

LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the LICENSING COMMITTEE, which was open to the press and public held on TUESDAY 10 JANUARY 2023 at 7pm and held remotely via Microsoft Teams.

Present

Councillor Wise (Chair) Councillor Anifowose (Vice-Chair) Councillors, Brown, Hayes, Jackson, Kestner and Shrivastava.

Apologies for absence were received from Councillors Huynh, Howard and Warner.

Also Present

Matt Lewin – Counsel – Legal advisor

Richard Lockett – Safer Communities Service Senior Licensing Officer

16 Hatcham Park Road, London, SE14 5QD

Applicant - not present

Respondents

P.C Bobb - Police

Melanie Khan - One housing

1. Minutes

RESOLVED that the minutes of the meeting of the Licensing Committee held on 29 November 2022 be confirmed and signed.

The minutes of the meeting held on 21 December 2022 be submitted to the next meeting of this Committee.

2. Declarations of Interests

Councillor Shrivastava said that 16 Hatcham Park Road was in his ward but did not make a declaration of interest.

3. 16 Hatcham Park Road, London, SE14 5QD

- 3.1 The Chair welcomed all parties to the Licensing Committee. She introduced those present and outlined the procedure to be followed for the meeting. She then invited the Senior Licensing Officer to introduce the application.

Introduction

- 3.2 Mr Lockett said that this application was being held in relation to representations received in respect of an application for a new premises licence for 16 Hatcham Park Road, SE14 5QD which was a residential road. The applicant lived at this address.
- 3.3 Mr Lockett outlined the application. He said that two representations had been received from the Metropolitan Police and the landlords of the property. Conditions had been agreed between the applicant and the local authority and had been included in the agenda.
- 3.4 Mr Lockett then outlined the options available to members under the licensing objectives, when making their decision.

Applicant

- 3.5 Members were informed that the applicant was not present.

Representation

- 3.6 P.C Bobb spoke on behalf of the Metropolitan Police. He said that the Police objected to the application under the licensing objective of the presentation of public nuisance.
- 3.7 16 Hatcham Park Road was a 3 roomed house that accommodated vulnerable adults. If the application was granted, the applicant would be able to sell online alcohol from 7am until 3am 7 days a week. Customers would not attend the Premises, but deliveries would be made to and from these Premises. P.C Bobb said that the noise from these vehicles would cause a noise nuisance for other residents in the property and it could also affect their mental health. The noise caused by the delivery drivers would also affect all the residents in the road
- 3.8 Hatcham Park Road is located approximately 200 metres away from New Cross Road and is a one-way street at this section of the road. In an effort to deliver goods and drive away quickly, P.C Bobb suggested that delivery drivers could drive the wrong way back down this one-way street. This would cause road traffic accidents. There were very few parking spaces in the road and delivery cars, or vans would need to double park during delivery and other vehicles would be unable to pass down this narrow road.
- 3.9 P.C Bobb recommended that the application be refused. If the applicant wished to re-apply, Licensing Police would assist with the application.
- 3.10 Ms Khan, representing One Housing addressed the Committee. She said that this Housing Association objected to the application because vulnerable residents lived in the property. They were recovering from health issues, and the presence of alcohol would be counterproductive to the work undertaken by the customer, and care team over many years. Substance misuse had been identified as one of the main triggers for relapse in vulnerable people.

3.11 Ms Khan said that the application was in breach of the tenancy which prevents the running of a business from the property.

3.12 Councillor Hayes asked whether the applicant had been advised that he should not run a business from the property. Ms Khan confirmed that this would have been explained when the tenant signed the tenancy agreement.

Conclusion

3.13 Both objectors applauded the applicant for attempting to improve themselves and run their own business. However, it was not appropriate for a business to be run from this property.

3.14 Members confirmed that they had been present throughout the meeting and had not lost connection.

3.15 A decision letter would be sent out within 5 working days. She thanked all parties for their attendance, and they left the meeting.

Exclusion of the Press and Public

RESOLVED that under Section 100 (A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12 (A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006 and the public interest in maintaining the exemption outweighed the public interest in disclosing the information:

3. 16 Hatcham Park Road, London, SE14 5QD

The following is a summary of the item considered in the closed part of the meeting.

16 Hatcham Park Road, London, SE14 5QD

The application for a new premises licence was REFUSED for the following reasons:

- The Premises is a residential property in a residential area. If licensed, it would attract frequent traffic until 3am every night of the week which would clearly cause disturbance to occupiers of the sheltered housing scheme and other neighbouring properties, at a sensitive time of the night.
- As well as being in a residential area, the Premises was part of a supported housing scheme. The Committee did not think that running an alcohol-focussed business in this environment would be appropriate, and could potentially put vulnerable adults at risk, contrary to the public safety licensing objective.

The meeting ended at 7.10pm

Chair