

**Decisions taken by the Licensing Committee on Thursday, 6 July 2023**

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

<p><b>A3</b></p>	<p>Park Sydenham, 277 – 283 Kirkdale, SE26 4QD</p>	<p><b>Park Sydenham, 277 – 283 Kirkdale, SE26 4QD</b>                      Lewisham LBC, Licensing Committee                      Application for variation of premises licence</p> <p align="center"><b>DECISION NOTICE</b></p> <p>1. Park Garage Group Plc (“the Applicant”) has submitted an application for a variation to the premises licence for Park Sydenham, 277 – 283 Kirkdale, SE26 4QD (“the Premises”).</p> <p>2. The application seeks authorisation for the following licensable activities:</p> <p>Supply of Alcohol for consumption OFF the premises</p> <p>0:00 – 24:00 - Monday                      0:00 – 24:00 - Tuesday                      0:00 – 24:00 - Wednesday                      0:00 – 24:00 - Thursday                      0:00 – 24:00 - Friday                      0:00 – 24:00 - Saturday                      0:00 – 24:00 - Sunday</p> <p>3. There was one relevant representation in response to the application, received from a Lewisham Ward Councillor public before the deadline.</p>
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		<p>4. The Licensing Committee held a hearing on 6 July 2023 to consider the representation, which related to one of the licensing objectives; the prevention of public nuisance.</p> <p>5. It was indicated at the outset that the Objector, Cllr Best was unable to attend the meeting but was substituted by Cllr Curran. The Applicant’s representative queried whether a Regulation 8 notice had been served on the Parties, it was confirmed that had not been done. Given the nature of the objection, the Applicant indicated that she was content to continue provided the representation was confined to the written objection and didn’t extend beyond that.</p> <p>6. The Applicant’s representative raised the issue of the five-minute time limit for submissions and asked the Committee to exercise its discretion to extend time. The Committee decided against extending time given the relative straightforward nature of the Application.</p> <p>7. The Applicant’s representative set out the basis of the Application. They explained that the Applicants are a responsible operator, located across Lewisham, Bromley and surrounding areas. They manager over 70 forecourts around London, all trading 24 hours licence, with this being the last 24 hours Premises Licence</p>
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		<p>outstanding.</p> <p>8. The Applicant is currently trading at the Premises for 19 hours a day with no issues or complaints at this site or any of the other 70+ sites. They indicated that there could be no suggestion that the additional 5 hours will undermine the Licensing Objectives.</p> <p>9. The Applicant adopts good working practices and protocols are in place, in addition they provide robust staff training &amp; have CCTV installed across the site.</p> <p>10. The family run business initially applied for a 24-hour licence back in 2019, however, they agreed to compromise due to concerns from the Licensing Officer in relation to an adjacent licensed premises that was experiencing issues with upholding the Licensing Objectives. This compromise was with the view to applying to vary the licence later.</p> <p>11. The adjacent licensed premises has subsequently closed.</p> <p>12. The Applicant has considered representations by the objector which raises</p>

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		<p>concerns with street drinkers. However these had already been addressed and considered as part of the Premises Licence original application in 2019 and the following conditions were already agreed on the licence;</p> <ul style="list-style-type: none"> <li>a. No super-strength beer, lagers or ciders of 6% ABV (alcohol by volume) or above shall be sold at the premises.</li> <li>b. All beers and ciders in cans (500ml or less) will only be sold in minimum packs of 4.</li> </ul> <p>13. The Objector was unable to attend the meeting due to other professional commitments but asked for another Sydenham Ward Councillor to attend.</p> <p>14. Cllr Curran raised concerns about agreeing the variation to the licence conditions given the current problems with street drinkers in the area.</p> <p>15. There was an indication that the variation would disturb the residents of the neighbouring streets. These additional hours would remove the little respite they have.</p>

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		<p>16. It was submitted that the local area already has a pub, 24 hour gym and bingo hall which make it very busy.</p> <p>17. In making its decision, the Committee has taken into account all of the papers in the reports pack and the evidence and submissions presented by the parties at the hearing. It has also taken into account the Council's Statement of Licensing Policy and the Home Office's statutory guidance.</p> <p>18. The Committee's decision is to grant the application. Its reasons are as follows:</p> <p style="padding-left: 40px;"><u>The Committee's decision is to grant the application.</u></p> <p>Its reasons are as follows:</p> <ul style="list-style-type: none"> <li>i. The committee sympathised with the Objectors representations about the <i>potential</i> effect on residents, but this was weighed up with the absence of not one objection from a local resident.</li> <li>ii. The Committee were of the view that no Responsible Authority had raised an objection and they ought to be guided by them and the evidence.</li> <li>iii. A detailed list of conditions were agreed with the Applicant as part of their original Premises Licence application. These will continue to ensure the Licensing Objections are upheld. No additional conditions were agreed.</li> </ul>

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		<ul style="list-style-type: none"> <li>iv. Insufficient evidence provided by the Objector that would undermine the Licensing Objectives.</li> <li>v. There were no complaints about the current management of the Premises.</li> <li>vi. The concerns previously raised during the 2019 in relation to the adjacent premises were not relevant or live since the Premises has subsequently closed.</li> <li>vii. The committee were also of the view, that in the event that of a breach to the Licence Conditions or undermining of the Licensing Objectives, there would be recourse for a review of the Licence by the Committee.</li> </ul> <p>19. 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 this decision.</p>
<b>A1</b>		
<b>A2</b>		