

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

As a responsible authority under section 13(4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered the variation application submitted by the applicant Hugo Ushida in full. The Licensing Authority has concerns in relation to how the premises will promote the following Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of Children from Harm

This variation application is to add off sale to the current premises licence in order to use the outside seating area. The premises would like to trade from 11:00 to 20:30 Sunday to Thursday and from 11:00 to 22:00 on Friday and Saturday. The application has also requested the removal of condition 12 Annex 3 that is on their current premises licence which relates to alcohol not being consumed outside the premises at any time.

The premises is located in Voltaire Road within the Cumulative Impact Area and is identified within the Council's Statement of Licensing Policy ('The Policy') on pages 26 - 27.

Cumulative impact Area (Saturation Zone)

The premises falls within the area designated as an area of special interest in Clapham which means that applicants for premises falling within that zone must prove conclusively in their operational schedule why their application for a premises licence should be granted and it is therefore important that applicants show that they have properly considered the impact on the locality of their application.

The policy creates a rebuttable presumption that any new applications for premises licenses or club premises certificates, along with any major variations that could impact negatively on the licensing objectives will be refused, unless the applicant can demonstrate that there will be no negative impact on any of the licensing objectives.

Classification of area within the policy

Appendix 6 page 48 of the Policy describes the premises as a restaurant. According to the current Licensing Policy, Appendix 7 page 51, the premises is located in a District Centre.

District Centres

District Centres have traditionally provided convenience goods and services for local customers. They typically range in size from 10,000m² to 50,000m² and contain at least one food supermarket or superstore and non-retail services.

We very much see these as places where the night time economy does have a role, alongside other

daytime shopping and other places of employment. Whilst not as big as our town centres they are generally well served by public transport and connected in numerous directions.

The premises is located in a district town centre and therefore the terminal hour recommended in the Policy for premises falling within this is Friday and Saturday: 1am Sunday to Thursday: midnight.

Operational Schedule

The licensing authority notes that the operating schedule proposes one additional condition outside of the conditions already attached to the existing licence, and it is our view that this does not go far enough especially in relation to promoting the licensing objectives

Notwithstanding the above, Appendix 1 of the Council's Licensing Policy stated, for applications that fall within the hours shown in Appendix 1 there is no presumption that these hours will be granted. An appropriate operating schedule is still required and representations may still be made. Only if no representations are received will the licence be granted as applied for without being determined by the Licensing Sub-Committee.

Steps to promote the licensing objectives (Ref: Revised guidance under s 182 Licensing Act 2003 issued April 2018, "*In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application*

If these premises are seeking to include off sales they will need to be able to demonstrate how they will uphold all the licensing objectives.

Summary

This is a new licence which was determined on 6th November 2018. The Licensing Authority is concerned that the applicant has not had enough time to demonstrate a reasonable record of effective measures based on their operating schedule that would ensure the promotion of the licensing objectives effectively within the area.

In conclusion the Licensing Authority recommends that this variation application be refused. Adding the off sales activity and removing the conditions relating to off sales that is on the current premises licence would only undermine the licensing objectives.

Miss Bina Patel
Licensing Manager
28/06/2019



Working together for a safer London

TERRITORIAL POLICING

LX - Lambeth Licensing & Night
Time Economy Team
Civic Centre, 3rd Floor,
6 Brixton Hill,
SW2 1EG

3rd July 2019

Contact: PC Mike Constable

Miss Bina Patel
Licensing Manager
Lambeth Borough Council

RE: Variation, Mama V, 30 Voltaire Road, SW4 6DH

Dear Miss Bina Patel

I write on behalf of the Commissioner of police for the Metropolis to make a representation, on the grounds of the following Licensing Objectives;

- The prevention of public nuisance.
- The prevention of crime and disorder.
- Public safety.

The applicant has requested the following:

The variation is to add off sales to the current licence, to allow the premises to utilise the outside seating area at the front patio area of the premises. Currently alcohol is sold with a table meal, and this would continue with the use of the outside tables. the use of the outside area is to be from 11:00 to 20:30 Sunday to Thursday, and 11:00 to 22:00 Friday and Saturday.

Location

This application is located within Clapham High Street which has a Cumulative Impact Zone, and is referenced in London Borough of Lambeth's Statement of Licensing Policy 2019 – 2024.

‘13.1 At the time this policy was drafted there was one designated cumulative impact area, centred on Clapham High Street. Details are at Appendix 10. This creates a rebuttable presumption that applications for new licences and variations for longer hours will be refused providing a relevant representation has been received. ‘

‘Appendix 10: Clapham Cumulative Impact Policy

On the 9th November 2011 the Authority resolved that a Cumulative Impact Policy be adopted for Clapham High Street be put in place and incorporated into the Authority’s current Statement of Licensing Policy. This policy came into effect from the 10th November 2011.

The policy creates a rebuttable presumption that any new applications for premises licences or club premises certificates, along with any major variations that could impact negatively on the licensing objectives will be refused, unless the applicant can demonstrate that there will be no negative impact on any of the licensing objectives.’

Further to this Clapham High Street suffers from high intoxication levels. This has led to alcohol related crime taking place. Ranging from sexual assaults, violence against the person, thefts, robberies, etc. It is acknowledged that the applicant does not in any means contribute to this.

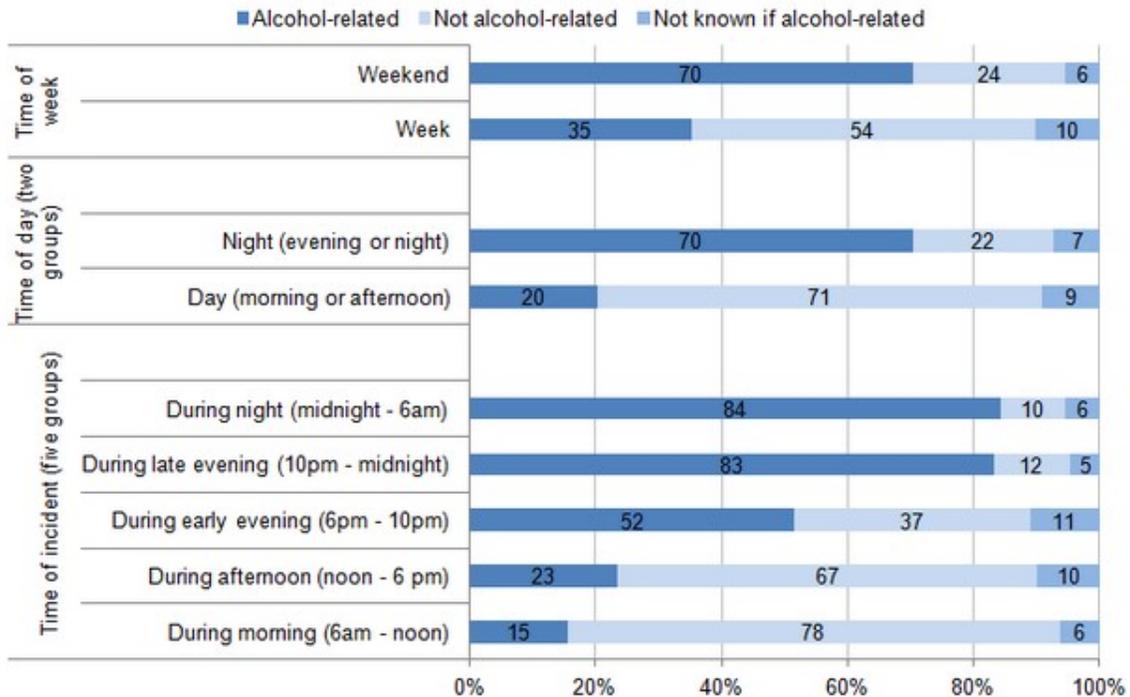
This is of concern for Police, intoxication levels have been mentioned at weekly briefings delivered by Police to Licensed Premises fortnightly on Friday at 8pm.

The Metropolitan Police have Operation Equinox running, which is a Police led operation in which officers conduct high visibility patrols across London. Police officers are engaging with night-time economy users and premises management in a drive to reduce the number of people being put at risk harm. This is to reduce the violence with injuries directly related to alcohol. An increase in hours for this premises will strain Police resources, and most likely Ambulance Services as well.

Clapham’s Night Time Economy normally starts to take place at approximately midnight on Friday and Saturday.

The proportions of violent incidents that were *alcohol-related* increased as the afternoon and evening progressed, from 23% of violent incidents occurring between noon and 6pm, to 52% of violent incidents occurring between 6pm and 10pm and 83% of violent incidents occurring between 10pm and midnight. A similarly large proportion (84%) of incidents occurring between midnight and 6am were alcohol-related.

Figure 5.6: Timing of violent incidents, according to whether victim perceived offender(s) to be under the influence of alcohol, combined data for 2012/13 and 2013/14 CSEW



Source: Office for National Statistics, Crime Survey for England and Wales

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/compendium/focusonviolentcrimeandsexualoffences/2015-02-12/chapter5violentcrimeandsexualoffencesalcoholrelatedviolence>

Conclusion

- There is the potential for more alcohol in the High Street.

Area is already saturated in the High Street. The area suffers from high intoxication levels, this has led to those being victims of crime and being taken advantage of. We seek to stop this as a matter of urgency.

- At time of writing, no confirmation with regards to license for tables & chairs.
- Not provided any material that this will not have a negative impact on the area.

Due to the concerns raised, and the lack of reassurance it is recommended that this variation is not granted.

Yours sincerely,

Mike Constable | PC 1596AS - Licensing & Night Time Economy Team |

Address Civic Centre, 3rd Floor, 6 Brixton Hill, SW2 1EG