

IN THE BEXLEY MAGISTRATES' COURT

APPEAL UNDER S.181 & PARAGRAPH 8 OF SCHEDULE 5 OF THE LICENSING ACT 2003 AGAINST A DECISION BY THE LICENSING SUB-COMMITTEE OF THE LONDON BOROUGH OF LEWISHAM ON 16th OCTOBER 2019 relating to the premises known as Catford Food Centre, 91 Rushey Green, Catford, London SE6 4AF

BETWEEN:

FK FOOD CENTRE LIMITED
(t/a Catford Food Centre, 91 Rushey Green, Catford, London SE6 4AF)
Appellant

- v -

LONDON BOROUGH OF LEWISHAM
(Local Authority)

Respondent

CONSENT ORDER

UPON THE PARTIES AGREEING THE TERMS OF THIS ORDER

BY CONSENT

IT IS ORDERED THAT:

1. The appeal date is 30th October 2019 against the decision on 16th October 2019 by London Borough of Lewlsham to review and revoke the premises licence is allowed.
2. The appeal hearing listed for 18th and 19th March 2020 be vacated with one hour reserved for the consideration and sealing of the Consent Order by the Court.

3. The following conditions be added to the Premises Licence:

- i) Mr Hasan Sircan is not to be allowed in the premises whilst it is open for licensable activities and during all times when customers remain on the premises.
- ii) The premises shall install and maintain to Data Protection Standards a comprehensive CCTV system. All entry and exit points will be covered enabling facial identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available upon the request of Police or authorised officer throughout the preceding 31 day period, such copies shall in any event be provided within forty-eight (48) hours.
- iii) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised Council officer recent data or footage upon request.
- iv) Notices shall be displayed advertising that CCTV is in operation.

- v) Super-strength beer, lagers or ciders over 7.5% ABV can only be sold as multi-packs of four or above, with the exception of premium and craft beers/ciders and stout.

- vi) A proof of age scheme, such as Challenge 25, shall be operated at the premises where the only acceptable forms of identification are (recognised photographic identification cards such as driving licence or passport/holographical marked PASS scheme identification cards).

- vii) All staff to undergo licensing training which will be documented and provided to Police/licensing authority on request. This training is to be refreshed every 12 months. All new staff must undergo this training before being allowed to sell alcohol.

- viii) An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police which will record the following:
 - a) All crimes reported to the venue
 - b) All ejections of patrons
 - c) Any complaints received
 - d) Any incidents of disorder
 - e) Any faults of the CCTV system
 - f) Any visit by a relevant authority or emergency service

- ix) Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- x) The premises must take all reasonable steps to encourage onward journeys and ensure the customers of the premises do not loiter outside so not to cause a disturbance to the local residents and businesses.
- xi) As soon as possible, and in any event within one month from the grant of this licence, the premises shall join the Safer London Business Network approved by the Police and local radio scheme, if available.

4. Each party bear their own costs.

Signed:.....
Dadds LLP Solicitors
Crescent House, 51 High Street
Billerica
Essex, CM12 9AX

Signed:.....
London Borough of Lewisham
4th Floor, Laurence House
Catford
London, SE6 4RU

Signed: (District Judge/Justice of the Peace)

Dated this 17th day of March 2020