

McArthur, Wesley

From: Regen, Licensing
Sent: 04 July 2016 16:59
To: McArthur, Wesley; Jerrom, Charlie
Subject: FW: Application to vary licence - BD Wines 1 Braganza Street SE17 3RD

From: Masini, Bill
Sent: Monday, July 04, 2016 4:41 PM
To: Regen, Licensing
Subject: Application to vary licence - BD Wines 1 Braganza Street SE17 3RD

As a Responsible Authority under The Licensing Act, Trading Standards are in receipt of the application to vary the premise licence for The Habit at 1 Braganza Street London SE17 3RD and respond accordingly under the Licensing objectives of The Protection of Children from harm, the prevention of crime and disorder and the prevention of Public Nuisance.

Trading Standards welcome the statements in the application to promote the four licensing objectives. However on the current licence there are a number of conditions that Trading Standards say render them either unenforceable and/or need expanding up.

For completeness and clarity would like conditions 834 and 793 to be removed and replaced with the following conditions on the licence to address the potential for harm of selling alcohol to children:

- That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
- That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
- That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.

For completeness and clarity would like conditions 836 to be removed and replaced with the following condition:

- There shall be a personal licence holder on the premises at all times alcohol is available for supply for the purpose of supervising such sales

For completeness and clarity would like condition 788 to be removed and replaced with the following conditions:

- That an approved CCTV system shall be installed at the premises that records clear images of both the interior and exterior of the premises. The CCTV installed inside the premise shall be positioned to capture the sale of alcohol and tobacco products. 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 premise is in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premise. 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
- All staff working at the premise 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

Under the Licensing objectives of the Prevention of crime and disorder and the Prevention of Public Nuisance, Trading Standards would also like the following condition to be added to the licence:

- 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

With regard to the application for the shop to be able to sell alcohol 24 hours 7 days a week, Trading Standards has strong reservations on this and would like the hours to be in accordance with Southwark's Licensing Policy; again submitted under the Licensing objectives of the prevention of crime & disorder and Prevention of Public Nuisance

Bill Masini - Trading Standards Officer

Southwark Council Trading Standards | Environment & Leisure

3rd Floor Hub 2, PO Box 64529 | London SE1P 5LX

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McArthur, Wesley

From: Regen, Licensing
Sent: 05 July 2016 13:00
To: McArthur, Wesley; Jerrom, Charlie
Subject: FW: RE: Variation of Hours - B D Wines, 1 Braganza Street

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: 05 July 2016 12:16
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: RE: Variation of Hours - B D Wines, 1 Braganza Street

To whom it may concern:

Re: B.D. Wines, 1 Braganza Street, London SE17 3RD

On behalf of the Acting Director of Public Health for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

This representation is made in respect of the following licensing objective(s):

- The prevention of crime and disorder
- Prevention of public nuisance
- Public safety

General Comments

The applicant requests to vary the hours of their current licence. They have requested to extend the hours for the sale of alcohol off the premises to between 00:00hrs and 24:00hrs for Mondays through to Sundays. In other words this request is for a 24-hour license to sell alcohol. The applicant's current license is for sales of alcohol off the premises between the hours of 10:00 and 23:00 Monday-Saturday and 12:00-22:30 on Sundays.

I have concerns regarding the hours of alcohol sales requested. Research suggests that increased hours of alcohol sales are associated with increased alcohol consumption, increased alcohol-related injuries, and increased alcohol-related harm. Moreover, the current licensed hours are in line with Southwark's Statement of Licensing Policy.

Recommendations

- I urge this variation application to be rejected since the current operating hours are suitable for a premises in this location, as per the Southwark Statement of Licensing Policy

If you have any further questions, please do not hesitate to contact me.

Yours faithfully,

Carolyn Sharpe
on behalf of Dr Jin Lim, Acting Director of Public Health

Carolyn Sharpe |

From: Tahir, Sarah

Sent: 10 June 2016 16:43

To: Chowdhury, Farhad; Chudasama, Sailesh; DIP Team; Farrington, Ian; Graham White; Lfepa; Mahanga, Justine; Masini, Bill; Moore, Ray; Planning.Enquiries; Public Health Licensing; Reg Env Protection; Richards-Vassell, Thomas; safer; Shannon, Rochelle; southwark.repro@pbms.co.uk; Tear, Jayne; West Team diary

Subject: RE: Variation of Hours - B D Wines, 1 Braganza Street

MEMO: Licensing Unit

To Licensing **Date** 8 July 2016

Copies

From Jayne Tear **Telephone** 020 7525 0396

Email jayne.tear@southwark.gov.uk

Subject B. D. Wines, 1 Braganza Street, London, SE17 3RD

I write with regards to the above application submitted by Bahader Singh Mahil to vary the premises licence, which seeks to extend the following licensable activities on the premises licence:

- To increase the supply of alcohol (off the premises) on Monday to Saturday from 23:00 to 10:00 the following day and on Sunday to increase from 22:30 to 12:00 the following day.
This means that the premises shall be providing alcohol for sale 24hrs daily.
- Opening hours shall be 24hrs daily.

My representation is based on the licensing objectives for the prevention of crime and disorder, prevention of public nuisance.

The current premises licence has very few conditions within the operating schedule and this application to vary the licence offers no further control measures within the operating schedule to address the licensing objectives should the premises be providing alcohol sales 24hrs.

If the premises were to open later. Drunk persons and street drinkers who may become drunk after consuming alcohol purchased at the premises later at night could cause crime and disorder or public nuisance and further exacerbate anti- social behaviour in the street.

Furthermore this premises is situated within **a residential area** and under the Southwark Statement of Licensing Policy 2016 - 2020, the Closing times recommended for off-licences and alcohol sales in grocers and supermarkets is 23:00 hours daily.

I therefore submit this representation and recommend that the application is refused.

Jayne Tear
Principal Licensing officer
In the capacity of the Licensing Responsible Authority

McArthur, Wesley

From: Samina Aslam
Sent: 18 July 2016 12:21
To: Regen, Licensing; Tahir, Sarah
Cc: McArthur, Wesley
Subject: RE: RE: Consultation letter - Variation of Hours - B D Wines, 1 Braganza Street,

Dear Sirs

I write further to the representation submitted by Maisie on 13 July 2016 (email below), in respect of my client's application to vary his premises licence.

Having discussed this with my client, he takes on board the concerns raised and is willing to conciliate by retracting his application for a 24 hour licence to sell alcohol. In its place, my client proposes to merely extend the current times to the following:

Proposed timings to be able to sell alcohol at the premises in question:

Monday: 8am – 11pm
Tuesday: 8am – 11pm
Wednesday: 8am – 11pm
Thursday: 8am – 11pm
Friday: 8am – 11pm
Saturday: 8am – 11pm
Sunday: 8am – 11pm

I trust that this goes some way in appeasing the basis of the concerns raised, particularly that a 24 hour licence will exacerbate the anti-social behaviour within the area, which is residential in area. I hope that this is can agreed and can therefore dispense the need for attending the scheduled Licensing Sub Committee hearing on 4 August.

I look forward to hearing from you.

Kind regards

Samina Aslam
Trainee Solicitor
Littlestone Cowan Solicitors

McArthur, Wesley

From: Masini, Bill
Sent: 18 July 2016 14:42
To: McArthur, Wesley; Anderson, Maisie; Sharpe, Carolyn; Tear, Jayne
Subject: RE: Application to vary a premises licence - B.D. Wines, 1 Braganza Street, London, SE17 3RD (our ref: L1U 852616)

Hi Wesley

Thanks for this. Like other Responsible Authorities I got a "cut and pasted" email from Samina Aslam, Trainee Solicitor of Littlestone Cowan Solicitors, their advisors. It fails to deal (or even refer to) with any of the "non hours" representations made. These need to be addressed before Trading Standards are in a position to withdraw its representations.

For completeness here I said:

Trading Standards welcome the statements in the application to promote the four licensing objectives. However on the current licence there are a number of conditions that Trading Standards say render them either unenforceable and/or need expanding up.

For completeness and clarity would like conditions 834 and 793 to be removed and replaced with the following conditions on the licence to address the potential for harm of selling alcohol to children:

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Bill Masini - Trading Standards Officer

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McArthur, Wesley

From: Sharpe, Carolyn
Sent: 19 July 2016 13:40
To: Jerrom, Charlie; McArthur, Wesley
Cc: Pinder, Richard
Subject: RE: Variation of Hours - B D Wines, 1 Braganza Street

Hi Wesley / Charlie,

We very much appreciate that the applicant has significantly scaled back the licensing hours requested. However, I still have concerns regarding the start time for alcohol sales and would like to suggest a later starting time of 11am. Early-morning alcohol purchasers are more likely to be alcohol misusers and may thereby contribute to antisocial behaviour such as street drinking.

If the applicant would be willing to accept a later starting time for alcohol sales of 11am, public health would be happy to withdraw our objection.

Best regards,
Carolyn

Carolyn Sharpe |
