

Licensing Act 2003 - Notice of Determination

Date of issue: 19th August 2025

Decision taken by the Licensing Sub-Committee on 7th August 2025 on an application for a new Premises Licence submitted by Inventure Putney Limited in respect of the premises known as Best One, 169 Putney High Street, London, SW15 1RT.

Present

Licensing Sub-Committee:

Councillor Ffrench (Chair)
Councillor Birchall
Councillor Varatharaj

Applicant:

Mr Rohit Amipara
Inventure Putney Limited
150a Christchurch Avenue
Harrow
HA3 8NN

Represented at the Licensing Sub-Committee by:

Graham Hopkins, Applicant's Agent

Those making representations/Other Persons:

Mr Golam Chowdhury – Technical Officer, Environmental Services (Noise and Nuisance) (Objector)

Officers:

Rebecca Hickey, Democratic Services Officer
Sumeet Anand, Licensing Officer
Guy Bishop, Legal Advisor

The Hearing:

The meeting began at 7.00pm. The Chair welcomed everyone to the meeting and provided introductory information about the procedures relating to the hearing. The hearing was held as a hybrid meeting. There were no apologies for absence and there were no declarations of interest received.

The Licensing Officer introduced the matter for determination and informed the Licensing Sub-Committee that Inventure Putney Limited had applied for a variation to a premises licence in relation to the premises known as Best One, 169 Putney High Street, London, SW15 1RT.

In her remarks, the Licensing Officer advised that the premises currently holds a premises licence for the sale of alcohol for consumption off the premises only. She added that a previous licence was issued in 2017 which allowed for the sale of alcohol until midnight Sunday to Thursday, and until 2am Friday and Saturday. The licence holder sought to reduce those hours for the sale of alcohol on Friday and Saturday from 2am down to midnight, which was granted under a minor variation in 2022. The application to be considered this evening, was to seek the hours until 2am, all days of the week.

The Licensing Officer confirmed that the existing and proposed licensable activities were set out in Appendix B of the Committee report and that the application was advertised as required under the legislation, which resulted in the receipt of one representation from the Council's Environmental Services, Noise and Nuisance Team who had opposed the application. She added that the officer was concerned about the impact that the extension to these hours for alcohol sales could have on the neighbouring homes, due to the close proximity of residential properties, as well as the impact of noise from patrons attending the premises, and concerns with the potential noise by delivery drivers and their vehicles.

A copy of the representation was provided to the applicant, and also to the Licensing Sub-Committee. The Licensing Officer advised that if the application was granted, all existing conditions attached to the licence in black in Appendix A of the Committee report would still apply, and the conditions highlighted in red were offered by the applicant as additional conditions. She added that a copy of the existing licence was included as part of the agenda pack provided.

The Licensing Sub-Committee were informed that they may:

- a) Grant the application as requested; or
- b) Modify the conditions of the licence (alter or omit condition or add new); or
- c) Reject the whole or part of the application.

In response to a question around the reasons for the hours being reduced in 2022 and why the applicant was now seeking to extend the hours, the Licensing Officer advised that their records did not show the reasons as to why hours were originally reduced in 2022 and that this was a voluntary action that the applicant had done through a Minor Variation. The Licensing Officer added that because it was a

reduction in hours, it could be agreed without the need for a full variation application. As for extending the hours across the whole week, this was as they had applied for and there was no amendment to that application. The Licensing Officer suggested that the applicant could be asked to address this point as part of their introduction.

Members then heard a submission from the applicant's agent, Mr Hopkins, who raised the following points:

- The application was requesting for the sale of alcohol until 2am all week. It was noted that the framework hours for Fridays and Saturdays are until 2am anyway, and it was understood that the Environmental Health Service did not object to that, considering those hours are within the existing framework hours. As there were no other representations, this request could be granted safely, and therefore it was left to consider the hours from Sunday to Thursday.
- The shop was a one-stop shop which is already open 24 hours a day and was permitted to do so. Post Covid, both the hospitality and retail industries suffered, hence the reason for seeking extended hours so that the applicant could meet the needs and requirement of his customers.
- There are robust conditions in this application, where additional measures were also offered in order to improve the robustness of conditions and prevent any disturbance to residents. It was noted that not one of those residents had made a representation; some of which have very good working relationships with the applicant. The Police also made no representations, which indicated that the Police were happy with the proposals – in fact there was no representation from any Responsible Authority.
- Best One only currently have until midnight during week. The request was therefore also asking that alcohol sales up to 2am be granted on weekdays, as an exception to the policy, given that not one resident had objected and that Mr Newby Walker's objection did not provide any evidence against this particular shop; there were no noise reports or complaints.
- The applicant is a responsible operator and with all of those conditions, this shop would not cause any nuisance, given that it is already open all night long.
- Mr Hopkins has known the applicant for many years and in his professional opinion, he is one of the most responsible operators. Both Mr Hopkins and the applicant reviewed the operating schedule together, where those additional conditions were offered, as well as the current conditions already placed on the premises licence.
- Mr Hopkins submitted that as this shop was not in an area identified in a Community Impact Assessment (CIA), so should not be limited in its hours. The reason behind this request was not to be awkward as the additional measures to stop noise nuisance were already offered, and that the Licensing Sub-Committee were asked to grant the hours to 2am all week, as an exception to the policy. Mr Hopkins believed that the 2am hours on the day following Fridays and Saturdays were not opposed by the Environmental Health Officer.
- It was hoped that this application would be looked on favourably.

In response to a question on what CIA was referring to, Mr Hopkins confirmed that it referred to the Cumulative Impact Assessment and that the shop was not in one, therefore it was not subject to a rebuttable presumption to refuse. The Licensing

Officer confirmed that the Cumulative Impact Assessment policy covered the entire borough but it was not applicable save for Guideline Hours for off licence operation. Even if there is no cumulative impact policy within the CIA, the operation of a premises can still cause Cumulative Impact.

The Cumulative Impact Assessment does not apply to this premises where it is located. However, Guideline Hours in the Policy do still apply and reads:

For premises selling alcohol by retail for consumption off the premises only:
07.00 hours to 00.00 hours (12 midnight) Sunday to Thursday,
07.00 hours to 02.00 hours Friday and Saturday.

The Chair asked if the establishment had ever been under Police investigation in the last 5 years. The applicant confirmed that there was one incident in 2022 where a fight broke out between customers who were under the influence of alcohol, where the Police were called. The customers were ejected, but the Police found that the premises licence holder we did not comply with the conditions on their Premises Licence. The applicant added that he was able to successfully convince the Police that he did everything he was supposed to do. He suggested that when the Police were called, there was already a Police car patrolling the street, therefore the situation was mitigated immediately. The applicant confirmed that apart from this one incident with the two drunk customers, there had been no other incidents since.

In response to a question around what time of day this incident was and what day of the week it was, the applicant advised that it was around midnight and although he was not certain, he thought that the incident took place on a Friday evening. The Licensing Officer commented that it was quite timely that the incident took place in 2022, which was more than likely the reason for the minor variation request. In asking this question of the applicant, he confirmed that this was the reason for the request at that time, following discussions with the Police who suggested that the shops hours be reduced. The applicant added that he could clearly see that a sensible amount of sales had been lost through these reduced hours which has impacted the continuity of the business.

In response to a further question around staff, the applicant confirmed that two staff members would work in the day at a minimum, however it could be three staff members on delivery days, and three staff members work at night, at all times. The applicant also added that if a customer were to enter the shop who had been under the influence of alcohol, the staff would politely refuse the sale; they would never sell to anyone who was under the influence of alcohol. The applicant confirmed that his staff members receive sufficient training on how to handle these types of situations.

In relation to the drop in sales, the Chair asked if there were any particular types of alcohol being purchased by customers between midnight and 2am, to which the applicant replied that there was not. In response to a question around whether delivery services were being provided (such as Deliveroo), the applicant confirmed that he does not have those delivery services yet, but he may do so in the future and would comply with any demands on this placed by the Licensing Sub-Committee, although this was not a particularly important part of his trade.

The Licensing Sub-Committee then heard from the objector, Mr Chowdhury who attended in Mr Newby Walker's absence, who was unable to attend the meeting. He raised following points:

- The Council and Environmental Health Section (Noise and Nuisance Team) believes that, to date, its licensing hours policy has acted in the interest of both businesses and residents of the borough and serves the licensing objectives.
- As the application here is requesting a variation that would allow alcohol sales to cease at 02.00 hours daily, that would place it beyond policy. The premises' current licence allows for alcohol sales to the full extent of current policy.
- Noise surveys carried out across the borough consistently indicate that ambient noise levels fall around midnight during the week and around 2am at the weekend. Residents can tolerate an element of noise disturbance in the earlier part of the night when ambient noise levels are high but find it increasingly intolerable as ambient levels fall. Noise can come from within premises, a potentially controllable source, or from revellers/patrons in the street. Shops, stores and supermarkets selling alcohol can act as a magnet for people leaving other licensed premises to 'top up' their consumption. The particular client group seeking to buy alcohol for consumption off the premises in the early hours of the morning, therefore, differs from those seeking to buy other goods. Noise from revellers in the street, from people smoking outside premises on the public highway, or noises associated with the comings and goings of patrons and, more increasingly these days, third party delivery drivers, cannot be controlled by the applicant nor by any other effective means other than by limiting the general hours in which premises can operate.
- Whilst all applications should be assessed on individual merits, the principal concern for noise should be for those residents who are in close proximity and so worse affected by noise. In this case, there are residential properties over the three floors directly above the premises with these residents overlooking the entrance to the premises.
- Given the very close proximity of residents, it was believed that it is inappropriate for beyond policy trading to be considered here, particularly where, if granted as applied for, the premises would be an outlier in policy and so would potentially experience greater demand in this beyond policy time period than purely its location would normally generate, due to other competition being absent where they remain within policy.
- As the premises holds a Premises Licence currently to the full extent of policy it is likely that only the withdrawal of the application could satisfy the Noise officer's concerns.
- Mr Chowdhury visited the area himself to investigate two days ago and found two off-licenses nearby, with one that closes at 11pm two doors down from the shop in question, and the other less than 30 seconds away from the shop that closes at 11.30pm on weekdays, and at 10.30pm on Sundays.
- From Mr Chowdhury's own experience, he was not saying that this shop *is* going to cause a problem, as every individual area had different issues, however the Noise Team do tend to come across a lot of complaints with off-licenses where

the shops attract anti-social behaviour and people who could not find alcohol anywhere else, so they tend to visit these stores, especially in the early hours of the morning with residents living above, where there would bound to be some complaints from them.

- It was noted that where those under the influence of alcohol would be politely refused the sale, sometimes this does not always work, especially if customers were under the influence of alcohol and where the Police may need to get involved.
- Delivery drivers revving their engines at 1am or 2am and with residents nearby, may be likely to wake them up. It was noted that the applicant does not use a delivery service at the moment, however he may do so in the future which could cause problems.
- Nearby residents may be able to tolerate noise a bit easier during the weekends, but on weekdays it would make matters more difficult.

Mr Hopkins asked Mr Chowdhury to clarify whether Environmental Health were objecting to the hours of 2am on Fridays and Saturdays, as there was nothing stated in the representation. In response, Mr Chowdhury confirmed that these hours were not being objected to. Mr Hopkins also asked if Mr Chowdhury was aware of any specific noise complaints relating to this shop. In response, Mr Chowdhury confirmed that they had no records of any noise complaints.

At the conclusion of the presentations, the applicant's representative and the objector, summarised their cases before the Licensing Sub-Committee concluded the public part of the meeting.

Mr Chowdhury explained that during his recent visit, he carried out checks of the other off licenses in the area as originally stated and that his main concern was the noise nuisance that this particular store *may* bring, as there have been issues around this in other parts of the borough. The other concern was that there are residents living right above this shop and if there is noise nuisance especially on weekdays, it would disturb the residents. Mr Chowdhury concluded that the shop may also become a target for any anti-social behaviour it may attract if the sale of alcohol were to be extended until 2am.

In his closing remarks, Mr Hopkins reminded the Licensing Sub-Committee that the shop was already open 24 hours a day and is permitted to be so. He added that there would be three staff members on at night, further robust conditions were offered to specifically address the noise issues, staff would be required to monitor the outside area through CCTV and critical checks; if anyone was drinking outside of the shop or were making noise, they would be asked to move away from the shop front and the premises. Staff will also carry out daily risk assessments, to ascertain whether there is a need for a door supervisor or a security guard. Mr Hopkins concluded that if the Licensing Sub-Committee should be minded to grant the Friday and Saturday hours, as per the framework hours and in relation to the hours until 2am for the rest of the week, the burden that the shop has faced should be considered and combined with the fact that no complaints were received, and that none of the residents in the area had objected. The Licensing Sub-Committee were asked to grant this application.

At the conclusion of the summary statements, the Chair before closing the public part of the meeting, informed all those present that the notice of determination would be sent to all parties within five working days.

The public part of this meeting closed at 7.31pm.

The Licensing Sub-Committee retired to consider its decision at 8.47pm, after the second hearing was held.

The Decision and Reasons

In making its decision, the Licensing Sub-Committee considered the merits of the application and had regard to the Council's Statement of Licensing Policy and Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 (revised February 2025). The Licensing Sub-Committee considered the steps which were appropriate and proportionate to promote the licensing objectives and, after taking account of all relevant issues that had been raised in the application, the written representations, the additional information from the applicant and the applicant's representative, and in oral evidence at the hearing, decided to modify the conditions of the licence with additional conditions to the premises licence offered by the licence holder alongside the existing proposed mandatory conditions and conditions arising from the operating schedule that had been accepted by the applicant and was shown in Appendix A of the report to the Licensing Sub-Committee.

In making its decision, the Licensing Sub-Committee had regard to:

- The Council's Statement of Licensing Policy and the hours in the application being in compliance with the Policy and the Government's section 182 Statutory Guidance.
- The written and verbal evidence presented by all parties in the agenda and at the hearing.
- Whether Inventure Putney Limited could continue to promote and uphold the licensing objectives.

Members considered the points raised in Mr Newby-Walker's statement and were also impressed with the recent visit carried out by Mr Chowdhury where he observed other off-licenses in the area. The Licensing Sub-Committee found that the similar premises in area would be open earlier and so would inevitably be seeking to extend hours to compete with this applicant if the hours of from this application were granted.

The Legal Advisor reiterated that the application had to be determined on its own merits and that there were Guideline or framework hours, but that members were unable to pre-determine the application based upon those hours. Instead, members would need to consider what had been applied for and if they were minded to restrict it to the framework hours, reasons would have to be given based upon the licensing objectives or case law as to why members were to refuse to grant the application as applied for.

The Legal Advisor advised that what members would need to determine was whether the activity, with the extension of these hours all days of the week, could potentially

increase noise nuisance for residents in that area, particularly those residents living above the shop, as per the Licensing Policy. It was noted that there was mutual agreement that there were no complaints received from these residents, or from the responsible authorities about this shop. However, this did not necessarily mean that residents could not be assisted. In addition, the Licensing Sub-Committee were concerned that this shop would be a destination for late-night alcohol purchases.

The Licensing Sub-Committee also had regard to Mr Chowdhury's own experience, where the Noise Team tend to come across a lot of complaints to do with anti-social behaviour, from these types of shops that would typically attract this type of behaviour and noise nuisance, particularly in the early hours of the morning where shops offer the sale of alcohol so late, and where no other stores in the area would offer such sales until 2am. The fact that there were residents living directly above the premises, was also taken into account.

It was noted that the Police incident in 2022, which required the licence holder to submit a minor variation to reduce hours, was as a result of the findings made by the Police during their visit to this premises, and not because of the economy or any other factors.

In light of the reasons set out above, Members did not agree to allowing alcohol sales up to 2am every night of the week. Although they agreed to keep the opening hours to 24 hours a day, the Licensing Sub-Committee agreed to alcohol sales until 2am on Fridays and Saturdays as per the framework hours, and from Sunday to Thursday, alcohol sales until 00.00 midnight. It was also noted that delivery services such as Deliveroo could not be considered at this stage, based on the evidence provided. There were no other conditions to be added to the Premises licence.

The decision was unanimous.

The meeting concluded at 10.05pm.

DECISION – The Sub-Committee decided to modify the conditions of the licence, as follows:

a) Licensable Activities and Hours

Sale of Alcohol (for consumption off the premises only)

Sunday-Thursday: 09.00-00.00

Friday-Saturday: 09.00-02.00

Opening Hours

Sunday-Sunday: 24 hours.

b) Conditions arising from applicants Operating Schedule

Conditions in BLACK are from current licence

***Conditions in RED are additional conditions proposed by the applicant for this variation**.*

Condition 1.

CCTV

1. The CCTV system installed at the premises shall be maintained in effective working order and all tapes/recordings shall be kept for a minimum of 31 days and shall be made available to the Metropolitan Police or authorised officers of the Council on request.
2. The CCTV system shall provide camera coverage of the internal area and the frontage of the premises.
3. At all times when the premises are open, there shall be a member of staff on duty who is capable of operating the CCTV system.
4. Notices advising customers that CCTV is in operation shall be prominently displayed by the front door and behind the counter.
5. Staff shall monitor the outside of the shop by CCTV and physical checks to ensure that customers do not drink or loiter outside the shop asking any person that does to leave the shop frontage and area quietly & quickly.

Condition 2.

Storage of alcohol

6. Shutters shall be provided to prevent the display for sale of alcohol outside permitted hours.
7. Alcohol not on display for sale shall be stored in a secure area.

Condition 3.

Conduct of Premises

8. Notices shall be prominently displayed on the premises requesting patrons to leave the premises quietly, not to loiter outside the premises and not to drink in the street.
9. An A4 size Notice shall be prominently displayed by the front door asking customers to leave the shop and area quietly & quickly, not to drink alcohol or loiter outside the shop or in the street and to dispose of litter legally.

10. No more than two (2) unaccompanied children under 16 shall be permitted to enter or be on the premises at any time except in an emergency.

11. No unaccompanied children under 16 shall be permitted to enter or be on the premises after 23.00 except in an emergency.

Condition 4.
Staffing, Training

12. All staff shall be trained for their role on induction before being allowed to sell alcohol and refresher training shall be provided at quarterly intervals thereafter.

13. Written records of staff training along with any training material used must be kept by the Designated Premises Supervisor or Premises Licence Holder and produced to Police or Council Officers on request.

14. The training shall include operating Challenge 25, identifying young persons under 25, making a challenge, acceptable proof of age, making and recording a refusal and avoiding conflict.

Condition 5.
Litter

15. Staff at the premises shall routinely and regularly ensure that bottles, cans and litter associated with the premises are cleared from the footway fronting the premises.

Condition 6.
Security, General

16. The premises shall operate a clear window policy to deter underage and proxy sales and persons loitering outside.

Condition 7.
Proof of Age Cards

17. Evidence of age shall be requested from any person appearing to those selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol.

18. Examples of appropriate ID include a passport, new style driving licence and the Proof of Age Standards Scheme (PASS) approved age cards.

Condition 8.

Notice, Sales / admission to Children

19. Notices shall be displayed advising customers that the premises are operating a Challenge 25 policy.

Condition 9.

Refusals Book

20. A refusals book to record any aggressive or violent conduct and every instance that sales of alcohol and any other age-restricted goods are refused shall be maintained.

21. The refusals book shall document the date and time a refusal of sale is made and the member of staff refusing the sale.

22. The refusals book shall be available for inspection by an authorised officer of the Licensing Authority, Trading Standards Officers or the Police.

Condition 10.

Notice, Sales / admission to Children

23. Notices advising that Challenge 25 is in force shall be displayed by the front doors and at the point of sale.

24. Till prompts shall be provided by the tills to remind staff to look for customers who appear to be under 25.

Condition 11.

25. A minimum of two (2) fully trained staff shall be on duty on the premises between 23.00 and close every day of the week.

26. The premises licence holder / DPS/ personal licence holder shall undertake a Daily Risk Assessment, taking into account any events taking place locally or advice received from the Metropolitan Police Service to identify any need for additional staff or SIA Licensed Retail Security Staff or Door Supervisors to be on duty. Brief details of the risk assessment and findings shall be recorded in an appropriate section within the Incident Book.

27. If SIA staff are ever on duty their name, SIA Licence Number, date & times of attendance & if employed by a Company their name & contact details shall be recorded in the Incident Book.

Right of appeal:

Parties to hearings have the right to appeal to the Magistrates Court against decisions of the Licensing Authority. These rights are set out in Schedule 5 of the Licensing Act 2003 and Chapter 13 of the Revised Guidance issued under section 182 of the Licensing Act 2003 issued by the Home Secretary (December 2023). An appeal must be commenced by notice of appeal given to the Justices' Chief Executive for the Lavender Hill Magistrates' Court, 176a Lavender Hill, London, SW11 1JU within the period of 21 days beginning with the date of notification. The Court will charge a fee.

Signed:

Date:

For enquiries about this meeting please contact:

Democratic Services
Wandsworth Town Hall, Wandsworth High Street, London, SW18 2PU
Email: Licensing.Committee@wandsworth.gov.uk

For enquiries about this licence please contact:

Licensing Services, Civic Centre, London Road, Morden, SM4 5DX
Email: Licensing@merton.gov.uk

Useful documents:

The Licensing Act 2003
<https://www.legislation.gov.uk/ukpga/2003/17/contents>

Revised Guidance issued under section 182 of the Licensing Act 2003 (February 2025) <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2023-accessible-version>

The Licensing Act 2003 (Hearings) Regulations 2005
<http://www.legislation.gov.uk/uksi/2005/44/made>

Wandsworth's Statement of Licensing Policy 2024-2029
https://www.wandsworth.gov.uk/media/wh2luajy/licensing_policy_statement.pdf