

Decisions taken by the Licensing Committee on Wednesday, 13 December 2023

Agenda Item No	Topic	Decision
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Part A – Items considered in public

A3	Adana Premier Store, Unit D Adana Building, Connington Road SE13 7FD	<p style="text-align: center;">DECISION NOTICE</p> <ol style="list-style-type: none"> 1. Adana Premier Store, Unit D Adana Building, Connington Road, SE13 7FD has applied for the grant of a new Premiss Licence (“the Premises”). 2. The application was for the grant of a premises licence to allow for the retail sale of alcohol Mondays to Sundays from: 06:00 to 23:00 hours. 3. Relevant representations were received from the Police Licensing Authority and 17 local residents on the grounds that granting the application would not meet the objective of upholding any of the four licensing objectives. The Police representations were withdrawn before the hearing following discussions with the Applicant who agreed to accept additional conditions on the licence. 4. The Licensing Committee held a hearing on 13 December 2023 to consider the application. A solicitor spoke on behalf of the Applicant. Three residents attended the meeting and addressed the Committee. The Licensing Authority also addressed the Committee. 5. In retiring to make its decision Councillor Huynh, the ward councillor for this area, recused himself from involvement with any decision regarding this application. It remains the Council’s position that Councillor Huynh was entitled to sit on the Licensing Committee hearing this application and it was a personal decision for Councillor Huynh to recuse
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		<p>himself.</p> <p>6. In making its decision the Committee has considered all of the papers contained in the report pack together with the submissions and evidence presented by all parties at the hearing. The committee has also taken into account the Council's own Statement of Licensing Policy and the Home Office's Statutory Guidance.</p> <p>7. The Committee's decision is to grant the application subject to the conditions agreed with the Police and the additional conditions proposed by the Licensing Authority and also subject to a reduction in the hours permitted for the sale of alcohol Mondays to Sundays from 11:00 hours to 23: hours. Its reasons are as follows:</p> <p style="padding-left: 40px;">a. The Committee noted that the Applicant had agreed the conditions with the Police and the Committee has determined that the additional conditions recommended by the Licensing Authority support the promotion of the licensing objectives.</p> <p style="padding-left: 40px;">b. The reduction in trading hours for the sale of alcohol is in line with the Councils Statement of Licensing Policy of preferred hours for premises located in residential areas. The Committee heard evidence from the Licensing Authority and each of the</p>

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		<p>three local residents describing the location of the Premises being in a residential area, away from main roads, banked on all sides by approximately 400 residential properties. The Licensing Authority in its representations confirmed that they designated the Premises to be within a residential area and the Committee agreed with those representations and on that basis the preferred hours for this Application are 11:00 hours to 23:00 hours, in accordance with paragraph 15.7 of the Policy. The Committee did not hear sufficient evidence from the Applicant to persuade them to depart from this policy but note that during the hearing the Applicant did offer to amend his application to allow for the retail of alcohol to begin at 09:00 hours Mondays to Sundays. Again, the Committee took that offer into consideration when reaching its decision but did not accept that this concession provided supporting evidence to persuade them to depart from its policy.</p> <p>c. The Committee did have concerns about the application, and the representations raised by the local residents, but they put weight on the fact that the Applicant had agreed conditions with the Police. The committee also considered that the decision to grant the licence subject to the preferred hours addressed some of concerns raised by the local residents and allowed for the promotion of the licensing</p>

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		<p align="center">objectives.</p> <p>8. There is a right of appeal against this decision. Any appeal should be made to the magistrates' court within 21 days beginning with the day on which the appellant was notified of the decision.</p> <p align="center">19 December 2023</p>
A1		
A2		