

Licensing Committee

Thursday October 8 2009

7.00 pm

Town Hall, Peckham Road, London SE5 8UB

Membership

Councillor David Hubber (Chair)
Councillor Dominic Thorncroft (Vice-Chair)
Councillor Anood Al-Samerai
Councillor Robin Crookshank Hilton
Councillor Dora Dixon-Fyle
Councillor Jelil Ladipo
Councillor Lorraine Lauder MBE
Councillor Wilma Nelson

Councillor Sandra Rhule
Councillor Jane Salmon
Councillor Mackie Sheik
Councillor Althea Smith
Councillor Eliza Mann
Councillor Abdul Mohamed
Councillor Ian Wingfield

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Contact

Sean Usher on 020 7525 7222 or email: sean.usher@southwark.gov.uk
Webpage: <http://www.southwark.gov.uk>

Members of the committee are summoned to attend this meeting

Annie Shepperd

Chief Executive

Date: September 29 2009



Licensing Committee

Thursday October 8 2009
7.00 pm
Town Hall, Peckham Road, London SE5 8UB

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	MINUTES FROM THE LICENSING COMMITTEE	1 - 6
	To approve as a correct record the Minutes of the open section of the meeting held on October 21 2008 and March 17 2009.	
6.	MINUTES FROM THE LICENSING SUB-COMMITTEES	7 - 75

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To agree as a correct record the Minutes of the open sections of the meetings held on:

- March 25 2009
- April 6 2009
- April 15 2009
- April 20 2009
- April 27 2009
- May 6 2009
- May 11 2009
- May 18 2009
- June 3 2009
- June 8 2009
- June 17 2009
- June 22 2009
- June 29 2009
- July 6 2009
- July 15 2009
- July 27, 2009
- July 31 2009
- August 19 2009
- August 24 2009
- September 2 2009

7.	THE LICENSING ACT 2003 - CONSIDERATION OF LOCAL SATURATION POLICIES DEALING WITH THE "CUMULATIVE IMPACT" OF LICENSED PREMISES - PECKHAM & CAMBERWELL AREAS	76 - 143
8.	THE LICENSING ACT 2003 – CONSIDERATION OF LOCAL SATURATION POLICIES DEALING WITH THE “CUMULATIVE IMPACT” OF LICENSED PREMISES – BOROUGH AND BANKSIDE AREA	144 - 164
9.	THE LICENSING ACT 2003 – CONSIDERATION OF LOCAL SATURATION POLICIES DEALING WITH THE “CUMULATIVE IMPACT” OF LICENSED PREMISES – OLD KENT ROAD CORRIDOR AND ELEPHANT & CASTLE AREAS	165 - 179
10.	THE LICENSING ACT 2003 (PREMISES LICENCES AND CLUB PREMISES CERTIFICATES)(MISCELLANEOUS AMENDMENTS) REGULATIONS 2009	180 - 187

ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

EXCLUSION OF PRESS AND PUBLIC

Item No.

Title

Page No.

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

PART B - CLOSED BUSINESS

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: September 29 2009



LICENSING COMMITTEE

MINUTES of the meeting of the LICENSING COMMITTEE held on Tuesday
October 21 2008 at 7.00pm at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor Linda Manchester
Councillor Jane Salmon
Councillor Sandra Rhule
Councillor David Hubber
Councillor Lorraine Lauder
Councillor Danny McCarthy
Councillor Dominic Thorncroft
Councillor Alison McGovern
Councillor Jelil Ladipo
Councillor Robin Crookshank Hilton

ALSO PRESENT: Councillor Paul Kyriacou
Alan Blisset, Environmental Protection Team
Tim England, Community Safety Enforcement
Richard Parkins, Licensing
Stephen Douglass, Street Trading Unit
Mr Martin, Camberwell Society
Ms Frisch, Shad Thames RA
Mr Phillips, Camberwell Resident
Deborah McCallum, Legal Officer
Sean Usher, Constitutional team

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mackie Sheik and Althea Smith and apologies for lateness were received from Councillors Dora Dixon-Fyle and Anood Al-Samarai.

2. CONFIRMATION OF VOTING MEMBERS

The members listed as being present were confirmed as the voting members.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

The committee agreed to accept a verbal update on Street Trading from Stephen Douglass at the end of the meeting regarding traders arrears.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillors Alison McGovern and Sandra Rhule are ward councillors in Brunswick Park, some of which is covered by the proposed Camberwell Saturation Zone.

5. MINUTES FROM THE LICENSING COMMITTEE (pages 1-2 of the agenda)

RESOLVED: That the open minutes of the meeting held on September 30 2008 be agreed as a correct record and signed by the chair with some modifications and typing errors to be corrected.

6. MINUTES FROM THE LICENSING SUB-COMMITTEE (pages 3-16 of the agenda)

RESOLVED: That the open and closed minutes of the sub-committees listed below be agreed as a correct record and signed by the chair and amended where noted:

- September 22 2008 (Open and Closed)
- October 1 2008
- October 6 2008

7. THE LICENSING ACT 2003 – CONSIDERATION OF LOCAL SATURATION POLICIES IN CAMBERWELL, PECKHAM & SHAD THAMES

The licensing officer presented his report and it was agreed to take each area in turn.

Members had questions on the report and the figures.

Members of the public from Camberwell and Shad Thames addressed the committee regarding the saturation policy.

RESOLVED: That in the light of the latest statistical information provided by the partnership analytical group, the committee recommended to council assembly a local saturation policy within **Camberwell** to deal with currently identified “cumulative impact” of licensed premises.

That should council assembly decide to introduce a local saturation policy in any one or more of the areas set out above, the committee recommends that the boundary for each area should be

1. as set out in this report;

The committee recommends to council assembly, that the classes of licensed premises to which the policy shall apply in each area should be Night Clubs, public houses and Bars and premises dealing primarily in off-sales .

RESOLVED: That in the light of the latest statistical information provided by the partnership analytical group, the committee recommended to council assembly a local saturation policy within **Peckham** to deal with currently identified “cumulative impact” of licensed premises.

That should council assembly decide to introduce a local saturation policy in any one or more of the areas set out above, the committee recommends that the boundary for each area should be:

1. as set out in this report;

The committee recommends to council assembly, that the classes of licensed premises to which the policy shall apply in each area should be Night Clubs, public houses and bars and premises dealing primarily in off-sales.

RESOLVED: The committee felt that in light of the statistical information and associated evidence did not support a saturation policy in **Shad Thames** at this time. It was agreed that the committee would monitor the situation every six months.

8. ANY OTHER BUSINESS

Stephen Douglass, head of Street Trading, presented a report to the committee on fees and licenses.

The officer agreed that the committee would be presented with the results of a review and consultation of markets in 2009 and this would include arrears and move ups.

The date of the next committee meeting was agreed as December 16, 2008

The meeting closed at 9.15pm

CHAIR:

DATED:



LICENSING COMMITTEE

MINUTES of the meeting of the LICENSING COMMITTEE held on Tuesday
March 17 2009 at 7.00pm at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor Allison McGovern
Councillor Althea Smith
Councillor Anood Al-Samarai
Councillor David Hubber
Councillor Dominic Thorncroft (Vice Chair)
Councillor Dora Dixon Fyle
Councillor Jane Salmon
Councillor Jelil Ladipo
Councillor Linda Manchester (Chair)
Councillor Lorraine Lauder
Councillor Mackie Sheik
Councillor Robin Crookshank-Hilton
Councillor Wilma Nelson

ALSO PRESENT: Dave Franklin, Licensing
Tim England
Alan Blissett
Councillor Paul Kyriacou, Executive Member for
PC Stephens, Southwark Police
Deborah McCallum, Legal Officer
Sean Usher, Constitutional team

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Danny McCarthy and Sandra Rhule.

2. CONFIRMATION OF VOTING MEMBERS

The members listed as being present were confirmed as the voting members.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were 1 set of closed minutes circulated at the meeting as they were not available at the time of despatch.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. MINUTES FROM THE LICENSING COMMITTEE (pages 1-2 of the agenda)

RESOLVED: That the open minutes of the meeting held on January 20 2009 be agreed as a correct record and signed by the chair.

6. MINUTES FROM THE LICENSING SUB-COMMITTEE (pages 3-25 of the agenda)

RESOLVED: That the open minutes of the following sub-committees be agreed as a correct record and signed by the chair,

- January 26 2009
- February 16 2009
- February 25 2009
- March 2 2009

And the closed set of minutes for the following sub-committee:

- February 16 2009

7. THE LICENSING ACT 2003 – MONITORING OF CAMBERWELL AND PECKHAM SATURATION POLICIES

The licensing officer presented the report and the supplemental data from the Police. The committee were asked to consider the saturation policy in Camberwell and Peckham and to consider amended the boundary for Peckham.

Members had questions for the police and the licensing officer on the statistics. Members debated the boundaries in Peckham.

RESOLVED: The committee agreed to:

- a) Retain the Camberwell Saturation zone and monitor the situation every six months;
- b) Retain the saturation zone in Peckham and to go out to consultation on an extension of the zone to include the following areas

From the junction of Consort Road and Bournemouth Road to continue along Consort Road to Heaton Road. Along Heaton Road to Rye Lane Across Rye Lane and along Sternhall Lane to McDermott Road to Maxted Road Maxted Road into Bellenden Road to the junction with Chadwick Road Chadwick Road to along Lyndhurst Way to Lyndhurst Grove Lyndhurst Grove to Talford Road Talford Road to Peckham Road Peckham Road to Southampton Way Southampton Way to Kelly Avenue Kelly Avenue to Gattonby Street and Lisford Street Lisford Street to Jocelyn Street and to rejoin existing boundary.

8. THE LICENSING ACT 2003 – CONSIDERATION OF LOCAL SATURATION POLICIES DEALING WITH THE “CUMULATIVE IMPACT” OF LICENSED PREMISES IN THE OLD KENT ROAD CORRIDOR

Members asked questions on the statistics and discussed the area.

There was no evidence for a saturation zone in this area and the police did not support a zone.

RESOLVED: The committee agreed the recommendations, based on the analytical report and the low level of consultation response, to:

- c) Monitor the situation for a further 6 month period;

9. THE LICENSING ACT 2003 – CONSIDERATION OF POTENTIAL SATURATION POLICIES FOR BOROUGH & BANKSIDE, THE ELEPHANT & CASTLE, HERNE HILL AND SHAD THAMES

Members asked questions on the report and discussed the areas. Each area was taken in turn.

RESOLVED: The committee agreed, based on the latest statistical information to approve the following:-

- a) To progress onto formal public consultation, in accordance with section 5(3) of the Licensing Act 2003, on the potential introduction of a local saturation policy for the Borough and Bankside area including the additional areas proposed by the Committee to include;

From the Southwark Border on Blackfriars Bridge along Blackfriars Road to Borough Road Borough Road to Borough High Street Borough High Street to Great Dover Street and to Long Lane Long Lane to Snowfields Snowfields to Bermondsey Street Bermondsey Street to Tooley Street Tooley Street due north to the borough boundary to on the Thames and along the boundary to Blackfriars Bridge.

- b) To continue to monitor the situation Elephant & Castle and report back in six months; and
- c) To take no further action in relation to the Herne Hill and Shad Thames areas.

10. ANY OTHER BUSINESS

There was none.

The next meeting of the licensing committee will be May 12 2009

The meeting closed at 8.40pm

CHAIR:

DATED:

LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on March 25 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor Linda Manchester
Councillor Jelil Ladipo
Councillor Wilma Nelson

ALSO PRESENT: Mr. Lopez, Representative for the applicant
Mr. Lincoln Smith, applicant
Mr. Thomas, Mr. M. Robbins & Ms. Stewart (in attendance with applicant)
Mr. Holden, objector
Dr. Branton, objector
Mr. Hill, objector
Dave Swaby, Licensing Officer
Deborah McCallum, legal officer
Paula Thornton, constitutional team

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – HYPNOTIC 75-79 NORWOOD ROAD SE24 (see pages 46-98 plus separate appendix)

The sub-committee had a brief adjournment to read the additional papers submitted by the agent of the applicant. The adjournment lasted for 20 minutes.

The licensing officer presented his report confirming that the police representations had now been withdrawn.

The applicant's legal representative presented his case and responded to questions from members and objectors.

The objectors, Dr. Branton, Mr. Hill and Mr. Holden presented their evidence and responded to questions from members.

All parties were given 5 minutes to sum up.

The meeting went into closed session at 12.15pm. The meeting then reopened at 1.50pm.

RESOLVED: 1. That the application made by Lincoln Smith for a variation to a premises licence under the Licensing Act 2003 in respect of the premises known as Hypnotic, 75-79 Norwood Road, London SE24 was considered and the following agreed:

That the application to extend the hours of operation on Sundays and Thursdays is refused.

That the application to extend the hours for non standard timings is refused except in relation to New Years Eve.

That the application to remove conditions is granted except for conditions 342 and 344 as specified:

- 342. That a sign shall be prominently displayed at the entrance to the premises stating "No Search, No entry".
- 344. That a notice be displayed stating "Any vehicle causing an obstruction to the emergency escape provision off these premises will be removed."

2. Conditions

See **Appendix 1** of these minutes

3. Reasons

The reasons for the decision are as follows:

The committee considered the oral and written evidence and representations submitted on behalf of the applicant and the local residents. The committee were satisfied, particularly taking the local residents representations into account, that it was necessary and proportionate to modify the application to restrict the hours of operation of the premises in order to prevent public nuisance.

4. Appeal Rights

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at: 1.55pm

CHAIR:

DATED:

Appendix 1

Conditions

The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in Section P, including the list of conditions headed "proposed conditions", of the application form:

- The appointed manager shall be suitably qualified and hold the approved training qualification.
- The Licensee / Duty Manager shall ensure that he has sufficient trained staff on duty to ensure the safe evacuation of the premises in an emergency. Such staff shall have been specifically instructed on their duties in the event of an emergency by the Licensee or by a person nominated by him. The instruction given to staff shall include training on the safe and efficient running of the premises and the safe evacuation of the premises.
- The licence holder or person authorized by the will check the premises prior to opening to the public in order to ensure there are no risks to patrons of all abilities and that all safety precautions are in place. An authorized person shall make entries in the fire logbook that may be subject to inspection.
- Notices shall detail Emergency action that will include procedural actions in the event of a fire.
- Notices at the rear of the premises for emergency access for emergency vehicles. All emergency doors shall be kept closed but not locked at all times during opening hours to which this licence applies except for emergency egress.
- All safety certificates and inspection reports will be kept on site and made available to inspection to relevant officers.
- Entertainment control system shall be monitored by way of a limiter device, checked and calibrated as necessary so that approved levels set to the satisfaction of the council and these levels are not exceeded.
- Doors shall be kept closed at all times when regulated entertainment is in progress save for access or egress.
- The contact number of the duty manager shall be displayed on the premises or immediately outside the premises such that is clearly visible from the outside without the need to enter the premises.
- Non- alcoholic beverages including free drinking water shall always be available for consumption during opening hours of the premises.
- In the absence of the personal licence holder, written authorization shall be kept on the premises and shall be readily available for inspection by an authorized officer or a police officer on request.
- The authorised person shall have undertaken approved qualification and be able to demonstrate their knowledge and experience.
- A register shall be maintained by way of club scanner/or similar device of checks and details of the number of patrons/customers present these are to include numbers and members of staff and performers, details are to be made available for inspection upon request by an authorized officer or the police.
- There shall be no new admission or re-admission to the public after 2.00AM on Thursday – Saturday apart from those customers admitted and who have entered the designated smoking area, the designated area shall be supervised at all times, (a) by timing customers this shall not to exceed 15mins (b) by the number of customers shall not exceed 6. Customers are then subject to be researched on entry.
- The Licensee / Duty Manager shall ensure that reasonable access provisions are available to persons with disabilities, adequate arrangements shall be made to enable the safe evacuation in the event of an emergency and that they are made aware of those arrangements.

- An adequate and appropriate supply of First Aid equipment and materials shall be kept on site and made available for inspection.
- The licensee/Duty Manager shall ensure Staff training in the social and legal obligation and their responsibilities regarding the sale of alcohol.
- The licensee /premises licence holder shall ensure approved arrangements shall be made to maintain portable equipment including heating and electrical appliances are to be kept in good condition and full working condition.
- The licensee shall ensure upholstered seating/materials and or temporary decorations shall be maintained and meet the required criteria of fire-retarded.
- The SIA door supervisor one of whom shall be female, shall be employed at all times the premises are operating entertainment (at 10.00PM) on Thursday, Friday & Saturday. Appropriate search procedures of all patrons shall be complied with and approved by the Metropolitan Police.
- That an arrangement shall be established with a local mini-cab operator to provide cars for customers who will call within the premises to collect their fares and not sound their car horns in the street.
- The telephone number of local taxi operators and prominently display at the premises for the benefit of customers.
- That suitable notice's shall be displayed stating "No Search, No Entry" and anti drug statement shall be displayed prominently at the entrances to the premises.
- Clear and prominent notices must be displayed requesting all customers to respect the needs of local residents and to leave the premises quietly.
- An incident log shall be maintained within which details of occurrences of disorder and refusal of entry or also refused sales at the premises must be recorded. The incident book shall be kept on the premises and will be made available for inspection by authorized persons.
- The fire brigade shall be called at once to any outbreak or suspected outbreak of fire, however, slight, and the details recorded in the fire.
- The Licensee shall cause a Fire logbook to be kept. Any authorized officer shall be entitled to obtain a photocopy of any page(s) of the logbook.
- Consideration will be given to setting capacity limits to prevent overcrowding which could lead to crime and disorder, The capacity figures will be based on advice from the fire authorities.
- CCTV installed shall be maintained to the satisfaction of the police and local authority, recordings shall be maintained for a period of 31 days and shall be made available to relevant parties upon request.
- The premises will have installed Club Scanner and Search Arch and have in place an amnesty box.
- An age restriction policy is implemented.
- Regular staff training awareness of potential under aged customers.
- In the event of children are on the premises they must be accompanied by either parents, guardian or a responsible adult until 21.00 hours, representation to relevant parties for special exemptions.
- Every person including staff and agents entering the premises during opening hours must be subject to a supplementary search by means of a metal detecting wand/arch after 10.00pm when public entertainment is in progress.

In addition to the conditions and decisions listed above the following conditions proposed and agreed by the police and the applicant are also attached as conditions on the licence:

- That one CCTV camera shall be installed in such a position as to enable a clear facial image of every person passing through the security arch to be recorded and shall be maintained in working order at all times.

- That an identification Recognition System (ClubScan or similar) shall be installed and maintained in working order at all times. Every person, including staff and agents, entering the premises during opening hours shall be required to submit their details to the system prior to entry being granted.
- That SIA registered door supervisors – at least one of whom must be a female - shall be employed at the premises and be provided with: (1) a hand held metal detection unit to ensure that all persons entering the premises are subject to the Premises' Search Policy; and (2) a mechanical counting device in order to supervise admissions to and departures from the premises and to ensure that the premises maximum accommodation limit is not exceeded.
- That the Licensee / Duty manager shall maintain a register indicating the numbers of staff, including any Door Supervisors and all performers, who are present when the public are present. This register shall be produced immediately on the request of an Authorised Officer.
- That a duty roster must be maintained for all SIA staff and shall be made available to the Metropolitan Police on request.
- That an incident Log must be maintained at all times and made available to the Metropolitan Police and the London Borough of Southwark Authorised Officers on request.
- That any promoter or other such person hiring the premises be required to complete the 'Venue Hire Agreement' Form 696 provided by the Metropolitan Police and, once completed, the Premises Licence holder or their nominated representative shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.
- That no entry or re-entry to be permitted to the premises after 12.00 midnight on the days Monday to Wednesday, and 2.00am on the days following Thursday to Saturday – except for persons leaving the premises in order to smoke. Such persons shall be supervised at all times and subject to being re-searched on re-entry to the premises.
- That only bottles and glasses made from polycarbonate shall be used during the sale or supply of any drinks, whether alcoholic or not, to customers.
- That a Personal Licence holder be on the premises at all times that intoxicating liquor is sold or supplied
- That all staff concerned with the sale or supply of alcohol undergo a recognised Training scheme for such duties. Records of such training should be kept and made available for inspection, on request, by any relevant Police or Council Officer.



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on April 6 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor Linda Manchester
Councillor Dora Dixon Fyle
Councillor Lorraine Lauder

ALSO PRESENT: Mr Raj Kang, applicant
Ms Debbie Casey, licensing agent
Mr Tim Irwin, local resident
Councillor Gordon Nardell, ward councillor
Rawlene Evelyn, local resident
Dave Franklin, licensing officer
Deborah McCallum, legal officer
Sean Usher, constitutional team

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – BLUE BAR, 14 PECKHAM HIGH STREET SE15 5DT

The licensing officer presented his report. Members had questions for the licensing officer.

The applicant, Mr Kang presented to the sub-committee. Members and local residents had questions. The local residents and Councillor Nardell presented to the sub-committee. Members had questions for the local residents.

All parties were given 5 minutes to sum up.

The meeting went into closed session.

RESOLVED: 1. That the application by Metroliving Limited for a premises licence in respect of the premises known as Blue Bar, 14 Peckham High Street, London, SE15 5DT be approved in so far as:

The following licensable activities will be permitted under the licence during the times shown:

	Sunday - Thursday	Friday	Saturday
Entertainment E. Live Music F. Recorded Music G. Performance of Dance H. Any similar entertainment I. Facilities for making music J. Facilities for dancing K. Facilities for similar entertainment	10:00 – 23:00	10:00 – 00:00	10:00 – 00:00
L. Late Night Refreshment	10:00 – 23:00	10:00 – 00:00	10:00 – 00:00
M. Sale of alcohol	10:00 – 23:00	10:00 – 00:00	10:00 – 00:00
O. Opening Hours	10:00 – 23:30	10:00 – 00:30	10:00 – 00:30

2. Conditions

The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in Section Q of the application form and the following conditions:-

- a) All mandatory conditions set out in the Licensing Act 2003 relating to
- Authorisation of the retail sale of alcohol; and
 - The provision of door supervision

The following additional special conditions developed through discussion from the original operating schedule attached to the variation application as follows:-

Conditions agreed between the applicant and the Police:

- That SIA registered Door Supervisor, including a female, shall be employed at all times after 22.00hrs and the terminal hour that the premises are in use under this licence and provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.
- The number of SIA Staff required would be in accordance with the general formula of one SIA door staff per 100 customers;

- A security booking on log shall be maintained for each day the premises is open to the public, which must include the SIA Badge number;
- On each day the premises is open to members of the public, the premises shall be subject to a security search prior to members being permitted entry. The details of those who conducted the security search must be recorded in a log;
- That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'
- That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs;
- That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents;
- That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an image of every person who enters the premises;
- That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council;
- That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire;
- That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied;
- That the Premises Licence holder and/or Designated Premises Supervisor join and support a local Pub Watch Scheme should there be one in existence for the area in which the premises is located;
- There shall be no new entry or re-entry to the premises after 00.00am other than those permitted under point 13;
- Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.

Conditions agreed between the applicant and the Environmental Protection Team:

- Soundproofing works carried out between the bar area and the residential properties above. (details to be submitted to the Environmental Protection Team);
- The front and rear doors will be lobbied and acoustic seals placed around the doors;
- All windows will be acoustically treated. There are no open able windows;

- A ventilation system is to be installed that obtains 12-15 air changes per minute (details to be submitted);
- A sound limiting device to be installed and set in agreement with the Environmental Protection Team;
- No music to be played or broadcast to the rear garden. The rear garden is to be curfewed at 23.00 hours;
- After 23.00 hours smokers are to be limited to 5 persons outside the premises;

Subject to the following additional conditions agreed by the sub-committee:

- The courtyard/beer garden shall be closed from 21:00 Sunday to Thursday and 23:00 Fridays and Saturdays;
- No drinks in open containers shall be taken outside of the premises except into the beer garden.

3. Reasons

The reasons for the decision are as follows:

The sub-committee considered the representations made by the applicant and the local residents.

The sub-committee considered the proposed operation of the premises and the proximity of the premises to residential accommodation. The sub-committee considered it necessary and proportionate to modify the conditions of the premises licence by restricting the hours of operation in order to prevent public nuisance.

4. Appeal Rights

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at: 12:30

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on April 15 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber
Councillor Sandra Rhule
Councillor Althea Smith

ALSO PRESENT: Mr Ricahrd Bennetts, applicant
Mr Bola Bologun, applicant's witness
Mr Nicholson, local resident
Mrs Nicholson, local resident
Mr latueyi, local business owner
Mrs latueyi, local business owner
David Franklin, licensing officer
Paul Gray, legal officer
Andrew Weir, constitutional officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Linda Manchester.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

Councillor David Hubber was nominated as chair for the meeting by Councillor Sandra Rhule. This was seconded by Councillor Althea Smith.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – LICENSING ACT 2003 – WAZOBIA, 670 OLD KENT ROAD, LONDON SE15 1JF (see agenda pages 1-45)

The licensing officer distributed some additional photographs. All parties agreed to this.

The licensing officer then presented his report and advised that a conciliation meeting had been held. Notes of this meeting were distributed to all parties. He also confirmed that the police representations had now been withdrawn.

The applicant and the applicant's witness presented their case and responded to questions from members.

The objectors, Mr and Mrs Nicholson and Mr and Mrs latueyi, presented their evidence and responded to questions from members.

All parties were given 5 minutes to sum up.

The meeting went into closed session at 11.06am. The meeting then reopened at 11.30am.

RESOLVED: 1. That the application by Richard Bennetts for a premises licence in respect of the premises known as Wazobia, 670 Old Kent Road, London SE15 1JF be approved in so far as:

The following licensable activities will be permitted under the licence during the times shown:

	Sunday - Thursday	Friday	Saturday
L. Late Night Refreshment	23:00 – 00:00	23:00 – 02:00	23:00 – 02:00
M. Sale of alcohol	12:00 – 00:00	12:00 – 02:00	12:00 – 02:00
O. Opening Hours	12:00 – 00:00	12:00 – 02:00	12:00 – 02:00

2. Conditions

The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in Section Q of the application form and the following conditions:-

- a) All mandatory conditions set out in the Licensing Act 2003 relating to
 - Authorisation of the retail sale of alcohol; and
 - The provision of door supervision
- b) The following additional special conditions developed through discussion from the original operating schedule attached to the application as follows:-

Conditions agreed between the applicant and the Police:

- SIA registered Door Supervisor, shall be employed at all times after 22.00hrs and the terminal hour that the premises are in use under this licence and provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.

- That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'
- That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs
- That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents
- That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an image of every person who enters the premises.
- That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council
- That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.
- That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.
- That the Premises Licence holder and/or Designated Premises Supervisor join and support a local Pub Watch Scheme should there be one in existence for the area in which the premises is located.
- Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.

Conditions put forward by the applicant for conciliation:

- The registered door staff shall urge people to leave noiselessly and attempt to move on persons loitering outside the premises.
- There will be a designated smoking area at the rear of the premises and smokers are to be limited to 2 persons outside the rear of the premises.
- Only customers who have ordered substantial meals will only be served alcohol.
- There will be a suggestions box inside the entrance to the premises that will display a mobile number for complaints. The number shall be available throughout the opening hours of the premises.

Subject to the following additional conditions agreed by the sub-committee:

- No new admissions after 12 midnight.
- No open containers of alcohol to be taken outside the premises, as indicated in the floor plans.

3. Reasons

The reasons for the decision are as follows:

The sub-committee took into consideration all written and oral representations.

The sub-committee believed that to grant any hours additional to those granted would have the likely effect of resulting in noise disturbance to local residents, in particular noise from customers smoking and entering and leaving the premises.

The sub-committee believed this decision to be necessary and proportionate under the terms of the licensing legislation.

4. Appeal Rights

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at: 11:35am

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on April 20 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor Linda Manchester
Councillor Dora Dixon Fyle
Councillor Wilma Nelson

ALSO PRESENT: Mr Wallsgrove, legal representative for Somerfield Ltd
Mr Singh, local business owner
Mr Shahid, local resident and business owner
Mrs Gray, local resident

Mr Harris, licensing agent for Adventure Bar
Mr Jackson, DPS for Adventure Bar
Mr Botting, owner of Adventure Bar
Dave Franklin, licensing officer
Paul Gray, legal officer
Sean Usher, constitutional team

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – SOMERFIELD STORES LTD, 357-365 LORDSHIP LANE LONDON SE22 8JJ

The licensing officer presented his report. There were no amendments or late items.

The representative for Somerfield presented the application to the sub-committee. Members had questions for the representative. Local residents had questions for the representative.

The sub-committee had a 5 minute adjournment after the questioning of the representative.

The local residents presented their objections to the sub-committee. Members had questions for the local residents. The representative from Somerfield had questions for the local residents.

All parties were given 5 minutes to sum up.

The meeting went into closed session at 11:25 . The meeting then reopened at 11:40.

RESOLVED: 1. That the application by Somerfield Stores Limited for a premises licence in respect of the premises known as Somerfield, 357- 365 Lordship Lane, London SE22 8JJ is granted as follows:

The following licensable activities will be permitted under the licence during the times shown:

	Monday - Sunday
Sale of alcohol off the premises	07:00 – 23:00
Opening hours	07:00 – 23:00

2. Conditions

The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in Section P of the application form and the following conditions:-

- a) All mandatory conditions set out in the Licensing Act 2003 relating to
- Authorisation of the retail sale of alcohol;

3. Reasons

The reasons for the decision are as follows:

There is no evidence that by granting this application will result in a negative impact on any of the licensing objectives.

4. Appeal Rights

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

6. LICENSING ACT 2003 – ADVENTURE BAR, 72 LORDSHIP LANE, LONDON SE22 8HF

The licensing officer presented his report and indicated there was a small error on page 39, section 17.

The agent presented the application to the sub-committee assisted by Mr Jackson the DPS. Members had questions for the applicants.

None of the objectors were present.

All parties were given 5 minutes to sum up.

The meeting went into closed session at 12.30. The meeting then reopened at 12.42

RESOLVED: 1. That the application by +Venture Battersea Limited for a variation of the premises licence in respect of the premises known as Adventure +,72 Lordship Lane London SE22 8HF be granted as follows:

The following licensable activities will be permitted under the licence during the times shown:

	Thursday	Friday	Saturday
Late Night Refreshment	00:30 – 01:00	00:30 – 02:00	00:30 – 02:00
Sale of alcohol	00:00 – 01:00	00:00 – 02:00	00:00 – 02:00
Opening Hours	00:30 – 01:30	00:30 – 02:30	00:30 – 02:30

The removal of embedded conditions set out in annex 2 as follows; 109, 110, 111, 122, 127.

2. Conditions

The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in Section Q of the application form and the following conditions:-

b) All mandatory conditions set out in the Licensing Act 2003 relating to

- Authorisation of the retail sale of alcohol; and
- The provision of door supervision

The following additional special conditions developed through discussion from the original operating schedule attached to the variation application as follows:-

Conditions agreed by the applicant and the Police:

- That SIA registered Door Supervisor, shall be employed at all times after 22.00hrs until the terminal hour that the premises are in use under this licence on days where the terminal hour is after 00.30hrs [covering the late night opening only]
- That they are provided with Hand held metal detection units in order to ensure that searches can be carried out at random, and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.
- That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'

- That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs.
- That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.
- That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an image of every person who enters the premises.
- That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council.
- That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.
- That a personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.

And subject to the following additional conditions agreed by the sub-committee:

- No open drinks containers to be taken outside the premises.
- The rear garden area not be used by customers.

3. Reasons

The reasons for the decision are as follows:

The sub-committee noted the applicant's agreement to the above conditions which we feel will alleviate any concerns raised concerning the licensing objectives.

4. Appeal Rights

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at: 12:45

CHAIR:

DATED:

LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on April 27 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor Linda Manchester (chair)
Councillor David Hubber
Councillor Sandra Rhule

ALSO PRESENT: Mr. McCormack, applicant
Mr. Worrall, local resident
Mr. Maloney, local resident
Mr. Burris, local resident
Dorcas Mills, licensing officer
Alan Blissett, environmental protection officer
Paul Gray, legal officer
Paula Thornton, constitutional officer

1. APOLOGIES FOR ABSENCE

No apologies were received.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – LICENSING ACT 2003 – DULWICH HAMLET FOOTBALL CLUB, EDGAR KAIL WAY, LONDON SE22 8PD

The licensing officer presented her report and responded to questions.
The applicant presented their case and responded to questions from members and local residents.
The objectors, Mr. Worrall, Mr. Maloney and Mr. Burris presented their evidence and responded to questions from members.

All parties were given 5 minutes to sum up.

The meeting went into closed session at 10.50am. The meeting then reopened at 11.00am.

RESOLVED: 1. That the application by Dulwich Hamlet Football Club Limited for a variation of premises licence in respect of the premises known as Dulwich Hamlet Football Club Limited, Edgar Kail Way, London, SE22 be approved in so far as: -

The following licensable activities will be permitted under the licence during the times shown:

	Mon	Tue	Wed	Thurs	Fri	Sat	Sun
Live Music					19.00-00.00	19.00-00.00	19.00-23.00
Performance of dance					19.00-00.00	19.00-00.00	11.00-21.30
Facilities for dancing	7.00-21.00	7.00-21.00	7.00-21.00	7.00-21.00	7.00-21.00		
Late Night refreshments				23.00-00.00	23.00-01.00	23.00-01.00	22.30-01.00
Hours premises open to public				23.00-00.00	23.00-01.30	23.00-01.30	

2. Conditions

The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in Section P of the application form (the words “especially outdoor events” shall be deleted from section P, letter (d)) and the following conditions shall apply:-

- a) All mandatory conditions set out in the Licensing Act 2003 relating to
 - 1) Authorisation of the retail sale of alcohol; and
 - 2) The provision of door supervision
- b) The following additional special conditions developed through discussion from the original operating schedule attached to the variation application as follows:-

Metropolitan Police Conditions

- That you shall require any promoter hiring the premises to complete a Promotion/Event Assessment Form (MP696) supplied by the Metropolitan Police Form and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.
- That suitable notices shall be displayed, and announcements made at the end of each night’s entertainment, requesting that customers leave the premises in a quiet and orderly manner with due regard to local residents.
- That there shall be no new admissions or readmissions to the premises after 12.00 midnight, with the exception of customers who temporarily leave to smoke. Anyone leaving the premises to smoke may not be permitted to take any drinks with them outside the premises

Environmental Protection Team Noise Conditions

With regard to the outside areas:

1. No regulated entertainment will take place at any time on the terraces
2. No drinks will be taken outside of the premises
3. Smokers will only use the area outside the club house entrance to the North East .
4. All windows will be fixed shut
5. External shutters will all be closed over all windows at 22.30
6. Supplementary free-standing ventilation units will be deployed in the summer months to assist the built in a/c system in order to provide adequate ventilation
7. Perimeter checks will be made periodically including the South East Boundary to assess music level and action taken reduce if necessary.
8. Patrons will be requested to leave the vicinity quietly and respect the residential neighbourhood through both fixed signage and announcements when a p.a. system is on site.

3. Reasons

The reasons for this decision are as follows.

We have considered all representations, written and aural, and we are satisfied that the conditions imposed by the Metropolitan Police and the Environmental Protection Team, which we have accepted, will alleviate any concerns with the licensing objectives. The Council expects that all terms, conditions and restriction of the premises licence will be complied with at all times that the premises are used under the licence. The failure to comply with terms, conditions and restrictions of the premises of the premises licence is a matter to which the Licensing Sub-Committee may have regard in the event that any request is made for the review of the licence.

4. Appeal Rights

The applicant may appeal against any decision to modify the conditions of the licence; and

Any person who made relevant representations in relation to the application who desire to contend that

1. That variation ought not to have been made; or
2. That, when varying the licence, the Licensing Authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way.

May appeal against the decision

The meeting closed at: 11:05am

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on May 6 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor Linda Manchester
Councillor Anood Al-Samerai
Councillor Mackie Sheik

ALSO PRESENT: Santiago Marguindey – The Raven (applicant)
Sebastian Marguindey – The Raven (applicant)

Mr Charles Bohan – The Bramcote Arms (Pubs Are Us Ltd)
Ms Hanif, representing The Bramcote Arms
PC Paul Compton, Metropolitan Police
Simon Perhar, Counsel for Metropolitan Police
Inspector Andy Flander, witness for Metropolitan Police
Debbie Lawless, Environmental Protection Team
Rosanna Keogh, Licensing Officer
Deborah McCallum, legal officer
Sean Usher, constitutional team

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – THE RAVEN, 52 TANNER STREET, LONDON, SE1 3PH

The licensing officer presented her case and informed the sub-committee that the noise team had withdrawn their objection following a conciliation with the applicants.

The applicants presented to the sub-committee and informed the sub-committee that they planned to open an Argentine themed restaurant/bar. Members had questions for the applicants.

No local residents attended the meeting.

All parties were given 5 minutes to sum up.

RESOLVED: 1. That the application by Bacobara Limited for a premises licence for The Raven, 52 Tanner Street, London, SE1 3PH is granted as follows:

ACTIVITY	LICENSED HOURS	
	Monday and Wednesday only	
Live Music	19:00:22:00	
	Monday - Saturday	Sunday
Supply of Alcohol	12:00 – 23:00	12:00-22:30
Opening Hours	09:00 - 23:00	09:00-22:30

2. Conditions

There were no additional conditions applied.

3. Reasons

The reasons for the decision are as follows:

The sub-committee considered the written and oral representations submitted by the applicant and the local resident. The sub-committee was satisfied that the granting of the licence would not undermine the licensing objectives

4. Appeal Rights

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

6. LICENSING ACT 2003 – THE BRAMCOTE ARMS, 58 BRAMCOTE GROVE, LONDON, SE16 3BW

The licensing officer presented her report and informed the sub-committee that there were objections from the police and the noise team but no local residents. Photographs of the premises were circulated.

The applicant and his representative addressed the sub-committee and discussed the objections.

Members and the police had questions for the applicant. The operating history of the premises was discussed at length with numerous questions relating to that and the associated crime and disorder issues.

The police presented their objections and had asked the sub-committee not to grant. Members had questions for the police and their representative. The applicant's representative had questions for the police.

All parties were given 5 minutes to sum up.

RESOLVED: 1. That the application by Pubs Are Us Limited for a premises licence for The Bramcote Arms, 58 Bramcote Grove, London, SE16 3BW is granted as follows:

ACTIVITY	LICENSED HOURS	
	Sunday – Thursday	Friday and Saturday
The provision of regulated entertainment (Films).	10:00-23:00	10:00-00:00
Supply of Alcohol	10:00-23:00	10:00-00:00
Opening Hours	10:00-23:30	10:00-00:30

2. Conditions

The following additional conditions apply:

- Neither the previous DPS, Bridgett Connelly, nor any other staff previously employed at the Bramcote Arms shall be permitted to have any future involvement in the operation or management of the pub.
- No drinks shall be taken outside of the premises at any time unless they in plastic containers.
- On days on which Millwall Football Club has a home match, all drinks must be served in plastic containers only and no bottles shall be supplied.
- No persons shall be permitted to use the outside back yard of the premises after 22:00.
- No music or television is to be broadcast to the outside back yard.
- Bottling up shall be restricted between the hours of 08:00 and 20:00.

3. Reasons

The reasons for the decision are as follows:

The sub-committee considered the written and oral representations made by the applicant and the responsible authorities.

The sub-committee considered it necessary and proportionate to attach additional conditions in order to prevent the licensing objectives, in particular, prevention of crime & disorder and the prevention of public nuisance from being undermined.

4. Appeal Rights

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at: 12:55

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on May 11 2009 10.00am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor Linda Manchester (Chair)
Councillor Lorraine Lauder
Councillor Dominic Thorncroft

ALSO PRESENT: Ms Sabina Amber Khan, applicant
Mr Anthony Hickman, applicant's solicitor
Mr Mohammed Ali, applicant's witness
Mr Abid Hussain, applicant's witness
PC Stephen McNally, police licensing officer
Dorcas Mills, licensing officer
Deborah McCullum, legal officer
Everton Roberts, constitutional officer

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as the voting members for the meeting.

3. NOTIFICATION OF ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

5. LICENSING ACT 2003 – APPLICATION FOR REVIEW OF THE PREMISES LICENCE IN RESPECT OF COSTLESS EXPRESS, 276 LOWER ROAD, SE8 5DJ (see agenda pages 1-24)

The application for review of the premises licence related to the previous premises licence holder. As the premises licence was now held by a different person it was deemed that the application for review was no longer relevant and was therefore not considered.

6. LICENSING ACT 2003 – APPLICATION TO VARY THE NAMED DESIGNATED PREMISES SUPERVISOR IN RESPECT OF COSTLESS EXPRESS, 276 LOWER ROAD, SE8 5DJ (see pages 25-43)

The licensing officer presented her report. There were no questions asked of the licensing officer.

The Commissioner of the Police for the Metropolis representative presented his case and answered questions.

The applicant's solicitor presented his case and answered questions.

All parties were then given the opportunity to sum up.

Following the summing up, the Licensing sub-committee went into closed session to consider the evidence. The Licensing sub-committee considered the evidence and made a decision. The meeting reopened and those present were informed of the decision as follows.

RESOLVED: That the application by Sabina Amber Khan to **vary the designated premises supervisor** named within the premises licence held in respect of the premises known as the Costless Express, 276 Lower Road, SE8 5DJ, be refused for the reasons set out below:

The decision taken to refuse the application was made as the sub-committee was concerned that the crime prevention objective would be undermined if Ms Sabina Amber Khan became the Designated Premises Supervisor.

Appeal Rights

Any appeal must be made to the magistrate court for the petty sessions area in which the premises concerned is situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrate court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision to be appealed against.

The meeting ended at 11.03am

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on May 18 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor Althea Smith (in the chair)
Councillor Jelil Ladipo
Councillor Sandra Rhule

ALSO PRESENT: Dorcas Mills (licensing officer)
David Franklin (licensing officer)
Kate Heap (legal officer)
Maureen Ogbu (legal officer – observing)
John Morse (applicant's solicitor)
Tony Davies (applicant's specialist expert)
Kevin McPherson (regional development manager, Paddy Power)
Anne Marten (objector)
John Marten (objector)
Virginia Wynn-Jones (constitutional officer)

1. APOLOGIES FOR ABSENCE

Councillor Linda Manchester sent her apologies for this meeting.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed. The members confirmed that Councillor Althea Smith would be acting in the chair for this meeting.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. GAMBLING ACT 2005 – APPLICATION IN RESPECT OF A NON-TRACK BETTING PREMISES LICENCE – PADDY POWERS, 2 COLDHARBOUR LANE, LONDON SE5

The licensing officer presented his case.

The applicants presented to the sub-committee, including a report from a privately hired specialist. Members had questions for the applicants. Local residents and objectors presented to the sub-committee. Members had questions for the local residents.

All parties were given 5 minutes to sum up.

RESOLVED: 1. That the application by Power Leisure Bookmarkers Limited in respect of non-track betting premises licence at Paddy Powers, 2 Coldharbour Lane, London, SE5 has been granted.

2. Conditions

(1) The conditions specified in paragraphs (2), (3) and (4) shall be attached to the premises licence;

(2) The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the Act shall be displayed in a prominent place within the premises;

(3) The layout of the premises shall be maintained in accordance with the plan;

(4) The premises shall not be used for –

(a) The sale of tickets in a private lottery; and

(b) The sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited;

A “private lottery” means a private society lottery or a work lottery within the meaning of paragraphs 10 and 11 of Schedule 11 to the Act; and

A “customer lottery” has the same meaning as in Part 3 of schedule 11 to the 2005 Act.

The following mandatory conditions applicable to betting premises licences (other than tracks) will also be attached:

(1) A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises;

(2)(1) Access to the premises shall be from a street or from other premises with a betting premises licence;

(2) (2) Without prejudice to sub-paragraph (2) (1), there shall be no means of direct access between the premises and other premises used for the retail sale of merchandise or services

(3) Subject to anything permitted by virtue of the 2005 Act, or done in accordance with paragraphs 4, 5, 6 and 7 below, the premises shall not be used for any purpose other than for providing facilities for betting;

(4) Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so;

(5) No apparatus for making information or other material available in the form of sounds or visual images may be used on the premises, except for apparatus used for the following purposes –

(a) Communicating information about, or coverage of, sporting events, including –

(i) Information relating to betting on such an event; and

(ii) Any other matter or information, including an advertisement, which is incidental to such an event

(b) communicating information relating to betting on any event (including the result of the event) in connection with which betting transactions may be or have been effected on the premises.

(9) A notice setting out the terms on which customers are invited to bet on the premises shall be displayed in a prominent place on the premises to which customers have unrestricted access.

(6) No publications, other than racing periodicals or specialist betting publications, may be sold or offered for sale on the premises;

(7) No music, dancing or other entertainment shall be provided or permitted on the premises, save for entertainment provided in accordance with paragraph 5;

(8)(1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises;

(8)(2) A notice stating the condition in sub-paragraph (8) (1) shall be displayed in a prominent place at every entrance to the premises; and

3. Default Conditions

The following default condition will be attached to the premises licence:

(1) No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next.

3. Reasons

The reasons for the decision are as follows:

The licensing sub-committee considered the verbal representations of the applicant's solicitor and of Mr Davies. The licensing sub-committee also considered the verbal representations of Mr J Martin. The licensing sub-committee read the licensing officer's report and considered the written representations of those interested parties who were not in attendance. The licensing sub-committee determined that the application met the guidelines under the Gambling Commission's guidance and the council's statement Gambling Licensing Policy and found no reason to refuse the application.

4. Appeal Rights

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at 3.00pm.

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held Wednesday, June 3 2009 11am at the Town Hall, Peckham Road, London SE5 8UB.

- PRESENT:** Councillor David Hubber (chair)
Councillor Lorraine Lauder
Councillor Sandra Rhule
- ALSO PRESENT:** Changez Rasaq (applicant)
Shafiq Rasaq (applicant)
Legal representative for applicant
Councillor Adele Morris, ward councillor
Mr L Hatts (resident)
M Sayers (resident)
M Marples (resident)
D Williams (resident)
Kirstie Ashenden, licensing officer
Deborah McCallum, legal officer
Maureen Ogbu, legal officer
Paula Thornton, constitutional team
Councillor Eliza Mann (observing)

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – LOCAL EXPRESS, UNION STREET, LONDON SE1 OLH

The licensing officer presented her case and informed the sub-committee that the Police and the planning objections had now been withdrawn.

The applicant's legal representative presented their case to the sub-committee and members asked questions.

Councillor Adele Morris (on behalf of residents) and local residents Mr. Williams and Ms. Sayers presented their case and members asked questions.

All parties were given 5 minutes to sum up.

- RESOLVED:** 1. That the application by Changez and Shafiq Rasaq for a premises licence in respect of the premises known as Local Express, Unit 2, 202-206 Union Street, London SE1 OLH:

ACTIVITY	LICENSED HOURS
	Monday to Sunday
Supply of Alcohol	09:00 – 1.00

2. Conditions

The license will be made subject to compliance with

All mandatory conditions set out in the Licensing Act 2003 relating to

- a) All relevant mandatory conditions arising from the Licensing Act 2003;
- b) Conditions consistent with the operating schedule provided as part of the application.
- c) The following additional special conditions developed through the discussion from the original operating schedule attached to the application as follows:
 - A personal licence holder being on the premises at all times when intoxicating liquor is sold or supplied.
 - An approved CCTV system to be installed both inside and outside the premises with a 31 day tape library.
 - The adoption and implementation of a recognised 'proof of age' scheme, including the use of a refusal book for the purpose of recording all refused sales of age-related products.
 - A recognised training scheme for all staff concerned with the sale or supply of intoxicating liquor, records of which shall be kept and made available for inspection, on request, by Police or council officers.
 - That beer, cider or lager with an alcoholic content over 5.5% shall not be stocked and supplied.

The application takes immediate effect.

3. Reasons

The reasons for the decision are as follows:

The licensing sub-committee considered the written and oral representations made by the applicant and interested parties. The sub-committee considered it both necessary and proportionate to modify the conditions of the licence by restricting the hours in which alcohol is sold in order to prevent public nuisance.

4. Appeal Rights

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at: 12:05pm

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held Monday, June 8 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber (chair)
Councillor Althea Smith
Councillor Wilma Nelson

ALSO PRESENT: Gbenunija Ayeni, applicant
Ajike Erejiwa, applicant
Abiola Akiboh, applicant
Ms Helen Taylor, local resident
Mr N.N. Patel, local resident
N.J Speer, local resident
C. Snell, local resident
Alan Blissett, environmental protection
Deborah McCallum, legal officer
Dorcas Mills, licensing officer
Virginia Wynn-Jones, constitutional team

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – AFRICAN RESTAURANT, 346 EAST STREET, LONDON SE17

The licensing officer presented her report. The applicant discussed his application with the sub-committee. Members had questions.

The local resident discussed their objections to the application and the hours applied for. Members had questions for the applicants.

All parties were given 5 minutes to sum up.

RESOLVED: 1. That the application by Mrs Ajike Erejuwa for a grant of a premises licence in respect of the premises known as African Restaurant, 346 East Street, London SE17 is refused.

2. Reasons

The reasons for the decision are as follows:

The sub-committee considered the oral and written representations made by the applicant, the local residents, the police and the environmental protection team. The sub-committee considered it necessary to refuse the applicant as the applicant failed to provide adequate information to demonstrate how the licensing objectives would be promoted.

The sub-committee was particularly concerned that the public nuisance would be caused to local residents as the applicant did not provide sufficient details as to how the premises would be sound proofed to prevent noise escape to the residential premises above. The potential nuisance of noise caused by people leaving the premises late at night also caused concern. The sub-committee was also concerned about the public safety objective as the applicant failed to address issues of ventilation to the basement area.

3. Appeal Rights

The applicant may appeal against any decision to modify the conditions of the licence; and

Any person who made relevant representations in relation to the application who desire to contend that:

- a) That the grant ought not to have been made; or
- b) That, when granting the licence, the Licensing Authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at: 11:40am

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held Wednesday, June 17 2009 2.00pm at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber (chair)
Councillor Robin Crookshank Hilton
Councillor Jelil Ladipo

ALSO PRESENT: Matthew Deith (applicant)
Robert Gillard (building surveyor for the applicant)
Councillor Adele Morris, ward councillor
David Franklin, licensing officer
Planning officer
Kirstie Ashenden, licensing officer
Maureen Ogbu, legal officer
Felix Rechtman, legal officer (observing)
Paula Thornton, constitutional team
Councillor Eliza Mann (observing)
Councillor Ian Wingfield (observing)
Councillor Abdul Mohammed (observing)

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – AGORA UNITS, 1-2, 92-94 BOROUGH HIGH STREET, LONDON SE1 1LJ (see pages 1-70)

The licensing officer presented her case and confirmed that in line with the plans circulated, the application was for now two separate units, rather than 4.

Prior to the meeting, additional paperwork relating to the floor plans and the legal judgment pertaining to the recent case of Leisure World (UK) Ltd v London Borough of Islington were circulated.

The applicant presented his case to the sub-committee and members asked questions.

Councillor Adele Morris, the local ward Councillor presented her case.

All parties were given 5 minutes to sum up.

RESOLVED: 1. That having considered the application by Frankice (Golders Green) Ltd in respect of a variation of an adult gaming centre and the grant of premises license in respect of AGC1 at 92-94 Borough High Street, London SE1 1LJ and have made the following decision:

2. The application for a variation of AGC1 be refused. The application for a grant of premises licence for AGC2 be refused.

3. **Reasons**

The licensing sub-committee having made a site visit today were able to make practical observations about the premises. The sub-committee heard representations from the applicant, the licensing officer and Councillor Morris and are of the view that the artificial division of the premises into two units would not result in the creation of two separate sets of premises.

In reaching their decision the sub-committee have considered paragraphs 7.6 of the Department for Culture, Media and Sports explanatory document to the Gambling Act 2005 – (Mandatory and Default Conditions) (England and Wales) Regulations 2007, 7.13, 7.18 of the Gambling Commission Guidance to Licensing Authorities, and the cases of Leisure World (UK) Ltd v London Borough of Islington and Luxury Leisure v South Tyneside Council. The sub-committee also had concerns as to the protection of children and vulnerable persons from being harmed or exploited by gambling and felt that the division of the premises would lead to an increase in gambling in the area and therefore increase the risk of such harm.

4. **Appeal rights**

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at: 3.05pm

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on June 22 2009 10.30am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber
Councillor Lorraine Lauder
Councillor Sandra Rhule
Councillor Ian Wingfield (observing)

ALSO PRESENT: Wesley McArthur (licensing officer)
Felix Rechtman (legal officer)
Maureen Ogbu (legal officer)
B Uddin (applicant)
R Ahmed (applicant)
S Hilliard (counsel for applicants)
D Hill (TRA/objector)
J Black (objector)
PC P Compton
PC C McNally
G Sherratt (applicants' representative)
G Abbasi (applicant)
A Finda (applicant)
Y Khan (local objector)
B Craig (local objector)
Virginia Wynn-Jones (constitutional officer)

1. APOLOGIES FOR ABSENCE

There were no apologies for this meeting.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none. The chair announced a 30 minute adjournment for the meeting to start at 10.30am.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 - AS IVORY ARCH, 80 – 82 WALWORTH RD, LONDON, SE1 6SW

The licensing officer presented his case.

The applicant presented to the sub-committee. Members had questions for the applicant.

Local residents and objectors presented to the sub-committee. Members had questions for the local residents.

All parties were given 5 minutes to sum up.

- RESOLVED:** 1. That the application by Rubel Ahmed for a premises licence in respect of the premises known as Ivory Arch, 80 – 82 Walworth Rd, London, SE1 6SW be refused.

The reasons for this decision are as follows.

Having heard representations from the applicant and his legal representative, the police, the Environment Protection Team, local businesses and the local residents, we are of the view that no conditions would satisfactorily address the licensing objectives, particularly the prevention of crime and disorder and public nuisance, taking into account that Mr Uddin is the premises owner and could still be involved in the day to day operation of the premises. We have also considered previous history of the premises and previous incidents of serious crime and disorder and public nuisance.

The Council expects that all terms, conditions and restriction of the premises licence will be complied with at all times that the premises are used under the licence. The failure to comply with terms, conditions and restrictions of the premises of the premises licence is a matter to which the Licensing Sub-Committee may have regard in the event that any request is made for the review of the licence.

4. Appeal Rights

1. The applicant may appeal against any decision to modify the conditions of the licence; and
2. Any person who made relevant representations in relation to the application who desire to contend that
 - a) That variation ought not to have been made; or
 - b) That, when varying the licence, the Licensing Authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way.

May appeal against the decision

3. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

6 LICENSING ACT 2003 – COSTCUTTER, 257-259 SOUTHWARK PARK ROAD, SE16 3TP

The licensing officer presented his case.

The applicant presented to the sub-committee. Members had questions for the applicant.

Local residents and objectors presented to the sub-committee. Members had questions for the local residents.

All parties were given 5 minutes to sum up.

RESOLVED: 1. That the application by Waheed Allahgul Limited for a premises licence for Costcutter, 257-259 Southwark Park Road, SE16 3TP is granted as follows:

ACTIVITY	LICENSED HOURS
	Sunday – Saturday
Supply of Alcohol	00.00 to 23.59
Opening Hours	00.00 to 23.59

2. Conditions

The following additional conditions apply:

- That a personal licence holder shall be on the premises at all times that intoxicating liquor is sold or supplied.
- That an approved CCTV system to be installed both inside and outside of the premises with a 31 day tape library or 31 day recording capacity.
- That a recognised Proof of Age scheme, including the use of a Refusal Book for the purpose of recording all refused sales of age related products shall be adopted and implemented.
- That a recognised training scheme for all staff concerned with the sale or supply of intoxicating liquor, records of which shall be kept and made available for inspection on request by Police or Council officers shall be implemented at the premises.

3. Reasons

The reasons for the decision are as follows:

The sub-committee considered the written and oral representations made by the applicant and the responsible authorities and the relevant guidance under the Licensing Act.

The sub-committee considered it necessary and proportionate to attach additional conditions in order to prevent the licensing objectives, in particular, the prevention of crime & disorder and the prevention of public nuisance from being undermined.

4. Appeal Rights

The applicant and any person who made relevant representations in relation to the application may appeal against the decision.

Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at 12.30pm.

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on June 29 2009 2pm at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor Ian Wingfield (Chair)
Councillor Abdul Mohamed
Councillor Althea Smith

ALSO PRESENT: Matthew Eard, Bacon's College
David Cooke, Bacon's College
Robert Nisbeth, Bacon's College
Tony Perry, Bacons College
Namik Tumkan, applicant for the review
Rhian Pamphilon, local resident and supporter of the review
Terry Puttick, local resident
Joseph Gatt, local resident
Debbie Lawless, environmental protection enforcement officer
Wesley McArthur, licensing officer
Felix Rechtman, legal officer
Andrew Weir, constitutional officer (clerk)

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

Councillor Ian Wingfield was nominated and seconded as chair for the meeting by the other members of the sub-committee.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – APPLICATION FOR REVIEW OF THE PREMISES LICENCE IN RESPECT OF BACON'S COLLEGE, TIMBER POND ROAD, SE16 6AT

The licensing officer advised that there was additional documentation for the sub-committee to consider from the applicant and the licensee. Both parties agreed to this information being circulated.

The licensing officer presented their report to the sub-committee. Members of the sub-committee asked questions of the licensing officer.

The applicants presented to the sub-committee and advised the committee of their reasons for requesting a review of Bacon's College. Several local residents attended the meeting and the applicant called on them as witnesses.

Members had questions for the applicants. The licensee and their representatives also had questions for the applicant.

The sub-committee had questions for the environmental protection enforcement officer, who attended the sub-committee for general information purposes.

The licensee addressed the sub-committee and put forward their case. The sub-committee had questions for the licensee, which were addressed. The applicant also had questions for the licensee.

Both parties were given 5 minutes to sum up.

The meeting went into closed session at 3.35pm. The meeting then reopened at 4.28pm

RESOLVED: 1. The Council's Licensing Sub-Committee, having had regard to the application by Mr Namik Tumkan for a review of the premises licence granted under the Licensing Act 2003 to Anthony James Perry, Principal of Bacon's College, in respect of the premises known as Bacon's College, Timber Pond Road, SE16 6AT, and having had regard also to all other relevant representations has decided it necessary for the promotion of the licensing objectives that the following conditions are added to the premises licence issued in respect of the premises:

2. Conditions

1. That all doors and windows, except those that must be kept open for emergency access and egress, shall be kept closed at all times that regulated entertainment is being provided at the premises.
2. That no drinks are to be taken into the external areas at the premises at any time.
3. That the license holder liaises with the council's Environmental Protection Team in regards to the installation of any further noise abatement measures.

3. Reasons

The reasons for the decision are as follows:

The sub-committee has reached this decision as it considered these additional conditions are necessary for the prevention of public nuisance.

4. Appeal Rights

This decision is open to appeal the applicant for the review, the premises license holder or any other person who had relevant representations in relation to the application.

Such an appeal must be commenced by notice of appeal given by the appellant to the justices chief executive for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision.

The license holder was additionally reminded of the following existing conditions: 4017, 4019 and 4100 and the sub-committee encouraged the licensee to hold regular forum meetings with local residents.

The meeting closed at: 4.30pm

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held Monday July 6 at 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber (chair)
Councillor Mackie Sheik
Councillor Dominic Thorncroft

ALSO PRESENT: Mr Duffy – Palatial Ltd
Mr Murrell – Lawyer for Palatial Ltd
Kirstie Ashenden, licensing officer
Maureen Ogbu, legal officer
Sean Usher, Constitutional Team

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. GAMBLING ACT 2005 - PALACE ADULT GAMING CENTRE 3, FIRST FLOOR, ELEPHANT & CASTLE SHOPPING CENTRE, LONDON SE1 6TE

The licensing officer circulated additional photographs. It was noted that Councillor Hubber had visited the site on July 2 2009 with the legal officer and the licensing officer.

The objector from Licensing did not appear at the meeting. The members had no additional questions.

The applicant and the representative presented their case for an AGC. They presented photographs and plans. Members had questions

All parties were given 5 minutes to sum up.

- RESOLVED:** 1. The licensing sub-committee having considered the application by Palatial Leisure Limited in respect of an adult gaming centre premises licence at Palace Adult Gaming Centre 3, First Floor, Elephant & Castle Shopping Centre, London SE1 6TE have made the following decision:

The application is refused

2 Reasons

The reasons for the decision are as follows:

Following a site visit, and written and oral representations from all parties it is the view of the licensing sub-committee that the separation of the premises is artificial and the premises cannot be regarded as separate premises. The premises can be accessed from one entrance only and would be situated in an area which would be likely to be patronised by children and young people.

The sub-committee have taken into account the Gambling Commission Revised Guidance to Licensing Authorities, and the cases of *Luxury Leisure v South Tyneside Council*; *Leisure Wolrd (UK) Ltd v London Borough of Islington* in making this decision.

3 Appeal Rights

The Interested Parties, and the applicant have the right to appeal the decision of the Sub-Committee to the Magistrates' Court within a period of 21 days beginning with the day on which the appellant receives notice of the decision against which the appeal is brought.

This decision does not have effect until either:

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

6 LICENSING ACT 2003 - TAS RESTAURANT, 33 THE CUT, LONDON, SE1 8LF

The licensing officer presented her report. Members had questions. The representatives from TAS addressed the sub-committee. Members had questions.

The local objectors addressed the sub-committee. Members had questions.

All parties were given 5 minutes to sum up.

- RESOLVED:** 1. The licensing sub-committee having considered the application by Two Men and a Lady Limited for a variation of premises licence in respect of the premises known as TAS Restaurant, 33 The Cut, London, SE1 8LF made the following decision:

The application to vary is granted as follows:

	Monday to Sunday
Sale of alcohol off the premises	11:00am to 10:00pm

2. Conditions

The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in Section Q of the application form and the following conditions:-

- a) All mandatory conditions set out in the Licensing Act 2003 relating to
- Authorisation of the retail sale of alcohol; and
 - The provision of door supervision

The following additional special conditions developed through discussion from the original operating schedule attached to the variation application as follows:-

Subject to the following additional conditions agreed by the sub-committee:

- There will be a maximum of six tables outside the premises with no more than 12 patrons at any one time.
- There will be no service outside the restaurant after 10pm.

The Council expects that all terms, conditions and restriction of the premises licence will be complied with at all times that the premises are used under the licence. The failure to comply with terms, conditions and restrictions of the premises of the premises licence is a matter to which the Licensing Sub-Committee may have regard in the event that any request is made for the review of the licence.

3. Reasons

The reasons for the decision are as follows:

The sub-committee felt that the additional conditions attached to this variation would alleviate any noise nuisance experienced by the local residents.

4. Appeal Rights

The applicant may appeal against any decision to modify the conditions of the licence; and

Any person who made relevant representations in relation to the application who desire to contend that

- a) That variation ought not to have been made; or
- b) That, when varying the licence, the Licensing Authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way.

May appeal against the decision

Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at: 12:20pm

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held Monday, July 28 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber (chair)
Councillor Lorraine Lauder
Councillor Althea Smith

ALSO PRESENT: Ms Marilyn Longdon, Tip Toe Restaurant
Mr Samuel Benton, Tip Toe Restaurant

Fiona Halton, Cafe on The Rye
Ms P Alden, local resident
Mr Salmon, local resident

Alan Blissett, environmental protection
Dave Franklin, licensing unit
Felix Rechtman, legal officer
Sean Usher, constitutional team

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 - TIP TOE BAR & RESTAURANT, 278 CAMBERWELL ROAD, SE5

The licensing officer presented his case and circulated photographs of the premises.

All parties were given 5 minutes to sum up.

RESOLVED: 1. That the application by Marilyn Longdon for a variation of premises licence in respect of the premises known as Tip Toes Bar & Restaurant, 278 Camberwell Road, London SE5 be refused.

2. Reasons

The reasons for the decision are as follows:

The premises are located within the Camberwell Saturation zone and the applicant had failed to demonstrate in the operating schedule and failed to demonstrate at the hearing that there will be no cumulative negative impact on the following licensing objectives:

- The prevention of crime;
- The promotion of public safety; and
- The prevention of nuisance.

3. Appeal Rights

The applicant may appeal against any decision to modify the conditions of the licence; and

Any person who made relevant representations in relation to the application who desire to contend that

- a) That variation ought not to have been made; or
- b) That, when varying the licence, the Licensing Authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way.

May appeal against the decision

Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

6 LICENSING ACT 2003 – CAFE ON THE RYE, STRAKERS ROAD, PECKHAM RYE COMMON, LONDON SE15

All parties were given 5 minutes to sum up.

RESOLVED: 1. That the application by Fiona Halton for Premises Licence issued under the Licensing Act 2003 in respect of Cafe on the Rye, Strakers Road, Reckham Rye Common London SE15 be approved as follows:

Licensable Activity	Monday - Sunday
a) Plays	09:00 – 18:00
(b) Films	09:00 – 18:00
(e) Live Music	09:00 – 18:00
(f) Recorded Music	09:00 – 18:00
(g) Performance of Dance	09:00 – 18:00
(l) Late night refreshment	09:00 – 18:00
(m) Supply of alcohol	09:00 – 18:00
(o) Opening Hours of premises	09:00 – 01:00

2. **Conditons**

In addition to the decision as above, the following conditions will apply:

- A challenge-25 scheme is to be introduced.

2. **Reasons**

The reasons for the decision are as follows:

The sub-committee considered it necessary to limit the hours of the licensed activities to between 9am and 6pm in order to prevent crime and disorder, prevention of nuisance and the protection of children from harm.

It was felt that any special functions/events to be held after 6pm could be subject to a Temporary Event Notice.

3. **Appeal Rights**

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at: 12:50pm

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on July 31 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber
Councillor Mackie Sheik
Councillor Ian Wingfield.

ALSO PRESENT: Zack Rodney, Goldclub Enterprise Limited
Saya Rodney, Goldclub Enterprise Limited
Kelly Ovenell, Goldclub Enterprise Limited
PC Paul Compton, Metropolitan Police
Debbie Lawless, Environmental Protection Team
David Franklin, Licensing Officer
Felix Reichman, legal officer
Andrew Weir, constitutional team

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

The chair agreed to accept a late and urgent item. This was an expedited review application, submitted by the Metropolitan Police, for a summary licence review of the premises known as RNB Club, 12A Station Way, SE15.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – LICENSING ACT 2003 - THE CLOCKTOWER 1A RYE LANE, LONDON SE15 5EW.

The licensing officer presented his case and circulated a map of the area around the premises. The applicant agreed to the map being circulated.

The licensing officer advised that the police and the fire brigade had now withdrawn their representations as the applicant had addressed their concerns.

Members of the sub-committee asked questions of the licensing officer.

The applicants and the applicants' witness addressed the sub-committee. They advised that they had 20 year of experience running nightclubs and took their responsibilities very seriously. They asked that the sub-committee consider allowing them to stay open until 5am on Sundays. The applicants advised that it was not their intention to stay open until this time every Sunday.

The sub-committee asked questions of the applicants and their witness.

The environmental protection officer addressed the sub-committee. She advised that her only concern was the applicants request for opening hours until 5am on Sundays as the premises were in a saturation area.

The sub-committee asked questions of the environmental protection officer.

All parties were offered the opportunity to have 5 minutes to sum up, however all parties agreed that this was not required.

At 10.32am all parties were requested to leave the room while the meeting went in to closed session. At 10.44am all parties were recalled to the meeting and the chair read out the sub-committee's decision as follows:

RESOLVED: 1. That the application by Goldclub Enterprise Limited for a premises licence in respect of the premises known as The Clock Tower, 1A Rye Lane, SE15 5EW be approved in so far as:-

The following licensable activities will be permitted under the licence during the times shown.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Plays	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 05:00	19:00 – 05:00	19:00 – 00:00
Films	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 05:00	19:00 – 05:00	19:00 – 00:00
Live Music	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 05:00	19:00 – 05:00	19:00 – 00:00
Recorded Music	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 06:00	19:00 – 06:00	19:00 – 05:00
Performances of Dance	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 06:00	19:00 – 06:00	19:00 – 05:00
Anything similar to Live, recorded music dance	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 06:00	19:00 – 06:00	19:00 – 04:00
Provision of facilities for making music	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 06:00	19:00 – 06:00	19:00 – 04:00
Provision of facilities for dancing	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 06:00	19:00 – 06:00	19:00 – 05:00
Provision of facilities for similar to music dance	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 06:00	19:00 – 06:00	19:00 – 05:00
Late night refreshment					23:00 – 06:00	23:00 – 06:00	23:00 – 05:00
Sale of alcohol	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 05:00	19:00 – 05:00	19:00 – 04:00

Opening Hours	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 23:00	19:00 – 06:00	19:00 – 06:00	19:00 – 05:00
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2. Conditions

The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in sections F, M, N, O, P, of the application form and the following conditions:-

- a) All mandatory conditions set out in the Licensing Act 2003 relating to:
- (i) Authorisation of the retail sale of alcohol; and
 - (ii) The provision of door supervision
 - (iii) The provision of Films
- b) The following additional special conditions developed through discussion from the original operating schedule attached to the variation application as follows:-

Conditions agreed between the applicant and the Metropolitan Police:

- i) That SIA registered door supervisor, one of whom shall be a female, shall be employed at all times after 22.00hrs and the terminal hour that the premises are in use under this licence and provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.

- ii) All SIA Staff are required to record their details, including SIA badge number, in a booking on/off register.
- iii) A security search of the premises is conducted prior to opening to the public and a record kept of who conducted the search.
- iv) That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'.
- v) That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs.
- vi) That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.
- vii) That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an image of every person who enters the premises.
- viii) That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to officers of the police and the council.
- ix) That any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, the licensee shall ensure that a copy of the agreement is provided to the police and licensing unit a minimum of fourteen days prior to the date of hire.
- x) That a personal licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.
- xi) That the premises licence holder and/or designated premises supervisor join and support a local Pub Watch Scheme should there be one in existence for the area in which the premises is located.
- xii) Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.

- c) Subject to the following additional conditions agreed by the sub-committee:
- i) A sound limiting device is to be installed on all floors and the maximum sound level set to be approved by the environmental protection team.
 - ii) The sound limiting devices must be maintained in working order set at the approved the sound level and all live and recorded music will be played through one of the devices.
 - iii) Air conditioning is to be installed and details to be submitted to the environmental protection team.
 - iv) The air conditioning system must be maintained in good working order when the premises is used for entertainment.
 - v) No drinks are to be taken outside at any time.
 - vi) Smokers are allowed only to the front of the building on Rye Lane.

3. Reasons

The reasons for the decision are as follows:

The sub-committee was satisfied that the granting of this application will not add to the existing cumulative impact within the Peckham saturation zone.

The council expects that all terms, conditions and restriction of the premises licence will be complied with at all times that the premises are used under the licence. The failure to comply with terms, conditions and restrictions of the premises of the premises licence is a matter to which the licensing sub-committee may have regard in the event that any request is made for the review of the licence.

4. Appeal Rights

1. The applicant may appeal against any decision to modify the conditions of the licence; and
2. Any person who made relevant representations in relation to the application who desire to contend that
 - a) That licence ought not to have been granted; or
 - b) That, on granting the licence, the licensing authority ought to have modified the conditions of the licence, or ought to have modified them in a different way or to exclude from the scope of the licence any of the licensable activities to which the application relates.

may appeal against the decision.

3. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

There was a break from 10.45am to 10.58 am to allow members to read the late and urgent papers in relation to the summary licence review of the premises known as RNB Club, 12A Station Way, SE15.

6. LICENSING ACT 2003 – RNB CLUB, 12A STATION WAY, SE15 – SUMMARY LICENCE REVIEW – CONSIDERATION OF INTERIM MEASURES.

The licensing sub-committee heard from the Metropolitan Police representative, who advised that the recent stabbing incidents were a most serious matter of concern. He advised that the premises licence should be suspended until the full review hearing on August 19 2009.

The police advised that the licence holder was also seen on CCTV struggling with a group of people and had advised the police that nothing had happened at the premises on the night of the stabbings.

Members of the sub-committee had questions for the police.

The licence holder was given the opportunity to address the committee. He declined to say anything other than to refute the allegation that he had informed police that nothing had happened on the night of the stabbings and that he had been struggling with people outside his premises.

The committee had no questions for the licence holder.

At 11.03am all parties were requested to leave the room while the meeting went in to closed session. At 11.12am all parties were recalled to the meeting and the chair read out the sub-committee's decision as follows:

RESOLVED: 1. LICENSING ACT 2003 – RNB CLUB, 12A STATION WAY, SE15 – SUMMARY LICENCE REVIEW – CONSIDERATION OF INTERIM MEASURES

The licensing sub-committee had received an expedited review application and certificate submitted by the Metropolitan Police Licensing Service, received at the council's licensing service on the 29 July 2009, for the review of the premises licence under Section 53A of the Licensing Act 2003.

In consultation with the Metropolitan Police Service under Section 53A of the Licensing Act 2003 the licensing sub-committee exercised its powers to initiate the following interim steps pending the review of the premises licence:

The suspension of the premises licence until the full review hearing, scheduled for 19 August 2009, has been determined.

During the course of the meeting the sub-committee had regard to the matters arising from the two key definitions of the expedited review process under section 53A of the Licensing Act 2003 which are as follows:

1. serious crime; and
2. serious disorder

The range of options that were open to the licensing sub-committee at the interim stages were:

- modification of the conditions of the premises licence;
- the exclusion of the sale of alcohol by retail (or other licensable activities) from the scope of the licence.
- removal of the designated premises supervisor from the licence; and
- suspension of the licence.

The premises licence holder may make representation against the interim steps taken by the licensing authority. There is no time limit for the premises licence holder to make representations on the interim steps. On receipt of a representation the licensing authority will hold a formal hearing within 48 hours; any non-working days will be disregarded in calculating the 48 hour period. The representation must be addressed to the licensing authority where the interim action was initiated.

2. Reasons

The reasons for the decision are as follows:

Having considered the application by the police under section 53A of the Licensing Act 2003 and having considered the evidence submitted by the police, the sub-committee decided to suspend the licence pending full review on August 19 2009. This decision was necessary for the promotion of the following licensing objectives, namely the prevention of crime and disorder and the promotion of public safety.

The meeting closed at: 11.15am.

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on August 19 2009 at 10.15am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber
Councillor Jelil Ladipo
Councillor Wilma Nelson

ALSO PRESENT:

PC Paul Compton, Metropolitan Police

Felix Rechtman, legal officer
Andrew Weir, constitutional team

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – RNB CLUB, 12A STATION WAY, SE15

The licensing officer presented the case. There were no questions of the licensing officer

The police presented their case to the sub-committee. Members questioned the police representative

The applicant and the applicant's representative addressed the sub-committee.

The sub-committee asked questions of the applicants and their witness.

The environmental protection officer addressed the sub-committee. She advised that her only concern was the applicants request for opening hours until 5am on Sundays as the premises were in a saturation area.

The sub-committee asked questions of the environmental protection officer.

All parties were offered the opportunity to have 5 minutes to sum up, however all parties agreed that this was not required.

At 10.32am all parties were requested to leave the room while the meeting went in to closed session. At 10.44am all parties were recalled to the meeting and the chair read out the sub-committee's decision as follows:

RESOLVED: 1. That the Council's licensing sub-committee, having had regard to the application made under Section 53(a) of the Licensing Act 2003 by the Metropolitan Police for a full summary review of the premises licence granted under the Licensing Act 2003 to Mr Frederick Gayle and Ms Valentine Ohagwa in respect of the premises known as R N B Nightclub situated at 12A Station Way, London SE15 4RX and having had regard to all other relevant representations and evidence from the licence holder has decided it necessary for the promotion of the licensing objectives to revoke the licence.

3. **Reasons**

The reasons for the decision are as follows:

Having considered the evidence presented by the police and the licence holder, the sub-committee is satisfied on the basis of the evidence that the premises are associated with serious crime and disorder following two main incidents, one on July 20 2009 and a second one on July 25 2009. The sub-committee has also accepted the police evidence from the Criminal Entries log that further minor incidents of crime and disorder had occurred at the premises or in the vicinity of the premises. The sub-committee is also satisfied from the evidence that the license conditions had been breached repeatedly.

In view of the reasons stated above the sub-committee considers it necessary to revoke the license for the promotion of the following licensing objectives:

- The prevention of crime and disorder
- Public safety and
- Protection of children from harm.

4. **Appeal Rights**

This decision is open to appeal by either:

- The applicant for the review
- The premises licence holder
- Any other person who made relevant representations in relation to the application

Such appeals must be commenced by notice of appeal given to the appellant to the justices chief executive for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

The decision does not have effect until either

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The meeting closed at: 11.15am.

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on Monday August 24 2009 at 10.00am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber
Councillor Eliza Mann
Councillor Sandra Rhule

ALSO PRESENT: Mr Biagio Caroleo, Biagio Restaurant
Mr Peter Tilly, legal representative for Biagio
Mr Mohammed Shafiqur Chowdhury, Lovage Restaurant
Mr Michael Church, local resident
Mr & Mrs Jaratt, local residents
Wesley McArthur, licensing officer
Alan Blissett, environmental protection team
Felix Rechtman, legal officer
Sean Usher, constitutional team

1. APOLOGIES FOR ABSENCE

Councillor Dominic Thorncroft sent his apologies and Councillor Sandra Rhule attended in his absence.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Eliza Mann stated that although item 6 was in her ward, she had no personal or prejudicial interests in this matter.

5. LICENSING ACT 2003 – BIAGIO BANKSIDE, 32 SOUTHWARK BRIDGE ROAD, LONDON, SE1 9EU

The licensing officer presented his report and circulated additional papers (on file) which included photographs of the premises and emails relating to the conciliation process with local residents. Members had questions for the officer.

The applicant and his representative presented their application to the sub-committee. Members had questions.

No local residents attended and 2 of the objections had been withdrawn due to conciliation.

The applicant was given 5 minutes to sum up then the sub-committee went into closed session.

- RESOLVED:** 1. That the application by Mr. Biagio Caroleo for a premises licence for Biagio Bankside, 32 Southwark Bridge Road, London, SE1 9EU is granted as follows:

	MON	TUE	WED	THUR	FRI	SAT	SUN
Recorded music	09:00 to 00:30	09:00 to 00:30	09:00 to 00:30	09:00 to 00:30	09:00 to 00:30	09:00 to 00:30	12:00 to 00:00
Late Night Refreshment	23:00 to 00:30	23:00 to 00:30	23:00 to 00:30	23:00 to 00:30	23:00 to 00:30	23:00 to 00:30	23:00 to 00:00
Supply of Alcohol	10:00 to 00:00	10:00 to 00:00	10:00 to 00:00	10:00 to 00:00	10:00 to 00:00	10:00 to 00:00	12:00 to 23:30
Opening Hours	09:00 to 00:30	09:00 to 00:30	09:00 to 00:30	09:00 to 00:30	09:00 to 00:30	09:00 to 00:30	12:00 to 00:00

2. Conditions

In addition to the hours granted above, the following conditions will apply:

- That clearly legible signs are prominently displayed to the satisfaction of the council requesting that customers smoking and / or congregating outside of the premises do so in a quiet and orderly manner and are considerate of local residents;
- That a direct line telephone number will be made available to local residents should local residents be caused any nuisance by the operation of the premises;
- That there shall be no 'bottling up' or movement of goods and / or refuse into or out of the premises between 23.30 to 07.00;
- If at any time after 23.30 local residents are disturbed by recorded music emanating from the premises the volume of recorded music will be reduced on request.

3. Reasons

The reasons for the decision are as follows:

The sub-committee is satisfied that the further conditions offered by the applicant are sufficient to address the licensing objectives and the application is granted as a result.

4. Appeal Rights

This decision is open to appeal by either:

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

6. LICENSING ACT 2003 – LOVAGE INDIAN RESTAURANT, UNITS 13 TO 15 THE CIRCLE, QUEEN ELIZABETH STREET, LONDON SE1 2JE

The licensing officer presented his report. He stated that paragraphs 17-20 of the report related to the previous operations at the premises and were for information only. Some additional papers were circulated relating to the police conciliation and discussions with the noise team. Members had questions for the licensing officer.

The applicant presented his case and discussed the objections. Members had questions for the applicant. Local residents had questions for the applicants.

The environmental protection officer discussed the noise representations. Members had questions for the officer.

The local residents addressed the sub-committee about their concerns about noise issues. Local residents had concerns over Temporary Event Notices to which only the police can object.

All parties were given 5 minutes to sum up then the meeting went into closed session.

RESOLVED: 1. That the application by Mohammed Shafiqur Chowdhury for the variation of a premises licence issued under the Licensing Act 2003 in respect of Lovage Indian Restaurant, Units 13 to 15 The Circle, Queen Elizabeth Street, SE1 2JE is granted as follows:

That the following licensable activities be permitted under the licence during the times shown:

Opening Hours:
No Change
Sale and / or Supply of alcohol:
No Change
Late Night Refreshment:
No Change
The following conditions are removed:

109 (parts a – d & i – x), 122, 139, and 341.
And modifying the following conditions as follows:
340 – That all doors and windows are to be kept closed, except for ingress and egress, after 22:00 (only applies to trading area);
840 – That CCTV with a 28 day recording facility is installed and maintained at the premises at all times that members of the public are permitted access to the premises.
842 – That no patrons are allowed outside the premises after 22:00hrs with the exception of those who temporarily leave to smoke and than numbers are limited to no more than 6 at any one time.

2. Conditions

- All relevant mandatory conditions arising from the Licensing Act 2003
- Conditions consistent with the operating schedule provided as part of the application.

3. Reasons

The reasons for the decision are as follows:

Having considered the application the licensing sub-committee agreed to remove conditions 109.122, 139 and 341 and to modify conditions 340, 840 and 842 as above. Condition 841 remains on the Licence as the sub-committee felt this necessary for the promotion of the licensing objective of prevention of public nuisance.

3. Appeal Rights

This decision is open to appeal by either:

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at: 12:40pm.

CHAIR:

DATED:



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on Wednesday September 2 2009 at 10.00am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber (Chair)
Councillor Abdul Mohamed
Councillor Sandra Rhule

ALSO PRESENT: Mr. Hooper, applicant
Ms. McGraw, witness for applicant
Dorcas Mills, licensing officer
Felix Rechtman, legal officer
Paula Thornton, constitutional team

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – HOOPERS BAR & CAFE (FORMERLY THE IVANHOE PH) 28 IVANHOE ROAD, LONDON SE5 8DH

The licensing officer presented the case. The following documentation was circulated to all parties:

- Written submission from Mr. J Hooper, applicant
- Email confirmation from Mr. David Harry in support of application

The following correction to the application was also confirmed:

- That the application be amended to state that children are permitted until **20.00** hours to the premises and must be accompanied by a responsible adult.

The applicant addressed the sub-committee and confirmed that their representations were set out in the written submission circulated. The applicant also called a witness to present her evidence in support of the application.

The sub-committee asked questions of the applicant and their witness.

All parties were offered the opportunity to have 5 minutes to sum up, however all parties agreed that this was not required.

At 10.12am all parties were requested to leave the room while the meeting went in to closed session. At 10.19am all parties were recalled to the meeting and the chair read out the sub-committee's decision as follows:

- RESOLVED:**
1. The sub-committee has considered the application by Letthegoodtimesroll Ltd to vary a premises licence granted under the Licensing Act 2003 in respect of the premises known as Hoopers Bar and Cafe, 28 Ivanhoe Road, London SE5 8DH and decided it be approved as follows:
 - To reinstate a partition with folding doors to allow functions to take place in one half of the main bar;
 - To reinstate a previous entrance door;
 - To extend the licensing hours for alcohol retail on Wednesday for an extra half hour 23.00 – 23.30;
 - To extend the terminal hours on Wednesday for an extra half hour from 23.30 to 24.00;
 - a) The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in Section Q of the application form and the following conditions:-
 - All mandatory conditions set out in the Licensing Act 2003 relating to
 - (i) Authorisation of the retail sale of alcohol; and
 - (ii) The provision of door supervision

2. Reasons

The reasons for the decision are as follows:

This variation will have no adverse impact on licensing objectives.

3. Appeal Rights

This decision is open to appeal by either:

- The applicant for the review
- The premises licence holder
- Any other person who made relevant representations in relation to the application

Such appeals must be commenced by notice of appeal given to the appellant to the justice's chief executive for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

The decision does not have effect until either

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The meeting closed at: 10.25am

CHAIR:

DATED:

Agenda Item 7

Item No: 7.	Classification: Open	Date October 8 2009	Meeting name: Licensing Committee
Report title:	The Licensing Act 2003 – Consideration of local saturation policies dealing with the “cumulative impact” of licensed premises – Peckham & Camberwell areas		
Ward(s) or groups affected:	Newington, Faraday, Camberwell Green, Brunswick Park, Peckham, Livesey, South Camberwell, The Lane, Peckham Rye and Nunhead		
From:	Strategic Director of Environment and Housing		

RECOMMENDATION

1. That the committee considers, on the basis of the partnership analytical report on violence against the person in the areas of Peckham and Camberwell and the responses from the local consultation exercises carried out with both residents and businesses, whether it is appropriate and necessary to recommend council assembly to extend the current saturation policy in the Peckham area.
2. That, in the event that it is considered to be appropriate and necessary to extend the Peckham saturation area, the committee determines:
 - a) The proposed boundary of the recommended extended saturation area; and
 - b) The proposed classes of premises to which a policy should apply.
3. That the committee agrees that, on the basis of the partnership analytical report, it remains appropriate and necessary to maintain the existing saturation policy in Camberwell.

BACKGROUND INFORMATION

4. Statutory guidance permits licensing authorities to consider the adverse cumulative impact of licensed premises on a local area and to implement a policy that seeks to restrict the further escalation of licensed premises in that area. This is known as a “special” or “saturation” policy.
5. A saturation policy may be declared where there is an evidential basis showing that the concentration of licensed premises in an area is impacting upon the licensing objectives and the addition of each further additional licence is likely to have a disproportionate impact on crime and disorder or nuisance in that area.
6. Essentially, the evidential basis needs to:
 - Be factual, quantitative, and proximate;
 - Demonstrate a positive correlation between alcohol/entertainment/late night refreshment premises, and crime and disorder and nuisance issues within the particular areas under consideration; and
 - Examine trends over a period of time.
7. Since the introduction of the Licensing Act 2003 in November 2005, the council’s licensing committee has been monitoring available information sources that might help to gauge the cumulative impact, particularly in terms of crime and disorder and nuisance, of

licensed premises on their locality. Reports are provided at six-monthly intervals following the release of the latest relevant statistical information from the partnership analyst and the environmental protection team.

8. On 5 November 2008, council assembly agreed to introduce two saturation policies within the borough, in the Peckham and Camberwell areas. These took immediate effect.
9. On 17 March 2009, the licensing committee required public consultation to be carried out in the Peckham area on the possible extension of the Peckham saturation zone.
10. This report updates the committee on the latest analysis from the partnership analytical team and the environmental protection team with particular regard to the situations in Peckham and Camberwell. It also reports back on the responses received to the public consultation in the Peckham area.

KEY ISSUES FOR CONSIDERATION

General

Partnership analytical report

11. The latest partnership analytical report was published on 18 June 2009. It provides statistical information on alcohol related “violence against the person” (VAP) and alcohol related “disorder and rowdiness” up to and including the period December 2008 – May 2009. A copy of the analysis is attached at appendix 1 to this report with additional further analysis relating to the general Southwark, Peckham and Camberwell areas provided at appendices 3 - 5 respectively.

Violence against the person

12. VAP figures reproduced in the analytical report have attempted to capture incidents that are likely to be related to alcohol excluding incidents of domestic violence. The category of violence against the person incorporates a number of individual crime types including murder, grievous bodily harm, actual bodily harm, common assaults, the possession of offensive weapons, harassment and other violent crime. Other crimes broadly included are robbery of the person and sexual offences.

Alcohol related CAD data

13. The analytical report also provides information on disorder / rowdiness figures which collects all alcohol related crime and disorder (CAD) calls to the police regarding
 - Alcohol related rowdy behaviour
 - Licensed premises
 - Street drinking

Nuisance service requests

14. The council’s environmental protection team has also reported, on 1 September 2009, on the number of nuisance complaints received by community safety enforcement in connection with licensed premises during the period November 2006 to May 2009. A copy of the full analysis is provided at appendix 2 to this report.

Alcohol related ambulance pick-ups

15. Alcohol related ambulance pick-ups are periodically reported to the committee. No updated information on alcohol related pick-ups is available on this occasion.

Peckham – Analysis

16. The boundary of the current Peckham saturation area commences on Peckham High Street at the junction with Sumner Road and progresses via Jocelyn Street / Peckham Hill Street / Goldsmith Road / Meeting House Lane / Consort Road / Bournemouth Road / Rye Lane / Choumert Road / Bellenden Road North until returning to Peckham High Street at the junction with Sumner Road.
17. The current policy applies to the following classes of premises - night-clubs; public houses / bars; off-licences, grocers, supermarkets, convenience stores and other similar premises
18. For the purposes of the recent consultation exercise, the boundary of the proposed extended area was set as follows - Commencing on Peckham High Street at the junction with Kelly Avenue progressing to Gatonby Street / Sumner Road / Jocelyn Street / cross Peckham Hill Street / Goldsmith Road / Meeting House lane / Consort Road / Heaton Road / Sternhall Lane / McDermott Road / Maxted Road / Bellenden Road / Chadwick Road / Lyndhurst Way / Lyndhurst Grove / Talfourd Road / Peckham Road to start.
19. A map establishing both the existing and revised boundaries is provided as appendix 6.
20. At the time of writing of this report there are 44 premises licensed under the 2003 Licensing Act for either the sale or supply of alcohol; the provision of regulated entertainment or the provision of late night refreshment trading within the area. This represents 3.6% of the total licensed premises in the borough. This figure includes 14 restaurants / cafes; 12 supermarkets / grocers / off-licences; and 10 public houses / bars.
21. The main analysis for the existing and extended Peckham areas is included within the partnership analytical report at appendix 1 with further area specific analysis developed at appendix 4.
22. In brief, the new analysis of VAP figures in the existing Peckham saturation area show an overall decrease of 18% in the most recent 6 month period (Dec 08 – May 09), but an 11% overall increase for the most recent 12 month period (June 08 to May 09) from the previous comparable periods. Calls to the police concerning disorder and rowdiness show a 3% decrease in the most recent 6 month period, and an 8% decrease in the most recent 12 month period against the previous comparable periods.
23. VAP figures across the proposed extended Peckham area show an overall decrease of 12% in the most recent 6-month period (Dec 08 – May 09) and an overall 10% decrease in the most recent 12 month period (June 08 – May 09) from the previous comparable periods. Calls to the police concerning disorder and rowdiness for the most recent 6 month period is constant with the previous comparable period, with an 8% overall decrease showing in the most recent 12 month period against the previous comparable period.
24. Appendix 2 to this report provides detail of nuisance service requests received by community safety enforcement. Figures for nuisance service requests received both in the existing and proposed extended areas are insignificant.

Peckham extension – consultation responses

25. Consultation on the potential extension of the existing Peckham saturation policy was carried out in the local area during April and May 2009.
26. Under the consultation the licensing team contacted directly:
- All local licence holders;
 - Known local representatives of businesses and residents; and
 - All responsible authorities
27. The consultation was also advertised on the licensing web site and in the local media. A local meeting was held at a venue in Peckham High Street, which was well attended, to discuss the matter.
28. The consultation asked three specific questions:
- Whether, based on the evidence provided, an extension of the existing Peckham area saturation policy was considered to be appropriate and necessary;
 - If so, whether the suggested boundary of the proposed extended area (see section 18 of this report) is appropriate; and
 - If so, whether the current classes of premises (see section 17) to which the policy should be applied remain appropriate?
29. In all a total of 34 responses were received to the consultation exercise. These are summarised at appendix 7 with individual comments and detailed responses provided in full at appendix 8. The responses included:
- 3 responses from responsible authorities;
 - 3 responses from or on behalf of local licensed operators;
 - 26 responses from or on behalf of local residents; and
 - 2 ward councillors.
30. Within the 3 responses received from or on behalf of local licensed operators there was 100% support for the extension of the special policy and the boundary and classes of premises proposed.
31. Of the 26 responses from or on behalf of local residents:
- 96% supported the extension of the policy area;
 - 96% agreed with the proposed boundary; and
 - 92% agreed with the proposed classes of premises.

Peckham extension – Planning policy comments

32. The planning policy team states that it has some concerns. The team is currently preparing an Area Action Plan for Peckham and Nunhead. This will set out the council's plans for the regeneration and development of Peckham and Nunhead over the next 10 to 15 years. The Area Action Plan is still at an early stage (Issues and Options) and as yet the planning policies for Peckham and Nunhead, which will be included in the Action Plan, have not yet been decided. However it is likely that a potential option for the AAP may be to encourage development of an evening economy in Peckham town centre.
33. At present Peckham town centre experiences limited pedestrian activity in the evenings, which is often considered to increase crime and fear of crime. Increasing the footfall and pedestrian activity in quiet areas is a recognised solution to reducing both incidences of

crime and fear of crime as it increases surveillance, human activity and interaction (English Partnerships, Urban Design Compendium, 2007).

34. A study carried out in Peckham (Peckham Town Centre Strategy, Peckham partnership, 2001) referred to the issue of the lack of evening activity, bars, cafes and restaurants in Peckham town centre and the need to attract more people into the town centre in the evening. Furthermore the Peckham Spatial Study which was prepared in 2006 by Intelligent Space Partnership states that there is poor natural surveillance in Peckham Town Centre and that crime 'hotspots' such as Queens Road and Peckham High Street are also areas which experience low pedestrian flows.
35. The evidence presented above suggests that incidences of crime and fear of crime is more likely to affect areas with limited pedestrian activity. In relation to Peckham town centre, the issue of low pedestrian activity is confined to the evening as during the daytime, Peckham experiences high numbers of pedestrian activity (Peckham Spatial Study, 2006).
36. One way to increase pedestrian activity in the evenings is to encourage a night-time economy through the establishment of bars, cafes and restaurants. As well as helping to reduce crime and the fear of crime, the establishment of evening activities can help to strengthen and diversity the local economy, improve the image of an area and enhance the vitality and viability of the town centre (Planning Policy Statement 6: Planning for Town Centres, Office of the Deputy Prime Minister, 2005).
37. The Peckham saturation zone currently applies to the following classes of licensed premises - night-clubs; public houses / bars; off-licences, grocers, supermarkets, convenience stores and other similar premises but does not apply to cafes or restaurants.
38. The introduction of a saturation policy in Peckham would effectively make it more difficult, but not impossible, to obtain a licence for bars due to the existence of a rebuttal presumption. However cafes and restaurants would still have an entitlement to a license. While this may be acceptable it should be noted that the existing saturation zone already discourages potential businesses from locating in Peckham, restricting the development of the night-time economy, reducing market confidence in Peckham and inhibiting economic development and regeneration. However, if the saturation policy were to be extended to include cafe's and restaurants it would be considered unacceptable to the planning policy department as it would severely impede the ambitions set out in the PNAAP.
39. It is worth noting that the Mayor of London recently produced best practice guidance entitled "Managing the night time economy" (2007) which states;
40. *"Saturation policies are likely to be more appropriate in addressing concerns in primarily residential areas. When considering adopting such a policy, boroughs should take into account its wider implications. The regeneration benefits that developing the night-time economy could bring to an area may be lost. Constraining growth alone therefore does not manage existing impacts. It reduces potential for competition and the benefits it can have for the consumer"* (para 7.16- 7.19).

Peckham extension – comments from the commissioner of police

41. To follow.

Peckham extension – next steps

42. In the event that the committee should decide to recommend to the full council assembly that the current Peckham special policy area should be extended, this report will be forwarded on to the assembly for final decision.
43. Any decision will form an amendment to the council's current Statement of Licensing Policy for 2008 – 2011 (current version approved by council assembly on 5 November 2008). As such the revision will be published and advertised in accordance with the Act and regulations and steps will be taken to ensure that all current and future affected licence holders understand the decision and the effects of it.

Camberwell – Analysis

44. The boundary of the current Camberwell saturation policy begins at Camberwell New Road at the junction with Wyndham Road and progresses to Camberwell Road / Bowyer Place / Edmund Street / Benhill Road / Wilson Road / Graces Road / Graces Mews / Camberwell Grove (via alley) / Grove Lane / De Crispigny Park / Denmark Hill across Lambeth to Coldharbour Lane / Denmark Road / Flodden Road and Camberwell New Road to the start. A map of the area is provided at appendix 9.
45. The classes of premises to which the policy currently applies are night-clubs; public houses and bars; off-licences, grocers, supermarkets, convenience stores and other similar premises
46. At the time of writing of this report there are 94 premises licensed under the 2003 Licensing Act for either the sale or supply of alcohol; the provision of regulated entertainment or the provision of late night refreshment trading within the Camberwell area. This figure includes 24 restaurants / cafes, 25 grocers / supermarkets and 21 public houses. It represents 7.8% of total licensed premises in Southwark.
47. The main analysis for the existing Camberwell area is contained within the partnership analytical report at appendix 1 with further area specific analysis developed at appendix 5.
48. In brief the new analysis of VAP figures in the Camberwell area show an overall increase of 16% in the first 6 month period (Dec 08 – May 09), and a 6% overall increase in the most recent 12 month period (June 08 to May 09) from the last comparable periods. Calls to the police concerning disorder and rowdiness showed a 19% increase in the most recent 6 month period (Dec 08 to May 09), and an 14% increase in the most recent 12 month period (June 08 to May 09) from the previous comparable periods.
49. Appendix 2 to this report provides detail of nuisance service requests received by community safety enforcement. Figures for nuisance service requests received for the area are insignificant.

Camberwell position – comments from the commissioner of police

50. The commissioner of police supports the continuation of the Camberwell saturation zone at this time.

Mayor of London’s Best Practice Guide – Managing the Night Time Economy

51. The response from planning on the situation in Peckham references the “Mayor of London’s Best Practice Guide on Managing the Night-Time Economy” (BPG). The guide was published in 2008 and sets out to “suggest how public authorities and the private and voluntary sectors can work together to support the development of the night-time economy in appropriate locations and improve the way they manage its impacts”.
52. Sections 7.17 through to 7.23 of the BPG deal specifically with policies to manage cumulative impact. Section 7.19 in particular advises that “policies constraining growth, including special policies in licensing, should be used sensitively, and blanket restrictions on all new licences or development should be avoided unless the cumulative impact on a neighbourhood can be proven to be considerable. They should be based on robust and authoritative evidence and clearly illustrate the relationship between further growth in the night time economy and the issues such policies would seek to address. An evidence base also provides opportunities to consider if there are more appropriate measures to manage the night-time economy. Where used, licensing based saturation policies should form part of an integrated package of measures. The integration of planning and licensing policies, while avoiding duplication, is particularly important.”
53. The guidance also emphasises that constraining growth alone does not manage existing impacts and that the wider implications of the introduction of a policy should be taken into account. The guidance suggests, for instance, that:
- Applying saturation policies could displace growth of the night time economy to nearby areas, or other neighbourhoods entirely;
 - Regeneration benefits that developing the night time economy could bring to an area may be lost;
 - Premises may alternatively be developed for a use not subject to licensing but with its own negative impacts;
 - Potential for competition will be reduced with resultant loss of potential benefits this may bring for the consumer; and
 - Incentives for existing operators to invest in improving the quality of their business may be lost.
54. The guidance suggests that a more “fine-grained approach” should be taken to the managing the range of premises within the late-night economy. It emphasises the importance of careful selective application of appropriate conditions to deal with identified concerns and it proposes developing planning policies through Development Plan Documents (DPD) or supplementary planning guidance so as to provide a mix of uses that diversify the night time economy, contributing to the wider vitality and viability of town centres.

Community Impact Statement

55. This report considers the extent to which saturation policies are appropriate and necessary within the borough, to help control the direct impacts of the leisure and night-time economy on the Southwark community.

56. Saturation policies have the potential to place a check on identified and escalating concerns relating to crime and disorder, anti-social behaviour and nuisance. In doing so a policy can contribute toward reducing the fear of crime and making Southwark a better place to live, work and visit.
57. Conversely, saturation policies may also impact on business growth and development of the area concerned. While it should be understood that the existence of a policy does not prevent responsible operators from becoming established within the area or from developing existing businesses, that operator will have to demonstrate that their business proposals do not further impact on the identified concerns. The implications of the introduction of saturation policies are discussed within this report.

Resource implications

58. While it is accepted that the introduction of a saturation policy will result in every relevant new licence application or variation application being considered in the light of the new policy, it is not considered that this will have any significant impact on resources.

Consultations

59. Details of public consultations carried out in development of the policy proposals are detailed within this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director for Communities, Law and Governance

Cumulative Impact and Special/Saturation Policies

60. The Licensing Act 2003 does not, in itself, provide for saturation policies. However, section 4 of the Act provides that in carrying out its functions a licensing authority must have regard to “the guidance” issued by the Secretary of State under section 182 of the Act. The guidance acknowledges that saturation policies are a proper matter to be taken into account when developing a licensing policy.
61. In considering whether a statement of licensing policy should include a saturation policy in respect to an area, the licensing authority should consider the cumulative impact of licensed premises, in the particular area(s) concerned.
62. Cumulative impact is defined in the guidance at paragraph 13.24 as “the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area”.

Consultation

63. Section 5(3) of the Act requires that before formulating any such policy the licensing authority must first consult with the local police, fire service and representative bodies of local residents, businesses and premises licence holders.

Evidence

64. It is clear from the guidance that any decision to include any saturation policy within the statement of licensing policy should have an evidential basis which demonstrates that the cumulative impact of licensed premises in that area is having an impact on crime and disorder and/or public nuisance.

65. The decision to include a saturation policy should only be made where, after considering the available evidence and consulting those individuals and organizations listed in section 5(3) of the Act, the licensing authority is satisfied that it is appropriate and necessary to include an approach to cumulative impact in the statement of licensing policy (guidance at paragraph 13.27).
66. Members are asked to consider the most recent analysis and evidence collated following consultations. If members wish to recommend the introduction of a any new or extended saturation policy within the borough or to maintain the existing saturation policy, members must first be satisfied that there is sufficient evidence to show that the cumulative impact of premises in the area is having an impact on local crime and disorder and/or public nuisance.

The effect of adopting a special policy

67. The adoption of a special policy creates a rebuttable presumption that applications for new licences and variations that are likely to add to the existing cumulative impact of premises within the area to which the special policy applies, will normally be refused where relevant representations are received.
68. The special policy must stress that this presumption does not relieve responsible authorities and interested parties of the need to make representations in respect of applications for premises within the special policy area(s). It will not be possible to refuse to grant such applications, or seek to impose conditions if no representations are received.
69. If no representations are received in respect of applications within the special policy area, it will remain the case that an application must be granted in the terms that are consistent with the operating schedule submitted.
70. Applicants will be expected to provide information in their operating schedules to address the special policy issues in order to rebut the presumption of refusal. Applicants will need to demonstrate why the operation of their premises will not add to the cumulative impact being experienced.
71. Once adopted, special policies should be reviewed regularly to assess whether they are needed any longer or require expansion.

Limitations

72. It would not normally be justifiable to adopt a special policy on the basis of a concentration of shops, stores or supermarkets selling alcohol for consumption off the premises (guidance at paragraph 13.33). Members will note that the classes of premises to which the saturation may apply, includes off-licences, supermarkets, grocers and take-aways in each of the three areas. Members should be satisfied that the inclusion of such premises is justifiable, having regard to the evidence obtained through the consultation process.
73. A special policy should never be absolute, i.e. cannot have a blanket policy to refuse all applications but rather (subject to paragraph 70 above) a rebuttable presumption that they will be refused. Each application will have to be considered on its own merits and should only be refused if after receiving representations, the licensing authority is satisfied that the grant of the application would undermine the promotion of the licensing objectives and, that necessary conditions would be ineffective in preventing the problems involved.

74. Special policies should never be used as a ground for revoking an existing licence or certificate when representations are received about problems with those premises, i.e. by way of a review. A review must relate specifically to individual premises whereas cumulative impact relates to the effect of a concentration of many premises.
75. A special policy cannot be used to justify rejecting applications to vary an existing licence except where the proposed changes are directly relevant to the policy and the refusal is necessary for the promotion of the licensing objectives.
76. Special policies cannot justify and should not include provisions for a terminal hour in a particular area.
77. Special policies must not impose quotas that would restrict the consideration of any application on its individual merits.
78. The Guidance states that statements of licensing policy should contain information about the alternative mechanisms available for controlling cumulative impact. The licensing policy should contain details of mechanisms available both within and outside of the licensing regime. (Guidance at paragraph 13.39) with examples.
79. Members should note that the statement of licensing policy must not be inconsistent with the provisions of the 2003 Act and must not override the right/s of any individual as provided for in that Act. Nor must the statement of licensing policy be inconsistent with obligations placed on the Council under any other legislation, including human rights legislation. Members should also note that the council has a duty under section 17 of the Crime and Disorder Act 1998, when carrying out its functions as a licensing authority under the 2003 Act, to do all it reasonably can to prevent crime and disorder within the Borough.
80. The 2003 Act provides that the functions of the licensing authority, except those relating to the making of the statement of licensing policy, are to be taken or carried out by its licensing committee and that the licensing committee may delegate these functions to sub-committees or to licensing authority officials in appropriate cases. The council has delegated its licensing functions in accordance with the 2003 Act as set out in its constitution (2008/2009) at part 3G.

Finance Director (ENV/ET/150909)

81. There are no financial implications as a result of accepting the proposals set out in the report. Any costs arising from implementing the proposals will be fully contained within the existing budgets of the division.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Associated secondary regulations DCMS Guidance to the Act Southwark Statement of Licensing Policy Saturation consultation papers Saturation consultation responses Mayors Best Practice Guide for Managing the Late Night Economy	The Health Safety & Licensing Unit, The Chaplin Centre, Thurlow Street, London, SE17 2DG	Name: Mrs Kirtikula Read Phone number: 020 7525 5748

APPENDICES

No.	Title
Appendix 1	Partnership analyst report of 18 June 2009
Appendix 2	Nuisance service requests Nov 2006 to May 2009
Appendix 3	Further general Southwark Analysis
Appendix 4	Further Peckham Analysis
Appendix 5	Further Camberwell Analysis
Appendix 6	Map of current and proposed extended Peckham saturation areas
Appendix 7	Summary of consultation responses Peckham area
Appendix 8	The Lane ward councillors response to Peckham consultation
Appendix 9	Map of the current Camberwell saturation area

AUDIT TRAIL

Lead Officer	Gill Davies, Strategic Director of Environment & Housing	
Report Author	Richard Parkins; Health Safety & Licensing Unit Manager	
Version	Final	
Dated	September 4 2009	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Executive Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	September 25 2009	



Community Desk Alcohol Related Violence

Saturation Areas

Protective Marking:	
Publication scheme:	Yes/No
FOIA Exemption:	Yes/No
Title & Version:	Alcohol related violence in Southwark's saturation areas
Purpose:	To inform the SSP of changes to crime numbers and trends in the identified saturation areas within Southwark.
Relevant to:	SSP; MPS; Licensing
Summary:	
Author:	Kelly Bentley
Business:	Southwark SSP
Date created:	18/06/2009
Ratification date:	
Review date:	

Objectives

The objective of this analysis is to provide an update of alcohol related violence within the saturation areas identified within Southwark, as requested by Richard Parkins, to include new geographical boundaries for Borough and Bankside and Peckham, and to give an overview of alcohol related violence which occurs in the daytime. It was also requested that analysis takes places on any identified hotspot within the last six months. When the data was run through the mapping programs, there were no hotspots identified, save areas already falling within the boroughs Saturation Areas.

Methodology

Data was taken from MPS crime reporting system (CRIS) using WEBBI. A query was written which searched for all violent crime excluding business robbery. All domestic violence flagged violent crimes were removed, in order to give a more accurate picture of violent crime. However this is dependant on domestic violence incidents being flagged as domestic violence.

It is very difficult to ascertain exactly how significant a part alcohol consumption and over –consumption plays in the occurrence of violent crime. Within crime reports, it is often flagged or noted that either victims or suspects had been drinking. The three feature codes on crime reports relating to alcohol are:

MF-Suspect/Accused had been drinking before the offence.
 GA-Alcohol consumes at scene by suspect/accused
 MV-Victim had been prior to the offence.

However this information may be recorded in a variety of ways or places within the report. Therefore another method for measuring alcohol-related violent crime is based on a free-text search for '%alcohol%' and/or '%dr_nk%' within the crime report text. Clearly this is an imprecise measure and will exclude, for instance, '*suspect was intoxicated*' while including '*suspect did not smell of alcohol*' – it is also heavily reliant on reporting standards and practices. The data in this report is based on the use of both of the above methods and is based on crime reports from 1st December 2008 to 30th June 2009.

In addition, Police CAD (DARIS) data is inherently flawed, due to its lack of accuracy pertaining to the locations of incidents. In the northern half of the borough all incidents are placed to the centre of a 250m-grid square, which means that this data has not been mapped accurately. In the southern half of the borough CAD calls are mapped to specific locations. The following type codes have been used:

26 – Rowdy/inconsiderate behaviour
 27 – Licensing
 34 – Street Drinking

Key Findings

Alcohol related violent crime in the evening hours increased rapidly from Dec 06-May 07 to Jun 07 – Nov 07, after which time levels fell.

Although the overall level of violent crime between 2300 and 0559 hours has not increased, the percentage of those crimes influenced by alcohol has *significantly* increased. There was also an increase in the proportion in the daytime offences, but not to such a large extent.

11.5% of the borough's alcohol related violence occurs within the Borough and Bankside saturation area.

Borough and Bankside

Main crimes of note are serious wounding and assault with Injury, with peak times on Friday/Saturday between 2300 and 0200 hours. Daytime ASB calls relate to street drinking/disorder, generally concerned with convenience stores. A significant proportion of events were linked to the various hostels within this area. Evening offences were concerned with the night time economy.

Camberwell

The main crimes of note are robbery, Assault with Injury and Harassment, with a peak time of Saturdays, between 0200 and 0500. Evening calls typically related once more to the night time economy. There are also a large proportion of calls taking place at or outside fast food shops in the early hours of the morning.

Elephant and Castle

Main offences in this area are Assault with Injury and Robbery of the Person. Both Saturday and Sundays were the peak days, between 0100 and 0500 hours. CAD ASB calls have dramatically decreased in this area. Daytime calls typically relate to offences at either the shopping centre, or the transport network (both LU and bus).

Old Kent Road

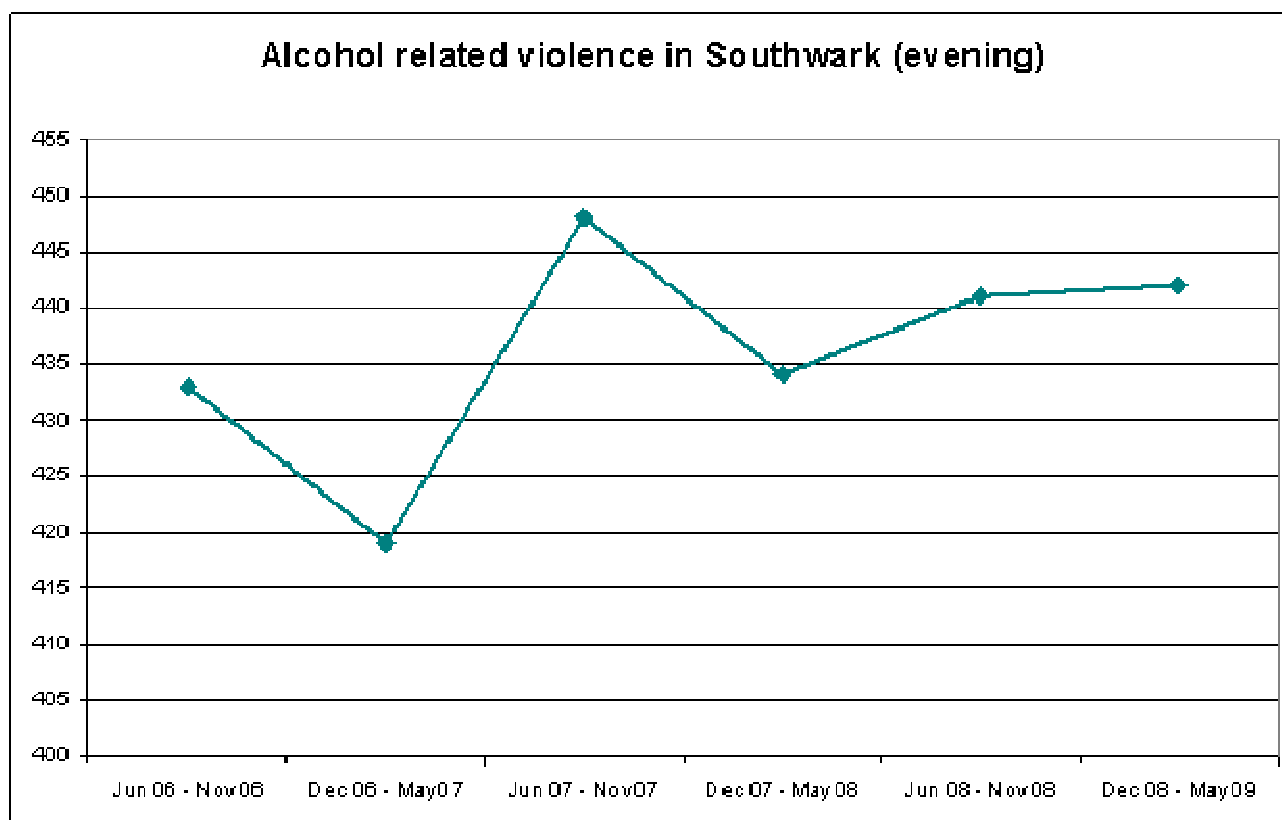
The main alcohol related offences in this area were Assault with Injury and harassment, though there was no significant change in statistics for the differing periods. Peak times are between 0300 and 0400 hours on Saturday, and between 0300 and 0500 hours on Sunday. Similarly to Camberwell, there is a high proportion of late night calls made from/outside fast food restaurants.

Peckham

The main offences in Peckham are typically assault with injury, robbery and serious wounding. There are very few repeat venues, with most crimes occurring on the street. The peak times are on Mondays between 0400 and 0500 and Saturdays between 0300 and 0400 hours. Levels of CAD calls are decreasing in both the original and extended areas. Daytime calls are made from outside the Peckham Pulse (Street drinking), and also outside bookmakers, convenience stores and fast food outlets.

Evening offences (2300 – 0559 hours)

Southwark Overview



The above graph indicates that alcohol related violence in Southwark increased rapidly from Dec 06-May 07 to Jun 07 – Nov 07, after which time levels fell.

When comparing the current period of analysis with the previous period, there was one more alcohol related crime. When comparing it to the same period in the previous year, there was an increase of eight offences.

	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09
No	433	419	448	434	441	442
Proportion of violence alcohol related	42.8	46.5	45.8	49.5	50.3	54.3

The table above represents the amount of alcohol related crime in the borough per period, and the proportion of violence that is alcohol related. It can be seen that although levels of crime have remained at a steady level (there is a range of just 29 offences) the *proportion* of these crimes has increased by over ten per cent. It can be said therefore, that though the level of violent crime between 2300 and 0559 hours has not increased, the percentage of those crimes influenced by alcohol has *significantly* increased.

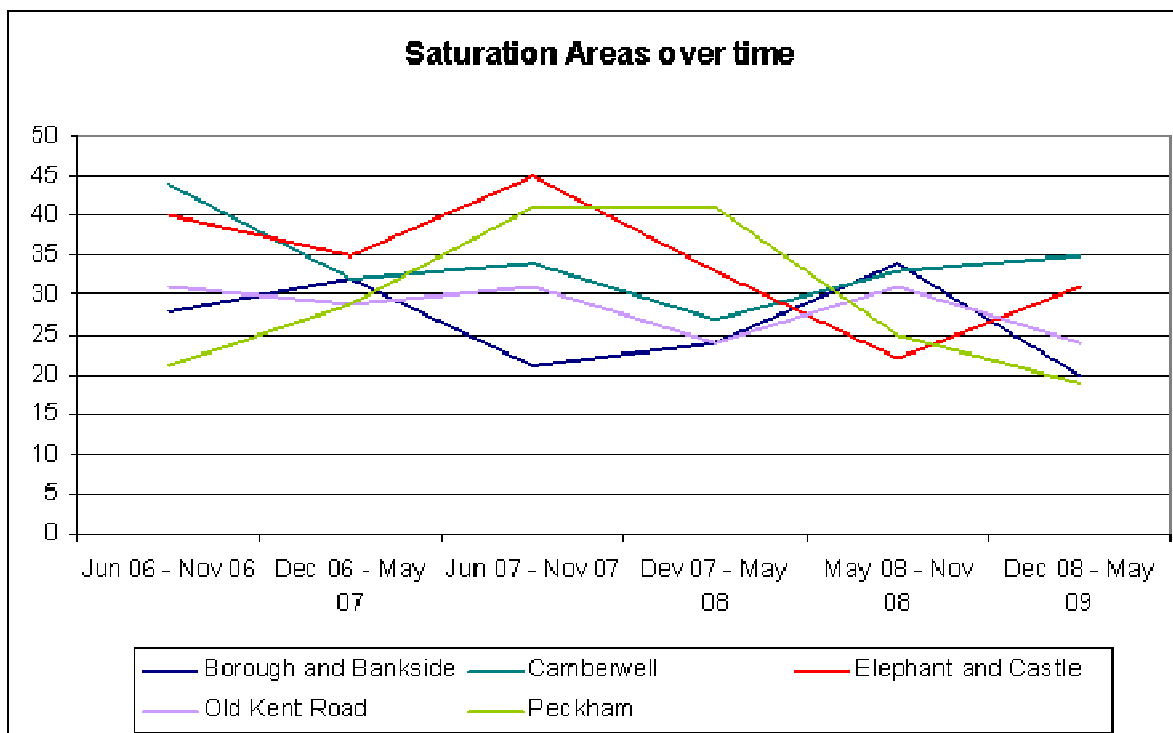
Saturation Areas

The category of violence against the person incorporates a number of individual crime types, each differing in their level of severity and the impact on the victim. These include murder, grievous bodily harm, actual bodily harm, common assaults, the possession of offensive weapons, harassment and other violent crime. Other crimes broadly included are robbery of the person and sexual offences.

The table below gives a break down of alcohol related VAP in all saturation areas for the past three years, in six month blocks. Alcohol related violent crime saw no significant change across the whole borough, yet within the saturation areas, there were numerous changes, most notably in Borough and Bankside (original zone) which experienced a reduction of 14 crimes, the Old Kent Road, which experienced a reduction of 7 crimes and Peckham, with 6 fewer crimes. Elephant and Castle however rose, from 22 crimes in June – November to 31 in the most recent period.

Saturation areas	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09
Borough and Bankside	28	32	21	24	34	20
Borough and Bankside - Extended	35	43	41	56	54	51
Camberwell	44	32	34	27	33	35
Elephant & Castle	40	35	45	33	22	31
Old Kent Road	31	29	31	24	31	24
Peckham	21	29	41	41	25	19
Peckham - Extended	29	32	49	50	28	28
Southwark	433	419	448	434	441	442

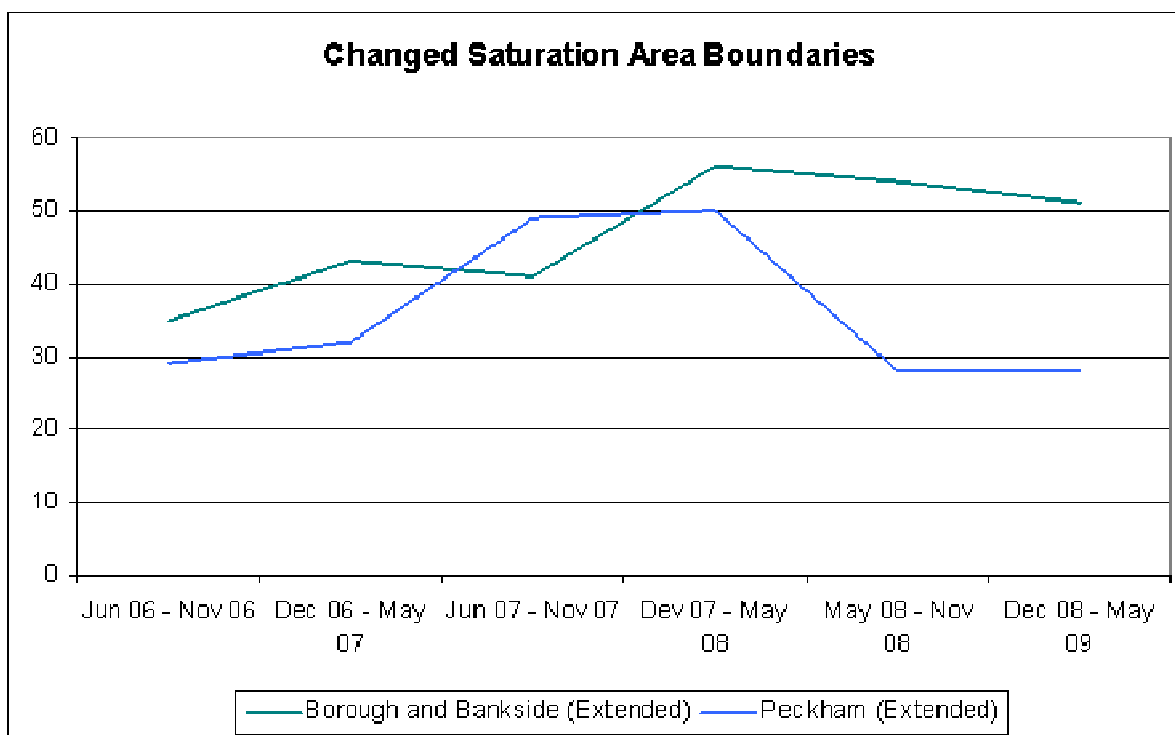
The following graph displays how these areas have changed over time. Elephant and Castle, having been decreasing, has recently begun to experience more crime.



The following chart shows these numbers as a percentage of Southwark's total alcohol related VAP for each time block. All areas have been of significance at some point within this three year period, however, of most recent concern is the extended Borough and Bankside area (11.5% of the borough's alcohol related violence takes place within this boundary) and Elephant and Castle, which has steady figures (currently 7%) but is increasing when compared to the previous period.

Saturation areas	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09
Borough and Bankside	6.5	7.6	4.7	5.5	7.7	4.5
Borough and Bankside - Extended	8.1	10.3	9.2	12.9	12.2	11.5
Camdenwell	10.2	7.6	7.6	6.2	7.5	7.9
Elephant & Castle	9.2	8.4	10.0	7.6	5.0	7.0
Old Kent Road	7.2	6.9	6.9	5.5	7.0	5.4
Peckham	4.8	6.9	9.2	9.4	5.7	4.3
Peckham - Extended	6.7	7.6	10.9	11.5	6.3	6.3

As previously stated, it has been decided to alter the boundaries of the Borough and Bankside and Peckham Saturation areas. The graph below depicts how crime has changed in these 'new' boundaries.



Peckham experienced an increase in 2007/08, but has decreased in recent months. Of emerging concern however, is the Borough and Bankside area, which although currently experiencing a gradual reduction, had a sudden increase in alcohol related crime from June 2007 onwards.

Borough and Bankside

The following table is a breakdown of VAP, Robbery and Sexual offences within this saturation area

Category	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	8	14	4	9	9	6	50
Common Assault	5	1	1	4	0	3	14
Harassment	3	11	7	3	11	3	38
Offensive Weapon	0	0	3	0	0	0	3
Other Sexual	2	2	2	1	1	0	8
Other Violence	1	1	0	2	1	0	5
Personal Property	8	3	3	4	6	2	26
Rape	1	0	0	0	1	1	3
Serious Wounding	0	0	1	1	5	5	12
Grand Total	28	32	21	24	34	20	158

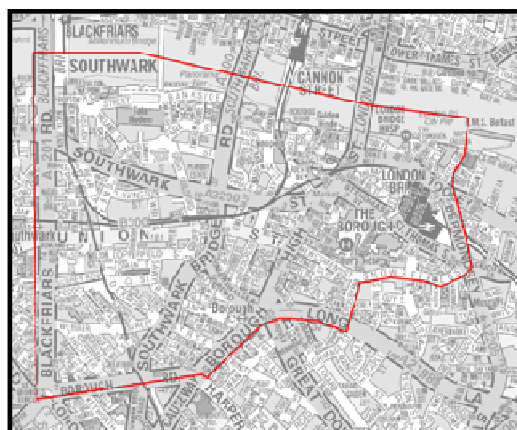
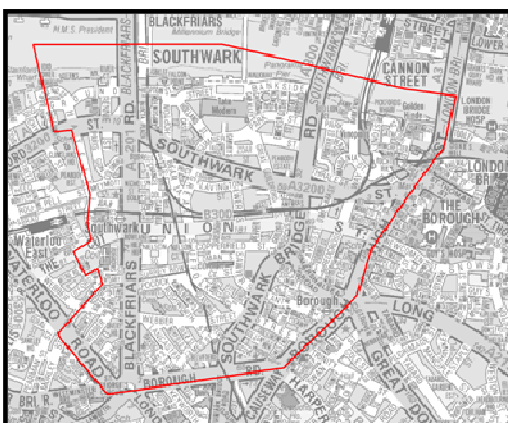
Primary crime types of concern within the original area are Assault with Injury, harassment and robbery. Levels of Assault with injury have slightly fallen, though are still higher than other crime types, and robbery has similarly fallen. Harassment has witnessed a significant reduction within this area. Of emerging concern however is serious wounding. For the previous two reporting periods, there were 5 crimes per 6 months, whereas for the previous four months before that, there were 0 or 1.

Extended Borough and Bankside Saturation Area

Category	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	10	16	12	15	12	19	84
Common Assault	5	1	1	5	1	7	20
Harassment	5	16	18	19	19	10	87
Offensive Weapon	0	0	3	1	1	0	5
Other Sexual	3	3	2	2	1	2	13
Other Violence	2	1	0	1	2	0	6
Personal Property	8	4	4	9	8	4	37
Rape	1	0	0	1	1	1	4
Serious Wounding	1	2	1	3	9	8	24
Grand Total	35	43	41	56	54	51	280

When the boundary was extended, certain crime types rose, such as Serious Wounding and Assault with Injury. Harassment, although the primary crime type has fallen by 9 crimes, when comparing Dec 08 – May 09 with the previous period.

Where



The map to the left is the original boundary for the Borough and Bankside saturation area. This area is densely filled with shops, restaurants and bars, not to mention those bars which have a late licence and nightclubs. Moreover, within this area is London Bridge train station, which is a crime attractor, as many people choose to come to the borough to drink alcohol and socialise, as it is easy for them to get home.

The map on the right is the remodelled saturation area, which now encompasses the premises to the East of Borough High Street, as well as the Hospital and London Bridge train station, as well as the additional river frontage.

When

Time Range	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Grand Total
0000 - 0100	2	7	4	2	7	18	6	46
0100 - 0200	1	0	0	4	5	10	5	25
0200 - 0300	1	3	3	5	4	7	3	26
0300 - 0400	1	2	0	1	2	8	8	20
0400 - 0500	2	0	2	2	0	7	0	13
0500 - 0600	0	0	0	0	0	2	1	3
2300 - 0000	1	2	1	3	8	6	5	26
Grand Total	8	14	10	17	26	58	26	158

Key

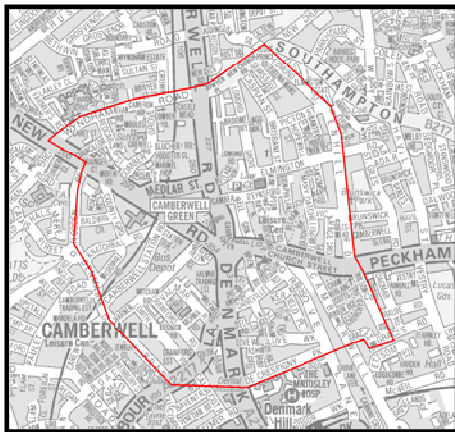


Camberwell

Category	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	8	4	7	9	8	8	44
Common Assault	3	2	4	3	3	3	18
Harassment	4	10	11	5	3	5	38
Offensive Weapon	1	2	0	0	0	2	5
Other Sexual	2	3	2	1	1	1	10
Other Violence	2	2	0	0	0	4	8
Personal Property	23	7	9	4	15	5	63
Rape	1	0	1	2	0	0	4
Serious Wounding	0	2	0	3	3	7	15
Grand Total	44	32	34	27	33	35	205

Robberies, Assault with Injury and Harassment have been the main crimes of note in this area for the past three years. Robbery appears to occur mostly in the spring/summer months. Assault has remained at a steady rate through each period, and harassment has fallen. There was no significant change between this period and last, though there was an increase of 8 when compared to Dec-May last year.

Where



The saturation area is concentrated at the crossroads, and the licensed premises in this area. This area has been subject to focussed work on street drinking in recent years. There are numerous bars/pubs and nightclubs in this relatively small area.

This area, although there is no train station within it, is easily accessible by bus (and night buses) as it is one of the main bus interchanges in the borough.

When

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Grand Total
0000 - 0100	2	3	0	5	3	7	3	29
0100 - 0200	3	2	7	3	3	0	7	31
0200 - 0300	2	2	0	3	5	14	8	34
0300 - 0400	2	4	0	1	1	18	10	41
0400 - 0500	2	1	2	2	1	13	8	29
0500 - 0600	0	1	0	1	0	4	3	9
2300 - 0000	4	3	0	2	6	5	6	32
Grand Total	15	16	28	17	19	67	45	205

Key

Category	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	13	8	13	7	10	12	63
Common Assault	0	6	7	2	2	1	18
Harassment	7	12	11	6	1	2	38
Offensive Weapon	1	0	1	2	2	0	6
Other Sexual	0	0	0	1	1	0	2
Other Violence	2	1	0	1	1	1	6
Personal Property	13	6	8	8	5	7	47
Rape	0	1	1	0	0	0	2
Serious Wounding	4	1	4	6	0	8	23
Grand Total	40	35	45	33	22	31	205

Levels of crime in this area have increased since the previous six month period, yet remain at a similar level to the same period last year. The main crime type is Assault with Injury (63), followed by robbery (47) and harassment (39). Levels of assault fluctuate, between 7 and 12 per period. Harassment has considerably abated in this area in the past year. Robbery remains at a constant level.

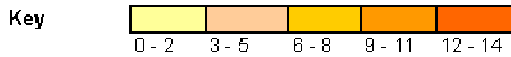
Where



This saturation area is located at Elephant and Castle station, and it's surrounds, as the map to the left depicts. There are numerous bars, café's and nightclubs in this area. Elephant and Castle is the second busiest train station in Southwark, after London Bridge, and again, many people choose to travel here to socialise in the evening, as an abundance of transport makes it easy for them to get home.

When

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Grand Total
0000 - 0100	1	3	5	3	4	6	5	27
0100 - 0200	3	0	3	6	5	7	9	33
0200 - 0300	4	4	4	3	1	9	11	36
0300 - 0400	2	0	4	4	1	11	14	36
0400 - 0500	0	3	1	0	2	8	14	28
0500 - 0600	1	0	2	1	2	4	5	15
2300 - 0000	1	5	3	2	11	5	4	31
Grand Total	12	15	22	19	26	50	62	206

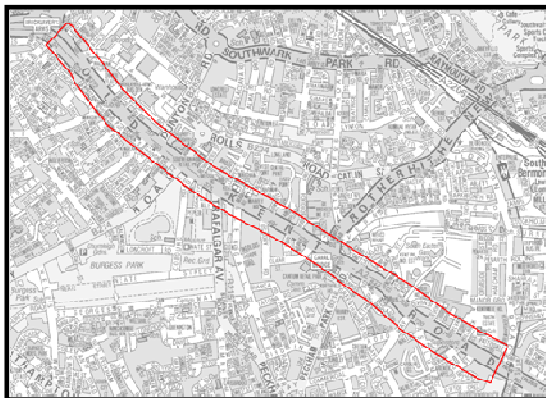


Old Kent Road

Category	Jun 06 - Nov 06	Dec 06 - Mar 07	Jun 07 - Nov 07	Dec 07 - Mar 08	Jun 08 - Nov 08	Dec 08 - Mar 09	Grand Total
Assault with Injury	9	9	11	7	12	8	66
Common Assault	1	2	2	1	4	3	13
Harassment	6	6	8	8	3	3	34
Offensive Weapon	0	0	1	0	1	0	2
Other Sexual	0	1	2	0	1	0	4
Other Violence	1	1	2	1	0	1	6
Personal Property	8	5	2	6	3	5	29
Serious Wounding	6	5	3	1	7	4	26
Grand Total	31	29	31	24	31	24	170

Levels of alcohol related crime in the surrounds of the Old Kent Road have not significantly changed. Between June – November for the past three years there have been 31 offences, and between December and May between 24 and 29. Of most pressing concern in this area is serious wounding and Robbery of Personal Property. All other crime types have decreased or remain unchanged.

Where



This saturation area runs along the Old Kent Road, from the Bricklayers roundabout to the point at which it exits Southwark.

This is an extremely diverse area, with commercial, residential and industrial premises alongside one another. Bars and such are common along the Old Kent Road and, being one of the arterial routes of the borough, transportation to and from such venues is abundant.

When

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Grand Total
0000 - 0100	3	2	4	4	3	3	5	24
0100 - 0200	5	1	0	3	0	7	7	23
0200 - 0300	3	0	1	2	1	9	7	23
0300 - 0400	5	1	0	1	1	14	11	32
0400 - 0500	12	0	0	4	1	6	11	36
0500 - 0600	5	0	0	1	1	0	5	15
0600 - 0000	1	1	1	0	3	5	6	17
Grand Total	36	5	6	14	10	47	52	170

Key



Peckham

Category	Jun 08 - Nov 08	Dec 08 - May 09	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	6	10	14	11	5	11	57
Common Assault	0	2	5	1	5	2	15
Harassment	5	5	10	17	7	2	46
Murder	0	0	0	0	1	0	1
Offensive Weapon	0	1	1	0	1	0	3
Other Sexual	0	1	1	0	1	0	3
Other Violence	3	3	1	3	0	0	10
Personal Property	4	6	6	7	2	1	26
Rape	1	0	1	0	1	0	3
Serious Wounding	2	1	2	2	2	3	13
Grand Total	21	29	41	41	25	19	176

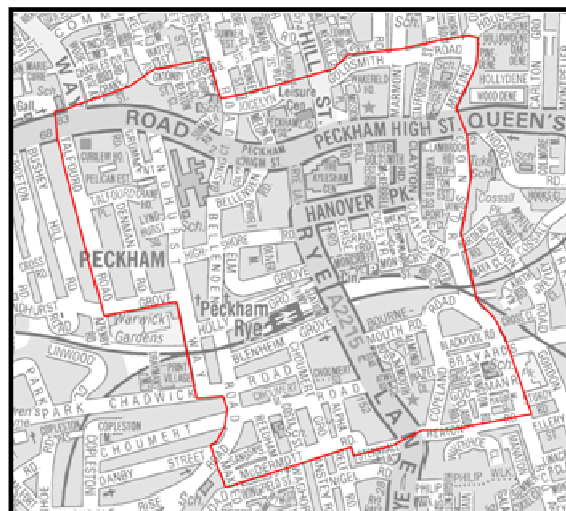
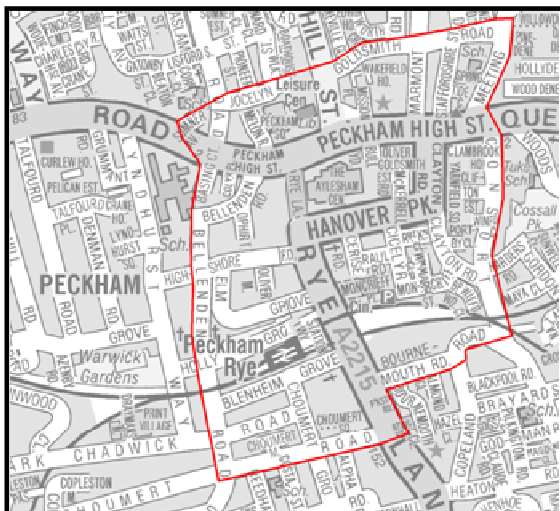
Alcohol related crime in the area has dramatically fallen, in terms of comparison to the previous six month period, and also the same period last year. Still, the most common crime type is assault with injury (11) which is 6 crimes higher than the previous six months, and the same as the year before. The reductions have been made in both harassment and robbery of the person, both of which have experienced large decreases when comparing them to the same period last year.

Extended Peckham Saturation Area

Category	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	8	12	15	12	7	13	67
Common Assault	1	2	8	2	8	4	26
Harassment	5	5	11	10	7	4	52
Murder	0	0	0	0	1	0	1
Offensive Weapon	0	1	3	1	1	1	7
Other Sexual	0	1	1	0	1	1	4
Other Violence	4	3	2	3	0	0	12
Personal Property	0	7	7	7	2	1	32
Rape	1	0	2	2	1	1	7
Serious Wounding	2	1	2	4	2	3	14
Grand Total	28	32	49	50	28	28	216

When the saturation area boundaries were extended, there were few more crimes in this period, which were Assault with Injury, Common Assault and Harassment offences. Nonetheless, this increase has meant that levels of crime within this saturation area have remained the same when compared to the previous six month period, and have again, considerably decreased, when compared to the same period last year.

Where



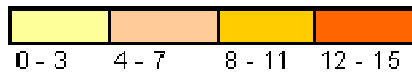
The map to the left is the original saturation area, which used Bellenden Road as its western boundary. It was decided to extend this boundary further west, so that Talfourd Road and Lyndhurst Way became the boundary instead.

Similarly to the other areas, Peckham is extremely accessible from most parts of SE London, with Peckham Rye station within the saturation area, and Queens Road Peckham outside it. There is also a large network of buses that serve the area, running through Elephant and Castle and Camberwell, amongst others.

When

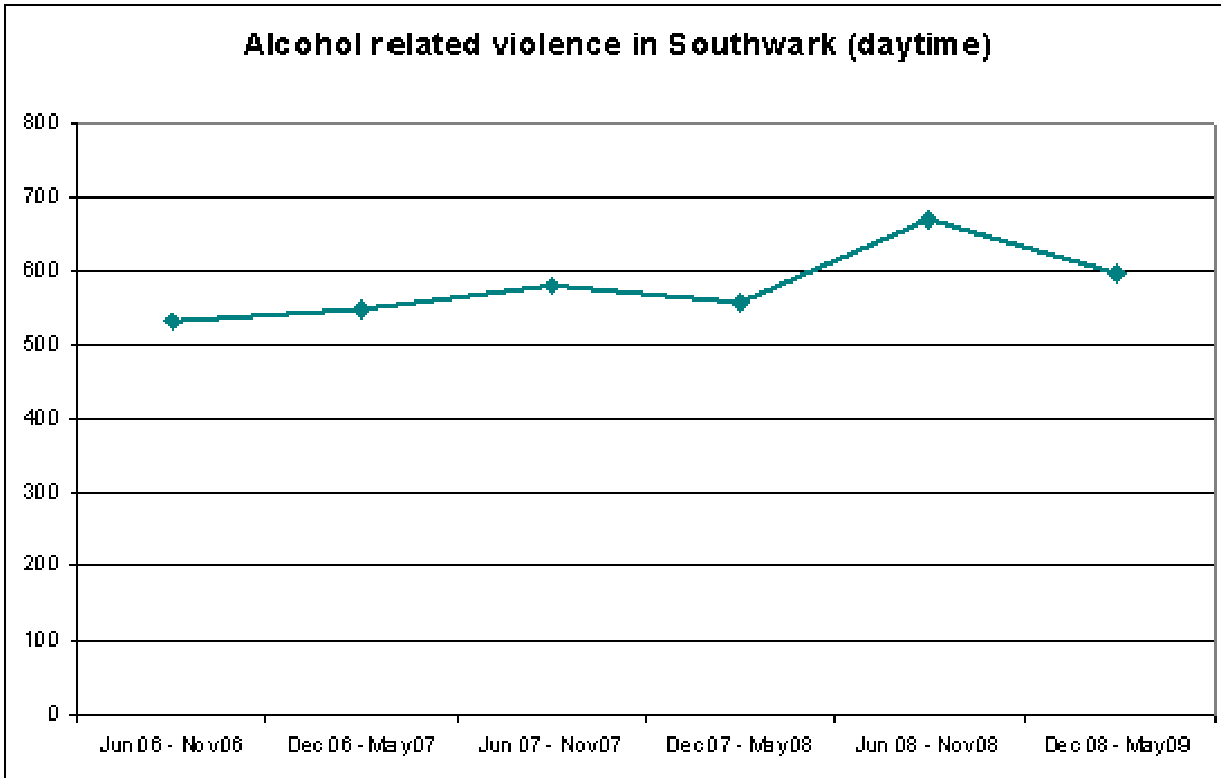
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Grand Total
0000 - 0100	3	2	4	4	3	3	5	24
0100 - 0200	5	1	0	3	0	7	7	23
0200 - 0300	3	0	1	2	1	9	7	23
0300 - 0400	5	1	0	0	1	14	11	32
0400 - 0500	14	0	0	4	1	8	11	38
0500 - 0800	5	0	0	1	1	3	5	15
2300 - 0000	1	1	1	0	3	5	8	17
Grand Total	38	5	8	14	10	47	52	170

Key



Daytime Offences (0600 – 2259 hours)

Southwark Overview



The above graph indicates that daytime alcohol-related violence in Southwark increased between Dec 07 and Jun 08 – Nov 08, yet showed a decrease from that time period to the current analysis period.

When comparing the current period of analysis with the previous period, there were 76 fewer alcohol related violent offences (a reduction of 11.3%). When comparing it to the same period in the previous year, there was an increase of 37 offences (6.6%).

	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09
No	532	549	581	559	672	596
Proportion of violence alcohol related	16.9	18.5	18.4	18.6	21.3	21.1

Similarly to the violent crime recorded between 2300 and 0559 hours, there has been an increase in the *proportion* of violent crimes which are alcohol related, though not to such a large extent. For the last period, just over 21% (i.e. a fifth) of violent offences in Southwark, committed between 0600 and 2259 hours were alcohol related.

Borough and Bankside

The following table is a breakdown of VAP, Robbery and Sexual offences within this saturation area.

Category	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	7	11	17	7	8	7	57
Common Assault	5	7	5	6	6	9	38
Harassment	17	16	14	17	30	20	114
Offensive Weapon	1	3	1	0	0	2	7
Other Sexual	4	2	0	0	4	2	12
Other Violence	2	1	4	2	0	0	9
Personal Property	4	6	3	1	7	3	24
Rape	1	0	0	0	2	1	4
Serious Wounding	3	4	0	1	7	3	18
Grand Total	44	50	44	34	64	47	233

There has been a significant reduction in the amount of alcohol related violent crime taking place in the daytime in this area, especially with regard to the previous six month period, whereby levels have fallen from 64 in that period, to 47 in this. Most crime types have fallen over time, most notably harassment, which has fallen from 20 to 10. However, there were 13 more crimes in this period than at the same time last year (an increase of 38%).

Extended Borough and Bankside Saturation Area

Category	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	10	15	28	9	20	10	92
Common Assault	10	9	4	6	7	13	49
Harassment	25	22	21	23	44	30	165
Offensive Weapon	2	4	3		1	2	12
Other Sexual	6	2	1	1	3	2	15
Other Violence	2	4	3	3	1	1	14
Personal Property	7	9	6	4	12	3	41
Rape	1				2	1	4
Serious Wounding	3	5	2	1	8	4	23
Grand Total	66	70	68	47	98	66	415

When looking at the extended Borough and Bankside Saturation area, it is evident that there is still a gap between the last two periods, with a total reduction from 98 crimes to 66 in this period. Again, the most significant reduction here has been with regard to harassment, which was exceptionally high in this area between June and November 2008. Comparing this period to the same period last year, there was a reduction of 17 crimes (i.e. 40% increase).

When

Time Range	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Grand Total
0600 - 0700	3	1	0	3	1	3	5	16
0700 - 0800	2	1	2	1	3	1	1	11
0800 - 0900	2	0	2	2	2	0	4	12
0900 - 1000	1	2	2	2	1	1	2	11
1000 - 1100	0	0	0	0	2	1	0	3
1100 - 1200	0	0	2	5	2	1	0	10
1200 - 1300	1	6	5	3	1	3	2	21
1300 - 1400	4	3	1	3	3	6	2	22
1400 - 1500	4	2	3	2	7	4	4	26
1500 - 1600	3	5	3	2	4	7	4	28
1600 - 1700	6	3	2	5	4	3	5	28
1700 - 1800	0	4	5	4	6	2	3	24
1800 - 1900	3	2	4	2	6	4	5	26
1900 - 2000	5	3	7	2	5	5	6	33
2000 - 2100	3	2	4	4	10	6	5	34
2100 - 2200	11	1	5	10	5	11	7	50
2200 - 2300	4	4	10	11	18	6	7	60
Grand Total	52	39	57	61	80	64	62	415

Key



Camberwell

The following table is a breakdown of VAP, Robbery and Sexual offences within this saturation area.

Category	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	10	13	7	6	10	14	60
Common Assault	9	4	5	3	5	9	35
Harassment	10	17	16	27	12	13	95
Offensive Weapon	0	2	2	1	1	3	9
Other Sexual	2	3	1	0	1	0	7
Other Violence	3	0	3	4	4	1	15
Personal Property	7	5	6	4	9	7	38
Rape	2	0	1	0	0	0	3
Serious Wounding	1	3	3	1	0	3	11
Grand Total	44	47	44	46	42	50	273

Daytime alcohol related VAP in Camberwell has slightly increased, from 42 crimes to 50, when compared to the previous period, and by 4 crimes when compared to the same period last year.

When

Time Range	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Grand Total
0800 - 0700	0	1	2	0	0	2	0	5
0700 - 0800	2	0	0	1	1	1	2	7
0800 - 0900	3	1	0	1	0	4	0	9
0900 - 1000	0	2	0	2	1	0	2	7
1000 - 1100	1	3	2	0	1	0	1	8
1100 - 1200	0	3	5	3	2	2	3	18
1200 - 1300	0	2	3	3	0	2	0	10
1300 - 1400	1	2	4	5	2	0	0	14
1400 - 1500	2	5	1	2	0	4	1	15
1500 - 1600	2	3	3	5	2	4	1	20
1600 - 1700	1	2	6	5	1	0	3	18
1700 - 1800	4	7	3	8	2	4	2	30
1800 - 1900	0	0	3	2	4	4	2	15
1900 - 2000	6	2	2	3	3	6	5	27
2000 - 2100	3	4	2	0	2	6	2	19
2100 - 2200	5	3	1	2	6	6	4	27
2200 - 2300	3	2	4	4	4	4	3	24
Grand Total	33	42	41	46	31	49	31	273

Key



Elephant & Castle

The following table is a breakdown of VAP, Robbery and Sexual offences within this saturation area.

Category	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	8	5	5	3	7	6	34
Common Assault	4	3	2	2	3	7	21
Harassment	6	12	4	14	13	10	59
Offensive Weapon	0	1	0	2	0	0	3
Other Sexual	1	0	1	1	1	1	6
Other Violence	1	1	0	2	1	0	5
Personal Property	1	3	1	8	2	4	24
Rape	0	0	1	2	1	0	4
Serious Wounding	1	2	1	0	2	0	6
Grand Total	22	32	15	34	30	28	161

There was a slight decrease (of two crimes) when comparing this period with the last six month period. Robbery and common assault increased, whilst serious wounding and assault with injury decreased. Harassment offences also decreased. There was a decrease of 6 crimes, (17.6%) when comparing this period with the same period last year.

When

Time Range	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Grand Total
0600 - 0700	2	0	0	1	0	3	8	14
0700 - 0800	0	0	1	0	0	2	2	5
0800 - 0900	1	1	1	1	0	0	1	5
0900 - 1000	0	0	0	0	0	0	0	0
1000 - 1100	0	0	0	0	2	1	0	3
1100 - 1200	0	0	0	1	1	0	1	3
1200 - 1300	0	0	3	1	0	0	1	5
1300 - 1400	0	2	0	0	0	2	1	5
1400 - 1500	1	1	0	3	1	2	3	11
1500 - 1600	2	1	4	3	1	2	1	14
1600 - 1700	1	2	0	1	1	3	1	9
1700 - 1800	3	4	1	4	3	1	0	16
1800 - 1900	1	2	2	1	0	1	0	7
1900 - 2000	2	3	2	3	3	1	3	17
2000 - 2100	1	3	0	2	3	0	0	9
2100 - 2200	3	4	3	0	6	1	1	18
2200 - 2300	4	0	1	4	2	5	4	20
Grand Total	21	23	18	25	23	24	27	161

Key



Old Kent Road

The following table is a breakdown of VAP, Robbery and Sexual offences within this saturation area.

Category	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	0	7	5	7	5	7	41
Common Assault	2	2	4	1	3	0	22
Harassment	7	5	5	12	10	5	44
Murder	0	0	0	1	0	0	1
Offensive Weapon	2	0	1	0	1	0	4
Other Sexual	0	1	2	0	1	4	8
Other Violence	2	0	0	0	5	2	7
Personal Property	2	4	0	4	1	4	15
Rape	0	0	0	1	2	0	3
Serious Wounding	2	2	3	3	0	8	18
Grand Total	28	21	20	28	30	38	162

The Old Kent Road has shown a 30% increase (9 crimes) between this period and last, and by 34.4% when compared to the same period last year. Increases have been in terms of robbery, common assault and, most notably serious wounding.

When

Time Range	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Grand Total
0600 - 0700	2	1	0	1	1	2	2	9
0700 - 0800	1	0	0	1	1	1	1	5
0800 - 0900	1	0	1	1	0	0	0	3
0900 - 1000	1	0	1	0	2	2	0	6
1000 - 1100	1	2	0	1	2	2	1	9
1100 - 1200	0	1	3	0	0	3	1	8
1200 - 1300	0	0	0	1	1	1	2	5
1300 - 1400	0	1	0	0	1	1	1	4
1400 - 1500	2	1	0	1	2	0	0	6
1500 - 1600	1	2	0	1	3	2	2	11
1600 - 1700	1	2	1	3	1	2	0	10
1700 - 1800	1	2	2	1	1	2	0	9
1800 - 1900	0	3	0	2	0	3	3	11
1900 - 2000	2	1	0	2	1	6	2	14
2000 - 2100	4	1	2	2	3	3	3	18
2100 - 2200	2	1	4	2	2	2	2	15
2200 - 2300	3	2	4	1	3	4	2	19
Grand Total	22	20	18	20	24	36	22	162

Key



Peckham

The following table is a breakdown of VAP, Robbery and Sexual offences within this saturation area.

Category	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	10	20	5	10	12	10	74
Common Assault	9	14	4	8	12	4	56
Harassment	11	19	5	15	24	29	110
Offensive Weapon	4	0	0	4	2	0	16
Other Sexual	1	0	1	0	0	0	3
Other Violence	3	4	2	1	7	0	17
Personal Property	2	2	0	4	7	4	22
Serious Wounding	4	1	0	1	3	3	15
Grand Total	44	63	21	43	67	60	311

There has been a decrease in the amount of alcohol related violence in Peckham, when comparing it to the previous six month period (25%, 17 crimes), but an increase of 16.3% (7 crimes) when comparing it to the same period last year. Harassment offences have increased, yet decreases have been seen in assaults, other violence and robbery.

Extended Peckham Saturation Area

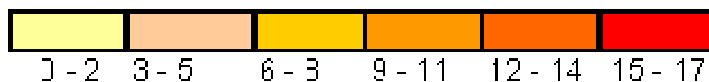
Category	Jun 06 - Nov 06	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09	Grand Total
Assault with Injury	17	14	22	13	16	12	94
Common Assault	11	9	17	12	16	9	74
Harassment	13	14	24	19	34	34	138
Offensive Weapon	4	3	3	4	3	0	17
Other Sexual	1	3	1	0	1	0	6
Other Violence	3	4	7	3	7	0	24
Personal Property	6	7	5	4	8	6	36
Rape	0	0	0	0	0	1	1
Serious Wounding	4	4	1	2	5	4	20
Grand Total	69	68	80	57	90	66	410

Again, looking at the extended Peckham boundary, crime has decreased when compared to the previous period, yet increased when compared to the same period last year. Harassment has considerably increased in recent months.

When

Time Range	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Grand Total
0600 - 0700	2	1	0	3	2	12	16	33
0700 - 0800	0	2	0	3	0	6	7	15
0800 - 0900	0	2	1	1	0	1	5	10
0900 - 1000	1	4	2	3	3	0	3	13
1000 - 1100	1	2	1	2	1	2	1	10
1100 - 1200	1	3	0	2	0	0	2	8
1200 - 1300	3	1	4	5	4	3	0	20
1300 - 1400	1	2	4	4	2	3	0	16
1400 - 1500	3	5	2	2	4	2	2	20
1500 - 1600	3	6	4	5	2	7	3	30
1600 - 1700	3	5	6	5	8	5	2	34
1700 - 1800	6	4	1	3	2	3	7	29
1800 - 1900	9	1	5	5	2	3	2	27
1900 - 2000	6	3	5	5	2	2	4	27
2000 - 2100	6	2	8	3	5	9	5	38
2100 - 2200	6	4	2	3	7	6	4	35
2200 - 2300	5	5	8	3	11	6	5	45
Grand Total	56	52	63	56	55	70	68	413

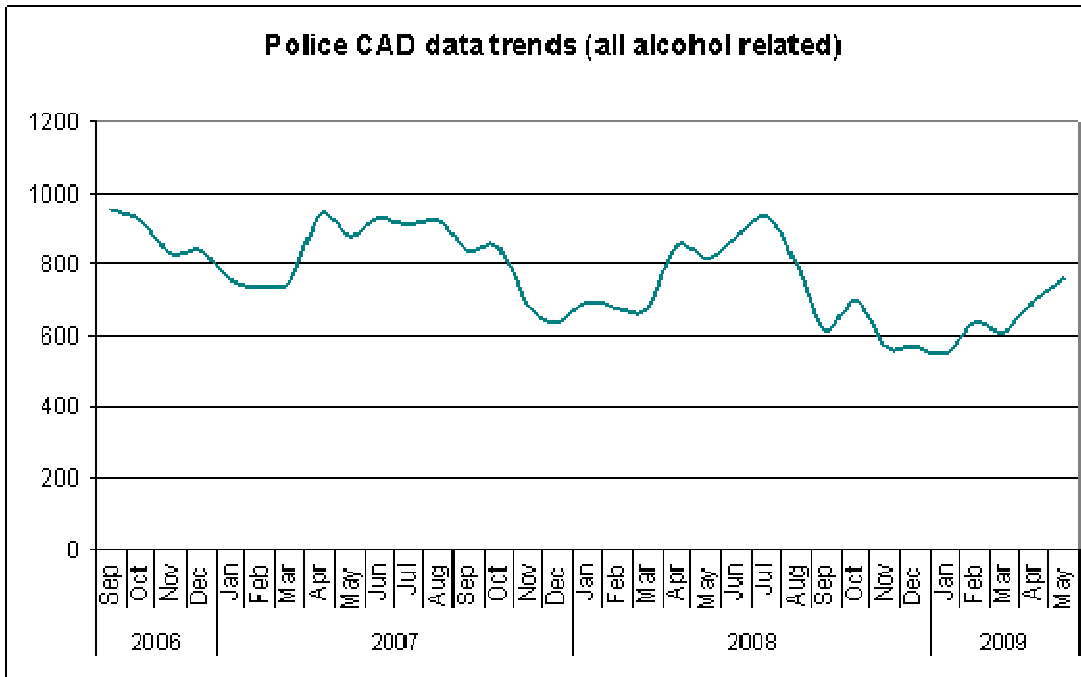
Key



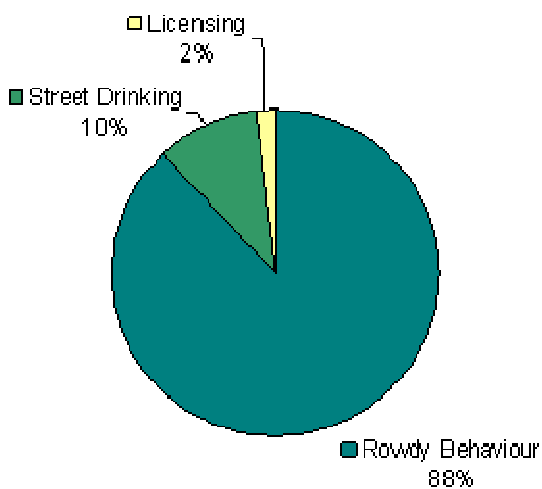
Police CAD data

Boroughwide

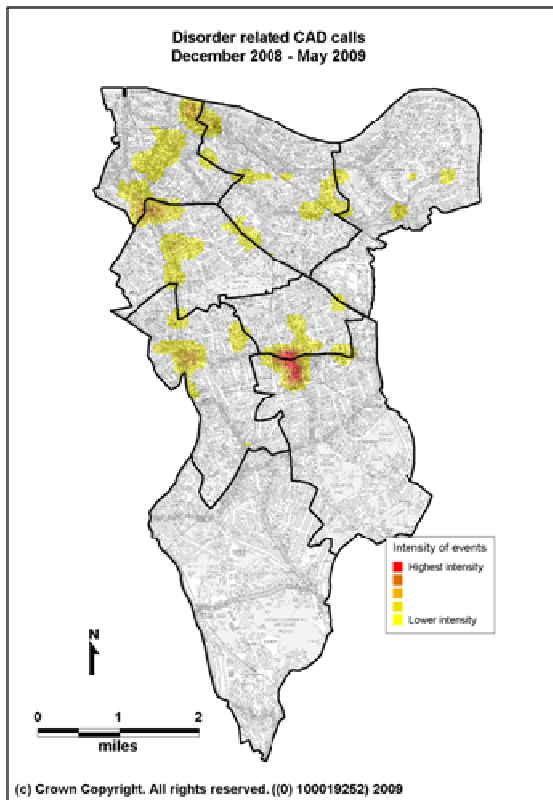
Using all alcohol related CAD data (for both periods) it can be seen that this type of disorder has dramatically fallen in recent months. Indeed, when comparing the period June/May 2009 with the same period the previous year, there was a reduction of 12.5%.



Types of CAD call



Where - Boroughwide



Ward	No Call s	% Total
Brunswick Park Ward	174	3.8
Camberwell Green Ward	265	5.8
Cathedrals Ward	590	13.0
Chaucer Ward	185	4.1
College Ward	76	1.7
East Dulwich Ward	94	2.1
East Walworth Ward	321	7.1
Faraday Ward	207	4.6
Grange Ward	331	7.3
Livesey Ward	249	5.5
Newington Ward	157	3.5
Nunhead Ward	150	3.3
Peckham Rye Ward	84	1.8
Peckham Ward	197	4.3
Riverside Ward	252	5.5
Rotherhithe Ward	174	3.8
South Bermondsey Ward	146	3.2
South Camberwell Ward	100	2.2
Surrey Docks Ward	177	3.9
The Lane Ward	516	11.4
Village Ward	97	2.1
Grand Total	4542	100

It can be seen that disorder related CAD calls typically take place in Peckham, and to a far lesser extent in Camberwell, Elephant and Castle and Borough High Street.

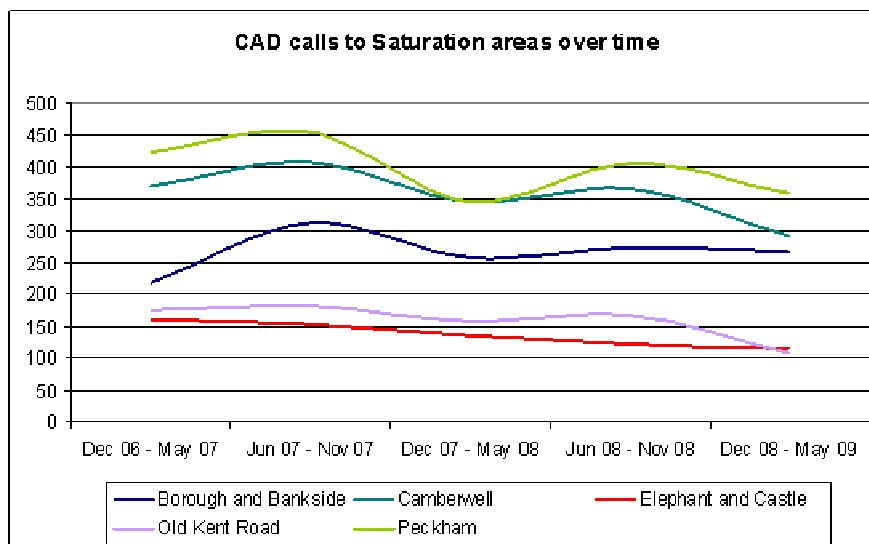
However, the table on the right displays the amount of CAD calls per ward, and it becomes clear that whilst Peckham (The Lane) does indeed have a high number of CAD calls, it is not in fact the top ward, and there are several wards with 200 – 300 plus calls. What is clear from the map is that the calls in Peckham are located in a small area, and thus the density of calls is greater (and hence the generation of a hotspot) whereas calls to Cathedrals, and other wards are far more dispersed, generating a smaller hotspot.

Saturation Areas

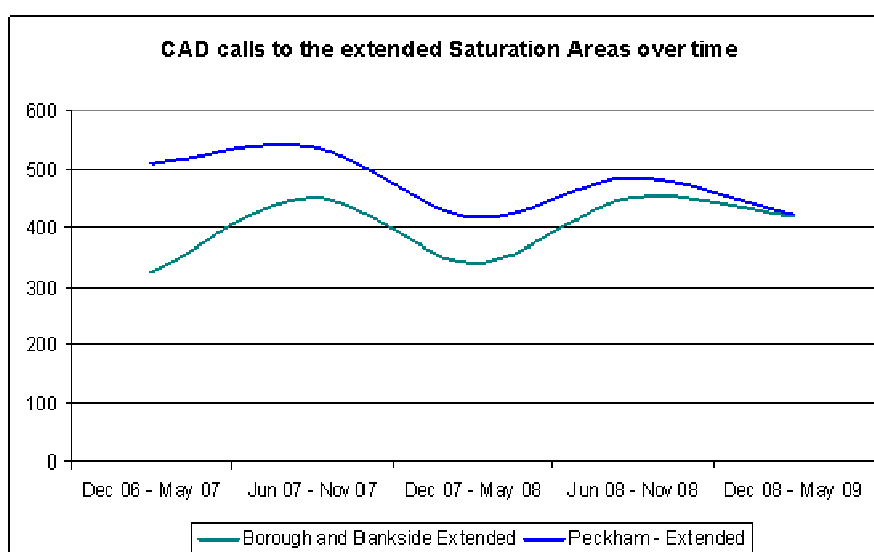
Alcohol related CAD calls include Street Drinking and Licensing issues, as well as rowdy behaviour. The table below gives a breakdown of alcohol related CAD calls in all saturation areas since December 2006.

Saturation Areas	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09
Borough and Bankside	218	313	260	274	268
Borough and Bankside Extended	326	450	341	451	419
Camberwell	370	408	345	367	293
Elephant and Castle	161	155	137	122	116
Old Kent Road	177	183	159	168	109
Peckham	424	456	347	406	359
Peckham- Extended	510	539	417	486	421

The following graphs display how these areas have changed over time. Each has decreased since December 2006.



Elephant and Castle has shown a steady decrease, as has the Old Kent Road. Other areas have fluctuated more over time. Generally, there are far more calls in the Jun-Nov periods than in the Dec-May ones



The extended Peckham area seems to be displaying the same trends as the original areas. Borough and Bankside however, appears to be increasing, with levels between December – May 2009 showing no significant statistical change to the previous period.

When

Time Range	MON	TUE	WED	THU	FRI	SAT	SUN	Total
0000 - 0100	28	16	33	25	25	62	58	247
0100 - 0200	25	16	16	29	27	49	46	208
0200 - 0300	14	13	16	24	16	43	60	186
0300 - 0400	13	11	17	20	5	37	45	148
0400 - 0500	12	2	9	14	11	37	34	119
0500 - 0600	8	6	5	3	8	19	32	81
0600 - 0700	3	5	1	5	1	21	21	57
0700 - 0800	3	2	4	6	4	20	18	57
0800 - 0900	5	12	5	2	4	9	14	51
0900 - 1000	11	9	13	6	12	14	6	71
1000 - 1100	9	15	11	7	11	12	10	75
1100 - 1200	22	17	19	28	7	13	5	111
1200 - 1300	22	26	18	22	21	17	15	141
1300 - 1400	31	29	28	16	20	20	15	159
1400 - 1500	34	20	27	28	35	31	19	194
1500 - 1600	39	32	39	45	41	32	22	250
1600 - 1700	47	44	46	40	41	29	36	283
1700 - 1800	47	45	47	50	50	43	34	316
1800 - 1900	47	41	55	51	49	51	46	340
1900 - 2000	44	39	53	49	63	56	45	348
2000 - 2100	45	54	36	58	61	64	38	356
2100 - 2200	46	43	39	50	72	59	44	353
2200 - 2300	24	40	19	31	63	72	34	283
2300 - 0000	29	29	32	36	63	50	29	270
Total	608	566	588	647	710	853	726	4704

The chart to the left shows the correlation between days and times, showing that peak times of offending are from 1900 to 0300 hours on Friday night/Saturday morning, and at the same time from Saturday night to Sunday morning.

There is also a significant increase in calls from 1500 hours, with a further 'jump' at 1800 hours. This is likely to be when people socialise straight after work. (It must be remembered that these calls are to all disorder and not just alcohol related disorder). In the main, Southwark experiences an increase in alcohol related violent crime as the night progresses, reaching a peak between 2100 and 2200 hours, after which time it gradually falls.

0 - 9 | 10 - 19 | 20 - 29 | 30 - 39 | 40 - 49 | 50 - 59 | 60 - 69 | 70 - 79

Borough and Bankside

Category	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09
Rowdy Behaviour	220	271	242	294	279
Licensing	12	14	6	11	8
Street Drinking	65	54	41	84	71

Levels of rowdy behaviour in the original saturation area have increased, with the last two periods higher than any others. Similarly, levels of street drinking have slightly increased over time. Licensing CAD calls have maintained a fairly steady rate.

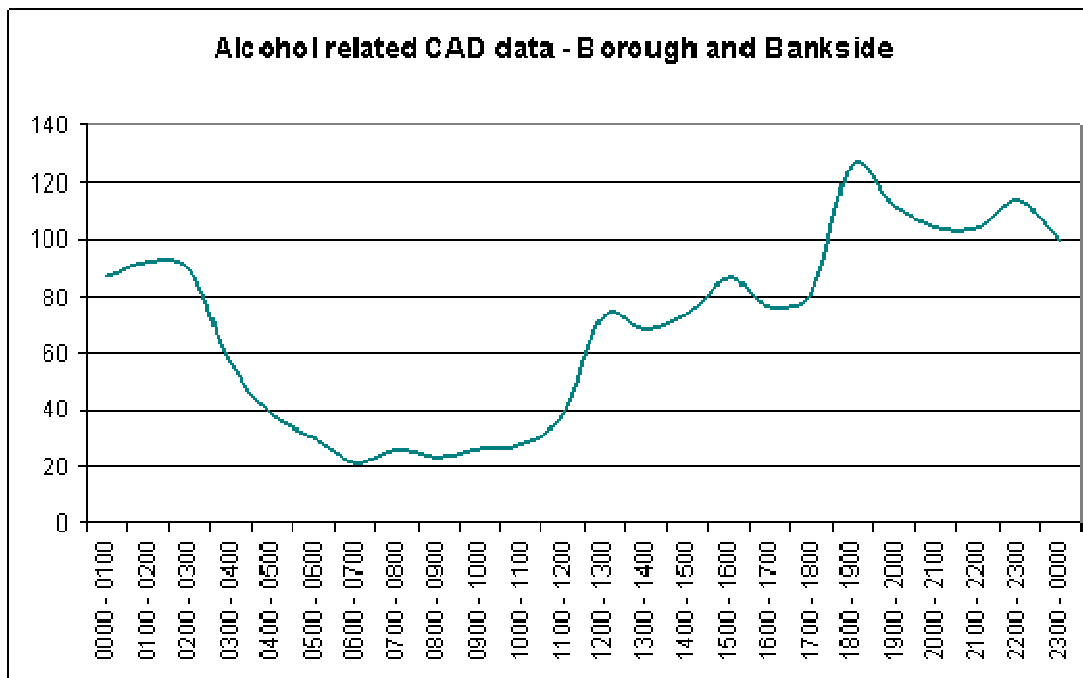
Where?

In the daytime period, (between 0600 and 2300 hours) alcohol related disorder typically takes place in the street, such as Borough High Street, Blackfriars Road and Southwark Bridge Road. Where premises are included, they are usually in hostels or concerned with 'convenience type' stores.

In the evening period, disorder is much more localised.

Also within this evening period, there is a significant increase in disorder at London Bridge BR, and also the bus station.

When?



29.4% of alcohol related disorder in this area occurs between 2300 and 0559 hours (n=492)

Borough and Bankside – Extended area

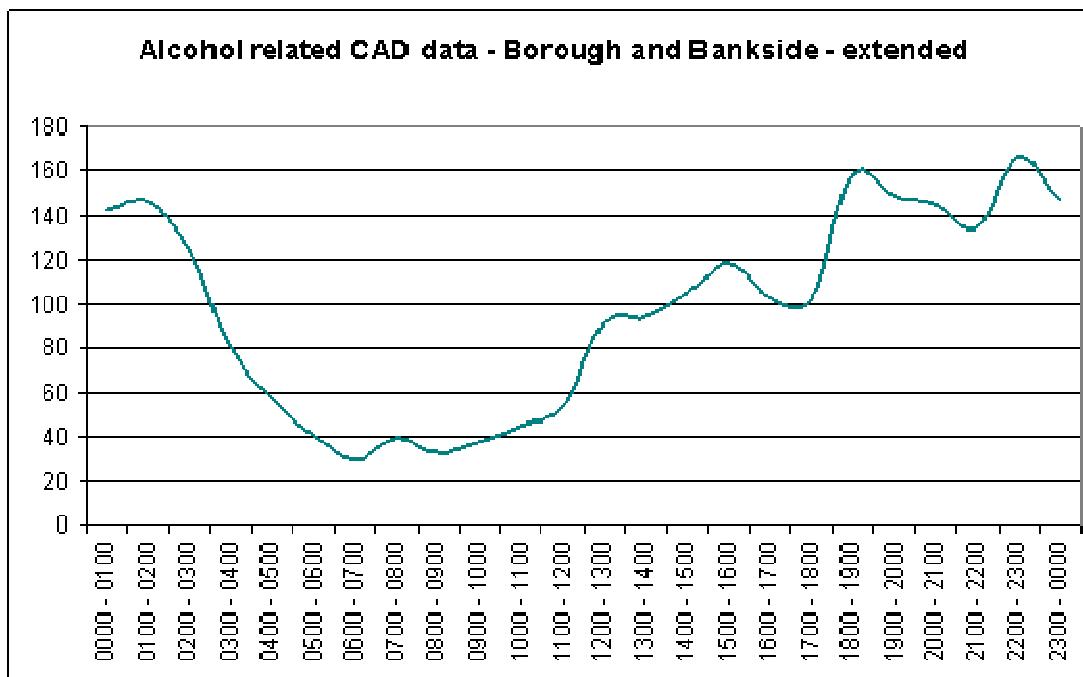
Category	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09
Rowdy Behaviour	320	394	356	392	365
Licensing	15	16	14	16	9
Street Drinking	83	76	63	103	63

Levels of rowdy behaviour in the extended area have increased from December 06, yet have remained at a constant level since. Levels here are higher in the Spring/Summer months than in the Autumn/Winter. Again, the levels of street drinking here have increased, whilst the amount of Licensing CAD calls have not significantly changed.

Where?

There is little change when considering venues from the previous Borough and Bankside saturation area, as many of the premises remain the same. There are however, a number of alcohol related disorder calls made to the area around Guys Hospital, which is included on this extended area.

When?



31.4% of alcohol related disorder in this area occurs between 2300 and 0559 hours (n=736)

Camberwell

Category	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09
Rowdy Behaviour	401	326	267	330	336
Licensing	9	5	5	10	1
Street Drinking	83	76	63	103	63

Levels of rowdy behaviour have significantly decreased in the Camberwell, from the original figure in December – May 07, however, are now static, averaging between 267 and 336 per six month period. There was a higher level of street drinking calls in the summer of 2008, though levels appear to have fallen to 63 calls in the most recent period.

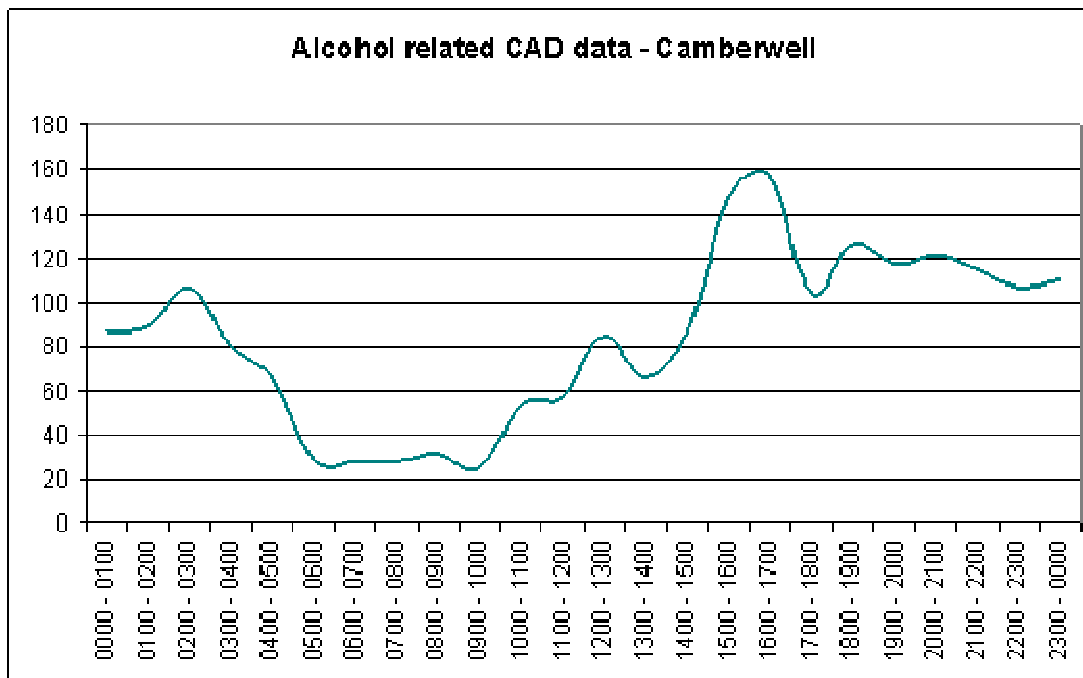
Where?

In the daytime period (between 0600 and 2300 hours) alcohol related disorder typically takes place in the street, most notably in Camberwell Green, Denmark Hill and Camberwell Grove. Premises of note include a significant number of smaller newsagents/convenience store type venues, most of which sell alcohol.

In the evening period, disorder is again more localised.

In addition, there are many late night calls to fast food venues in the area.

When?



28% of alcohol related disorder in this area occurs between 2300 and 0559 hours (n=567)

Elephant and Castle

Category	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09
Rowdy Behaviour	147	144	133	114	112
Licensing	8	6	0	6	0
Street Drinking	19	17	13	17	13

Levels of disorder at the Elephant and Castle have significantly decreased as the periods have gone on, with just 112 reported in the last 6 month period. Levels of street drinking have remained at a constant, averaging between 13 and 19 per period.

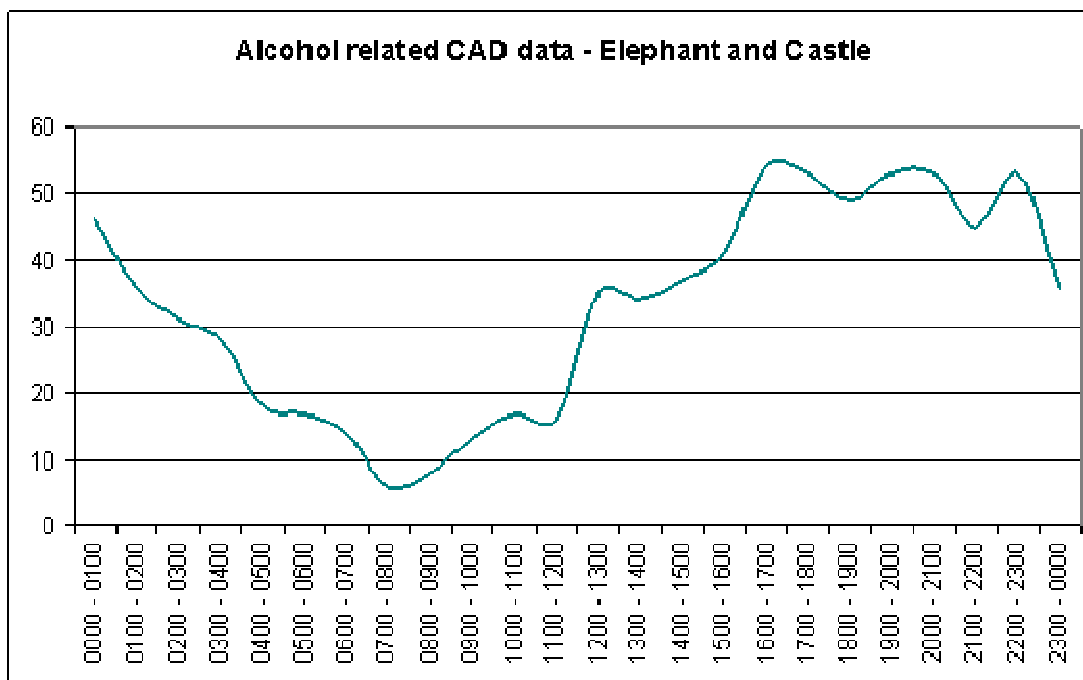
Where?

Alcohol related disorder in the daytime period is concentrated upon three main areas, these being:

- Elephant and Castle LT station
- Elephant and Castle shopping centre (various locations within)
- Bus stops (and whilst on bus) in and around Elephant and Castle.

In the evening, the disorder around the transport network increases.

When?



26.7% of alcohol related disorder in this area occurs between 2300 and 0559 hours (n=793)

Old Kent Road

Category	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09
Rowdy Behaviour	188	176	151	154	107
Licensing	3	2	2	4	0
Street Drinking	9	11	15	17	10

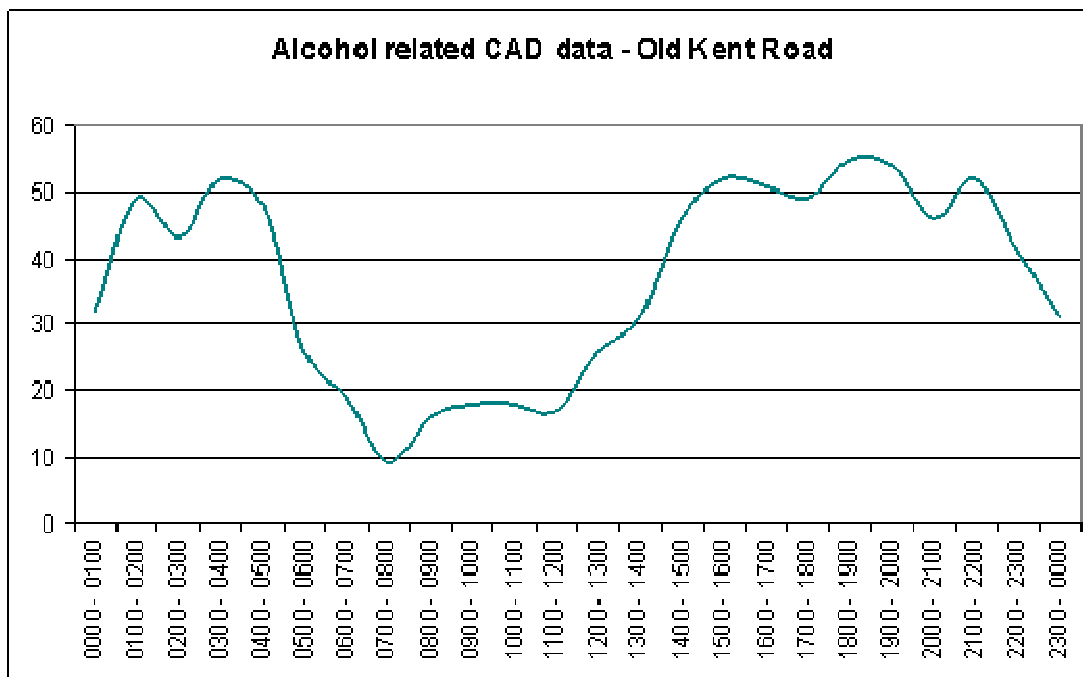
Levels of rowdy behaviour in this saturation area have remained at a fairly constant level, excepting the last period, which reports a decrease of almost 50 calls. Levels of licensing and street drinking have not significantly changed over the time periods.

Where?

In the daytime period (between 0600 and 2300 hours) alcohol related disorder typically takes place in the street, outside specific venues.

In the evening period, police are typically called to specific venues.

When?



31.9% of alcohol related disorder in this area occurs between 2300 and 0559 hours (n=281)

Peckham

Category	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09
Rowdy Behaviour	388	431	338	370	335
Licensing	12	11	5	9	3
Street Drinking	51	41	33	39	35

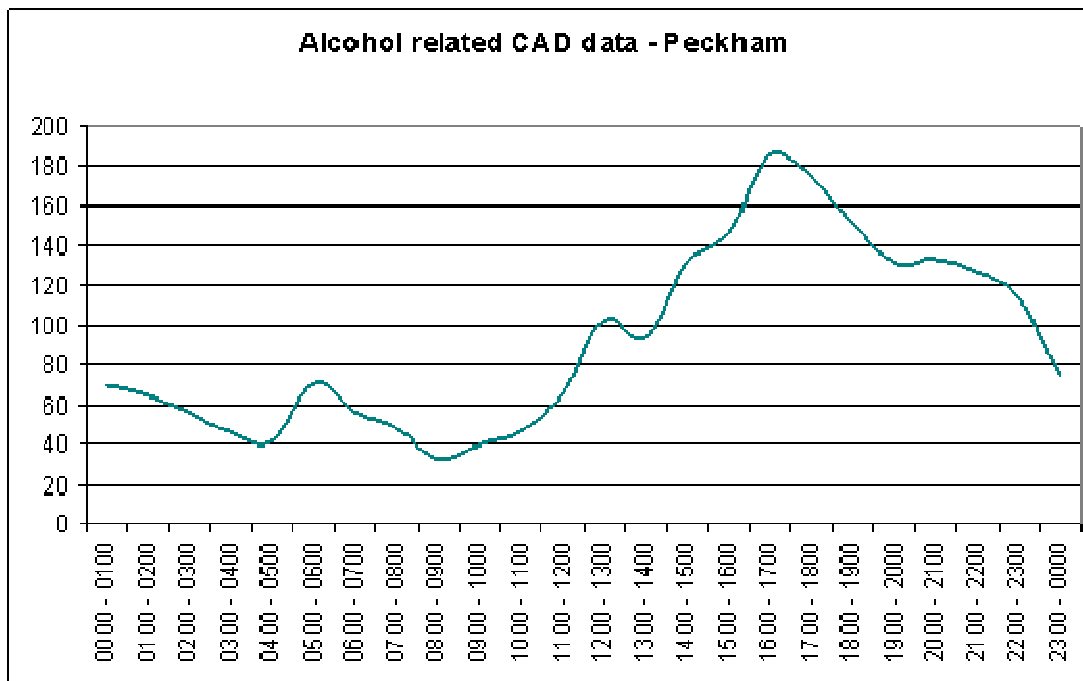
Levels of rowdy behaviour in Peckham have generally been decreasing as the six month periods draw on, and are higher in the June – November periods. Levels of street drinking are maintaining levels of 30+, though this is a significant decrease from the earlier periods of this study. Licensing CAD calls have also reduced in frequency.

Where?

In the daytime period (between 0600 and 2300 hours) alcohol related disorder takes place in the street, at the various bookmakers, at convenience stores, and at food retailers.

In the evening period, disorder seems to be centred in smaller 'pockets'.

When?



19.3% of alcohol related disorder in this area occurs between 2300 and 0559 hours (n=425)

Peckham – Extended

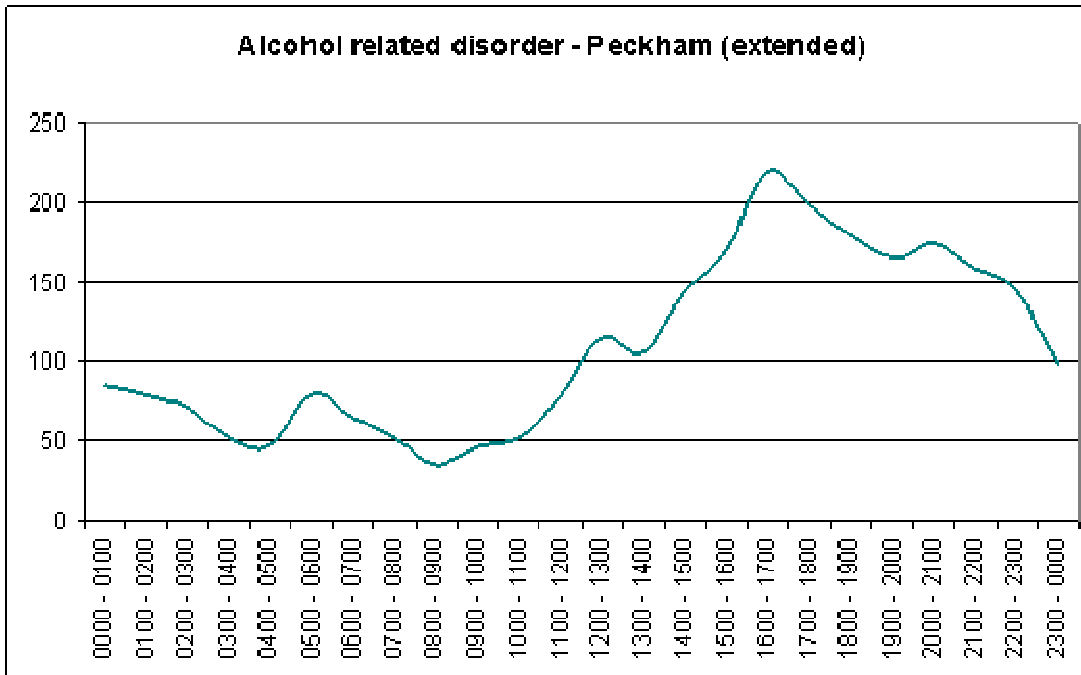
Category	Dec 06 - May 07	Jun 07 - Nov 07	Dec 07 - May 08	Jun 08 - Nov 08	Dec 08 - May 09
Rowdy Behaviour	471	520	396	444	394
Licensing	13	11	5	10	3
Street Drinking	54	48	39	48	41

Levels in the extended Peckham area have again reduced, though seasonal patterns are still apparent, with more offences taking place in the summer months. Levels of street drinking and licensing CAD calls have also reduced.

Where?

Disorder follows the same patterns in this area as the previous Peckham boundary.

When?



19.6% of alcohol related disorder in this area occurs between 2300 and 0559 hours (n=515)

Conclusions/Key Findings

Alcohol related violent crime in the evening hours increased rapidly from Dec 06-May 07 to Jun 07 – Nov 07, after which time levels fell.

Although the overall level of violent crime between 2300 and 0559 hours has not increased, the percentage of those crimes influenced by alcohol has *significantly* increased. There was also an increase in the proportion in the daytime offences, but not to such a large extent.

11.5% of the borough's alcohol related violence occurs within the Borough and Bankside saturation area.

Borough and Bankside

Main crimes of note are serious wounding and assault with injury, with peak times on Friday/Saturday between 2300 and 0200 hours. Daytime ASB calls relate to street drinking/disorder, generally concerned with convenience stores. A significant proportion of events were linked to the various hostels within this area. Evening offences were concerned with the night time economy.

Camberwell

The main crimes of note are robbery, Assault with Injury and Harassment, with a peak time of Saturdays, between 0200 and 0500. Evening calls typically related once more to the night time economy. There is also a large proportion of calls taking place at or outside fast food shops in the early hours of the morning.

Elephant and Castle

Main offences in this area are Assault with Injury and Robbery of the Person. Both Saturday and Sundays were the peak days, between 0100 and 0500 hours. CAD ASB calls have dramatically decreased in this area. Daytime calls typically relate to offences at either the shopping centre, or the transport network (both LU and bus).

Old Kent Road

The main alcohol related offences in this area were Assault with Injury and harassment, though there was no significant change in statistics for the differing periods. Peak times are between 0300 and 0400 hours on Saturday, and between 0300 and 0500 hours on Sunday. Daytime CAD calls often relate to offences outside bookmakers and convenience stores, with evening calls relating more to specific venues.. Similarly to Camberwell, there is a high proportion of late night calls made from/outside fast food restaurants.

Peckham

The main offences in Peckham are typically assault with injury, robbery and serious wounding. There are very few repeat venues, with most crimes occurring on the street. The peak times are on Mondays between 0400 and 0500 and Saturdays between 0300 and 0400 hours. Levels of CAD calls are decreasing in both the original and extended areas. Daytime calls are made from outside the Peckham Pulse (Street drinking), and also outside bookmakers, convenience stores and fast food outlets.

Appendix 2

Nuisance Service Requests to the London Borough of Southwark November 2006 to May 2009.

Objective

To report on the number of nuisance service requests the Community Safety Enforcement has received during the period November 2006 to May 2009 in connection with licensed premises in the Borough and an analysis of the service requests in the saturation areas identified within Southwark.

Methodology

Data was taken from the Community Safety Enforcement's Management Information System. A query was written which searched the database to obtain all the reactive nuisance service complaints that have been made against 'open' premises with associated alcohol or entertainment licence issued.

If a service complaint is made in connection with a nuisance complaint about a premises selling alcohol or providing public entertainment, but if it is not linked to as premises with a licence record, then the service requests will not be included within the analysis.

Service requests, which are relating to noise from people in the street, but are not identified, to a particular property, these will not be included in the analysis.

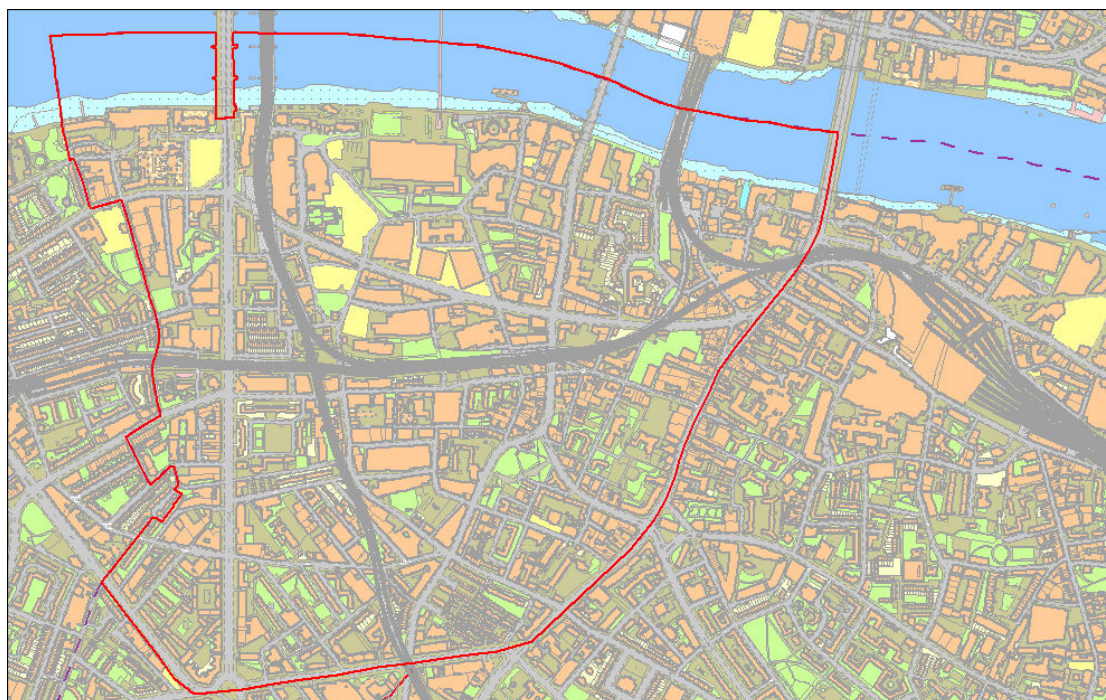
Southwark Overview

Table 1 shows the number of service requests attributed to licensed premises in the Borough and the number of premises that were complained about in each of the six-month periods since November 2006.

	Nov 06 – April 07	May 07 – Oct 07	Nov 07 – April 08	May 08 – Oct 08	Nov 08 – April 09
Number of service complaints	77	141	64	126	59
Attributed to Licensed premises	44	74	34	69	40

Table 1 – Nuisance Service Requests for the Borough November 2006 to April 2009

Borough and Bankside



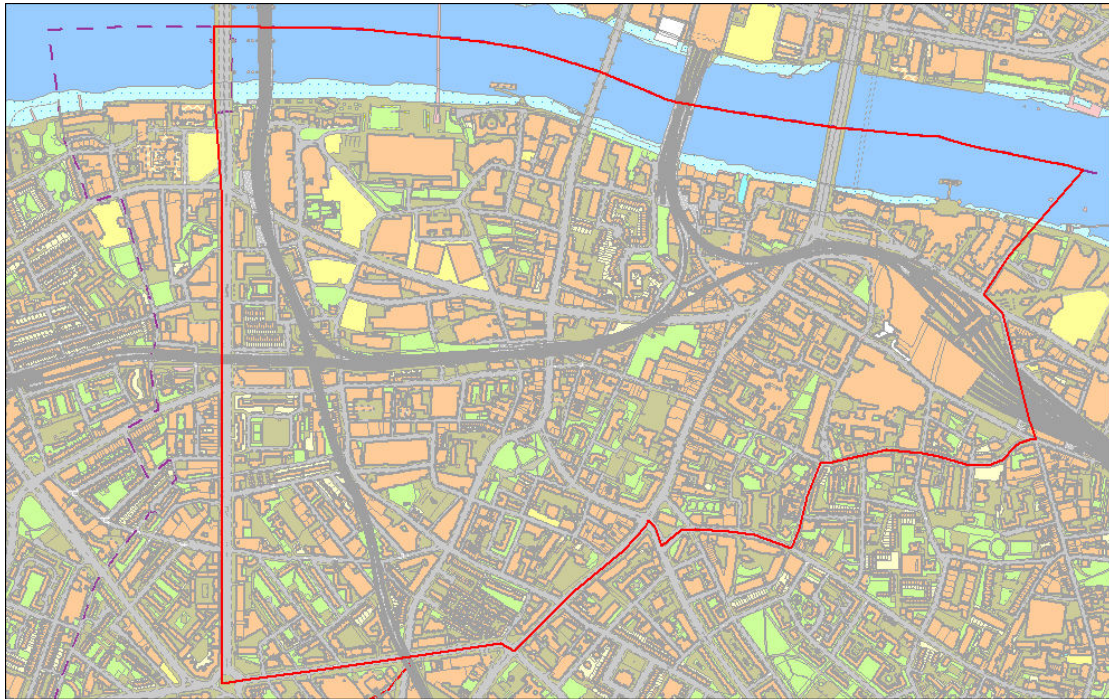
Map 1 Borough and Bankside Saturation Area

Table 2 shows the number of service requests attributed to licensed premises in the Borough and Bankside saturation area and the number of premises that were complained about in each of the six-month periods since November 2006.

	Nov 06 – April 07	May 07 – Oct 07	Nov 07 – April 08	May 08 – Oct 08	Nov 08 – April 09
Number of service complaints	6	16	6	11	3
Attributed to Licensed premises	4	10	4	7	3

Table 2 – Nuisance Service Requests for the Borough and Bankside Saturation Area - November 2006 to April 2009

Revised Borough and Bankside



Map 2 Revised Borough and Bankside Saturation Area

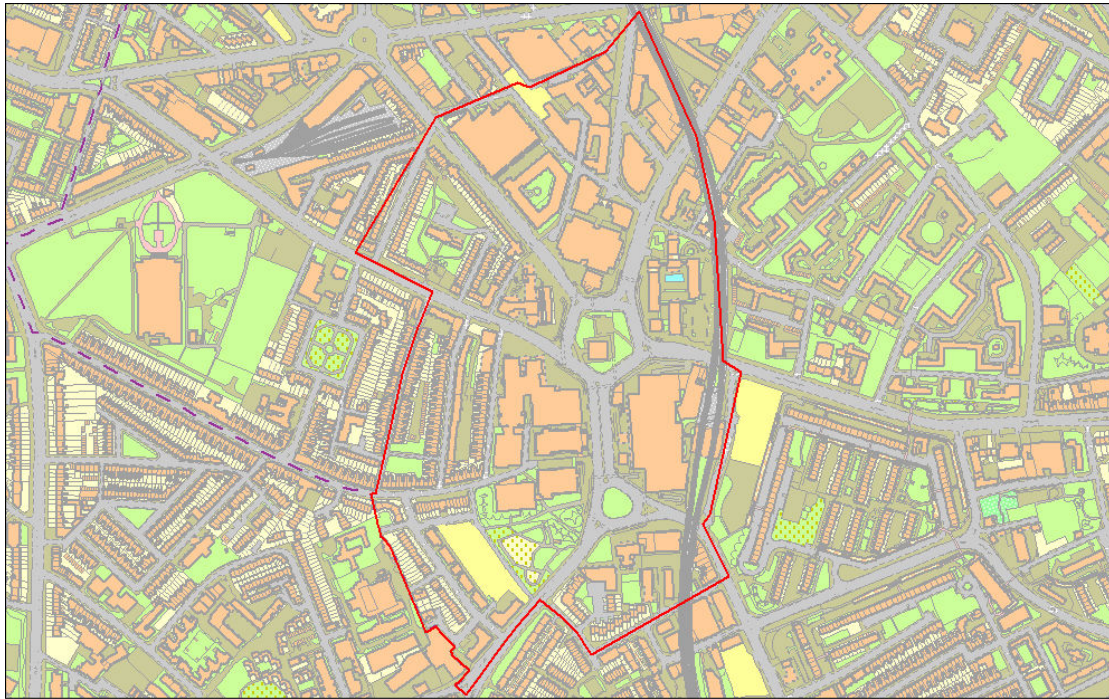
Table 3 shows the number of service requests attributed to licensed premises in the Extended Borough and Bankside saturation area and the number of premises that were complained about in each of the six-month periods since November 2006.

	Nov 06 – April 07	May 07 – Oct 07	Nov 07 – April 08	May 08 – Oct 08	Nov 08 – April 09
Number of service complaints	9	17	4	8	5
Attributed to Licensed premises	4	10	3	6	4

Table 3 – Nuisance Service Requests for the Extended Borough and Bankside Saturation Area - November 2006 to April 2009

Elephant and Castle

Where



Map 3 Elephant and Castle Saturation Area

Table 5 shows the number of service requests attributed to licensed premises in the Elephant & Castle Saturation area and the number of premises that were complained about in each of the six-month periods since November 2006.

	Nov 06 – April 07	May 07 – Oct 07	Nov 07 – April 08	May 08 – Oct 08	Nov 08 – April 09
Number of service complaints	0	4	3	4	2
Attributed to Licensed premises	0	2	1	3	1

Table 5 – Nuisance Service Requests for the Elephant & Castle Saturation Area – November 2006 to April 2009

Camberwell

Where



Map 5 Camberwell Saturation Area

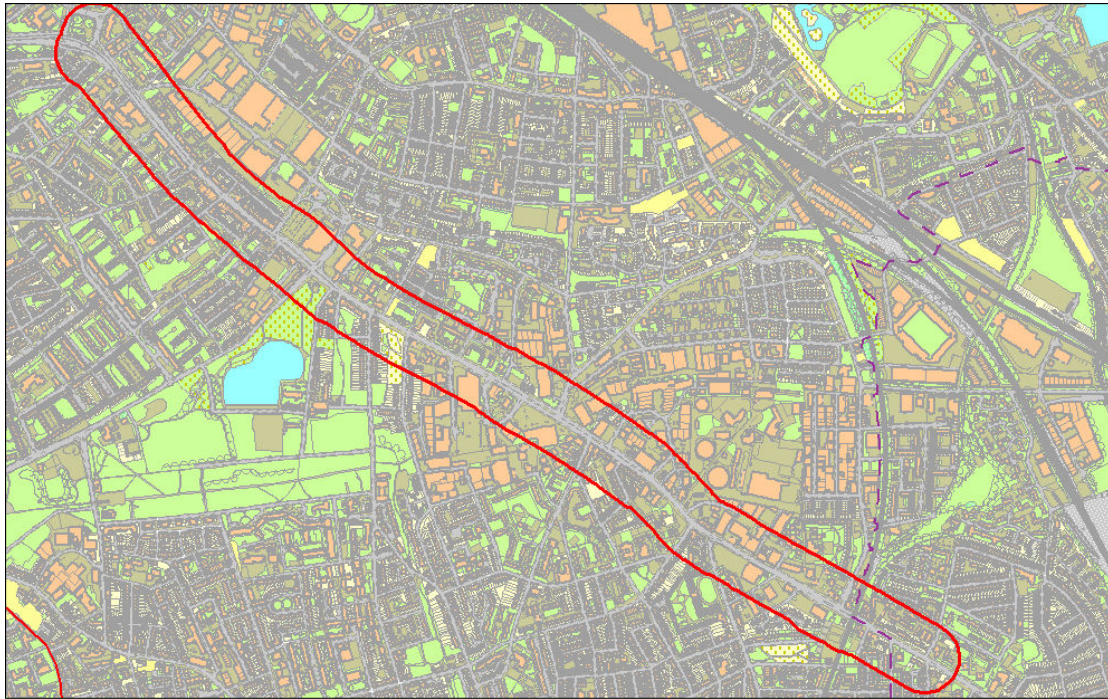
Table 6 shows the number of service requests attributed to licensed premises in the Camberwell Saturation area and the number of premises that were complained about in each of the six-month periods since November 2006.

	Nov 06 – April 07	May 07 – Oct 07	Nov 07 – April 08	May 08 – Oct 08	Nov 08 – April 09
Number of service complaints	7	9	8	10	4
Attributed to Licensed premises	4	6	2	9	2

Table 6 – Nuisance Service Requests for the Camberwell Saturation Area - November 2006 to April 2009

Old Kent Road

Where



Map 6 Old Kent Road Saturation Area

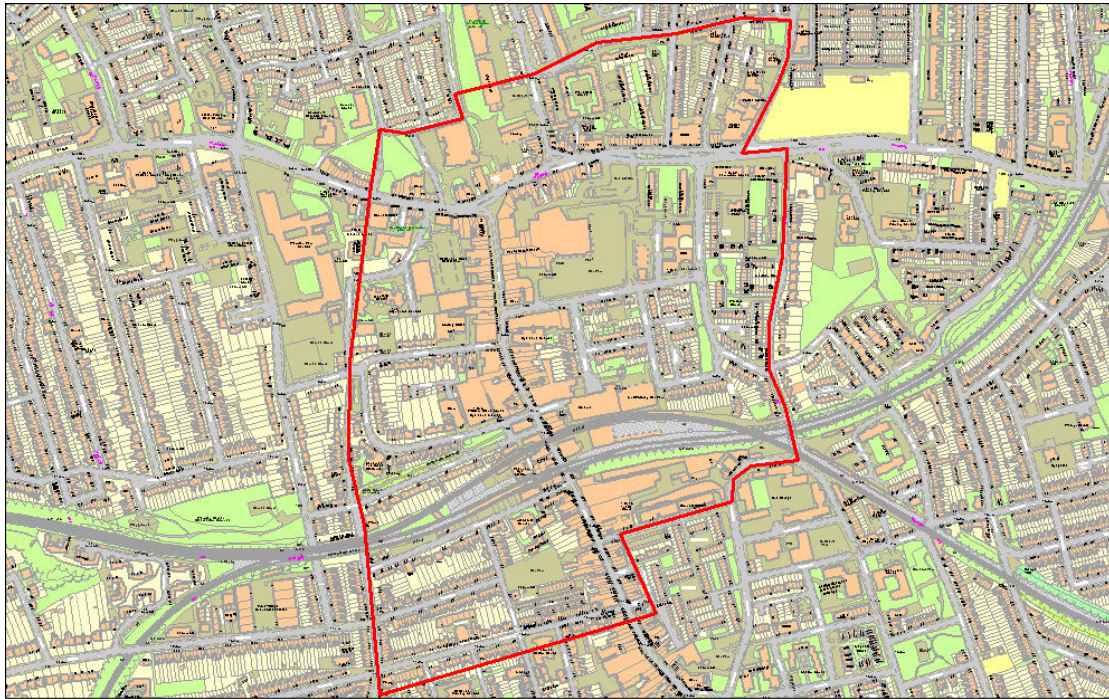
Table 7 shows the number of service requests attributed to licensed premises in the Old Kent Road Saturation area and the number of premises that were complained about in each of the six-month periods since November 2006.

	Nov 06 – April 07	May 07 – Oct 07	Nov 07 – April 08	May 08 – Oct 08	Nov 08 – April 09
Number of service complaints	15	6	7	8	9
Attributed to Licensed premises	5	3	3	6	3

Table 7 – Nuisance Service Requests for the Old Kent Road Saturation Area - November 2006 to April 2009

Peckham

Where



Map 7 Peckham Saturation Area

Table 8 shows the number of service requests attributed to licensed premises in the Peckham Saturation area and the number of premises that were complained about in each of the six-month periods since November 2006.

	Nov 06 – April 07	May 07 – Oct 07	Nov 07 – April 08	May 08 – Oct 08	Nov 08 – April 09
Number of service complaints	2	2	3	5	4
Attributed to Licensed premises	1	2	3	3	2

Table 8 – Nuisance Service Requests for the Peckham Saturation Area - November 2006 to April 2009

Peckham Extended Area

Where



Map 8 Extended Peckham Saturation Area.

Table 9 shows the number of service requests attributed to licensed premises in the Extended Peckham Saturation Area and the number of premises that were complained about in each of the six-month periods since November 2006.

	Nov 06 – April 07	May 07 – Oct 07	Nov 07 – April 08	May 08 – Oct 08	Nov 08 – April 09
Number of service complaints	2	2	3	5	4
Attributed to Licensed premises	1	2	3	3	2

Table 9 – Nuisance Service Requests for the Extended Peckham Saturation Area - November 2006 to April 2009

Appendix 3 – Further General Southwark Analysis

Violence against the person

1. Table 1 / chart 1 below provides comparative figures for alcohol related VAP within Southwark generally, for the past six, six-month periods commencing June – November 2006 through to December 2008 – May 2009.

Southwark alcohol related VAP	Jun – Nov 06	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
Evening 23.00 – 05.59	433	419	448	434	441	442
Daytime 06.00 – 22.59	532	549	581	559	672	596
24 hour total	965	968	1029	993	1113	1038

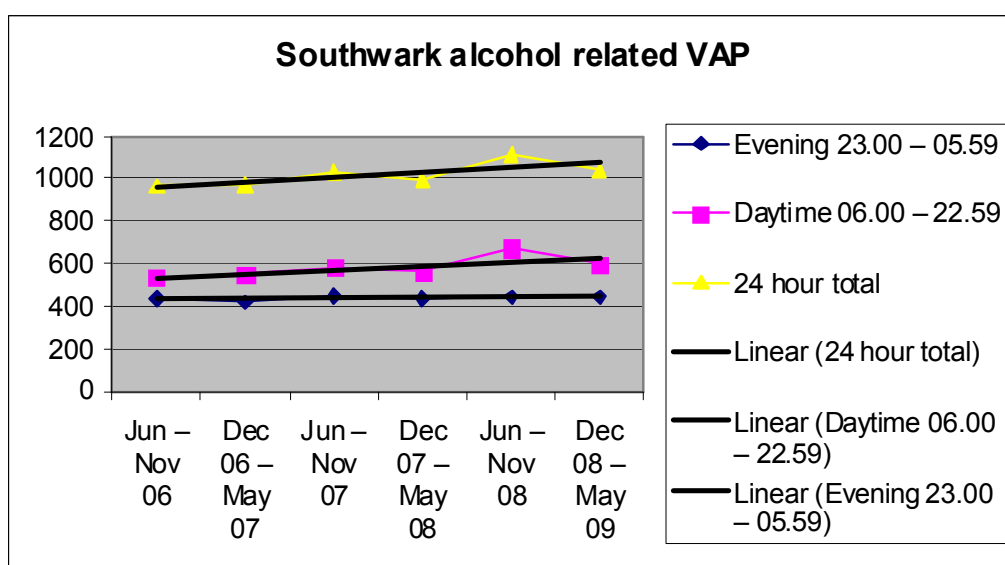


Table / Chart 1

2. VAP figures across Southwark for the most recent 6-month period (Dec 08 – May 09) show:
- A 2% evening period increase on the previous comparable period (Dec 07 – May 08);
 - A 7% daytime period increase on the previous comparable period (Dec 07 – May 08); and
 - A 4.5% increase overall on the previous comparable period (Dec 07 – May 08).
3. VAP figures across Southwark for the most recent 12-month period (Jun 08 – May 09) show:
- A constant evening period position maintained with the previous comparable period (Jun 07 – May 08);
 - An 11% daytime period increase on the previous comparable period (Jun 07 – May 08); and
 - A 6% increase overall on the previous comparable period (Jun 07 – May 08).

Alcohol related CAD data

4. Specific comparative information is provided within the report for each of the areas under consideration. General comparative information across the Southwark area is not available; however, the analyst's report does state that "this type of disorder has dramatically fallen in recent months". Again, information provided within the analysis covers the full 24-hour period.

Appendix 4 – Further Peckham Analysis

Violence against the person

1. Table 1 / chart 1 below provides comparative figures for alcohol related VAP within the existing Peckham saturation area, for the past six, six-month periods commencing June – November 2006 through to December 2008 – May 2009.

Peckham alcohol related VAP	Jun – Nov 06	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
Evening 23.00 – 05.59	21	29	41	41	25	19
Daytime 06.00 – 22.59	44	63	20	43	67	50
24 hour total	65	92	61	84	92	69

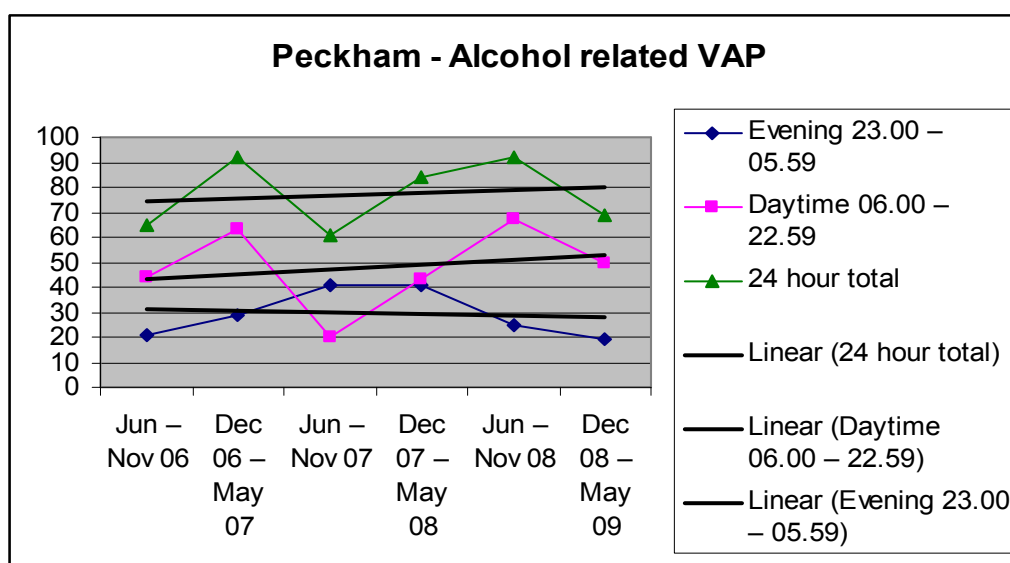


Table 1 / chart 1

2. VAP figures across Peckham for the most recent 6-month period (Dec 08 – May 09) show:
- A 54% evening period decrease on the previous comparable period (Dec 07 – May 08);
 - A 16% daytime period increase on the previous comparable period (Dec 07 – May 08); and
 - An 18% decrease overall on the previous comparable period (Dec 07 – May 08).
3. VAP figures across Peckham for the most recent 12-month period (Jun 08 – May 09) show:
- A 44% evening period decrease on the previous comparable period (Jun 07 – May 08);
 - An 86% daytime period increase on the previous comparable period (Jun 07 – May 08); and
 - An 11% increase overall on the previous comparable period (Jun 07 – May 08).

4. This position can be compared against the figures provided in table 2 / chart 2 which gives comparative information for alcohol related VAP within the proposed extended Peckham saturation area, over the same past six, six-month periods commencing June – November 2006 through to December 2008 – May 2009.

Peckham (extended area) alcohol related VAP	Jun – Nov 06	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
Evening 23.00 – 05.59	29	32	49	50	28	28
Daytime 06.00 – 22.59	59	58	80	57	90	66
24 hour total	88	90	129	107	118	94

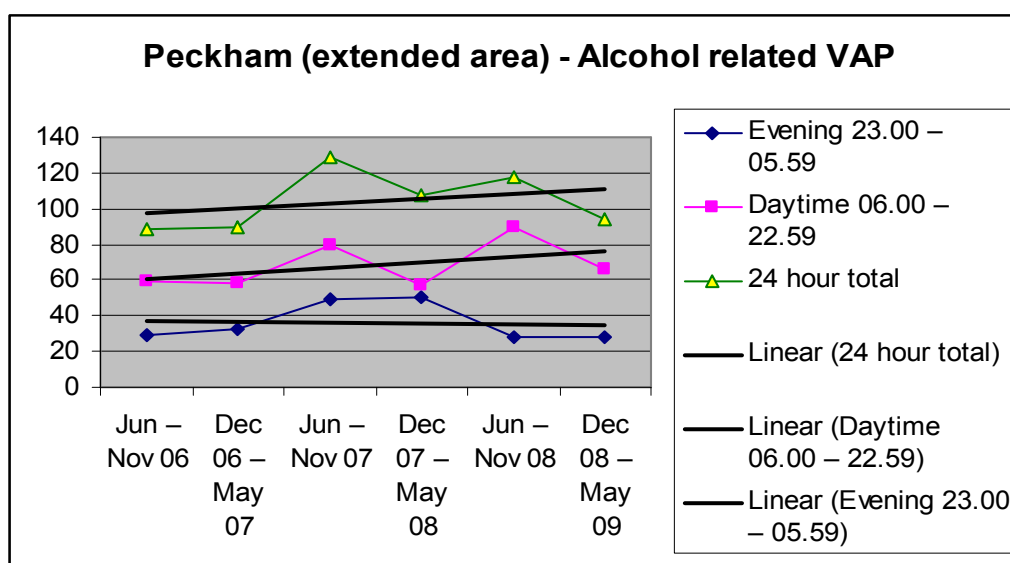


Table 2 / chart 2

5. VAP figures across the extended Peckham area for the most recent 6-month period (Dec 08 – May 09) show:
- A 44% evening period decrease on the previous comparable period (Dec 07 – May 08);
 - A 16% daytime period increase on the previous comparable period (Dec 07 – May 08); and
 - An 12% decrease overall on the previous comparable period (Dec 07 – May 08).
6. VAP figures across the extended Peckham area for the most recent 12-month period (Jun 08 – May 09) show:
- A 43% evening period decrease on the previous comparable period (Jun 07 – May 08);
 - A 14% daytime period increase on the previous comparable period (Jun 07 – May 08); and
 - A 10% decrease overall on the previous comparable period (Jun 07 – May 08).

Alcohol related CAD calls

7. Table 3 / chart 3 provides comparative data regarding alcohol related CAD calls received by the police concerning the existing Peckham saturation area, for the past five, six-month periods commencing December 2006 – May 2007 through to December 2008 – May 2009.

Peckham alcohol related CAD calls	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
24 hour total	451	483	378	418	373

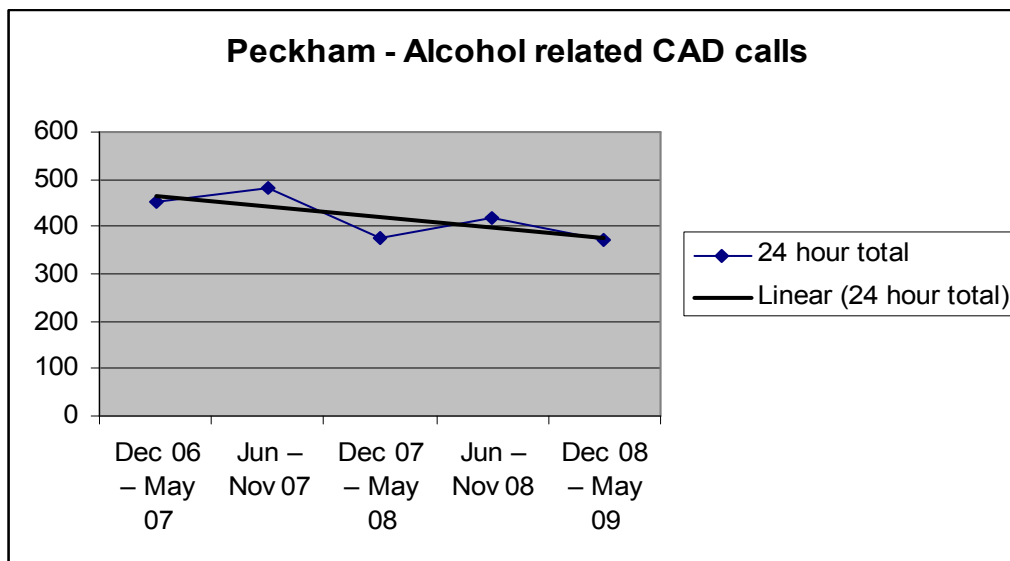


Table 3 / chart 3

8. CAD figures across the existing Peckham saturation area for the most recent 6-month period (Dec 08 – May 09) show a 3% decrease on the previous comparable period (Dec 07 – May 08).
9. CAD figures across the existing Peckham saturation area for the most recent 12-month period (Jun 08 – May 09) show an 8% decrease on the previous comparable period (Jun 07 – May 08).
10. This position can be compared against the figures provided in table 4 / chart 4 which gives comparative information for alcohol related CAD calls within the proposed extended Peckham saturation area, over the same past five, six-month periods commencing December 2006 – May 2007 through to December 2008 – May 2009.

Peckham (extended area) alcohol related CAD calls	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
24 hour total	538	579	440	502	438

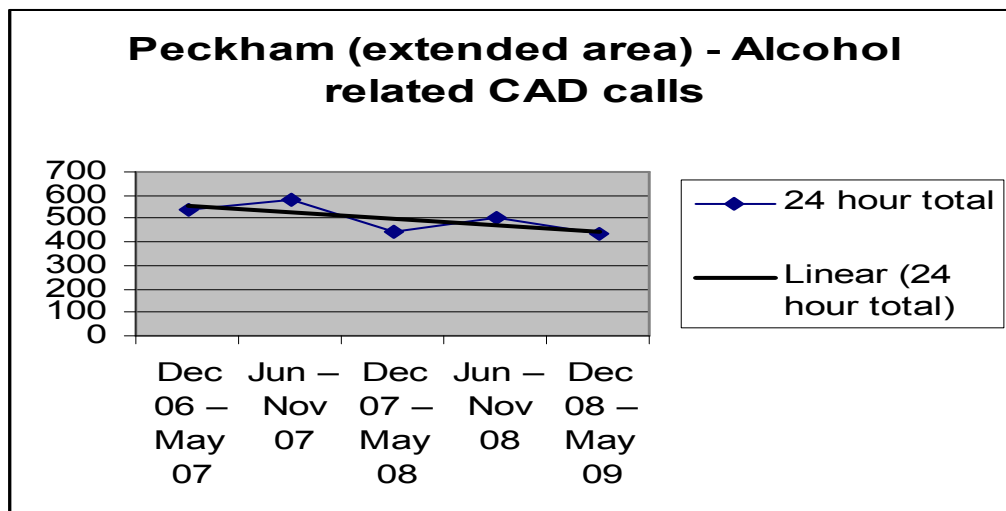


Table 4 / chart 4

11. CAD figures across the proposed extended Peckham saturation area for the most recent 6-month period (Dec 08 – May 09) are constant with the previous comparable period (Dec 07 – May 08).
12. CAD figures across the proposed extended Peckham saturation area for the most recent 12-month period (Jun 08 – May 09) show an 8% decrease on the previous comparable period (Jun 07 – May 08).

Appendix 5 – Further Camberwell Analysis

Violence against the person

1. Table 1 / chart 1 below provides comparative figures for alcohol related VAP within the existing Camberwell saturation area, for the past six, six-month periods commencing June – November 2006 through to December 2008 – May 2009.

Camberwell alcohol related VAP	Jun – Nov 06	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
Evening 23.00 – 05.59	44	32	34	27	33	35
Daytime 06.00 – 22.59	44	47	44	46	42	50
24 hour total	84	79	78	73	75	85

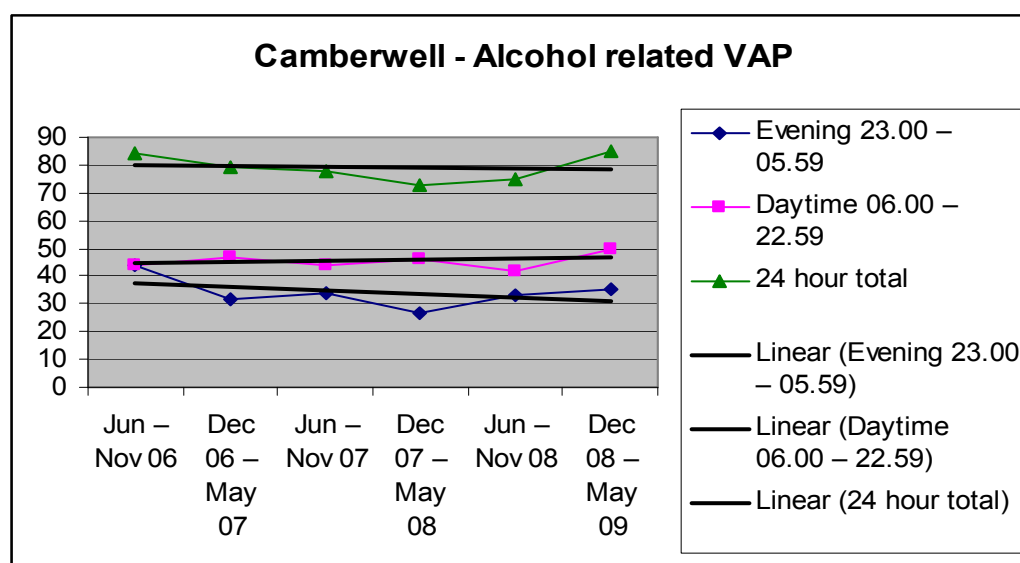


Table 1 / chart 1

2. VAP figures across Camberwell for the most recent 6-month period (Dec 08 – May 09) show:
- A 30% evening period increase on the previous comparable period (Dec 07 – May 08);
 - A 9% daytime period increase on the previous comparable period (Dec 07 – May 08); and
 - A 16% increase overall on the previous comparable period (Dec 07 – May 08).
3. VAP figures across Camberwell for the most recent 12-month period (Jun 08 – May 09) show:
- An 11% evening period increase on the previous comparable period (Jun 07 – May 08);
 - A 2% daytime period increase on the previous comparable period (Jun 07 – May 08); and
 - A 6% increase overall on the previous comparable period (Jun 07 – May 08).

Alcohol related CAD calls

4. Table 2 / chart 2 provides comparative data regarding alcohol related CAD calls received by the police concerning the existing Camberwell saturation area, for the past five, six-month periods commencing December 2006 – May 2007 through to December 2008 – May 2009.

Camberwell alcohol related CAD calls	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
24 hour total	493	407	335	443	400

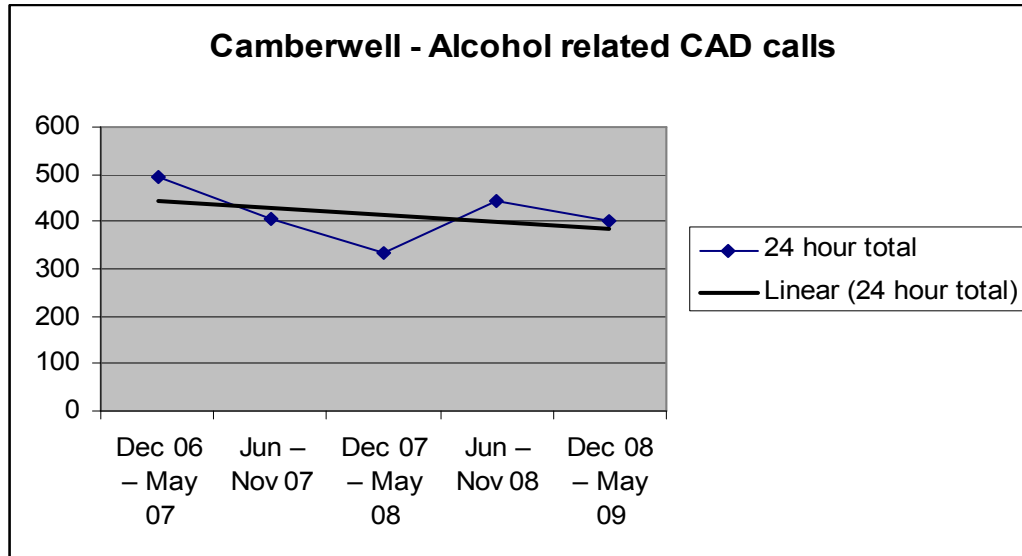


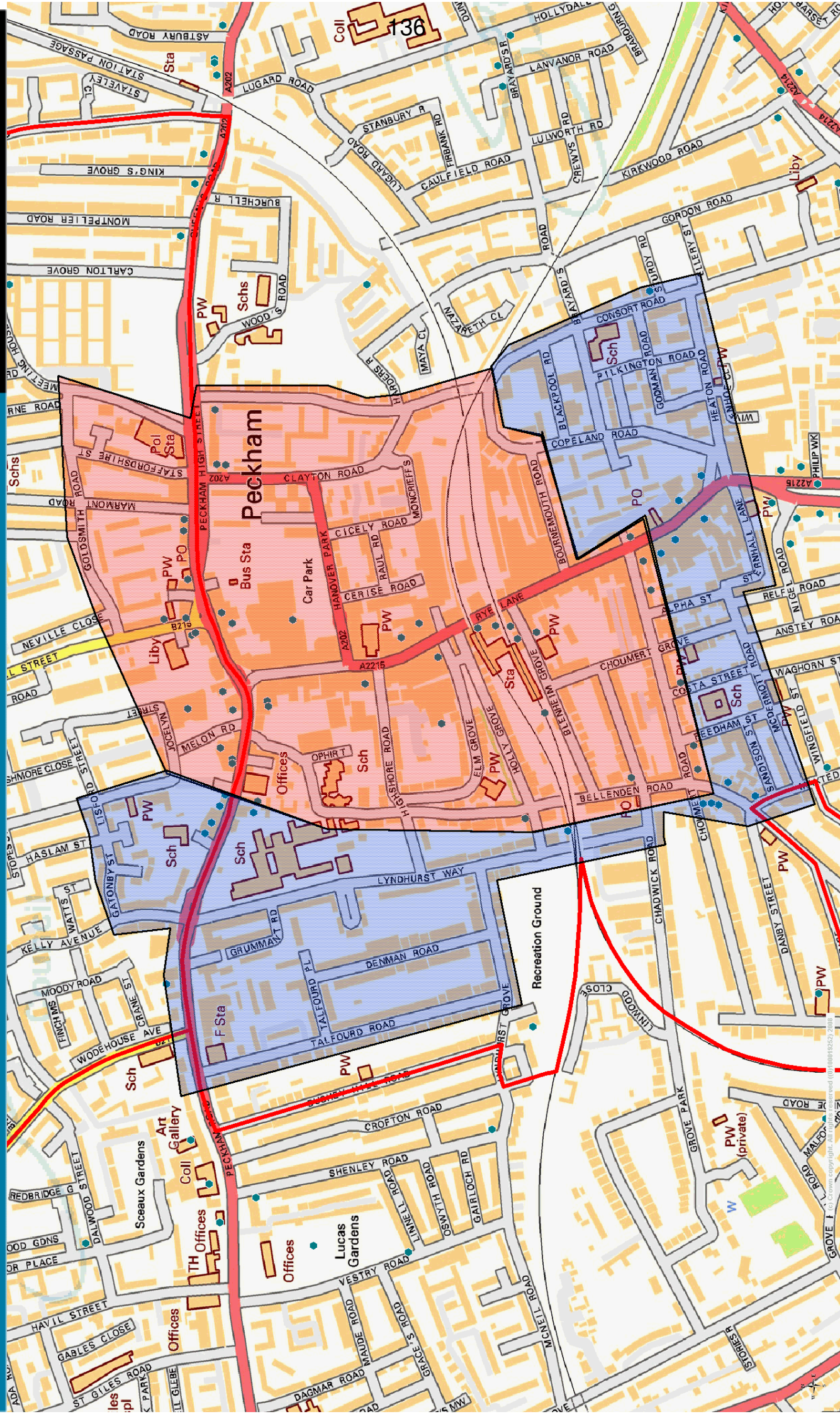
Table 2 / chart 2

5. CAD figures across the existing Camberwell saturation area for the most recent 6-month period (Dec 08 – May 09) show a 19% increase on the previous comparable period (Dec 07 – May 08).
6. CAD figures across the existing Camberwell saturation area for the most recent 12-month period (Jun 08 – May 09) show a 14% increase on the previous comparable period (Jun 07 – May 08).

Peckham Saturation Area - Proposed Extension

Appendix 6

Date 24/4/2009



Appendix 7

Summary of responses to consultation exercise on possible extension to Peckham saturation area						
Name	Address	Status	Q1	Q2	Q3	Comments
Responsible Authorities						
Alan Blisset, Environmental Protection Team	The Chaplin Centre, Thurlow Street, SE17 2DG	Environmental health, responsibility for nuisance control		No		On Q of boundary - West - I can see no justification for western boundary to extend to Talfourd Road. I would favour Lyndhurst Way as a more natural boundary for its whole length crossing Peckham Road to the north boundary as proposed. East - I can see no justification for inclusion of premises in Blackpool Road, Goodman Road, Pilkington Road and suggest the eastern boundary, south of the railway follows the contour of Copeland Road to Heaton Road. South - This boundary doesn't appear to extend far enough south to capture a range of premises in Peckham Rye. I suggest extending from Heaton Road south to Dewar Street (Dewar Street - Troytwon - Nutbrook Street - connect back with Maxted Road). On Q of premises types - We can see no reason for restaurants with late night opening for sale of food and supply of alcohol and / or regulated entertainment to be excluded. There is every likelihood and past experience that their operation is not dissimilar to that of public house / club premises, and have given rise to "nuisance" in fairly equal percentages over the years. Inclusive consideration would also overcome the difficulty in actually defining a difference and practical / consistent interpretation.
Bill Legassick, Team Leader Environmental Protection Team	The Chaplin Centre, Thurlow Street, SE17 2DG	Environmental health, responsibility for nuisance control				The boundary for the Peckham saturation policy between Talfourd Road and Kelly Avenue appears to cut through a licensed property boundary, so I would suggest the boundary follows Peckham Road to Southampton Way, up Southampton Way to Crane Street then joins the new proposed boundary at Gatonby Street.
Brenda Donnelly, Planning Policy & Regeneration		Planning authority				Detailed response provided (see main report)
Licensed trades						
Zu Fang Chen	Cheung's Chinese Food, Rye Lane, SE15 4UA	Premises licence holder	Yes	Yes	Yes	None
M N Khan	CostCutter, East Dulwich Road, SE22 9BA	Personal and premises licence holder	Yes	Yes	Yes	None
Sally Butcher	Persepolis, Peckham High Street, SE15 5DT	Involved in a local business	Yes	Yes	Yes	None
Residents						
Peta Adderley	Lyndhurst Grove, SE15	Local resident	Yes	Yes	Yes	None
Pernille Ahlstrom	Lyndhurst Square, SE15 5AR	Local resident	Yes	Yes	Yes	None
Sylvia M Austin	Marcos House,	Local resident	Yes	Yes	Yes	None

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	Basing Court, Peckham High Street, SE15 5DU					
Justin Canning	Consort Road, SE15 3RX	Local resident	Yes	Yes	Yes	None
Clare Colvin	Choumert Road, SE15 4AB	Local resident	Yes	Yes	Yes	None
Rawlene Evelyn	Marcus House, Peckham High Street, SE15 5DU	Local resident	Yes	Yes	Yes	None
John Gorsuch of Nunhead Residents Association	Buchan Road, Nunhead, SE15 3HQ	Represents local residents	Yes	Yes	Yes	The introduction of the policy will allow for effective enforcement. This policy has proved successful in other areas of Southwark.
Isabelle Gregory	Oglander Road, SE15 4DB	Local resident	Yes	Yes	Yes	Only point is - will this move disorder out, rather than preventing it?
Reverend Stephen Haynes	Lyndhurst Square, SE15 5AR	Local resident	Yes	Yes	Yes	Q2 - It is good to see the school is included (The Academy at Peckham) There is enough anti-social behaviour from excess drinking involving knives etc and anything we can do to help children is admirable.
Peter Heath	Alpha Street, SE15 4NX	Local resident	Yes	Yes	Yes	Excellent idea. Local residents already suffer a high degree of noise and other anti-social behaviour. Any approach which prevents further problems is to be welcomed.
Alison Irwin	Peckham High Street, SE15 5DT	Local resident	Yes	Yes	No	I believe that the policy should apply to all classes of premises listed. However, I also believe it should apply to any restaurant that wants to sell alcohol after 12am. In the meeting I attended on the saturation zone, Paul Compton, of Southwark police explained that he would probably ask questions of any restaurant applying for an alcohol licence past 12am. He suggested that most restaurants, in his experience, would not suffer unduly by ceasing to serve alcohol at 12am. I believe it would be beneficial to formalise this approach within the saturation policy. It is entirely reasonable to expect restaurants that wish to extend the sale of alcohol past 12am to be subject to the same controls as other businesses in the saturation zone, i.e. to prove that they will not add to cumulative effect on crime and disorder in doing so. I fully support the saturation policy, which I believe will help the council in their efforts to make Peckham a better place to live. I live on Peckham High Street, where a number of licensed premises are already trading. Due to the high number of licensed premises on Peckham High Street, I believe it is vital that the council have the power to consider cumulative effect when deciding on new licence applications. The boundary of the saturation zone as it currently exists cuts a line through a strip of shops, restaurants, take-aways and bars which extend from the Peckham Academy school to Rye Lane on both sides of the High Street. It makes sense to extend the zone to cover this entire stretch of Peckham High Street, as the proposed extension will do. The saturation zone extension will be a valuable tool in ensuring that licensed premises in the area are run responsibly and in a way that limits crime and disorder problems, protecting residents' quality of life. I therefore urge the council to make the saturation zone extension a reality.
Timothy Irwin	Peckham High Street, SE15 5DT	Local resident	Yes	Yes	No	Detailed response provided as above
Daniel Jacobs	Lyndhurst Way, SE15 5AT	Local resident	No			Pubs are an important local amenity. When I moved here in 1991, there were three at this end of the High Street (the King John, another one on the south side of the street whose name I forget,

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						and the Walmer castle) as well as two in the side streets (the Lord Lyndhurst and the Denman Arms). There was also a community run events space with regular parties and activities in the former dole office. All these have now closed and the area is as a result short of pubs and places of entertainment. Restricting the right to open pubs and clubs will not solve problems of crime, violence and street gangs. Indeed, arguably, street gangs thrive in a cultural desert where there is nothing for young people to do. Your "consultation" questionnaire was accompanied by a letter which begins "Have you ever heard stories of shootings and stabbings at bars and clubs in Peckham?" and goes on to imply that restrictions on licensing and extension of the "saturation zone" are some kind of solution. No contrary argument is put. This is clearly heavily biased and strongly skewed towards obtaining a particular answer to the questionnaire, so it cannot really be considered fair as a piece of "consultation" on the question. Note from licensing team - The consultation letter sent from this department did not present the issues in the way described above.
Nicole King	Choumert Grove, SE15 4RB	Local resident	Yes	Yes	Yes	As a local resident I have heard the stories of shootings and stabbings at bars and clubs in Peckham. I have recently been disturbed by an altercation / drunken disorder in the early hours one morning. I believe it is essential that the Council has greater powers to combat crime, disorder and nuisance caused by licensed premises in the area and for these reasons I heartily support the proposed extension to the Peckham saturation zone.
Derek Kinrade	Highshore Road, SE15 5AF	Local resident	Yes	Yes	Yes	None
Martin Lawlor	Lyndhurst Square, SE15 5AR	Local resident	Yes	Yes	Yes	None
Nicholas and Julia Roskill	Camberwell	Local resident	Yes			We wholeheartedly support the campaign for a much needed saturation policy in Peckham.
F Ryan	Lyndhurst Way, SE15 5AG	Local resident	Yes	Yes	Yes	None
The Smith Family	Marcus House, Peckham High Street, SE15 5DU	Local resident	Yes	Yes	Yes	None
Angela Style	Nigel Road, SE15 4NP	Local resident	Yes	Yes	Yes	None
Keith Taylor	Lyndhurst Grove, SE15 5AH	Local resident	Yes	Yes	Yes	None
Rebecca Thomas	Macted Road, SE15 4LL	Local resident	Yes	Yes	Yes	Q2 - Boundary could be wider. The thing that makes Peckham great compared to the Old Kent Road, Walworth Road and borough's like Bromley and Croydon is the lack of drink / drug / club culture (which only increases petty and serious crime). As a local resident, I wouldn't want anymore noise, litter, and intimidation and as a young woman, I like to feel safe walking home in the evenings which I fear an increase in night venues would change for the worse.
A Thorpe	Lyndhurst Square, SE15 5AR	Local resident	Yes	Yes	Yes	None
Jake Tilson	Talfourd Road, SE15 5NY	Local resident	Yes	Yes	Yes	None
Tony Whooley	Blenheim Grove, SE15 4QS	Local resident	Yes	Yes	Yes	It is obvious to anyone living in the area that the proposed licensing restrictions should be imposed. There are already too many such premises and they bring a lot of nuisance and

Appendix 7

						disorder (and worse) into an area under a lot of social stress. This has been evident in the street where I live on account of the bar that has opened down by Peckham Rye station; noise, drunkenness, vomit and anti-social behaviour.
Vanessa & Luke Wyszynski	Bellenden Road, Peckham, SE15 4QY	Local resident	Yes	Yes	Yes	None
Other						
Lane ward Councillors Gordon Nardell, Susan Jones & Mark Glover	Members' Room, Southwark Town Hall, Peckham Road, SE5 8UB	Local ward councillors	Yes	No	No	Detailed response provided and produced separately)
Councillor Barrie Hargrove	Members' Room, Southwark Town Hall, Peckham Road, SE5 8UB	Local ward councillor	Yes	Yes	Yes	Evidence seems to suggest that the introduction of a saturation zone is working. It would be self-defeating if the Council were now to allow venues (not only undesirable nightclubs but also my particular concern is all manner of shops selling alcohol) to spring up around the boundary of the zone.

Appendix 8

Public Consultation on Proposed Extension of the Peckham Saturation Area

Response by The Lane ward councillors

1. We generally support the proposed extension, most of which relates to The Lane ward. The existing saturation area has been helpful in containing many of the problems associated with the concentrations of licensed premises in and around Peckham Town Centre. But our experience indicates that the original boundaries were drawn too tightly. For example, the boundary excluded – for no obvious reason – the premises at 14 Peckham High Street formerly known as Mbalax. Before revocation of the Mbalax licence, those premises were associated with some extremely serious incidents of violence and disorder. The Licensing Authority was disadvantaged by being unable to apply the current saturation policy to the recent application by another operator to re-licence the premises.
2. Some of the areas of The Lane ward that would be included in the proposed extended boundary seem to us unlikely to be the subject of problematic licensing applications. For example, much of the westward extension towards Talfourd Road covers residential streets where there is little opportunity for potential new licensed premises to open. Indeed there is a risk of the policy catching innocuous applications for licences for community and similar events in some parts of the ward. So we are in no sense wedded to the precise boundary locations that are proposed, and if cogent objections are made to some of these we would encourage officers to consider them carefully before making recommendations to the Licensing Committee. For example, consideration might be given to retaining the proposed boundary to include Peckham Road itself as far west as Talfourd Road, but to exclude some of the network of streets to the south.
3. However, wherever the precise boundaries are drawn, we do think it is important in principle that the extended area should be generous enough to ensure that potentially troublesome applications are not displaced from the core Town Centre to the immediate surroundings without the protection of the saturation policy.
4. When the Licensing Authority consulted on the original saturation area proposals, the Planning Policy team objected on the basis that a saturation policy might discourage growth and investment in the area. We do not know whether the Policy team have made similar objections this time. We think objections along those lines would be mistaken. The proliferation of licensed premises, and the problems associated with them, tend to discourage business and consumers from treating Peckham as a destination for social and economic activity. So long as it is sensitively implemented, a saturation policy over an extended area would strengthen the Council's ability to control the negative effects of a concentration of licensed premises, and so make the area more attractive as a venue for consumer and leisure activity. That will in turn encourage growth and help to further the aims of emerging planning policy for the area (the Peckham and Nunhead Area Action Plan).
5. We think the Licensing Sub-Committees are well able to distinguish between those applications that are more and less likely to be contrary to the aims of the saturation policy. For example, there is a shortage of high quality premises run as licensed restaurants or bar/cafés keeping reasonable hours; but such premises are less likely than nightclubs and the like to present the sort of problems that have prompted the

creation and extension of the saturation policy. So the policy need not discourage applications for such premises. Rather, we expect it will be effective in controlling the proliferation of the more troublesome kinds of premises that risks deterring custom from the more welcome kinds of premises.

6. So, properly applied, we think the proposed extended saturation policy would strike the right balance between the interests of operators (and prospective operators) of licensed premises and the wider community.
7. It follows that the extended policy area should apply to the full range of classes of premises set out at para. 5 of the consultation document. We agree with our constituent Mrs. Irwin that it should also apply in principle to any café/restaurant or similar premises serving alcohol after midnight. But the actual application of the policy would be sensitive to the precise proposals made in each case.
8. We hope officers and members of the Licensing Committee find these comments helpful.

Councillors Gordon Nardell, Susan Jones and Mark Glover

Members' Room,
Southwark Town Hall
Peckham Road
London SE5 8UB

29 May 2009

Date 23/10/2008



Agenda Item 8

Item No: 8.	Classification: Open	Date: October 8 2009	Meeting name: Licensing Committee
Report title:	The Licensing Act 2003 – Consideration of local saturation policies dealing with the “cumulative impact” of licensed premises – Borough and Bankside area		
Ward(s) or groups affected:	Cathedral, Chaucer and Grange		
From:	Strategic Director of Environment and Housing		

RECOMMENDATION

1. That the committee considers, on the basis of the partnership analytical report and the responses from the local consultation exercises, whether it is appropriate and necessary to recommend council assembly to introduce a saturation policy in the Borough and Bankside area.
2. That, in the event that a policy is considered to be appropriate and necessary within the Borough and Bankside area, the committee determines:
 - a) The proposed boundary of the recommended saturation area; and
 - b) The proposed classes of premises to which a policy should apply.

BACKGROUND INFORMATION

3. Statutory guidance permits licensing authorities to consider the adverse cumulative impact of licensed premises on a local area and to implement a policy that seeks to restrict the further escalation of licensed premises in that area. This is known as a “special” or “saturation” policy.
4. A saturation policy may be declared where there is an evidential basis showing that the concentration of licensed premises in an area is impacting upon the licensing objectives and the addition of each further additional licence is likely to have a disproportionate impact on crime and disorder or nuisance in that area.
5. Essentially, the evidential basis needs to:
 - Be factual, quantitative, and proximate;
 - Demonstrate a positive correlation between alcohol/entertainment/late night refreshment premises, and crime and disorder and nuisance issues within the particular areas under consideration; and
 - Examine trends over a period of time.
6. Since the introduction of the Licensing Act 2003 in November 2005, the council’s licensing committee has been monitoring available information sources that might help to gauge the cumulative impact, particularly in terms of crime and disorder and nuisance, of licensed premises on their locality. Reports are provided at six-monthly intervals following the release of the latest relevant statistical information from the partnership analyst and the environmental protection team.
7. On 5 November 2008, council assembly agreed to introduce two saturation policies within the borough, in the Camberwell and Peckham areas.

8. On 17 March 2009, the licensing committee required public consultation to be carried out on the possible introduction of a third saturation policy in the Borough and Bankside area.
9. This report updates the committee on the latest analysis from the partnership analytical team and the environmental protection team with particular regard to the situations in Borough and Bankside. It also reports back on the responses received to the public consultation.

KEY ISSUES FOR CONSIDERATION

General

Partnership analytical report

10. The latest partnership analytical report was published on 18 June 2009. It provides statistical information on alcohol related "violence against the person" (VAP) and alcohol related "disorder and rowdiness" up to and including the period December 2008 – May 2009. A copy of the full analysis is attached at appendix 1 to the report on the Peckham and Camberwell areas elsewhere on this agenda. Further additional analysis relating to the general Borough and Bankside area is provided at appendix 1 to this report.

Violence against the person

11. VAP figures reproduced in the analytical report have attempted to capture incidents that are likely to be related to alcohol excluding incidents of domestic violence. The category of violence against the person incorporates a number of individual crime types including murder, grievous bodily harm, actual bodily harm, common assaults, the possession of offensive weapons, harassment and other violent crime. Other crimes broadly included are robbery of the person and sexual offences.

Alcohol related CAD data

12. The analytical report also provides information on disorder / rowdiness figures which collects all alcohol related crime and disorder (CAD) calls to the police regarding
 - Alcohol related rowdy behaviour
 - Licensed premises
 - Street drinking

Nuisance service requests

13. The council's environmental protection team has also reported, on 1 September 2009, on the number of nuisance complaints received by community safety enforcement in connection with licensed premises during the period November 2006 to May 2009. A copy of the full analysis is provided at appendix 2 to report on the existing Peckham and Camberwell saturation areas which appear elsewhere on this agenda.

Borough and Bankside – Analysis

14. For the purpose of the consultation exercise, the Borough and Bankside area was defined by the following boundary - Blackfriars Bridge / Blackfriars Road / Borough Road / Borough High Street / Long Lane / Crosby Row / Snowfields / Bermondsey Street directly north to the river frontage and then westward back to Blackfriars Bridge. A map of the area is provided as appendix 2.

15. At the time of writing of this report there are 182 premises licensed under the 2003 Licensing Act for either the sale or supply of alcohol; the provision of regulated entertainment or the provision of late night refreshment trading within the area. This represents 15% of the total licensed premises in the borough. This figure includes 67 restaurants, 54 public houses / bars and 17 off-licences / supermarkets / grocers / convenience stores.
16. For the purpose of the consultation exercise it was proposed that any saturation policy introduced might apply to the following classes of premises - night-clubs / public houses & bars / restaurants & cafes / off-licences, supermarkets and grocers.
17. As mentioned the analysis for the Borough and Bankside area is contained within the latest partnership analytical report at appendix 1 to the Peckham and Camberwell report and the further information at appendix 1 to this report.
18. In brief the VAP figures for the most recent six-month period (Dec 08 – May 09) show a 15.5% increase on the previous comparable period while figures for the most recent twelve-month period (Jun 08 – May 09) show a 34% increase on the previous comparable period. Figures for alcohol related CAD calls show increases of 24% and 19% respectively for the same periods.

Borough and Bankside proposal – Consultation responses

19. Consultation on the potential introduction of a saturation policy was carried out in the Borough and Bankside area during April and May 2009.
20. As part of the consultation the licensing team directly contacted
 - All local licence holders;
 - Known local representatives of businesses and residents; and
 - All responsible authorities
21. The consultation was also advertised on the licensing web site and in the local media, including the SE1 web site. A well attended local meeting was held in Borough High Street to discuss the matter.
22. The consultation asked three specific questions
 - Whether, based on the evidence provided, a saturation policy was considered to be appropriate and necessary within the Borough and Bankside area;
 - If so, whether the suggested boundary of the proposed area (see section 14 of this report) is appropriate/; and
 - If so, whether the suggested classes of premises (see section 16) are appropriate?
23. In all a total of 40 responses were received to the consultation exercise. These are summarised at appendix 3 with individual comments and detailed responses provided in full in appendix 4. The 40 responses included:
 - 3 responses from responsible authorities;
 - 14 responses from or on behalf of local licensed operators;
 - 19 responses from or on behalf of local residents; and
 - 4 other
24. Of the 14 responses received from or on behalf of local licensed operators:

- 64% were against the introduction of a special policy; and
 - Of the 36% that supported the introduction of a policy 80% agreed with the proposed boundary and 100% agreed with the proposed classes of premises.
25. Of the 19 responses from or on behalf of local residents:
- 95% supported the introduction of a special policy;
 - 50% agreed with the proposed boundary; and
 - 78% agreed with the proposed classes of premises.
26. Within the consultation responses a range of suggestions were made for extensions of the proposed boundary of any special policy area that may be introduced, all of which are provided in the summary of responses. Proposals were received for extensions of the proposed boundary in westerly, southerly and easterly directions.

Borough and Bankside proposal – Planning policy comments

27. The planning policy team is currently preparing a Supplementary Planning Document to the core strategy for the Borough, Bankside and London Bridge Area, which will set out the council's plans for the regeneration and development of Borough, Bankside and London Bridge over the next 10 to 15 years. The Supplementary Planning Document is still at an early stage and as yet the planning policies for Borough, Bankside and London Bridge, which will be included in the SPD, have not yet been decided.
28. The SPD will also explore the potential for a planning policy saturation policy in the Borough and Bankside area for bars, cafes, restaurants and hotels. This is to ensure that there is a balance of different uses in the area, including shops, bars, restaurant and cafes is maintained and that one use(s) does not dominate the area or have a detrimental impact on the amenity of the surrounding residents in the area.
29. It is understood that the Borough and Bankside saturation zone will apply to the following classes of licensed premises - night-clubs / public houses & bars / restaurants & cafes / off-licences, supermarkets and grocers.
30. It should be noted that restaurants, bars and cafes can add to the vitality and life of areas and can therefore be a important part of the local economy. Therefore the introduction of a saturation policy in Borough and Bankside which would effectively make it more difficult, but not impossible, to obtain a licence for the above uses due to the existence of a rebuttal presumption may be acceptable provided that it does not completely inhibit the introduction of new licenses in the area. It is considered that the introduction of a saturation zone may discourage potential businesses from locating in this area, restricting the development of the night-time economy, reducing market confidence and inhibiting economic development and regeneration. Therefore it needs to be applied with caution and not be over zealous when licensing applications are considered.
31. It is worth noting that the Mayor of London recently produced best practice guidance entitled "Managing the night time economy" (2007) which states;
32. *"Saturation policies are likely to be more appropriate in addressing concerns in primarily residential areas. When considering adopting such a policy, boroughs should take into account its wider implications. The regeneration benefits that developing the night-time economy could bring to an area may be lost. Constraining growth alone therefore does not manage existing impacts. It reduces potential for competition and the benefits it can have for the consumer"* (para 7.16- 7.19).

Borough and Bankside – comments from the environmental protection team

33. Appendix 2 to the report on the existing Peckham and Camberwell saturation areas (elsewhere on this agenda) provides detail of nuisance service requests received by community safety enforcement. Figures for nuisance service requests received for the Borough and Bankside area are insignificant.

Borough and Bankside proposal – comments from the commissioner of police

34. The commissioner of police for the metropolis supports considers a saturation zone to be appropriate for the area.

Borough and Bankside proposal – next steps

35. In the event that the committee should decide to recommend to the full council assembly that a saturation policy should be established in the Borough and Bankside area, this report will be forwarded on to the assembly for final decision.
36. Any decision will form an amendment to the council's current Statement of Licensing Policy for 2008 – 2011 (current version approved by council assembly on 5 November 2008). As such the revision will be published and advertised in accordance with the Act and regulations and steps will be taken to ensure that all current and future affected licence holders understand the decision and the effects of it.

The cumulative impact of a concentration of licensed premises

37. The cumulative impact of a concentration of licensed premises is dealt with under sections 13.24 through to 13.39 of the Guidance to the Act produced by the Department of Culture Media and Sport (DCMS) (last revision approved June 2007). In order to be able to consider the issues around the introduction of saturation policies fully, it is important to understand the concept of cumulative impact and saturation policies. Members' attention is drawn to the key points of the guidance set out in the supplementary advice from the strategic director of law and governance in this report (paragraph 49 onward).
38. The absence of a special policy does not prevent any responsible authority or interested party making representations on a new application for the grant, or variation, of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

Moving toward saturation policies

39. The steps toward a special policy on saturation are set out in the DCMS guidance as follows
- Identify concern about crime and disorder or public nuisance;
 - Consider whether there is good substantiated and reliable evidence that crime and disorder or nuisance are happening and are caused by the customers of licensed premises or that the risk of cumulative impact is imminent;
 - Identify the boundaries of the area where problems are occurring;
 - Consult with those in Section 5(3) of the 2003 Act, and subject to the outcome of that consultation; and
 - Include and publish details of the special policy in the licensing policy statement.

Mayor of London's Best Practice Guide – Managing the Night Time Economy

40. The responses from planning on the situation in Borough and Bankside reference the “Mayor of London's Best Practice Guide on Managing the Night-Time Economy” (BPG). The guide was published in 2008 and sets out to “suggest how public authorities and the private and voluntary sectors can work together to support the development of the night-time economy in appropriate locations and improve the way they manage its impacts”.
41. Sections 7.17 through to 7.23 of the BPG deal specifically with policies to manage cumulative impact. Section 7.19 in particular advises that “policies constraining growth, including special policies in licensing, should be used sensitively, and blanket restrictions on all new licences or development should be avoided unless the cumulative impact on a neighbourhood can be proven to be considerable. They should be based on robust and authoritative evidence and clearly illustrate the relationship between further growth in the night time economy and the issues such policies would seek to address. An evidence base also provides opportunities to consider if there are more appropriate measures to manage the night-time economy. Where used, licensing based saturation policies should form part of an integrated package of measures. The integration of planning and licensing policies, while avoiding duplication, is particularly important.”
42. The guidance also emphasises that constraining growth alone does not manage existing impacts and that the wider implications of the introduction of a policy should be taken into account. The guidance suggests, for instance, that:
 - Applying saturation policies could displace growth of the night time economy to nearby areas, or other neighbourhoods entirely;
 - Regeneration benefits that developing the night time economy could bring to an area may be lost;
 - Premises may alternatively be developed for a use not subject to licensing but with its own negative impacts;
 - Potential for competition will be reduced with resultant loss of potential benefits this may bring for the consumer; and
 - Incentives for existing operators to invest in improving the quality of their business may be lost.
43. The guidance suggests that a more “fine-grained approach” should be taken to the managing the range of premises within the late-night economy. It emphasises the importance of careful selective application of appropriate conditions to deal with identified concerns and it proposes developing planning policies through Development Plan Documents (DPD) or supplementary planning guidance so as to provide a mix of uses that diversify the night time economy, contributing to the wider vitality and viability of town centres.

Community Impact Statement

44. This report considers the extent to which a saturation policy may be appropriate and necessary within the Borough and Bankside area, to help control the direct impacts of the leisure and night-time economy on the local community.
45. Saturation policies have the potential to place a check on identified and escalating concerns relating to crime and disorder, anti-social behaviour and nuisance. In doing so a policy can contribute toward reducing the fear of crime and making Southwark a better place to live, work and visit.

46. Conversely, saturation policies may also impact on business growth and development of the area concerned. While it should be understood that the existence of a policy does not prevent responsible operators from becoming established within the area or from developing existing businesses, that operator will have to demonstrate that their business proposals do not further impact on the identified concerns. The implications of the introduction of saturation policies are discussed within this report.

Resource implications

47. While it is accepted that the introduction of a saturation policy will result in every relevant new licence application or variation application being considered in the light of the new policy, it is not considered that this will have any significant impact on resources.

Consultations

48. Details of public consultations carried out in development of the policy proposals are detailed within this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director for Communities, Law and Governance

Cumulative Impact and Special/Saturation Policies

49. The Licensing Act 2003 does not, in itself, provide for saturation policies. However, section 4 of the Act provides that in carrying out its functions a licensing authority must have regard to “the guidance” issued by the Secretary of State under section 182 of the Act. The guidance acknowledges that saturation policies are a proper matter to be taken into account when developing a licensing policy.
50. In considering whether a statement of licensing policy should include a saturation policy in respect to an area, the licensing authority should consider the cumulative impact of licensed premises, in the particular area(s) concerned.
51. Cumulative impact is defined in the guidance at paragraph 13.24 as “the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area”.

Consultation

52. Section 5(3) of the Act requires that before formulating any such policy the licensing authority must first consult with the local police, fire service and representative bodies of local residents, businesses and premises licence holders.

Evidence

53. It is clear from the guidance that any decision to include any saturation policy within the statement of licensing policy should have an evidential basis which demonstrates that the cumulative impact of licensed premises in that area is having an impact on crime and disorder and/or public nuisance.
54. The decision to include a saturation policy should only be made where, after considering the available evidence and consulting those individuals and organizations listed in section 5(3) of the Act, the licensing authority is satisfied that it is appropriate and necessary to include an approach to cumulative impact in the statement of licensing policy (guidance at paragraph 13.27).

55. Members are asked to consider the most recent analysis and evidence collated following consultations. If members wish to recommend the introduction of any new or extended saturation policy within the borough, members must first be satisfied that there is sufficient evidence to show that the cumulative impact of premises in the area is having an impact on local crime and disorder and/or public nuisance.

The effect of adopting a special policy

56. The adoption of a special policy creates a rebuttable presumption that applications for new licences and variations that are likely to add to the existing cumulative impact of premises within the area to which the special policy applies, will normally be refused where relevant representations are received.
57. The special policy must stress that this presumption does not relieve responsible authorities and interested parties of the need to make representations in respect of applications for premises within the special policy area(s). It will not be possible to refuse to grant such applications, or seek to impose conditions if no representations are received.
58. If no representations are received in respect of applications within the special policy area, it will remain the case that an application must be granted in the terms that are consistent with the operating schedule submitted.
59. Applicants will be expected to provide information in their operating schedules to address the special policy issues in order to rebut the presumption of refusal. Applicants will need to demonstrate why the operation of their premises will not add to the cumulative impact being experienced.
60. Once adopted, special policies should be reviewed regularly to assess whether they are needed any longer or require expansion.

Limitations

61. It would not normally be justifiable to adopt a special policy on the basis of a concentration of shops, stores or supermarkets selling alcohol for consumption off the premises (guidance at paragraph 13.33). Members will note that the classes of premises to which the saturation may apply, includes off-licences, supermarkets, grocers and take-aways in each of the three areas. Members should be satisfied that the inclusion of such premises is justifiable, having regard to the evidence obtained through the consultation process.
62. A special policy should never be absolute, i.e. cannot have a blanket policy to refuse all applications but rather a rebuttable presumption that they will be refused. Each application will have to be considered on its own merits and should only be refused if after receiving representations, the licensing authority is satisfied that the grant of the application would undermine the promotion of the licensing objectives and, that necessary conditions would be ineffective in preventing the problems involved.
63. Special policies should never be used as a ground for revoking an existing licence or certificate when representations are received about problems with those premises, i.e. by way of a review. A review must relate specifically to individual premises whereas cumulative impact relates to the effect of a concentration of many premises.

64. A special policy cannot be used to justify rejecting applications to vary an existing licence except where the proposed changes are directly relevant to the policy and the refusal is necessary for the promotion of the licensing objectives.
65. Special policies cannot justify and should not include provisions for a terminal hour in a particular area.
66. Special policies must not impose quotas that would restrict the consideration of any application on its individual merits.
67. The Guidance states that statements of licensing policy should contain information about the alternative mechanisms available for controlling cumulative impact. The licensing policy should contain details of mechanisms available both within and outside of the licensing regime. (Guidance at paragraph 13.39).
68. Members should note that the statement of licensing policy must not be inconsistent with the provisions of the 2003 Act and must not override the right/s of any individual as provided for in that Act. Nor must the statement of licensing policy be inconsistent with obligations placed on the Council under any other legislation, including human rights legislation. Members should also note that the council has a duty under section 17 of the Crime and Disorder Act 1998, when carrying out its functions as a licensing authority under the 2003 Act, to do all it reasonably can to prevent crime and disorder within the Borough.
69. The 2003 Act provides that the functions of the licensing authority, except those relating to the making of the statement of licensing policy, are to be taken or carried out by its licensing committee and that the licensing committee may delegate these functions to sub-committees or to licensing authority officials in appropriate cases. The council has delegated its licensing functions in accordance with the 2003 Act as set out in its constitution (2008/2009) at part 3G.

Finance Director (ENV/ET/150909)

70. There are no financial implications as a result of accepting the proposals set out in the report. Any costs arising from implementing the proposals will be fully contained within the existing budgets of the division.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Associated secondary regulations DCMS Guidance to the Act Southwark Statement of Licensing Policy Saturation consultation papers Saturation consultation responses Mayors Best Practice Guide for Managing the Late Night Economy	The Health Safety & Licensing Unit, The Chaplin Centre, Thurlow Street, London, SE17 2DG	Name: Mrs Kirtikula Read Phone number: 020 7525 5748

APPENDICES

No.	Title
Appendix 1	Further analysis Borough and Bankside area
Appendix 2	Map of Borough and Bankside area
Appendix 3	Summary of consultation responses
Appendix 4	Detailed consultation response from Waterloo Quarter Business Alliance

AUDIT TRAIL

Lead Officer	Gill Davies, Strategic Director of Environment & Housing	
Report Author	Richard Parkins; Health Safety & Licensing Unit Manager	
Version	Final	
Dated	September 4 2009	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Executive Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	September 25 2009	

Appendix 1 – Further analysis Borough and Bankside

Violence against the person

1. Table 1 / chart 1 below provides comparative figures for alcohol related VAP within the Borough and Bankside area, for the past six, six-month periods commencing June – November 2006 through to December 2008 – May 2009.

Borough and Bankside alcohol related VAP	Jun – Nov 06	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
Evening 23.00 – 05.59	28	32	21	24	34	20
Daytime 06.00 – 22.59	44	50	44	34	64	47
24 hour total	72	82	65	58	98	67

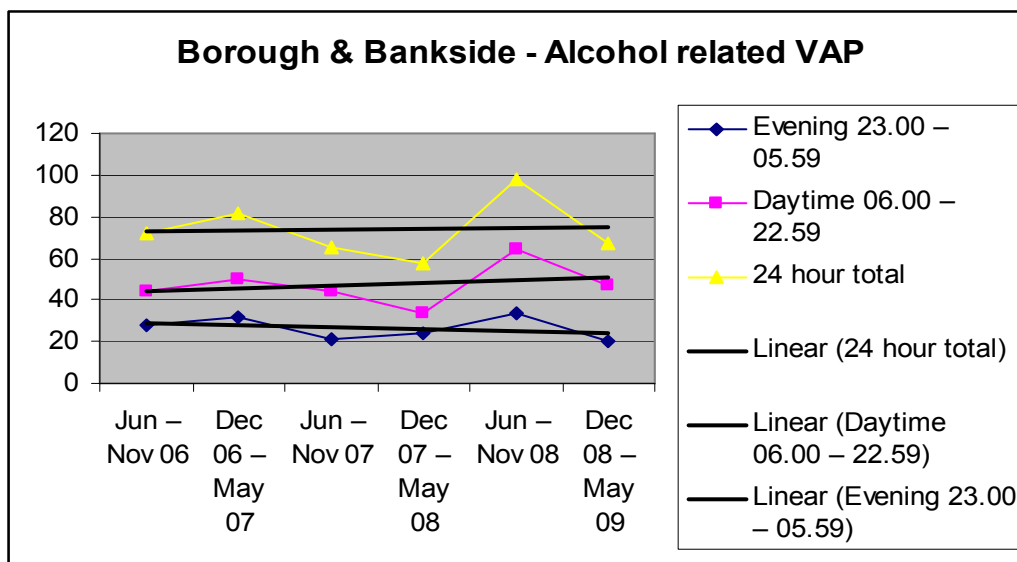


Table 1 / chart 1

2. VAP figures across Borough and Bankside for the most recent 6-month period (Dec 08 – May 09) show:
- The evening period saw a 17% decrease on the previous comparable period (Dec 07 – May 08) reducing figures in this time period to their lowest recorded level;
 - A 38% daytime period increase on the previous comparable period (Dec 07 – May 08); and
 - A 15.5% increase overall on the previous comparable period (Dec 07 – May 08).
3. VAP figures across Borough and Bankside for the most recent 12-month period (Jun 08 – May 09) show:
- A 20% evening period increase on the previous comparable period (Jun 07 – May 08);
 - A 42% daytime period increase on the previous comparable period (Jun 07 – May 08); and

- A 34% increase overall on the previous comparable period (Jun 07 – May 08).

Alcohol related CAD calls

4. Table 2 / chart 2 provides comparative data regarding alcohol related CAD calls received by the police concerning the Borough and Bankside area, for the past five, six-month periods commencing December 2006 – May 2007 through to December 2008 – May 2009.

Borough and Bankside alcohol related CAD calls	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
24 hour total	297	339	289	389	358

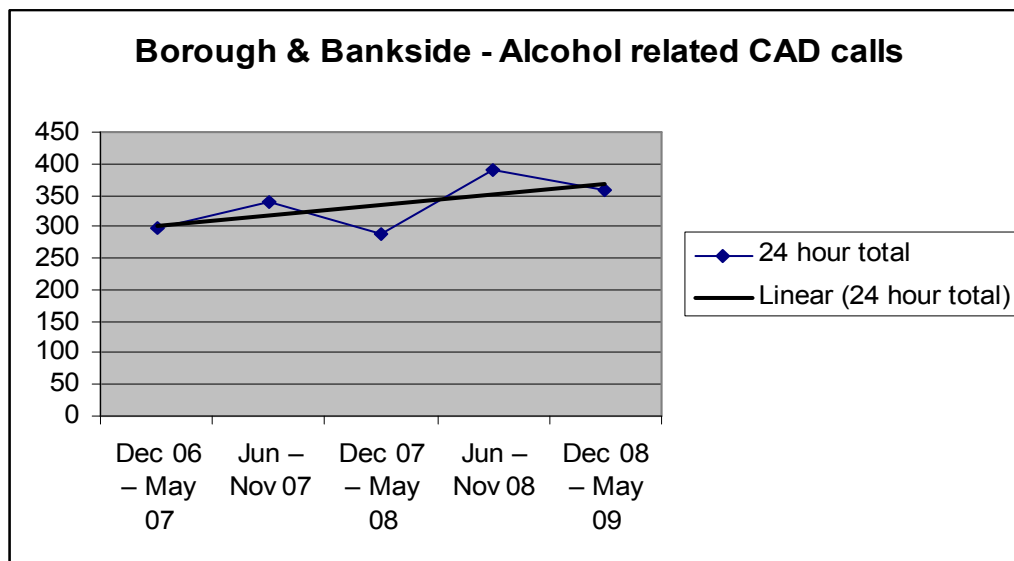


Table 2 / chart 2

5. CAD figures across Borough and Bankside for the most recent 6-month period (Dec 08 – May 09) show a 24% increase on the previous comparable period (Dec 07 – May 08).
6. CAD figures across Borough and Bankside for the most recent 12-month period (Jun 08 – May 09) show a 19% increase on the previous comparable period (Jun 07 – May 08).

Borough & Bankside Proposed Saturation Area

Appendix 2

Date 8/4/2009



Appendix 3

Summary of responses to consultation exercise on possible saturation policy for Borough & Bankside area						
Name	Address	Status	Q1	Q2	Q3	Comments
Responsible Authorities						
Environmental Protection Team	Community Safety & Enforcement, The Chaplin Centre, Thurlow Street, SE77PR	Responsible authority for noise		No		I consider that the proposed boundary of the Borough and Bankside saturation area is unworkable and may cause administrative problems in the future. I suggest the southern boundary is extended eastwards to include both sides of Crucifix Lane following this round northwards along Druid Street to Tooley Street. There are then two options. 1. Tooley Street to Tower Bridge Road and then centre line of river or 2. Cross Tooley Street and north along Weavers Lane to river including City Hall. This would then enable the inclusion of all premises in More London.
Planning Policy Team	Southwark Council	Responsible authority for planning				Detailed response provided (see main report)
Licensed trades						
Richard Anderson	Bankside House, Sumner Street, SE1 9JA	Personal licence holder / local resident / represents local business	Yes	Yes	Yes	No comment.
R M Arthur	Kipling Street, SE1 3RU	Premises / personal licence holder involved in local business and local resident	No			I do not believe that the area is over saturated with licences. Any new licences granted are filling the holes left by closed pubs. I note that para 6 states that there are only 4 hotels in the area and I feel this is understated.
Andrew Keeshaw of the Charles Dickens	Union Street, SE1 0LH	Premises licence holder involved with a local business	No	No	No	No comment.
Clink Street Properties Ltd	Winchester Walk, SE1 9AQ	Represent local business	No			As a local business we do not agree with the proposed saturation policy as we think it is not needed and will have a negative effect on the area. The aim for the area and local business should be to try and attract people into the area and a saturation policy would have the opposite effect. We oppose the proposed saturation policy.
Nigel Guy, Guy's Gastro Ltd	The Bridge Lounge, Tooley Street, SE1 2TZ	Premises and personal licence holder involved with a local business	No			Having viewed the figures and the overall percentages, the actual nos of incidents appear to be relatively low - notwithstanding the impact on each individual involved. Whilst appreciating the potential of an increase in offences if new licenses are granted, refusing a new licence will not address the existing problems per se. It is my belief that all the relevant authorities have sufficient "tools" and penalties at their disposal to address the issues coming from badly managed businesses. These sanctions should be used where appropriate. I have a concern that imposing a "saturation policy" will be a barrier to good businesses without addressing the bad businesses.
P Diment, Meson Don Felipe	The Cut, SE1 8LF	Personal licence holder involved in local business	No			Looking at the figures in your chart whilst the last period figures are high the rest of the periods since the Act was introduced are generally lower than before the Act. They are hardly proof of increased problems.

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Ryan McWhinney, The Ring	Blackfriars Road, SE1 8HA	Premises licence holder	Yes	Yes	Yes	No comment.
J O Sims Ltd	Winchester Walk, SE1 9AQ	Local business	No			We are a local business and have seen the proposed saturation policy documentation. We object to the proposal as it is completely unnecessary and will decrease the liveliness of the area and the enjoyment of local residents and businesses. The proposed area is extremely large and a saturation policy will impose unnecessary restriction on licensing, which is perfectly well managed already. We would like to object to the proposed saturation policy and would urge the council not to implement this as it is not appropriate, nor is it necessary.
Matthew Knight, Southwark Cathedral	London Bridge, SE1 9DA	Premises licence holder	Yes	No	Yes	The Cathedral Chapter are broadly supportive of the plans for a saturation area. However, we wish to make the following comments. There has been a noticeable increase in disruption to the flow of traffic caused by crowds of drinkers from busy pubs spilling out into the streets, especially around Borough Market. Large screen football match screenings encourage rival groups to congregate which can lead to disorderly behaviour. Smokers forced to smoke outside of licensed premises are causing litter from discarded cigarette butts on the pavement. For all these reasons we feel a saturation policy will be a good thing. The Chapter does, however, support the licensing of new premises in the area as long as this brings benefits (and not problems) to the local area. We have a comment on the boundary of the proposed saturation area. We feel the western boundary along Blackfriars Road is rather arbitrary and would be better placed if it ran along the boundary of the borough / boundary of Lambeth.
Bob Warrior, Southwark Rose Hotel	Southwark Bridge Road, SE1 9HH	Premises and personal licence holder	Yes	Yes	Yes	No comment.
Isaac Toby, The Trinity PH	Borough High Street, SE1	Premises / personal licence holder	Yes	Yes	Yes	No comment.
Bharat Patel, Union Newsagent	Union Street, SE1 1SG	Premises / personal licence holder involved in a local business	No			No comment.
Rupert Elwood, Vinopolis World of Wine	Bank End, SE1 9JN	Premises / personal licence holder involved in local business	No			I believe the current licensing obligation in the Licensing Act 2003 covers all the necessary issues related to the area. I would be more in favour of better monitoring of these objectives / obligations. It seems unfair to penalise those who currently act appropriately or can demonstrate they can act appropriately for the sake of those who disregard the licensing objectives.
Helen Santer, Director of Operations, Waterloo Quarter Business Alliance	Lower Marsh, SE1 7RG	Representative body	No	No	No	Detailed response provided and appended
Residents						
George Arkless	Potter Street, SE1 4UX	Resident	Yes	Yes	Yes	No comment
Clare Armstrong	Russell Lodge, Spurgeon Street, SE1	Resident representing local residents	Yes	No	Yes	The proposed boundaries should be extended to include the whole of Chaucer ward to the east. I sit on the Chaucer Safer Neighbourhoods ward

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	4YJ					panel so have been involved in discussions with the local SNT and with other local residents regarding the saturation policy proposals and their implications.
Catherine Bowman, The Bankside Residents Forum	The Community Space, Great Guildford Street, SE1 0FD	Representative body	Yes	Yes	Yes	No comment
Robert Edwards	Amigo House, Morley Street, SE1 7QE	Resident	Yes	Yes	Yes	No comment.
Patricia Gelthoof	Borough High Street, SE1 1JH	Resident / Involved in a local business	Yes	No	Yes	Q2 - I would go beyond Borough Road and include Gaunt Street where the Ministry of Sound is as a lot of drunk people go from Belushi's - Borough High Street to the Ministry of Sound. I am surprised Bermondsey Street is not included. If the council and the police do not have the resources to police / control the area between 23.00 and 5.30am I would suggest that business rates from the premises benefitting from alcohol sales at night should be measured and partly spent on - providing toilets so people have a place to go rather than in the street - cleaning the streets (in particular vomit) - policing the area i.e. keeping down rowdy behaviour - fining / arresting very drunk people.
Mrs Chris Hartup	Rowland Hill House, SE1	Resident	Yes	Yes	Yes	I listened carefully and indeed asked a couple of questions at the Consultation / Q&A meeting at St George the Martyr last night. It seems to me that the reality is that a saturation policy won't make a scrap of difference to the problems we suffer in our area but it will empower our local residents to feel they are making a difference. In the Nelson Square area, we suffer the effects of drunken behaviour almost daily, loud rowdy behaviour, vomit, broken bottles, nuisance, the list can go on but your Head of Licensing MR Richard Parkins knows all the issues as he has attended meetings arranged by Cllr Danny McCarthy and Cllr David Noakes where numerous T&RAs raised the problems caused not just by the effects of alcohol but by the number of shelters for the homeless in our immediate area as well as the people who hang around after treatment at the drug and alcohol abuse centre in Blackfriars Road. No, we cannot isolate a particular premises. No, we cannot say where the drinkers come from and no, we don't know where they buy their cheap alcohol. Perhaps the members of your Licensing Committee would like to be woken up in the early hours of a Saturday or Sunday morning with drunken flotsam from the late night bars and clubs using traffic cones as megaphones and see how they like their sleep being disturbed
Leigh Hatts	Top Flat, Dolben Street, SE1	Resident	Yes	No	Yes	The area to the west of Blackfriars Road should be brought into the proposed boundary.
Liz Justice	Rowland Hill Home, Union Street, SE1 0LT	Resident	Yes	No	Yes	It would help to include Nelson Square because the gardens are immediately in the walkway to Southwark Station and designated saturation zone should

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						include obvious slots like this. Specifically there would be nothing to stop someone wanting a café with a licence putting in for space in those gardens. NSGCA have made reports of drunk behaviour and drug use in the Square because this remains one of the largest residential areas in this northern area of the borough.
Michelle Lovric (included with Ms Lovrics response is a list of 70 further names of local residents who are stated to be supporters of a saturation policy for Borough and Bankside together with some sample emails)	Winchester Wharf, Clink Street, SE1 9DL	Resident representing residents	Yes	Yes	No	(Ms Lovric) All those mentioned but please add amusement arcades. Quotes from sample emails - (Wendy and Michael Smith, Horseshoe Wharf, Clink Street) We wholly support the proposal that Clink street and environs be designated a saturation area if that means putting a stop to the constant approval of an ever increasing number of bars, cafes and restaurants close to residential apartments; and associated late night / early evening noise levels, refuse and health standards which I doubt that planning officers or committee members would find acceptable next to their own homes or affecting their own families. (Peter Lawrence Clink Wharf Clink Street) Excellent suggestion, please include me in the list as being in favour of the saturation area. (John and Yumi Ross Clink Wharf Clink Street) Full support. The list of 70 names provided gives names of residents of Horseshoe Wharf, Pickfords Wharf, Little Winchester Wharf, Clink Wharf and Victor Wharf. All Clink Street.
Deidre McGale	Municiple Street, SE1 4DN	States represents residents	Yes	Yes	Yes	No comment.
Camille McGibbon	Pickfords Wharf, Clink Street, SE1 9DG	Resident	Yes	No	Yes	The west border should be extended to the Borough of Lambeth border. Otherwise a small strip between Lambeth and Bankside will become vulnerable. I strongly support a saturation policy in that it may have a deterrent effect on the many A3 applications. It also signals to applicants that their premises and behaviour will / could be more stringently scrutinised.
Marion Marples	Dolben Street, SE1 0UQ	Resident involved in a local business	Yes	No	Yes	Western boundary - should be taken up to Lambeth / Southwark boundary for following reasons 1) Will create a "free for all" zone between boundaries with possible increase of applicants for "non-saturation zone; 2) Lambeth already has controls on alcohol consumption / street drinking - need to have joined up thinking. Saturation zone - I consider a saturation zone policy would be useful because the current situation already leads to problems which cannot be policed / dealt with by enforcement due to lack of resources. More premises granted licences will serve to make further problems of violence against the person / nuisance / safety / noise more rather than less likely. Targeting of drinkers at licensed premises in Borough High street by gangs from outside area. The large number of licensed premises in the area becomes a magnet for both drinkers (local visitors) and criminal gangs. Not to be encouraged further.
Alan Marsh	Borough High Street, SE1 1JH	Resident / Involved in a local business	Yes	Yes	Yes	The measures proposed seem to be entirely appropriate
David E Mills	Tait House, Greet Street, SE1 8NA	Resident	Yes	No	No	I wish to make representation for the saturation boundary to be amended. The present proposal ends along Blackfriars Road and thus misses out a section of Southwark that has a high proportion of licensed premises. I

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						should like the boundary to follow the Southwark / Lambeth boundary Blackfriars Road - Stanford Street - Hatfield's Street - The Cut - Short Street Ufford Street - Blackfriars Road. This area would include four public houses, two bars, four licensed restaurants, three licensed convenience stores. There is also application for another licensed restaurant. Some of these outlets have extended licences. The proposed extension would embrace any new development that takes place on the area Stanford Street - Paris Gardens - Colombo Street - Blackfriars Road. Premises that should be affected by the zone should be convenience stores that sell alcohol 24/7 and bars / restaurants that require a licence until 01h30.
Paul Murphy	Sumner Buildings, Sumner Street, SE1 9JY	Resident	Yes	Yes	Yes	No comment
Maria Sawyers of Appleworth House TMC	Appleworth House, Nelson Square, SE1 0P2	Representative body	Yes	No	Yes	I fully agree with all the area that you intend this saturation policy to cover. But myself and all of the residents of Appleworth House TMC feel it should be extended to include all the streets down to St George's Circus and up to Union Street including Nelson Square. There are so many premises selling alcohol in our area and so many hostels we have an ongoing problem with drunks congregating in our square and gardens, which stops families and friends making use of the facilities that should be for them.
J V O Sims	Victor Wharf, Clink Street, SE1	Resident	No			We feel there is no need for a saturation policy as more restaurants & bars only adds to the enjoyment of local residents. The more restaurants and bars there are in the local area, the more life one has. As a local resident I object to the proposed saturation policy as I feel it is completely unnecessary and would be detrimental to the continued development of this area of Southwark.
David Smith	Benson House. Hatfields, SE1 8DQ	Resident	Yes	No	Yes	Q1 - Absolutely necessary in order to protect my human rights as set out in the council policy - particularly my right to enjoyment of privacy and lack of nuisance in my home. Q2 - The boundary to the west should follow the boundary / borders of Southwark / Lambeth thus including such premises on Isabella Street as ev - Jacks Bar - Thai Silk, future student accommodation and bars on Hatfields / Paris Gardens, supermarkets and Tas and tapas bars in the The Cut.
Davy Williams	Rowland Hill House, Nelson Square Gardens, SE1 0L4	Resident	Yes	Yes	Yes	We have to put up with drunken behaviour here, in Nelson Square. It could be any time of day or night. Also from about 9.30am Blackfriars Road and outside of the abuse centre. At public meeting on 18 May it was mentioned. Drunks could get drunk elsewhere and come over to our district, after. Well that may be true but they can top up here for sure. I believe it's a positive step to have a saturation area. We have too many drug centres and hostels in such a small area. I'm not sure what the answer is. However, let's try a saturation area.
Other						
Councillor Adele Morris	C/O The Town Hall,	Elected member	Yes	No	No	I think that the borough boundary should be the end of the western area as

Appendix 3

	Peckham Road, SE5 8UB					this will mean that Joan Street and The Cut are included. I think it should apply to all new licensed premises, regardless of their category. We need to offer protection to the local residents from the disturbance and anti-social behaviour caused by too many late night licences.
Councillor David Noakes	C/O The Town Hall, Peckham Road, SE5 8UB	Elected member	Yes	No	No	Q2 - I believe the boundaries on the western side should include both sides of Blackfriars Road and the Southwark part of The Cut (up until Hatfields on the north side of the street and Short Street on the south side of the street) and Joan Street. Q3 - I believe hotels, theatres and vessels should also be included. General comments - Over the 3 years that I have been a ward councillor for Cathedral ward I have noticed a rise in complaints and concerns from residents about ASB and nuisance associated with the increasing growth of licensed premises (both on and off) in the Borough and Bankside area. These concerns have centred around 1) The nuisance / ASB / crime impact on local residents of customers visiting a growing number of bars, restaurants, cafés and other licensed premises particularly in 2 areas - around Borough Market (Stoney Street, Clink Street etc) and The Cut / Joan Street; and 2) A growing problem with street drinkers congregating and causing nuisance / ASB and crime and its impact on residents around Blackfriars Road (particularly around the junctions of The Cut and Webber Row), Flat Iron Square, Mint Street Park, Borough High Street and Clink Street. Further the impact of the growing number of licensed premises and off licences on the quality of lives of local residents is partially reflected in the trend of increases in recent half-yearly statistics / or when compared to the previous 12 months in VAP, disorder / rowdiness figures and recorded incidents of nuisance. In conclusion, I believe the introduction of a saturation policy in the Borough and Bankside area will help Southwark Council, as the licensing authority, to strengthen its position in meeting its four licensing objectives.
Amanda Millard, Group Director (Operations), Guys and St Thomas' NHS Foundation Trust	Counting House, Guy's Hospital, Great Maze Pond, SE1 9RT	NHS	Yes	Yes	Yes	Guys and St Thomas' NHS Foundation Trust support the proposal to introduce a saturation policy in the area. The current situation has led to disturbances to patients at Guy's Hospital in the early hours of the morning and has caused security issues on site. We are grateful for the support from Mr Parkins in ensuring that we can comment on the proposal and welcome it's introduction and the reduction in crime, disorder and nuisance around the area of Guy's Hospital.
Valerie Shawcross	C/O City Hall, SE1	London Assembly Member	Yes	Yes	Yes	I would strongly welcome the creation of a saturation zone around the Bankside area. I am aware that residents are continually stressed by the presence of drunks, street drinkers and drug abusers in the area and that inconsiderate licensed premises allow customers to spill onto the street. I am particularly concerned about cheap alcohol available at all hours from small supermarkets and the attraction this provides for rough sleepers in the area. The area has many thousands of residents and the night-time economy is impacting negatively upon them.

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Southwark Community Safety Enforcement Business Unit
The Chaplin Centre
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SE17 2DG

27th May 2009

To Whom It May Concern:

Re: Proposed saturation area in Borough and Bankside

As an official Business Improvement District (BID), Waterloo Quarter works with and for businesses, securing funding to deliver a range of projects in the local area to improve economic performance and the physical environment in order to make Waterloo cleaner, safer and more attractive; as well as acting as a voice for businesses to speak directly to organisations such as the Council, Transport for London and the Police. Waterloo Quarter BID operates across the borough boundaries of Lambeth and Southwark, including part of Cathedrals ward, and therefore has a strong and locally representative interest in the proposed saturation policy. In this response it has been assumed that the area under assessment includes The Cut, as stated in point 5 of the overview, however this is not shown within the zone boundary on the map provided in the consultation pack.

Waterloo Quarter BID does not consider that it is appropriate or necessary to introduce a saturation policy in the area, as it will not address the current issues of alcohol related violence and ambulance pick ups, which have been detailed in the overview provided. There is an assumption that the data given relates specifically to local licensed premises and the overview does not demonstrate how a saturation policy would reduce these figures. Before a new policy is introduced, which aims to try and prevent future problems, the current problems need to be addressed directly.

We would also suggest that the proposed boundaries, which incorporate Blackfriars Road and part of The Cut, are not appropriate, nor are the proposed classes of premises. Well managed restaurants, pubs, bars and grocers shops can have a positive impact on the economic development of the area and add to its vibrancy, and there is a risk that with a saturation policy, new applications will be viewed negatively. In the case of The Cut, the recent redevelopment of the street specifically looked to encourage outdoor dining at the many bars and restaurants through marking out licensable areas in front of the premises. A saturation zone would seem in direct contravention to one of the aspirations of this award-winning regeneration scheme.

In the BID's experience, there is an issue with off licenses selling alcohol to people who are already drunk, in particular the local homeless population. This then has a knock-on effect on alcohol-related problems in the area. In our view, the approach to this problem should be to ensure that current licensees are adhering to the terms of their license and enforce or review where this is not happening, offering support to existing licensed premises to help manage the situation, before looking to introduce new policies such as the proposed saturation zone.

Licensees in Bishops Ward have recently come together to form a Licensing Forum, attended by representatives from Lambeth Council's licensing team, along with the Police. This forum gives an opportunity for licensees to discuss and resolve issues affecting them in partnership with key statutory agencies. Given that many of the problems identified stretch across the borough boundary, we would suggest that it would be beneficial for licensees in Southwark to attend, along with representatives from the Council and the Police Safer Neighbourhoods Team to work to address some of these issues on a cross-borough basis.

In summary, Waterloo Quarter does not feel that introducing a saturation area will solve the problems of alcohol related violence or ambulance pick ups and the current issues need to be dealt with directly. We would also have concerns that such a policy would impact negatively on new license applications.

Many thanks for your consideration,

Helen Santer
Director of Operations
Waterloo Quarter Business Alliance

Item No: 9.	Classification: Open	Date: October 8 2009	Meeting name: Licensing Committee
Report title:	The Licensing Act 2003 – Consideration of local saturation policies dealing with the “cumulative impact” of licensed premises – Old Kent Road corridor and Elephant & Castle area		
Ward(s) or groups affected:	Cathedral, Chaucer, Newington, East Walworth, Riverside, South Bermondsey, Livesey and Nunhead		
From:	Strategic Director of Environment and Housing		

RECOMMENDATION

1. That the committee considers, on the basis of the partnership analytical report, the situation within the Old Kent Road corridor and decides whether
 - a) To continue to monitor the situation for a further 6 month period; or
 - b) To carry out further local consultation with residents and businesses on the possible introduction of a saturation policy; or
 - c) To take no further action at the present time.

2. That the committee considers, on the basis of the partnership analytical report, the situation within the Elephant & Castle and decides whether
 - a) To continue to monitor the situation for a further 6 month period; or
 - b) To carry out local consultation with residents and businesses on the possible introduction of a saturation policy; or
 - c) To take no further action at the present time.

BACKGROUND INFORMATION

3. Statutory guidance permits licensing authorities to consider the adverse cumulative impact of licensed premises on a local area and to implement a policy that seeks to restrict the further escalation of licensed premises in that area. This is known as a “special” or “saturation” policy.

4. A saturation policy may be declared where there is an evidential basis showing that the concentration of licensed premises in an area is impacting upon the licensing objectives and the addition of each further additional licence is likely to have a disproportionate impact on crime and disorder or nuisance in that area.

5. Essentially, the evidential basis needs to:
 - Be factual, quantitative, and proximate;
 - Demonstrate a positive correlation between alcohol/entertainment/late night refreshment premises, and crime and disorder and nuisance issues within the particular areas under consideration; and
 - Examine trends over a period of time.

6. Since the introduction of the Licensing Act 2003 in November 2005, the council’s licensing committee has been monitoring available information sources that might help to gauge the cumulative impact, particularly in terms of crime and disorder and nuisance, of licensed premises on their locality. Reports are provided at six-monthly intervals following

the release of the latest relevant statistical information from the partnership analyst and the environmental protection team.

7. On 5 November 2008, council assembly agreed to introduce two saturation policies within the borough, in the Peckham and Camberwell areas. These took immediate effect.
8. On 17 March 2009, the licensing committee required public consultation to be carried out in the Peckham area on the possible extension of the Peckham saturation zone and Borough and Bankside on the potential introduction of a third saturation area. The committee also required that the situations in the Old Kent Road corridor and the Elephant & Castle continue to be monitored.
9. This report updates the committee on the latest analysis from the partnership analytical team and the environmental protection team with particular regard to the situations in the Old Kent Road corridor and the Elephant & Castle area.

KEY ISSUES FOR CONSIDERATION

General

Partnership analytical report

10. The latest partnership analytical report was published on 18 June 2009. It provides statistical information on alcohol related “violence against the person” (VAP) and alcohol related “disorder and rowdiness” up to and including the period December 2008 – May 2009. A full copy of the analysis is attached at appendix 1 to the report on the Peckham and Camberwell areas with additional further analysis relating to the Old Kent Road corridor and the Elephant & Castle areas provided at appendices 1 and 2 respectively, to this report.

Violence against the person

11. VAP figures reproduced in the analytical report have attempted to capture incidents that are likely to be related to alcohol excluding incidents of domestic violence. The category of violence against the person incorporates a number of individual crime types including murder, grievous bodily harm, actual bodily harm, common assaults, the possession of offensive weapons, harassment and other violent crime. Other crimes broadly included are robbery of the person and sexual offences.

Alcohol related CAD data

12. The analytical report also provides information on disorder / rowdiness figures which collects all alcohol related crime and disorder (CAD) calls to the police regarding
 - Alcohol related rowdy behaviour
 - Licensed premises
 - Street drinking

Nuisance service requests

13. The council’s environmental protection team has also reported, on 1 September 2009, on the number of nuisance complaints received by community safety enforcement in connection with licensed premises during the period November 2006 to May 2009. A copy of the full analysis is provided at appendix 2 to this report.

Old Kent Road corridor analysis

14. For the purposes of this exercise the Old Kent Road corridor area is defined, by agreement with the committee on 30 September 2008, by the following boundary – the length of the entire road taking in both frontages and extending some 50 metres behind those frontages (loosely bordered by the likes of Congreve Street, Madron Street, Marcia Road). A map of the area is provided at appendix 3.
15. At the time that this report was prepared there were 61 premises licensed under the Licensing Act 2003 for either the sale or supply of alcohol and / or the provision of regulated entertainment and / or the provision of late night refreshment in the proposed Old Kent Road saturation area. This represents 5.1% of the total licensed premises in Southwark. This figure includes 21 restaurants; 17 off-licences / supermarkets / grocers / convenience stores; 7 take-away establishments; 4 night-clubs and 4 public houses / bars.
16. As mentioned, the main analysis for the Old Kent Road area is included within the partnership analytical report at appendix 1 to the report on the Peckham and Camberwell areas elsewhere on this agenda. Further area specific analysis developed at appendix 1 to this report.
17. In brief, the new analysis of VAP figures in the Old Kent Road corridor show a 7.5% overall increase in the most recent six-month period (Dec 08 – May 09), and a 13% increase in the most recent twelve-month period (June 08 to May 09) on the previous comparable periods. Calls to the police concerning disorder and rowdiness show a 30% decrease in the most recent six-month period, and an 18% decrease in the most recent twelve-month period against the previous comparable periods.
18. Appendix 2 to the report on the Peckham and Camberwell saturation areas (which appears elsewhere on this agenda) provides detail of nuisance service requests received by community safety enforcement. Figures for nuisance service requests received in the Old Kent Road corridor are insignificant.

Old Kent Road corridor – comments from the commissioner of police

19. The commissioner of police supports continued monitoring of situation in the Old Kent Road corridor.

Elephant & Castle area analysis

20. For the purposes of this monitoring exercise the boundary of the Elephant & Castle area has been defined as follows – Starting at the junction of Southwark Bridge Road and Borough Road following the railway line southwards across New Kent Road to Elephant Road into Walworth Road. Then south down Walworth Road to Hampton Street. From Hampton Street / Howell Walk to Newington Butts, Kennington Lane, Brook Drive, Hayles Street, St George's Road, Garden Row, London Road, Thomas Doyle Street and back to the starting point. A map of the area is provided at appendix 4 to this report.
21. At the time that this report was prepared there were 33 premises licensed under the Licensing Act 2003 for either the sale or supply of alcohol and / or the provision of regulated entertainment and / or the provision of late night refreshment in the defined Elephant & Castle area. This represents 2.75% of the total licensed premises in Southwark. This figure includes 8 grocers / supermarkets / off-licences; 7 restaurants; and 7 public houses.

22. As mentioned, the main analysis for the Elephant & Castle area is included within the partnership analytical report at appendix 1 to the report on the Peckham and Camberwell areas elsewhere on this agenda. Further area specific analysis developed at appendix 2 to this report.
23. In brief, the new analysis of VAP figures in the Elephant & Castle area show a 10% overall decrease in the most recent six-month period (Dec 08 – May 09), and a 12% overall decrease in the most recent 12 month period (June 08 to May 09) on the previous comparable periods. Calls to the police concerning disorder and rowdiness show a 14% decrease in the most recent 6 month period, and an 16% decrease in the most recent 12 month period against the previous comparable periods.
24. Appendix 2 to the report on the Peckham and Camberwell saturation areas (which appears elsewhere on this agenda) provides detail of nuisance service requests received by community safety enforcement. Figures for nuisance service requests received in the Elephant & Castle area are insignificant.

Elephant & Castle area – comments from the commissioner of police

25. The commissioner of police for the metropolis does not consider it to be appropriate to consider a saturation policy in the Elephant & Castle area at this point in time.

Next steps

26. In the event that the committee considers that it wishes to progress consideration of a saturation policy in either the Old Kent Road corridor or Elephant & Castle areas, then the next step is to commence formal public consultation under section 5(3) of the Act.
27. Section 5(3) requires consultation to take place with
 - The chief officer of the police for the area;
 - The local fire authority;
 - Representatives of holders of personal licences;
 - Representatives of holders of premises licences / club premises certificates; and
 - Representatives of local businesses and residents.
28. If the committee wishes public consultation to commence in any area, the following actions are proposed:
 - A public notice to be placed in a local newspaper;
 - A public notice to be placed on the licensing web site;
 - A direct letter drop to be sent to all premises licence holders, club premises certificate holders and personal licence holders in and around the area concerned;
 - A direct letter drop to be sent to representatives of all known local resident, business and community groups in and around the area
 - Arrangements to be made for a public meeting to be held in the area concerned; and
 - Public notices to be given at the relevant community councils.
29. Any consultation should run for a period of three months.

The cumulative impact of a concentration of licensed premises

30. The cumulative impact of a concentration of licensed premises is dealt with under sections 13.24 through to 13.39 of the Guidance to the Act produced by the Department

of Culture Media and Sport (DCMS) (last revision approved June 2007). In order to be able to consider the issues around the introduction of saturation policies fully, it is important to understand the concept of cumulative impact and saturation policies. Members' attention is drawn to the key points of the guidance set out in the supplementary advice from the strategic director of law and governance in this report (paragraph 37 onward).

31. The absence of a special policy does not prevent any responsible authority or interested party making representations on a new application for the grant, or variation, of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

Mayor of London's Best Practice Guide – Managing the Night Time Economy

32. The "Mayor of London's Best Practice Guide on Managing the Night-Time Economy" (BPG) was published in 2008 and sets out to "suggest how public authorities and the private and voluntary sectors can work together to support the development of the night-time economy in appropriate locations and improve the way they manage its impacts".
33. Sections 7.17 through to 7.23 of the BPG deal specifically with policies to manage cumulative impact. Section 7.19 in particular advises that "policies constraining growth, including special policies in licensing, should be used sensitively, and blanket restrictions on all new licences or development should be avoided unless the cumulative impact on a neighbourhood can be proven to be considerable. They should be based on robust and authoritative evidence and clearly illustrate the relationship between further growth in the night time economy and the issues such policies would seek to address. An evidence base also provides opportunities to consider if there are more appropriate measures to manage the night-time economy. Where used, licensing based saturation policies should form part of an integrated package of measures. The integration of planning and licensing policies, while avoiding duplication, is particularly important."
34. The guidance also emphasises that constraining growth alone does not manage existing impacts and that the wider implications of the introduction of a policy should be taken into account. The guidance suggests, for instance, that:
 - Applying saturation policies could displace growth of the night time economy to nearby areas, or other neighbourhoods entirely;
 - Regeneration benefits that developing the night time economy could bring to an area may be lost;
 - Premises may alternatively be developed for a use not subject to licensing but with its own negative impacts;
 - Potential for competition will be reduced with resultant loss of potential benefits this may bring for the consumer; and
 - Incentives for existing operators to invest in improving the quality of their business may be lost.
35. The guidance suggests that a more "fine-grained approach" should be taken to the managing the range of premises within the late-night economy. It emphasises the importance of careful selective application of appropriate conditions to deal with identified concerns and it proposes developing planning policies through Development Plan Documents (DPD) or supplementary planning guidance so as to provide a mix of uses that diversify the night time economy, contributing to the wider vitality and viability of town centres.

Community Impact Statement

36. This report considers the extent to which saturation policies are appropriate and necessary within the Old Kent Road corridor and the Elephant & Castle area, to help control the direct impacts of the leisure and night-time economy on the local community.
37. Saturation policies have the potential to place a check on identified and escalating concerns relating to crime and disorder, anti-social behaviour and nuisance. In doing so a policy can contribute toward reducing the fear of crime and making Southwark a better place to live, work and visit.
38. Conversely, saturation policies may also impact on business growth and development of the area concerned. While it should be understood that the existence of a policy does not prevent responsible operators from becoming established within the area or from developing existing businesses, that operator will have to demonstrate that their business proposals do not further impact on the identified concerns. The implications of the introduction of saturation policies are discussed within this report.

Resource implications

39. Should the committee wish to move into public consultation on the potential introduction of a saturation policy in either area, the costs can be contained within the current service budget provision.

Consultations

40. Details of public consultations carried out in development of the policy proposals are detailed within this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director for Communities, Law and Governance

Cumulative Impact and Special/Saturation Policies

41. The Licensing Act 2003 does not, in itself, provide for saturation policies. However, section 4 of the Act provides that in carrying out its functions a licensing authority must have regard to “the guidance” issued by the Secretary of State under section 182 of the Act. The guidance acknowledges that saturation policies are a proper matter to be taken into account when developing a licensing policy.
42. In considering whether a statement of licensing policy should include a saturation policy in respect to an area, the licensing authority should consider the cumulative impact of licensed premises, in the particular area(s) concerned.
43. Cumulative impact is defined in the guidance at paragraph 13.24 as “the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area”.

Consultation

44. Section 5(3) of the Act requires that before formulating any such policy the licensing authority must first consult with the local police, fire service and representative bodies of local residents, businesses and premises licence holders.

Evidence

45. It is clear from the guidance that any decision to include any saturation policy within the statement of licensing policy should have an evidential basis which demonstrates that the cumulative impact of licensed premises in that area is having an impact on crime and disorder and/or public nuisance.
46. The decision to include a saturation policy should only be made where, after considering the available evidence and consulting those individuals and organizations listed in section 5(3) of the Act, the licensing authority is satisfied that it is appropriate and necessary to include an approach to cumulative impact in the statement of licensing policy (guidance at paragraph 13.27).
47. Members are asked to consider the most recent analysis and evidence collated following consultations. If members wish to recommend the introduction of a any new or extended saturation policy within the borough, members must first be satisfied that there is sufficient evidence to show that the cumulative impact of premises in the area is having an impact on local crime and disorder and/or public nuisance.

The effect of adopting a special policy

48. The adoption of a special policy creates a rebuttable presumption that applications for new licences and variations that are likely to add to the existing cumulative impact of premises within the area to which the special policy applies, will normally be refused where relevant representations are received.
49. The special policy must stress that this presumption does not relieve responsible authorities and interested parties of the need to make representations in respect of applications for premises within the special policy area(s). It will not be possible to refuse to grant such applications, or seek to impose conditions if no representations are received.
50. If no representations are received in respect of applications within the special policy area, it will remain the case that an application must be granted in the terms that are consistent with the operating schedule submitted.
51. Applicants will be expected to provide information in their operating schedules to address the special policy issues in order to rebut the presumption of refusal. Applicants will need to demonstrate why the operation of their premises will not add to the cumulative impact being experienced.
52. Once adopted, special policies should be reviewed regularly to assess whether they are needed any longer or require expansion.

Limitations

53. It would not normally be justifiable to adopt a special policy on the basis of a concentration of shops, stores or supermarkets selling alcohol for consumption off the premises (guidance at paragraph 13.33). Members will note that the classes of premises to which the saturation may apply, includes off-licences, supermarkets, grocers and take-aways in each of the three areas. Members should be satisfied that the inclusion of such premises is justifiable, having regard to the evidence obtained through the consultation process.
54. A special policy should never be absolute, i.e. cannot have a blanket policy to refuse all applications but rather a rebuttable presumption that they will be refused. Each

application will have to be considered on its own merits and should only be refused if after receiving representations, the licensing authority is satisfied that the grant of the application would undermine the promotion of the licensing objectives and, that necessary conditions would be ineffective in preventing the problems involved.

55. Special policies should never be used as a ground for revoking an existing licence or certificate when representations are received about problems with those premises, i.e. by way of a review. A review must relate specifically to individual premises whereas cumulative impact relates to the effect of a concentration of many premises.
56. A special policy cannot be used to justify rejecting applications to vary an existing licence except where the proposed changes are directly relevant to the policy and the refusal is necessary for the promotion of the licensing objectives.
57. Special policies cannot justify and should not include provisions for a terminal hour in a particular area.
58. Special policies must not impose quotas that would restrict the consideration of any application on its individual merits.
59. The Guidance states that statements of licensing policy should contain information about the alternative mechanisms available for controlling cumulative impact. The licensing policy should contain details of mechanisms available both within and outside of the licensing regime. (Guidance at paragraph 13.39).
60. Members should note that the statement of licensing policy must not be inconsistent with the provisions of the 2003 Act and must not override the right/s of any individual as provided for in that Act. Nor must the statement of licensing policy be inconsistent with obligations placed on the Council under any other legislation, including human rights legislation. Members should also note that the council has a duty under section 17 of the Crime and Disorder Act 1998, when carrying out its functions as a licensing authority under the 2003 Act, to do all it reasonably can to prevent crime and disorder within the Borough.
61. The 2003 Act provides that the functions of the licensing authority, except those relating to the making of the statement of licensing policy, are to be taken or carried out by its licensing committee and that the licensing committee may delegate these functions to sub-committees or to licensing authority officials in appropriate cases. The council has delegated its licensing functions in accordance with the 2003 Act as set out in its constitution (2008/2009) at part 3G.

Finance Director (ENV/ET/150909)

62. There are no financial implications as a result of accepting the proposals set out in the report. Any costs arising from implementing the proposals will be fully contained within the existing budgets of the division.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Associated secondary regulations DCMS Guidance to the Act Southwark Statement of Licensing Policy	The Health Safety & Licensing Unit, The Chaplin Centre, Thurlow Street, London, SE17 2DG	Name: Mrs Kirtikula Read Phone number: 020 7525 5748

Saturation consultation papers Saturation consultation responses Mayors Best Practice Guide for Managing the Late Night Economy		
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APPENDICES

No.	Title
Appendix 1	Further analysis – Old Kent Road corridor
Appendix 2	Further analysis – Elephant & Castle area
Appendix 3	Map of the Old Kent Road corridor
Appendix 4	Map of the Elephant & Castle area

AUDIT TRAIL

Lead Officer	Gill Davies, Strategic Director of Environment & Housing	
Report Author	Richard Parkins; Health Safety & Licensing Unit Manager	
Version	Final	
Dated	September 4 2009	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Executive Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	September 25 2009	

Appendix 1 – Further analysis Old Kent Road corridor

Violence against the person

1. Table 1 / chart 1 below provides comparative figures for alcohol related VAP within the Old Kent Road corridor, for the past six, six-month periods commencing June – November 2006 through to December 2008 – May 2009.

Old Kent Road alcohol related VAP	Jun – Nov 06	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
Evening 23.00 – 05.59	31	29	31	24	31	24
Daytime 06.00 – 22.59	23	21	20	29	30	33
24 hour total	54	50	51	53	61	57

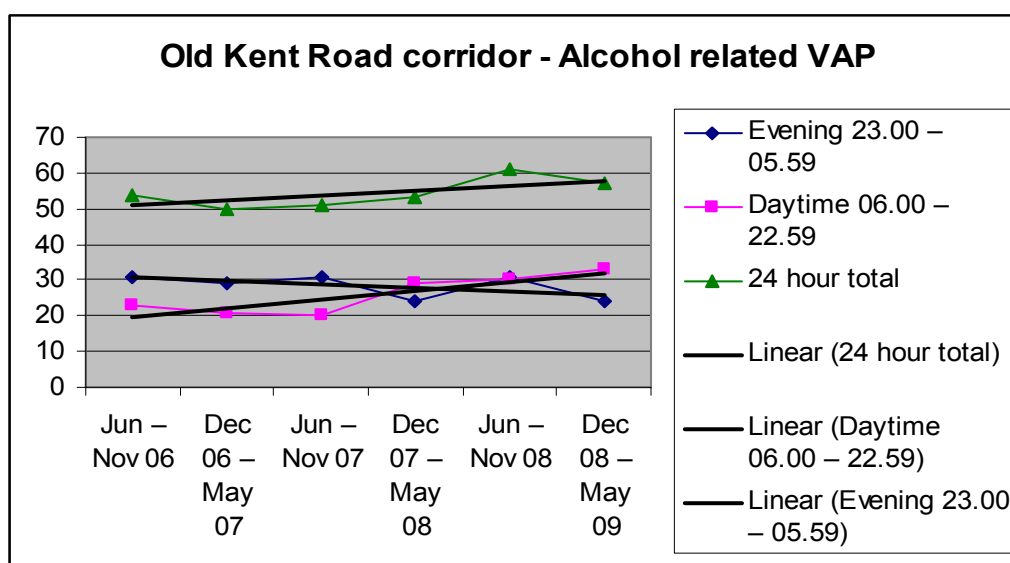


Table 1 / chart 1

2. VAP figures across the Old Kent Road corridor for the most recent 6-month period (Dec 08 – May 09) show:
- The figures for the evening period are constant with the previous comparable period (Dec 07 – May 08);
 - A 14% daytime period increase on the previous comparable period (Dec 07 – May 08); and
 - A 7.5% increase overall on the previous comparable period (Dec 07 – May 08).
3. VAP figures across the Old Kent Road corridor for the most recent 12-month period (Jun 08 – May 09) show:
- The figures for the evening period are constant with the previous comparable period (Jun 07 – May 08);
 - A 29% daytime period increase on the previous comparable period (Jun 07 – May 08); and
 - A 13% increase overall on the previous comparable period (Jun 07 – May 08).

Alcohol related CAD calls

4. Table 2 / chart 2 provides comparative data regarding alcohol related CAD calls received by the police concerning the Old Kent Road corridor, for the past five, six-month periods commencing December 2006 – May 2007 through to December 2008 – May 2009.

Old Kent Road alcohol related CAD calls	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
24 hour total	180	189	168	175	117

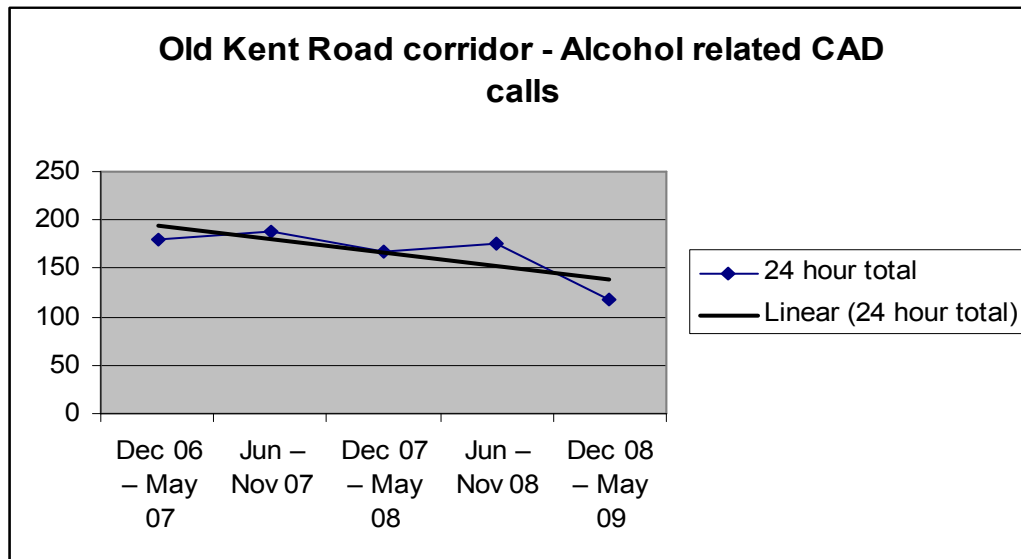


Table 2 / chart 2

5. CAD figures across the Old Kent Road corridor for the most recent 6-month period (Dec 08 – May 09) show a 30% decrease on the previous comparable period (Dec 07 – May 08).
6. CAD figures across the Old Kent Road corridor for the most recent 12-month period (Jun 08 – May 09) show an 18% decrease on the previous comparable period (Jun 07 – May 08).

Appendix 2 – Further analysis Elephant & Castle

Violence against the person

1. Table 1 / chart 1 below provides comparative figures for alcohol related VAP within the Elephant & Castle area, for the past six, six-month periods commencing June – November 2006 through to December 2008 – May 2009.

Elephant & Castle alcohol related VAP	Jun – Nov 06	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
Evening 23.00 – 05.59	40	35	45	33	22	31
Daytime 06.00 – 22.59	22	32	15	34	30	29
24 hour total	62	67	60	67	52	60

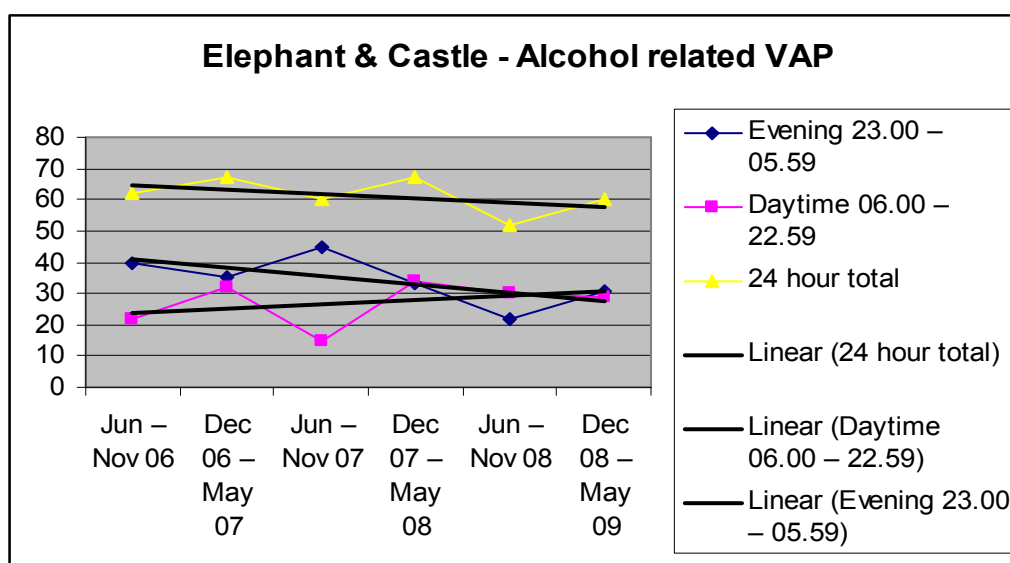


Table 1 / chart 1

2. VAP figures across the Elephant & Castle area for the most recent 6-month period (Dec 08 – May 09) show:
- A 6% evening period decrease on the previous comparable period (Dec 07 – May 08);
 - A 15% daytime period decrease on the previous comparable period (Dec 07 – May 08); and
 - A 10% decrease overall on the previous comparable period (Dec 07 – May 08).
3. VAP figures across the Elephant & Castle area for the most recent 12-month period (Jun 08 – May 09) show:
- A 30% evening period decrease on the previous comparable period (Jun 07 – May 08);
 - A 20% daytime period increase on the previous comparable period (Jun 07 – May 08); and
 - A 12% decrease overall on the previous comparable period (Jun 07 – May 08).

Alcohol related CAD calls

4. Table 2 / chart 2 provides comparative data regarding alcohol related CAD calls received by the police concerning the Elephant & Castle area, for the past five, six-month periods commencing December 2006 – May 2007 through to December 2008 – May 2009.

Elephant & Castle area alcohol related CAD calls	Dec 06 – May 07	Jun – Nov 07	Dec 07 – May 08	Jun – Nov 08	Dec 08 – May 09
24 hour total	174	167	146	137	125

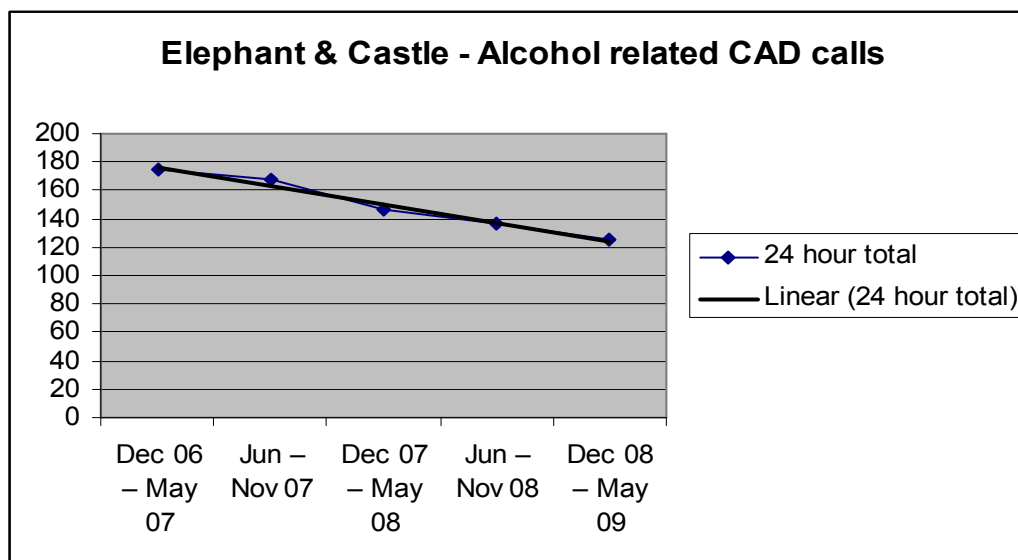
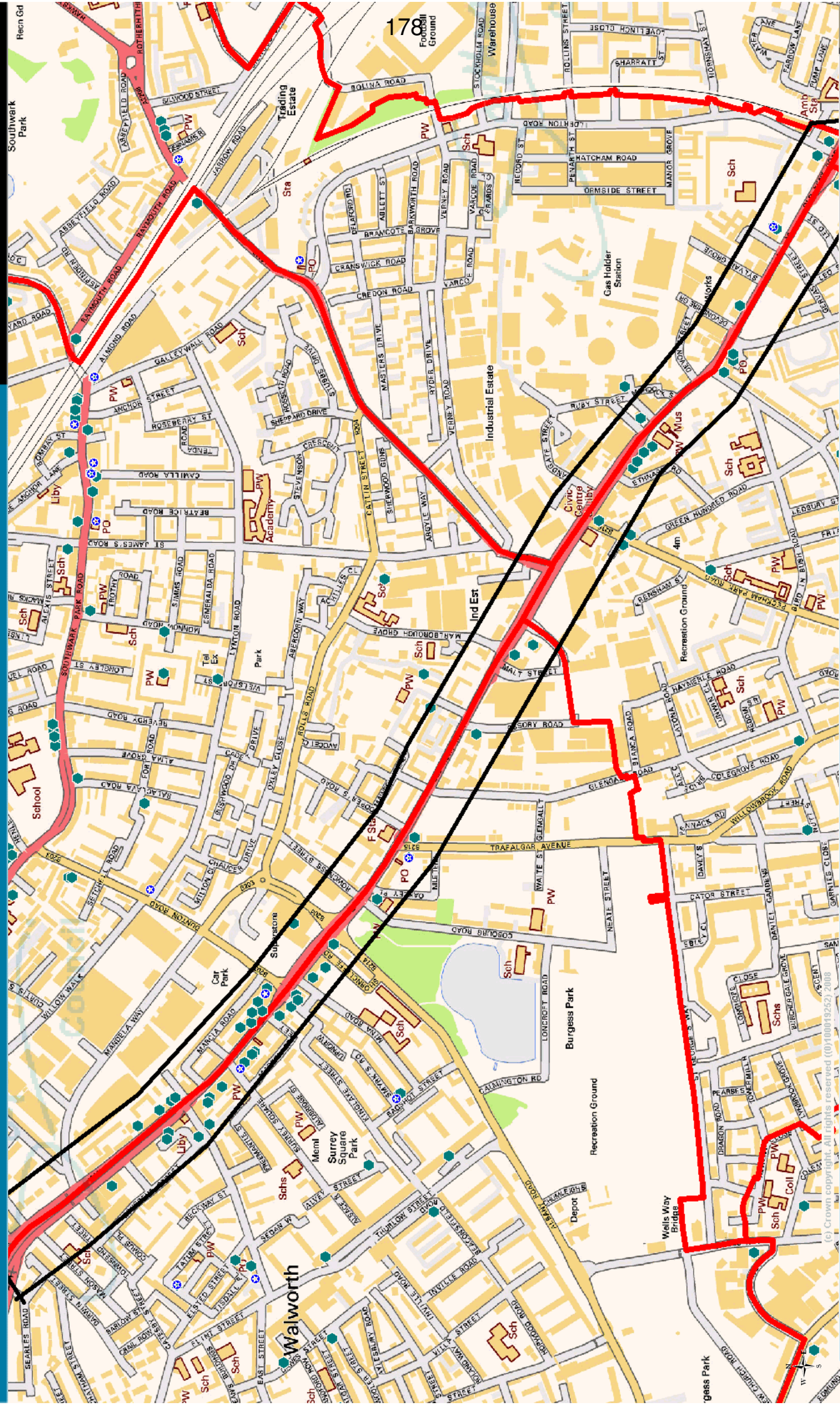


Table 2 / chart 2

5. CAD figures across the Elephant & Castle have reduced in each of the periods under monitor.
6. CAD figures across the Elephant & Castle area for the most recent 6-month period (Dec 08 – May 09) show a 14% decrease on the previous comparable period (Dec 07 – May 08). CAD figures for the most recent 12-month period (Jun 08 – May 09) show a 16% decrease on the previous comparable period (Jun 07 – May 08).





Item No. 10.	Classification: Open	Date: October 8 2009	Meeting Name: Licensing Committee
Report title:		Licensing Act 2003 (Premises Licences and Club Premises Certificates)(Miscellaneous Amendments) Regulations 2009	
Ward(s) or groups affected:		All	
From:		Strategic Director of Environment & Housing	

RECOMMENDATION(S)

1. That the committee notes the legislative amendments and section 182 guidance provision to allow all applications for minor variations made under section 41 of the Licensing Act 2003 (as amended) to be determined at officer level (the Community Safety & Enforcement Business Unit Manager).
2. That the committee notes the intention to seek an amendment of the matters reserved to the licensing sub-committee to bring the constitution in line with these requirements.
3. That the committee identifies any issues to be addressed within the constitutional change process.

BACKGROUND INFORMATION

4. The Licensing Act 2003 (Premises Licences and Club Premises Certificates) (Miscellaneous Amendments) Regulations 2009 came into force on 29 July 2009. The regulations amend the Licensing Act 2003 and the Licensing Act 2003 (Premises licences and certificates) Regulations 2005(b).
5. The regulations introduce a new simplified process for minor variations to premises licences and club premises certificates where such variations will not impact adversely on the licensing objectives.
6. The minor variations process provides for a short, simple consultation process with determination of the application within 15 working days. A note on the effects of the new process has been previously circulated to members of the committee.
7. No provision for public hearing of any contested application is made. Supplementary guidance issued by the Department of Culture Media and Sport (DCMS) under section 182 of the 2003 Act notes that the "Government recommends that decisions on minor variations should be delegated to licensing officers".
8. At present the council's scheme of delegation of decisions and functions to licensing committee, sub-committees and officers establishes that decisions on variation applications where representations are received should be taken by the licensing sub-committee.
9. Members are advised that, in accordance with DCMS guidance, a report is to be submitted to the officer governance working group, in the first instance, and thereafter to the member-level constitutional working panel and council assembly, seeking to amend that delegation in order to provide for determination of contested minor variation applications by the Head of Service (the Community Safety & Enforcement Business Unit

Manager). In the event that this proposal is approved by the council assembly, amendment will also be made to the appropriate internal scheme of delegation and policies and procedures will be established setting out clear guidance to officers to ensure consistent management of the process.

10. This report goes on to cover some of the main effects of the regulations and provide for further discussion on the management of the processes at the meeting. The committee is asked to address issues which it would wish to be taken into account during the constitutional change procedure.

KEY ISSUES FOR CONSIDERATION

Categories of application

11. Minor variations will generally fall into four categories
 - Minor change to the structure or layout of a premises;
 - Small adjustments to licensing hours;
 - The removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions; and
 - The addition of certain licensable activities
12. The DCMS guidance is helpful, however, in defining relevant forms of application. Some of the main points raised are set out in sections 12 – 15 below.

Minor change to the structure or layout of a premises

13. Applications under this category which are likely to have an adverse impact on the licensing objectives and which are therefore not suitable to be dealt with under the minor variations provisions include applications that:
 - Increase the capacity for drinking on the premises;
 - Affect access between the public part of the premises and the rest of the premises or the streets or public way; and
 - Impede the effective operation of a noise reduction measure such as an acoustic lobby.

Licensing hours

14. Applications to
 - Extend licensing hours for the sale or supply of alcohol for consumption on / off the premises between the hours of 23.00 and 07.00; or
 - Increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises.

Are excluded from the minor variations process and must be treated as full variations in all cases. Applications to reduce licensing hours for the sale or supply of alcohol or to move (without increasing) the licensed hours between 07.00 and 23.00 will normally be processed as minor variations.

15. Guidance advises that applications to vary the time during which other licensable activities take place should be considered on a case by case basis with reference to the likely impact on the licensing objectives being of paramount consideration. In such cases

guidance advises that officers should bring their own experience and knowledge of licensing to bear, taking all relevant factors, including relevant current licensing policy considerations, into account .

Licensing conditions

16. An application to remove a condition or vary the wording of a condition should normally be treated as a full variation application unless the condition is out of date, irrelevant or unenforceable.

Other

17. Guidance indicates that the government intends that applications to vary a licence for live music should benefit from the minor variations process unless there is likely to be an adverse impact on the licensing objectives.

Minor variations process

18. Applicants wishing to apply for a minor variation are required to complete a pro-forma application to the licensing authority; pay a standard fee of £89; and advertise the application at the premises by way of a white notice, complying with the regulations, for a period of 10 working days commencing the working day after the application was given to the licensing authority.
19. On receipt of an application the licensing authority must consider whether the variation could adversely impact on the licensing objectives. It must consult relevant responsible authorities if there is any doubt about the impact of the variation on the licensing objectives and take their views into account.
20. The licensing authority must then also consider any relevant representations received from interested parties within the specified time-limit.
21. If no relevant representations are received, the licensing authority must determine the application before the 15th working day after the day the authority received the application. Applications may be granted or refused. If no determination is made by that date the application is automatically treated as refused.
22. Deemed refused applications may be resubmitted as minor or major variations. Where an application is refused and resubmitted through the major variation process, the normal full notification and consultation procedures will apply.

Interim arrangements

23. Until such time that constitutional change may be approved contested applications for minor variations will be reported to the licensing sub-committee for determination, if an appropriate meeting is already arranged within the permitted 5 day period allowed. If no appropriate meeting is timetabled the application will not be determined and will be deemed refused. Insufficient time exists under this process for meetings to be timetabled specifically to consider minor variation applications.

Policy implications

24. The (second revision of the) Southwark Statement of Licensing Policy 2008 – 2011 was approved by council assembly in November 2008. Sections of the policy affected by the changes in the legislation are:

- Section 4 dealing with the “Administration, exercise and delegation of function” and includes a “table of delegation of functions”; and
- Section 5 dealing with “Determining applications for premises licences and club premises certificates”.

25. Any amendments required to the licensing policy will be highlighted in the consultation on the next revision of the licensing policy. The consultation documentation will include advice and guidance on any constitutional change agreed for the benefit of the licensed trades and the general Southwark community.

Community Impact Statement

26. The 2003 Licensing Act sets out four licensing objectives. These are

- To prevent crime and disorder;
- To ensure public safety;
- To prevent nuisance; and
- To protect children from harm.

27. Although this new process provides a simplified system for making minor variations to premises licences and club premises certificates, it is intended only for applications that have no adverse impact on the objectives.

28. The simplified process, however, progresses the government’s simplification agenda; removing unnecessary burdens on business but without affecting protections afforded local residents. The process retains provision for (limited) public consultation and the involvement of the responsible authorities where necessary.

Resource implications

29. It is not possible to gauge the take-up of the new minor variation process at this stage nor, therefore, the impact on the licensing service’s budget or resources. If the process becomes popular it does have the potential to provide some burden on resources, as the statutory £89 application fee is unlikely to cover the costs of negotiations over any concerns raised through the applications process. However, at this point in time it is anticipated that the impacts will be limited and work generated may be absorbed within existing resources. The position will be reviewed at the end of the financial year.

Consultation

30. No consultation has taken place in the preparation of this report. Attention is drawn to the comments made in section 25.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director for Communities, Law and Governance

31. The issues for consideration are clearly set out in the body of this report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 The Licensing Act 2003 (Premises Licences and Club Premises Certificates)(Miscellaneous Amendments) Regulations 2009 Supplementary guidance issued under section 182 of the 2003 Act The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005(b) The Southwark Statement of Licensing Policy 2008-2011	Health Safety & Licensing Unit, The Chaplin Centre, Thurlow Street, London, SE17 2DG	Name: Mrs Kirtikula Read Phone number: 020 7525 5748

AUDIT TRAIL

Lead Officer	Strategic Director of Environment & Housing	
Report Author	Richard Parkins, Health Safety & Licensing Unit Manager	
Version	Final	
Dated	September 4 2009	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Executive Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	September 25 009	

Item No. 10.	Classification: Open	Date: October 8 2009	Meeting Name: Licensing Committee
Report title:		Addendum Report – Minor Variations	
Ward(s) or groups affected:		All	
From:		Strategic Director of Environment & Housing	

RECOMMENDATIONS

1. That the committee notes the additional information set out in this report.
2. That a further report be presented to the licensing committee on the implementation of the new minor variations process.

BACKGROUND INFORMATION

3. This addendum report provides information in respect of Item 10 on minor variations, which was circulated on September 29 2009.
4. Draft constitutional changes were presented to the constitutional steering panel on October 6 2009 for comment. The constitutional steering panel asked officers to seek the views of licensing committee and in particular for officers to clarify the legal situation regarding the changes and the scope of minor variations.
5. It was originally envisaged that these constitutional changes, if approved, would be presented at Council Assembly on November 4 2009. However officers are recommending that members might wish to consider receiving further information on the implementation of these new arrangements.

KEY ISSUES FOR CONSIDERATION

6. In order to put the amended legislation into effect the council needs to do two things:
 - Make a constitutional change
 - Develop the officer protocol setting out the parameters for delegated authority, which must be based on the amended legislation and guidance.
7. A draft protocol will be produced for discussion at a future meeting, in order to provide the licensing committee with the necessary information on the process, how it would operate in practice and to enable members to comment on the protocol and the proposed constitutional amendment. This report seeks the licensing committee's initial views for officers to take into account in preparing the protocol.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

8. The legal position is that with effect from the 1 July 2009 there is a new statutory

framework for the determination of applications for a minor variation of a premises licence. Section 41 of the Licensing Act 2003 (the Act) is amended with effect from 1 July 2009 by the provisions of the Legislative Reform (Minor Variations to Premises Licences and Club Premises Certificates) Order 2009 (SI 1772/2009). This Order amends S41 of the Act by bringing in to force S41A, 41B and 41C. Although these new provisions do not contain a definition of a 'minor variation' they identify the scope of such a variation and in particular state what cannot amount to a minor variation (S41A(3)).

9. In July 2009 the DCMS issued Supplementary Guidance under S182 of the Act in relation to the new minor variations process. The Guidance emphasises that this is intended to be a simplified process (para 8.34) and recommends that decisions on minor variations should be delegated to licensing officers (para 8.36). This latter is a recommendation which reflects best practice but is not a statutory obligation.
10. The council is required to give effect to the new minor variations process, because this is a statutory process. Delegation of this process to licensing officers will require an amendment to the constitution.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 The Licensing Act 2003 (Premises Licences and Club Premises Certificates)(Miscellaneous Amendments) Regulations 2009 Supplementary guidance issued under section 182 of the 2003 Act The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005(b) The Southwark Statement of Licensing Policy 2008-2011	Health Safety & Licensing Unit, The Chaplin Centre, Thurlow Street, London, SE17 2DG	Name: Mrs Kirtikula Read Phone number: 020 7525 5748

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Gill Davies, Strategic Director of Environment & Housing	
Report Author	Ian Millichap, Constitutional Manager Sean Usher, Constitutional Officer	
Version	Final	
Dated	October 8 2009	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	No	No
Executive Member	No	No
Date final report sent to Constitutional/Community Council/Scrutiny Team		

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<p>LICENSING COMMITTEE</p>	<p>Date of Meeting: October 8 2009</p> <p>Time: 7.00pm</p>
<p>Note: Original held in Constitutional Team; all amendments/queries to Sean Usher, Constitutional Team, Tel: 020-7525-7222.</p>	
<p>Councillors (1 Copy Each)</p> <p>Anood Al-Samerai Robin Crookshank Hilton Dora Dixon-Fyle David Hubber (Chair) Jelil Ladipo Lorraine Lauder Ian Wingfield Jane Salmon Abdul Mohamed Eliza Mann Wilma Nelson Sandra Rhule Mackie Sheik Althea Smith Dominic Thorncroft (Vice Chair)</p> <p>Internal Copies (1 Copy Each)</p> <p>Councillor Linda Manchester (Executive Member)</p> <p>Richard Parkins Kate Heap Dave Franklin Jonathan Toy</p> <p>Sean Usher, Hub 4, 2nd Floor Tooley Street (2 copies)</p> <p>Total Copies to be printed: 33</p> <p>PLEASE BRING THESE PAPERS TO THE MEETING WITH YOU AS THERE WILL ONLY BE LIMITED SPARES AVAILABLE</p>	<p>Externals</p> <p>PC Paul Compton, Southwark – Police Licensing Officer Manor Place, Walworth, London SE17 3RL</p> <p>Total Copies to be circulated: 23</p> <p>ALL SPARES TO BE DELIVERED TO CONSTITUTIONAL TEAM 2ND FLOOR TOWN HALL</p> <p>DAY OF DESPATCH: 29.09.2009</p>