

Royal Borough of Greenwich

Licensing Sub Committee Decision Notice

Tuesday, 23 July 2024

Variation of a Premises Licence for Everyday Convenience Store, 1 Malton Street, junction with Swingate Lane, Plumstead Common, London SE18 2EH.

In reaching its decision, the Licensing Sub-Committee (“LSC”) considered the Council’s Statement of Licensing Policy, the Licensing Act 2003, the Regulations made thereunder, and the Guidance issued by the Secretary of State under S.182 of that Act. In discharging its functions, the LSC 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.

Having considered all written representations, evidence, and oral submissions, the LSC resolved to grant the variation to the Premises Licence subject to conditions.

Permitted Licensable Activities:

Sale and supply of alcohol for consumption off the premises, 24 hours, Monday to Sunday.

The Licence shall be subject to the following conditions:

1. The Premises Licence Holder shall install and operate a CCTV system at the premises, capable of providing coverage of all entry points and areas to which customers have access in any lighting conditions.
2. The CCTV system shall continuously record whilst the premises are open to members of the public, and shall be capable of providing clear images and frontal identification of customers.
3. All CCTV recordings shall be retained for a minimum of thirty-one (31) days and shall be correctly date- & time-stamped; sufficient data storage shall be available to facilitate this.
4. CCTV recordings shall be made available within forty-eight (48) hours upon receipt of a request by the Police and / or an Authorised Officer of the Licensing Authority (as defined by Section 13 of the Licensing Act 2003), and recordings provided in an easily downloadable format.
5. A member of staff shall be present on the premises whilst they are open who is capable of operating the CCTV system and able to facilitate viewing of CCTV footage upon the

demand by the Police and / or an Authorised Officer of the Licensing Authority (as defined by Section 13, Licensing Act 2003).

6. The Premises Licence Holder shall perform regular maintenance in accordance with the manufacturer's guidelines and timeframe as a minimum. All CCTV cameras shall be cleaned and clear of obstructions and signage, including displays and promotional materials.

7. The premises shall perform a test of the CCTV every seven (7) days. This shall include, but not be limited to, confirmation of playback of 31- day old recordings. The testing of the system shall be recorded in a log with the time and date of the test, and name of the staff member completing it, and shall be made available to the Police and / or an Authorised Officer of the Licensing Authority (as defined by Section 13, Licensing Act 2003) upon request. The log shall also include the details of the regular maintenance requirement detailed in Condition 6.

8. In the event of failure or faults with the CCTV which compromise its ability to record clear usable images, real-time playback, or provide recordings in an easily downloadable format, all licensable activity shall cease forthwith. Details of the system fault shall be recorded in writing and maintained for a minimum of twelve (12) months at the premises.

9. An Incident & Refusals Record, kept in written form, shall be maintained at the premises and made available on request to the Police or an Authorised Officer of the Licensing Authority (as defined by Section 13, Licensing Act 2003). The Incident & Refusals Record shall record:

a. Any complaints received in connection with the licensable activity permitted at the premises.

b. Any refusal to sell alcohol at the premises, including the date & time of the refusal, why the sale was refused, and the name of the staff member refusing it.

c. Any incidents of crime, disorder, or nuisance at the premises.

d. Any visit to the premises by a Responsible Authority in connection with the licensable activity permitted at the premises.

e. Details of the weekly CCTV test – refer Condition 7.

10. No high-strength beers, lagers, ciders, and spirit mixers with an ABV of 6.5% and above shall be stocked or sold at the premises, with the exception of imported, premium and craft beers with the written consent of Royal Borough of Greenwich Licensing and Greenwich Police Licensing.

11. All alcohol on display shall be in full view of the cashier / staff member on duty at all times and shall not be obscured by displays or shelving.

12. There shall be no self-service of spirits, save for spirit mixtures of less than 6.5% ABV.

13. During the hours of operation of the premises, the Premises Licence Holder shall ensure that sufficient measures are in place to remove and prevent litter or waste arising from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected. Refer also Condition 20.

14. The premises shall be responsible for customers not gathering outside the premises and environs, and shall actively discourage such gatherings so as to reduce the potential for noise and anti-social behaviour. Signage shall be prominently displayed in the premises advising customers not to congregate outside.

15. All staff engaged in the sale of alcohol shall receive suitable training, and thereafter refresher training every six (6) months, in relation to the proof of age “Challenge 25” scheme. The following forms of identification are acceptable: photo driving licence; passport; Proof of Age Standards Scheme (PASS) card; military ID; and any other locally or nationally approved form of identification.

16. Notices and posters shall be displayed inside the premises stating that a “Challenge 25” policy is in force. The posters shall include “It’s A Crime!”, to deter proxy sales on behalf of those under-18.

17. A Personal Licence Holder shall be present upon the premises at all times during the hours permitting the sale of alcohol.

18. There shall be a minimum of two (2) members of staff on duty at all times during the hours permitted for the sale of alcohol.

19. All staff shall be provided with recognised customer welfare & vulnerability training from an appropriately qualified trainer, details of which must be documented (e.g. ‘WAVE’, ‘Ask Angela’, or similar). The Premises Licence Holder and/or the Designated Premises Supervisor shall sign-up to the Royal Borough of Greenwich Women’s Charter or its equivalent, and display certification of this prominently at the premises. Such display shall include ‘WAVE’ (etc) certification.

20. From the frontage of the premises to the kerbside (Malton Street j/w Swingate Lane), the premises licence holder or the DPS shall ensure by way of regular daily checks that the area is kept clear of litter and similar detritus. Refer also Condition 13.

21. There shall be no deliveries, or replenishment of stock, to the premises between 19:00 hours and each following 07:00 on any day. For the avoidance of uncertainty, this shall include movement of stock between any external storage used by the business and the premises.

Basis of Decision

In reaching its decision the LSC noted that there were no written representations from Responsible Authorities including the police and environmental health regarding concerns relating to crime and disorder or the prevention of public nuisance.

The LSC noted the submissions on behalf of the Applicant including that there are to be no online sales which will involve 3rd parties collecting and delivering alcohol.

The LSC noted the use of Temporary Event Notices between 8th December 2023 – 6th January 2024 for 24 hour sales of alcohol which did not generate complaints of public nuisance or crime and disorder.

The LSC noted the complaints of loitering and consumption of alcohol inside and outside the premises in 2023. The subsequent visits to the premises by licensing officers and the police do not substantiate the allegations.

The LSC noted the representations regarding traffic and parking in the locality. These are existing issues and not associated with the premises. There is no evidence that the parking and traffic issues will be exacerbated by the grant of the variation to the premises licence. Moreover, the LSC is only permitted to consider matters associated with the premises and which would, inter alia, contribute or cause public nuisance. Traffic and parking on the highway is not within the control of the applicant.

The LSC is satisfied that the conditions subject to which the variation is granted will uphold the licensing objectives.

Any party aggrieved by this decision may appeal to the magistrates' court within 21 days.