



# Licensing Sub-Committee Report

**Item No:**

4b.

**Title of Report:**

Mama V's  
10 Voltaire Road  
London, SW4 6DH

**Applicant:**

Vanessa Lancellotti

**Application Type:**

Premises Licence (Variation)

**Application Date:**

6<sup>th</sup> June 2019

**Ward:**

Clapham Town

**Premises Type:**

Cafe

**Policy Context:**

Lambeth Statement of Licensing Policy 2019-2024

**Report Author:**

Mrs Pamela Riley

**Contact Details:**

020 7926 6164      priley@lambeth.gov.uk

**Application Summary:**

This is an application for a Premises Licence variation application to permit:

To add off sales of alcohol so that the outside area can be used.  
To remove condition 12 from Annex 3 that is on their current premises licence which relates to alcohol not being consumed outside the premises at any time

<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	-	-	
Licensing Service	Y	28.06.19	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 Crime and Disorder</li> <li>• Public Safety</li> <li>• Prevention of Public Nuisance and</li> </ul> <p><b><u>Cumulative Impact Policy (policy 7, pages 26 to 27 and appendix 10, page 59 of the policy)</u></b></p> <p>The premises is located within the cumulative impact area zone as identified within the Council's Statement of Licensing Policy (2019 - 2024). This area is subject to a special policy which amongst other things creates a rebuttable presumption that any new application for a premises licence or material variation to existing premises licences (such as an increase in hours, capacity or change of conditions) in the area to which this policy applies, will be refused, if representations are received. This may be rebutted by the applicant showing that a particular application will not impact adversely on the licensing objectives.</p> <p><b><u>Types of Premises and Recommend Hours (appendix 5, pages 46 to 47 and appendix 6, pages 48 to 50 of the policy)</u></b></p> <p>The premises is classified within Lambeth's Licensing Policy (2019 - 2024) as a cafe and is located in a district centre.</p>

The recommended terminal hour for a premises of this kind is 01:00 am on Friday and Saturday and midnight on Sunday to Thursday.

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.

## **1. Application:**

1.1 This is an application to vary a Premises Licence under section 34 of the Licensing Act 2003

1.2 The current licence authorises the sale of alcohol as follows:

### **Sale of Alcohol (for consumption on the premises)**

Monday - Sunday 11:00 to 22:00

### **Opening hours of the premises:**

Monday – Sunday 05:30 to 22:30

The variation requested is for the sale of alcohol as follows:

### **Sale of Alcohol (for consumption off the premises)**

Sunday - Thursday 11:00 to 20:30

Friday - Saturday 11:00 to 22:00

### Additional proposed condition

CCTV coverage will include the outside seating area at the front of the premises.

To remove condition 12 from Annex 3 that is on their current premises licence which relates to alcohol not being consumed outside the premises at any time

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

A copy of the current premises licence is attached to this report as **Annex B**

## **2. Representations:**

- 2.1 A total of **two (2)** representations have been received against the application from the Licensing Authority and the Metropolitan Police Licensing Unit.

A redacted copy of the representations was provided to the applicant and is attached as **Annex C**.

## **3. Background History:**

- 3.1 These premises currently operate as a café and do not have a current tables and chairs licence for the use of the outside area.

- 3.2 The premises licence was granted by the Licensing Sub Committee held 6<sup>th</sup> November 2018 and the licence was issued 4<sup>th</sup> December 2018.

- 3.2 Since this licence was granted, the Licensing Authority has received the following Temporary Event Notices (TEN) for the premises:

Sale of Alcohol on/off the premises: 11:00 to 22:00 from 28.06.2019 to 30.06.19

Sale of Alcohol on/off the premises: 11:00 to 22:00 from 10.07.2019 to 14.07.19

Sale of Alcohol on/off the premises: 11:00 to 22:00 from 06.07.2019 to 07.07.19

The Licensing Service cannot confirm if the TENs were utilised and have no record of any noise complaints.

## **4. Observations:**

- 4.1 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;

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

Chapter 5. The Licensing Objectives

Principals and Policies 7. Policy 1 Applications

Appendix 1 - The prevention of crime and disorder

Appendix 2 - Public Safety

Appendix 3 - The Prevention of public Nuisance  
Appendix 3 – Protection of Children from Harm  
Principles and Policies 13. Policy 7 Cumulative Impact

## **5. Conclusion:**

- 5.1 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.
- 5.2 The options available to Members of the Licensing Sub Committee are;
- 1 – Grant the variation application as it currently stands.
  - 2 – Grant the variation application subject to such conditions as the authority considers appropriate for the promotion of the licensing objectives.
  - 3 – Reject the variation application.

## **Appendices:**

Annex A – Application  
Annex B – Premises Licence  
Annex C – Representations

## **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. 3 Lambeth Statement of Licensing Policy 2019 (“the Policy”)