



The Licensing Unit

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Our reference: MD/23/387

Date: 24/07/2023

Dear Sir/Madam

Re:-London Bridge Food and Wine 85-87 Borough High Street SE1 1NH

Police are in possession of an application from the above for a New premises Licence. The venue is to operate as an off licence and convenience store. The applicant has requested the following operating hours which are within the guidelines set out in the Southwark Statement of Licensing for District Town Centre.
Open to the Public

Mon-Sun-0600hrs-0000hrs

Supply of alcohol

Mon-Sun-0600hrs-0000hrs

The premises are situated in the Borough and Bankside Cumulative impact Zone (CIZ) as designated by Southwark Council. The High Court approval of Cumulative impact policies came in Westminster City Council v Middlesex Crown Court. In brief, it stated 'A licence could be refused on the sole ground that the area was already saturated with licensed premises'.

Borough High Street has a considerable amount of licensed premises including a high number of off licences style premises. The area has a large problem with street drinking and alcohol abuse and the associated crime and disorder puts a heavy burden upon police, the London ambulance service and other emergency services. This is partly the reason the area is subject to the cumulative impact policy.

The applicant has produced some control measures to address the licensing objectives however it remains that the premises is located in the cumulative impact zone and as such there are no mitigating reasons for another off licence to be granted a licence.

The metropolitan police object to the granting of the this premises licence as the addition of another off licence will only add to the cumulative impact and have a detrimental effect on the licensing objectives in particular that of prevention of crime and disorder.

Submitted for your consideration.
Yours Sincerely

PC Mark Lynch 2246AS

Licensing Officer
Southwark Police Licensing

To: Licensing Unit	From: Wesley McArthur wesley.mcarthur@southwark.gov.uk 020 7525 5779 (on behalf of the Licensing Unit in its role as a responsible authority)	Date: 15 August 2023
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	London Bridge Food & Wine, Part Ground Floor, 85-87 Borough High Street, London, SE1 1NH	
Ref:	880730	

We object to the grant of a premises licence application, submitted by Mrs Shital Mehta under The Licensing Act 2003 (the Act), in respect of the premises known as London Bridge Food & Wine, Part Ground Floor, 85-87 Borough High Street, London, SE1 1NH.

1. The application

The application is to allow for the sale of alcohol for consumption off the premises as follows -

- **Monday – Sunday: 06:00 hours – 00:00 hours (midnight)**

The proposed opening hours of the premises are:

- **Monday – Sunday: 06:00 hours – 00:00 hours**

The premises, and its intended operation, are described in the application as (verbatim):

- **“Off Licence and Convenience Store.”**

2. The Locale

The premises are located on Borough High Street, which is a major thoroughfare. It is a densely urbanised road with various commercial premises, offices and residential properties. There are 46 licensed premises on Borough High Street itself, with many more in the locale . The licensed premises on Borough High Street include grocery stores / supermarkets allowing for the off sale of alcohol and other types of premises that also allow for the off sale of alcohol.

There are already six premises that could be described as convenience stores / supermarkets and which are licensed for the off sale of alcohol as follows -

No.	Licence number	Name	Address
1	865998	Londis	53 Borough High Street
2	879452	Borough Food and Wine	116 – 126 Borough High Street
3	876329	Sainsbury's	116 – 126 Borough High Street
4	857791	Tesco	127 – 143 Borough High Street
5	878366	Borough Supermarket	214 – 216 Borough High Street
6	9007	Supersave Express	223 Borough High Street

In addition to the above licensed premises, there are another 22 licensed premises of varying description that are also licensed for the off sale of alcohol, as follows -

No.	Licence number	Name	Address
1	845116	St. George The Martyr	St. George The Martyr, Borough High Street
2	879905	Barrowboy & Banker	6 - 8 Borough High Street
3	848802	Boro Bistro	6 – 10 Borough High Street
4	880768	Patty & Bun	19 Borough High Street
5	872747	Bridge Tap	32 Borough High Street
6	849025	Turkish Deli	Stand 8, 33 Borough High Street
7	869522	Old King's Head	45 Borough High Street
8	880165	Luncheonette & Giuseppe's Restaurant	47 – 49 Borough High Street
9	878768	The George Inn	75 – 77 Borough High Street
10	879764	The Whisky Exchange	88 Borough High Street
11	878035	St Christopher's Inn	121 Borough High Street
12	874513	Premier Inn	127 – 143 Borough High Street
13	874515	Belushi's	161 – 165 Borough High Street
14	878004	Blue Eyed Maid	173 Borough High Street
15	870446	St. John Bakery	Unit 4a, 180 Borough High Street
16	872142	Prezzemole & Vitale	Unit 4b, 180 Borough High Street
17	879721	The Trinity	202 – 206 Borough High Street
18	878529	Boutique da Carne	208 Borough High Street
19	878496	Rice Coming Noodle Bar	218 Borough High Street
20	862437	Tempo	304 Borough High Street
21	862660	Rao Deli	304 Borough High Street
22	864700	Brindisa	Units 9 & 10, Floral Hall, Borough Market

The above lists only relate to Borough High Street itself and it should be noted that there are other premises licenced for the off-sale of alcohol in the locale.

3. Our objection

Our objection is based on the following criteria:

The premises fall within, and are subject to, the Borough and Bankside Cumulative Impact Area (Borough and Bankside CIA).

Paragraph 131 this council's statement of licensing policy 2021 – 2026 states –

- *“Applications made within specified Cumulative Impact Areas (CIAs) are deemed likely to add to the potential impact the policy is intended to avoid. There is therefore an automatic presumption that such applications will be refused, however each application will be judged on its own merits.”*

Paragraph 150 of the statement of licensing policy stipulates regarding the Borough and Bankside CIA that –

- *“The classes of premises within the area to which the policy shall apply will be night-clubs / public houses and bars / restaurants and cafes / off-licences, supermarkets and grocers.”*

Therefore, the above premises is of a type of premises that is subject to the Borough and Bankside CIA.

As per paragraph 150 of the statement of licensing policy, the council has found that certain types of premises are likely to increase the negative cumulative impact in the Borough and Bankside CIA of licensed premises in that area. We are in agreement with this stance and are therefore of the opinion that the application be refused.

Paragraph 132 of the statement of licensing policy states that –

- *“It is normally the case that a representation citing a relevant CIA will have to be determined at a Licensing Sub-Committee hearing.”*

We further note that section 136 of the statement of licensing policy states –

- *“The effect of publishing a cumulative impact assessment is to create a rebuttable presumption that applications for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following relevant representations. In such circumstances, it is for the Applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.”*

In addition to the above it is clear that there are already a large number of off-licensed premises to provide an offering to the local area.

In our opinion, the applicant has not demonstrated that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

We therefore refer this application to the council’s Licensing Sub-Committee and recommend that the application be refused.

Full details of the statement of licensing policy are available via:

[Premises licence \(Licensing Act 2003\) - Southwark Council](#)

Notwithstanding the above, we note that the applicant has offered various control measures in the operating schedule of the application, which would form the basis of enforceable licence conditions (should a premise licence be issued subsequent to this application).

If the Licensing Sub-Committee is minded to grant this application, we would seek preferred wording for some of the proposed conditions to ensure that they are practicable and enforceable. We will be happy to provide the applicant and Licensing Sub-Committee with a

scheduled of suitably worded conditions at the hearing to determine the application, **however we strongly re-iterate that it is our opinion that this application be refused.**

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer