" shall be displayed during these hours at the entrance to the area where alcohol is offered for sale during the licensable hours. The signage shall be kept free from obstruction at all times.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans - Attached

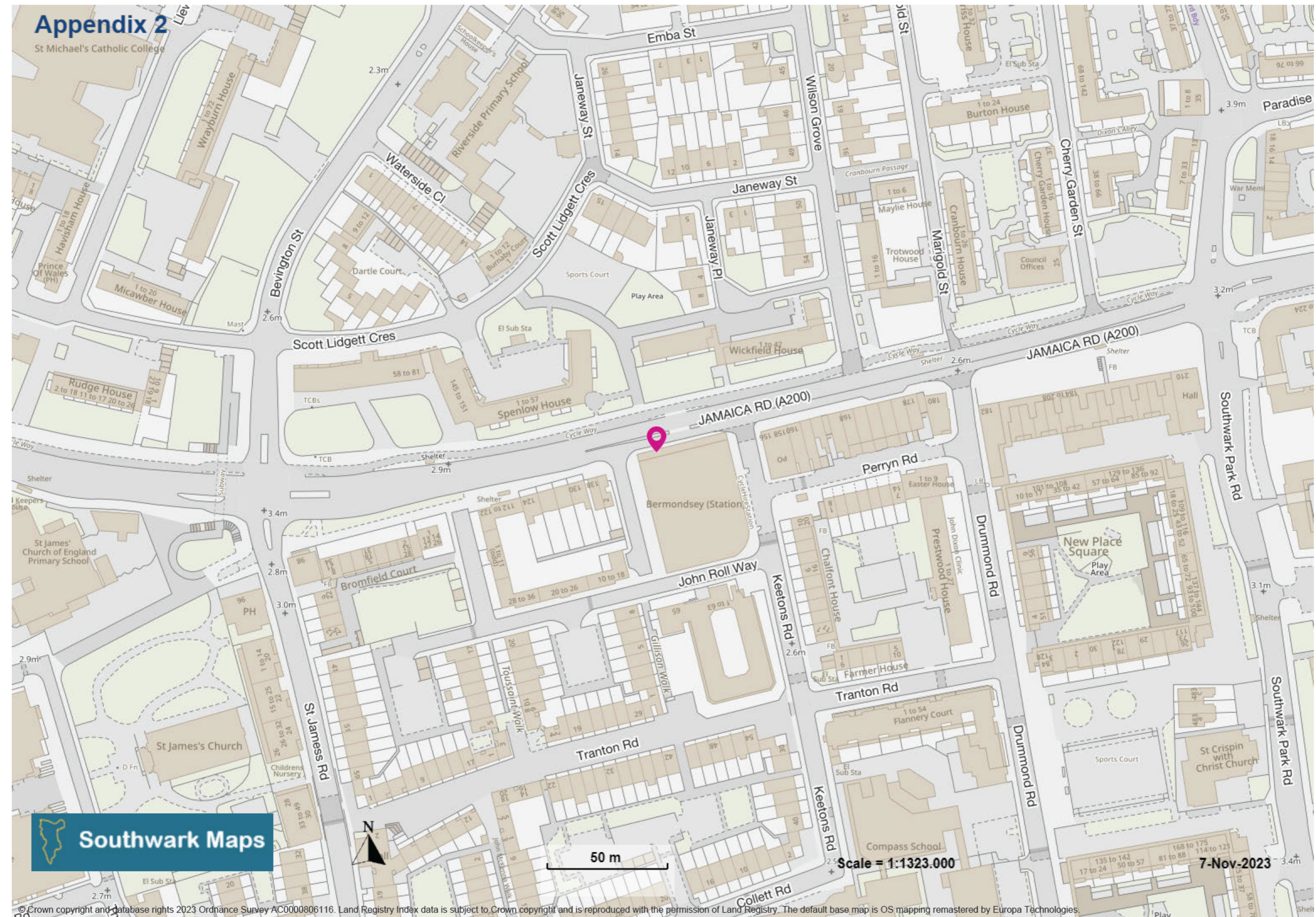
Licence No. 881220

Plan No. N/A

Plan Date 22/ 9/2023

Appendix 2

St Michael's Catholic College



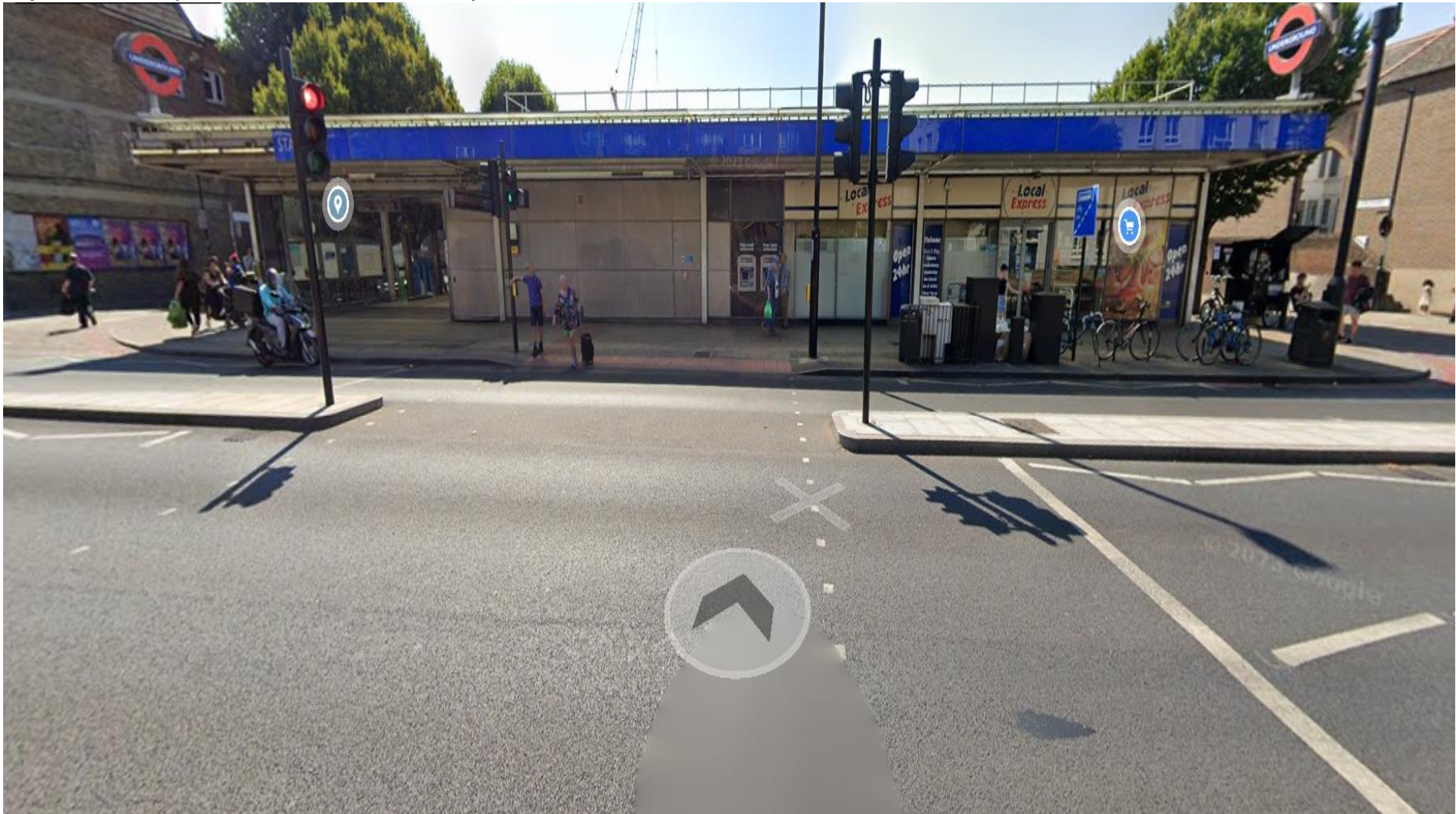
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7-Nov-2023

Appendix 3

View looking south over Jamaica Road showing the premises to the right of the photo and Bermondsey Tube station immediately adjacent to the premises, to the left of the photo.



View looking west down Jamaica Road showing residential estates on both sides of the road.



View looking east along Jamaica Road showing residential dwellings and blocks on either side of the road.



View looking south down Keeton's Road showing residential dwellings.



View looking south down Major Road showing residential dwellings.

