

# Licensing Sub-Committee Report

**Item No:**

3

**Title of Report:**

Green Acharaike T/A Xpress World  
248 Brixton Road  
London SW9 6AQ

**Applicant:**

Mr Green Acharaike

**Application Type:**

Premises Licence (variation application)

**Application Date:**

11th September 2019

**Ward:**

Vassall

**Premises Type:**

General Retail and off licence

**Policy Context:**

Lambeth Statement of Licensing Policy

**Report Author:**

Mr Ola Owojori

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**Application Summary:**

This is an application to vary the Premises Licence to increase the permitted hours for sale of alcohol

<b>Consultation Information:</b>			
Department(s) or Organisation(s)	Consulted (Y/N)	Date Response Received	Comments summarized in report (Y/N)
<b><u>Internal</u></b>			
Health & Safety Section	Y		
Noise Service	Y		
Social Services	Y		
Licensing Service	Y	7.10.19	Y
Planning	Y		
Trading Standards	Y		
<b><u>External</u></b>			
Fire Authority	Y		
Police Licensing Unit	Y		
Health Authority	Y		

<b>Policy implications:</b>
<p><b><u>Licensing Objectives (chapters 5 to 9, pages 12 to 20 of the policy)</u></b></p> <p>The Licensing Objectives engaged by this application are;</p> <ul style="list-style-type: none"> <li>• Prevention of Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> <li>• Protection of Children from Harm</li> </ul> <p><b><u>Special Policy Area (chapter 13 and appendix 10, pages 26 and 59 of the policy)</u></b></p> <p>Not applicable</p> <p><b><u>Hours policy (chapter 14 and appendix 51, pages 27 to 28 and 46 to 50 of the policy)</u></b></p> <p>The premises is classified within Lambeth's Licensing Policy (the Policy) as an Off Licence</p> <p>The Policy recommends the earliest start time of 11:00 hours and 23:00 hours as terminal hour <b>on Monday to Sunday</b> for premises of this kind in a Residential or Local centres shopping parades.</p> <p>Note: The hours above are not absolute and are intended as a guide for applicants to consider when completing their operating schedules. Each application will be considered on its own merits. Applicants seeking hours later than those indicated in the Policy should provide detailed evidence as to why their application will not have a negative impact on the licensing objectives.</p>

## 1. Application:

1.1 This is an application for the variation of a Premises Licence (variation application) under section 34 of the Licensing Act 2003

1.2 The application seeks to extend the hours for sale of alcohol for consumption off the premises from:

Monday - Sunday 10:00 - 23:00

To

Sale of Alcohol

Sunday - Thursday 10:00 - 23:00

Friday and Saturday 10:00 – 02:00

It is proposed to open the premises to the public during the following times:

Sunday – Thursday 10:00 - 23:00

Friday and Saturday 10:00 - 02:00

A copy of the application is attached to this report as **Annex A**

## 2. Representations:

2.1 One representation was received against the application from the Licensing Service based on all the licensing objectives, which is attached to the report as **Annex B**.

2.2 The responsibly authority is concerned that the application if granted may exacerbate street drinking and anti-social behaviour in the area. They have proposed conditions to be attached to the premises licence should the Committee be minded to grant the application. The proposed conditions are attached to this report as **Annex C**.

2.3 The last date for making representation was 9<sup>th</sup> October 2019.

## 3. Current Licence:

3.1 The premises are currently licensed for sale of alcohol for consumption off the premises and a copy is attached to this report as **Annex D**

## 4. Background History:

4.1 The premises was licensed on 19<sup>th</sup> July 2016 and Mr Acharaike has been the licence holder and the designated premises supervisor since.

4.2 There has been no enforcement action against the premises since the premises licence was granted.

The premises has no dedicated car parking for its customers and faces unto the A23 –

4.3 London - Brighton Road which has restricted parking as it is a double redline route. It is accessible by 24 hours public buses towards south and central London destinations.

## 5. Observations:

5.1 The parts of the Statutory Guidance (April 2018) which are particularly relevant to this application and the representations received are Chapters:

- 2 – The Licensing Objectives;
- 3 – Licensable Activities;
- 8 – Applications for Premises Licences;
- 9 – Determining Applications;
- 10 – Conditions Attached to Premises Licences and Club Premises Certificates; and

5.2 The parts of the Statement of Licensing Policy that are particularly relevant to this application and the representations are Sections:

- 5. The Licensing Objectives:
- 6. General Principles
- 14. Hours of sale and location
- Appendix 1 – Measures to promote the prevention of crime and disorder
- Appendix 2 – Measures to promote public safety
- Appendix 3 - Measures to promote the prevention of public nuisance
- Appendix 4 - Measures to promote the protection of children from harm
- Appendix 5 – Types of premises and recommended hours by type of location
- Appendix 6 - Types of premises and potential impact
- Appendix 7 - Major, District and Local Town Centres and South Bank Strategic Cultural Area

## 6. Conclusion:

6.1 Members are required to consider the application in light of all the relevant information, and if approval is given, may attach such conditions appropriate to promote the licensing objectives.

6.2 The options available to Members of the Licensing Sub Committee are;

- 1. To modify the conditions of the licence
- 2. To reject the whole or part of the application

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added

**Appendices:**

Annex A – Application  
Annex B – Representation  
Annex C – Proposed conditions by Licensing  
Annex D – Premises Licence  
Annex E – Premises in the Vicinity

**Reference Documents:**

Local Government Act  
1972 – Access to  
information documents  
used in the preparation of  
this report

- 1 The Licensing Act 2003 (“the Act”)
- 2 Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018 (“the Guidance”))
- 3 Lambeth Statement of Licensing Policy 2019 - 2024 (“the Policy”)