

LICENSING SUB-COMMITTEE

Date: Friday 20 May 2022

Time: 2.00 pm

Venue: Microsoft Teams – please join [here](#)

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Members of the Committee

Councillor Fred Cowell, Councillor Martin Tiedemann, Councillor Linda Bray, Councillor Irfan Mohammed, Councillor Rezina Chowdhury, Councillor Ibrahim Dogus and Deputy Mayor, Councillor Pauline George

Substitute Members

Councillor Danial Adilypour, Councillor Donatus Anyanwu, Councillor Claire Holland, Councillor Liz Atkins and Councillor Marcia Cameron

Members required for this meeting are

Councillor Fred Cowell, Councillor Liz Atkins and Councillor Linda Bray

Further Information

If you require any further information or have any queries please contact:
Jacqueline Pennycook, Telephone: 020 7926 2167; Email: jpennycook@lambeth.gov.uk

Published on: Thursday 18 May 2022

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.

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 Lambeth Council – Democracy Live on Facebook <http://www.facebook.com/>

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How Members of the Committee and public participants can access the meeting

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Representation

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

AGENDA

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

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**IN THE MATTER OF AN APPLICATION FOR A NEW PREMISES LICENCE: 348 KENNINGTON
LANE, SE11 3HY**

SUBMISSIONS

On behalf of the Applicant

1. This application for a new premises licence to permit late night refreshment for the following hours:

Monday-Wednesday	23:00-02:00
Thursday-Saturday	23:00-03:00
Sunday	23:00-01:00

2. The applicant is an experienced operator of such premises, owning and operating 8 such businesses in boroughs across London. With a single exception, these existing venues are located in terraced residential areas. Three are located within cumulative impact zones. No premises operated by the applicant has undermined or negatively impacted the licensing objectives, despite these sensitive locations.
3. The applicant carefully considered Lambeth's statement of licensing policy prior to and in the course of making this application. It recognises that the hours sought extend beyond those recommended in Lambeth's statement of licensing policy for takeaway premises in local centres or shopping parades: Appendix 5. The policy recommendation for terminal hours for such premises is midnight Fridays and Saturdays and 23:00hrs on all other days of the week – or two hours of licensed trading a week. The applicant also recognises and appreciates the factors identified in Appendix 6 as potentially resulting from the operation of takeaway premises.
4. In respect of those aspects of policy, the applicant observes:
 - (a) The limited trading hours recommended by policy are highly unlikely to render these premises commercially sustainable.
 - (b) There are no residential objections to or concerns raised about this application. This is despite the close proximity to residential accommodation identified in the only extant representation – that of the licensing authority itself.
 - (c) The applicant confidently forecasts that between 85%-90% of business after 23:00hrs will be delivery sales. The basis for this confidence is the detailed breakdown of data held by the applicant in respect of its existing venues, which in turn reflects changes in consumer behaviour accelerated and embedded by

pandemic conditions during 2020 and 2021. Customers are now used to and expect the convenience of home delivery.

- (d) The applicant recognises, of course that even a small number of patrons may generate a nuisance, there are controls in place, as agreed with the police, to deter, avoid, and if necessary rapidly manage any such incident – through signage, CCTV, staffing levels, and instruction. The same points can properly be made in respect of the risk of nuisance associated with delivery drivers. The applicant takes considerable comfort from the satisfaction of the police in respect of its application and respectfully suggests that is a key point for the committee to consider when reaching its decision.
 - (e) The business is KFC. The systems for managing, minimising and avoiding the impact of cooking smells or other potential nuisance generated by the business are very well established, researched, and funded. It is most unlikely that nuisance of this type would be generated at this venue.
 - (f) The applicant is highly responsible in relation to its location. It typically (and has already) engaged in voluntary litter picking activities. Further, the branding of such a venue is very obvious; if the premises were to generate litter it would be immediately apparent, and that is not a risk a responsible operator would take. The five conditions proposed by the licensing authority – and agreed by the applicant as reflective of its operational practice in any event – are directed at ensuring such risk as might be extant in this operation is removed. The most likely impact of its arrival is an improvement rather than a deterioration in detritus in the vicinity of the premises.
5. More widely, the applicant has already demonstrated commitment to the area and to public health concerns, the former through a substantial voluntary donation to the local football team, the latter through health conscious revisions to the food and drink offering. For example, it is impossible to buy sugary drinks at the premises, and salads, wraps and rice-boxes are growing parts of the menu.
 6. It is respectfully submitted that this application, if granted, is likely to have positive rather than detrimental effects on the licensing objectives and is an application where the general policy recommendation can safely be departed from.

**Sarah Le Fevre
Three Raymond Buildings**

12th May 2022