

Royal Borough of Greenwich

Licensing Review Sub Committee Decision Notice

Tuesday, 8 March 2016

In reaching its decision the Sub Committee considered the Council's statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under and the Guidance issued by the Secretary of State under S.182 of that Act. In discharging its functions the Sub Committee did so with a view to promoting the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

The Sub Committee reviewed the premises licence of the

Vilkas UK Ltd (Maistas & Gerimai), 33 Herbert Road, Plumstead, London SE18 3SZ

and having considered all the evidence put before it the Sub Committee decided to:-

- Revoke the Premises Licence;

The Sub Committee's decision was based on issues raised concerning the Prevention of crime and disorder, public safety, and the protection of children from harm.

The Sub Committee considered the application for Review and the representations made by Trading Standards, the Police and Public Health in support of the Review.

It was noted that there had been a number of breaches of the licensing conditions and a general failure to uphold the licensing objectives. The Sub-Committee was concerned that a large quantity of non-UK duty paid tobacco was discovered by Trading Standards, concealed in a "deliberate and conniving manner".

The Sub-Committee noted the particular concern for Public Health that prescription and pharmacy medicines were for sale, and accepted this, along with the sale of illicit tobacco and the failures to uphold the Challenge 25 condition as evidence of irresponsibility on the part of the retailer.

The Sub-Committee accepted the contention of Trading Standards that removal of the Designated Premises Supervisor would not of itself be a sufficient measure to address the problems presented, in accordance with the Guidance section 11.22.

The Sub-Committee accepted the contention of the Police that the licence already had “comprehensive conditions” attached to the licence and the imposition of further conditions would not address the problems presented.

The Sub-Committee took into account the Guidance section 11.28: “Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered”.

The Sub-Committee also considered the letter supplied by the licence holder.

The Sub-Committee therefore resolved to revoke the premises licence having taken into account the evidence supplied by the applicant for Review and those in support of the Review and the licence holder’s representation that he “would not appeal or make any attempt to resist revocation of the licence”.

No decision made by the Council will have effect during the time period within which an appeal may be brought and until such time that any appeal has been determined or abandoned.

The applicant for review, holder of the Premises Licence, or any other person who made relevant representations to the application may appeal against the Council’s decision to the Magistrates Court. Such an appeal must be submitted to the Magistrates Court within 21 days of receipt of the Notice of Decision.

You will be deemed to have received the Decision Notice, four days after the date on the accompanying letter, which will be posted by 2nd class mail.