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Licensing Sub-Committee

Meeting of held on Tuesday, 18 August 2020 at 10.30 am in This meeting is being held remotely; to view the meeting, please click [here](#).

MINUTES

Present: Councillor Pat Clouder (Chair);
Councillors Karen Jewitt and Margaret Bird

Also Present: Michael Goddard (Licensing Manager)
Butta Singh (Solicitor and Legal Advisor to the Sub-Committee)
Thomas Downs (Democratic Services)

PART A

67/20 **Appointment of Chair**

Councillor Karen Jewitt nominated Councillor Pat Clouder as Chair.
Councillor Margaret Bird seconded the motion.

The Sub-Committee **RESOLVED** to appoint Councillor Clouder as Chair for the duration of the meeting of the Sub-Committee.

68/20 **Apologies for Absence**

There were none.

69/20 **Disclosure of Interests**

There were none.

70/20 **Urgent Business (if any)**

There were no items of urgent business.

71/20 **Licensing Act 2003 (Hearings) Regulations 2005 Procedures for Licensing Sub-Committee Hearings**

The Licensing Manager introduced and summarised the report, which contained changes to the protocol for Licensing Sub-Committees in of light of the Coronavirus Act 2020.

The Chair **AGREED** the recommendations contained in the report.

72/20 **Licensing Act 2003 - Application for a Premises Licence - 74 Lower Addiscombe Road, Croydon, CR0 6AB**

The recording of this item can be viewed by clicking on the link [here](#).

Following the item being heard the Licensing Sub-Committee's decision is as follows:

The Licensing Sub-Committee considered the application for a Premises Licence at **74 Lower Addiscombe Road, Croydon, CR0 6AB** along with the representations and additional information received, as contained in the report and appendices of the Executive Director 'Place'.

After considering the information received along with hearing from the Applicant and Licensing Service at the meeting, the Sub-Committee having reference to the licensing objectives under the Licensing Act 2003 ("the Act"), the statutory guidance issued under S.182 of the Act and the Council's Statement of Licensing Policy, **RESOLVED** to **GRANT** the premises licence application.

The application has been granted with the following amendments, as the Sub-Committee were satisfied that the Licensing Objectives would not be undermined;

Amendments to the application/conditions, as agreed by the applicant

- Condition 3 within the 'Proposed Conditions' on page 63 of the agenda is amended to read; 'A CCTV system shall be installed and maintained to comply with Home Office Requirements. CCTV will cover all entrances/exits and the internal areas of the premises. Recordings shall be stored for a minimum of 31 days and CCTV images shall be provided to Police or Council Officers on request.'
- Condition 9 within the 'Proposed Conditions' on page 63 of the agenda is amended to read; 'Between Sunday to Thursday the venue will close its doors to the public at midnight and will only operate from the rear of the premises as a 'take-away delivery' outlet until 0200hrs. After midnight on these specified days of the week no members of public will be permitted on the premises.'

Reasons for the decision;

The Sub-Committee, took into account the following reasons, when making their decision:

1. The additional information, as discussed at the meeting, which provided the Sub-Committee with the necessary clarity as to how the premises has operated previously and it's proposed operation and management with regards to providing Late Night Refreshment, particularly in relation to when it will be operating and providing a delivery service only.
2. It was noted that the Police had withdrawn their representation, following discussions and the agreed conditions with the applicant. The Sub-Committee slightly amended condition 3 to ensure the rear of the premises would continue to be covered by CCTV and condition 9 was amended to ensure there was complete clarity as to how the premises would operate from Sunday to Thursday.
3. With regards to operation of the Premises on a Friday and Saturday, Mr Goddard from the Council's Licensing Service clarified that given what had been outlined in the operating schedule (on page 50 of the agenda), the premises will be operating a delivery service only from 01:00 hours. As such the Sub-Committee did not feel they needed to add an additional condition as to same and were satisfied that a condition, as to this effect, will included in any licence issued by the Licensing Service.
4. The concerns raised by the Other Person was considered within the remit of the licensing regime, in terms of whether the licensing objectives would be undermined by the granting of the application. However, it was felt that the measures that have been and will be put in place by the applicant were appropriate and sufficient in the circumstances.

It is for the reasons, as set-out above, that the Sub-Committee approved the application, with the amendments as set-out above, having regard to the promotion of the four licensing objectives.

Public Informative:

It should be noted for the public record that the applicant did confirm that wherever possible electric/small vehicles will only be used for deliveries to prevent any nuisance being caused to residents in the area. The applicant also confirmed that he will look into and discuss with the landlord as to any improved low level lighting being installed to the rear of the premises.

Licensing Act 2003 - Application for a Premises Licence - 1447 London Road, Norbury, SW16 4AQ

Councillor Pat Clouder and Councillor Karen Jewitt declared that the objector to this item was known to them from their duties as Ward Councillors; both Councillors stated that this would not prejudice their decision on this application.

The recording of this item can be viewed by clicking on the link [here](#).

Following the item being heard the Licensing Sub-Committee's decision is as follows:

The Licensing Sub-Committee considered the application for a Premises Licence at **1447 London Road, Norbury, SW16 4AQ** along with the representations and additional information received, as contained in the report and appendices of the Executive Director 'Place'.

After considering the information received along with hearing from the Applicant, Other Person and Licensing Service at the meeting, the Sub-Committee having reference to the licensing objectives under the Licensing Act 2003 ("the Act"), the statutory guidance issued under S.182 of the Act and the Council's Statement of Licensing Policy, **RESOLVED** to **GRANT** the premises licence application.

The application has been granted with the following amendments, as the Sub-Committee were satisfied that the Licensing Objectives would not be undermined;

i) Amendment to the application/conditions, as agreed by the applicant

- Condition 8 within the 'Proposed Conditions' on page 113 of the agenda is amended to read 'Food will be available at all times that the sale of alcohol is authorised, which is up to 30 minutes before the premises is to close. All alcohol sales (both on and off) will be ancillary to substantial food and/or a food order, of more than a nominal value, being ordered from the menu.'

ii) Additional condition, as agreed by the applicant

- There shall be no vertical drinking at the premises and any alcohol sales to seated patrons within the premises shall be by table service only

Reasons for the decision;

The Sub-Committee, took into account the following reasons, when making their decision:

1. The additional information, as discussed at the meeting, which provided the Sub-Committee with the necessary clarity as to how the premises has operated previously and its proposed operation and management with regard to a café/delicatessen/restaurant.
2. It was noted that the Police and the Council's Food & Safety Team had withdrawn their representation, following discussions and the agreed conditions with the applicant.
3. The Sub-Committee amended condition 8 to ensure the operation of the premises, given the concerns raised by the Other Person, would not undermine licensing objectives and/or negatively impact on the cumulative impact policy.
4. In granting this application, the Sub-Committee felt that the measures that have been and will be put in place by the applicant were appropriate and sufficient in the circumstances and believed that along with type and style of the premises (as in how it will operate), the conditions to be imposed and the hours of operation, the granting of 'off-sales' of alcohol would not add to negative cumulative impact that is currently being experienced in the area.

It is for the reasons, as set-out above, that the Sub-Committee approved the application, with the amendments as set-out above, having regard to the promotion of the four licensing objectives.

74/20

Licensing Act 2003 - Application for a Premises Licence - 1451 London Road, Norbury, SW16 4AQ

Councillor Pat Clouder and Councillor Karen Jewitt declared that the objector to this item was known to them from their duties as Ward Councillors; both Councillors stated that this would not prejudice their decision on this application

The recording of this item can be viewed by clicking on the link [here](#).

Following the item being heard the Licensing Sub-Committee's decision is as follows:

The Licensing Sub-Committee considered the application for a Premises Licence at **1451 London Road, Norbury, SW16 4AQ** along with the representations and additional information received, as contained in the report and appendices of the Executive Director 'Place'.

After considering the information received along with hearing from the Applicant, Other Person and Licensing Service at the meeting, the Sub-Committee having reference to the licensing objectives under the Licensing Act 2003 ("the Act"), the statutory guidance issued under S.182 of the Act and

the Council's Statement of Licensing Policy, **RESOLVED** to **GRANT** the premises licence application.

The application has been granted with the following amendments, as the Sub-Committee were satisfied that the Licensing Objectives would not be undermined;

i) Amendment to the application/conditions, as agreed by the applicant

- The Opening Hours on Sunday will be until 22:00 hours, with licensable activities ceasing at 21:30 hours.
- Condition 8 within the 'Proposed Conditions' on page 113 of the agenda is amended to read 'Food will be available at all times that the sale of alcohol is authorised, which is up to 30 minutes before the premises is to close. All alcohol sales (both on and off) will be ancillary to substantial food and/or a food order, of more than a nominal value, being ordered from the menu.'

ii) Additional conditions, as agreed by the applicant

- There shall be no vertical drinking at the premises and any alcohol sales to seated patrons within the premises shall be by table service only
- The rear of the premises is not to be used by patrons at any time.

Reasons for the decision;

The Sub-Committee, took into account the following reasons, when making their decision:

1. The additional information, as discussed at the meeting, which provided the Sub-Committee with the necessary clarity as to how the premises has operated previously and its proposed operation and management with regard to a café/restaurant.
2. It was noted that the Police had withdrawn their representation, following discussions and the agreed conditions with the applicant.
3. The Sub-Committee amended the opening hours and licensable activity hours for Sunday, as agreed with the applicant, in line with the planning permission.
4. The Sub-Committee amended condition 8 to ensure the operation of the premises, given the concerns raised by the Other Person, would not undermine the licensing objectives and/or negatively impact on the cumulative impact policy.

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5. In granting this application, the Sub-Committee felt that the measures that have been and will be put in place by the applicant were appropriate and sufficient in the circumstances and believed that along with type and style of the premises (as in how it will operate), the conditions to be imposed and the hours of operation, the granting of 'off-sales' of alcohol would not add to negative cumulative impact that is currently being experienced in the area.

It is for the reasons, as set-out above, that the Sub-Committee approved the application, with the amendments as set-out above, having regard to the promotion of the four licensing objectives.

75/20 **Exclusion of the Press and Public**

This was not required.

The meeting ended at 12.44 pm

Signed:

Date:

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