

The Licensing Unit
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Metropolitan Police Service
Licensing Office
Southwark Police Station,
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LONDON,
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Tel: 020 7232 6756
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Our reference: MD/24/1122

Date: 23/09/2024

Dear Sir/Madam

Re: The Sun Wharf 50 London Bridge Station Tooley Street SE1 2TF

Police are in possession of an application from the above for a New Premises Licence for supply of alcohol on/off sales and Late Night refreshment. The operating schedule describes it as a Traditional JD Wetherspoon Public House. The venue is situated in Borough and Bankside district Town Centre area and is also within the Cumulative Impact Zone. The hours requested exceed those recommended in the Southwark statement of Licensing Policy for a public house in such an area. The hours as per the application are:

Hours premises are open to the public
Sun-0630hrs-2330hrs
Mon-Sat-0630hrs-0030hrs

Late Night Refreshment
Mon-Sat-2300hrs-0000hrs

Supply of Alcohol for sale by retail on/off sales
Sun-0800hrs-2300hrs
Mon-Sat-0800hrs-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'

The venue is situated on the busy thorough fare of Tooley street SE1 and is adjacent to London Bridge Train Station which is a major transport hub serving the South of England transporting commuters and those wishing to attend various sporting and entertainment events across London. The area already has in excess of 20 alcohol led venues which are within 500 metres of the new premises and any addition would clearly add to the cumulative impact on the local area. The likely hood of off sales being taken home from the premises is remote and realistically they would be consumed in the nearby streets, on public transport or its hubs. This raises concerns for public safety and inevitably an increase in alcohol related crime and disorder, adding to the already burdened emergency services. The area is already blighted by all types of alcohol related crime from thefts to violent crime though not always committed by those intoxicated but those being intoxicated being the victims.

The applicant has provided a number of control measures to address all of the licensing objectives to which we welcome as a start point however some of the wording requires amending to allow for its enforcement and with such a venue being positioned in the cumulative impact zone we would expect to see more robust measures to address the licensing objectives in particular that of prevention of crime and disorder.

There is mention of a dispersal policy and also football management plan however these have not been produced with the application and we cannot at this stage comment on their suitability to address concerns regarding over intoxication on sport fixture days.

It should be noted that The Home office guidance issued under Sec 182 of the licensing Act 2003 'General principles' state that it is important in setting the parameters within which the premises may operate. Conditions precise and enforceable.

Police object to the granting of this licence in its current form as the control measures offered do not address the licensing objectives sufficiently in particular that of prevention of crime and disorder. Police ask the applicant to consider amending the wording of some of the conditions to allow for them to be precise and easily enforced as well as additional control measures to address the concerns as previously mentioned. Police welcome the opportunity to open dialogue with the applicant to progress this application.

Submitted for your consideration.
Yours Sincerely

PC Mark Lynch 2246AS
Southwark Police Licensing Unit
Tel: 0207 232 6756/6639

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: 06 October 2024
Subject:	Representation	
Act:	The Licensing Act 2003 (the Act)	
Premises:	The Sun Wharf, 50 London Bridge Station, Tooley Street, London Bridge, SE1 2TF	
Application number:	884041	
Location ID:	9186	Ward: London Bridge and West Bermondsey

We object to the grant of an application for a premises licence, submitted by JD Wetherspoon PLC under The Licensing Act 2003 (the Act), in respect of the premises known as The Sun Wharf, 50 London Bridge Station, Tooley Street, London Bridge, SE1 2TF.

1. The application

The application is to allow for the provision of the following licensable activities and opening hours:

Late night refreshment (indoors) -

Monday – Saturday: 23:00 – 00:00 (midnight)

The sale of alcohol to be consumed on and off the premises –

Monday – Saturday: 08:00 – 00:00

Sunday: 08:00 – 23:00

Opening times:

Monday – Saturday: 06:30 – 00:30

Sunday: 06:30 – 23:30

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

- *“The premises will occupy Units LES-03 and SU-80 located at Tooley Street, London and which form part of the London Bridge station complex. The units are currently vacant and previously formed part of The London Dungeon complex before its relocation to County Hall. Surrounding units beneath the railway tracks and on the station concourse are predominantly retail and hospitality with no residential property in the immediate vicinity.*

Planning permission is in place for the proposed use. The premises will operate as a traditional JD Wetherspoon public house with no music or similar entertainment and with provision of a full food menu from 1130 to 2300 every day (2230 Sunday) and a breakfast menu from opening to Noon.

Equivalent Wetherspoon premises in the area are The Rockingham Arms in Elephant and Castle and The Pommelers Rest on Tower Bridge Road. The company also

operates premises in St.Pancras, Liverpool St, Victoria, Waterloo and Cannon Street stations in London.

The premises is on a single floor with all customer, staff and ancillary services on ground level.

Access and egress to the premises will be from Tooley Street.

There is no provision for outdoor consumption of food and drink.

There will be no specific area for smokers at the premises and any customer wishing to smoke will need to leave the premises to do so.

The location of the premises adjacent to a major railway and underground hub will assist in the dispersal of customers away from the premises at close.”

2. The Locale

The premises are located at London Bridge Station on Tooley Street. London Bridge Station is one of the busiest train stations in Europe, serving many thousands of commuters a week.

Tooley Street is a busy thoroughfare with high levels of vehicular and pedestrian traffic from the morning to late at night, and where the premises are located, into the early hours of the morning.

Many bus routes use Tooley Street. London Bridge is a black taxi pick up / drop off point.

There are a high number of licensed premises serving alcohol in the immediate and wider vicinity in all directions.

London Bridge Hospital is opposite the premises.

The City of London ('the City'), albeit a different licensing authority, lies directly across London Bridge, and there are also a high number of licensed premises there. Many workers in the City use London Bridge Station.

A map showing the location of the premises is attached as appendix 1.

3. The Statement of Licensing Police (SoLP)

According to sections 6 & 7 of this council's statement of licensing policy 2021 – 2026 (the SoLP), the premises fall within Borough and Bankside Cumulative Impact Area (CIA) and Borough & Bankside Strategic Cultural Area.

A copy of the SoLP is available via:

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

The following closing times are recommended in our SoLP in respect of various types of licensed premises located in Borough & Bankside Strategic Cultural Area as stated -

Restaurants and cafes:

Sunday - Thursday:	00:00 (midnight)
Friday & Saturday:	01:00

Public houses, wine bars or other drinking establishments and bars in other types of premises:

Sunday - Thursday: 23:00
Friday & Saturday: 00:00

Event premises / spaces where sale of alcohol is included in, and ancillary to, range of activities including meals:

Sunday - Thursday: 00:00
Friday & Saturday: 01:00

4. Our objection

Our objection relates to the promotion of all of the licensing objectives and is based on the criteria set out in '4a', '4b' and '4c' below.

4a. Cumulative Impact

The premises fall within the Borough and Bankside CIA.

Paragraph 131 this council's SoLP 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 SoLP 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.”*

As per paragraph 150 of the SoLP, 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 must be determined by the licensing sub-committee.

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 –

- *“...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.”*

We contend that granting the application **could** further contribute to the negative local cumulative impact of licensed premises in the Borough and Bankside CIA.

We also refer to R (on the application of Westminster City Council) -v- Middlesex Crown Court [2002] EWHC 1104 in which HHJ Baker adjudicated

- *“Notwithstanding the applicant being a fit and proper person and the premises would be well run a licence could be refused on the sole ground that the area was already saturated with licence premises....and the cumulative effect of the existing premises was impacting adversely on the area to an unacceptable level.”*

This means that the above application can be refused on the **sole basis** that it is subject to a cumulative impact area.

We add that the full council assembly approved the current version of the SoLP and have maintained the Borough and Bankside CIA four times in a row, showing that the problems related to licensed premises in the locale are *longstanding and ongoing*.

This particular part of the Borough and Bankside CIA often has a high number of customers who have become intoxicated in local drinking establishments traversing the area and a high number of street drinkers. It is also one of the focal points for crime at licensed premises in the Borough. The locale also has ***the highest concentration of licensed premises in the entire borough***.

Paragraph 130 of statement of licensing policy states –

- *“In areas where the number, type and density of premises selling alcohol are high or exceptional, serious problems of nuisance and disorder may arise some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area. Typically this occurs when customers leave premises at peak times or where there is queuing at fast food outlets or for public transport. Moreover, large concentrations of people may also increase the incidence of other criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport services, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers and this can lead to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be dispersed quickly.”*

Although the premises are served by London Bridge Station, and a nearby bus stop, to aid in customer dispersal, the high amount of foot traffic during the premises’ proposed operating hours, and amount of premises licensed to sell alcohol in the vicinity, give rise to a high chance of incidents as described in paragraph 130 of the statement of licensing policy occurring.

We say that the licensing sub-committee should be ***the gatekeeper of the Statement of Licensing Policy*** that was, in part, ratified by councillors who form part of this very licensing sub-committee.

We therefore say that this application must be determined by the licensing sub-committee.

We do note however that all applications must be judged on their own merits.

4b – conditions

The applicant engaged in pre-application consultation with the council’s licensing unit and included many proposed licence conditions that were recommended by the licensing unit, however we feel that, should this application be granted, then further conditions are required to sufficiently address the licensing objectives.

In addition to the above, paragraph 1.16 (Licence conditions – general principles) of the Guidance to the Licensing Act 2003 issued by the Secretary of State under section 182 of the

Licensing Act 2003 states that conditions –

- “*must be precise and enforceable;*”
- “*must be unambiguous and clear in what they intend to achieve;*”

We therefore recommend that the following conditions be included in the operating schedule of any licence issued subsequent to the application, should the licensing sub-committee be minded to grant the application:

B. The prevention of crime and disorder:

1. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers in the toilets advising to the effect that the taking of illegal drugs will not be tolerated at the premises. These notices shall be kept free from obstructions at all times.

C. Public Safety

2. That the maximum number of people permitted on the premises at any one time (the ‘accommodation limit’) is **X** people (excluding staff). The accommodation limit shall be known by all staff and shall not be exceeded at any time.

<<The applicant is to provide the accommodation limit>>

3. That illuminated emergency escape route and emergency exit signage (‘emergency lighting’) shall be installed at the premises, be maintained in full working order, be operational at all times that the premises are in use and shall be maintained free from obstruction at all times.
4. That all emergency exits, emergency escape routes and entry / exit doors at the premises shall be kept free from obstructions at all times that the premises are in use.
5. That no identified emergency exits shall be kept locked / bolted shut at any time that the premises are in use.

D. The prevention of public nuisance

6. That the management shall assign a designated pick-up spot / ‘pick up pin’ with all current online taxi hailing services (e.g., Uber, Bolt etc.). The pick up spot shall be away from London Bridge Hospital.
7. That suitable external containers for customer’s cigarette butts shall be provided at all times that the premises are in use. Such containers shall be emptied regularly to ensure that they can be used at all times that the premises are in use, and so that they do not overflow and cause cigarette butt litter in the vicinity.

E. The prevention of children from harm

8. That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances and points of sale. The signage shall be kept free from obstructions at all times.

9. That a register of refused sales of alcohol shall be maintained at the premises at all times. The register shall be used to record details of all refused sales of alcohol. If the refusals register is a paper document then it shall be clearly and legibly marked on the front cover as a register of refused alcohol sales, with the address of the premises and the name of the licence holder. The register shall be made immediately available for inspection at the premises to authorised officers on request.
10. That no deliveries from the premises of alcohol shall be permitted.

4c – Closing times

We suggest that the licensing sub-committee adheres to this council's own policies, which have been applied for good reason. The operational hours suggested in the SoLP exist to protect residents in the borough, and other people travelling through the borough.

We further add that, full council assembly approved the current version of the SoLP, and have maintained the suggested operating hours four times in a row. This shows that there is still a need for the recommended hours to be given considerable weight in the determination of premises licence applications.

We therefore recommend that, *should the application be granted*, the following operating hours are applied:

Late night refreshment (indoors) -

Friday & Saturday: 23:00 – 00:00

The sale of alcohol to be consumed **on** the premises –

Sunday - Thursday: 08:00 – 22:30

Friday & Saturday: 08:00 – 23:30

The sale of alcohol to be consumed **off** the premises –

Sunday - Thursday: 08:00 – 23:00

Friday & Saturday: 08:00 – 00:00

Opening times:

Sunday - Thursday: 08:00 – 23:00

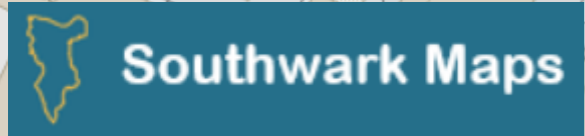
Friday & Saturday: 08:00 – 00:00

(On sales times are to finish 30 minutes prior to the premises' closing time on each day to allow customers sufficient 'drinking up' time).

Yours sincerely,

Wesley McArthur
Principal Enforcement Officer

Appendix 1



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Scale = 1:1323.000

6-Oct-2024