

**To:** Licensing & Gambling Acts Casework Sub-Committee

**Date:** 14 July 2015 **Item No:** 1

**Report of:** Head of Community Services

**Title of Report:** Sara Soujaa – Application for a New Premises Licence:  
Elham’s Lebanese Deli, 3 Little Clarendon Street,  
Oxford, OX1 2HP.

**Application Ref:** 15/02423/PREM

## Summary and Recommendations

**Purpose of report:** To inform the determination of Sara Soujaa’s application for a New Premises Licence for Elham’s Lebanese Deli, 3 Little Clarendon Street, Oxford, OX1 2HP.

**Report Approved by:**

**Legal:** Daniel Smith

**Policy Framework:** Statement of Licensing Policy

**Recommendation(s):**

Committee is requested to determine Sara Soujaa’s application taking into account the details in this report and any representations made at this Sub-Committee meeting.

## Additional Papers

**Appendix One:** Application for a New Premises Licence

**Appendix Two:** Representation from Interested Parties

**Appendix Three:** Location Map

## Introduction

1. This report is made to the Licensing & Gambling Acts Casework Sub-Committee so it may determine in accordance with its powers and the Licensing Act 2003 whether to grant a New Premises Licence to Sara Soujaa.

## Application Summary

- An application for a New Premises Licence has been submitted by Sara Soujaa. A summary of the licensable activities applied for and the times proposed for these activities can be found detailed below.

### Sale of Alcohol (on sales):

Sunday – Saturday	11:00	Until	20:00
-------------------	-------	-------	-------

### Sale of Alcohol (off sales):

Sunday - Saturday	08:00	Until	20:00
-------------------	-------	-------	-------

- Both the application and the steps that the applicant intends to take to promote the licensing objectives (as set out in the Operating Schedule) can be found at **Appendix One**.

## Relevant Representations

- No representations have been received from any of the Responsible Authorities as detailed in the table below.

Responsible Authority	Response	Licensing Objective(s)
Thames Valley Police:	No Representation	-
Fire & Rescue Service:	No Representation	-
Environmental Health:	No Representation	-
Health and Safety:	No Representation	-
Planning:	No Representation	-
Trading Standards:	No Representation	-
Child Safeguarding:	No Representation	-
Licensing Authority:	No Representation	-

- A valid representation has been received from four Interested Parties as detailed in the table below. Copies of these representations are attached at **Appendix Four**.

Name	Address	Licensing Objective(s)
Margaret Booth	St Johns Street Residents Association	Promotion of Public Safety; Prevention of Public Nuisance

## Location

- A map is attached at **Appendix Three** showing the general location of the applicant's premises, and the proximity to the premises of those who have raised objections to the application.

## Statement of Licensing Policy

7. The Sub-Committee is referred to the Council's Statement of Licensing Policy\*. In particular, the following paragraphs have a bearing upon the application:

<b>Relevant Policy Matters</b>	<b>Sections</b>	<b>Policy</b>
<b>Public Safety:</b>	8.2.1 to 8.2.2	OS2 to OS3
	7.3.1 to 7.3.10	LA4 to LA6
<b>Public Nuisance:</b>	7.5.1 to 7.5.2	PP1
	7.5.20 to 7.5.21	PP12
<b>Licensing Hours:</b>	5.1.1	LH3
	5.5.1 to 5.5.2	LH8

8. A number of changes have been made to the Licensing Act 2003 in recent times by the Police Reform and Social Responsibility Act 2011, the Live Music Act 2012 and the Deregulation of Schedule 1 of the 2003 Act.
9. The Authority's Statement of Licensing Policy has not yet been revised following the introduction of these changes, the above sections from the current Policy do not reflect these changes which include removing the "vicinity test" for interested parties and amending the wording of the 2003 Act so that conditions imposed on licences must now be "appropriate to the promotion of the Licensing Objectives" rather than "necessary".
10. A copy of the Statement of Licensing Policy may be obtained from the Council Offices or found online at: [www.oxford.gov.uk/licensing](http://www.oxford.gov.uk/licensing)

## Home Office Statutory Guidance

11. Members are also referred to the statutory guidance issued by the Home Office. Of particular relevance to this application are the following matters:

<b>Relevant Sections</b>	<b>Relevant Paragraphs</b>
<b>Public Safety:</b>	2.6 to 2.13
<b>Public Nuisance:</b>	2.14 to 2.20

12. A copy of the Home Office Statutory Guidance may be found online at: [www.gov.uk/government/publications/reviced-guidance-issued-under-section-182-of-the-licensing-act-2003](http://www.gov.uk/government/publications/reviced-guidance-issued-under-section-182-of-the-licensing-act-2003)

## Other Relevant Considerations

13. The Sub-Committee is reminded of its responsibilities under the Crime and Disorder Act 1998 (to co-operate in the reduction of crime and disorder in Oxford) and the Human Rights Act (which guarantees the right to a fair hearing for all parties in the determination of their civil rights, and also provides for the protection of property, which may include licences in existence, and the protection of private and family life) when considering the fair balance between the interests of the applicant and the rights of local

residents. Any decision taken by the Sub-Committee must be necessary and proportionate to the objectives being pursued.

14. Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives.
15. When considering any representations, only those issues relating to the four licensing objectives should be considered and appropriate weight given to the importance and relevance of each representation.
16. In making its decision, Members must also have regard to the Home Office statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.
17. The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

**a) Grant the licence in accordance with the application.**

**b) Modify the conditions of the operating schedule by altering or omitting or adding to them.**

**c) Exclude or restrict from the scope of the licence any of the licensable activities to which the application relates.**

**d) Reject the whole of the application.**

The Sub-Committee may also grant the licence subject to different conditions for different parts of the premises or the different licensable activities.

18. Members are asked to note that they may not modify the conditions or reject whole or part of the application merely because they consider it desirable to do so. It must be appropriate to do so in order to promote the licensing objectives. Any such step must relate to a relevant representation made.
19. If Members grant the application, the details of the operating schedule will be incorporated into the licence as conditions. The licence will also be subject to certain mandatory conditions.
20. Members should note that the applicant or persons making representations have the right of appeal against the decision made by the Sub-Committee.

**Name and contact details of author:** **Julian Alison**  
**Licensing Manager**  
**Community Services**  
**Tel: 01865 252381**  
**Email: jalison@oxford.gov.uk**

**Oxford**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[elms@oxford.gov.uk](mailto:elms@oxford.gov.uk)  
 Telephone: 01865 252565



\* required information

### Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

Sara

\* Family name

Soujaa

\* E-mail

Main telephone number

Include country code.

Other telephone number

- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

**Address**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Your Address**

Address official correspondence should be sent to.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 19**

**PREMISES DETAILS**

**Continued from previous page...**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	<input type="text" value="3"/>
Street	<input type="text" value="Little Clarendon Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Oxford"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="OX1 2HP"/>
Country	<input type="text" value="United Kingdom"/>

**Further Details**

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="23,000"/>

## Section 3 of 19

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

### Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

## Section 4 of 19

### INDIVIDUAL APPLICANT DETAILS

#### Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes                       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes                       No



Continued from previous page...

### Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes                       No

Building number or name	<input type="text" value="27"/>
Street	<input type="text" value="Falford Road"/>
District	<input type="text" value="Old Marston"/>
City or town	<input type="text" value="Oxford"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="OX3 0RY"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes                       No

E-mail	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text"/>

## Section 5 of 19

### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd                      mm                      yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd                      mm                      yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

A traditional Lebanese deli serving hot and cold food mainly to take away. There will be five tables in the premises accommodating diners who will be served light meals with wine/beer accompaniment if required. Alcohol off sales will comprise beers and wines.

**Continued from previous page...**

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

- Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes  No

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No

Continued from previous page...

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes                       No

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

**Continued from previous page...**

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NB The hours listed above are for off- and on supplies; the upper daily times are the off supplies while the lower times are on supplies

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

Continued from previous page...

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 19**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

15 End

**Continued from previous page...**

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 19**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

1. All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme, ongoing and under constant review, and must be made available to a relevant responsible authority when called upon.
  2. Alcohol for consumption on the premises shall be supplied ancillary to a table meal only.
  3. Alcohol for consumption on the premises shall be provided by waiter/waitress service only to seated diners.

b) The prevention of crime and disorder

4. A properly specified and fully operational CCTV system shall be installed, operated and maintained. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises.
  5. The CCTV system shall incorporate a recording facility and all recordings shall be securely stored for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system shall comply with other essential legislation and all signs as required shall be clearly displayed. The system shall be maintained and fully operational throughout the hours that the premises is open for any licensable activity.

**Continued from previous page...**

6. A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
7. Signage indicating that a CCTV recording system is in operation shall be displayed prominently in the premises.
8. Persons shall not be permitted to leave the premises with alcohol in an opened container.
9. A premises daily register shall be kept at the premises. This register shall be maintained and kept for a rolling period of 12 months. The register shall record the name of the person responsible for the premises on each given day. The register shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises. The register shall also record all refusals to sell alcohol. The register shall be readily available for inspection by an authorised person upon reasonable request.
10. A range of non-alcoholic beverages shall be available for consumption on the premises.

**c) Public safety**

11. No person shall be allowed to leave the premises whilst in the possession of any glass drinking vessel or open glass bottle, whether empty or containing any beverage.
12. The premises' seated capacity shall be 16 people.
13. The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.
14. The premises licence holder shall ensure that an electrical compliance check is made at least once a year.
15. Fire drills shall be undertaken regularly.
16. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

**d) The prevention of public nuisance**

17. Signage shall be displayed at each exit requesting patrons to consider the neighbours when entering and exiting the premises.
18. The premises' frontage shall be regularly monitored to keep it clean and clear of litter.

**e) The protection of children from harm**

19. Challenge 25 shall be operated as the proof of age policy. Signage shall be prominently displayed advising that Challenge 25 is in operation at the premises and that customers may be required to produce evidence of their age if seeking to purchase alcohol.
20. The only acceptable forms of identification must include a photograph of the bearer and shall be restricted to a passport, a driving licence or a Proof of Age card carrying a 'PASS' logo.
21. All occasions when persons have been refused service shall be recorded in the premises daily register.

Continued from previous page...

**Section 19 of 19**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"



Continued from previous page...

* Full name	<input type="text" value="Paul Jones"/>
* Capacity	<input type="text" value="Authorised Agent"/>
* Date	<input type="text" value="02"/> / <input type="text" value="06"/> / <input type="text" value="2015"/> dd mm yyyy

Once you're finished you need to do the following:

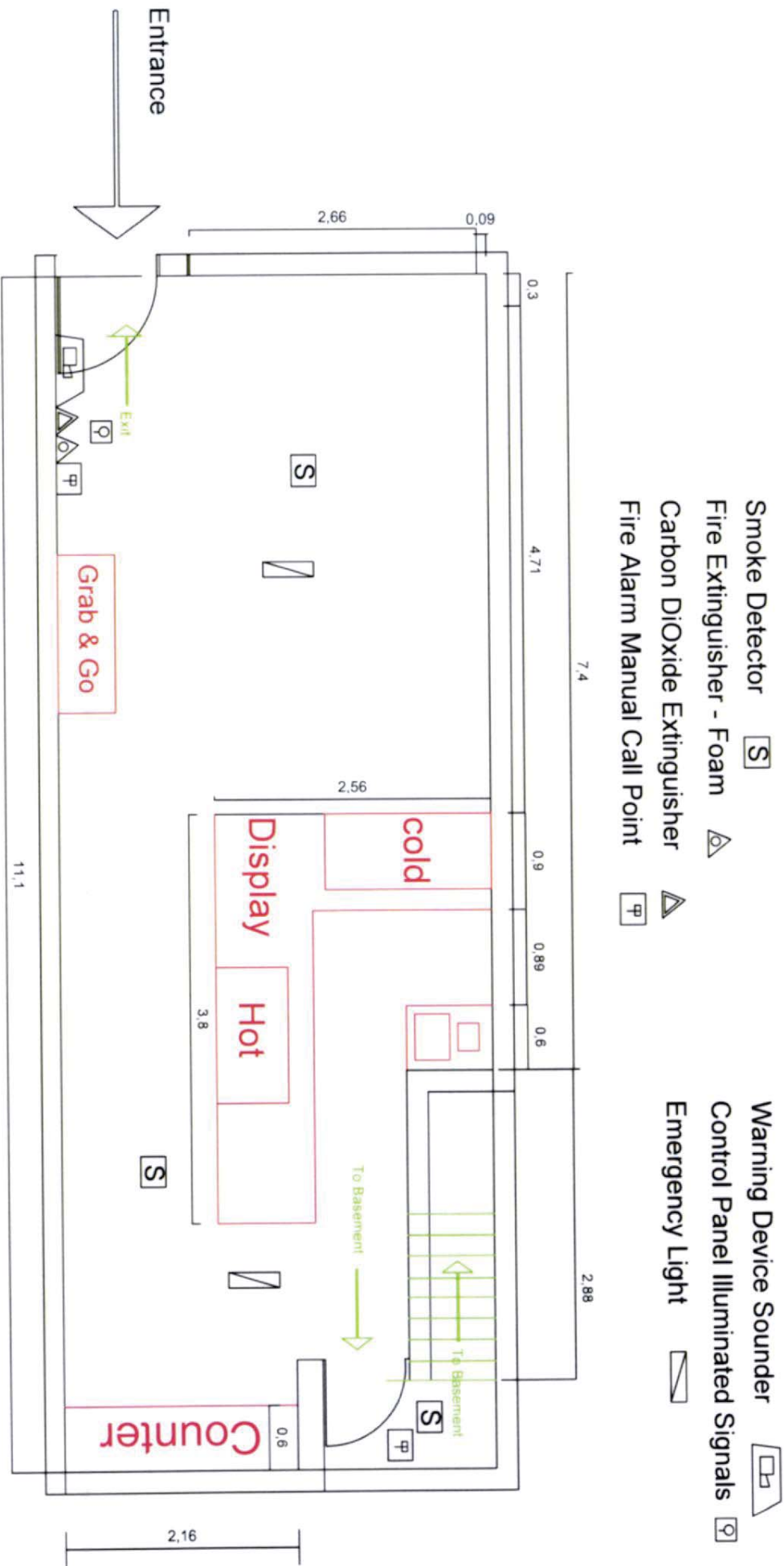
1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/oxford/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) Next >



Ground Floor Plan



- Smoke Detector [S]
- Fire Extinguisher - Foam [A]
- Carbon Dioxide Extinguisher [B]
- Fire Alarm Manual Call Point [P]

- Warning Device Sounder [C]
- Control Panel Illuminated Signals [D]
- Emergency Light [E]

BASEMENT PLAN

Licensing Application 15/02423/PREM: 3 Little Clarendon Street Oxford

Representations on behalf of the St John Street Area Residents' Association

This Association represents the interests of the residents of Wellington Square, St John Street, Beaumont Buildings, Pusey Lane, Beaumont Street and Gloucester Green. Some of our members therefore live close to the premises which are the subject of this application.

We wish to make representations against this application on the grounds of the promotion of public safety and prevention of public nuisance. As these overlap they are covered together below.

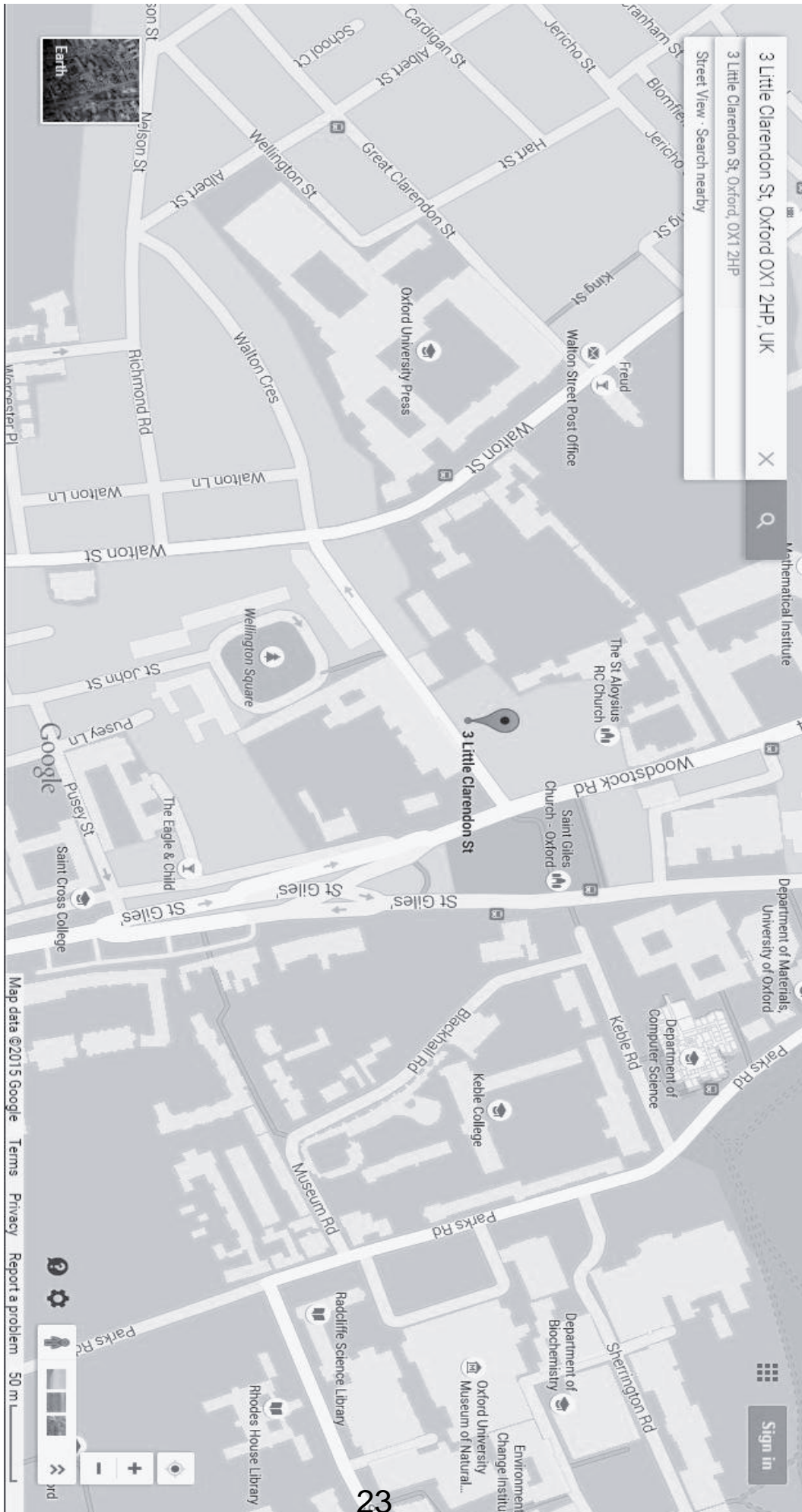
Little Clarendon Street is a small and short street. There is already a block of five licensed premises close to and on the same side as that which is the subject of this application, a further one is immediately adjacent to 3 Little Clarendon Street and another is immediately across the road. There is a problem of drinkers spilling out from the existing licensed premises on to the pavement and the road which both causes a noise nuisance and forces passing pedestrians off the pavement and into the road. The addition of yet another licensed property would add to both these problems. A particular problem of public safety is caused because there is a contra-flow cycle lane adjacent to the rather narrow pavement outside these premises and the nearby six premises already licensed. Pedestrians on the road force cyclists into the path of oncoming vehicles and obscure the view of cyclists from drivers.

The proposal to have "off" sales of alcohol from 8am in the morning seven days a week is particularly concerning as is the fact that there is no suggestion that alcohol sales would be allowed only with the purchase of food at any time. These premises could thus effectively become an "off licence". The only people likely to want to buy alcohol in the first part of the morning are those who are dependent on alcohol or others who have been drinking through the night. They are likely to take their purchases to the nearby open spaces – St Giles churchyard, which is a major pedestrian through route, or Wellington Square and cause public nuisance. This could be particularly distressing for people arriving for services at St Giles church on Sunday mornings.

We note that Section 5 of the application refers to there being 5 tables in this establishment and section 18 c to a seated capacity of 16. In fact this recently opened business currently has 7 tables and 17 seats, with scope for more. It seems unlikely that the numbers of tables and seats would be reduced to those given in the application. Whilst these errors may not be material, they must throw doubt on the reliability of the other information and assurances given in the application.

One would expect few purchasers of food to take away from a genuine "deli" to wish to purchase alcohol. The same applies to consumers of light meals on the premises. It should be noted that these premises have planning permission for retail use only, or at least no application has been made for a change from the existing very long-term use. Extensive use for dining would be likely to involve a breach of planning rules.

Please note that the notice of this application in the window of these premises state that representations have to be made by **30 June** thus misleading the public if they have to be made by 29 June as stated on this website.



This page is intentionally left blank