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LICENSING SUB-COMMITTEE

30 NOVEMBER 2016

(10.00 am - 2.30 pm)

PRESENT Councillor Philip Jones (in the Chair) Councillors Agatha Akyigyina and John Sargeant.

ALSO PRESENT Legal Officer: Guy Bishop
Licensing Officer: Stephen Beedell
Democratic Services: Susanne Wicks

CHIMICHANGA

James Rankin (for the applicant)
PC Russ Stevens, Metropolitan Police
Dr Aalaa Jawad, LB Merton Public Health
Councillor Abdul Latif
Sara Sharp
Leigh Terrafranca (WEHRA)

SAVANNA

Peter Sparham, (for the applicant)
Lisa Gardshol (applicant)
Leigh Terrafranca (WEHRA)
Councillor Abdul Latif

1 APPOINTMENT OF CHAIR (Agenda Item 1)

RESOLVED: That Councillor Philip Jones be appointed Chair of the meeting.

2 APOLOGIES FOR ABSENCE (Agenda Item 2)

There were no apologies for absence.

3 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 3)

There were no declarations of interest.

4 CHIMICHANGA, 80 THE BROADWAY, WIMBLEDON, SW19 1RH (Agenda Item 4)

The Chair outlined the procedure to be followed and advised all present that the meeting was being audio recorded.

All parties confirmed they had received the bundle in advance of the meeting.

Speaking on behalf of the applicant, James Rankin presented the application in detail. He apologised that consultation had not been undertaken with Police and

local residents prior to the submission of the application, but a meeting had taken place on 8 November. He emphasised that the applicant's intention is not for the premises to operate as a bar, but would like to be able to offer customers the opportunity to have a drink in the bar prior to being seated for their meal, and if moved from their table, after their meal.

James Rankin pointed out that Condition 3 in Annex 3 could arguably allow for someone purchasing a drink before sitting down at their table, as that could be interpreted as drinking with a table meal.

Councillor John Sargeant expressed concern that allowing customers to purchase alcohol in the bar area after their meal could lead to them remaining on the premises until much later than they normally would. In response James Rankin suggested that the Licensing Sub-Committee may wish to impose a time limit, beyond which time alcohol may no longer be sold.

In response to the representation from the Metropolitan Police, James Rankin indicated that the applicant was willing to accept suggested conditions 2 to 5. With regard to suggested condition 1, he described the operational challenges in complying with it.

In response to the representation from LB Merton Public Health, James Rankin indicated that the applicant would accept proposed conditions 1, 4, 5, 7 and 8, but noted that 4 and 7 are already conditions on the licence. He suggested that conditions 2 and 3 represent over-regulation and would be challenging to manage.

PC Russ Stevens introduced his representation, highlighting his concern that the premises may end up as a bar, or appear to be a bar, rather than a restaurant. He noted his agreement to customers drinking on the premises prior to a meal, but raised concerns about them purchasing alcohol after a meal, or only purchasing a small meal, then moving into the bar area until closing time. PC Russ Stevens went through the suggested conditions and gave further explanation where required.

Dr Aalaa Jawad introduced the representation made by LB Merton Public Health, and responded to questions posed by the Sub-Committee.

Councillor Abdul Latif, speaking on behalf of the Trinity ward councillors, introduced the representation in detail, noting concern that this application would add to anti-social behaviour in the CIZ, which is already saturated with licensed premises.

Sara Sharp outlined her representation, noting her concern that the staff at the premises would struggle to ensure that those having a drink were going to have, or had eaten, a meal, particularly given the high turnover of staff. She advised that no other restaurant on The Broadway has a bar area, and to grant the variation would set a precedent in the area.

Leigh Terrafranca presented her representation, made on behalf of WEHRA and the Wimbledon Union of Residents, which cover around 15,000 households. She described the proliferation of licensed premises on The Broadway and the impact of

their customers upon local residents, especially at weekends. She suggested that the premises would become a bar, and asked the Sub-Committee to refuse the application.

At the invitation of the Chair, all parties were given the opportunity to sum up. At 12.00 pm, the Sub-Committee retired into private session to take legal advice and make their decision.

The meeting was reconvened at 12.55 pm. The Legal Adviser, Guy Bishop gave a brief outline of legal advice he had given to the Sub-Committee.

The Chair relayed the decision of the Licensing Sub-Committee and advised that written notification would be issued to all parties.

RESOLVED: That the application is granted, subject to conditions, as detailed within the Notice of Determination.

5 THE SAVANNA, (T/A BILTONG AND BOTTLE) UNIT 2 WIMBLEDON STATION, WIMBLEDON, SW19 7NL (Agenda Item 5)

The Chair outlined the procedure to be followed and advised all present that the meeting was being audio recorded.

All parties confirmed they had received the bundle in advance of the meeting.

Speaking on behalf of the applicant, Peter Sparham introduced the application in detail. He emphasised the nature of the premises, selling almost exclusively South African products at premium prices, which are unlikely to be attractive to street drinkers, even if sold in single units. Peter Sparham noted that no representations were made by responsible authorities and no evidence provided to show that the premises currently contributes to any issues caused by the late night economy, such as anti-social behaviour or crime and disorder.

Peter Sparham responded to the representations made by Councillor Abdul Latif and by Leigh Terrafranca.

In response to questions from the Sub-Committee, Peter Sparham advised that if the condition regarding single unit sales is removed, it would be unlikely to increase sales. Lisa Gardshol advised that the additional shelf space is intended to accommodate a wider range of wines priced from £20 to £70. Sales of cider and beer account for around 2-3% of sales only. She also advised that the bottle of beer sold do not have twist off caps, and the premises do not open bottles for customers.

In response to a question from the Legal Adviser, Lisa Gardshol indicated her willingness to accept a condition that only South African brands will be sold.

Councillor Abdul Latif presented his representation in detail, and emphasised the location of the premises within the Wimbledon CIZ, and the negative impact of late night drinkers upon the local area, especially at weekends.

Leigh Terrafranca presented her representation, also highlighting the negative impact of the proliferation of licensed premises on residents living near to The Broadway. She also noted her concern that people arriving at the station by train may purchase alcohol in order to consume it prior to entering other licensed premises within the CIZ.

At the invitation of the Chair, all parties were given the opportunity to sum up. At 1.55 pm, the Sub-Committee retired into private session to take legal advice and make their decision.

The meeting was reconvened at 2.30 pm. The Legal Adviser, Guy Bishop gave a summary of legal advice he had given to the Sub-Committee.

The Chair relayed the decision of the Licensing Sub-Committee and advised that written notification would be issued to all parties.

RESOLVED: That the application is granted in part, and subject to conditions, as detailed within the Notice of Determination.