

## ADDITIONAL PAPERS – LOCAL EXPRESS

### LICENSING SUB-COMMITTEE

Date: **Thursday 24 January 2019**

Time: **7.00 pm**

Venue: **Committee Room (B6) - Lambeth Town Hall, Brixton, London, SW2 1RW**

Copies of agendas, reports, minutes and other attachments for the Council's meetings are available on the Lambeth website. [www.lambeth.gov.uk/moderngov](http://www.lambeth.gov.uk/moderngov)

### Members of the Committee

Councillor Linda Bray, Councillor Fred Cowell, Councillor Martin Tiedemann, Councillor Rezina Chowdhury, Councillor John Kazantzis, Councillor Joshua Lindsey, Councillor Philip Normal, Councillor Emma Nye, Councillor Becca Thackray and Councillor Irfan Mohammed

### Substitute Members

Councillor Matthew Bennett, Councillor Jennie Mosley, Councillor Andy Wilson, Councillor Jane Edbrooke, Councillor Marcia Cameron, Councillor Jon Davies, Councillor Dr. Mahamed Hashi and Councillor Claire Holland

Members Required for this meeting will be: **Councillor Fred Cowell, Councillor Linda Bray, Councillor John Kazantzis**

### Further Information

If you require any further information or have any queries please contact:  
Nazyer Choudhury, Telephone: 020 7926 0028; Email: [nchoudhury@lambeth.gov.uk](mailto:nchoudhury@lambeth.gov.uk)

Members of the public are welcome to attend this meeting. If you have any specific needs please contact Facilities Management (020 7926 1010) in advance.

### Queries on reports

Please contact report authors prior to the meeting if you have questions on the reports or wish to inspect the background documents used. The contact details of the report author are shown on the front page of each report.

### Security

Please be aware that you may be subject to bag searches and asked to sign in at meetings that are held in public. Failure to comply with these requirements could mean you are denied access to the meeting. There is also limited seating which is allocated on a first come first serve basis, you should aim to arrive at least 15 minutes before the meeting commences. For more details please visit: [our website](#).

Please contact Democratic Services for further information – 020 7926 2170 – or the number on the front page.



## **AGENDA**

**PLEASE NOTE THAT THE ORDER OF THE AGENDA MAY BE CHANGED AT THE MEETING**

	<b>Page Nos.</b>
<b>c)</b> Local Express, 500 Brixton Road, London, SW9 8EQ (Ferndale)	1 - 6

## **Digital engagement**

We encourage people to use Social Media and we normally tweet from most Council meetings. To get involved you can tweet us @LBLDemocracy.

## **Audio/Visual Recording of meetings**

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable. If you have any questions about this please contact Democratic Services (members of the press please contact the Press Office). Please note that the Chair of the meeting has the discretion to halt any recording for a number of reasons including disruption caused by the filming or the nature of the business being conducted.

Persons making recordings are requested not to put undue restrictions on the material produced so that it can be reused and edited by all local people and organisations on a non-commercial basis.

## **Representation**

Ward Councillors may be contacted directly to represent your views to the Council: (details via the website [www.lambeth.gov.uk](http://www.lambeth.gov.uk))

## HEARING PROCEDURE FOR LICENSING SUB-COMMITTEE

Full information on the procedure is sent to all parties to the hearing. The information below is a précis of that information.

Parties to the hearing must notify Licensing Services within prescribed timescales (these vary according to the type of hearing) that they intend to attend and/or be represented at the hearing and whether any witnesses will be attending on their behalf.

The hearing will operate as follows (subject to the discretion of the Chair)

- In the form of a discussion led by the Committee; cross examination will not normally be permitted.
- A total of 3 minutes speaking time is normally allowed for each party. Any preliminary points will be treated separately.
- Where there is more than one representation raising the same or similar grounds, those parties should consider nominating a single representative to address the Sub-Committee on their behalf at the hearing.
- Parties to the hearing may be permitted to ask questions of any other party or witness.
- Parties to the hearing may be required to answer specific questions from members of the committee seeking clarification of information.
- The typical order of the hearing will be as follows:
  1. Chair will ask all parties and witnesses to introduce themselves and this should include a brief explanation of the purpose of their attendance.
  2. Officers present the report.
  3. Committee members ask questions of officers.
  4. Applicant speaks.
  5. Applicant's witnesses speak (with permission of Chair).
  6. Committee members ask questions of applicants and their witnesses (only applies to witnesses who have been given permission to speak).
  7. Other parties speak.
  8. Other parties' witnesses speak (with permission of Chair).
  9. Committee members ask questions of the other parties to the hearing and their witnesses (only applies to witnesses who have been given permission to speak).
  10. Applicant (with exception and with permission of Chair) asks questions of the other parties to the hearing and their witnesses.
  11. Other parties to the hearing (with exception and with permission of Chair) ask questions of the applicant/other parties to the hearing and their witnesses.
  12. Chair's closing remarks.
  13. Committee retires to make their decision.
  14. Legal adviser informs the hearing of any advice that they have given to the committee during the decision making process.
  15. Committee announces decision and gives reasons.
  16. After the hearing officers will write to all parties to confirm the committee's decision.



**Report by Andy Newman (Andy Newman Consultancy Ltd)****Independent Licensing consultant.****Introduction.**

I have been instructed in connection with assisting Local Express 500 Brixton Road. This Premise is facing a Review Hearing. The Owners are deeply concerned by this situation and want to make sure that they take all reasonable steps, including getting an objective view from a Licensing Specialist to ensure that the Licensing Objectives are promoted. There is a strong desire to positively communicate and work with the Authorities, and also to develop staff and develop best practice by training and implementing improved procedures.

**Personal Summary – Andy Newman**

I retired from the Metropolitan Police Service as an Inspector on the 29<sup>th</sup> September 2016 having completed just over 30 year's Exemplary service. I had the privilege of serving as Hackney Licensing Sergeant for four and a half years. This involved derogated responsibility for over 1,000 premises. I Chaired LOEG (Licensing Officers Engagement Group) consisting of Statutory and Non-Statutory Partners. I participated or Chaired Cross Border Meetings and led initiatives. I Co-ordinated and led many Licensing Operations. I engaged with many licensees focussing on Engagement, Environment and Education and promoting the four licensing objectives. I attended many training seminars including those for Hackney Council.

I facilitated, trained and brought in Keynote speakers for Both Senior Leaders and practioners from Police, Council, Businesses, Security firms, and vulnerable groups. Areas included the licensing Objectives, Counter Terrorism, Conflict Management, Design Out Crime, Clubs and Vice, LGBT, TFL, Face watch, Drugs and alcohol.

I was a Keynote speaker on Licensing at the National Conference for the Association of Small Businesses

I devised a Protocol for Best practise for Summary Reviews that was submitted via the then Borough Commander Alun Goode (now head of Hackney

Community Safety) to ACPO licensing lead Simon O'Brien. This was accepted as National Best Practise.

I was selected as one of the best licensing practioners to advise MPS licensing Commander Mak Chisty

I am an active member of The Institute of Licensing and of the B.I.I.

I have a strong background in Front line policing, intelligence, investigation, Problem Solving, Partnership working and Community Policing, and Custody. I put my experience of Inspecting Licensed Premises to good use as Custody Manager of one of the Supersites. Following a rigorous inspection by HMSO Barking was recognised by HMSO as one of the best in the Country in their report.

I am now a Licensing Consultant and have helped a variety of clients achieve their goals including helping with internal Compliance Audits and Best Practice.

### **Local Express**

On Monday 14<sup>th</sup> January 2019, I attended the Premise at 500 Brixton Road. I had a pre- booked appointment for a 13.00 meeting with Mr. Jan Matteen. I entered the Premise at 11.45 I noticed that the shop was small and well lit. I noticed that customers were served courteously.

I returned at 13.00 and had a coffee meeting with Mr. Matteen to discuss delivering Licensing training. We then returned to the shop and from 13.30 to 14.30 with Mr Matteen, Mr. Khaber Sharer, Mr Meerajan Nasir, and Mr. Karim Khan who I am told are all License Holders that work in this shop. I delivered training. This included a refresher on the importance of promoting the License Objectives, the dangers of undermining them, going through the Conditions, the law, record keeping, and procedures, Conflict Management advice, Challenge 25, and general advice plus Q&A's. It became clear that the people present had an excellent grasp of the challenges of interacting with locals and it appeared that they had deployed charm and a fair yet firm approach that had worked for them in diffusing potential conflict.

Mr. Matteen will ensure that the content will be delivered to the remaining staff who were unable to attend (night shift).

Whilst at the shop I noticed that they have three large mirrors strategically placed as a control/detection measure to help reduce theft/crime. The shop was well presented. I noticed that a Lambeth Council employee was shopping in Local Express during her break. I am told that many such employees choose to regularly shop in this store.

I have spoken with PC Watson and Mr. Dunn(Licensing) updating them with my involvement and looking to have a meeting led by PC Watson. Both appeared reasonable and helpful. Sadly, we were unable to meet due to understandable time constraints given the current workload. I have asked PC Watson for his advice regarding the protocol for Counterfeit Notes which will be followed.

### **Recommendations**

I would advise that Written policies and guidance are drafted and kept on the premises.

That there should be regular staff discussions regarding any challenges faced including particularly challenging customers.

That the Incident book be kept under the counter to help facilitate easy access. The book to be regularly supervised.

That there is ongoing training for staff with built in checks to ensure ongoing best practise.

Andy Newman

A handwritten signature in blue ink that reads "A.P. Newman". The signature is written in a cursive, slightly slanted style.

Licensing Consultant

Thursday 17<sup>th</sup> January 2019

### **Proposed Conditions**

1/A record shall be kept noting all refused sales of alcohol. This will be recorded in a book will be maintained at the premises and will be available for immediate inspection upon request by a representative of the statutory authorities. The record of refusals is to be inspected and signed by the DPS or, in the absence of the DPS, by an alternative member of store management at intervals not exceeding seven days. Occasions when persons have been refused service shall be recorded and kept at the premises for not less than 12 months after the last entry recorded.

2/An Incident Book shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will as a minimum record the following:

(a) crimes reported to the venue where appropriate (b) significant incidents where patrons are asked to leave (c) any complaints received (d) any significant incidents of disorder

(e) seizures of drugs or offensive weapons (f) any faults in the CCTV system (g) any visit by a relevant authority or emergency service

All store staff who are engaged or employed as cashiers will receive formalised training in the sale of age restricted products and training records evidencing such training will be kept and maintained in store, available for inspection by a representative of the statutory authorities for not less than 2 years. Such training is to be refreshed at intervals not exceeding six months.

3/Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.

4/ Guidance notes to be in place for: Age Verification including Challenge 25, Procedure for dealing with Forgeries, staff training. These will be kept on the Premise and made available to any Lambeth Police or Licensing Enforcement officer for Inspection.

This page is intentionally left blank