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Merton Council

Licensing Committee

Membership

Nick Draper (Chair)

David Simpson CBE (Vice-Chair)

Agatha Mary Akyigyina OBE

Stan Anderson

Pauline Cowper

Nigel Benbow

Paul Kohler

Mary Curtin

Joan Henry

Oonagh Moulton

Marsie Skeete

Janice Howard

A meeting of the Licensing Committee will be held on:

Date: 15 October 2020

Time: 7.15 pm

Venue: This will be a virtual meeting and therefore will not take place in a physical location, in accordance with s78 of the Coronavirus Act 2020.

This will be followed by a meeting of the Licensing Committee (miscellaneous) to deal with any licensing matters which are not within the scope of the Licensing Act 2003.

This is a public meeting and can be viewed by following this link
<https://www.youtube.com/user/MertonCouncil>.

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Licensing Committee

15 October 2020

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| 1 | Apologies for absence | |
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| 4 | Report on the five yearly review of the Council's Statement of Licensing Policy as required under Section 5 of the Licensing Act 2003 following consultation | 5 - 226 |

Licensing Committee (Miscellaneous matters)

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. For further advice please speak with the Managing Director, South London Legal Partnership.

Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at www.merton.gov.uk/committee.

LICENSING COMMITTEE

9 JUNE 2020

(7.15 pm - 8.01 pm)

PRESENT Councillors Councillor Nick Draper (in the Chair), Councillor David Simpson, Councillor Agatha Mary Akyigyina, Councillor Stan Anderson, Councillor Pauline Cowper, Councillor Nigel Benbow, Councillor Paul Kohler, Councillor Nick McLean, Councillor Mary Curtin, Councillor Joan Henry and Councillor Oonagh Moulton

ALSO PRESENT Helen Clark (Commercial Services Manager), Saima Khan (Lawyer), Louise Fleming (Senior Democratic Services Officer) and Amy Dumitrescu (Democratic Services Officer)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillor Marsie Skeete.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting of 6 February 2020 were agreed as a correct record.

Order of Items

The Chair announced that item 5 would be taken first on the agenda, followed by item 4. The minutes remain in agenda order.

4 DRAFT STATEMENT OF LICENSING POLICY 2021- 2026, INCLUDING PROPOSED CUMULATIVE IMPACT ASSESSMENT (Agenda Item 4)

The Commercial Services Manager presented the report, giving an overview of the changes which had been made from the current policy, including the option of introducing a set of Model Licensing conditions for Merton in the future which could be used by Applicants or imposed by Licensing Sub-Committees.

The Committee then reviewed the Cumulative Impact Assessments (CIAs). The current policy currently designated three areas in the Borough as Cumulative Impact Zones (Mitcham Town Centre, Wimbledon Town Centre and Wimbledon Village), however updated section 5A(1) of the Licensing Act 2003 and (section 182) Home Office Guidance introduced in 2018 now introduced Cumulative Impact Assessments and these were being introduced as part of the updated policy. These assessments required evidence to show any issues in particular areas. The CIAs include a

statement that the number of licensed premises in the area described is such that it is likely that granting of further licences would be inconsistent with the authority's duty to promote the licensing objectives. However each application would now be taken on its' own merits, whilst considering the CIAs, rather than the current rebuttable presumption of refusal which was in place for applications in CIZs.

This did not prevent any party from objecting to any applications and providing evidence of cumulative in relation to other areas and premises outside of the prescribed zones for Licensing Sub-Committees to consider.

The Committee discussed each of the current zones, agreeing that the Mitcham Town Centre Zone which covers "off-premises" sales only should remain, noting the high number of premises licensed for off-sales and the large amount of evidence of issues of street drinking, anti-social behaviour and crime arising in that area.

In regards to the Wimbledon Village zone, members noted that there was currently little evidence of any issues with crime and disorder in relation to licensed premises and agreed that the zone should be removed. Members noted that removal of the zone does not prevent any party from objecting to an application for a new premises licence or a variation of an existing licence in Wimbledon Village on the basis of cumulative impact with evidence for Licensing Sub Committees to consider.

For the Wimbledon Town area, members felt strongly that this should remain in place, noting the high concentration of licensed premises and evidence of the negative impact on the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance in that area.

The Cumulative Impact Assessments were required to be reviewed every 3 years.

RESOLVED:

A. That the Licensing Committee approved, for consultation, the draft Statement of Licensing Policy 2021-2026 as previously approved by the Licensing Committee on the 6th February 2020, attached at Appendix A .

B. That the Licensing Committee considered the proposed Cumulative Impact Assessment, attached at Appendix B, and approved it for consultation

5 LONDON LOCAL AUTHORITIES ACT 1991, REVIEW OF SPECIAL TREATMENT LICENSING (Agenda Item 5)

The Commercial Services Manager presented the report, advising that a number of policies were now being reviewed to enable more consistency across the three-borough partnership as well as reviewing the current fee structure. The Commercial Services Manager noted that the treatments provided by such premises were often quite invasive and potentially dangerous and therefore it was important that the current policies were reviewed.

In response to questions from members, the Commercial Services Manager advised that the model conditions within the report stated what would be expected of any relevant premises including requirements on insurance.

It was noted that due to the current Covid-19 pandemic, MST premises were currently closed and therefore any consultation with premises would need to be undertaken later in the year, with a further report brought to the October 2020 meeting of the Committee. The policy would come into force as soon as practicable for new businesses, and for established businesses once their licences were due for renewal. Whilst there was no statutory requirement to consult, the Council wished to consult with businesses before implementing any new policy.

In response to further questions it was clarified that there would be some movement on fees, with the charging structure being amended from levels set in relation to the size of the premises to now being linked to the risk level associated with the services provided.

There were currently 50 licensed MST premises within the Borough, however there were also thought to be a number of premises which were currently unlicensed and there was an additional strand of work being undertaken to investigate these.

RESOLVED:

- A. That The Licensing Committee adopted the standard conditions for Special Treatment Premises Licences as set out in Appendix A to this report, subject to any amendments arising from consultation with existing licence holders;
- B. The Licensing Committee approved the regulations governing applications for the grant, renewal, transfer and variation of special treatment licences and their determination;
- C. The Licensing Committee approved the proposal to licence broad categories of treatments;
- D. The Licensing Committee noted the proposed fee structure subject to consultation with existing licence holders;
- E. The Licensing Committee agreed that the above changes will take effect from 1st April 2021;
- F. The Licensing Committee confirmed the current list of approved health practitioners of special treatment establishments whose members are exempted from the need for licensing and to delegate authority to the Head of the Regulatory Services Partnership to approve or reject any application to the Council for inclusion on the list in the future.

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Committee: Licensing Committee

Date: 15 October 2020

Wards: All

Subject: Report on the five yearly review of the Council's Statement of Licensing Policy as required under Section 5 of the Licensing Act 2003 following consultation

Lead officer: Chris Lee, Director of Environment and Regeneration.

Lead member: Councillor Nick Draper, Chair of the Licensing Committee

Forward Plan reference number: N/A

Contact Officer: Caroline Sharkey, Licensing Manager, London Boroughs of Merton, Richmond upon Thames and Wandsworth Joint Regulatory Services Partnership and Guy Bishop Senior Lawyer Litigation and Planning Team.

Recommendations:

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- A. To consider the comments received during the public consultation process, which took place between 15 June and 7 September 2020;
 - B. To discuss, debate, recommend, or amend and approve the proposed Cumulative Impact Assessment having regard to the responses to the public consultation;
 - C. To approve delegated authority to the Licensing Manager, in consultation with the Chairman of the Licensing Committee, to approve any amendments to the Statement of Licensing Policy and/or Cumulative Impact Assessment following the Committee meeting and prior to submission to Council for adoption on 18 November 2020; and
 - D. To approve the draft Statement of Licensing Policy and Cumulative Impact Assessment subject to the above paragraph and recommend them for adoption by full Council on 18 November 2020.
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1. **PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 There is a statutory requirement under section 5 (1) of the Licensing Act 2003 (as amended) for the Council to review and re-publish its Statement of Licensing Policy every five years.
- 1.2 As of the 6th April 2018, Cumulative Impact Assessments were introduced under section 5A of the Licensing Act 2003 by section 141 of the Policing and Crime Act 2017. Under the legislation, a local authority must collect, publish and consult on the evidential basis for any proposal " that the licensing authority considers that the number of relevant authorisations in respect of premises in one or more parts of its area described in the

assessment is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) to grant any further relevant authorisations in respect of premises in that part or those parts". The final Cumulative Impact Assessment must be included as part of the Licensing Policy.

1.3 At its meeting on the 9 June 2020, the Licensing Committee agreed a draft Licensing Policy for consultation. In addition, the Licensing Committee reviewed the data that would form the evidential basis for introducing a Cumulative Impact Policy in any part of the borough and agreed that consultation should revolve around the proposal that:

- Evidence is available to support retention of the two of the existing cumulative impact areas, Wimbledon Town Centre and Mitcham Town Centre;
- There is insufficient evidence to support the retention of a special policy for Wimbledon Village;
- It is not appropriate to include any other area of the borough in the Cumulative Impact assessment.

1.4 Members are asked to consider the Statement of Licensing Policy attached at **Appendix A** to this report and, subject to any amendments they may consider appropriate in response to the consultation, to recommend to the Council to approve it as the Council's Statement of Licensing Policy to take effect from 6 January 2021 and to apply to applications received by the licensing authority after that date.

2. DETAILS

2.1 Consultation

The Licensing Authority must carry out consultation with a prescribed list of consultees, listed in section 5(3) of the Act, before determining its policy. These include:

- The Chief Officer of Police
- The Fire and Rescue Authority
- The Director of Public Health.
- Persons/bodies representing local premise licence holders
- Persons/bodies representing local club premise certificate holders
- Persons/bodies representing local personal licence holders
- Persons/bodies representing local businesses and residents.

2.2 Their views must be given appropriate weight when the policy is determined. Subject to the statutory requirements; it is for each Licensing Authority to determine the extent of the consultation having regard to the cost and time.

2.3 At its meeting of 9 June 2020, the Licensing Committee approved a draft Statement of Licensing Policy for the purposes of public consultation and approved the arrangements for the consultation. The Licensing Committee also considered the available evidence of cumulative impact in the Borough. The Committee approved for consultation a general indication of the parts

of the Borough where it believes that the number or density of licensed premises is having a cumulative impact leading to problems which are undermining the licensing objectives. The Cumulative Impact Analysis included the reasons for this belief and whether the special policy would relate to all premises licences and club premises certificates or only to those of a particular kind.

2.4 The public consultation of the draft Statement of Licensing Policy and Cumulative Impact Analysis took place between 15 June and 7 September 2020. Consultation was carried out as laid out in Sections 5.2 and 5.3 of the Policy. This included directly contacting Responsible Authorities, solicitors who regularly represent licensees in the Borough, trade associations, Ward Councillors residents' associations and other stakeholders who receive e-mail notification of applications received by the Licensing Authority. In addition, electronic copies of the consultation documents were published on the Council's website. The consultation was also publicised on social media by the Council.

3.0 **Responses on consultation on the Licensing Policy (excluding Cumulative Impact Assessment)**

3.1 During the consultation period the Licensing Authority received thirteen responses to the consultation on the draft Licensing Policy (excluding the Cumulative Impact Assessment which was subject to parallel but separate consultation) through the on-line survey. In addition, direct responses were received from the Metropolitan Police and the Director of Public Health. A summary of the on-line responses, including free text comments, can be seen at Appendix B of the report.

3.2 The majority of those who responded are generally positive towards the existing Statement of Licensing Policy and also approve of the proposed amendments to the Policy. Most free text comments relate to the potential removal of the special policy for Wimbledon Village. However, concerns have also been expressed about littering associated with licensed premises. It is therefore, proposed to amend the Policy as shown in Paragraph 13.4 (iv) of the Statement of Licensing Policy attached at Appendix A so that litter is addressed in licensing applications.

3.3 The Director of Public Health supports the proposed Statement of Licensing Policy but has sought a number of amendments relating to the role of public health in licensing as follows:

(i) To amend Section 1.9 to make it more explicit that the opinion of Public Health as a Responsible Authority should be taken into account when deciding applications at the same level as other Responsible Authorities.

It is recommended that policy be amended as shown in the draft Policy attached at Appendix A

(ii) To include an additional sub-section, after sub-section 2.3, summarising the relevant public health data for Merton related to alcohol licencing.

It is recommended that policy be amended as suggested, as shown in the Policy attached at Appendix A

- (iii) To add an additional point to Section 4.5 to indicate the importance of responsible authorities working together in partnership in order to promote a holistic approach to licensing.
It is recommended that policy be amended as suggested, as shown in the Policy attached at Appendix A.
- (iv) To include an additional sub-section between 9.7 and 9.8, highlighting the added importance of particular relevant public health data in assessing the cumulative impact of premises.
It is recommended that this information better sits in Section 10 of the Licensing Policy as shown in the proposed new section 10.2 to the Policy attached at Appendix A
- (v) To add an additional section following sections 11-14, which relate to individual licencing objectives for public health. This would acknowledge that public health is not a licencing objective but would state that health related data will always be considered where they relate to the licencing objectives. It would also encourage applicants to consider health impacts of proposed activities and provide guidance for health-related considerations when completing operating schedules.
It is not proposed to add a section as suggested by the Director of Public Health. Public health is not a licensing objective and the only matters that an applicant is obliged to address in its operating schedule, and indeed the only matters that the Licensing Authority can consider, are those that will impact on one or more of the licensing objectives This does not include health impacts of proposed activities. To include the section as suggested by the Director of Public Health would risk a judicial review against the Policy and/or reference in an appeal. However, it is recommended that many of the measures suggested by the Director of Public Health be included within sections 11 as shown in the Policy attached at Appendix A. It is acknowledged that this does not include all the matters raised by the Director of Public Health. Some of the points raised, such as those relating to the sales of the cheapest alcohol and irresponsible promotions in pubs and clubs are already covered by statutory conditions.

3.4 The Metropolitan Police have not raised any comments regarding the Statement of Licensing Policy. Their comments relate to the Cumulative Impact Assessment.

4.0 Cumulative Impact Assessment

4.1 Section 141 of the Policing and Crime Act 2017 came into force on 6 April 2018 and gave cumulative impact assessments (CIAs) a statutory basis in the Licensing Act 2003. Until that date, cumulative impact policies (CIPs) were only described in Home Office guidance on the 2003 Act. The guidance described cumulative impact as “the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.”

4.2 In 2016 the Home Office published its Modern Crime Prevention Strategy which included a range of measures to prevent alcohol-related crime and disorder. One of these was to put CIPs “on a statutory footing, to strengthen the ability of authorities to control the availability of alcohol and reduce alcohol-

related crime and disorder, as well as providing industry with greater clarity about how they can be used". At that time, the Home Office was concerned that the system could, among other things, lead to disproportionate restrictions on new business. They felt that CIP's could be implemented on relatively weak grounds and remain in place for a number of years based on limited or outdated evidence. It was their belief that this could lead to disproportionate restrictions on new business and potentially an associated impact on communities where a CIP could prevent new venues in town centres which could enhance the area. The lack of evidence or a poor evidence base could also lead to the failure of a CIP to stand up to scrutiny in the courts in the event of an appeal or make it difficult for the authority, as a responsible authority, to protect the policy.

- 4.3 By giving Cumulative Impact Assessments a statutory basis, the Government believed that this would assist transparency in decision making. Under the 2003 Act, therefore, a licensing authority can publish a CIA to help limit the number or types of licence applications granted where there is evidence showing that the number or density of premises in an area is having a cumulative impact and leading to problems which are undermining the licensing objectives. The 2003 Act sets out what a licensing authority needs to do to publish a CIA. This includes consulting with residents and businesses in the borough and reviewing the Assessment every three years to ensure that it is current and remains rooted in strong evidence.
- 4.4 Under the amendments to the Licensing Act 2003 brought about by the Policing and Crime Act 2017, there is no longer a 'rebutable presumption' that applications for licences in areas with CIP's would be refused unless there was a strong reason put forward by the applicant to grant. Instead the requirements for determining new or variation applications are the same in areas with a CIP as they are elsewhere. However, anyone making a representation can have regard to the CIP when deciding whether to make a representation for or against an application.
- 4.5 At its meeting on the 9th June 2020, the Licensing Committee reviewed the evidence regarding the number of licensed premises and the impact such premises were having on crime and disorder, nuisance and health (through ambulance call out figures) across the borough. It also reviewed the responses to the 2019 residents' survey which explored resident perceptions of their local area and council services. A copy of this Analysis is attached at **Appendix D** of this report, updated with further information provided by the Director of Public Health on hospital admissions for alcohol related conditions. The Committee approved for consultation a general indication of the parts of the borough where it believed that the number or density of licensed premises was having a cumulative impact leading to documented problems which were undermining the licensing objectives. The Cumulative Impact Analysis included the reasons for this belief and whether the policy would relate to all premises licences and club premises certificates or only to those of a particular kind. The consultation revolved around the proposal that:
- Evidence is available to support retention of the two of the existing cumulative impact areas, Wimbledon Town Centre and Mitcham Town Centre;
 - There is insufficient evidence to support the retention of a special policy for Wimbledon Village;
 - It is not appropriate to include any other area of the borough in the Cumulative Impact assessment.

Wimbledon Town Centre CIA, consultation response

- 4.6 100 people responded to the on-line consultation. Of these, 89% agreed or strongly agreed that there should be a special policy on cumulative impact in respect of Wimbledon Town Centre. A copy of the responses is attached at Appendix C, together with responses to the free text comments where appropriate. 6% of the respondents disagree or strongly disagree that there should be a special policy but have not provided any evidence as to the reasons for this belief.
- 4.7 The Director of Public Health supports the continuation of the special policy on cumulative impact in Wimbledon Town Centre on the basis of the density of premises and crime data presented in the cumulative impact analysis. He also notes, however, that available public health data does not appear to show a cumulative impact on health, with hospital admissions for alcohol related conditions in the wards within this CIA all relatively low compared to the English average and East Merton wards.
- 4.8 The Metropolitan Police have stated that Wimbledon Town Centre, prior to lockdown, required constant management to control antisocial behaviour (ASB) and crime. They advise that whilst there has been some mild departure from the policy, the existing cumulative impact policy for this area has enabled the Licensing Authority to heavily restrict new licences to negate the risk of further impact on crime and ASB.
- 4.9 The majority of those that responded to the consultation were broadly in agreement that the special policy on cumulative impact should continue. The evidence from the cumulative impact analysis, attached at Appendix D, shows that this area has the highest concentration of licensed premises in the borough. Residents of Trinity and Abbey Wards register high levels of concern regarding people being drunk and rowdy in public spaces and general anti-social behaviour. The Wards have high levels of complaints to the police about anti-social behaviour, as well as high levels of ambulance call outs for alcohol and assaults and police call outs for violence – non domestic. Although relatively low in numbers, the area also attracts a number of complaints to the Council’s licensing and noise teams. It is therefore recommended that the special policy on cumulative impact continue.
- 4.10 Wimbledon Town Centre is a vibrant part of the borough with a diverse entertainment offering. Not all types of licensed premises will negatively impact on the area and the Committee may wish to acknowledge this in the Policy by adding the following wording (Appendix 3 of the Policy).
- 4.11 The Authority recognises that it must balance the needs of business with those of local residents. However, currently the number and type of premises are impacting negatively on the licensing objectives. In adopting the special policy, the authority is setting down a strong statement of approach to considering applications for the grant or variation of premises licences and club premises certificates in the Wimbledon Town Centre CIA. However, the Authority recognises that the impact of premises can be different for premises with different styles and characteristics. For example large nightclubs or late night bars and public houses might add to the problems of cumulative impact, a small restaurant or theatre may not. For this reason, applications with comprehensive operating schedules that meet the following criteria may be able to demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives:
Premises that are not alcohol led and
- i. support the people visiting the area during the day; and/or
 - ii. support the wider cultural offering in the area’

Mitcham Town Centre CIA, consultation responses

- 4.12 95 people responded to the on-line consultation. However, of these, 64% indicated that they had no view on whether there should be a CIA in Mitcham Town Centre.

Of those that recorded a view (43 people), 76.7% were in favour of a special policy on Cumulative Impact relating to off-sales in Mitcham Town Centre. In response to the question 'to what extent do you agree or disagree that the Mitcham Town Centre cumulative impact zone should be extended to other license types?' 84% of those who had a recorded a view felt that it should be extended (a total of 33 people recorded a view)

- 4.13 A copy of the responses is attached at **Appendix C**, together with responses to the free text comments where appropriate.
- 4.14 The Director of Public Health supports the continuation of the special policy on cumulative impact in Mitcham Town Centre, which is restricted to off-premises sales, based on data presented in the Merton Cumulative Impact Analysis. Public Health has provided additional data which provides further evidence in support of a special policy for Mitcham Town Centre. The data shows high levels of hospital admissions for alcohol related conditions in the wards which fall into the CIA, for example, Cricket Green has the highest standardised admission ratio (SAR) for alcohol attributable conditions in Merton (102.0) and is higher than the average for England (100.0).
- 4.15 The Metropolitan Police state:
- 'From my observations and experience over the last 4 years, there is clear evidence that the CIZs have been effective in Mitcham and Wimbledon town centres. ASB and crime associated with street drinking in Mitcham town centre remains a problem and I often make representations to block applications for new Premises Licences within the zone. The most recent being in May for a new off-licence only two doors from another where there are already 10 off-licence shops within 300m. I also have an interesting letter from a local resident commenting on the positive effects of the obvious enforcement of the CIZ.'
- 4.16 The majority of those that responded to the consultation were broadly in agreement that the special policy on cumulative impact should continue. Although a number of respondents indicated that the policy should be widened to include all licenced premises, no clear evidence was given to support such a move. It is, therefore recommended that in light of the evidence provided in the Cumulative Impact Analysis that the special policy on cumulative impact as it relates to off-licences continue in Mitcham Town Centre as laid out in Appendix 3 of the Statement of Licensing Policy

Wimbledon Village, consultation responses

- 4.17 88 people responded to the on-line consultation. Of these 12.5% strongly agreed that there was insufficient evidence to retain a special policy on cumulative impact in Wimbledon Village. 87.5% disagreed or strongly disagreed with this statement. A copy of the on-line responses is attached at Appendix C, together with the free text comments.
- 4.18 In addition, 65 responses were received directly objecting to the removal of a special policy in Wimbledon Village, with 5 in support. 1 accepted that there was insufficient evidence at this time for a special policy but wished assurance that the decision could be quickly reversed if problems started to occur. Direct responses were received from Parkside Residents Association, Wimbledon East Hillside Residents Association, Lauriston Road and Wilberforce Way Residents Association, Wimbledon Union of Residents' Associations, the Belvedere Estates Residents' Association, Merton Conservative Group, Wimbledon Village Ward Safer Neighbourhood Police Panel as well as from individual residents. Copies of all these responses have been made

available to Members of the Licensing Committee. Many of the points made in the individual responses duplicate the comments made on-line and it is likely that some respondents to the on-line consultation also responded directly.

4.19 The main thrust of the objections to removing the special policy on cumulative impact for Wimbledon Village are laid out below:

- There is a high density of licensed premises in Wimbledon Village.
- The policy was first introduced in 2006 as a response to problems with anti-social behaviour arising from licensed premises and has remained in place since that time.
- The policy has generally worked and consequently this, in itself, should be a good reason for its retention.
- There are still problems with anti-social behaviour although not sufficiently serious to warrant complaint to the police or to Licensing or Environmental Services.
- There is a concern that the removal of the special policy on cumulative impact will be a 'green light' for new late night applications and drink led businesses taking over vacant premises in the area without the protection previously afforded by a CIP.
- There is a concern that the withdrawal of a CIP will be an indicator to the trade that Merton is actively seeking applications for late night venues in this area.
- If the special policy is removed from Wimbledon Village but retained for the Town Centre, this could see a drive towards moving late night venues into the Village.
- Covid 19 has highlighted problems relating to off sales which has increased problems in the area and contributed to illegal gatherings in nearby open spaces.
- No changes should take place during a pandemic
- There is a concern that Covid19 has severely affected the hospitality sector and, once restrictions are lifted, it will be a natural reaction for premises to seek late licences in order try to recuperate losses. The loss of CIP status could exacerbate this.
- There has been a lack of consultation with residents and the use of the results of the 2019 residents survey does not give a true picture of the problems facing residents in the area.

4.20 The Director of Public Health Public Health is in support of the discontinuation of the CIP in Wimbledon Village as the data presented in the cumulative impact analysis does not support a cumulative impact on the licencing objectives in this area and alcohol-related hospital admissions in Village Ward are the lowest in the Borough.

4.21 The Metropolitan Police advise that Wimbledon Village has not suffered from crime or ASB associated with the cumulative effect of multiple premises selling alcohol. Alcohol related crime in the area is extremely low despite the presence of several bars and restaurants, and ASB complaints have only ever been about individual premises. The police acknowledge that ASB complaints have been received about one premises that has remained open (legally for takeaways) during the Covid 19 lockdown due to perceived breaches of COVID guidance and that complaints are still being received due to customers standing on the pavements. Although crime/ASB does increase during Wimbledon fortnight it is not excessive. Footfall is significantly reduced at all other times. There have been departures from the current policy in the village, notably new Premises Licences at the Ivy Restaurant and Megan's, and neither have had any effect on crime or ASB. The police can see no justification to keep the current CIP in

the village, and its existence does not assist in the management of crime/ASB in that area.

5.0 Introducing a special policy on cumulative impact elsewhere in the borough – consultation responses

- 5.1 86 people responded to the on-line consultation but of these 87% had no view on whether a cumulative impact policy should be introduced anywhere else in the borough. Of the remainder 45% (5 respondents) felt that such a policy should be introduced with 54.5% (6 respondents) believing that no further special cumulative impact policies were needed. A copy of the on-line responses is attached at Appendix C, together with the free text comments. Of the 5 that indicated that they were in favour of introducing a policy elsewhere in the borough, only one indicated where that area should be. They were concerned that anti-social behaviour nuisance could increase in Raynes Park, particularly in view of the late night train service.
- 5.2 In addition to the on-line consultation comments were received from Merton Conservative Group and the Director of Public Health.
- 5.3 The Director of Public Health commented that the cumulative impact analysis found that the high density of licenced premises in Morden Town Centre (31 premises) coincided with high levels of violence, anti-social behaviour and ambulance call outs in the wards connected to it. These data show comparable or higher rates than wards containing Wimbledon and Mitcham Town Centres. For example, Merton Park and Ravensbury saw the joint second highest number of ambulance call outs for assault in the Borough between April 2019 and March 2020 with a high density of violent incidents specific to Morden Town Centre. In the 2019 residents' survey, Ravensbury had the highest number of concerns about anti-social behaviour in the borough with concerns around people being drunk and rowdy in public places. Additionally, public health data on hospital admissions for alcohol related conditions in Ravensbury and St Helier are also among the highest in the borough. As such, there is evidence for a cumulative impact on licencing objectives and public health outcomes in this area. However, he acknowledges that Morden Town Centre is part of a planned redevelopment project and that it is important that any actions to tackle these issues are fully evidence-based and would not interfere with planning. As such, while a CIZ covering Morden Town Centre is not appropriate at this time, Public Health proposes that an audit of this area and consultation with local residents be undertaken with the aim of informing the next review of cumulative impact in three years.
- 5.4 This sentiment is echoed by Merton Conservative Group who also raise concerns about the level of violence and anti-social behaviour in Morden Town Centre and whilst not wishing to see the introduction of a Special Policy on Cumulative Impact at this time would support further action in the future.

6.0 MATTER FOR DECISION

- 6.1 Members of the Licensing Committee are asked to consider the responses to the consultation with regard to Wimbledon Village and decide whether:

- (i) to adopt a special policy on cumulative impact in Wimbledon Village as there is sufficient evidence to show that the number or density of premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives;
- (ii) to not adopt a special policy in this area at this time as the CIZ in place over the last 14 years had achieved its objectives and that there is no longer the evidence to implement a special policy under the revised legislation and to review the situation in three years as required by statute;
- (iii) to not adopt a special policy in this area at this time as the CIZ in place over the last 14 years had achieved its objectives and that there is no longer the evidence to implement a special policy under the revised legislation but to review the situation in 18 months and bring a report back to Committee.

6.2 Members of the Licensing Committee are asked to consider the responses to the consultation with regard to the adoption of a special policy on cumulative impact in any other part of the borough.

6.3 Members of the Licensing Committee are asked to approve the Cumulative Impact Assessments for Wimbledon Town Centre and Mitcham Town Centre as laid out in Appendix 3 and 4 to the Statement of Licensing Policy.

6.4 Members of the Licensing Committee are asked to approve the amended Statement of Licensing Policy set out in Appendix A to this report subject to the delegation of authority to the Licensing Manager, in consultation with the Chairman of the Licensing Committee, to approve any amendments to the Statement of Licensing Policy following this Committee meeting and prior to submission to Council for adoption on 18 November 2020.

7.0 ALTERNATIVE OPTIONS.

7.1 Members may choose not to implement or agree to the proposed Cumulative Impact Policies for Wimbledon Town Centre or Mitcham Town Centre.

7.2 Members may choose not to approve the amendments to the Licensing Policy and/or may wish to make further amendments to the Policy.

8.0 Consultation undertaken or proposed.

8.1 A twelve week (three month) public consultation was undertaken on the proposed Statement of Licensing Policy and the Cumulative Impact Analysis.

9.0 Timetable.

9.1 Statement of Licensing Policy under the Licensing Act 2003 to go to Full Council meeting for adoption on 18 November 2020.

10. Financial, resource and property implications.

10.1 None for the purposes of this report.

11. Legal and statutory implications.

- 11.1 As set out in the report the licensing authority is required by section 5 the Licensing Act 2003 to determine and publish a Statement of Licensing Policy at intervals of not less than five years. The Licensing Authority is required to undertake a consultation process prior to determining its Statement of Licensing Policy.
- 11.2 Section 141 of the Policing and Crime Act 2017 amended section 5 of the Licensing Act 2003 placing the requirement of a cumulative impact assessment (“CIA”) on a statutory footing, instead of the adoption of Cumulative Impact Zones and Policies, as part of the licensing authority’s Statement of Licensing Policy.

Section 5A(1) of the Licensing Act 2003 (as amended) states:

- 11.3 “A licensing authority may publish a document (“a cumulative impact assessment” stating that the licensing authority considers that the number of relevant authorisations in respect of premises in one or more parts of its area described in the assessment is such that it is likely that it would be inconsistent with the authority’s duty under section 4(1) to grant any further relevant authorisations in respect of premises in that part or those parts.”
- 11.4 A cumulative impact assessment must set out the evidence for the authority’s opinion in accordance with subsection (1) above and must be referred to in the Statement of Licensing Policy.
- 11.5 Before introducing a Cumulative Impact Assessment the Licensing Authority is required to undertake a formal public consultation process and a CIA can only be introduced where it is supported by evidence. Paragraphs 14.29 to 14.33 of the Home Office Guidance issued under section 182 of the Licensing Act 2003 sets out what evidence and other matters the Licensing Authority may wish to consider.
- 11.6 Human rights, equalities and community cohesion implications.
- 11.7 These are statutory functions and are applied globally.

12 Crime and Disorder Implications.

- 12.1 The service has a statutory duty to contribute to the reduction of crime and disorder within the London Borough of Merton under Section 17 Crime and Disorder Act 1988. The prevention of crime and disorder is also one of the licensing objectives as defined in the Licensing Act 2003 and in the Council’s current Statement of Licensing Policy.
By examining issues raised such as the possible adoption of a Cumulative Impact Assessment covering specific areas of the borough the licensing authority is contributing to that commitment.

13 Risk management and health and safety implications.

- 13.1 All risk and health and safety implications have been considered when compiling this report. None are apparent.

14 Appendices – the following documents are to be published with this report and form part of the report.

- 14.1 Appendix “A” Draft revised Statement of Licensing Policy showing proposed changes using track changes and Counsels opinion.
- 14.2 Appendix “B” The responses received in respect of the on-line consultation on the draft Statement of Licensing Policy (excluding consultation on the adoption of special policies on cumulative impact).

- 14.3 Appendix "C" The responses received in respect of the on-line consultation on the adoption of special policies on cumulative impact.
- 14.4 Appendix "D" the Cumulative Impact Analysis, amended to include information received from the Director of Public Health
- 14.5 Appendix "E" responses submitted in response to the consultation
- 15 **Background Papers – the following documents have been relied on in drawing up this report but do not form part of the report.**
- 15.1 The original analysis of the on-line consultation
- 15.2 The emails received from consultees (copies of which have been made available to members of the Licensing Committee).
- 15.3 The Licensing Act 2003
<https://www.legislation.gov.uk/ukpga/2003/17/contents>
- 15.4 Statutory Guidance made under Section 182 Licensing Act 2003
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>
- 15.5 House of Commons Library Briefing Paper: Alcohol Licensing, Cumulative Impact assessments
<https://researchbriefings.files.parliament.uk/documents/CBP-7269/CBP-7269.pdf>

LONDON BOROUGH OF MERTON



STATEMENT OF LICENSING POLICY

Approved on
Published on
In effect from:

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<i>The Council</i>	The London Borough of Merton Council
<i>The Licensing Authority</i>	The capacity in which the Council acts when performing its roles and duties set out in the Licensing Act 2003. This capacity is delegated to officers in certain situations and circumstances detailed in the Policy.
<i>Licensing Sub-Committee</i>	The 3 member committee appointed from the pool of the 12 member Licensing Committee to consider applications for Premises Licences, Club Premises Certificates, and their variations and reviews or other Types of Licences or applications.
<i>The Act thereunder.</i>	The Licensing Act 2003 and all Regulations made
<i>Secretary of State's Guidance</i>	The Guidance issued by the Home Office under section 182 Licensing Act 2003
<i>Other Person</i>	Any persons wishing to make representations on an application or to apply for or make representations on a review
<i>Cumulative Impact Assessment</i>	A special policy in which the Licensing Authority considers that the number of relevant authorisations in respect of premises in one or more parts of its area described in the assessment is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) to grant any further relevant authorisations in respect of premises in that part or those parts. The CIAs arise under 5A of the Licensing Act 2003.
<i>Relevant representation</i>	<p>The Licensing Authority may only consider relevant representations (objections) in determining applications. Relevant Representations are defined in the Act as being those that:</p> <ul style="list-style-type: none"> ● are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives ● are made by any other person or responsible authority within the prescribed time period following an application ● are not frivolous or vexatious (in the opinion of the Licensing Authority or the Licensing Sub-Committee).
<i>Designated Premises Supervisor (DPS) hold</i>	<p>A person specified on the licence as the supervisor of the premises licensed for the sale of alcohol. The DPS must hold</p> <p>a personal licence.</p>
<i>Personal Licence</i>	A licence granted by a Licensing Authority to an individual, authorising that individual to sell, or authorise the sales of, alcohol.

Licensing Policy
Operating schedule
out

The part of an application form in which the applicant sets their proposed activities, the times which they wish to operate and the steps they propose to promote the licensing objectives.

Licensable activities

Activities for which authorisation is required under the Act:

- the sale by retail of alcohol,
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club,
- the provision of regulated entertainment, and
- the provision of late night refreshment.

Regulated entertainment

The provision of regulated entertainment is defined as any of the following activities that takes place in the presence of an audience for the entertainment of that audience and are provided with a view to profit:

- **Boxing or wrestling** including mixed martial arts (this does not include Greco-Roman or Freestyle wrestling)
- **An exhibition of a film** (this does not include live feed television i.e. sporting events)
- **Adult entertainment** (for example lap-dancing)
- **Playing of recorded music**
 - Between 11pm and 8am
 - At any time when the audience numbers are over 500 people
- **Unamplified live music**
 - Between 11pm and 8am
- **Amplified live music** (including karaoke):
 - Between 11pm and 8am
 - At any time when the audience numbers are over 500 people
- **Performance of dance**
 - Between 11pm and 8am
 - At any time when the audience numbers are over 500 people
- **Performance of a play**
 - Between 11pm and 8am
 - At any time when the audience numbers are over 500 people
- **Indoor Sporting Events**
 - Between 11pm and 8am
 - At any time when the audience numbers are over 1000 people
- **Entertainment of a similar description** to that falling within the performance of live music, playing of recorded music or performance of dance

De-regulated Entertainment: The Legislative Reform (Entertainment Licensing) Order 2014 came into force on 6 April 2015 with the effect that the following forms of entertainment are no longer licensable:

- Performances of plays between 8am and 11pm, provided that the audience does not exceed 500.
- Performances of dance between 8am and 11pm, provided that the audience does not exceed 500.
- 'Not-for-profit' film exhibitions held in community premises between 8am and 11pm, provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises, and (b) ensures that each such screening abides by age classification ratings
- Indoor sporting events between 8am and 11pm, provided that those present do not exceed 1,000.
- Any contest, exhibition or display of Greco-Roman wrestling or freestyle wrestling between 8am and 11pm, provided that the audience does not exceed 1,000.
- Performances of unamplified live music between 8am and 11pm, on any premises.
- Performances of amplified live music between 8am and 11pm:
 - On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500
 - In a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - In a church hall, village hall, community hall, or other similar community premises, that is not licensed by a Premises Licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises
 - At the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Playing of recorded music between 8am and 11pm:
 - On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - In a church hall, village hall, community hall, or other similar community premises, that is not licensed by a Premises Licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- At the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Any entertainment taking place on the premises of the local authority between 8am and 11pm, with no limit on audience size, where the entertainment is provided by or on behalf of the local authority
- Any entertainment taking place on the hospital premises of the health care provider between 8am and 11pm, with no limit on audience size, where the entertainment is provided by or on behalf of the health care provider.
- Any entertainment taking place on the premises of the school between 8am and 11pm, with no limit on audience size, where the entertainment is provided by or on behalf of the school proprietor.
- Any entertainment (excluding films and boxing or wrestling entertainment) taking place at a travelling circus between 8am and 11pm, with no limit on audience size, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) the travelling circus has not been located on the same site for more than 28 consecutive days.

Responsible Authority

Means the:

- the Chief Officer of Police
- the Fire Authority
- the Public Health authority
- the Enforcing Authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974,
- the Local Planning Authority within the meaning given by the Town and Country Planning Act 1990
- the Local Authority by which statutory functions are exercisable in relation to minimising or preventing the risk of pollution of the environment or of harm to human health,
- a body which—
 - represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and
 - is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters,
- the relevant licensing authority and any other licensing authority in whose area part of the premises is situated
- the Primary Care Trust or Local Health Board for any area in which the premises are situated
- the Trading Standards Authority,
- the Secretary of State for the Home Office,

- any Licensing Authority (other than the relevant licensing authority) in whose area part of the premises is situated,
- in relation to a vessel:
 - a Navigation Authority (within the meaning of section 221(1) of the Water Resources Act 1991) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for licensable activities,
 - the Environment Agency,
 - the British Waterways Board, or
 - the Secretary of State.

The contact details for Responsible Authorities are provided in Appendix 1

1. Introduction

- 1.1 Merton Council is the Licensing Authority under the Licensing Act 2003 (“the Act”) responsible for processing, authorising the grant of and regulating premises licences, club premises certificates, temporary event notices and personal licences in respect of the sale or supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment within the Borough.
- 1.2 For the purposes of this policy, reference to Merton is in relation to its function as a licensing authority unless otherwise specified.
- 1.3 The Act requires the Licensing Authority to carry out its functions under the Act with a view to promoting the following four licensing objectives:
- **The prevention of crime and disorder;**
 - **Public safety;**
 - **The prevention of public nuisance; and**
 - **The protection of children from harm.**

Each of these licensing objectives is of equal importance

- 1.4 These are the only matters that can be taken into account by the Authority when determining an application and any conditions attached to a licence must be lawful, appropriate and proportionate to achieve them.
- 1.5 Where no representations are received about an application it is the duty of the Licensing Authority to grant the licence or certificate subject only to conditions that are consistent with the operating schedule and any mandatory conditions prescribed in the Act.
- 1.6 Under the Act, the Licensing Authority is required to publish a Statement of Licensing Policy with respect to the exercise of its licensing functions and to review it at least every five years. This is the fifth policy published by Merton and will take effect from the 6th January 2021. It has been prepared in accordance with Section 5 of the Licensing Act 2003 and having regard to the Government Guidance issued under Section 182 of the Licensing Act 2003 by the Home Secretary in April 2018.
- 1.7 The licensing policy is an integral element of the Council’s strategic objectives of making Merton a healthier place for all, promoting a high quality safe urban and suburban environment, providing new homes and infrastructure through physical regeneration and effective use of space, making Merton an exemplary borough in mitigating and adapting to climate change and reducing pollution, making it a well-connected and accessible borough and ensuring it is a prosperous borough with a strong economy.
- 1.8 In formulating the licensing policy the Licensing Authority has had regard to the Council’s Community Plan, the local strategies and plans of the four associated Thematic Partnerships; the Merton Children and Young People Partnership, the Health and Wellbeing Board; the Community Safety Partnership and the Sustainable Communities and Transport partnership as well as planning, cultural, tourism and equality strategies and seeks to

Licensing Policy

complement the aim of those strategies. Further information can be found on the Council's website at:

<http://www.merton.gov.uk/council/plansandpolicies.htm>

- 1.9 The Council recognises the links between excessive alcohol consumption and poor health. In addition, alcohol is associated with a wide range of criminal offences including drink driving, being drunk and disorderly, criminal damage, assault and domestic violence. In young people, alcohol is associated with anti-social behaviour and teenage conception. Under Section 13(4)(bb) of the Licensing Act 2003, the Council as Public Health Authority is a Responsible Authority under the Act and is able to make representations in its own right or through supporting other representations. It is therefore essential to consider their representations where they are relevant to the promotion of the licensing objectives. The Public Health team is able to bring data and evidence from the health sector into the licensing process in order to support the promotion of the licensing objectives, in particular the prevention of crime and disorder and the protection of children from harm.
- 1.10 The Council also recognises that in a modern and vibrant society the licensable activities covered by the Act require a responsive and flexible system that balances the interests of commerce and its customers with the rights of residents to enjoy their homes and locality without being unreasonably disturbed. One of the purposes of this Policy is to ensure that local people and visitors to the Borough will have better opportunities to enjoy their leisure time safely without fear of violence, intimidation or disorder. Another intention of the policy is to ensure that local residents are not unreasonably disturbed, whether in the street or at home, by activities within licensed premises or by customers arriving at, or leaving, licensed premises.
- 1.11 An effective Licensing Policy, alongside other initiatives, can work towards promoting positive aspects of the licensed economy, such as increasing the leisure industry provision for the community, encouraging regeneration of town centres and providing communal hubs, as well as controlling the negative impacts which affect residents, such as an increase in noise, nuisance, anti- social behaviour and crime and disorder.

2. Profile of the Borough

- 2.1 Merton is an outer London borough situated to the south west of central London, neighbouring the boroughs of Croydon, Kingston, Lambeth, Sutton and Wandsworth. Comprising of 20 wards, the borough of Merton covers an area of approximately 14.7 square miles and has a population at 2018 of just over 209,000 residents, projected to increase to 222,717 by 2025 and 232,473 by 2030. Merton is well connected with both central London and neighbouring boroughs, with 15 mainline stations and 28 bus routes. Wimbledon is a central transport hub in the South London area while the suburban station at Mitcham Eastfields connects the east of the borough. Both the District and Northern underground lines run through the borough while the Tramlink provides connections between Wimbledon and Croydon via Mitcham and Morden.
- 2.2 The Borough is predominantly a residential area. Its properties are both wide ranging in character and often of a high quality. The borough has five main commercial centres; Colliers Wood, Mitcham, Morden, Raynes Park and Wimbledon. The busiest of these areas is Wimbledon (comprising the Town

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Centre and Village, the former being approximately twice the size of the latter), and has the highest density of leisure and entertainment venues in the Borough.

- 2.3 At present, the Council is responsible for the licensing of just under 500 premises including pubs, bars, restaurants, registered clubs, nightclubs and late night takeaways. Other premises including cultural venues and shops are also licensed. Some licensed premises are in residential areas. A greater number are located in the town centres which are often on a single main road with commercial uses backing onto residential streets. Town centre buildings may contain flats on their upper floors and customers of licensed premises often park their vehicles in residential streets.
- 2.4 The 2019 Joint Strategic Needs Assessment reported a significant level of alcohol related harm in Merton, with approximately 42,000 estimated to be drinking at harmful levels. Alcohol consumption is a key risk factor for the main causes of ill health and premature death in Merton, including cancer and circulatory disease, making tackling overconsumption a key public health priority. In the period 2018/19, there were 40.8 alcohol-related deaths per 100,000 population, which is higher than the London benchmark although lower than the English average. Additionally, the rate of alcohol-related hospital admission in Merton has recently increased from between 1800 and 1900 per 100,000 between 2011/12 and 2016/17 up to 2358 per 100,000 in 2018/19. The impacts of alcohol on health are not distributed evenly across the borough with higher rates of hospital stays for alcohol related harm in the east of the Borough compared to the west. areas of Merton with high numbers of licensed premises generally have a higher number of alcohol- and assault-related ambulance call-outs

3. Types of Licences

- 3.1 The types of licences and authorisations available under the Licensing Act 2003 include:
- premises licences;
 - club premises certificates;
 - temporary events notices (standard and late);
 - provisional statements; and
 - personal licences in respect of the sale and/or supply of alcohol.

4. The Policy

- 4.1 This Statement of Licensing Policy serves 4 main purposes:
- To guide elected Members sitting on the Licensing Committee and Sub-Committees on the boundaries and powers of the Licensing Authority and to provide them with guidance when making decisions. Members should be able to test any application against the criteria set out in this Policy.
 - To inform and assist potential applicants for a licence of the expectations of the Licensing Authority and factors that will be considered when making licensing decisions;

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- To inform and assist responsible authorities and other persons (including residents and residents' bodies) of the parameters under which the licensing authority will make licence decisions, and therefore how their needs and concerns can be addressed; and
- To inform a Court of Law of the policy considerations taken into account by the Licensing Authority when making a decision if it is challenged.

4.2 However, every application will be considered on its individual merits, taking into account all relevant matters.

4.3 The main activities which require a licence under the provisions of The Act and which are covered by this policy statement include:

- The sale by retail of alcohol;
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- The provision of entertainment to the public or to members of a club and their guests (regulated entertainment); and
- The supply of any hot food or drink between 23.00 hours and 05.00 hours.;

4.4 There are a number of exemptions to the above and details of these are set out in full in Schedule 1 of the Licensing Act 2003.

4.5 Main Principles

The following are the main principles underpinning this Policy:

- Nothing in this Policy restricts any person from making an application under this Act;
- Each application will be judged on its individual merits, having regard to this Policy, the Secretary of State's Revised Guidance issued under section 182 of the Licensing Act 2003 and the law of England and Wales;
- Nothing in this Policy restricts the right of any person to make relevant representations in response to an application or to seek a review of a premises licence or club premises certificate because of a matter arising at the premises in connection with any of the four licensing objectives;
- As well as responsible authorities, any person, body or business is entitled to make representations to the licensing authority in relation to applications for the grant, variation, or review of a premises licence or a club premises certificate, regardless of their geographical proximity to the premises. Appropriate weight will be given to all relevant representations by persons unless they are deemed frivolous, vexatious or repetitious by an officer of the Licensing Authority or the Licensing Sub-Committee;

- Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals

once they are away from the licensed premises and, therefore, beyond the direct control of those responsible for the individual premises or places. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in the London Borough of Merton.

- Conditions will only be imposed on a licence or other authorisation if they are appropriate for the promotion of the licensing objectives and are proportionate. Since licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events, any conditions attached will be focused on matters that are within the control of individual licence holders (i.e. the premises and its vicinity).
- Conditions will be tailored to the size, type, location, characteristics and activities taking place at the premises concerned and will be determined on a case-by-case basis. Standardised conditions will be avoided, although selection may be made from pools of conditions. All conditions must be expressed in unequivocal, enforceable, and unambiguous terms. The Authority is currently developing a pool of model conditions which will be uploaded onto the Council's website on completion.
- The Licensing Authority expects applicants and licence holders to have due regard to the promotion of the licensing objectives and to take active measures to contribute to this aim. The operating schedule should be used to set out a detailed explanation of how applications will promote each of the four licensing objectives. The Licensing Authority would particularly encourage active involvement in best practice initiatives such as challenge 25 proof of age scheme, local pubwatch initiatives. We would also expect all people applying for a licence to install and maintain a good quality close circuit television (CCTV) system in the interests of public safety and security.
- The Licensing Authority acknowledges the importance of partnership working in the licensing process. Individual responsible authorities work together in partnership as well as in partnership with other persons, bodies or businesses in the community in order to maintain a holistic approach to licensing which upholds the licensing objectives while also promoting the Council's strategic objectives.

4.6 The Licensing Authority will monitor the effect of its licensing policy upon the Council's overall objectives and will amend the policy if it is seen to be having a negative impact upon related priorities. In any event the policy will be reviewed no later than five years after the current policy has been adopted by the Council. The Cumulative Impact Assessment will be reviewed every 3 years.

5. Consultation

Licensing Policy

- 5.1 Before publishing the policy, the Council consulted with stakeholders and interested parties. The consultation took place between 15 June 2020 and 7 September 2020
- 5.2 Section 5(3) of The 2003 Act requires that the following must be consulted:
The Borough's Chief Officer of Police;
The Fire and Rescue Authority;
The local authority's Director of Public Health;
Persons/bodies representative of local premises licence holders;
Persons/bodies representative of local club premises certificates holders;
Persons/bodies representative of local personal licences holders; and
Persons/bodies representative of businesses and residents in the area.
- 5.3 The following organisations or individuals were also be consulted:
Safer Merton;
British Transport Police;
Local Accident & Emergency Hospital Departments;
The Musician's Union & Equity;
Local Children's Safeguarding Board;
The Area Forums;
All Ward Councillors; and
local business organisations.
- 5.4 In addition, the Policy was available on the Internet on the London Borough of Merton's web site (www.merton.gov.uk/licensing).
- 5.5 In determining this Policy appropriate weight will be given to the views of the persons and bodies consulted.

6. Duplication

- 6.1 This Policy seeks to avoid duplication with other regulatory regimes so far as is possible. This policy statement is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators in respect of employees or members of the public (e.g. Health & Safety at Work etc. Act 1974, Environmental Protection Act 1990, disability discrimination and equality legislation, building regulations, anti-social behavior and crime legislation and fire safety legislation).
- 6.2 Conditions will only be attached to licences if they are appropriate for the promotion of the licensing objectives and are proportionate. If a requirement is already imposed by other legislation, it will not generally be considered to be appropriate in the context of licensing law. However, the fact that a matter is covered by other legislation does not always mean that a condition will not be appropriate for the purposes of licensing. It may be that current legislation or regulations might not cover the particular circumstances that arise out of the type of activity at specific premises. In those situations, it may be appropriate for conditions to be attached that reflect those particular circumstances. However, the licensing authority will not seek to duplicate a condition which is already provided for under other legislation.

7. Promotion of Equality

Licensing Policy

7.1. The Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. This Policy complies with that legal obligation.

8. Live Music, Theatre & Dancing

- 8.1. In its role of implementing local authority cultural strategies, the Council recognises the need to encourage and promote live music, dance and theatre for the wider cultural benefit of the community. The Council is particularly concerned to increase cultural opportunities for children.
- 8.2. When considering applications for such events and the imposition of conditions on licences or certificates, the Licensing Authority will carefully balance the cultural needs with the promotion of the licensing objectives.
- 8.3. Consideration will be given to the particular characteristics of any event, including the type, scale and duration of the proposed entertainment, especially where limited disturbance only may be caused.
- 8.4. As a Local Authority, the London Borough of Merton, has been granted premises licences for a number of properties and sites owned by the Council. The granting of such premises licences means that those individuals or organisations who may wish to use these venues to provide regulated entertainment have been relieved of the requirement to apply for a licence or other authorisation. Further information can be found at www.merton.gov.uk
- 8.5. The Licensing Authority will monitor the impact of licensing on regulated entertainment, particularly music and dancing, to ensure that inappropriate restrictions are not being placed on the development of entertainment activities in the Borough.

9. Cumulative Impact

- 9.1 The Secretary of State's Guidance advises that the cumulative impact of a significant number or saturation of licensed premises concentrated in one area can be such as to give rise to serious problems of crime, disorder and/or public nuisance and is a proper matter to take into account when developing a policy statement. An Authority may produce a cumulative impact assessment (CIA) for a particular area if there is a clear evidential basis to do so and following consultation. Section 5A of the Licensing Act 2003 (permits the Authority to consider that the number of authorisations in the area described in the assessment is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) to grant any further relevant authorisations in respect of premises in that area provided it is accompanied by evidence.

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- 9.2 At its meeting on the 18th November 2020, the Licensing Authority determined to adopt a special policy on cumulative impact for a total of xxx locations in the borough:
- Wimbledon Town Centre relating to all licence types
 - Mitcham Town Centre in relation to premises selling alcohol for consumption off the premises only
 - Wimbledon Village relating to all licence types (for discussion at the Licensing Committee on the 15 October 2020)*
- Xxx – for discussion on the 15 October 2020.
- 9.3. The Cumulative Impact Assessment is provided at Appendix 3 to this Policy.
- 9.4. Applicants should be aware that in publishing a CIA a licensing authority is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described. Having published a CIA an Authority must have regard to the assessment when determining an application following receipt of representation. The CIA does not, however, change the fundamental way that licensing decisions are made. It is therefore open to the licensing authority to grant an application where it considers it is appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact.
- 9.5. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and a licensing authority decides to grant an application it will need to provide the applicant, the chief officer of police and all parties who made relevant representations with reasons for granting the application and this should include any reasons for departing from its own policy.
- 9.6. This special policy cannot be used at a review hearing as a ground for revoking an existing licence or certificate when relevant representations are received about problems with those premises.
- 9.7. The special policy relating to cumulative impact does not include provisions relating to any specific terminal hour in a particular area. The Council does not intend to attempt to fix a terminal hour in any area which may undermine a key purpose of the 2003 Act.
- 9.8. The Authority will consider whether there is a need for any additional special policies on cumulative impact where representations from responsible authorities and/or other parties are received. In doing so, the Authority will consider whether the evidence demonstrates that the cumulative effect of a number of premises in a given area is adversely affecting the licensing objectives, e.g. with regard to the prevention of crime and disorder and public nuisance objectives.
- 9.9. In any event, the Cumulative Impact Assessment will be reviewed every three years to assess whether it is needed any longer or whether it needs expanding or contracting.
- 9.10. The Authority recognises that the absence of a Special Policy on Cumulative Impact does not prevent any Responsible Authority or other person from making representations on the basis that an application would, if granted, give rise to or exacerbate negative cumulative impact.

9.11. The matter of 'need' (whether there is a need for another premises in a given area) is not a matter for consideration of the Authority, and will therefore not form part of the decision making process.

10. Policies supporting each of the licensing objectives

- 10.1 It is expected that prior to making any application under the Act, applicants will have undertaken a full risk assessment of the impact of their activities on the promotion of the licensing objectives. Thereafter, applicants are expected to submit a detailed operating schedule as part of the application, setting out the steps they intend to take to promote the licensing objectives with conditions to mitigate their activities. National guidance places an expectation upon applicants to give thorough consideration to the local area when making applications. An Applicant attending with or including a written set of conditions will assist the Authority in considering an application.
- 10.2 Applicants should be particularly mindful of any special policy on cumulative impact when drawing up their operating schedule. In particular **public health data is used in the analysis of cumulative impact within an area and will, therefore, be used in an assessment of a particular licence application where it relates to a premises within an existing cumulative impact area. For example, in situations where a high level of alcohol related ambulance activity occurs in conjunction with alcohol related violent crime**
- 10.3 The following is intended to help applicants by setting out criteria and considerations that they should have in mind when drawing up their operating schedule.
- 10.4 The policy covers a wide range of premises including theatres, cinemas, public houses/bars, restaurants, shops/off-licences and fast food outlets/take-aways. Consequently, not all the considerations within the policy apply, or apply to the same degree, to all premises. However, applicants should have regard to the criteria when drawing up their operating schedules as these are the matters which responsible authorities and other persons are likely to consider when deciding to make representations on an application or whether to call for a Review. It also draws the attention of applicants to matters that are likely to be the subject of proposed conditions designed to promote the licensing objectives that may be attached to a licence where relevant representations have been made.
- 10.5 The statutory licensing functions are primarily concerned with the regulation of premises and temporary events, in promoting the licensing objectives. Where appropriate conditions will focus on:
- Matters within the control of the individual licensee or those granted relevant permissions; and
 - The direct impact the activity will have on members of the public living, working or engaged in normal activity in the area concerned and on those visiting the premises.
- 10.6 Applicants are reminded that the Licensing Act 2003 provides that where an operating schedule (or club operating schedule) has been submitted with an application and no relevant representations have been received, the premises licence or club premises certificate must be granted subject only to such conditions as are consistent with the operating schedule accompanying the application and any mandatory conditions required by the Licensing Act 2003.

- 10.7 Therefore, it is important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.
- 10.8 It is also important for the applicant to ensure that the steps suggested by the operating schedule are realistic and within the control of the applicant and management of the premises. If a premises licence or club premises certificate is granted with conditions attached that require the implementation of such steps, a failure to comply with the condition would amount to a criminal offence.
- 10.9 Whether licence conditions are drawn from the applicant's operating schedule or imposed by the Licensing Sub Committee they:
- Must promote the licensing objectives;
 - Must be precise and enforceable;
 - Must be unambiguous and clear in what they intend to achieve;
 - Should not duplicate other statutory requirements;
 - Must be tailored to the individual type, location and characteristics of the premises and/or events concerned;
 - Cannot seek to manage behavior of customers once they are beyond the management/control of the licence holder and their staff, but may impact on the behavior of customers in the immediate vicinity of the premises as they enter or leave;
 - Should be written in a prescriptive format.
- 10.10 Conditions drawn from the applicant's operating schedule will, therefore, be interpreted in accordance with the intention of the applicant and will not simply replicate the wording in the operating schedule.
- 10.11 Applicants for new premises licences/club operating schedules and those seeking variations to existing premises licences are advised to consult with the following organisations before preparing their schedules or at the earliest possible stage in order to avoid disputes:
- Police and local authority community safety officers in relation to crime and disorder;
 - Local community groups;
 - Local environmental Health officers – nuisance including noise;
 - Fire brigade – fire precautions and public safety; and
 - Any other organisation or groups interested in the promotion of the licensing objectives in the area concerned.

11. The Prevention of Crime and Disorder

- 11.1. The Authority recognizes that licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a significant source of crime and disorder. Therefore, whether the premises make, or are likely to make, a significant contribution to the levels of crime and disorder and whether the operating schedule adequately addresses the likelihood of crime and disorder occurring as a result of the grant of the application is a key consideration.

- 11.2 Under section 17 of the Crime and Disorder Act 1998, the London Borough of Merton, as a Local Authority, has a duty to exercise its functions with due regard to the likely effect of the exercise of those functions on crime and disorder in the Borough and the need to do all that it reasonably can to prevent crime and disorder. The prevention of crime and disorder is one of the four licensing objectives that this Authority has a duty to promote.
- 11.3. In determining licence applications where relevant representations have been made, it will be the policy of the Authority to consider the adequacy of measures proposed to deal with the potential for crime and disorder having regard to all the circumstances of the case. In particular, the authority may consider the following:
- i. the levels of crime and disorder in and around the venue;
 - ii. the level of compliance with conditions on the existing licence;
 - iii. whether Closed Circuit Television (CCTV) is installed, the positioning of the cameras, the length of time that images will be retained and whether CCTV images will be provided to the police and Council officers in a timely fashion on reasonable request.
 - iv. the measures to be put in place to prevent underage drinking e.g. 'Challenge 25' requiring the production of photo identity cards, documented training procedures to ensure staff are fully trained in age verification (including regular refresher training, use of till prompts in shops, warning notices regarding ID, the use of refused sale records.
 - v. the measures proposed to prevent the consumption or supply of illegal drugs, including search procedures, design of premises, monitoring of toilets, surrender and seizure procedures;
 - vi. the measures proposed to discourage binge drinking and drunkenness and to promote sensible drinking including the sale or use of low % ABV alcohol or alcohol below a certain % ABV, banning the sale of single cans or bottles (under 1 litre in size) of alcohol such as beer and cider
 - vii. for premises selling alcohol for consumption on the premises whether the premises are laid out primarily for seating; whether food is available throughout the whole of the trading hours; whether non alcoholic drinks are readily available;
 - viii. the measures proposed to prevent violence on the premises, including the threat of violence to staff and the use of polycarbonate drinking vessels to avoid injury to staff and customers;
 - viii. whether door supervisors are to be provided and, if so, how many and the hours of employment;
 - ix. measures to be put in place to react to any situations of disorder should they occur;

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- x. in the case of premises selling alcohol on the premises, any measures to be put in place to prevent glass or bottles from being taken into the street;
 - xi. any steps that are to be taken to reduce thefts from patrons using the premises;
 - xii. any steps that are to be taken to reduce the risk of spiking of drinks; .
 - xiii. Whether customers can easily access safe transport, including actively promoting designated driver schemes where a driver is offered discounted or free non-alcoholic drinks or taking steps to minimise the scope for minicabs to tout for business outside the premises or for patrons to be approached by unlicensed taxis/minicabs;
 - xiv. In the case of premises selling alcohol for consumption off the premises whether alcohol will be stored behind the counter or away from entrance/exit points or, in larger stores, away from checkouts; and
 - xiii. for new applications, the extent to which the layout has been designed to minimise crime and disorder;
- 11.4. This Authority will expect an applicant's operating schedule to satisfactorily address these issues from the design of the premises through to the daily operation of the business.
- 11.5. This Authority, where appropriate, will consider attaching additional conditions to licences to deter and prevent crime and disorder both inside and within the locality of the premises.
- 11.6. This Authority also recognises that there are a number of other mechanisms available to address the impact of crime and disorder and anti-social behavior in the borough. These include:
- ongoing measures to create a safe and clean environment in partnership with local businesses, transport operators and other Council Departments;
 - designation of the Borough as a place where alcohol may not be consumed publicly where people are causing, or likely to cause, a nuisance;
 - regular liaison with local Metropolitan Police on law enforcement issues regarding disorder and anti-social behaviour, including the issue of fixed penalty notices, prosecution of those selling alcohol to people who are drunk; confiscation of alcohol from adults and children in designated areas and instantly closing down licensed premises or temporary events on the grounds of likely or imminent disorder, or excessive noise nuisance from the premises;

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- the power of the police, other responsible authorities, Ward Councillors or a local resident, as well as operators of local businesses, to seek a Review of the licence or certificate.

12. Public Safety

- 12.1. The Licensing Act 2003 covers a wide range of premises that require the authorisation of a premises licence or a club premises certificate, including, cinemas, concert halls, theatres, nightclubs, public houses, cafes/restaurants and fast food outlets/takeaways and one off large scale outdoor events.
- 12.2. These types of premises present the potential for a variety of safety concerns, some of which are common to all premises and others that may be unique to specific operations. It is essential that premises are constructed or adapted and operated so as to address potential and identified risks and safeguard occupants against them.
- 12.3. In determining licence applications where relevant representations have been made, it will be the policy of the Authority to consider the adequacy of measures proposed to protect public safety having regard to all the circumstances of the case. In particular, the authority may consider the following:
- i. Whether the premises already have a licence specifying the maximum capacity for the premises and, if not, whether the applicant has assessed the maximum safe capacity having regard to means of escape in case of emergency, toilet provision and overcrowding in compliance with the Regulatory Reform (Fire Safety) Order 2005;
 - ii. Whether specific measures have been identified to ensure the safety of indoor sporting events and boxing/wrestling/mixed martial arts events e.g. seating arrangements, provision of stewards, appropriate medical facilities, provision of staff adequately trained in rescue and life safety procedures (water based events);
 - iii. What measures are to be implemented to ensure that special effects, temporary electrical installations, temporary decorations and temporary fittings are safe;
 - iv. Where different events are to take place on site, whether it is proposed that event specific management documents outlining the proposed management structure, responsibilities and contact details for each individual event, together with details of the organization, control, monitoring and review mechanisms be produced and submitted to the appropriate responsible authorities in advance of the event;
 - v. Proposals relating specifically to theatres, cinemas and concert halls regarding number of attendants required, standing and seating in gangways, consumption of drinks, safety of scenery and ceilings, provision of safety curtains, fixing of seating and minimum lighting levels;

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- vi. Whether provisions are in place to ensure that premises users safely leave the premises, including providing information on local taxi companies and ensuring adequate lighting levels outside the premises; and
 - vii. The steps the applicant has taken or proposes to take to comply with the following publications as they relate to the particular licensable activity: -
 - Technical Standards for Places of Entertainment;
 - The Purple Guide to Health Safety and Welfare at Music and Other Events – published by the Events Industry Forum, accessible (for a fee) via the website <https://www.thepurpleguide.co.uk/>
 - Managing Crowds Safely, second edition (HSE 2014) ISBN 978 0 7176 1834 7;
 - The Guide to the Safety at Sports Grounds 6th Edition ISBN 978 1 9164583 0 7
 - Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances;
- 12.4 This Authority will expect the applicant's operating schedule to fully address these issues. Applicants are advised to seek advice from relevant authorities, before preparing and submitting their application, plans and supporting documents.
- 12.5 This Authority where appropriate, will consider attaching additional conditions to licences to address public safety matters.
- 13. The Prevention of Public Nuisance**
- 13.1 Licensed premises, especially those operating late at night and in the early hours of the morning, may cause a range of public nuisances impacting on people living, working or sleeping in the locality of the premises. The concerns primarily relate to noise nuisance, light pollution and noxious smells.
- 13.2 The Authority recognises that it is necessary to actively protect residents, members of the public and businesses in the locality of licensed premises from disturbances linked to licensed premises or their customers that amount to a public nuisance. Such a nuisance can impact on the quality of life of residents and the ability of other businesses to operate effectively. The applicant must demonstrate within their operating schedule how they intend to promote the licensing objective relating to the prevention of public nuisance.
- 13.3 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community.
- 13.4 In determining licence applications where relevant representations have been made, it will be the policy of the Authority to consider the adequacy of measures proposed to promote avoidance of public nuisance having regard to all the circumstances of the case. In particular, the authority may consider the following:

- i. The steps the applicant has taken or proposes to take to prevent:
 - noise and vibration escaping from the premises, including from music, noise from ventilation equipment and human voices;
 - disturbance by customers arriving at or leaving the premises;
 - queuing, either by pedestrian or vehicular traffic;
 - Disposal/collection of empty bottles;
 - Loading and unloading of equipment e.g. sound systems, scenery, lighting.
 This could include proposals to keep doors and windows closed, provision of a noise limiter on amplification equipment, the provision of acoustic lobbies, the provision of bottle crushers within the premises or other suitable method to prevent noise from emptying of bottles from the premise's refuse container into the refuse collector's container late at night; delivery and collection times avoiding night and early mornings, use of CCTV, employment of registered door supervisors.
- ii. the availability of public transport in the locality (including taxis and private hire vehicles) for patrons;
- iii. The steps the applicant has taken or proposes to take to prevent disturbance by patrons using gardens, patios, external balconies or associated open spaces, whether for licensable activities or for ancillary purpose such as smoking or consuming alcohol;
- iv. The steps the applicant will take to reduce the potential for littering to occur from food packaging.
- v. The measures proposed to prevent littering or glass dispersal in the immediate vicinity or to clear up any litter that does occur;
- v. the siting of external lighting, including security lighting;
- vi. The proposed operating hours of the premises, including those of the external areas;
- vii. Whether the operation is subject to a statutory notice served under Section 80 of the Environmental Protection Act 1990;
- viii. The steps the applicant will take to prevent patrons congregating immediately around off licences/supermarkets to consume their purchases;
- ix. Whether suitable and sufficient toilet provision has been made for customers' use;
- x. the steps the applicant intends to take to prevent the generation of odour, e.g. from the preparation of food, smell of cigarette smoke.
- xi. The steps the applicant intends to take to prevent the generation of noise or crime and disorder arising from any Outside Large Scale Event and compliance with any Strategy or Noise Management policy that the Council shall publish and/or the Council's Code of Practice on Environmental Noise Control at Concerts.

- 13.5 This Authority will expect the applicant's Operating Schedule to fully address these issues. Applicants are advised to seek advice from relevant authorities, before preparing and submitting their application, plans and supporting documents.
- 13.6 This Authority, where appropriate, will consider attaching additional conditions to licences to address public safety matters

14. The Protection of Children from Harm

- 14.1 Access to licensed premises may present a risk of physical, moral or psychological harm to children, therefore the Licensing Authority expects applicants to consider measures to protect children from harm where relevant to the type of premises and activities involved.
- 14.2 The Licensing Authority recognises the Safeguarding Children Board as being competent to act as the responsible authority in relation to the protection of children from harm objective and can make relevant representations. As a responsible authority, the applicant is required to copy details of their applications to the Safeguarding Children Board when an application is made.
- 14.3 The wide range of premises that require a licence means that children and young persons may visit many of these, sometimes on their own, for food and/or entertainment.
- 14.4 It is an offence under the Act to sell alcohol to children (under 18). There is a further specific offence of persistently selling alcohol to children if sales are made on 2 or more occasions within 3 months. Unaccompanied children under 16 should not be on 'premises being used exclusively or primarily for supply of alcohol for consumption on those premises' e.g. pubs, bars and nightclubs. In addition, unaccompanied children under the age of 16 should not be allowed on licensed premises between midnight and 5am. Outside these hours, this offence does not prevent the admission of unaccompanied children under 16 to various types of premises where the consumption of alcohol is not the exclusive or primary activity at those venues. It should also be noted that between 5am and midnight the offence would not necessarily apply to many restaurants, hotels, cinemas and those pubs where the main activity is the consumption of both food and drink.
- 14.5 Where licences cover the sale of alcohol, the Licensing Authority expects strict controls to be in place to prevent underage sales. Measures that should be considered by applicants to manage this include refusal logs, training of staff on use of identification and age verification schemes.
- 14.6 Subject to the provisions of the Licensing Act 2003 and any licence or certificate conditions, admission will always be at the discretion of those managing the premises. The Licensing Authority will not attach conditions requiring the admission of children.

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- 14.7. The Licensing Authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm to them.
- 14.8 In determining licence applications where relevant representations have been made, it will be the policy of the Authority to consider the adequacy of measures proposed to ensure the prevention of harm to children having regard to all the circumstances of the case. In particular, the authority will consider the following:
- i. whether there have been convictions of the current management for serving alcohol to minors or where there is a reputation for underage drinking;
 - ii. whether there is a strong element of gambling on the premises (but not, for e.g. the simple presence of a small number of fruit machines, slot machines or any other cash prize gaming machines);
 - iii. whether it is intended to provide entertainment of an adult or sexual nature, the hours when such entertainment is to take place and the proximity to schools, youth clubs, places of religious worship or other premises where significant numbers of children are likely to attend;
 - iv. whether the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided;
 - v. whether or not children are to be admitted to the premises and, if so, whether restrictions are to be applied regarding age or times that children will be allowed access or the parts of the premises they may access;
 - vi. whether there is a requirement for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult);
 - vii. measures to be put in place to prevent access to children where restrictions are to be applied due to the adult nature of entertainment;
 - viii. whether regard is paid to industry codes of good practice on the labelling and display of alcoholic drinks such as the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.

14.9 Children and films.

- 14.10 Films cover a vast range of subjects, some of which deal with adult themes and/or contain, for example, scenes of horror or violence that may be considered unsuitable for children within certain age groups.

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- 14.11 In the past, films that have been shown at cinemas or film exhibitions in the London Borough of Merton have been classified by the British Board of Film Classification (BBFC). It is not anticipated that this will change.
- 14.12 If an applicant wishes to show a film which has not been classified by the BBFC then it will be for the applicant to present special circumstances justifying a departure from this policy. The Authority may agree to the showing of the film having first established its suitability for children and the applicant must adhere to any age restrictions imposed. In all such cases at least 2 months' notice must be given in order for the Authority to address the application and advise the age restriction that will apply in that instance. The applicant must pay a fee to the Authority for the classification of a film by them.
- 14.13 Applicants for licences in relation to premises showing film exhibitions will be expected to address arrangements for preventing children from viewing age-restricted films, trailers and advertisements in their operating schedules.
- 14.14 A mandatory condition set out in the Act requires that where a licence authorises the exhibition of films the admission of children to any exhibition of film must be restricted in accordance with the BBFC (or licensing authority) classification.
- 14.15 Children and Public Entertainment.
- 14.16 Many children go to see and/or take part in an entertainment arranged especially for them, for example children's film shows and dance or drama school productions.
- 14.17 In determining licence applications where relevant representations have been made, it will be the policy of the Authority to consider the adequacy of measures proposed to safeguard children whilst they are on the premises and, in particular the authority may consider the following:
- i. In the case of regulated entertainment specially presented to children, the arrangements that will be put in place to ensure the safety of children during access and egress and during the duration of the entertainment, and in particular:
 - (i) the number and positioning of adult staff,
 - (ii) whether restrictions are to be put in place preventing children from sitting in the front row of any balcony unless accompanied by an adult and/or preventing children from standing in any part of the auditorium during the performance
 - ii. Whether age restrictions are to be put in place preventing children being admitted to any entertainment unless accompanied by and in the charge of a responsible adult;
 - iii. Where children are taking part in the entertainment, the arrangements that will be put in place to assure their safety.
- 14.18 This Authority will expect the applicant's Operating Schedule to fully address these issues. Applicants are advised to seek advice from relevant authorities, before preparing and submitting their application, plans and supporting documents.

14.19 This Authority will consider attaching additional conditions to licences to prevent harm to children where representations have been received and it is appropriate to do so.

15. Tourism, Employment, Planning & Building Control

15.1 Planning, Building Control and the Licensing functions will be properly separated in order to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice-versa. This is designed to allow flexibility if planning or licensing hours or conditions are amended.

15.2 However, it should be noted that under the Licensing Act 2003, the local Planning Authority is a “responsible authority” that must be notified of licensing applications and is entitled to make representations to the Licensing Authority in relation to the application for the grant, variation or review of a premises licence or club premises certificate.

16. Licensing Hours

16.1 In the Secretary of State’s Guidance, the Government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application

16.2 Fixed trading hours within designated areas (Zoning) will not be adopted in this Authority. One reason for this is that it could lead to significant movements of people to areas within the Borough at particular times either seeking premises or going to premises that have longer opening hours and provide either alcohol and/or other regulated entertainment. This movement of people may give rise to a concentration of disturbance and noise.

16.3 All applications will be considered on their merits. Where representations have been received, in considering whether to restrict licensing hours in order to promote the licensing objectives, the Licensing Authority will consider the following matters (amongst others):

- whether the licensed activity is likely to result in an increase in crime, disorder or anti-social behaviour in the area;
- whether the licensed activity is likely to lead to a public nuisance disturbing residents or other businesses in the vicinity, particularly late at night, and what measures will be put in place to prevent it;

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- whether there will be an increase in any cumulative adverse effect from the activity on local residents or other businesses in the vicinity; and
- the level of public transport accessibility to and from the premises for the hours requested, or whether other effective methods of dispersal will be put in place that will prevent the licensing objectives being undermined.

17. Shops, Stores and Supermarkets

17.1 Shops, stores and supermarkets will normally be permitted to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours. e.g. police representations relating to crime and disorder and/or representations relating to public nuisance.

18. Enforcement

18.1 It is essential that the requirements of the Licensing Act 2003 are enforced to ensure that the licensing objectives are met within the Borough. To this end, the Council will work closely with the Metropolitan Police and other agencies to ensure the efficient deployment of resources.

18.2 Enforcement visits will be targeted as follows:

- To known problem areas/premises
- To high risk premises/events;
- To premises where it is believed that trading is taking place without the necessary licence/club premises certificate or licensing conditions are not being met; and
- To premises where complaints have been received.

18.3 This will ensure that resources are deployed to high risk and problem premises that require the greatest attention. In turn a lighter touch will be adopted in respect of low risk premises. However, ad hoc compliance visits may be carried across the borough to ensure that statutory requirements are not being breached. In particular, test purchases will be carried out to ensure that alcohol is not being sold to children. All such test purchasing will be carried out in accordance with The Code of Practice on Age Restricted Products, published by the Department of Business Innovation and Skills. The Code can be accessed here:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/299373/13-537-code-of-practice-age-restricted-products.pdf

18.4 The Council's Environmental Services, Trading Standards and Licensing Services have adopted an enforcement policy. The aim of the policy is to ensure that the services apply enforcement guidelines in a consistent manner and is open and clear about the standards which it applies. The Policy is founded on the Government's Regulators Compliance Code and can be accessed at https://www2.merton.gov.uk/enforcement_policy-4.pdf

18.5 Enforcement decisions will be taken in line with the principles contained in the Enforcement Policy and having regard to the Code of Crown Prosecutors.

19. Applications for Personal Licences to Sell or Supply Alcohol

19.1 In order to obtain a personal licence under Part 6 of the Licensing Act 2003 the applicant:

- Must be aged 18 years or over;
- Must be entitled to work in the UK;
- Must possess a licensing qualification accredited by the Secretary of State (or one which is certified as if it is such a qualification or is considered equivalent) or is a person of a description prescribed by the Secretary of State by regulations;
- must not have forfeited a personal licence within five years of his or her application;
- has not been convicted of a relevant offence or foreign offence (requiring the production of a Disclosure and Barring Service check);
- has paid the appropriate fee to the Council.

19.2 The Metropolitan Police and/or Home Office may make representations where the applicant has been convicted of a relevant offence or foreign offence. In such cases, in making their decision, the Licensing Authority will consider the seriousness and relevance of the conviction(s), the period that has elapsed since the offences(s) were committed and any mitigating circumstances.

19.3 Applicants with unspent criminal convictions for relevant offences set out in the Licensing Act 2003 are strongly advised to first discuss their intended application with the Police and/or Home Office before making an application.

19.4 A personal licence is valid for an indefinite period. A designated premises supervisor must hold a personal licence.

19.5 Further information about personal licences can be found on the London Borough of Merton's website (www.merton.gov.uk/licensing)

20. Temporary Event Notices

20.1 The system of permitted temporary activities is intended as a light touch process and, as such, the carrying on of licensable activities does not have to be authorised by the licensing authority by way of an application. Instead, a person wishing to hold such an event must give notice to the licensing authority of the event (a temporary event notice (TEN)). A number of limitations apply to temporary event notices and these are laid out in more detail on our website (www.merton.gov.uk/licensing).

20.2 If the Licensing Authority receives a standard or late Temporary Event Notice ("TEN") and there are no representations made against it by the Police or Environmental Health services, then the Licensing Authority is obliged to issue the TEN subject to the statutory limits being complied with. Only the Police and Environmental Health team can object to a TEN and can do so in relation to any or all of the licensing objectives.

20.3 A **standard** TEN must be given to the licensing authority no later than 10 working days before the day on which the event period begins, and must be accompanied by the prescribed fee. An objection to a standard TEN must be made up to 3 working days following receipt by the Police or Environmental Health services. If an objection is made to a standard TEN then the objection

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will be considered at a hearing and the licensing sub-committee will consider whether to issue a counter-notice that does not permit the event occurring.

- 20.4 A **late** TEN must be given to the licensing authority no later than 5 working days, but no earlier than 9 working days, before the day on which the event period begins, and must be accompanied by the prescribed fee. If the Police or Environmental Health services object to a late TEN then the event will not be able to go ahead and a counter notice will be issued without a hearing taking place. This notice must be issued at least 24 hours before the event is due to take place.
- 20.5 The working days run from the day after the notice is received by the Licensing Authority, as the day the notice is received is deemed to be day zero. Public holidays and weekends are not counted, as they are not working days. For example, if a TEN was served on Tuesday, 13 November, the working days would begin to run from Wednesday, 14 November to Tuesday, 27 November and the event could be no earlier than Wednesday, 28 November.
- 20.6 When considering an objection to a TEN the Licensing Authority may attach conditions to a standard TEN, where it is appropriate for the promotion of the licensing objectives, but only if the conditions to be applied are already on a Premises Licence or Club Premises Certificate relating to the premises where the event will take place.
- 20.7 In any event, the person submitting the TEN is responsible for ensuring that the event complies with all relevant legislation, including the avoidance of a statutory nuisance, and that the event complies with all health and safety requirements.
- 20.8 Although the statutory procedure requires only ten working days' notice of a temporary event (or 5 in the case of a late TEN) the Council would urge applicants to apply at least 2 calendar months before the event is due to take place. This will allow time for the Police and Council to investigate whether there are any issues relating to any of the licensing objectives in plenty of time for the organiser to advertise the event with confidence.

21. Registered Clubs

- 21.1 Part 4 of the 2003 Act deals with registered clubs.
- 21.2 The Licensing Authority can grant a Club Premises Certificate for the sale of alcohol and regulated entertainment to qualifying clubs.
- 21.3 There are various conditions that have to be complied with for a club to qualify e.g.: Forty-eight hour wait before becoming a member and the Club having at least 25 members.
- 21.4 There are also requirements concerning the supply of financial information to members and the keeping of financial records. The club also has to be managed by an elected Management Committee.
- 21.5 The provisions with regards to making an application for the Club Certificate are similar to those for a premises licence.

21.6 Further information can be found on the Merton web site www.merton.gov.uk/licensing and in the guidance issued by the Government.

22 Representations

22.1 Responsible Authorities and any other person have the right to make representations where applications for new licences or variations are being sought and to receive appropriate consideration of their representations. Representations can be made in opposition to, or in support, of an application. Irrelevant, frivolous or vexatious representations will be disregarded. A representation may be considered to be irrelevant if:

- It does not relate to one of the four licensing objectives;
- It does not directly relate to a particular premises;
- It relates to commercial considerations alone
- It relates to matters already considered by the Council's Planning Committee (or during subsequent Appeal) or, should more properly have been considered by that Committee.

22.2 A representation may be considered frivolous or vexatious if:

- It arises from a dispute between rival business; or
- It relates to matters already considered, and dismissed, by a Court

22.3 Where relevant representations are received to an application, a copy of the representation, including the name and address of the person making representation, must be forwarded to the applicant. Where the representation has been made by e-mail, this will include the email details unless the representation is provided as an attachment. However, it is recognized that in exceptional cases those making representations may have a genuine and well-founded fear of intimidation if they raise objection to an application. In such cases, the Licensing Authority may decide to remove some personal details from the representation, but leaving minimal details such as street name or general location within a street before forwarding to the applicant. Such action will only be taken rarely and only where the Licensing Authority are satisfied that the concerns are well founded following such a request. Copies of representations will be posted on the Council's website (with personal details redacted) together with the relevant report if the matter is to be considered by the Licensing Sub Committee.

22.4 All licence applications received under the Act are published on Merton's website (www.merton.gov.uk/licensing)

23. Reviews and dealing with complaints about premises

23.1 The Licensing Act 2003 provides for a process whereby responsible authorities and/or other persons can make an application for a review of the licence.

23.2 However, in the first instance, responsible authorities and other persons may wish to make complaints about a premises if it is failing to comply with the

Licensing Policy

licensing objectives. The Licensing Authority will seek to encourage alternative methods of resolving complaints before an application is made for a review. However, this does not override the right of any person to seek a Review of a Premises Licence or Certificate.

- 23.3 In the first instance, persons are encouraged to raise the complaint directly with the licensee or business concerned. Responsible authorities are also encouraged to give licence holders early warnings of their concerns and of the need for improvement.
- 23.4 The Review application and any other representations received may be amplified upon at a hearing to consider the Review or may stand in their own right. However, generally, new matters not included in the original Review/Representation will not be admissible at the hearing. Therefore, it is important that the original Review application and any other Representations made are clear, comprehensive, and to the point.
- 23.5 Furthermore, these representations must relate to particular premises for which a premises licence is already held and must be relevant to the promotion of one or more of the licensing objectives. The review process is not an opportunity to revisit earlier representations made to the Licensing Authority when the original application for a premises licence was determined.
- 23.6 A request for a review will be disregarded if it is considered irrelevant, vexatious, frivolous or repetitious.
- 23.7 A representation is repetitious when it is identical or substantially similar to a representation made on a previous review or when the application for the licence was itself determined, and a reasonable interval has not elapsed since that time. A reasonable time will be considered to be 12 months save in compelling circumstances such as whether operation of the premises has begun or changed significantly since the previous representation was made.
- 23.8 The Licensing Authority will take a particularly serious view where the grounds for review are substantiated and relate to the use of the licensed premises:
- for the sale and distribution of drugs and the laundering of the proceeds of drugs crimes;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music;
 - for the illegal purchase and consumption of alcohol by minors;
 - for prostitution or the sale of unlawful pornography;
 - for unlawful gambling;
 - as a base for organised criminal activity, particularly by gangs;
 - for the organisation of racist, homophobic or sexual abuse or attacks;
 - for the sale or storage of smuggled tobacco and alcohol;
 - for the sale of stolen goods;
 - for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
 - where Police are frequently called to attend to incidents of crime and disorder;

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- where there has been prolonged and/or repeated instances of public nuisance;
- where there are serious risks to public safety and the management is unable or unwilling to address these matters; and
- serious risks to children.

This is not an exhaustive list and only provided by way of example.

23.9 Where the Licensing Authority considers that action under its statutory powers is appropriate it may take any of the following steps:

- to take no action and/or issue a warning
- issue a letter confirming an offence has been committed and agree a formal caution
- in a Review to modify the conditions of the premises licence;
- in a Review to exclude a licensable activity from the scope of the licence;
- in a Review to remove the designated premises supervisor;
- in a Review to suspend the licence for not more than 3 months;
- to prosecute; and
- in a Review to revoke the licence.

23.10 Review proceedings may take place in addition to criminal proceedings for any offence that arises out of the complaint that led to the review application. Review proceedings do not need to be delayed pending the outcome of those criminal proceedings.

24. Administration, Exercise and Delegation of Functions

24.1 The Council is involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.

24.2 In order to provide a speedy, efficient and cost-effective service to all involved in the licensing process, the Committee has delegated certain decisions and functions to Sub-Committees.

24.3 Further, with many of the decisions and functions being purely administrative, the grant of non-contentious applications has been delegated to Council officers.

24.4 In view of the tight timescales involved in the processing of Minor Variation applications, this function has been delegated to Council officers. In all cases, officers will assess the Minor Variation application and where it is felt that the variation could have an adverse effect on any of the four licensing objectives they will consult with the relevant Responsible Authority(ies). If the licensing officer, or any of the Responsible Authorities have concerns about the application or it seeks to extend the licence or substantially vary the premises, appoint a new DPS or add any time or late night alcohol sales, it will be refused and a recommendation made to the applicant to submit a full variation application under section 34 of The Act.

24.5 Appendix 2 sets out the delegation of decisions and functions to the Licensing Committee, Sub-Committee and officers.

Licensing Policy

- 25.1 The Licensing Policy is available on the Merton website:
www.merton.gov.uk/licensing
- 25.2 The Licensing Policy will be available upon request in large type and audio. The Licensing Policy will be available upon request in the following languages:

Albanian Arabic Bengali Chinese Farsi French Greek Gujarati Hindi Italian
Korean Polish Punjabi Somali Spanish Tamil Turkish Urdu
- 25.3 The Council will endeavour to make the Licensing Policy available in other languages upon request.

Appendix 1 – Responsible Authorities Contact details

Authority	Contact Details
Metropolitan Police	The Licensing Officer, Wimbledon Police Station, 15 Queens Road, London, SW19 8NN
London Fire Authority	Fire Safety Regulation: South West Area 4, London Fire Brigade, 169 Union Street, London, SE1 0LL
The Local Planning Authority	Planning Manager, Merton Civic Centre, London Road, Morden, SM4 5DX
Responsible Authority for Noise and Environmental Pollution	Environmental Health (Pollution) Manager, Merton Civic Centre, London Road, Morden, SM4 5DX
Health and Safety (Local Authority Enforced Premises)	Environmental Health (Commercial) Manager, Merton Civic Centre, London Road, Morden, SM4 5DX
Health and Safety (HSE enforced businesses)	HM Inspector of Health and Safety FOD London Division Health and Safety Executive Rose Court 2 Southwark Bridge London SE1 4LW
Trading Standards	Chief Inspector of Weights and Measures, Trading Standards Service, Merton Civic Centre, London Road, Morden, SM4 5DX Trading.standards@merton.gov.uk
Protection of Children from Harm	Merton Local Safeguarding Children Board, Merton Civic Centre, London Road, Morden, SM4 5DX

Public Health	Director of Public Health, Merton Civic Centre, London Road, Morden, SM4 5DX
The Licensing Authority	Environmental Health (Licensing) Manager, Merton Civic Centre, London Road, Morden, SM4 5DX licensing@merton.gov.uk
Secretary of State for the Home Office	Home Office Immigration Enforcement Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY Email: Alcohol@homeoffice.gsi.gov.uk

Appendix 2 - Delegation of licensing decisions and functions

Matter to be Dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for personal licence with unspent convictions		If a police objection	If no objection made
Application for premises licence/club premises certificate		If relevant representations made	If no relevant representations made
Application for provisional statement		If relevant representations made	If no relevant representations made
Application to vary premises licence/club premises certificate		If relevant representations made	If no relevant representations made
Application to vary a designated premises supervisor		If a police objection	All other cases
Request to be removed as a designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Application for interim authority		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc.			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of an objection to a temporary event notice		All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition		If a police objection	All other cases
Decision on whether to consult other responsible authorities on minor variation application			All cases
Determination of a minor variation			All cases
To raise representations on behalf of the Licensing Authority as a Responsible Authority			All cases

Appendix 3 – Cumulative Impact Assessment

1. Cumulative Impact is defined as the potential impact on the promotion of the licensing objectives of a number of licenced premises concentrated in one area. In some areas where the number, type or density of licensed premises is high, or exceptional, serious problems of nuisance, crime or disorder may occur within or some distance away from the area.
2. A Cumulative Impact Assessment may be published by a Licensing Authority to help it to limit the number or type of applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.
3. The Licensing Act sets out what a licensing authority must do in order to publish a cumulative impact assessment (CIA). This includes publishing the evidential basis for its opinion and consulting on this evidence. A cumulative Impact Assessment must be published, and consulted upon, every three years. The evidence underpinning the publication of the CIA must be suitable as a basis for a decision to refuse an application or impose conditions.
4. The evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the particular problems identified in the specific area to be covered by the CIA. The Secretary of State's Guidance provides a list of Information which licensing authorities may be able to draw on when considering whether to publish a CIA including
 - local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
 - statistics on local anti-social behaviour offences;
 - health-related statistics such as alcohol-related emergency attendances and hospital admissions;
 - environmental health complaints, particularly in relation to litter and noise;
 - complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
 - residents' questionnaires;
 - evidence from local councillors;
 - evidence obtained through local consultation;
 - Underage drinking statistics.

The steps taken to develop the Special Policy on Cumulative Impact

5. Whilst the Statement of Licensing Policy has incorporated a Special Policy on Cumulative Impact since 2006, a full review across the whole borough was carried out in 2020 to take into account the changes brought about by the Policing and Crime Act 2017.
6. A report was compiled that plotted the density of licensed premises in the borough against police, ambulance and noise data obtained between April 2019 and March 2020. This was mapped and analysed and together with the outcome of a residents survey carried out in 2019 was presented to the Licensing Committee on the 9 June 2020. Of the existing areas where a special policy was in place, the Committee were of the view that there was strong

Licensing Policy

evidence to indicate that two should remain in place. A full consultation was then carried out with residents and business in the borough, or their representatives, as well as with the responsible authorities. A copy of the evidence considered by this Committee is available in the report of the Licensing Committee of the 9 June, available on request or on the Council's website www.merton.gov.uk

7. A further meeting of the Licensing Committee was held on the 15 October 2020 when the results of the consultation were fully considered and the areas where a special policy on Cumulative Impact will apply were agreed. A copy of the evidence considered by this Committee and minutes of the discussion are available on request or on the Council's website www.merton.gov.uk

Cumulative Impact Assessments (CIA)

8. A Special Policy on Cumulative Impact will apply to the following areas

9. Wimbledon Town Centre

The area included in the Wimbledon Town Centre CIA is shown in Figure 1 of Appendix 4

The special policy relates to all applications for new licences or variations that increase the hours or capacity or add licensable activities.

Wimbledon Town Centre falls within four Wards, Hillside Trinity, Abbey and Dundonald. It is a vibrant area with a diverse offering of entertainment venues. It has the highest concentrations of licensed premises in the borough.

The Cumulative Impact Assessment identified that residents of Trinity and Abbey Wards register high levels of concern regarding people being drunk and rowdy in public spaces and general anti-social behaviour. These Wards have high levels of complaints to the police about anti-social behaviour, as well as high levels of ambulance call outs for alcohol and assaults and police call outs for violence – non domestic. Although relatively low in numbers, the area also attracts a number of complaints to the Council's licensing and noise teams

The Authority recognises that it must balance the needs of business with those of local residents. However, currently the number and type of premises are impacting negatively on the licensing objectives. In adopting the special policy, the authority is setting down a strong statement of approach to considering applications for the grant or variation of premises licences in the Wimbledon Town Centre CIA. However, the Authority recognises that the impact of premises can be different for premises with different styles and characteristics. For example large nightclubs or late night bars and public houses might add to the problems of cumulative impact, a small restaurant or theatre may not. For this reason, applications with comprehensive operating schedules that meet the following criteria may be able to demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives:

Premises that are not alcohol led and

- i. support the people visiting the area during the day; and/or
- ii. support the wider cultural offering in the area

Licensing Policy

The area included in the Mitcham Town Centre CIA is shown in Figure 2 of Appendix 4

The special policy relates to all applications for new off licence or variation applications that increase the hours or capacity of the premises.

The Mitcham Town Centre Cumulative Impact Zone mainly falls within four Wards, Graveney, Figges Marsh, Lavender Fields and Cricket Green

Residents of the four Wards in which the Mitcham Town Centre cumulative impact area lies express high levels of concern about anti-social behaviour, people being drunk and rowdy in public places and people hanging around the streets. The area also records high levels of crime, anti-social behaviour and ambulance call outs. In September 2019, a report the Head of Community Safety presented a report to the Overview and Scrutiny Panel which included information on street drinking delivery and Public Place Protection Order Enforcement. The report stated that the majority of enforcement action on street drinking was taking place in and around the wards of Figges Marsh and Cricket Green, with proactive enforcement around Mitcham Town Centre which had resulted in a reduction in visible street drinking in Mitcham Town Centre but with an element of displacement. In addition data from the Director of Public Health shows high levels of hospital admissions for alcohol related conditions in the wards which fall into the CIA, for example, Cricket Green has the highest standardised admission ratio (SAR) for alcohol attributable conditions in Merton (102.0) and is higher than the average for England (100.0).

In view of the continuing problem with street drinking around Mitcham Town Centre and having regard to the data on levels of crime, anti-social behaviour, ambulance call outs and hospital admissions for alcohol related conditions the Authority approved the special policy on cumulative impact in Mitcham Town Centre as it relates to applications for off-sales of alcohol.

In publishing this cumulative impact assessment the authority is setting down a strong statement of approach to considering applications or the grant or variation of "off-sales" premises licences in the Mitcham Town Centre CIZ. The authority considers that the number of "off-sales" premises licences in the Mitcham Town Centre CIZ is such that is likely that granting further licences would be inconsistent with the authority's duty to the licensing objectives.

11. Wimbledon Village

Pending decision of the Licensing Committee on the 15 October 2020

12. Any other area

Pending the decision of the Licensing Committee on the 15 October 2020

APPENDIX 4

Fig 1 Wimbledon Town Centre Cumulative Impact Zone

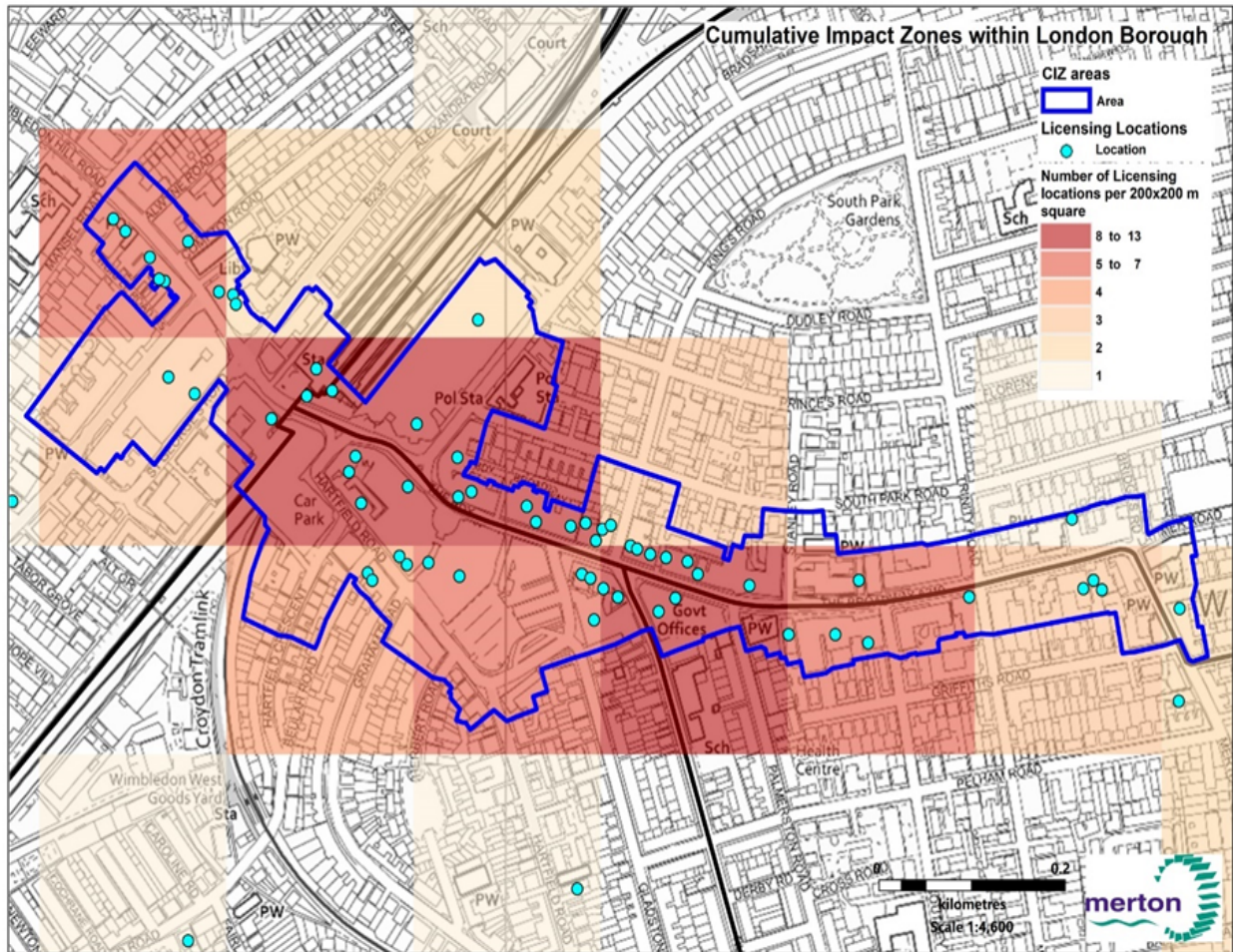


Fig 2. Mitcham Town Centre Cumulative Impact Zone

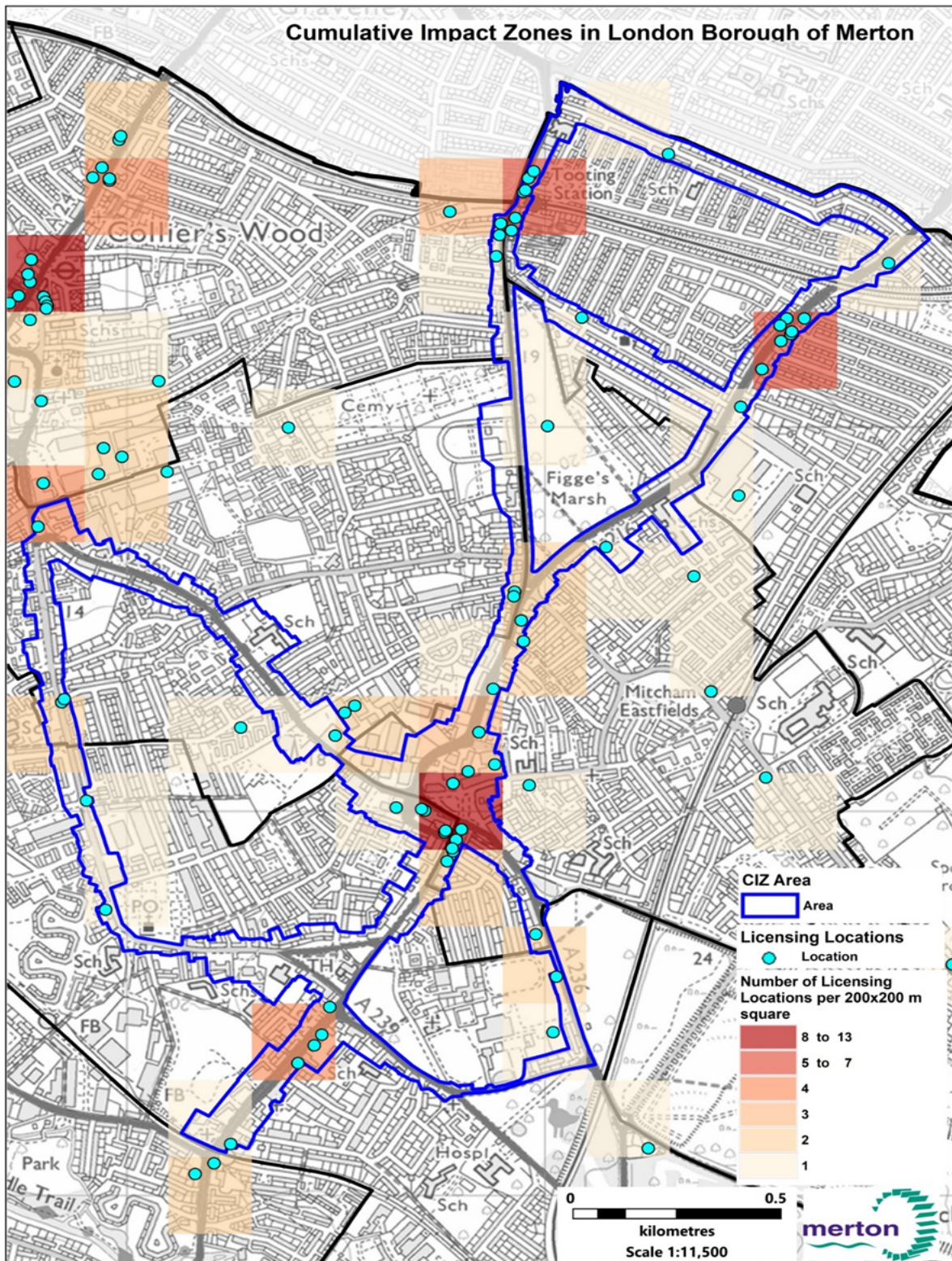
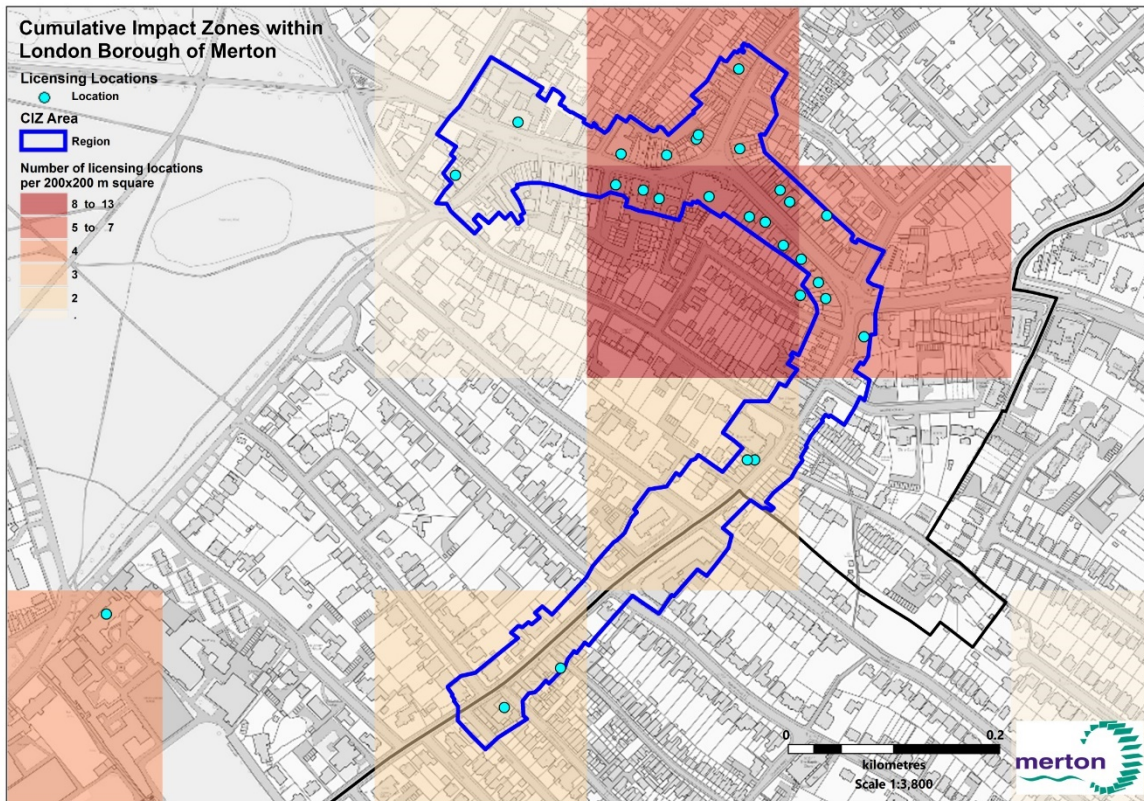


Fig 3 Wimbledon Village Cumulative Impact Zone



ANNEX B

Please tell us to what extent you agree or disagree with the following statements about the existing Licensing Policy (2016-2021).		
(a) The existing Licensing Policy is clear and easy to understand 13 respondents		
Response	Number of respondents	% of respondents
Strongly agree	4	30.77%
Agree	5	38.46%
Disagree	2	15.38%
Strongly disagree	1	7.69%
Don't know	1	7.69%
(b) Applicants find it easy to use the existing Licensing Policy 12 respondents		
Response	Number of respondents	% of respondents
Strongly agree	3	25%
Agree	2	16.67%
Disagree	3	25%
Strongly disagree	1	8.33%
Don't know	3	25%
(c) Overall the existing licensing policy is fit for purpose 13 respondents		
Response	Number of respondents	% of respondents
Strongly agree	3	23.08%
Agree	7	53.85%
Disagree	0	
Strongly disagree	2	15.38%
Don't know	1	7.69%

Comments	Response
I believe the existing Policy has worked in its intention to reduce noise and anti-social behaviour; but littering is still a disgusting and huge problem.	Accepted, see proposed amendment to the Policy at Paragraph 13.4 (iv)
I believe the policy has worked well in preventing unacceptable noise, disturbance and anti-social behaviour. I would however mention that it needs to be policed. The level of noise, anti-social behaviour and atrocious littering has been increasing dramatically on Wimbledon common during the lockdown. it is totally unreasonable to expect locals who already pay for the upkeep of the Common to come out every day and clear up the litter left by mainly youngsters often from outside the area.	Noted. However, this comment relates primarily to particular problems associated with illegal activities during the Covid 19 pandemic. However, the issue relating to littering from licensed premises is accepted and a proposed amendment has been made to the Policy at Paragraph 13.4 (iv)
It does not consider environmental damage or impact and we are in a climate emergency. Negative environmental including disturbance of wildlife should be included!	See proposed amendment to the Policy at Paragraph 13.4 (iv). However, the Policy can only address the four licensing objectives and consequently cannot take into account wider environmental considerations
It reduces poor behaviour in a quiet residential area	Noted

ANNEX B

<p>The CIZ adopted for Wimbledon Village Ward has helped to reduce - although not eliminated - the adverse effect of noisy, drunken behaviour in the village caused mostly by young visitors with no connection with the village. Before its introduction the situation was much worse and the CIZ must be maintained in its present form or strengthened to further reduce this behaviour which has an adverse effect on the village and its residents</p>	<p>See Section xxx of the report</p>
<p>The existing policy with regard to Wimbledon Village is a fair balance between business needs and the needs of the local community and should not be changed.</p>	<p>See Section xxx of the report</p>
<p>The Licensing policy relies on the amount of violence and police calls outs rather than the wider areas of impact on residents lives. For example, we live in Homefield road and have 3 Licensed premises nearby. We live with a constant stream of refuse collections at all hours of the night, day and weekends. Our road is in a constant state of collapse by trucks flouting the 7.5 tonne notice at the entrance of Homefield Road, most refuse trucks weigh 26 tonnes gross. We have a constant stream food and wine trucks leaving the engines running and refrigeration units running in the early hours of the morning. We have moped deliveries night and day. We suffer an unacceptable amount of litter from parked cars having a drink and sandwich from Tesco and throwing the plastic packaging in the street. The access alleyways at the rear of our house is rat infested with discarded food waste. The residents fought hard in the past to stop the late night drinking bar SW19 to gain a late license with little support from the Merton Council, in fact, the Council sided with the bar SW19 against the residents when the decision making was handed from the magistrates to the council. The only reason why this situation hasn't got worse is that the CIZ has been in place. Lifting this restriction takes no account of the long suffering residents in Homefield Road. The council would do better to Listen to the impact on residents lives Rather than just focusing on incidents.</p>	<p>See Section xxx of the report</p>

<p>To what extent do you agree or disagree with the following changes to the Licensing Policy set out in our new draft version?</p>		
<p>(a) Removing sections that were repeating legislation and instead providing links to online resources 10 respondents</p>		
<p>Response</p>	<p>Number of respondents</p>	<p>% of respondents</p>
<p>Strongly agree</p>	<p>0</p>	<p></p>
<p>Agree</p>	<p>3</p>	<p>30%</p>
<p>Disagree</p>	<p>4</p>	<p>40%</p>
<p>Strongly disagree</p>	<p>1</p>	<p>10%</p>
<p>Don't know</p>	<p>2</p>	<p>20%</p>
<p>(b) A new Glossary that explains the terminology 10 respondents</p>		
<p>Response</p>	<p>Number of respondents</p>	<p>% of respondents</p>
<p>Strongly agree</p>	<p>4</p>	<p>40%</p>
<p>Agree</p>	<p>5</p>	<p>50%</p>
<p>Disagree</p>	<p>0</p>	<p></p>
<p>Strongly disagree</p>	<p>0</p>	<p></p>
<p>Don't know</p>	<p>1</p>	<p>10%</p>

ANNEX B

(c)Expanding the section profiling the borough 9 respondents		
Response	Number of respondents	% of respondents
Strongly agree	4	44.44%
Agree	4	44.44%
Disagree	0	
Strongly disagree	0	
Don't know	1	11.11%
(d) Expanding the matters that applicants are urged to consider when drawing up their operating schedules 10 respondents		
Response	Number of respondents	% of respondents
Strongly agree	2	20%
Agree	4	40%
Disagree	1	10%
Strongly disagree	0	
Don't know	3	30%
(e)Adding a new Appendix confirming delegations of licensing decisions and functions 10 respondents		
Response	Number of respondents	% of respondents
Strongly agree	1	10%
Agree	6	60%
Disagree		
Strongly disagree	1	10%
Don't know	2	20%
(f)Referring to the development of a set of model conditions that will be published on the Council's website 10 respondents		
Response	Number of respondents	% of respondents
Strongly agree	1	10%
Agree	5	50%
Disagree		
Strongly disagree	1	10%
Don't know	3	30%

To what extent do you agree or disagree with the two additions proposed in the draft Licensing Policy?		
(a) To allow a film to be classified by the Council rather than the British Board of Film Classification in exceptional cases 10 respondents		
Response	Number of respondents	% of respondents
Strongly agree		
Agree	1	10%
Disagree	3	30%
Strongly disagree	3	30%
Don't know	3	30%

ANNEX B

(b)To urge applicants to apply for a Temporary Event Notice at least two months in advance of the event		
10 respondents		
Response	Number of respondents	% of respondents
Strongly agree	4	40%
Agree	5	50%
Disagree		
Strongly disagree		
Don't know	1	10%

Comments	Response
Apart from the above, the policy should not be changed.	Noted
As a resident in Wimbledon Village I am writing to object to the proposed withdrawal of CIZ licensing status for the Village area, especially in comparison to preserving such status in neighbouring Wimbledon Town Centre. Such a proposal is obviously likely to shift late night drinking and carousing, with all its associated anti-social repercussions, towards the Village area. Why should we Village residents bear the brunt and suffer accordingly? What right has the Council to force such a change upon us? If your response is that our local businesses need such a relaxation in order to flourish then I would counter that these are not desirable local businesses to have in such a residential area as ours, and would be no loss to the Village if they closed down. If anything, we need tighter regulations of these types of business, not looser. We already suffer from late night noise from the likes of Hemingways et al. Their clientele is not comprised of locals making use of a local amenity, but people from outside the area who have no regard for those living here. I make no excuses for having what could be seen as a NIMBY attitude towards this subject. There are areas of London where late night activity and noise is the norm, where the majority of the population is young and keen to participate in such activity - Wimbledon Village isn't one of them. If you want to relax the licensing policy you should arrange to rent a flat in the High Street, or next door to Hemingways, and live there for a while so as to experience what you've inflicted on the Village.	See Section xxx of the report
I would like the current Licensing Policy for Wimbledon Village environs to be continued and not reduced.	See Section xxx of the report
It is a mistake to cancel the Wimbledon Village CIZ designation which has been effective for the residents. The area is still residential and does not require a looser licencing policy.	See Section xxx of the report
It would be useful if the proposed Licensing document was actually provided rather than providing the old 2016 document behind the link to the proposal. #BusinessLike #BestLondonCouncil?	Unfortunately the wrong document was posted on the first day of consultation but this was rectified within 24 hours

Eight people responding stated that they were residents of the borough and were responding on their own behalf. Of these 2 lived in the SM postcode area ,4 in SW19 and 2 in SW20. The remainder of those responding did not provide details of where they lived.

APPENDIX C

1. WIMBLEDON TOWN CENTRE CUMULATIVE IMPACT ZONE

Please tell us to what extent you agree or disagree that the Council should retain its special policy on cumulative impact in Wimbledon Town Centre to include all licence types? 100 respondents		
Response	Number of respondents	% of respondents
Strongly agree	70	70%
Agree	19	19%
Disagree	2	2%
Strongly disagree	4	4%
Don't know	5	5%

Comments	Response
The first comment relates to the Wimbledon Village CIZ so has been moved to that section	
As I don't live in Wimbledon town I feel unqualified to comment	
Before Covid restrictions (from March 2020 onwards) any issues seemed adequately managed.	Noted
Clearly necessary, particularly now that post-lockdown ASB is increasing	Noted
General noise levels in Wimbledon Town Centre have increased greatly in recent years and the evidence on health is that noise is a major cause of increased mortality whether the person affected notices the noise or not.	Noted. People living across the borough are encouraged to contact the Council's noise service if they experience noise nuisance from any premises
I believe this is a vital tool to ensure a fair balance between the interests of the residential and business communities.	Noted
I feel it is imperative to retain the CIZ in Wimbledon Town Centre in order to manage the number of outlets licensed to sell alcohol. I am aware that once a building is granted an alcohol license, the license stays with the building forever even if the tenant of the building changes. This has potentially long term damaging consequences to the Town Centre, especially in the current environment with business going bust due to Covid-19. Licenses maybe granted to a certain type of tenant, however in the years to come the tenant maybe a very different type of licensed establishment.	Once granted a licence can transfer to another operator who may continue to trade on the existing terms of the licence or seek a variation. If a licence lapses, is revoked or is surrendered then a new application must be made when any cumulative impact policy would come in to play, potentially reducing the number of licensed premises in the area
I fully support retaining the Wimbledon Town Centre CIZ; if it is working and improving the area for residents, why remove it?	Noted
I think that a CIZ is an excellent idea	Noted
Important to continue to control the amount of late-night drinking and activity in Wimbledon Town Centre to ensure that residents and other users can go to the cinema or return late in the evening from London without fear or misbehaviour and crime.	Noted
It has worked to reduce noise and incidents relating to late night alcohol consumption such as vandalism and littering.	Noted
It is imperative that the CIZ in Wimbledon Town Centre is retained in order to manage and coordinate the number of premises licensed to sell alcohol, especially late at night.	Noted

APPENDIX C

It is important to retain the special policy on cumulative impact.	Noted
It should remain in status quo	Noted
It works as it is so why review/extend it	The law requires a licensing authority to review its special policy on cumulative impact every three years. Such a policy can only be retained if there is evidence to do so substantive enough to provide a strong basis to refuse an application
It works, don't fix it	See comment above
It's working fine. If it ain't broke don't fix it.	See comment above
Like Wimbledon Town Wimbledon village should keep the present system	See comment above
Limitations to anti-social behaviour, public nuisance and noise abuse need to be kept in place. Littering is a disgrace and should be considered anti-social behaviour.	Noted. Littering does come within the licensing objective of the prevention of public nuisance but only in areas within the direct control of the licensee. However, see proposed amendment to the Policy at Paragraph 13.4 (iv)
No personal comment as I now rarely visit the Town Centre at night. Comments from people I speak to who do go there suggest it is both unruly and in many cases dangerous as a result of widespread alcohol and drugs abuse- exacerbated by minimal on the ground policing.	Noted
Provided that it continues to be monitored closely, I agree.	As required by law the assessment will be reviewed at least every three years although a review can take place more frequently if there appears to be a change in circumstances
The CIZ protection is vital to the town and the village to ensure that late night opening is controlled to minimise undue noise and disruption to residents. Withdrawal of the CIZ could well make the village a 'vibrant night time economy' which would not be in the best interests of a residential community.	Noted. See also main report
The scheme has improved the area especially late at night and at weekends.	Noted
The Town Centre is a busy hub, particularly evenings and weekends, where large numbers of people come into Wimbledon to enjoy and take advantage of the entertainment options. It is essential that, on the one hand, those visitors (and residents) can continue to enjoy those amenities safely without intimidation or harassment. And on the other hand that local residents are not subjected to excessive noise or disruption. Retaining the CIZ here would meet both objectives.	Noted
The Town Centre is a commercial hub surrounded by residential streets mainly occupied by families. It is important that it is a thriving commercial and leisure area and that the pubs and restaurants thrive, but that this occurs within a happily civilised ambiance where the consequences of disorderly and unsociable behaviour is not allowed spoil the quality of life that the CIZ helps to maintain.	Noted
The Wimbledon Town Centre should be fully supported by the Council to protect its residents from crime and disorder, public safety, public nuisance and the protection of children.	Noted

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The zone is important to ensure nuisance and antisocial behaviour is minimised and that residents do not have to suffer undue noise.	Noted
There remains too much anti social behaviour resulting from alcohol in Wimbledon Town Centre and so the CIZ must be retained	Noted
There are a lot of licensed premises and is a substantial gathering ground for young - often drinking - and so needs the protection	Noted
There are already many licensed premises in the town centre and on a Friday and Saturday night there are usually considerably more customers, which often leads to drunken and anti social behaviour. There are many residential roads close to the town centre and increasing the number of licensed premises can only be negative, particularly for the residents and bring down the atmosphere of the town centre as a whole.	Noted
There have been a number of alcohol fuelled disturbances in the town centre recent years. The CPZ assists the control of this.	Noted
This has had a beneficial effect on reducing noise / antisocial behaviour and should be retained	Noted
We do not wish to see a return o drunken and criminal behaviour in the town centre particularly with the continued threat of the COVID-19 pandemic hanging over us now and, I suspect, for a number of years to come.	Noted
We think that a CIZ is a good idea	Noted
Wimbledon Town and Village attracts many people from inside and outside the borough in particular at weekends and Thursday evenings. The inevitable consumption of alcohol, sometimes to excess, leads to antisocial behaviour which affects residents as well as businesses. It is vital we retain the CIZ status	Noted
Wimbledon town centre on a Friday or Saturday night is not a safe place to be. There are too many young people who have drunk more than is good for them and coming out of the cinema or restaurant late can be an unpleasant unsafe experience.	Noted
9 further comments relate to Wimbledon Village and have been moved to that section	

2. MITCHAM TOWN CENTRE CUMULATIVE IMPACT ZONE

Please tell us to what extend you agree or disagree that the Council should retain its special policy on cumulative impact in Mitcham Town Centre to include only off license premises?		
95 respondents		
Response	Number of respondents	% of respondents
Strongly agree	23	24.21%
Agree	10	10.53%
Disagree	5	5.26%
Strongly disagree	5	5.26%
Don't know	52	54.74%

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To what extent do you agree or disagree that the Mitcham Town Centre cumulative impact zone should be extended to other license types?		
92 respondents		
Response	Number of respondents	% of respondents
Strongly agree	18	19.57%
Agree	10	10.87%
Disagree	2	2.17%
Strongly disagree	3	3.26%
Don't know	59	64.13%

If you would like the cumulative impact zone in Mitcham town centre to cover different license type please tell us which licenses you think it should cover and what evidence do you have for this? (Free text)
Comments
All licensed businesses in order to guarantee a holistic framework.
All on and off licenses as there is too much anti -social behaviour in Mitcham which is alcohol related
should include restaurants etc.
It needs to include all premises selling alcohol, not just off licenses.
Mitcham Town Centre should be fully supported by the Council to protect its residents from crime and disorder, public safety, public nuisance and the protection of children.
Residents' rights to peaceful, crime-free neighbourhoods, vomit-free pavements, should take precedence over people's rights to drink late into the night, commit noise, litter the environment, etc.
There was a history of street drinking and disturbance in Mitchell town centre and the CPZ in this area is essential to control antisocial behaviour. There is a need to restrict the number of shops selling alcohol above 5% proof

Please tell us if you have any comments about the Mitcham town centre Cumulative Impact Zone? (Free text)	
Comments	Response
I am supportive of it , it should be retained and it should be widen to cover all licences	See main report
No comments other than that I support it fully.	Noted
There is a need to restrict the number of shops selling alcohol above 5% proof	The retention of the Special Policy on Cumulative Impact in Mitcham Town Centre is aimed at seeing a reduction in the numbers of off-licences in the area as licences are surrendered, revoked or lapse and new licences are not granted. A condition on existing licences regarding strength of alcohol can be added following Review if there is good evidence to do so.

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3. WIMBLEDON VILLAGE CUMULATIVE IMPACT ZONE

To what extent do you agree or disagree that there is insufficient evidence to retain the special policy on cumulative impact for Wimbledon Village? 88 respondents		
Response	Number of respondents	% of respondents
Strongly agree	11	12.5%
Agree		
Disagree	4	4.55%
Strongly disagree	73	82.95%
Don't know		

Comments
<p>Most licensed premises in Wimbledon Village are surrounded by residential roads and there are also flats above many of the shops and cafes the High Street and Church Road. Many residents are vulnerable to the noise, disturbance, nuisance and other alcohol related issues caused by the behaviour of customers of licensed premises. Given the density of licensed premises the risks of these incidents occurring will continue and may escalate unless properly controlled by CIZ protection. The Council's case refers to low levels of recorded incident data in Village Ward but the data cited references incidents which are primarily examples of crime and disorder. This low incidence is not surprising because the Village CIZ was designated in response to issues of nuisance and antisocial behaviour rather than crime and disorder. The majority of nuisance etc. incidents, by their nature, tend not to be reported to the police or the Council but they are still legitimate concerns for protection in a Licensing Policy. Withdrawing CIZ protection in the Village whilst retaining it for the Town Centre also risks promoting the Village as a destination where late night drinking is encouraged. There are empty shops in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. This would materially change the character of the Village for the worse and to the detriment of residents. An important proposal of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents and was not representative</p>
<p>• The CIZ has worked effectively in the Village; this is a justification for its retention, not its removal. • The commercial premises in Wimbledon Village are surrounded by residential roads and there are also flats above many of the units in the High Street and Church Road. As was the case in 2005 there are many residents who are vulnerable to the noise, disturbance, nuisance and other alcohol related issues caused by the behaviour of customers of licensed premises. Given the density of licensed premises the risks of these incidents occurring will continue and may escalate unless properly controlled by CIZ protection. • The Council's case refers to low levels of recorded incident data in Village Ward but the data cited references incidents which are primarily examples of crime and disorder. This low incidence is not surprising because the Village CIZ was designated in response to issues of nuisance and antisocial behaviour rather than crime and disorder. The majority of nuisance etc. incidents, by their nature, tend not to be reported to the police or the Council but they are still legitimate concerns for protection in a Licensing Policy. • Withdrawing CIZ protection in the Village whilst retaining it for the Town Centre also risks promoting the Village as a destination where late night drinking is encouraged. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. This would materially change the character of the Village for the worse and to the detriment of residents. • An important proposal of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number</p>
<p>1. The question is very poorly phrased and potentially misleading. Why the double negative?? 2. My take on the evidence is that the CIZ is working well, and that it should be retained. There is no evidence that if the policy were not retained, the level of nuisance and anti-social behaviour would not go up. Perhaps there is evidence from other areas in the borough or from other boroughs what happens if such policy is reversed in a heavily residential area.</p>
<p>1. The CIZ has worked effectively in the Village; this is justification for retention, not removal. 2. The commercial premises in Wimbledon Village are surrounded by residential roads and there are flats above many units in the High Street & Church Road. As in 2005, many residents are vulnerable to noise, disturbance, nuisance and other alcohol related issues caused by customers of licensed premises. Given the density of licensed premises, the risks of incidents occurring will continue and escalate unless properly controlled by CIZ protection. 3. The Council's case refers to low levels of recorded incidents in Village Ward but the data cites incidents which are primarily examples of crime &</p>

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<p>disorder. This low incidence is not surprising because the Village CIZ was designed in response to issues of nuisance & antisocial behaviour rather than crime & disorder. Most incidents tend not to be reported to police or the Council but are still legitimate concerns for protection in a Licensing Policy. 4. Withdrawing CIZ protection in the Village whilst retaining it for the Town Centre risks promoting the Village as a destination for late night drinking. Empty units in the High Street may attract yet more restaurants rather than shops; without CIZ protection, more licences will be granted as well as late night extensions for alcohol sales. This will change the character of the Village for the worse, to the detriment of residents. 5. Such an important proposal should be supported by survey evidence from residents. No survey has been undertaken; instead the Council is relying on responses about perceptions of safety from a 2019 borough survey which included a very small number of Village residents & made no reference to proposed changes in Licensing Policy. 6. An emerging issue is the frequency of noisy, late night gatherings on Rushmere Common where alcohol is consumed & huge amounts of litter is left. This is no time to relax Licensing Policy!</p>
<p>All alcohol licenses should be included. Since the CIZ in the Village has been in place there has been no significant antisocial behaviour whilst the amenities of the Village have been maintained.</p>
<p>All alcohol licenses. It has been effective so this is reason to keep it, not remove it. People will move from the town to the village to take advantage of the different licenses. There have been alcohol related gatherings on the Common at the Village end causing considerable negative issues.</p>
<p>All restaurants, bars, pubs and hotels within Wimbledon Village to be licensed on proviso of good standards of management of the premises and of clientele within the premises and/or in streets and pavements within Wimbledon Village area.</p>
<p>Any establishment selling alcohol should be subject to this license. The recent lockdown showed us that Wimbledon Village and the area on the Common directly behind the Village attracted large numbers of youngsters - as well as groups of adults between 20-30 years of age-drinking excessively. Bottles of alcohol were being bought in the Village - and people then went on to Southside Common/Rushmere pond bringing loud music with them and organising mini raves. This field is already frequented by drug dealers at the end of Wimbledon Tennis Championships when all the helpers of the tennis tournament have their "end of championships party"- as some of the children have told me- and now we are advertised as a rave place. It is only a matter of time when we do not only have alcohol as well as drugs related crime issues. On one occasion in June during lockdown, there were 3 ambulances, several police vans with dogs to break up the festivities on a weekday night. If we do not continue to have the CIZ licensing, this will get further out of control as "word is out" about the fields behind the Village and local residents as well as businesses will suffer.</p>
<p>Anything that involves licensed premises which by their nature involves alcohol and which frequently is the cause of anti-social disturbances both in the village and on the common. I am not a licensing expert but anything that changes the balance of the existing village community without clear evidence should not be carried out.</p>
<p>Before the CIZ in Wimbledon Village was introduced there was a growing problem with anti-social behaviour especially during evenings and late at night as increasing numbers of bars and restaurants opened, some with late licences. In the years since the CIZ has been in place the level of anti social behaviour has been less although some still occurs, usually late in the evening. However there is a growing issue with drinking on the common around Rushmore pond in the evenings. The large groups of (mainly young) people are noisy and can be intimidating. The litter left behind is unsightly and a danger to dogs and wildlife, as well as requiring picking up. It would be a severely retrograde step to do anything which might encourage this drinking on the common. In addition, Wimbledon Village is a residential area with many families with young children. It should not be allowed to become a destination for late night activities with all the problems of noise and anti social behaviour that this would bring with it. The current CIZ achieves an acceptable balance of bars and restaurants with residential interests. It is important that it is retained.</p>
<p>CIZ for Wimbledon Village should cover all licenses. The number of premises and the hours they can sell alcohol are directly related to the amount of public nuisance that residents in an area will be exposed to.</p>
<p>I am no expert on licences but what licences are in place now work! The CIZ is needed to keep nuisance under control, that nuisance (noise, disturbance, littering, parking issues) still occurs, mostly at weekends, and that removal will change the character of the Village for the worse. In recent years have also noticed a lot more drinking etc on the Common</p>
<p>I believe strongly there should be a good balance between the amount of restaurants and small shops offered to the public in such a small area . At the moment thus is unbalanced , with too many restaurants and pubs compared to the amount of unique shops available which keeps the village alive. Crimes does also increase with the amount of restaurants and pubs .present.</p>
<p>I believe the CIZ for Wimbledon Village should apply to all licensed premises. The evidence to retain the policy is that it is working as is apparent due to the reduction in incidence reports since it was implemented.</p>

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<p>I believe the status quo should be retained. The statistics of emergencies and complaints may be comparatively low, but I believe that is because of the effectiveness of the CIZ. Licences to sell alcohol in shops should clearly not be increased seeing the effect of the crowds meeting on the common nearby and leaving their rubbish. But no change is required, and the Village needs protecting to continue to be unique place it is.</p>
<p>I believe this should cover all existing licenses and that there should be very little scope for expansion of more premises. The village is already a destination for socialising - you only have to witness a weekend evening outside Hemingways. The fact that we do not have a significant problem of antisocial behaviour is already evidence of the efficacy of the existing CIZ. PLEASE DO NOT REMOVE IT!</p>
<p>I have lived in the Village area for over 30 years and am involved in owning 12 commercial properties in the Village itself. I am a great supporter of a vibrant and active community spirit for both visitors and residents alike and believe that High Streets must change and adapt to survive. We currently have a wide mix of pubs-5, restaurants-18 and off licences -5 and NO more are necessary to adequately supply all conceivable and rational demand. The current mix of types of licenses is fine.</p>
<p>I have lived in the village for over twenty years. We already have a lot of licensed premises in the village itself and on the common and in the Summer it's extremely busy already. The fact there is 'insufficient evidence' of crimes etc..suggests the CIZ status is working does it not? We have already lost much of the character of the village with most independent shops being forced to close due to doubling of business rates etc.. and now, post-covid, this is set to worsen as many chains have also had to move out.</p>
<p>I live in the Village Ward, roughly half-way between Southside Common and Ridgway. I have lived here for nearly 16 years. My sense is that incidents of nuisance and anti-social behaviour have, if anything, increased in the last few years. In particular, the area of the Common around Rushmere Pond has become a magnet for groups of people who are, or have been, drinking. The volume of litter they leave has grown significantly, despite the efforts of the Conservators and local residents to remove it. Noise levels have also grown, particularly on Friday and Saturday nights. Over the last few months alone, I have seen 8-10 men openly urinating on the Common and one vomiting. On each occasion, I was walking with my 12-year-old daughter during daylight hours. All of these incidents were unpleasant, but none merited a call to the police or a report to the Council. Cancelling the Village's status as a "Cumulative Impact Zone" will inevitably increase - possibly significantly - the incidence of this type of anti-social behaviour. All the more so if the CIZ in Wimbledon Town is retained (which will push drinkers up the hill to the Village) and if some of the vacant premises in the Village become (yet more) restaurants and bars. I would therefore be grateful if the CIZ in its current form is retained.</p>
<p>I think that Pubs, bars and restaurant licences permitting the sale of alcohol and other licensable activities should be covered by the CIZ in the Wimbledon Village area. There has been a noticeable increase in young people congregating on Wimbledon Common and the surrounding pubs leading to increased noise levels and dubious characters hanging around!</p>
<p>I think that the council should maintain the CIZ to cover all types of licence. Since its initiation we have only had comparatively minor breaches of the peace and anti-social behaviour</p>
<p>I think the CIZ should cover all premises selling alcohol including shops, off licenses, bars, restaurants and nightclubs.</p>
<p>I think the licences should be retained for all public houses and restaurants. There are many flats above these premises in the High Street and it is a densely populated residential area. The number of restaurants and bars has grown incrementally over the last few years and there is a huge influx of visitors from other boroughs at the weekend.</p>
<p>I understand that the reason for withdrawing the CIZ status for Wimbledon Village is the lack of evidence that justifies its existence - surely this lack of "evidence" (which presumably is in the form of complaints/police involvement in disturbances or criminal behaviour) is a result of the effectiveness of the current CIZ status? What reason would there be then, to withdraw that status in the knowledge that it would almost certainly lead over time to an increase in these incidents? It seems a strange approach. The village is a very special and pleasant environment in the evenings - it is usually quite busy and vibrant but the CIZ status means that we will not get even more licensed premises and late night licensing which would certainly threaten to destroy this lovely environment. The village attracts visitors from all over the world and is quite unique in feeling like a "country village" whilst still so close to central London. Let us preserve this please? I don't think that withdrawing the CIZ status can be justified, it can only lead to detrimental changes which will disturb and upset residents, place more demands on police time and resources and possibly put off visitors, particularly young families and the elderly. The village thrives so well as it is - don't change something which works so well!</p>
<p>In line with other similar areas where there are concentrations of licensed premises I strongly feel the Cumulative Impact Scheme should be retained to maintain the current improved situation.</p>

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<p>in my view, there is a big difference between a town centre (Wimbledon town centre) and Wimbledon Village. Wimbledon Village and the adjacent Rushmere / Wimbledon Common is a fantastic environment for families. For this area there should be an adjudicated balance between residents and businesses. I am all for business in the Village, but where this might tip over is with possible anti-social behaviour which we are starting see with young adults (age unknown) having a few too many drinks on Rushmere. If at all possible, it would good to keep the CIZ please - the Village is not a town</p>
<p>It is simply not true that there is insufficient evidence here. The fact is that the CIZ has been very effective in the Village for years, and that is a strong justification for its retention. Removal of this protection for residents would result in the Village being the destination for late night entertainment, leading to particular noise and disruption for residents - and indeed to visitors, attracted to the Village's particularly environment. And it is that environment, which this proposal would seriously damage. All Merton residents should have the right to enjoy their local amenities, and share them with others, without fear of excessive noise, disruption, harassment, or intimidation. Opening up the Village to late night licensing and other amenities that fit badly in residential areas undermines that right. This is particularly wrong at a time when we are seeing increased groups gathering late at night on the Common, with music and alcohol, leaving large amounts of litter behind. Relaxed licensing in the Village will only exacerbate this problem.</p>
<p>It should cover all alcohol licenses. Wimbledon Village is a highly residential area and before the application of the Cumulative Impact Zone there was far more Anti-Social Behaviour late in the evening from customers from pubs and restaurants. There are already more than enough licensed premises in Wimbledon Village.</p>
<p>It should remain as it is now !</p>
<p>It should remain as it is. Absence of evidence of noise and behaviour nuisance as a result of the current CIZ is not evidence of absence. Reverting to no CIZ to gather such evidence is nonsensical. Alcohol consumption by large, probably illegal, gatherings on the common around the pond are evidence of nuisance and massive littering over the last few months. Please keep the village clean and free from anti social behaviour of all kinds by abandoning the notion that the CIZ can be removed. It is a very bad idea.</p>
<p>It should review the licenses to sell alcohol of all premises as there is a cumulative effect on the Village if the number of licensed premises increases given the size of the Village High Street.</p>
<p>It would be good to have a few late night places open in the village</p>
<p>Keep as present licensing</p>
<p>Late night alcohol licensing extensions should be covered. There is ample evidence that late night alcohol licensing leads to problems of undue noise, disturbance and nuisance for residents.</p>
<p>Late night drinking in the Village near the common. I don't want litter to increase.</p>
<p>Licence cover within Wimbledon Village is already more than adequate. Further extension/addition to licensed premises risk unwelcome consequences & damage to the social wellbeing of residents. One should also bear in mind the overspill effects onto Wimbledon Common & possible anti-social activities of drinkers who have been known to leave behind evidence of drug taking & smoking. This is not in the interests of families & children walking on the Common. Given the proliferation of licensed premises in the nearby Town Centre further outlets in the Village itself would be superfluous.</p>
<p>Licences relevant to businesses operating in Wimbledon Village - all of them as far as relevant!</p>
<p>I believe it is vital that the Council should retain the Cumulative Impact Zone for Wimbledon Village. My house and bedroom back on to the Dog and Fox and if their licensing hours were to increase it would have a huge impact on noise in the early hours of the morning, loud music, loud voices, visitors returning to their cars which are often parked in Homefield Rd. I have lived in the Village for 33 years and before the CIZ was imposed, there were many occasions when alcohol related incidents occurred and disturbed the residents' safety and sleep. I strongly urge you to retain the CIZ for Wimbledon Village.</p>
<p>Our view is that the lack of recorded data of incidents in Wimbledon Village is a sign of the success of Merton's previous policy. The Village is a highly residential area; the stability in number of licensed premises/hours of operation has allowed restaurants and pubs to co-exist (mostly) happily alongside the domestic aspect of the area. Changing the weighting of licensed establishments will change the character of the area substantially - something which is already at risk, given the high rates mean that "normal" businesses are priced out. There has already been a very heightened level of issues this summer with Covid, following big open air gatherings on the Common. Many of these may not reach recorded status, but involve e.g. young women being followed or cat-called on routes back from the station; urination</p>

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<p>on streets/bushes; audible noise late into the night from the activities on the Common. Part of what makes Wimbledon work is the variety of its different areas. Merton has done a brilliant job of managing this diversity up till now. Please enable us to maintain something that is working well!</p>
<p>Poor behaviour has decreased since the introduction of the CIZ. We do not need to repeat the experiment</p>
<p>Resident in Church Road, SW19 Small incidents we don't usually report. Before Covid these were frequent. Things like leaving beer glasses or bottles, sometimes with drink left in, on the wall in foliage, say twice a month. Leaving bottles and glasses down by wall too, where people also sit to have a drink on the street side of our wall but actually still on our property. This is now happening again. I usually remove such things as quickly as possible before they attract similar dumping. Recently, I got the council to remove some beer bottles because of the Covid risk. With the easing of lockdown it is apparent that the later it is the louder the singing is in the street. It is usually one person but sometimes more. That happens about 3 times a week at the moment. The same volume increase happens when groups are getting in to cars, the later it is the more they shout. It happened before Covid too, but there seems more noise now.</p>
<p>Retain existing licenses only</p>
<p>Sale of alcohol. The CIZ has had a positive effect in maintaining a good sense of respect for resident neighbours. Any change that causes this to deteriorate will be unacceptable to those who live in the Village Ward.</p>
<p>Same licenses as are covered now</p>
<p>The CIZ for Wimbledon Village must be retained. There is a lot of late night nuisance.</p>
<p>The CIZ for Wimbledon Village should continue to cover all licenses. The Village is a very popular recreational area and the proliferation of eating and drinking establishments is as many as the area can tolerate. In my view there are probably too many. The CIZ has kept late night rowdiness in check but there is still plenty of it. If the CIZ is removed for the Village but retained for the Town the Village will, by default, be promoted as a late night drinking destination. This would be a disaster for what is, after all, primarily a residential neighbourhood.</p>
<p>The CIZ has been very effective in reducing noise and antisocial behaviour in Wimbledon Village and I am very strongly in favour of retaining it.</p>
<p>The CIZ has worked effectively in the Village; this is a justification for its retention, not its removal. The Council's case refers to low levels of recorded incident data in Village Ward but the data cited references incidents which are primarily examples of crime and disorder. This low incidence is not surprising because the Village CIZ was designated in response to issues of nuisance and antisocial behaviour rather than crime and disorder. The majority of nuisance etc. incidents, by their nature, tend not to be reported to the police or the Council but they are still legitimate concerns for protection in a Licensing Policy.</p>
<p>The CIZ has worked effectively in the Village; this is a justification for its retention, not its removal. · The commercial premises in Wimbledon Village are surrounded by residential roads and there are also flats above many of the units in the High Street and Church Road. As was the case in 2005 there are many residents who are vulnerable to the noise, disturbance, nuisance and other alcohol related issues caused by the behaviour of customers of licensed premises. Given the density of licensed premises the risks of these incidents occurring will continue and may escalate unless properly controlled by CIZ protection. · The Council's case refers to low levels of recorded incident data in Village Ward but the data cited references incidents which are primarily examples of crime and disorder. This low incidence is not surprising because the Village CIZ was designated in response to issues of nuisance and antisocial behaviour rather than crime and disorder. The majority of nuisance etc. incidents, by their nature, tend not to be reported to the police or the Council but they are still legitimate concerns for protection in a Licensing Policy. · Withdrawing CIZ protection in the Village whilst retaining it for the Town Centre also risks promoting the Village as a destination where late night drinking is encouraged. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. This would materially change the character of the Village for the worse and to the detriment of residents. · An important proposal of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey wh</p>
<p>The CIZ in Wimbledon Village appears to be working well. The lack of evidence to the contrary suggests that it should not be changed. The High St does not need more restaurants or drinking establishments and changing the CIZ status is likely to encourage those kinds of applications. There is not currently a licensing or problem in the Village - so if it's working, why change it?</p>

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<p>The CIZ should continue to cover off licences and restaurants/pubs/bars with off sales licences. There is significant residential concern over public nuisance incidents such as noise and anti-social behaviour and that this will only increase if the CIZ is changed.</p>
<p>The council should be taking steps to prevent any further letting of premises for restaurants and bars and do everything possible to encourage the regeneration of the Village High Street for retail and small independent businesses.</p>
<p>The council should obtain proper survey evidence from the residents before contemplating any change to the current CIZ. Existing premises already properly licensed should retain their status but there should be no more licenses granted.</p>
<p>the Cumulative Impact Zoning for Wimbledon Village has worked well to reduce anti-social behaviour, noise and public disturbance since it was established in 2016; I believe that to retain the rules of the CIZ is necessary and will benefit the Village.</p>
<p>The current CIZ for Wimbledon Village should remain. The proposal is based on insufficient evidence of crime & disorder but this ignores the potential nuisance and anti social behaviour which could have a very detrimental impact on residents. No survey has been done of residents in the Village Ward to inform this proposal and there is a real danger that the Village will become a hub in Wimbledon for late night drinking and associated nuisance behaviour. There is already an increasing problem of young people gathering around Rushmore pond in large crowds in the evening for underage drinking and without regard to any social distancing with no enforcement action by the police or local authority.</p>
<p>The current CIZ has been a success and should be retained. Its success is no grounds for removal. The village already has a high proportion of licensed premises and if the CIZ was lifted while the Wimbledon Town Centre CIZ remains it would encourage late night drinkers to gravitate from town to village. There are also a number of empty premises in the village which could attract yet more restaurants seeking drink licences with late night extensions. In any event no change should be made without a proper survey of Village residents. I only heard about this consultation because a neighbour told me.</p>
<p>The current CIZ has protected the quality of life of residents living in and around the Village, maintaining a fair balance between the interests of businesses and residents. There is no upside to removing this special policy in my view for residents. Because it has worked, it is vital that it is retained.</p>
<p>The current licensing system works. The current CIZ status ensures there is due respect for residents. There is no need for further licences to be granted in the area. There is no parking, immediate public transport is restricted to buses and the pavements are not particularly wide. Encouraging more people to come to this area already is irresponsible particularly at this time.</p>
<p>The current position must be retained. The fact that there is limited alcohol related anti social behaviour (although this summer there have been huge issues on the Common- we live nearby) is not a reason to retain the CIZ of the Village. It is a testament to its success. It would be crazy to do away with it because it is working - you will only have to re introduce it when the situation deteriorates again which it will inevitably do</p>
<p>The current supply of both on and off licensed premises should not be increased, in particular the off licensed premises. The impact on local residents is bearable at the moment, however during the summer off license sales seemed responsible for a large increase in litter and noise etc... The nearby stretch of common round Rushmere pond was a magnet, and the cost to the Common Conservators and irritation to local residents extreme. Restaurants will come and go, and the impact on their survival will not be helped by increasing their number. 3 restaurants seem to have closed since March and before that over the last 10-15 years one pub as closed completely and two changed to restaurants and a third became a coffee venue. As a Village Ward resident, the current supply of licensed premises seems acceptable, although at times noisy and intimidating. I also get the unpleasant smell of cooking as I am behind the High Street. The pavements in the High street are narrow in some places and when busy in the evenings do make it hard to get about, especially for the disabled. The parking for evening visitors also affects residents parking and ease of pavement access.</p>
<p>The fact that there has been little evidence is surely a way of stating that the policy is working. With the empty properties in Wimbledon village new socialising establishments may be developed. With the town retaining the impact zone Wimbledon village will be badly effected. It should be the same as the town.</p>
<p>The licensed premises in the village lie in close proximity to a great many residential properties. There are already a large number of such premises, with associated noise, disruption, rubbish and nuisance. There is no need to increase their number and a CIZ protects this in law.</p>

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The reason that there is little recorded incident data is evidence that the Village CIZ is working effectively. The argument to the contrary (that because there is little incident data, a CIZ is unnecessary) is disingenuous and a false dilemma. Without a CIZ, it is entirely likely that antisocial behaviour, noise and late night disturbance will increase, to the detriment of the residents. Wimbledon Village already has many pub's, bars and restaurants. Without CIZ protection we will see yet more being established with all the associated problems that the village has sought protection from. This is the very reason that a CIZ exists. The village is a village, a place for residents and shops that residents would like to see, not a drinking destination

The reason there would appear to be insufficient evidence is that the current system is working well. Given the numbers of licensed premises in the Village, the risks of late night noise, nuisance and antisocial behaviour will continue and may escalate unless properly controlled by CIZ protection. An important change of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken to my knowledge

The proposal to drop the CIZ for Wimbledon Village is ill-conceived Council's proposal is ill-conceived:

- The lack of recorded incident data is unsurprising; the Village CIZ was designated in response to nuisance and antisocial behaviour issues, many of which, by their nature, are not reported to the police or the Council but they are still legitimate concerns for protection in a licensing policy. (The "Prevention of Public Nuisance" is one of the stated Objectives in Licensing legislation.)
- In any event, lack of recorded data is more likely to be a reflection of the effectiveness of the CIZ. Given the numbers of licensed premises in the Village, the risks of late night noise, nuisance and antisocial behaviour will continue and may escalate unless properly controlled by CIZ protection.
- Withdrawing CIZ protection risks bringing unwelcome change to the Village. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. Do we want the Village to have a "vibrant night time economy" - which is how Wimbledon Town Centre's late night alcohol related problems are frequently, if somewhat euphemistically, described?
- An important change of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents and made no reference to proposed changes in licensing policy . The COVID-19 pandemic is likely to be with us for many years to come. Removing the CIZ from Wimbledon Village will substantially increase the risks of a pandemic outbreak in the area

The restrictions on late night opening for bars, restaurants, clubs etc should be retained and, if anything, made even tighter than at present. Residents in the Village expect to have quiet and peace at night and frequently complain about the levels of noise caused by people using late night venues. Even where the noise may be contained within the venue whilst the customers are inside, ie if they are not actually sitting or standing outside the venue, then such people tend to cause excessive noise when they leave the venues and walk to wherever their cars etc are parked. This is because they frequently stand around their cars talking in loud voices before finally leaving. At night time, when there's very little other ambient noise, such late night conversations are themselves a major disturbance to the nearby residents, never mind any noise coming from the venues themselves (which is itself a disturbance, especially when they open their doors in fine weather). All of this excessive noise leads to disturbed sleep patterns, and stress, amongst residents. There are more than enough causes of mental health issues today without your policies needing to add to them. On the other side of the equation there is absolutely no justification for any loosening of the licensing restrictions on these businesses. They can not argue that they need to stay open ever later in order to survive, because they started out under the current licensing rules. But if you relax the licensing rules then it's a dead cert that the likes of Hemingways and the Fire Stables will take advantage of this and stay open later, causing regular disturbance. But further, we then run the serious risk of the Village appearing attractive to more such businesses, potentially turning the Village into a noted night time spot. I don't need to spell out the consequences of this for you

The Village is a honey pot for people arriving from outside the area to enjoy the pubs and restaurants and that is good for businesses and supported by the community. However, despite the CIZ, we still suffer late night noise as people leave the pubs, people urinating and throwing rubbish and cans in the gardens along the roads off the High street eg Church Road, Lancaster Gardens. There is increasing disturbance from underage youngsters gathering on Rushmere, drinking into the night and there is increasing drug use in the area. The CIZ offers some protection against this very much residential area being blighted by increasing out of hours disturbance. Alcohol licensing hours and late night outdoor area drinking and eating should continue to be covered by the CIZ. It's not perfect, but it's a useful safeguard and maintains a decent balance. Why trash the Village brand?

There are already several large licensed properties in Wimbledon Village. The CIZ has protected this area from excessive development and should be retained. It seems disingenuous to use 'insufficient evidence' as an excuse to eliminate the policy just because it has had the desired effect of protecting the village. As is well known there is a lack of parking in the

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<p>village so creation of more large licensed premises would further increase the nuisance of hired cabs and noisy crowds at 'closing time'.</p>
<p>There are many residential street around the High Street and the scheme works very well at the moment. Why change something that's not broken</p>
<p>There is a proliferation of F&B outlets in Wimbledon High Street and along the Ridgway but the area is primarily residential, with many flats and houses all the way above and opposite the licenced premises. The existing CIZ has worked well and as a result there has been until recently little disruption and disturbance in the area, with the exception of the 2 weeks per year of the AELTC Tennis Championships. The apparent need for statistical evidence of disturbance and disruption caused by licenced premises is at odds with the success of the CIZ, as by definition this successful CIZ has eliminated trouble of the sort it set out to eliminate, at least until the recent era when drinking has been pushed outside. Furthermore, residents are acutely aware of the limited resources of the Council and Police and are reluctant to waste Council or Police time unless there is a major disturbance. No thorough survey has been undertaken by the Council of these issues and until such a survey is undertaken it is arguable that a decision not to renew the CIZ could be challenged by judicial review, which would certainly result in considerable extra expense to the Council. In addition, there have been a statistically significant number of incidents since lockdown was lifted, including an estimated 900 youths partying by Rushmere Pond, victualled by alcohol and pizzas sold by Village F&B outlets and necessitating the presence of nearly 200 policemen to break up this event. The Commons Conservators as well as the police have also had to step in to disperse a number of similar events. The area around the Crooked Billet has also recently suffered from disturbances of a similar nature. This is surely not the time to be removing CIZ protection from Wimbledon Village.</p>
<p>There is every indication that the current CIZ Licences arrangement is working to protect the well being of residents in the locality against undue nuisance, crime, to protect children and to safeguard others availing themselves of the current facilities in the village. Recent experience on the common has demonstrated behaviour that is not acceptable and at times lawful. and well and keeps nuisance and noise under control t To remove the CIZ would spoil the Village and surrounding area. In summary the CIZ has contributed to a conducive environment in the village and the CIZ should be maintained to continue to protect the neighbourhood in the future. There is no evidence to suggest that the CIZ should be removed. To do so would add to a further demand on the overstretched emergency services in the area and would fly in the face of the responsibilities of the local authority whose remit is to protect its residents and to prevent harm as set out in the Care Act 2014. Merton Council is barely able to cope with the alcohol and substance abuse and all that is associated with this within the borough and to encourage more would doubtless increase demand and encourage yet more damage to people's lives.</p>
<p>There is little evident demand for any change from local residents who prefer the current arrangements which maintain the character and individuality of the village.</p>
<p>This is crazy logic. The CIZ clearly works in Wimbledon Village so should be retained. Also the Council seems to base their decision on no supporting data which surely must be open to challenge. How can the Council expects residents to produce evidence supporting retention when they have none supporting removal.</p>
<p>We have been very pleased with a reduction in anti-social behaviour during the period of the CIZ. We are very concerned that The removal of the CIZ during what we foresee as a forthcoming period of social unrest is an issue of great concern</p>
<p>Whilst it is important to be able to balance the interest of residents and businesses, Wimbledon Village is a home to many families and it is therefore important that the level of late night activity on the high street is carefully controlled to ensure that residents can live and sleep without the nuisance of noise from people and cars. That there is insufficient evidence of crime and disorder incidents, alcohol-related ambulance call outs or complaints to environmental health services etc does not mean that a CIZ is no longer needed, surely it is evidence that the CIZ has worked to achieve a proper balance between the competing interests of business and residents. By proposing the removal of the CIZ the council risks undoing all the good achieved since 2005. Why must there be evidence of bad things happening in order to support the maintenance of this order. Why doesn't the council congratulate itself on a job well done and keep things as they are. The licenses that the CIZ should cover are those for all restaurant and pub/winebars within Wimbledon Village.</p>
<p>Why does the council expect a resident to come up with "evidence" in support of a proposal? The simple fact is that there was clearly originally a problem and this was addressed by the imposition of the CIZ. So what evidence does the council have that this initiative has failed? What evidence has the council provided showing that a majority of residents are against the continuation of this policy? I suspect there is none. The existing arrangements are a fair balance between the needs of businesses to operate, the desires of residents to have places to socialise and the rights of residents to live in a relatively peaceful environment. What evidence is there to show that this balance is out of line? Wimbledon Village attracts a lot of people, with high proportions of young people, and has a lot of premises serving or selling alcohol. To retain the Village as a pleasant place to live, it is important that there is strong control. If the town</p>

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<p>remains as a CIZ (as it should) and the Village is not, that will put extra pressure on the Village. Village drinking seems to spill over onto the Common and an ability to keep control of that is important.</p>
<p>Wimbledon Village CIZ has been effective in reducing incidents of antisocial behaviour relating to late night alcohol consumption. The fact Council are citing fewer incidents as a reason to withdraw CIZ status is completely illogical. It is not a big city centre full of commercial properties - Many people now live in the village and shouldn't be expected to put up with loud drunken behaviour. And in the age of coronavirus why would you want to encourage it.</p>
<p>Wimbledon Village has a considerable quantity of residential accommodation, and the volume of entertainment activities, and especially licensed premises already impacts negatively on the noise and litter levels of the area throughout the year. Any relaxation of the current policy will be detrimental. The status quo should remain, and all licensed premises should have limited opening hours to preserve a degree of night time quiet.</p>
<p>Wimbledon Village is both a retail and residential community. What we have now creates a balance between the two. There is little late night anti social behaviour/ alcohol related crime but that, I feel, is because of the CIZ. If you remove these protections, then Wimbledon Village could revert to what it was before and more like what Wimbledon Town is like now. There are lots of empty shops in Wimbledon Village. We need a balance between daytime retail and restaurants. There already are enough restaurants. Removing the CIZ could lead to more restaurants / alcohol sales in the area.</p>
<p>Wimbledon Village should be fully supported by the Council to protect its residents from crime and disorder, public safety, public nuisance and the protection of children.</p>
<p>1. CIZ designation for Wimbledon Village since 2006 has had a beneficial effect in preventing an increase in the number of licensed premises in the Zone and in ensuring that residents' concerns about controlling nuisance etc. are properly addressed in licensing applications. (Most applicants apply speculatively at first for late night opening every night). Removal of the designation will reverse these benefits and will have a long lasting and detrimental impact upon the character of the Village (eg Open Season on new applications for late night opening, new premises opening etc, etc.) 2. The Cumulative Impact Assessment upon which the recommendation is based relies heavily upon an analysis of data relating to Crime and Disorder incidents. These are not relevant to the Wimbledon Village CIZ which was designated in response to incidents of Public Nuisance. The Prevention of Crime and Disorder and the Prevention of Public Nuisance are separate but distinct Licensing Objectives which are of equal value when considering a CIZ designation. They have not been given equal weight in the Assessment. 3. The survey evidence cited in the assessment reporting residents' views on perception of crime, personal safety and other considerations was from a 2019 sample survey across the Borough. It gives neither a representative view in the Village Ward (the sample was too small) nor is it relevant in the context of Village CIZ licensing matters as respondents weren't asked about licensing related issues including their experience of nuisance incidents. 4. By their nature, incidents of Public Nuisance (such as noise and antisocial behaviour) tend not to be reported by residents nor require intervention by the police or other authorities so the absence of incident data should not justify an assumption that there have been no nuisance issues. Residents living in and around the Village say that they do experience ongoing nuisance issues (eg late night</p>
<p>The Council should not make any change to the current CIZ. This would be particularly damaging in the Village as there are already quite enough licensed premises. Any reduction in the existing CIZ would increase noise and disturbance to local residents.</p>
<p>Should include Wimbledon village</p>
<p>The cumulative impact zone (CIZ) is essential to protect the village from becoming a late night drinking/eating destination. Whilst it is essential for any high street to have a vibrant bar and restaurant scene, if licensing of late night venues is allowed, the incidence of noise, crime and nuisance will increase and safety will be compromised. I have no doubt that these matters have been kept under control to date because of the CIZ being in place. I also believe that if the CIZ is removed, more bars and restaurants will be attracted to the area, forcing out other shops (which will upset the balance of the types of proprietors on the high street) and making the village a destination for late night revellers.</p>
<p>The existing policy has worked well and should not be changed . The suggestion that policy should be relaxed because there have been relatively few adverse incidents In Wimbledon village is wrong in principle. The reason why there have been few incidents is precisely because the area is designed as a CIZ . If this status is removed the effects for residents will be a significant increase in nuisance , alcohol related incidents and noise related disturbance.</p>
<p>the improvement noted in nuisance and rowdy behaviour is probably the result of the CIZ. Moving the village out of the CIZ seems perverse.</p>

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To cancel a policy for insufficient evidence seems perverse. Is that because of the successfulness of the policy or because of the majority of these incidences don't get reported because they are nuisance or anti-social? The Village is generally a successful place and it seems illogical to change something that works when there is no reason for doing it.

W'don Town centre may be well suited to the current CIZ but to cancel the Village's is illogical. Quite clearly there are little Incidents reported because of its CIZ ! To remove it will create incidents that our overstretched police will have to deal with

Wimbledon town and village is changing rapidly from being a charming place where people could stroll and buy different things, have lunch, coffee and enjoy the atmosphere. NOW , it is all about drinking culture to kill this charm. Inappropriate social behaviour late at night, drugs and alcohol is now the attraction and what Local the inhabitants Have to endure . It is so sad to see the deterioration of Wimbledon village . Visitors of pubs and Restaurants urinate at night by our gate etc.

Wimbledon Village and the adjacent Rushmere / Wimbledon Common are special to families and businesses alike. It would be wrong lose the fair balance between residence and local businesses that I understand CIZ provides. if it is not too onerous to keep the CIZ in place, it would be better to keep the CIZ in place. I would not like to see Wimbledon Village degraded

4. INTRODUCING A SPECIAL POLICY ON CUMULATIVE IMPACT IN ANOTHER AREA OF THE BOROUGH

Do you believe that there is evidence to support the introduction of a special policy on cumulative impact in any other area of the borough?

86 respondents

Response	Number of respondents	% of respondents
Yes	5	5.81%
No	6	6.98%
Don't know	75	87.21%

Please tell us where you think new cumulative impacts zones should be and what evidence you think there is for this?

(Free text)

Comments

I believe that there is no evidence to support that there should not be a CIZ in all areas.

Merton is principally a residential borough that nonetheless benefits from good and traditional entertainment amenities, including theatre, pubs and restaurants. All residents and visitors to the borough have the right to enjoy those amenities safely and without risk. Merton is not central London, it is not a late-night-life area or known for its late night amenities. There is no reason to change that, or change the character of the different parts of the borough.

Raynes Park would benefit from a cumulative impact zone, on both sides of the railway bridge. I believe that due to the current CIZs in Wimbledon Town Centre and Wimbledon Village, which I hope will continue, anti-social behaviour, noise abuse and public nuisance as well as littering will expand into areas where there is no CIZ in place. Due to the trains servicing Raynes Park until well into the night it would produce a safe(r) environment for travellers were it to be covered by a CIZ.

Should be introduced in Wimbledon Town Centre as well as Raynes Park and retained in Mitcham.

RESPONSE STATISTICS

98% of those that answered stated that they lived in the borough (84 respondents)

14.29% of those that answered stated that they were replying on behalf of a resident or

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community organisation (12 respondents).

No responses were received from a business or commercial organisation

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Cumulative Impact Analysis

1. Introduction

Cumulative Impact is defined as the potential impact on the promotion of the licensing objectives of a number of licenced premises concentrated in one area. In some areas where the number, type or density of licensed premises is high, or exceptional, serious problems of nuisance, crime or disorder may occur within or some distance away from the area.

A Cumulative Impact Assessment may be published by a Licensing Authority to help it to limit the number or type of applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.

The Policing and Crime Act 2017 sets out what a licensing authority must do in order to publish a cumulative impact assessment (CIA). This includes publishing the evidential basis for its opinion and consulting on this evidence. A cumulative Impact Assessment must be published, and consulted upon, every three years. The evidence underpinning the publication of the CIA must be suitable as a basis for a decision to refuse an application or impose conditions.

The evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the particular problems identified in the specific area to be covered by the CIA. The Secretary of State's Guidance provides a list of Information which licensing authorities may be able to draw on when considering whether to publish a CIA including

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
- statistics on local anti-social behaviour offences;
- health-related statistics such as alcohol-related emergency attendances and hospital admissions;
- environmental health complaints, particularly in relation to litter and noise;
- complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
- residents' questionnaires;
- evidence from local and parish councillors;
- evidence obtained through local consultation;
- Underage drinking statistics.

This report lays out the evidence underpinning the proposal to:

- retain the two existing cumulative impact areas, Wimbledon Town Centre and Mitcham Town Centre;
- remove the existing zone, Wimbledon Village, from the Assessment

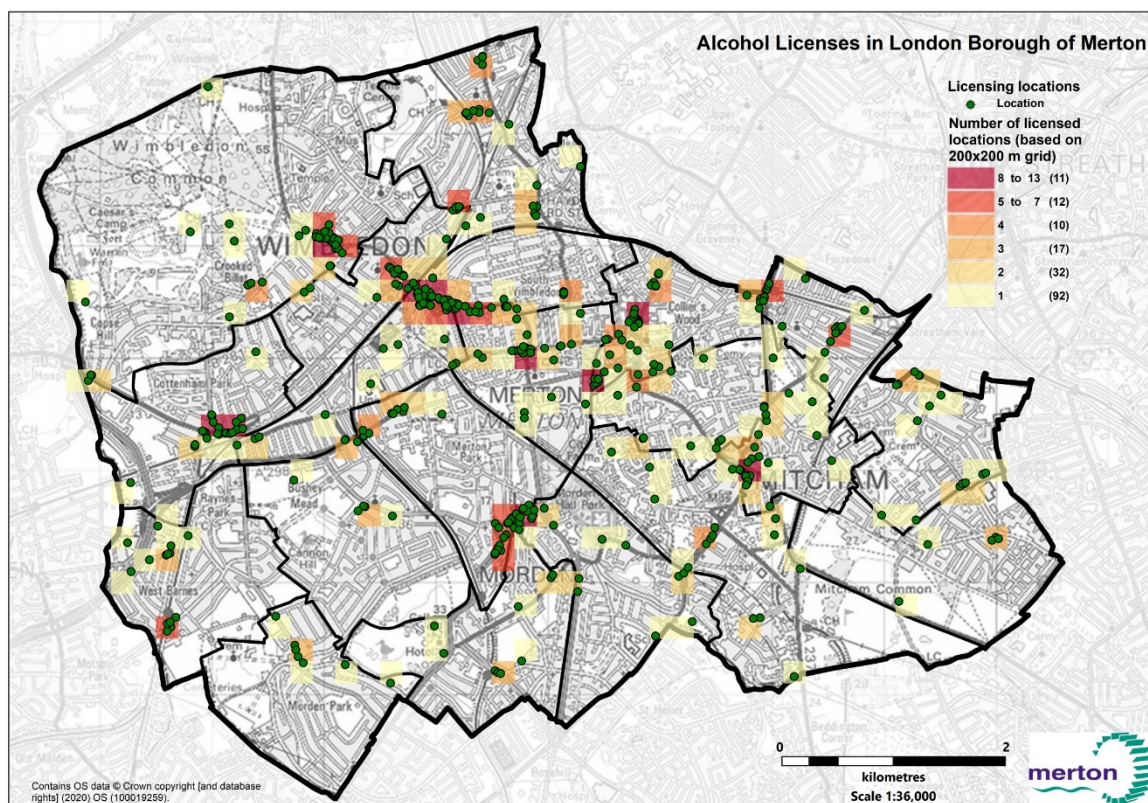
- not include any other area of the borough in the Cumulative Impact Assessment at this time.

2. Council Wards



3. Licensed premises

There are currently 426 licensed premises in Merton. The borough has five main commercial centres; Colliers Wood, Mitcham, Morden, Raynes Park and Wimbledon. From the map it can be seen that the highest concentrations of licensed premises lie within these commercial centres with Wimbledon commercial centre having the most licensed premises in the borough. However, it should be noted that not all these premises have licences to sell alcohol, some may be licensed to sell hot food only after 23.00 hours or to provide only public entertainment. A more detailed analysis of the number and type of licensed premises in each of the three existing Cumulative Impact Zones are shown later.



4. Residents Survey 2019

The London Borough of Merton carried out a survey of 1,000 local residents aged 18+ and 271 young people aged 11-17 between February 4th and April 5th, 2019. The survey explored resident perceptions of their local area and council services and, amongst other matters, measured perceptions of the local safety, levels of anti-social behaviour, and community cohesion within the borough.

The survey results show that most Merton residents are satisfied with their local area as a place to live both during the day (98%) and at night (84%). Feelings of safety in local areas after dark and during the day remain relatively high. There has been an increase, since the previous survey carried out in 2017, in residents perceiving people using or dealing drugs as a problem (11% to 20%) but decrease in people being drunk or rowdy in public spaces (17% to 13%)

Responses to the question: How safe or unsafe do you feel when outside in your local area...?		
Proportion feeling unsafe by ward		
Ward	% feeling unsafe after dark	% feeling unsafe during the day
Abbey	1	0
Cannon Hill	0	0
Colliers Wood	13	2
Cricket Green	0	0
Dundonald	0	0
Figges Marsh	10	4
Graveney	17	0
Hillside	0	0
Lavender Fields	2	0
Longthorton	16	0
Lower Morden	0	0
Merton Park	12	2
Pollards Hill	10	2
Ravensbury	0	2
Raynes Park	0	0
St Helier	7	0
Trinity	3	0
Village	4	0
West Barnes	16	0
Wimbledon Park	0	0

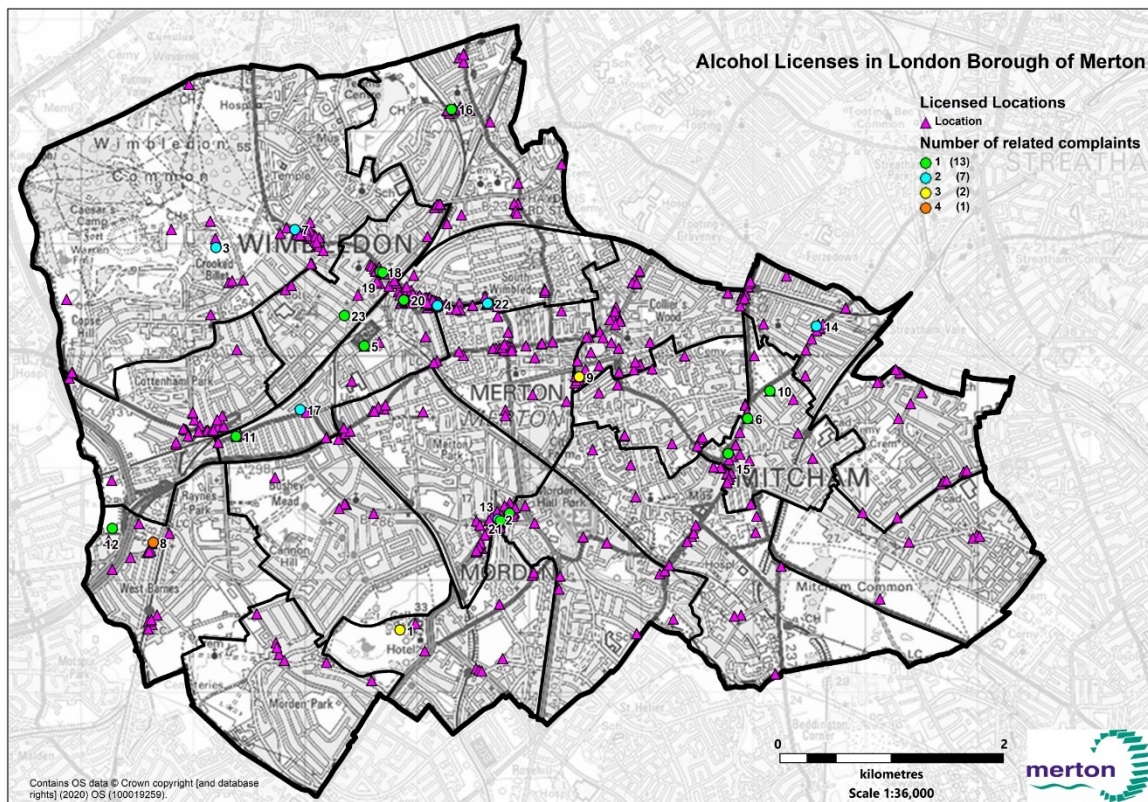
Responses to the question: Thinking about the area how much of a problem do you think each of the following is?			
Ward	Anti-social behaviour	People drunk or rowdy in public places	Groups hanging around the streets
Abbey	19	30	19
Cannon Hill	0	0	0
Colliers Wood	14	17	19
Cricket Green	25	2	5
Dundonald	12	0	6
Figges Marsh	21	27	20
Graveney	38	39	34
Hillside	11	4	10
Lavender Fields	41	13	14
Longthorton	26	13	13
Lower Morden	18	15	9
Merton Park	18	10	33
Pollards Hill	11	4	9
Ravensbury	45	37	35
Raynes Park	4	1	0
St Helier	22	19	25

Trinity	11	15	20
Village	9	0	14
West Barnes	14	3	10
Wimbledon Park	20	1	6

Residents living in Cannon Hill, Raynes Park and Village report fewer problems with anti-social behaviour, people being drunk and rowdy and groups hanging around their streets than residents living elsewhere. Residents of Graveney, Ravensbury, Abbey and Figges Marsh report the highest levels of concern about people being drunk or rowdy in public places.

5. Noise and other complaints relating to licensed premises

Between March 2019 and April 2020 Merton Council received 37 complaints relating to 23 licensed premises or events in the borough. The number of complaints is low and generally confirms the view that the majority of residents in the borough are satisfied with the licensing arrangements in the borough.



6. Trading Standards – Test Purchases

Between April 2019 and January 2020 Merton Trading Standards conducted 56 test purchases across the borough for alcohol and tobacco sales. In 8 cases a sale of alcohol was made to a young person without any request for identification. All test purchases are carried out in premises selling alcohol for consumption off the premises.

7. Ambulance call outs

The number of alcohol –related ambulance callouts in Merton varies by time of day. Ambulance callouts for alcohol peaks between 6 and 7 pm and again between 11pm and midnight, whilst ambulance callouts for assaults begin to see an upward trend from 5pm and peak between 10pm and 11pm. Calls significantly drop off after 2am. There appears to be a strong link between ambulance call outs and hours granted for the sale of alcohol.

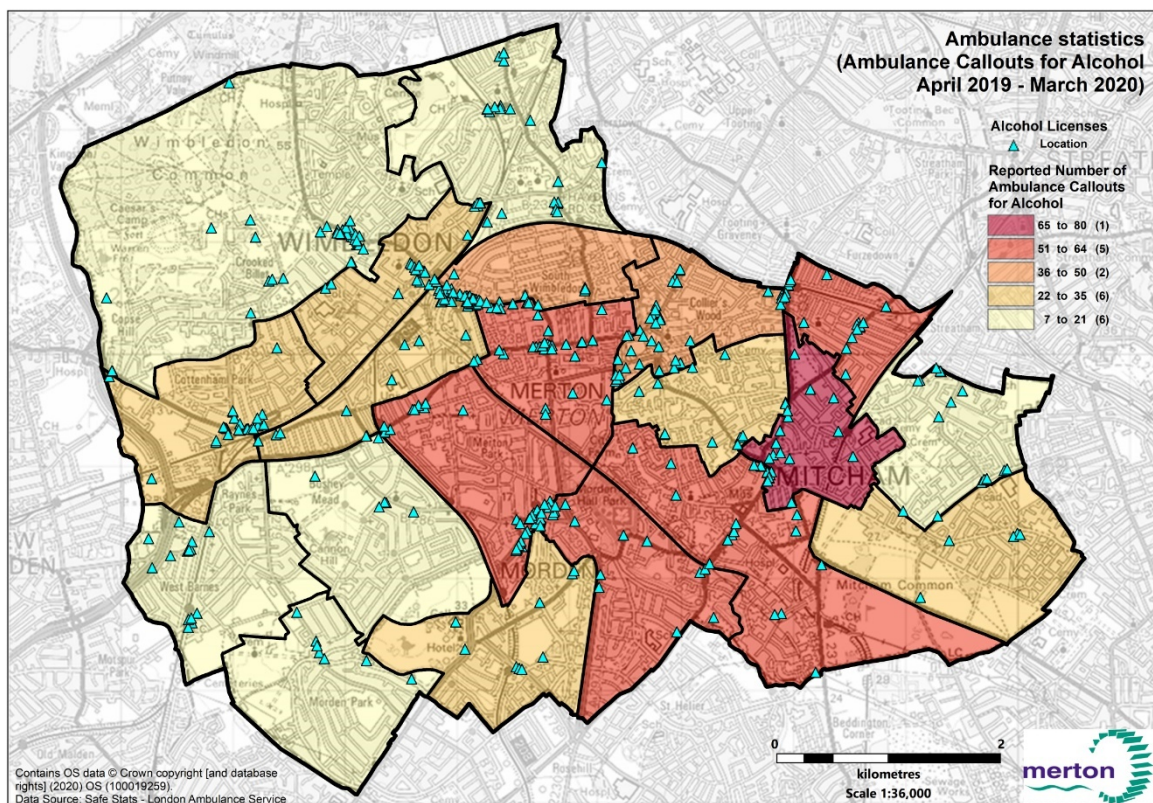
Figges Marsh, Abbey, Cricket Green, Graveney, Merton Park, Ravensbury and Trinity Wards have the highest ambulance call outs for alcohol, with Figges Marsh Ward having the highest level of ambulance callouts for assaults.

Ambulance callouts for alcohol (Paramedic derived only)

Time Period: April 19 - March 20

Data Source: London Ambulance Service via SafeStats

Paramedic derived



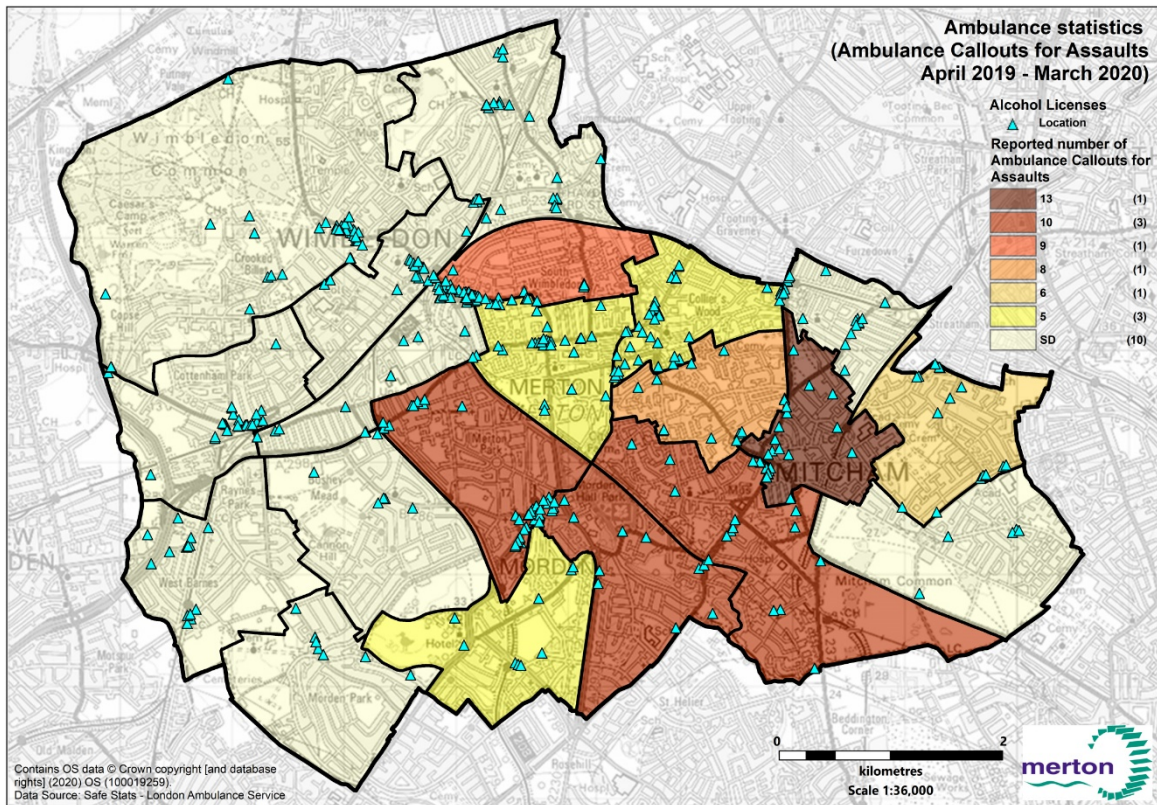
Ward Name	Count
Abbey	57
Cannon Hill	12
Colliers Wood	43
Cricket Green	54
Dundonald	24
Figge's Marsh	80
Graveney	52
Hillside	32
Lavender Fields	23
Longthornton	16
Lower Morden	7
Merton Park	52
Pollards Hill	30
Ravensbury	52
Raynes Park	22
St. Helier	27
Trinity	50
Village	21
West Barnes	11
Wimbledon Park	18

From 8am paramedic derived calls for alcohol begin to rise, peaking between 6-7pm with 50 calls and again between 11pm and 12am with 48 calls. Calls drop significantly after 2am.

Ambulance callouts for assaults (Caller derived)

Time Period: April 19 - March 20

Data Source: London Ambulance Service via SafeStats



SD= Supressed figure as it is less than 5

Ward Name	Count
Abbey	5
Cannon Hill	SD
Colliers Wood	5
Cricket Green	10
Dundonald	SD
Figge's Marsh	13
Graveney	SD
Hillside	SD
Lavender Fields	8
Longthornton	6
Lower Morden	SD
Merton Park	10
Pollards Hill	SD
Ravensbury	10
Raynes Park	SD
St. Helier	5
Trinity	9
Village	SD
West Barnes	SD
Wimbledon Park	SD

Caller derived assaults begin to see an upward trend from 5pm and peak between 10pm and 11pm with 13 calls. Calls significantly drop off after 2am.

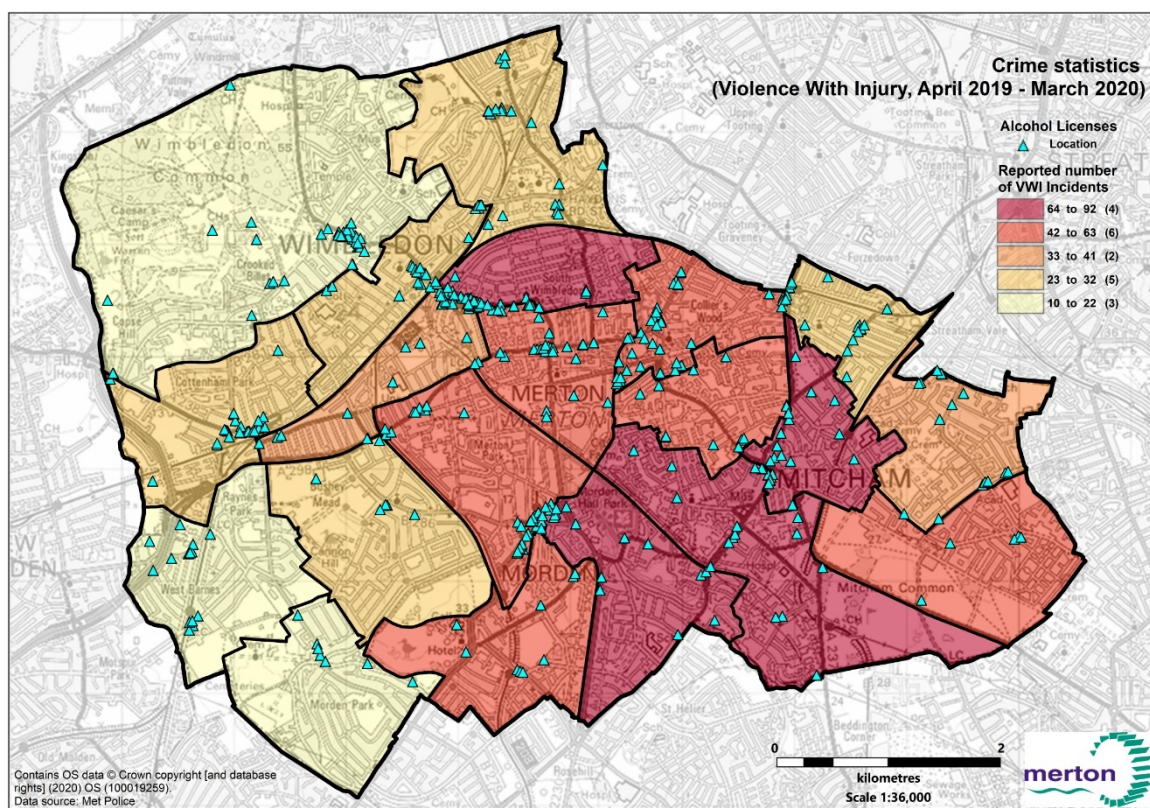
8. Violence with injury – non domestic

Trinity, Cricket Green and Figges Marsh Wards have the highest levels of violence with injury (non-domestic) reports. The areas of the existing Wimbledon Town Centre CIZ and the Mitcham Town Centre CIZ were seen to have high levels of violence with injury – non domestic offences. The area of the existing Wimbledon Village CIZ has the second lowest level of violence with injury in the Borough.

Violence with Injury - Non Domestic

Time Period: April 19 - March 20

Data Source: Metropolitan Police Service



Ward	Count
Abbey	49
Cannon Hill	24
Colliers Wood	52
Cricket Green	87
Dundonald	35
Figge's Marsh	92
Graveney	28

Hillside	25
Lavender Fields	42
Longthornton	33
Lower Morden	10
Merton Park	47
Pollards Hill	50
Ravensbury	64
Raynes Park	27
St Helier	47
Trinity	72
Village	18
West Barnes	20
Wimbledon Park	23

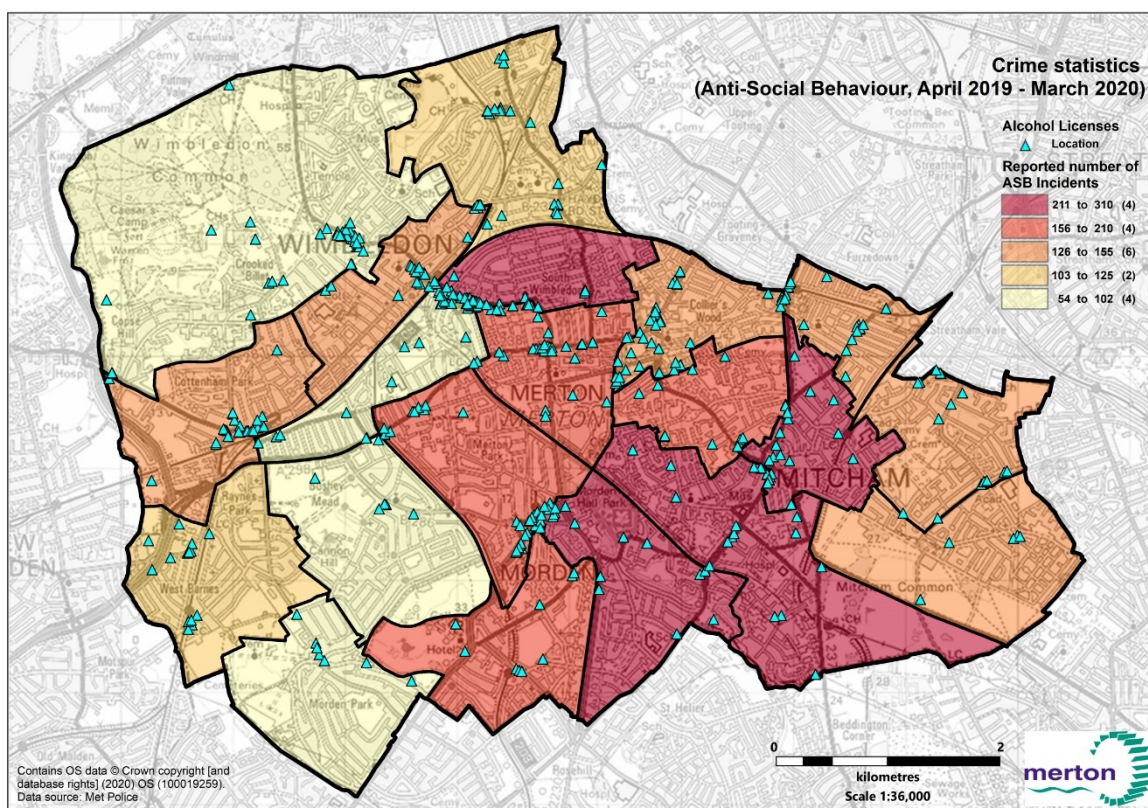
9. Anti-social behaviour

Trinity, Cricket Green and Figges Marsh and Ravensbury Wards have the highest levels of ASB complaints

ASB nuisance, rowdy and inconsiderate behaviour

Time Period: April 19 - March 20

Source: Metropolitan Police Service



Ward	Count
Abbey	183
Cannon Hill	54

Colliers Wood	135
Cricket Green	278
Dundonald	71
Figge's Marsh	310
Graveney	151
Hillside	126
Lavender Fields	156
Longthornton	142
Lower Morden	65
Merton Park	173
Pollards Hill	149
Ravensbury	211
Raynes Park	134
St Helier	157
Trinity	217
Village	80
West Barnes	103
Wimbledon Park	105

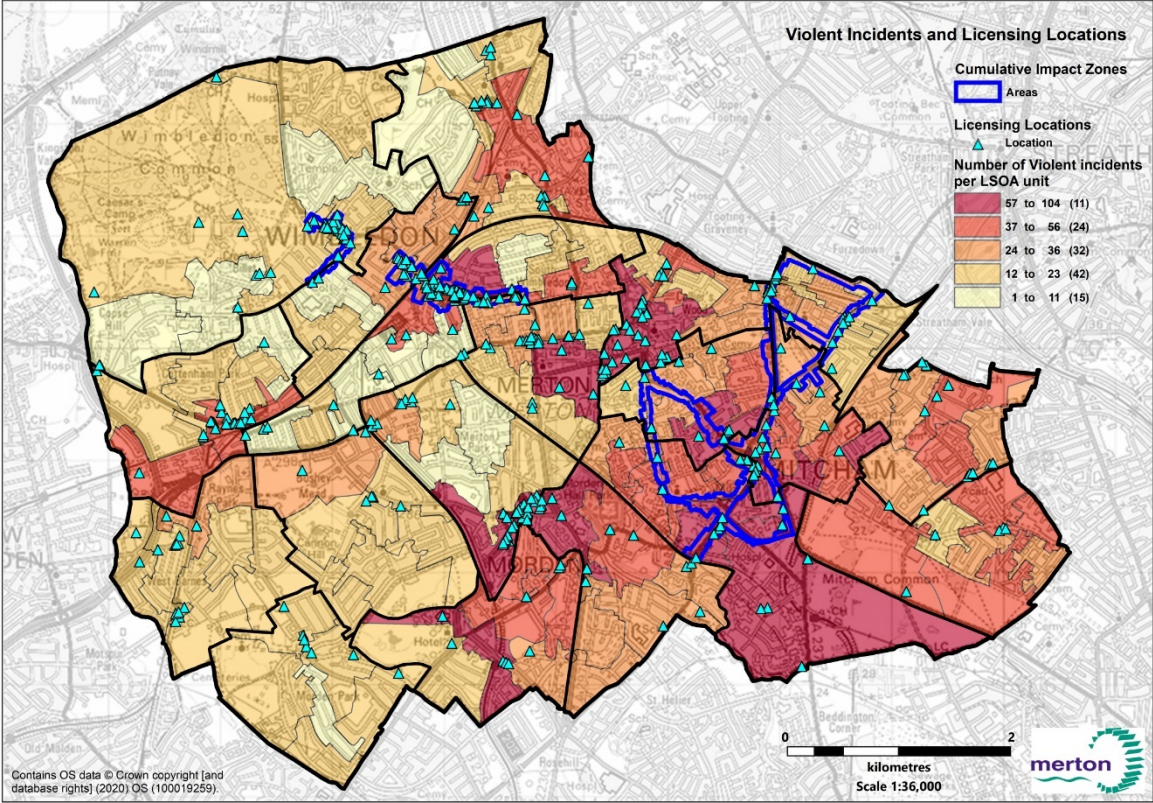
10 Violence against the person

Below is a map of violence against the person (with and without injury) recorded by the Metropolitan Police between April 2019 and February 2020 (11 months) by Lower Layer Super Output Area (LSOA) boundaries. This includes domestic and non-domestic calls. The map provides a more localised picture of police reports on violence than shown in the Ward analysis above but confirms that the two existing Cumulative Impact Areas of Wimbledon Town Centre and Mitcham Town Centre lie within areas of the highest police callouts for violent incidents, whilst the Wimbledon Village CIZ is in an area where there are relatively low police callouts for violence against the person.

Violence against the person

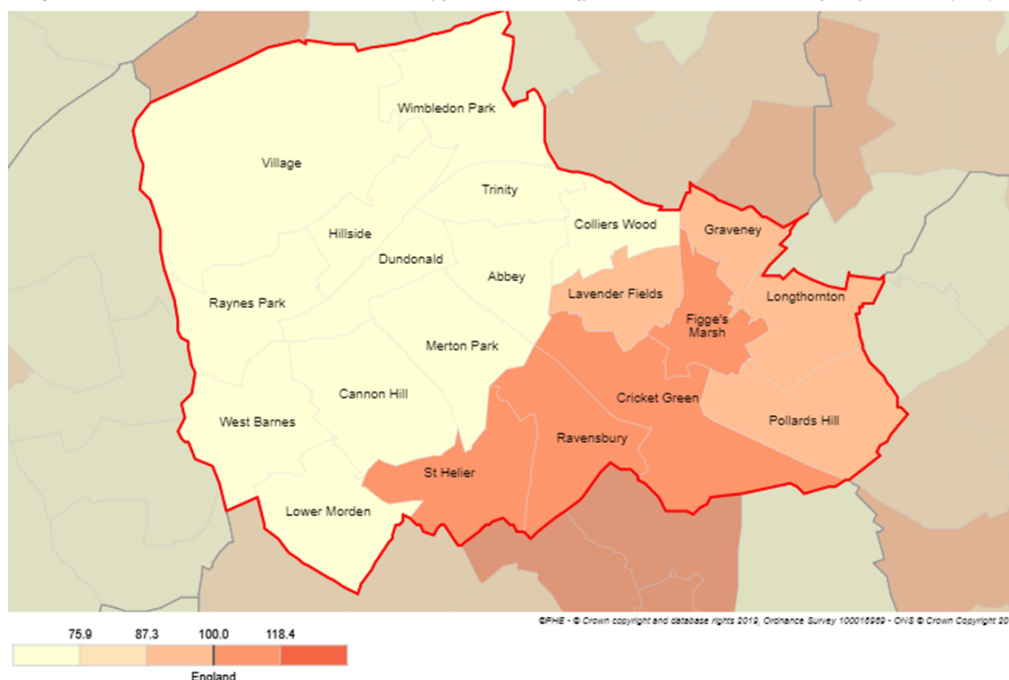
Time Period: April 19 - February 20

Source: Metropolitan Police Service via the London Data store



11. Hospital admissions for alcohol related conditions

Hospital admissions for alcohol attributable conditions, (Narrow definition), standardised admission ratio (SAR) - Source: Hospital Episode Statistics (HES) NHS Digital



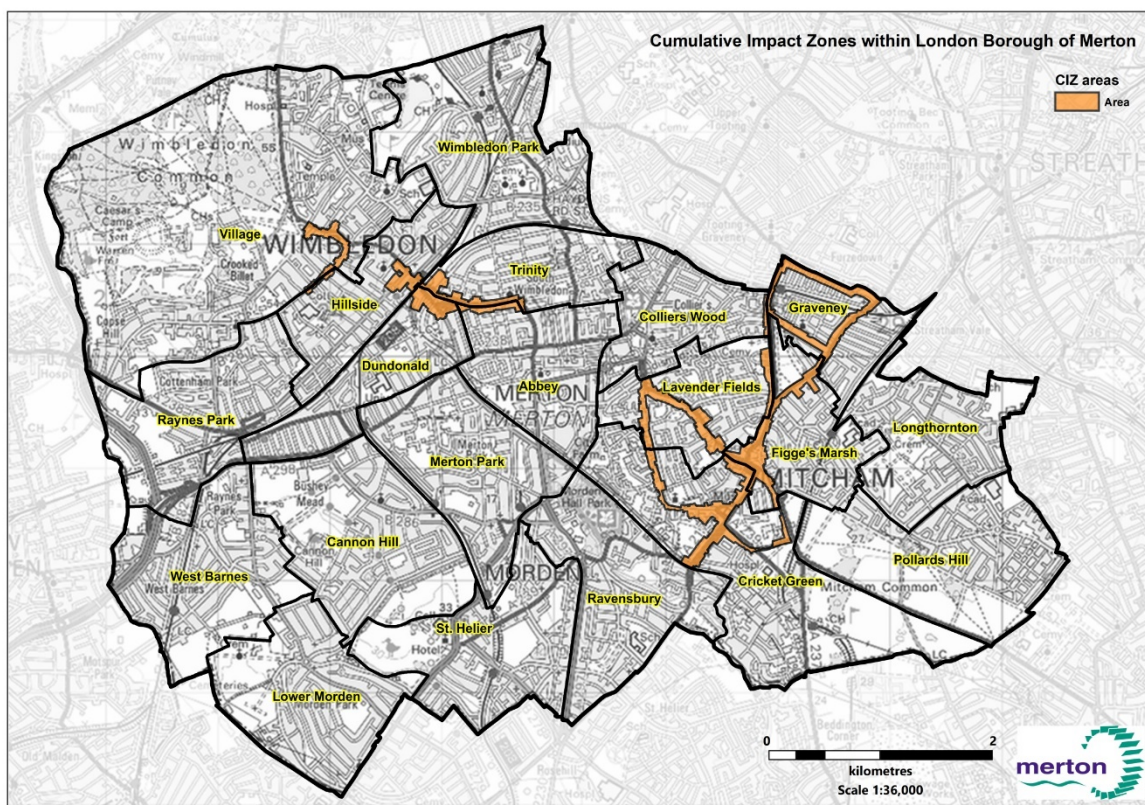
Appendix 2: Rank of Merton Wards for alcohol-related hospital admissions during the period 2013/14 to 2017/18

Rank	Ward	Hospital stays for alcohol related harm - Narrow definition (95% Confidence Interval)
1	Cricket Green	102 (91.3, 113.5)
2	Ravensbury	100.9 (89.6, 113.2)
3	Figue's Marsh	100.8 (90, 112.5)
4	St Helier	100.5 (89.6, 112.5)
5	Lavender Fields	96.5 (85.6, 108.5)
6	Longthornton	95.5 (84.6, 107.3)
7	Pollards Hill	91.4 (80.9, 102.9)
8	Graveney	89.1 (78.5, 100.7)
9	Abbey	75.2 (65.5, 85.8)
10	Trinity	73.8 (64.1, 84.7)
11	Lower Morden	73.7 (64, 84.5)
12	Cannon Hill	71.7 (62.2, 82.2)
13	Colliers Wood	71 (61.7, 81.3)
14	Merton Park	69.2 (59.9, 79.6)
15	West Barnes	62.2 (53.5, 71.9)
16	Hillside	59.2 (50.4, 69.2)

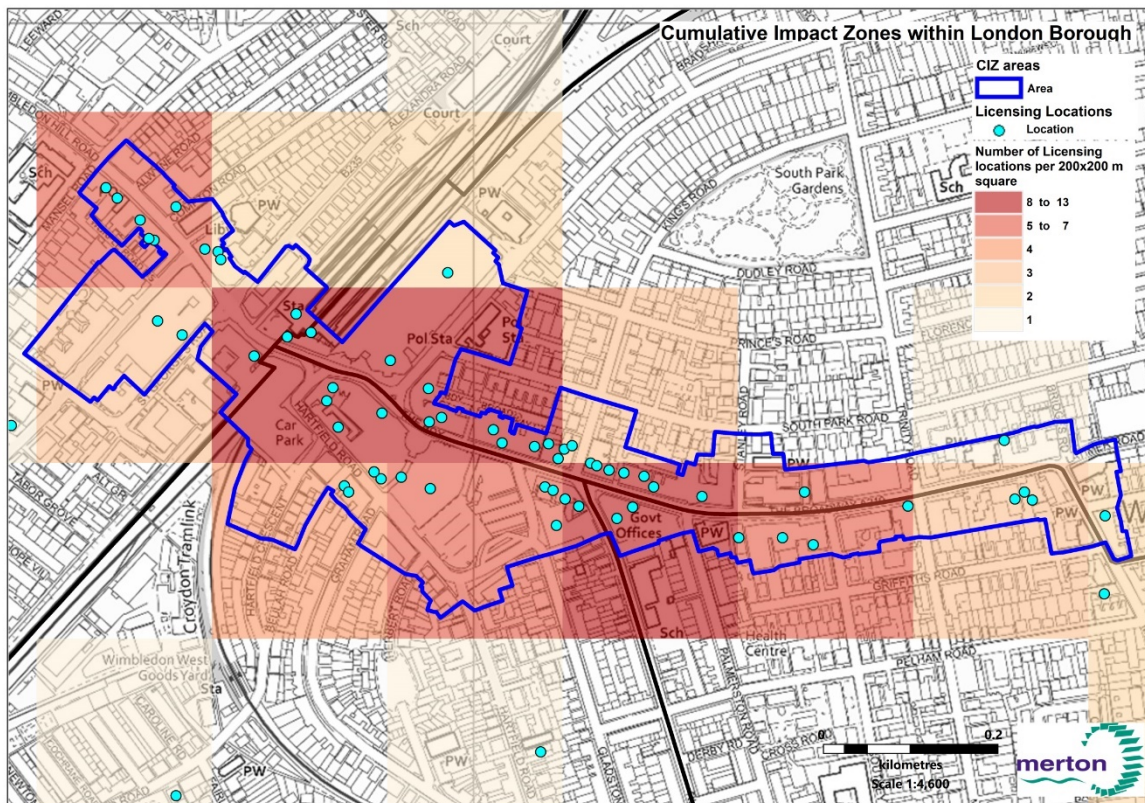
17	Raynes Park	59 (50.6, 68.5)
18	Dundonald	57.9 (49.1, 67.8)
19	Wimbledon Park	53.2 (45.2, 62.1)
20	Village	50 (41.8, 59.2)

12. Current Cumulative Impact Zones

Currently there are 3 Cumulative Impact Zones in the Borough. Two, Wimbledon Village and Wimbledon Town Centre were adopted in 2006, shortly after the implementation of the Licensing Act 2003. The third zone, Mitcham Town Centre was approved in 2015. The areas covered by the current policy are shown in the map below.



13. Wimbledon Town Centre CIZ



Active licences within Wimbledon Town Centre CIZ

Type	Number
Cinema/Theatres	4
Bar/Club/Pub	15
Restaurants	30
Convenience stores/supermarkets/off licence	11
Hotels	2
Takeaways/premises selling late night food only (no alcohol)	7

Maximum terminal hour for the sale of alcohol in premises within the Wimbledon Town Centre CIZ

Total number of premises	Terminal hour up to 23.00	Terminal hour 23.01 – 00.00 hours	Terminal hour 00.01 – 02.00 hours	Terminal hour 02.01 hours – 03.00 hours	No restriction
62	28 (45%)	23 (37%)	7 (11%)	3 (5%)	1 (2%)

Maximum Terminal hour for the sale of hot food and drink only

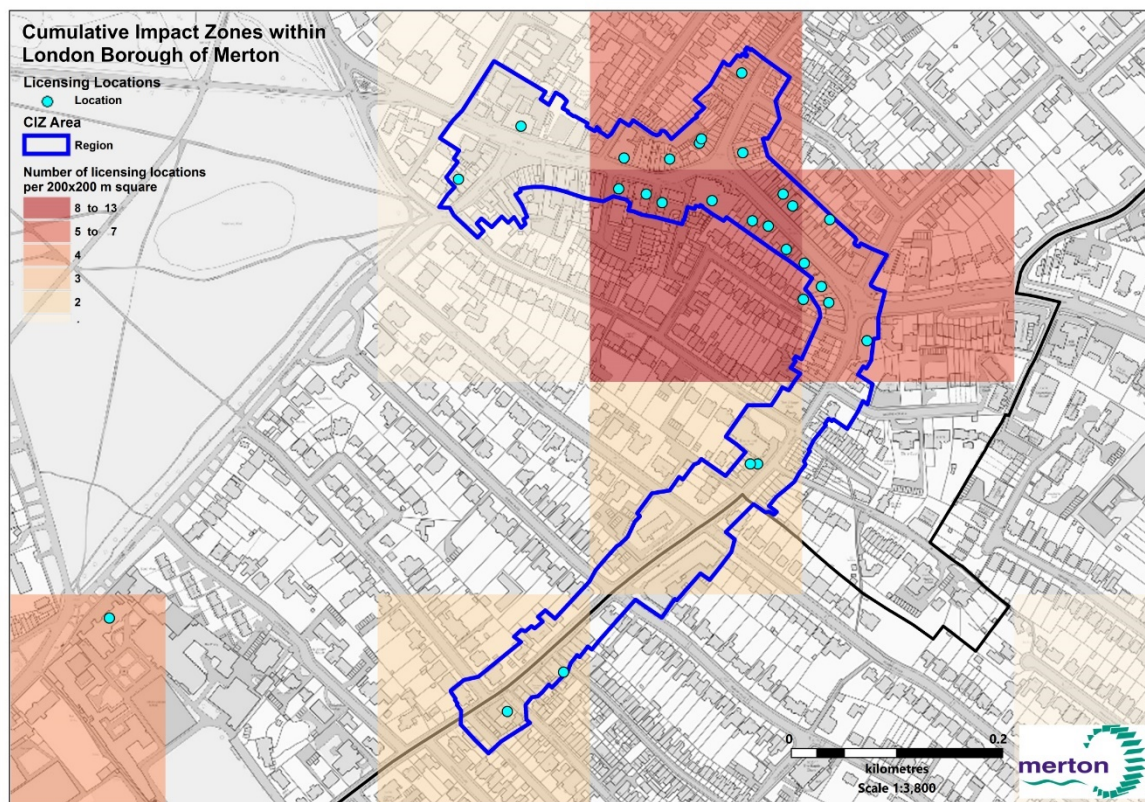
Total number of premises	Terminal hour up to 01.00	Terminal hour 01.01-02.00 hours	Terminal hour 02.01 – 03.00 hours	Terminal hour 03.01 hours – 04.00 hours
7	1	4	1	1

Wimbledon Town Centre CIZ falls within four Wards, Hillside, Trinity, Abbey and Dundonald. It has the highest concentrations of licensed premises in the borough.

Residents of Trinity and Abbey Wards register high levels of concern regarding people being drunk and rowdy in public spaces and general anti-social behaviour. These Wards have high levels of complaints to the police about anti-social behaviour, as well as high levels of ambulance call outs for alcohol and assaults and police call outs for violence – non domestic. Although relatively low in numbers, the area also attracts a number of complaints to the Council's licensing and noise teams. It is clear, therefore, that the area has a high density of licensed premises which is adversely impacting on crime and anti-social behaviour in the area. It is proposed that Wimbledon Town Centre retains the special policy with regard to Cumulative Impact as any increase in premises numbers or hours will add to the existing relatively high levels of crime and anti-social behaviour in the area, particularly later into the evening.

In publishing this cumulative impact assessment the authority is setting down a strong statement of approach to considering applications or the grant or variation of premises licences in the Wimbledon Town Centre CIZ. The authority considers that the number of premises licences in the Wimbledon Town Centre CIZ is such that it is likely that granting further licences would be inconsistent with the authority's duty to the licensing objectives.

11. Wimbledon Village CIZ



Active licences within Wimbledon Village CIZ

Type	Number
Pubs/Bars	5
Restaurants	18
Convenience stores/supermarkets/off licence	5
Takeaways/premises selling late night food only (no alcohol)	0

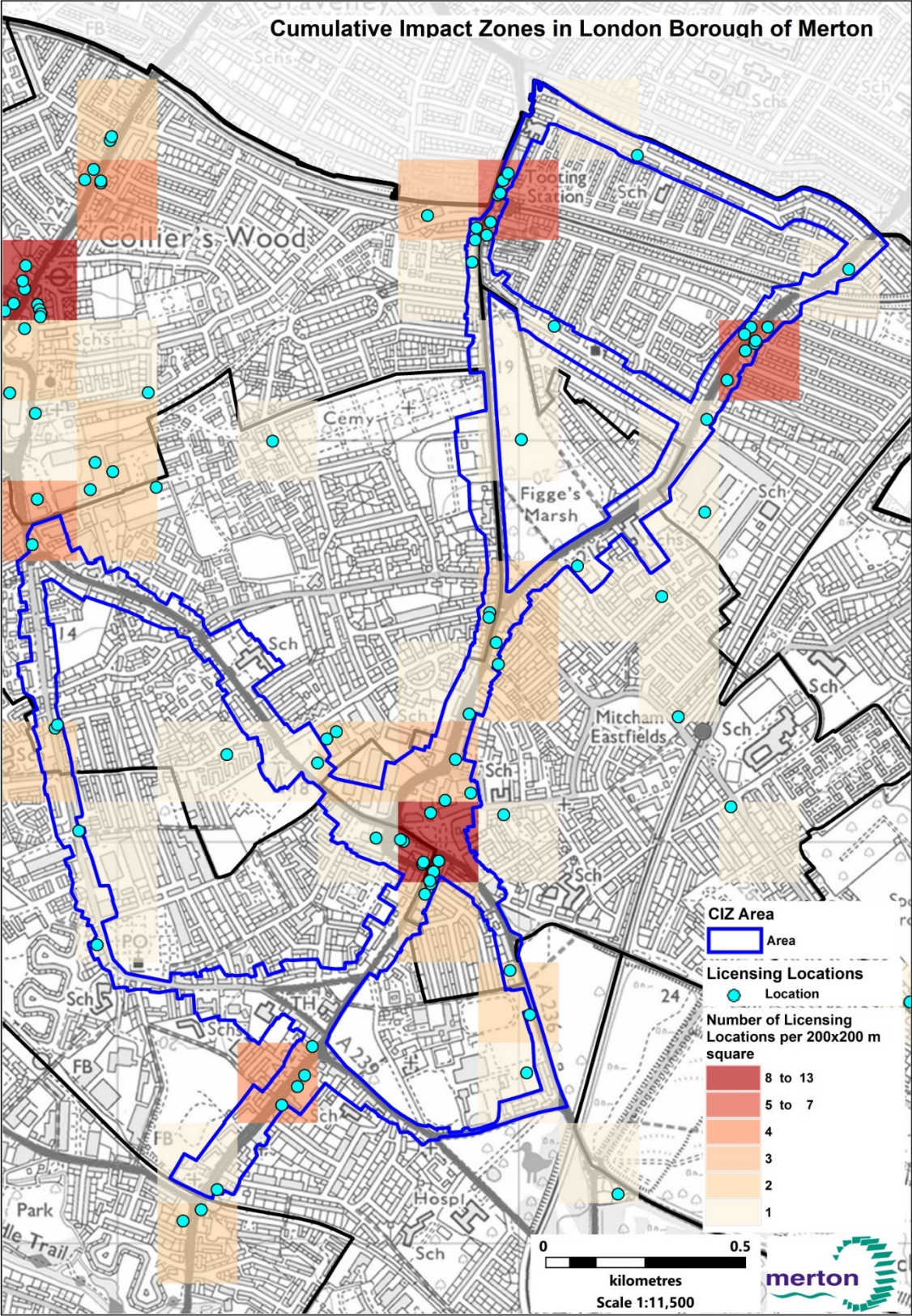
Maximum terminal hour for the sale of alcohol in premises within the Wimbledon Village CIZ

Total number of premises	Terminal hour up to 23.00	Terminal hour 23.01 – 00.00 hours	Terminal hour 00.01 – 02.00 hours	Terminal hour 02.01 hours – 03.00 hours	No restriction
28	18 (64%)	9 (32%)	1 (4%)	0	0

The majority of the Wimbledon Village CIZ lies within Village Ward. This Ward has the second lowest level of violence with injury – non domestic reports in the Borough, the 6th lowest level of ambulance callouts for alcohol and one of the lowest levels of ambulance callouts for assaults. It ranks the fourth lowest Ward for Anti-Social behaviour complaints to the police. Information from the residents' survey indicates that residents of Village Ward generally feel safe and do not see that there is a problem with drunkenness and rowdy behaviour in the borough.

Whilst there is a concentration of licensed premises along Wimbledon High Street there is little evidence to support the view that this is giving rise to high levels of crime, disorder or nuisance. Residents do not highlight a problem in the area and generally feel safe in their neighbourhood. It is therefore recommended that Wimbledon Village be removed from the Council's special policy on cumulative impact. However, it should be noted that this removal does not mean that all applications for new or varied licences will be automatically granted. Like all other areas of the borough not included in the policy, each application must be looked at on its individual merits and may be refused if there is good evidence to do so.

12. Mitcham Town Centre CIZ



Active licences within Mitcham Town Centre CIZ

Type	Number
Bar/Club/Pub	10
Restaurants	4
Convenience stores/supermarkets/off licence	38
Sports venue/open spaces	2
Takeaways/premises selling late night food only (no alcohol)	6

Maximum terminal hour for the sale of alcohol in premises within the Mitcham Town Centre CIZ

Total number of premises	Terminal hour up to 23.00	Terminal hour 23.01 – 00.00 hours	Terminal hour 00.01 – 02.00 hours	Terminal hour 02.01 hours – 03.00 hours	No restriction
52	36(69%)	7(13%)	8(15%)	0	1(2%)

Maximum Terminal hour for the sale of hot food and drink only

Total number of premises	Terminal hour up to 01.00	Terminal hour 01.01- 02.00 hours	Terminal hour 02.01 – 03.00 hours	Terminal hour 03.01 hours – 05.00 hours
6	2	1	1	2

The Cumulative Impact Zone covering Mitcham Town Centre and surroundings was approved in 2015. The Mitcham Cumulative Impact Zone is restricted to 'off – premises' sales only, as the evidence did not suggest that 'on- premises' sales needed to be included. The Mitcham Town Centre Cumulative Impact Zone mainly falls within four Wards, Graveney, Figges Marsh, Lavender Fields and Cricket Green

The decision to adopt a special policy on Cumulative Impact for Mitcham Town Centre and the area to be included was based on information provided by Public Health which included an audit of the area carried out by a team of Youth Inspectors (YIs) and the results of a consultation carried out with local residents in early September 2015.

On 19/20 August 2015, a team of Youth Inspectors (YIs) walked the area covered by the then proposed Cumulative Impact Zone (CIZ) around Mitcham. They noted whether premises they passed sold alcohol or fast food, and the appearance of stores and streets, noting any antisocial behaviour or litter. The Youth Inspectors noted 165 retail outlets in the Mitcham Cumulative Impact Zone area. Of these, 44 (27%) were places to buy food ingredients, 26 (16%) were fast food outlets, 3 (2%) were restaurants, 6 (4%) were cafes, 6 (4%) were pubs, 6 (4%) were betting shops

and 2 (1%) were payday loan shops. The rest (72, 44%) were a mix of other uses, for example estate agents, hairdressers, garages.

Of the 44 places to buy food ingredients (i.e. convenience stores, corner shops, grocers, off-licenses, supermarkets), at least 80% (35/44) appeared to sell alcohol. Alcohol is therefore available in at least a fifth (21%, 35/165) of all premises noted by the YIs. They also noted 6 pubs in the proposed CIZ area. Of the 35 convenience stores or supermarkets that sold alcohol: at least 57% (20/35) sold super strength alcohol (i.e. beer or cider of 6.5% ABV or more); a third (31%, 11/35) did not (4 unknown). The majority (83%, 29/35) sold single cans (5 did not, 1 unknown)

In early September 2015 a consultation was carried out of residents in the area. A total of 192 people participated in the consultation. One third of respondents (64) felt that Mitcham Town Centre had too many alcohol shops. Among responses relating to the alcohol environment were concerns about street drinkers. Over half of respondents also felt that the area was littered, with comments regarding broken glass and beer cans on the streets. There was significant mention of anti-social behaviour and crime and safety during the night, with 117 and 94 respondents respectively reporting these as a concern.

Unfortunately, it has not been possible as planned, to carry out another survey of the area to compare the findings with those of 2015. However, the number of licensed premises selling alcohol off the premises remain at a similar level to that found in 2015 (38 premises selling alcohol for consumption off the premises in 2020 compared to 35 noted in 2015). The difference in numbers is likely to be due to a difference in assigning premises to a particular category rather than to a real increase in numbers.

Residents of the four Wards in which the Mitcham Town Centre CIZ lies express high levels of concern about anti-social behaviour, people being drunk and rowdy in public places and people hanging around the streets. The area also records high levels of crime, anti-social behaviour and ambulance call outs.

In September 2019, a report the Head of Community Safety presented a report to the Overview and Scrutiny Panel which included information on street drinking delivery and Public Place Protection Order Enforcement. The report stated that the majority of enforcement action on street drinking was taking place in and around the wards of Figges Marsh and Cricket Green, with proactive enforcement around Mitcham Town Centre which had resulted in a reduction in visible street drinking in Mitcham Town Centre but with an element of displacement.

In view of the continuing problem with street drinking around Mitcham Town Centre and in light of the actual and perceived problems associated with alcohol in the area it is proposed to retain the Mitcham Town Centre special policy on cumulative impact with no amendments to the area or to the type of premises to be included in the policy.

In publishing this cumulative impact assessment the authority is setting down a strong statement of approach to considering applications or the grant or variation of "off-sales" premises licences in the Mitcham Town Centre CIZ. The authority

considers that the number of “off-sales” premises licences in the Mitcham Town Centre CIZ is such that is likely that granting further licences would be inconsistent with the authority’s duty to the licensing objectives.

This CIA does not, however, fundamentally change the way that licensing decisions are made. It is therefore open to the licensing authority to grant an application where it considers it appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact.

The cumulative impact assessment does not relieve responsible authorities or any other persons of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing objectives. Anyone making a representation may base it on the evidence published in the cumulative impact, or the fact that a CIA has been published.

13. Inclusion of new areas in the Cumulative Impact Assessment.

The area around Morden Town Centre has a high concentration of licensed premises which coincides with higher levels of crime, anti-social behaviour and ambulance call out in the borough. However, this area is covered by the Council’s regeneration plans and it would, therefore, not be appropriate at this time to include this area in the Council’s Cumulative Impact Assessment.

From: Russ.Stevens@met.police.uk <Russ.Stevens@met.police.uk>

Sent: 10 August 2020 13:47

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Review of Merton Licensing Policy comments plesae

Hi Helen,

I had discussed the policy review a few times with Barry Croft prior to Lockdown, and he told me that Police stats had already been obtained. I'll see if I have an email confirming this and from where the stats were coming from.

I can interpret the figures from a Police perspective if you have them.

Please say if you do still need crime figures and I will arrange the research, and then comment accordingly. This is what I had initially expected would be required, and was surprised (and relieved) when Barry said otherwise.

From my observations and experience over the last 4 years, there is clear evidence that the CIZs have been effective in Mitcham and Wimbledon town centres. ASB and crime associated with street drinking in Mitcham town centre remains a problem and I often make representations to block applications for new Premises Licences within the zone. The most recent being in May for a new off-licence only two doors from another where there are already 10 off-licence shops within 300m. I also have an interesting letter from a local resident commenting on the positive effects of the obvious enforcement of the CIZ.

Wimbledon Town Centre, prior to Lockdown, required constant management to control ASB and crime. Whilst there has been some mild departure from the policy, the CIP has enabled us to heavily restrict new licences to negate the risk of further impact on crime and ASB.

Wimbledon Village has not suffered from crime or ASB associated with the cumulative effect of multiple premises selling alcohol. Alcohol related crime in this area is extremely low considering the presence of several bars and restaurants, and ASB complaints have only ever been about individual premises. Numerous ASB complaints have been received about the one premises that remained open (legally for takeaways) during Lockdown due to perceived breaches of COVID guidance, and complaints are still being received due to customers standing on the pavements.

The Tennis Championships fortnight is traditionally our NTE's busiest period and crime/ASB does increase, but not excessively. Footfall is significantly reduced at all other times. There have been departures from the current policy in the village, notably new Premises Licences at the Ivy Restaurant and Megan's, and neither have had any effect on crime or ASB. I can see no justification to keep the current CIP in the village, and it's existence does not assist in the management of crime/ASB in that area.

All the best

Russ

Russ STEVENS PC3852SW P191701

Merton Licensing | Wimbledon Police Station | Metropolitan Police Service
[REDACTED]

Public Health Response to Statement of Licencing Policy and Cumulative Impact Consultation

Purpose

As a responsible authority for licencing in Merton the Director of Public Health (“Public Health”) has a statutory role to promote the licencing objectives, with particular consideration for the impact of alcohol availability on the health and wellbeing of the community. In fulfilment of this role, this document provides Public Health’s response to the proposed update to Merton’s statement of licensing policy for the period 2021-2026. This includes proposed changes to the current special policies on cumulative impact.

Public Health Principles

Working in partnership and across boundaries for the improvement of population health by addressing the wider determinants of health and embedding health in all policies are key public health principles in Merton. These are emphasised in the Merton Health and Wellbeing Strategy 2019-2024 and were applied in the review of the proposed statement of licensing policy. Reducing the harmful effects of alcohol consumption, substance misuse, violence and injury are public health priorities relevant to the licencing process.

Public Health Response

The response is divided into (1) general points, outlining the overall position of Public Health with regards to the proposal; and (2) specific points, in which suggestions are made for changes or additions to the text in the statement of licencing policy. Public health data referenced in this response are summarized in the appendices.

General Points:

1. Public Health is in support of the proposed the statement of licencing policy for Merton but would propose a number of changes to the text (see “Specific Points”).
2. Public Health is in support of the continuation of a cumulative impact zone (CIZ) in Mitcham Town Centre, which is restricted to off-premises sales, based on data presented in the Merton Cumulative Impact Analysis. Public Health data provide further support for cumulative impact with high levels of hospital admissions for alcohol related conditions in the wards which fall into the CIZ. For example, Cricket Green has the highest standardised admission ratio (SAR) for alcohol attributable conditions in Merton (102.0) and is higher than the average for England (100.0).
3. Similarly, Public Health is in support of the continuation of the cumulative impact zone (CIZ) in Wimbledon Town Centre on the basis of the density of premises and crime data presented in the cumulative impact analysis. Available public health data do not appear to show a cumulative impact on health, however, with hospital admissions for alcohol related conditions in the wards within this CIZ all relatively low compared to the English average and East Merton wards. For example, Dundonald has a SAR for alcohol attributable conditions of just 57.9.

4. Public Health is in support of the discontinuation of the CIZ in Wimbledon Village. The data presented in the cumulative impact analysis do not support a cumulative impact on the licencing objectives in this area and alcohol-related hospital admissions in Village Ward are the lowest in the Borough.
5. The cumulative impact analysis found that the high density of licenced premises in Morden Town Centre (31 premises) coincided with high levels of violence, anti-social behaviour and ambulance call outs in the wards connected to it. These data show comparable or higher rates than wards containing Wimbledon and Mitcham Town Centres. For example, Merton Park and Ravensbury saw the joint second highest number of ambulance call outs for assault in the Borough between April 2019 and March 2020 with a high density of violent incidents specific to Morden Town Centre. In the 2019 residents' survey, Ravensbury had the highest number of concerns about anti-social behaviour in the borough with particular concerns around people being drunk and rowdy in public places. Additionally, public health data on hospital admissions for alcohol related conditions in Ravensbury and St Helier are also among the highest in the borough (appendix 2). As such, there is evidence for a cumulative impact on licencing objectives and public health outcomes in this area. However, Morden Town Centre is part of a planned redevelopment project and it is important that any actions to tackle these issues are fully evidence-based and would not interfere with planning. As such, while a CIZ covering Merton Town Centre is not appropriate at this time, Public Health proposes that an audit of this area and consultation with local residents be undertaken. This would be similar to that undertaken in Mitcham Town Centre in 2015 and would aim to inform the next review of cumulative impact in three years.

Specific Points:

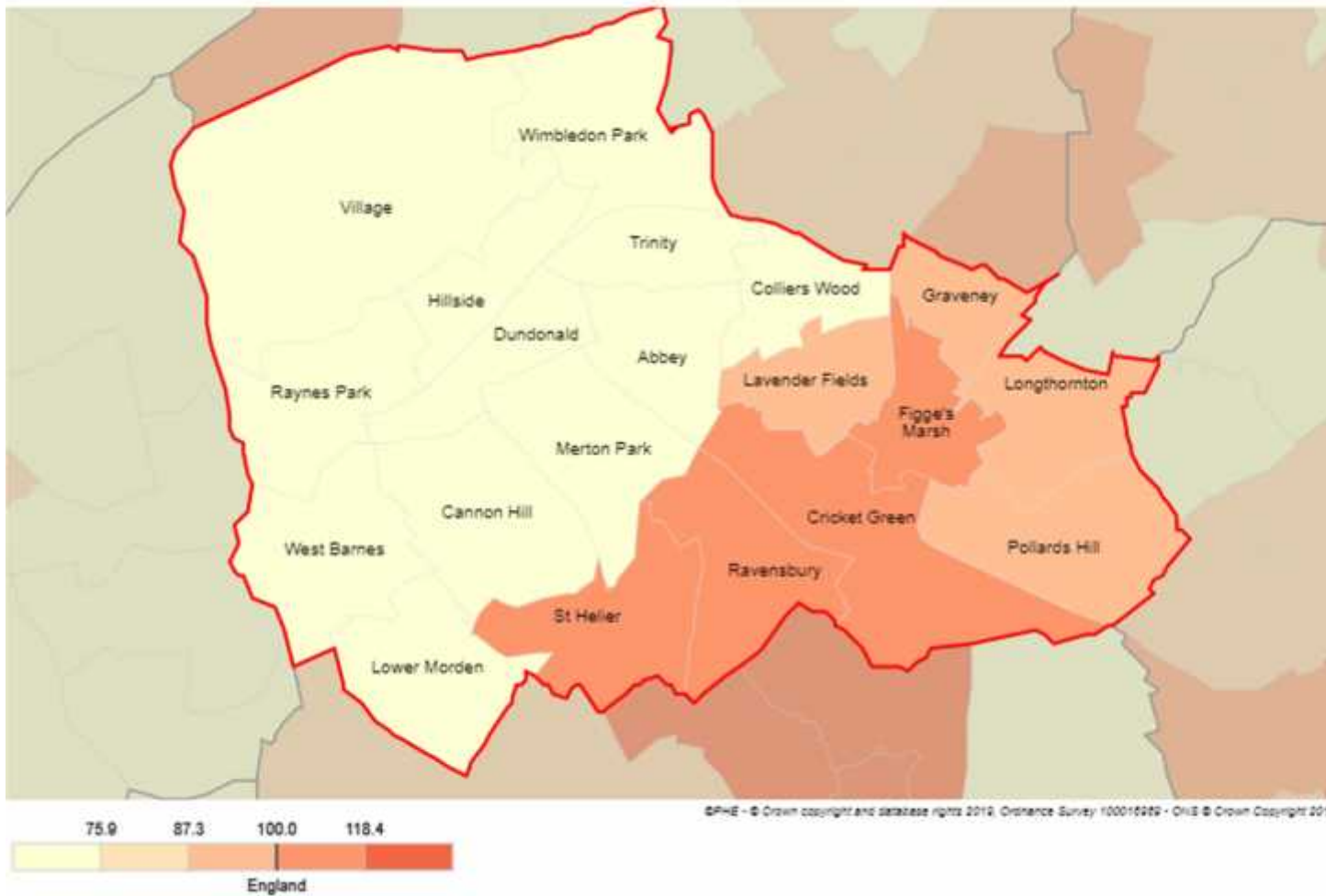
A summary of the recommended changes to the text of the Statement of Licencing Policy are below. Specific suggested wording can be found in appendix 3.

1. **Section 1.9** - additional wording around the role of Public Health.
2. **Section 2** – additional sub-section after sub-section 2.3 summarising the relevant public health data for Merton related to alcohol licencing.
3. **Section 4.5** – addition of a bullet point with wording around the importance of partnership working both between responsible authorities and with the community in order to encourage a holistic approach to licencing which upholds the licencing objectives while also promoting the Council's strategic objectives.
4. **Section 9** – additional sub-section between 9.7 and 9.8, highlighting the specific importance public health data in the assessment of cumulative impact.
5. **New section** – additional section following sections 11-14, which relate to individual licencing objectives, for public health. This would acknowledge that public health is not a licencing objective but would state that health related data will always be considered where they relate to the licencing objectives. It would also encourage applicants to consider health impacts of proposed activities and provide guidance for health-related considerations when completing operating schedules.

Appendix 1: Map of Merton Wards showing data for hospital admissions for alcohol-related conditions

NB: "Narrow definition" indicator includes admissions to hospital where the primary diagnosis was an alcohol-related condition, or a secondary diagnosis was an alcohol-related external cause during the period 2013/14 to 2017/18.

Hospital admissions for alcohol attributable conditions, (Narrow definition), standardised admission ratio (SAR) - Source: Hospital Episode Statistics (HES) NHS Digital



Appendix 2: Rank of Merton Wards for alcohol-related hospital admissions during the period 2013/14 to 2017/18

Rank	Ward	Hospital stays for alcohol related harm - Narrow definition (95% Confidence Interval)
1	Cricket Green	102 (91.3, 113.5)
2	Ravensbury	100.9 (89.6, 113.2)
3	Figge's Marsh	100.8 (90, 112.5)
4	St Helier	100.5 (89.6, 112.5)
5	Lavender Fields	96.5 (85.6, 108.5)
6	Longthornton	95.5 (84.6, 107.3)
7	Pollards Hill	91.4 (80.9, 102.9)
8	Graveney	89.1 (78.5, 100.7)
9	Abbey	75.2 (65.5, 85.8)
10	Trinity	73.8 (64.1, 84.7)
11	Lower Morden	73.7 (64, 84.5)
12	Cannon Hill	71.7 (62.2, 82.2)
13	Colliers Wood	71 (61.7, 81.3)
14	Merton Park	69.2 (59.9, 79.6)
15	West Barnes	62.2 (53.5, 71.9)
16	Hillside	59.2 (50.4, 69.2)
17	Raynes Park	59 (50.6, 68.5)
18	Dundonald	57.9 (49.1, 67.8)
19	Wimbledon Park	53.2 (45.2, 62.1)
20	Village	50 (41.8, 59.2)

Appendix 3: Recommendations for text changes and additions to the Statement of Licencing Policy

Section 1.9 - additional wording around the role of Public Health

“The Council recognises the links between excessive alcohol consumption and poor health. In addition, alcohol is associated with a wide range of criminal offences including drink driving, being drunk and disorderly, criminal damage, assault and domestic violence. In young people, alcohol is associated with anti-social behaviour and teenage conception. **It is therefore essential to consider health-related harms where they are relevant to the promotion of the licencing objectives.** Whilst public health is not a licensing objective ~~and cannot be taken strictly into account when deciding applications,~~ The Director of Public Health is a Responsible Authority under the Act and is able to make representations in its own right or through supporting other representations. The Public Health team is able to bring data and evidence from the health sector into the licensing process in order to support the promotion of the licensing objectives, in particular the prevention of crime and disorder and the protection of children from harm.”

Section 2 – additional sub-section after sub-section 2.3 summarising the relevant public health data for Merton related to alcohol licencing

“The 2019 Joint Strategic Needs Assessment reported a significant level of alcohol related harm in Merton, with approximately 42,000 estimated to be drinking at harmful levels. Alcohol consumption is a key risk factor for the main causes of ill health and premature death in Merton, including cancer and circulatory disease, making tackling overconsumption a key public health priority. In the period 2018/19, there were 40.8 alcohol-related deaths per 100,000 population, which is higher than the London benchmark although lower than the English average. Additionally, the rate of alcohol-related hospital admission in Merton has recently increased from between 1800 and 1900 per 100,000 between 2011/12 and 2016/17 up to 2358 per 100,000 in 2018/19.

The impacts of alcohol on health are not distributed evenly across the borough with higher rates of hospital stays for alcohol related harm in the East of the Borough compared to the West. Areas of Merton with high numbers of licensed premises generally have a higher number of alcohol- and assault-related ambulance call-outs.”

Section 4.5 – addition of a bullet point with wording around the importance of responsible authorities working together in partnership in order to promote a holistic approach to licencing which upholds the licencing objectives while also promoting the Council’s strategic objectives.

“The council acknowledges the importance of partnership working in the licencing process. Individual responsible authorities work together in partnership as well as in partnership with other persons, bodies or businesses in the community in order to maintain a holistic approach to licencing which upholds the licencing objectives while also promoting the Council’s strategic objectives.”

Section 9 – additional sub-section between 9.7 and 9.8, highlighting the added importance of public health data in assessing the cumulative impact of premises;

“Public health data are particularly suitable for the analysis of cumulative impact within an area, as well as the assessment of a licence application where it relates to a premises within an existing cumulative impact area. For example, in situations where a high level of alcohol related ambulance activity occurs in conjunction with alcohol related violent crime.”

New section – additional section following sections 11-14, which relate to individual licencing objectives, for public health. This would acknowledge that public health is not a licencing objective but would state that health related data will always be considered where they relate to the licencing objectives. It would also encourage applicants to consider health

impacts of proposed activities and provide guidance for health-related considerations when completing operating schedules.

“Although the protection and improvement of public health is not a licensing objective, alcohol related harm is a cause for concern in Merton (see section 2). Public health data will therefore always be considered where relevant to the promotion of the licensing objectives.

The council expects applicants to consider the health impacts of their proposed activities. Therefore, in determining a licence application where relevant representations have been made, the Licencing Authority will consider the adequacy of the measures taken to limit health impacts relating to the licencing objectives. In particular, the licencing authority may consider the following best practice measures:

-) Restricting special offers such as cheap shots, ‘happy hours’, ‘buy one, get one free’, ‘buy two glasses of wine and get the whole bottle’. This slows down consumption, the rate at which blood alcohol concentrations increase and the peak levels are reached by drinkers. Rapidly ascending and high blood alcohol concentrations are associated with violence and uninhibited behaviour.
-) aligning price with alcohol by volume (ABV)
-) ensuring that non-alcoholic drinks are significantly cheaper than alcoholic drinks
-) increasing seating for customers to reduce intensive drinking
-) reducing the volume of music as loud music can increase alcohol consumption
-) actively promoting designated driver schemes where a driver is offered discounted or free non-alcoholic drinks
-) making food available in late venues
-) starting the sale of alcohol later in the day and not aligning it purely with opening hours
-) not advertising alcohol in the shop window
-) storing alcohol behind the shop counter
-) not using display boards or other advertising on the shop floor
-) not selling single cans of alcohol
-) not selling single bottles of beer, and other alcohol beverages such as cider, under 1 litre
-) not selling beer or cider over 5.5% ABV
-) not selling alcohol where they could attract under age purchasers”

From: [REDACTED]

Sent:

To: [REDACTED]

Cc:

Subject: Response to CIZ analysis 2021

Sent on behalf of Merton Conservatives

Dear Sheila,

Please find our response below, can you confirm receipt?

Merton Conservatives acknowledge that the Cumulative Impact Analysis has been developed in response to the change in the rules governing Cumulative Impact Zones (CIZ) by the Home Office in 2018 and welcome the work that has been done to focus on reducing crime and anti-social behaviour. We note that as a result of the change in governing rules of CIZ regrettably there is insufficient evidence to justify an application to renew the CIZ in Wimbledon Village. However, the three town centres are the main focus of ambulance call outs, violence and anti-social behaviour. As such, the potential for alcohol related anti-social behaviour and crime to rise in Wimbledon Village remains. If there was a sharp upswing in anti-social behaviour then we would support immediate measures to suppress this – which would include an application for the re-introduction of a CIZ if the evidence is there to support one as set-out in the new Home Office guidance as well as the introduction of a public space protection order (PSPO) or other measures to combat anti-social behaviour. We further note that Morden town centre is not included in the analysis, yet it clearly has a large level of violence and anti-social behaviour. While the council does not wish to include Morden in the CIZ analysis at this time, we support further action, including a PSPO, being taken to remove the potential for anti-social behaviour.

All the best,

[REDACTED]

From [REDACTED]

Sent: 03 September 2020 16:18

[REDACTED]

ts

Subject: Wimbledon Village CIZ - Belvedere Estate Residents' Association response

Dear Ms Brass, Stephen and Councillors,

I attach hereto the Belvedere Estate Residents' Association response to the proposal to cancel the CIZ status of Wimbledon Village regarding licensing. We are totally against removal of the CIZ and therefore 'Strongly Disagree' that there is no evidence to retain the Village CIZ. We do, however, 'Strongly Agree' that the Town Centre CIZ is retained.

The entire BERA Committee of 8 people live in Village Ward. If you have any queries whatsoever please do not hesitate to contact me.

With Kind Regards,

[REDACTED]

BELVEDERE ESTATE RESIDENTS’ ASSOCIATION RESPONSE TO:-

“CONSULTATION, LICENSING POLICY 2021-2026 AND CUMULATIVE IMPACT ASSESSMENT” IN RESPECT OF WIMBLEDON VILLAGE

The designation of Wimbledon Village as a “Cumulative Impact Zone” has served us well in protecting the amenities of the residents when licensing applications have been considered, and, in our view, has enabled a fair balance to be achieved between the interests of the residential and business communities, who are inextricably linked as in many instances BERA residents live above many of the businesses including licensed premises.

We believe the recommendation for the removal of the designation of Wimbledon Village as a Cumulative Impact Zone for the purposes of Merton’s Licensing Policy is not justified because:

1. CIZ designation for Wimbledon Village since 2006 has had a beneficial effect in preventing an increase in the number of licensed premises in the Zone and in ensuring that residents’ concerns about controlling nuisance etc. are properly addressed in licensing applications. (Most applicants apply speculatively at first for late night opening every night). Removal of the designation will reverse these benefits and will have a long lasting and detrimental impact upon the character of the Village (eg Open Season on new applications for late night opening, new premises opening etc, etc.)
2. When Megan’s and more recently Carmona, both on Village High Street applied for their respective licenses, they agreed to the ‘usual’ Village opening hours etc. despite initially requesting much longer hours to serve alcohol. This was sorted out by a few emails and in a matter of days without the need for a specific Licensing meeting.
3. The Cumulative Impact Assessment upon which the recommendation is based relies heavily upon an analysis of data relating to Crime and Disorder incidents. These are not relevant to the Wimbledon Village CIZ which was designated in response to incidents of Public Nuisance. The Prevention of Crime and Disorder and the Prevention of Public Nuisance are separate but distinct

Licensing Objectives which are of equal value when considering a CIZ designation. They have not been given equal weight in the Assessment.

4. The survey evidence cited in the assessment reporting residents' views on perception of crime, personal safety and other considerations was from a 2019 sample survey across the Borough. It gives neither a representative view in the Village Ward (the sample was too small) nor is it relevant in the context of Village CIZ licensing matters as respondents weren't asked about licensing related issues including their experience of nuisance incidents.

5. By their nature, incidents of Public Nuisance (such as noise and antisocial behaviour) tend not to be reported by residents nor require intervention by the police or other authorities so the absence of incident data should not justify an assumption that there have been no nuisance issues. Residents living in and around the Village say that they do experience ongoing nuisance issues (eg late night noise and disturbance, littering, parking problems and some antisocial behaviour) even if they have not reported them to the authorities. I have spoken to many residents just recently to get a feel for the current situation and I hope that they will personally send you an outline of the specific instances. I will therefore just re-iterate one issue on behalf of residents at Bluegates, Belvedere Drive. Although not on either the High Street or Church Road where the majority of licensed premises are situated, and also a considerable distance from the main thoroughfare, many residents hear late night revellers as they walk from the Village down Wimbledon Hill Road, dropping litter in their wake. Were the Village licensed premises allowed to open later then this would represent an even greater disturbance as it could be in the early hours of the morning, resulting in serious sleep deprivation for many which is not good for general or mental health.

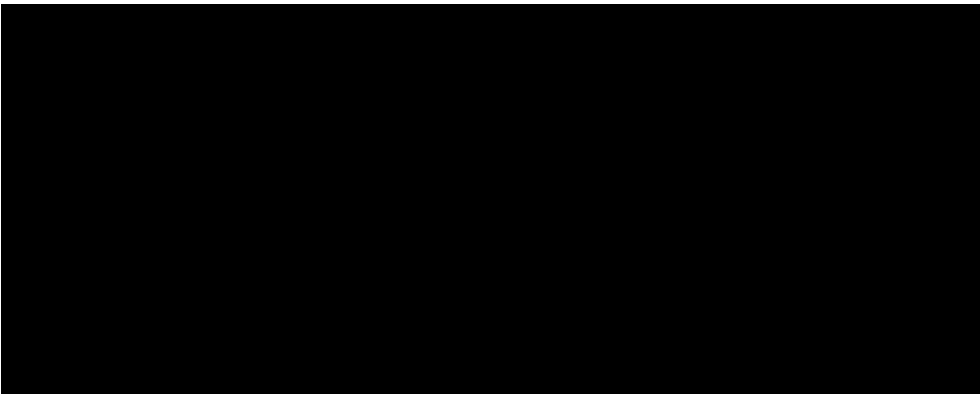
There is no doubt that things have improved within the CIZ since 2006 however there is a developing and ongoing issue with open air drinking (possibly underage?) and partying on Rushmere. There was a major incident at the end of June when Police and Ambulances were called so that will have been logged so presumably you will already be aware of that. We have no idea where the alcohol is being bought but the simple point is that The Common adjoins a CIZ which includes off licenses and restaurants/pubs/bars with off sales licences. This type of incident could

become more frequent if the CIZ were removed and therefore alcohol was more readily available for a longer number of hours.

To Conclude therefore, the Belvedere Estates Residents' Committee "Strongly Disagrees" that there is no evidence to retain the Village CIZ.

However, please note that we "Strongly Agree" to the retention of the Town Centre CIZ.

With regards,



PARKSIDE RESIDENTS' ASSOCIATION



Sheila Brass
Licensing Section
London Borough of Merton
Civic Centre
London Road
Morden, SM4 5DX

16 August 2020

Dear Ms Brass

Consultations: Licensing Policy 2021-2026 and Cumulative Impact Assessment

Thank you for the invitation to respond to the above Consultations.

We do not have any comments to make upon the suggested revisions to the draft Licensing Policy, other than in relation to the proposal to withdraw the designation of Wimbledon Village as a Cumulative Impact Zone ("CIZ") which is based upon the analysis in the Cumulative Impact Assessment ("CIA") circulated with the draft Policy.

We very much regret and strongly oppose the proposed withdrawal of the Village CIZ from the Licensing Policy due to take effect in 2021. We believe the proposal is not justified and do not accept the analysis in the CIA which supports this recommendation. Our reasons are set out below.

1. Background

1.1 The membership area of this Association, which comprises over 300 households, is to the north of Wimbledon Village. It includes Marryat Road and Parkside which adjoin Wimbledon Village High Street, Burghley Road which adjoins Church Road and Peek Crescent, Rushmere Place and Parkside Avenue which are all close to the Village. Residents within our membership area take a keen interest in the preservation of the amenities of Wimbledon Village for the benefit of the local community.

1.2 In 2004/2005 we, along with the Wimbledon Union of Residents Associations ("WURA") and other residents' groups, worked with Ward Councillors to contribute towards the formulation of Merton's Licensing Policy, and in particular the designations of Wimbledon Village and Wimbledon Town Centre as Cumulative Impact Zones. Since then we have continued to take an active interest in licensing matters and have reviewed all licensing applications which have been submitted within the Village CIZ.

1.3 The commercial elements of Wimbledon Village are laid out in a ribbon pattern along the High Street, Church Road and part of the Ridgway, all with residential roads behind them or directly adjoining. There are also a large number of flats at first and second floor level above many of these premises, especially on the High Street. With this proximity, many residents are therefore directly impacted by any noise, disturbance and nuisance issues which occur from the behaviour of customers of licensed premises.

1.4 The high concentration of licensed restaurants pubs and bars has had the effect of establishing Wimbledon Village as a popular "destination venue" attracting large numbers of visitors, especially at weekends. Many of them travel here by car and park in surrounding residential roads. In 2006 when the Council's Licensing Policy was first introduced, the CIZ designation was made in response to the negative impact of visitors' behaviour experienced by residents living around the Village. They had described instances of alcohol fuelled Public Nuisance occurring on a regular basis; examples included noisy, inconsiderate, and rowdy behaviour by groups and people who had had too much to drink, disturbance late at night (including sleep disturbance) from noise from visitors returning to their cars, shouting, slamming car doors etc., littering, antisocial parking preventing residents' access to their homes, damage to parked cars and unpleasant antisocial behaviour in the street and towards residents and their property.

1.5 In 2006, the incidents experienced in Wimbledon Village contrasted somewhat with those occurring in the Town Centre where the concentration of licensed premises is higher. Alcohol related incidents

reported in the Town also included criminal activity such as violence, assaults and antisocial behaviour which involved frequent police and ambulance call outs. Since Licensing Policy includes the Prevention of Crime and Disorder and the Prevention of Public Nuisance as separate Objectives it was concluded in 2006 that rather than having a single CIZ covering both Wimbledon Village and Wimbledon Town Centre there should be two separate Zones, albeit with boundaries that were almost contiguous, to reflect the fact that the justification for each designation responded to a different Objective.

2. Present Context

2.1 The designation of Wimbledon Village as a CIZ has undoubtedly had a beneficial effect for residents in helping to ensure that the overall number of licensed premises has not increased and in curtailing licensing applicants' efforts to secure generous late night extensions for alcohol sales (see below). However, our understanding is that nuisance remains an issue, particularly at weekends, for residents living in and close to the Village. Examples mentioned to us have included late night noise and disturbance, including from people enjoying licensed outdoor areas, or returning to their cars in residential roads and leaving noisily. Littering is also raised; as people leave the Village, empty or partly empty bottles of beer and/or wine are frequently left on pavements, often resulting in broken glass, and cans and bottles are sometimes thrown into gardens or stuffed into boundary hedges. Residents have also complained that visitor parking often means that if they return late they cannot find anywhere to park near their home or that antisocial visitor parking prevents access to their property. Damage to street furniture in the Village has also been mentioned as well as, on occasion, unpleasant anti-social behaviour by inebriated people.

2.2 In recent months, the government's Covid-19 restrictions have either prevented or severely limited opportunities for indoor social gatherings in licensed premises. As a result, one consequence of these restrictions has been the growing popularity of Wimbledon Common as an outdoor destination for visitors; it directly adjoins the Village CIZ and with no gates or fences it is one of the few open spaces in the local area which permits unrestricted access on a 24/7 basis. We understand that the numbers of visitors to the Common are now significantly higher than ever before and whilst many are coming in the daytime simply to walk, enjoy the open space and/or to take exercise, with the easing of restrictions to permit outdoor gatherings, there are increasing numbers who come later in the day and in the evenings to socialise and to eat and drink "al fresco"; we understand that gatherings where alcohol is available are regularly taking place. Many of these groups stay until late at night, making a lot of noise (music is often played) which travels widely into surrounding residential areas and when they go they leave large quantities of litter, including empty alcohol bottles and cans, both on the Common itself and in nearby roads. There has also been evidence of the use of recreational drugs. The age of the attendees is not known but it is possible that some will be under age. Police have also been called to the Common on several occasions. We do not know if arrests have been made but the fact that police intervention has been required at all is an indication of the serious concerns which this behaviour, invariably fuelled by alcohol, is causing.

2.3 Specifically, on 26th June 2020, a very large gathering took place on Rushmere which is one of the largest of the open areas on the Common and surrounded on three sides by houses. To quote (with her permission) from a report of the event at the time from one resident, [REDACTED], whose home in Parkside Avenue is some distance from Rushmere:

"tonight the noise was louder and more widespread and then at around 10pm the sirens from the emergency services eventually lured me to see what on earth was going on. I counted at least x3 ambulances, x6 police cars, x5 police Vans at the northern end of Rushmere. Groups of x8, x10, x12 young adults were dispersing in all directions away from the area. The Village was heaving of course, Friday nights normally attract a partying crowd."

There are concerns that due to ongoing closures of nightclubs and indoor party venues, and the lack of alternative, accessible open spaces in the wider area, it is likely that Rushmere will continue to attract similar gatherings in the future.

2.4 There are 5 shops in the Village CIZ which are licensed to sell alcohol for consumption off the premises. In addition many of the licensed restaurants, pubs and bars in the Village are also licensed to sell alcohol for consumption off the premises. A number of restaurants and cafes are also selling take away food. All are within very easy reach of Wimbledon Common, especially Rushmere.

2.5 As the data relied upon in the CIA considers incidents taking place between April 2019 and February/March 2020 there is no reference to any of the above events or their impact in the CIA's

analysis of the present circumstances relevant to the Wimbledon Village CIZ. These must be given due consideration.

3. Effects of the CIZ designation in Wimbledon Village and Implications of withdrawal

3.1 Since 2006 the overall number of licensed premises within the CIZ has not changed significantly although many of these premises have changed hands. There have been a number of licensing applications where incoming operators have sought to introduce new trading models with different opening hours. Typically, applicants have initially sought permission for late night opening until at least midnight every day except Sundays, but in all such cases, thanks to the CIZ designation, objections from residents have been given due weight and these proposals have been withdrawn or significantly curtailed. Late night opening (usually to midnight) if permitted at all has been restricted to Fridays and Saturdays and with a requirement that alcohol is only sold with table service meals. In some cases, the need for a Hearing before the Licensing Sub Committee has been avoided altogether because applicants have been prepared to negotiate with residents to agree suitably modified proposals which meet concerns raised.

3.2 Residents value the protection which the CIZ designation has provided. As noted above, the overall number of Licensed Premises in the Village has not changed significantly since 2006 and a degree of consensus now exists amongst operators as to the hours and terms for alcohol sales across the Village. Residents consider that a reasonable balance has been achieved between supporting the promotion of the business economy of the Village and the amenities of the residential community. At Hearings when applications have been contested, successive Licensing Sub Committees have reflected residents' concerns in their decisions. It should also be noted that the CIZ designation has been confirmed without question on each review of the Council's Licensing Policy.

3.3 With clear evidence that the CIZ has been working effectively to protect their interests and amenities, residents do not accept that there is no longer any need for that protection to continue. Given the approach commonly adopted by incoming operators to seek extensive late night opening permissions, residents have good reason to believe that this practice will continue, and will probably be encouraged, following any withdrawal of the CIZ designation. In any event, as Lockdown restrictions ease it seems inevitable that operators in the hospitality sector will want to maximise trading opportunities, including seeking longer opening hours. Inevitably, going forward, it will be far more difficult to challenge such proposals without the protective Policy restrictions which CIZ status affords. We are not reassured by the view in the CIA that despite the loss of CIZ status, each application would be considered "on its individual merits". Without a CIZ designation, the cumulative impact of the density of existing licensed premises in the vicinity will no longer be a relevant factor. In any event it seems self-evident that applicants will cite the withdrawal of the CIZ to demonstrate that the Council considers that within the Village there is insufficient evidence of nuisance etc to justify a restrictive approach to their application.

3.4 In addition, the retention of the Wimbledon Town Centre CIZ which the CIA recommends (and which we support) will only serve to create an unfortunate contrast in the context of Licensing issues if the Village CIZ is withdrawn. Operators will be encouraged to open in the Village rather than the Town to exploit the more flexible Licensing Policy terms which will apply, especially in relation to late night opening. More visitors will come, including late night revellers migrating up Wimbledon Hill from the Town to take advantage of the longer opening hours which will be available. In summary, the absence of CIZ controls in Wimbledon Village will only encourage a shift towards a new "night time economy" throughout the week. This will detrimentally affect residents and radically change the character of the Village for the worse.

4. The Cumulative Impact Assessment

4.1 Licensing Policy is framed to promote the Licensing Objectives which include the Prevention of Crime and Disorder and the Prevention of Public Nuisance. Each of the Licensing Objectives, whilst addressing distinct and separate issues, is of equal weight for the purposes of Policy formulation and implementation. Unfortunately in our view, the CIA's analysis appears to focus exclusively upon the incidents relevant to the Prevention of Crime and Disorder and presents an assessment of "evidence" relating to the Wimbledon Village CIZ in that context but no other. In our view this approach is flawed because it ignores the reasons, namely Public Nuisance incidents, for which as noted above, the Wimbledon Village CIZ was designated as a separate CIZ from the Town Centre.

4.2. The Licensing Objective of the Prevention of Public Nuisance needs more careful analysis than the CIA offers in the context of the Wimbledon Village CIZ. By their nature, the majority of instances of nuisance, in particular those described by Village area residents, such as late night noise, sleep disturbance, littering and antisocial behaviour, whilst distressing and sometimes resulting in damage to property, seldom cause physical harm to residents or lead to requests for the intervention of police, ambulance or other authorities. It therefore follows that the lack of data referencing nuisance incidents should not be taken as evidence that these nuisance incidents have not taken place; it merely shows that they have not been reported. Moreover, for the same reason the lack of data cannot justify an assumption that such incidents will not occur again. Given the density and popularity of Wimbledon Village's licensed premises, the continuing widespread availability of alcohol and the proximity of residential property it seems inevitable that there is an ongoing risk that these same nuisance incidents will continue to occur. That risk justifies a continuing response in the form of CIZ protection.

4.3 The analysis in the CIA of the Wimbledon Village CIZ is brief. It refers to data from police and ambulance call outs in Village Ward, referencing low recorded levels of incidents under these headings:

-) violence with injury – non domestic
-) ambulance call-outs for alcohol
-) ambulance call-outs for assaults, and
-) antisocial behaviour complaints to the police.

As these are all matters which would properly be considered as examples of Crime and Disorder for the purposes of Licensing Policy, the CIA suggests that the Ward's low levels of incidents in each case cannot justify continuing designation of Wimbledon Village as a CIZ. However, as noted above, since the Wimbledon Village CIZ was designated in response to issues of Public Nuisance, it seems wrong to consider, and with such great emphasis, evidence relating to a Licensing Objective which has not been relevant to the Village CIZ from the outset. The CIA offers little, if any, analysis of issues of Public Nuisance because no efforts have been made to investigate these matters with affected local residents until this Consultation.

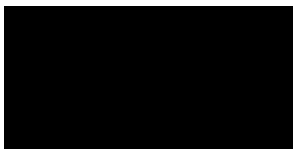
4.4 Due weight must however be given to the more recent incidents described above which have involved police and ambulance attendance on Wimbledon Common. These incidents post-date the information considered in the CIA but are directly relevant to any analysis of the impact of the widespread availability of alcohol in Wimbledon Village.

4.5 The residents' survey data relied upon in the CIA cannot in our view be considered as valid evidence that there is now a widespread acceptance that the Wimbledon Village CIZ designation is no longer necessary or wanted by local residents. The survey was a sample survey of residents across the whole borough which would only have included a small number of residents from Village Ward. There is nothing to suggest that this was a representative sample especially of those living in or around the Village who are directly affected by Nuisance issues. In any event, questions relating to perceptions of crime and disorder and, in that context, personal safety are not directly relevant in the context of the Village CIZ where the Prevention of Public Nuisance was the priority upon which the CIZ was founded. It would appear that no questions were asked relating to residents' experience of, or worries about ongoing levels of a range of public nuisance incidents which would justify a CIZ designation. In addition, as far as we are aware, when the CIA was being prepared, officers did not seek the views of WURA and/or of any local Residents' Association in relation to any of the issues under consideration.

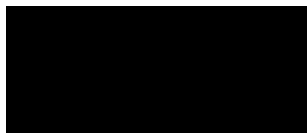
Conclusion

The beneficial effects of the CIZ designation in Wimbledon Village are much valued by residents and there are good reasons to believe that those benefits will be reversed if the designation is withdrawn. As the volume and density of licensed premises and the proximity of residents' homes remains unchanged since 2006, the vulnerability to alcohol fuelled nuisance incidents will continue. Accordingly, we do not believe that removing the designation of Wimbledon Village as a Cumulative Impact Zone for the purposes of Merton's Licensing Policy is justified. The designation should be renewed along with those for Wimbledon Town Centre and Mitcham.

Yours sincerely



PARKSIDE RESIDENTS' ASSOCIATION



Sheila Brass
Licensing Section
London Borough of Merton
Civic Centre
London Road
Morden, SM4 5DX

5 September 2020

Dear Ms Brass

Consultations: Licensing Policy 2021-2026 and Cumulative Impact Assessment

I refer to my representation dated 16th August 2020 (a copy of which is attached for ease of reference) when I listed this Association's objections to the proposal to withdraw the designation of Wimbledon Village as a Cumulative Impact Zone ("CIZ") in the revised draft of the Licensing Policy – a proposal which is based upon the analysis in the Cumulative Impact Assessment ("CIA") circulated with the draft Policy.

In view of the premise in the CIA that there is insufficient evidence to justify retaining the Wimbledon Village CIZ, which we refute, I wish to add this supplemental note to my representation with further comments relating to the Public Nuisance issues being experienced in the vicinity of the Village CIZ.

In paragraphs 2.2-2.5 inclusive of my representation I referred to an emerging issue of incidents of Public Nuisance taking place frequently on Wimbledon Common:

"... we understand that gatherings where alcohol is available are regularly taking place. Many of these groups stay until late at night, making a lot of noise (music is often played) which travels widely into surrounding residential areas and when they go they leave large quantities of litter, including empty alcohol bottles and cans, both on the Common itself and in nearby roads. There has also been evidence of the use of recreational drugs. The age of the attendees is not known but it is possible that some will be under age. Police have also been called to the Common on several occasions. We do not know if arrests have been made but the fact that police intervention has been required at all is an indication of the serious concerns which this behaviour, invariably fuelled by alcohol, is causing.

I also cited a specific alcohol related incident with large numbers of young people which involved police intervention and ambulance attendance on Rushmere Common late at night on 26th June.

Since my representation a number of residents have been in touch with me to confirm having witnessed this type of activity on many evenings and I understand that references have been made to them in representations submitted to you. However, it may well be the case that Council officers, including the Licensing team, may have been unaware of nuisance etc. incidents taking place on the Common because it is not Council owned land and there will have been no Council involvement in the response, as would occur if, say, the same incidents had taken place in Council owned parks or open spaces. Wimbledon and Putney Commons are owned on the community's behalf by Conservators and have charitable status; their management is funded by a Levy paid by local residents, donations and grants. When residents complain about nuisance incidents on the Commons, they contact the Conservators' Office not the Council, and it is the small staff of Rangers and Keepers who handle those issues (eg litter collection, damage repairs, cleaning etc) which do not involve police intervention.

This is a link to the recently published Minutes of the 2020 Annual Open Meeting reporting Questions and Answers to the Conservators. Please see in particular Questions 6 and 8, and the Officer replies, which relate specifically to the Nuisance issues I have described:

<https://www.wpcc.org.uk/downloads/annual-open-meeting-/wpcc-annual-open-meeting-ga-aom-july-2020-final.pdf>

In addition, this is a link to the Conservators' August 2020 Media Release which includes photographs of the litter after some of the late night partying which has taken place on Rushmere: <https://www.wpcc.org.uk/downloads/media-releases/wpcc-media-statement-august-2020.pdf>

The Commons are a unique and much valued resource for our community, free, open and accessible to all. The Covid-19 pandemic has highlighted the importance of exercise and outdoor activity for physical and mental health and the significant increase in visitor numbers underscores the valuable role which the Commons plays in supporting the community's response and long term recovery.

However, as the evidence I have shown above confirms, this important resource and amenity is being exploited, particularly late at night by groups of people, with antisocial behaviour and nuisance fuelled by alcohol, frequently taking place. The Village CIZ directly adjoins Rushmere Common and there are easily accessible routes along residential roads between Rushmere and the Village with its many off licences and licensed premises where off sales are permitted. Alcohol can easily be purchased. Drinking which starts in the Village can also continue, indefinitely and uninterrupted, on Rushmere and elsewhere on the Commons. The nuisance impacts not just on residents living around Rushmere (there are residential roads on three sides) but also on residents across a wide area in and around the Village because of the noise, antisocial behaviour etc which occurs as the partygoers eventually leave.

I have already noted in my original submission that the analysis of "evidence" considered in the CIA and upon which the recommendation to withdraw the designation of the Wimbledon Village CIZ is based, is flawed because no attempt has been made to investigate ongoing issues of Public Nuisance (which residents confirm take place). The Prevention of Public Nuisance (not the Prevention of Crime and Disorder) was the Licensing Objective upon which the CIZ designation was originally made. The CIA has also not addressed any of the Public Nuisance issues I have mentioned in this or my original submission in relation to Wimbledon Common. But they are directly relevant to the analysis which is required in any CIA. This significantly undermines the CIA's recommendation for withdrawal of the Village CIZ.

There may be a view that the current problems on the Commons are temporary and perhaps unique to the Covid-19 context. We disagree. Even if the gatherings and parties decline in colder weather it seems likely that it will be a considerable time, and well into the life of the renewed Licensing Policy, before indoor party venues for large groups will be permitted to operate on the terms enjoyed in the past. It will also be some time before public confidence in the safety of such venues is restored. In the meantime, as I have noted, the Commons are experiencing more visitors than ever before. As there will always be warm and/or dry evenings in every Spring, Summer and early Autumn, we have to accept that for some years to come, outdoor partying on the Commons will continue to be a popular option.

It is reasonable for the community to expect the Council to support and help to preserve and protect the unique amenities which the Commons offer to the community. Retaining the Wimbledon Village CIZ will play an important role in restricting the availability of alcohol from new venues and late at night which can then be consumed on the Commons. This is not the time to promote Public Nuisance by relaxing existing restrictions. Residents are looking for a clear signal that they have this support.

Please reject the CIA's recommendation and retain the Wimbledon Village CIZ.

Yours sincerely



WIMBLEDON UNION OF RESIDENTS' ASSOCIATIONS

7th September 2020

Ms Sheila Brass
Licensing Team
London Borough of Merton
Civic Centre
London Road
Morden
SM4 5DX

Dear Ms Brass,

Consultations - Licensing Policy 2021-2026 and Cumulative Impact Assessment

The Wimbledon Union of Residents' Associations ("WURA") has 22 member associations, together representing some 6000 residents, principally in Village and Hillside wards.

In responding to the above Consultations WURA wishes to register its strong objection to the proposal, recommended in the Cumulative Impact Assessment ("CIA"), to withdraw the Cumulative Impact Zone ("CIZ") designation for Wimbledon Village in the forthcoming Licensing Policy which will be introduced in January 2021. Licensing matters feature regularly in WURA agendas and WURA has regularly made representations in contested Licensing applications. In our view CIZ withdrawal will have significant and detrimental impact upon residents and upon the Village itself.

WURA works closely with the Village Business Association and other groups and bodies with a shared interest in supporting and promoting the Village but with the aim of ensuring that a fair balance is maintained between commercial interests and in protecting the amenities of residents.

For many years the high concentration of licensed restaurants pubs and bars in the Village has attracted large numbers of visitors, especially at weekends and many drive here and park in surrounding residential roads. Whilst recognising that these visitors contribute to the Village economy, it is very important to residents that the availability of alcohol from these premises is properly controlled in Licensing Policy.

During the consultations on Merton's first Statement of Licensing Policy in 2004/5, information provided by WURA on behalf of residents was instrumental in leading to the designation of the Village as a CIZ in the Policy in order to promote the Licensing Objective of the Prevention of Public Nuisance. Residents had cited many examples of alcohol related Public Nuisance incidents which were taking place regularly in and around the Village. These included inconsiderate, noisy and rowdy behaviour, by drinkers standing on pavements outside premises or as they moved from one venue to another, disturbance late at night as

residents were woken up by noise from visitors returning to their cars, shouting, slamming car doors etc., littering with broken glass often left on pavements, antisocial parking blocking access; and unpleasant antisocial behaviour in the street, and towards residents and their property.

The CIZ designation in the Village has been confirmed on each renewal of Merton's Licensing Policy (until now). It has undoubtedly had a beneficial effect in that the overall number of Licensed Premises has not changed and in contested Licensing Applications residents' objections have been given due weight with speculative requests for late night opening invariably refused or restricted to Fridays and Saturdays and tied to the provision of late night refreshment with table service. Residents feel that a fair balance has been achieved between the interests of the business and residential communities. This balance and community spirit is reflected by the fact that WURA is a prime mover on the Visit Wimbledon Village group which is chaired by Councillor Najeeb Latif and on which the council is represented by Paul McGarry. The aim of this group is to encourage commercial activity while maintaining the character of the village neighbourhood.

The principal argument in the CIA for withdrawing the Village CIZ is that there is insufficient evidence to justify its retention. However, it will be noted that the evidence cited in the CIA details records of low levels of incidents from police and ambulance call outs for alcohol related incidents which are typically examples of Crime and Disorder. The Village CIZ was not designated in response to Crime and Disorder issues and so it seems wrong that it should be assessed now against evidence of that nature. No evidence has been sought from residents to establish what nuisance issues are taking place, but the absence of such data does not justify the CIA's apparent assumption that Nuisance is not happening.

The Licensing Objectives include both the Prevention of Crime and Disorder and the Prevention of Public Nuisance and each is of equal weight when formulating and implementing Licensing Policy. The failure of the CIA to properly investigate and address Public Nuisance issues in response to which the Village CIZ was designated demonstrates to us that the analysis is flawed and should not be used to justify withdrawing the Village CIZ designation

Our understanding of the information to be addressed when preparing a CIA is that residents' experience should be considered. The CIA refers only to a sample survey from 2019 giving views from some residents on perceptions of crime and personal safety etc. As a sample survey it only included a very small number of Village area residents and crucially it did not address any nuisance issues which are key to the Village in a licensing context.

In fact, WURA's understanding is that nuisance, fuelled by alcohol, does continue to be an issue in the Village and surrounding area. Anecdotally, it has been reported to us (and noted in submissions on Licensing applications and in this consultation) that residents are still facing late night noise and sleep disturbance, antisocial behaviour, disturbance, littering and visitor parking issues. There have been reports of petty vandalism with damage to street furniture and to parked cars. Most of these incidents whilst very annoying, tend not to be reported to the police or the Council (as one resident put it "what could they do after the event anyway?") so it is not surprising that no records are available.

However, since late May, as Government lockdown restrictions have eased, many more visitors have been coming to enjoy the open spaces on Wimbledon Common, particularly Rushmere which adjoins the CIZ boundary. An emerging issue is the numbers of people who are using the Common for social gatherings and parties, especially late at night. Alcohol is being consumed, (including probably by people under age) music is often played and the noise and disturbance carries across a wide area including when the partygoers eventually leave. Some are lighting fires for barbecues, damaging woodland, grassland and plants etc. The Commons' staff have been struggling to cope with the large quantities of cans, bottles, broken glass and litter left behind from these parties. A particularly serious incident took place late at night on 26th June which involved the Commons staff calling in a large number of police and 3 ambulances.

I am a resident living close to Rushmere Common. I am also part of the team that looks after the gardens of the War Memorial. I walk across this area daily to the Village. I can personally attest to the antisocial behaviour and littering problem which is now taking place. There have been mountains of litter, most of it alcohol-related, for the staff and volunteers to clear such that the conservators of Wimbledon & Putney Commons have resorted to trying to raise additional emergency funding to cover the extra costs. I volunteer as a litter picker, work with the Conservators to address the litter problem etc and am a member of the Commons' Stakeholder Group which has regularly discussed this issue. This area needs all the help it can get to reduce the levels of public nuisance.

In addition, I can confirm from my own experience that residents witnessing these incidents will invariably report them to me and to the Conservators' office, not the Council as the Common is not Council land and the management is dealt with by Commons' staff in the first instance. It is unlikely that any records will be available to Council officers because the Council is not involved in the response.

The volume of this antisocial activity has been acknowledged on the Conservators' website: <https://www.wpcc.org.uk/downloads/annual-open-meeting-wpcc-annual-open-meeting-qa-aom-july-2020-final.pdf> (the minutes of the Q&A at the 2020 Open Meeting – questions 6 and 8 with residents asking about the response to the late night partying etc.) and: <https://www.wpcc.org.uk/downloads/media-releases/wpcc-media-statement-august-2020.pdf> (the August 2020 Media Release with photos of the litter after late night partying etc.)

As further evidence of the problem which is taking place on and around the Common, the Metropolitan Police have announced that an order (which gives police enhanced powers of crowd dispersal) is currently in place under S35 of the Anti-Social Behaviour, Crime and Policing Act 2014 until 20.30pm on 7th September "in view of large crowds holding unlicensed music events". The order, which will only have been required as serious disturbance is anticipated by police intelligence, includes Wimbledon Common, Southside Common, Parkside and other access routes to the Common.

There are 5 shops in the Village with off licences and the majority of the remaining licensed premises are also licensed to sell alcohol for consumption off the premises. Take away alcoholic drinks are on offer. In short, it is not difficult to buy alcohol in the Village to take away and drink on the Common at leisure, including until very late at night. Whilst it is likely

that in the colder months, these parties will be less frequent, there is every reason to assume that this popular activity will be revived next year and thereafter in warmer weather. As a free and accessible outdoor space with the opportunity to party until late at night the Commons has unique attractions especially if, post Covid-19 the safety and viability of indoor party venues remains in doubt.

The Wimbledon Village CIZ has worked well to protect residents' interests and amenities, but it is not accepted that this should mean that there is no longer any need for that protection to continue. One might say "it ain't broke, so don't fix it". Cancellation of the CIZ will in our view only encourage more applications for late night opening because of the less restrictive Licensing Policy provisions which will be in force. Incoming operators invariably apply, speculatively, for extensive late night opening permissions and post lockdown it is reasonable to assume that existing traders will want to maximise their trading opportunities with longer hours as well. This will adversely affect residents and will change the character of the Village. We are not reassured by the suggestion in the CIA that without CIZ protection each new application "will be considered on its merits". A key element of the special policy in a CIZ is the recognition of the cumulative (and negative) impact of the density of existing licensed premises, and not the merits of an individual applicant's proposal. Without a CIZ, as we understand it, that density and cumulative impact is not a relevant consideration. In any event if CIZ designation is withdrawn it seems likely that applicants will be quick to point out that in formulating the new Policy, the Council had satisfied itself (notwithstanding the evidence being provided in this Consultation) that residents' concerns were insufficient to justify a restrictive approach.

WURA supports the recommendation in the CIA that the Town Centre CIZ is retained, noting the incidents of crime and disorder that have been recorded. However, an unfortunate consequence, if the Village CIZ is removed, is that this will highlight the Village as an area where late night drinking will be permitted, encouraging a "night time economy". This is not what residents want for the Village as it will only serve to exacerbate the existing problems which residents have to deal with. It will also radically change the character of the Village for the worse. It is another reason to renew, not cancel the Village CIZ designation so that the town and the Village are operating on the same terms.

The beneficial effects of the CIZ designation in Wimbledon Village are much valued by residents and there are good reasons to believe that those benefits will be reversed if the designation is withdrawn. As the volume and density of licensed premises and the proximity of residents' homes remains unchanged since 2006, the vulnerability to alcohol fuelled nuisance incidents will continue. Accordingly, we do not believe that removing the designation of Wimbledon Village as a Cumulative Impact Zone for the purposes of Merton's Licensing Policy is justified. The designation should be renewed along with those for Wimbledon Town Centre and Mitcham.

Yours sincerely



5 September 2020

WEHRA Input: Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Ms Brass,

This provides you with views of Wimbledon East Hillside Residents Association (WEHRA) on the draft **LB Merton Licensing Policy 2021-2026 and Cumulative Impact Assessment**.

WEHRA represents 800 households to the northeast of Wimbledon town centre. Our mission is 'to *preserve, protect and enhance our community*'. WEHRA worked with local councillors and the community to establish the town centre and village **Cumulative Impact Areas** alongside changes in Licensing away from the Magistrates Courts in the early 2000's. WEHRA designed a 'Disturbance Diary' system, whereby local people spent time in and recorded general incidents of un-neighbourly and/or bad behaviour by venue/by person, during evenings from 9 pm and into the night in the town, recording incidents by hour. WEHRA periodically revisits the Disturbance Diaries, when problems arise, such as when a venue(s) appears to be violating conditions of their Licence, or when litter and residue from the night time economy becomes a liability to community wellbeing.

We live in close proximity to licenced venues, and the CPZ parking charges on our roads expire at 6:30 pm. As a result, we have a large number of 'evening and late-night visitors' parking on our roads. Council Licensing Officers are well aware that our neighbourhood has many concerns with the existing Licencing Policy, as we have kept them informed, as incidents and problems arise.

Following are four major concerns with the draft Policy that we would like you to consider. Detailed comments follow, section by section, for consideration as amendments to the final published document. Thank you in advance for your time and consideration of our views.

TOPLINE CONCERNS WITH DRAFT LICENSING POLICY TO BE ADDRESSED

WEHRA has four major concerns with the draft Licencing Policy and Cumulative Impact Assessment, that we request be addressed prior to publication:

- 1) **We agree the Wimbledon town centre CIA must be continued. The volume of policing and litter issues alone is evidence of this need. We are concerned about the proposed removal of the Wimbledon Village CIA, as the recommendation is based on an incomplete summary of evidence, implying an absence of problems.** The fact is a significant concern with licenced premises exists in the Village with Public Nuisance. Has the Committee visited the Village recently or read in the press about serious, on-going problems in its public spaces? Evidence exists, but has not been included in the report, including total police/emergency services callouts, records of ASB/public nuisance from thousands of regular outdoor drinkers, many underage, that did not get a mentioned. See Detailed Comments below and PRA letter (Attachment A)
- 2) **We request the Council acknowledge the importance of day-parts in relation to Licenced premises. Generally, the ‘night-time economy’ that Merton Council talks about is a MYTH. In reality it is a DIS-ECONOMY.** A healthy mix of different venues allows manageable daytime, evening and night-time economies, serving different audiences at different times/days of the week. When that mix is out of balance, as regularly happens here, it can ruin a town. Finally, given the town is ‘one long high street’, with homes immediately behind commercial premises, most licenced activity should cease later-evening (11 pm) weekdays, and midnight on Saturday/Sunday. A robust economic assessment is needed to quantify the high economic and social costs of late-night activity, reducing revenues, and possibly even causing a net cost to the Council.
- 3) **Given the change in Licensing Policy requiring evidence of *serious problems*, we request the Licensing Officer provides a Council Website PORTAL for local residents, visitors and businesses to record evidence over time.** Such a File would allow robust monitoring of general problems associated with individual Cumulative Impact Areas and also the wider borough. Such a PORTAL would provide a helpful summary, over time, of general concerns with alcohol-related venues/visitors that affect local residents. To date we’ve been told to simply ‘keep a record ourselves.
- 4) **Police/Emergency callouts and Incident data provided in the draft Policy are incomplete and lack transparency.** WEHRA has statistics published over the years confirming the many problems with alcohol consumption in Merton. In the draft Policy 2021-2026 such evidence is thin on the ground, and maps difficult to read. The absence of a formal report undermines the argument to remove the Village CIA. All statistics available that are linked to overindulgence/alcohol, such as emergency services/NHS hospital ER/police/public health/street cleaning data - should be incorporated in the 2021-2026 Policy. This will confirm that Wimbledon town and Village warrant continuation as CIAs. Further, the ‘Residents Survey’ of 1,000 people of which one- third were under 18 (!) is a poor indication of satisfaction with current policy. The sample is not significant, not as reliable read of a population of over 200,000 people. The Council must conduct professionally designed surveys in future, or don’t bother undertake surveys at all.

FOLLOWING ARE FURTHER COMMENTS, BY SECTION:

Introduction (1.7)

The introductory paragraph is muddled and contradictory; it should be clear and specific. Surely the top priority for LB Merton is to ensure the well-being of all Merton's residents. Here is a suggested improvement:

Merton Council's strategic objective to make Merton a healthier place for all, by:

**Promoting a high quality, safe suburban environment,
Providing new homes and associated hard infrastructure and also a social infrastructure, and
Robustly mitigating and adapting to climate change and with improved air quality**

**Merton also has an obligation to ensure the borough is well-connected and accessible, and that it remains economically viable.
Merton will strive to build a stronger, more sustainable economy throughout the borough.**

Merton's Licensing Policy is an integral element of the Council's strategic objective.

Introduction (1.10)

This para is about the delicate balance between the rights of residents and the 'interests of commerce'. Language used should describe the primary stakeholders in Wimbledon and indeed other areas in Merton as **local residents**, not as 'commerce.' It is wrong to suggest that residential amenities should be compromised, and possibly further compromised, in the interest of 'commerce' related to alcohol/licensing activity. **The balance to be struck must be 'yes to commerce, without jeopardising existing residential amenities'.**

Please amend the first sentence suggesting it is right to "balance the interests of commerce with the rights of residents to enjoy their homes and locality without being unreasonably disturbed." Merton residents have a *human right to quiet enjoyment*. There is no such thing as 'being

unreasonably disturbed'. Eg: If a drunk parked his car outside my home, and then slams his door, shouts and vomits at 3 am, waking my household, it is a 'reasonable disturbance'. Please re-draft this sentence to include residents' right to quiet enjoyment.

Visitors come to Wimbledon because of the amenities presently available. If you – by your decisions - draw in more and more visitors principally for drinking/licenced activities, you change the nature and character of the area. Given Merton has 15 years' experience of the impact of licenced premises in Wimbledon town, we all know that generally means any more licenced premises will be to the detriment of local residents and local economy.

MetPolice can barely manage the later night activity that is operating here in Wimbledon town centre today. The street sweepers are exhausted after clearing away the food waste/vomit/broken bottles, even blood from our current late-night visitors. Until a better mechanism to control drinkers including those who abuse alcohol/drugs, no further change in the balance is possible.

We must ask the question: **Where is the council's economic review of the Dis-Economy of night-time activity in Wimbledon?** Calculate the cost of police time to attend to fights/accidents/burglaries/ASB, ambulances and emergency services personnel, St Georges' A&E is full of drunks/drug ODs from Wimbledon and other Merton town centres, damage to trees/public spaces, smashed plate glass windows (one is smashed every two weeks in the town, £2k/window). Damage to planters, trees and street furniture? One must ask - Have these data been intentionally omitted from this perhaps overly 'pro-alcohol' draft Licensing Policy?)

Here is a spreadsheet summarising the paucity of data provided in the draft Policy. From what we have seen in previous years, there is much more, comprehensive information that has been omitted from the report, and we request a full annual analysis, including totals of all police/emergency services incidents throughout our five wards.

	TOTAL 4					TOTAL	
	ABBAY	D'DONALD	HILLSIDE	TRINITY	TOWN		VILLAGE
Ambulance callouts for Alcohol	57	24	32	50	163	21	184
Ambulance callouts assaults	5	0	0	9	14	0	14

Violence w/ injury	49	35	25	72	181	18	199
Violence against person (NA)					80E		80
Anti-Social Behaviour	183	71	126	217	964	80	1044
Noise (comparable data NA)					40E		40
TOTAL BY WARD/AREA	296	130	183	348	957	119	1561
% OF TOWN INCIDENTS	31%	14%	19%	36%	100%		
% OF ALL WIMBLEDON*	21%	9%	13%	24%	66%	8%	100%

*excludes noise and violence against person (only averages provided by Police)

SOURCE: draft Policy (4/19-3/20)

1.11 “An effective Licensing Policy”

The suggestion here is pretty blunt: that the council’s licensing officer should aim to ‘increase the leisure industry provision’. Wimbledon town is a CIA because of the considerable damage licensed premises cause to the residential community. Until there is explicit evidence that existing Licence holders are able to control their drinkers, no further increase in licensed premises should be permitted. Please amend the language to reflect this specific problem, or delete the requirement to increase the leisure provision. This has not been agreed with residents, and it is not in the council’s gift to assert it. As central government asks, **Any decision is on a case by case basis.**

It looks as if **the rebuttable presumption in favour of refusal** for applications within a CIA has been deleted? For the record, as recently as 19 May 2019, the **rebuttable presumption** was very much in the Policy, as confirmed by Cllr Tobin Byers, chair, Licensing Committee. The interpretation may have shifted in the latest Home Office paper, but the language remains.

Email from T Byers to L Terrafranca, 19 May 2019

Many thanks for your email. I will pick and ensure it is dealt with.

In regards to your comment on the planning application, as you are probably aware there is a Cumulative Impact Zone covering the Wimbledon town centre area, so any application for a new premises licence (separate to the planning process) would have to overcome a rebuttable presumption against its granting, which is designed to address the very issue you raise.

Kind regards,
Tobin

**Councillor Tobin Byers
Cabinet Member for Adult Social Care and Health
Chair of the Health and Wellbeing Board**

2.2 "The Borough is ..."

The first paragraph confirms that Merton is predominantly a residential area. However, the assertion that the Village is 'half the size of the town' cannot be correct. The town has far more licenced premises, and many more at much later hours of operation than the Village. (Eg: Look at Ambulance callouts over a year. With 163 ambulances called for alcohol emergencies in Wimbledon town area, and just 21 for the Village. The capacity for alcohol/overindulgence in Wimbledon town is about eight times that of Wimbledon Village.

4.5 Main Principles

Bullet point 5: This suggests Merton's Licensing Policy is not the primary mechanism for general control of nuisance and anti-social behaviour. It is wrong to suggest no link exists between Licences and nuisance, ASB, violence, aggravated assault, theft, criminal damage etc. Please acknowledge that Licence holders are not always perfect in their control of nuisance, ASB and other criminal behaviour of their guests. And there must be a concession that the vast majority of evening/late evening/night time disturbances are very likely to be linked to the Licenced Premises an, for example, the thousands of visitors in the town.

Further clarity is required in this section on day-parts. The draft Policy describes 'a holistic approach to the management of the evening and night-time economy' in LB Merton. Yet no definition of what that holistic approach is. Please add a full paragraph in this document describing the principle dayparts for any food/drink operator. The **daytime** business brings the most footfall, the **evening** is primarily diners in restaurants, and the **night-time** is for repeat-drinking.

Daytime: 7 am until 5 pm. This is prime time for the coffee shops, cafes, lunch time/snack takeaways, tea shops, and restaurants/pubs

Local residents and incoming office workers are main users of these venues, as well as the thousand tourists/students/tennis and other visitors to Wimbledon

Evening: 5 pm until 11 pm. This is the casual dining venues, restaurants, cocktail bars and pubs
This sector is heavily used by both local residents and office workers, meeting up with friends prior to heading home outside the area

Night-time: 11 pm until 3:30* am (*the latest hour of operation in Wimbledon)
This group are primarily NOT WIMBLEDON RESIDENTS. This group from outside the area brings with it the greatest social cost to our community. Not just to local people/children trying to rest, but also to the emergency services, NHS resource and for on-going Policing. Add to that the daily short term damage (street litter/vomit/drug paraphernalia) and longer term damage – ripping up trees, pee/vomit/faecal matter et al in every dark corner of the town. And then all these negatives continuously spilling on to residential roads)
Note: 4-6 am is when all venues must be closed because the Police resources are diminished by this time, and the street sweepers and other maintenance must take place prior to the commuter/school flow commencing from 6 am, lasting until late morning.

Wimbledon demographics are made up of families and mature adults: primarily professionals, often dual-income households with all sorts of hardworking people in many diverse occupations from bankers, professors, doctors, consultants, solicitors, teachers, IT workers, to nurses/care workers, and many thousands of school kids. Most of these people must get up very early and all require a good night's sleep each and every night.

Local residents do not want Merton to be allowed a 'Main Principle' that can be used as a 'get out clause' for the council to wash their hands of responsibility for ensuring a healthy mix of community and commercial areas. Further, the current language could serve as an excuse to be careless and make mistakes by allowing more/too many licenced premises, operating too late into the night, causing too many policing/waste management/social problems. The overall responsibility for the success or failure of a commercial area is not random. The council and the town's BID LoveWimbledon take much credit for anything good in the town; they must also strive to control the considerable damage done in the town from alcohol-related activity, particularly the late night problems witnessed by CCTV cameras but seldom reported.

4.5 Main Principles – Bullet Point 8 – 'Pool of Model Conditions'

This proposal is wholeheartedly supported. We would like to see the draft of these Conditions. There is a great need to include community-serving conditions such as (to name just a few) ...

- Ensuring CCTV covers the entrance and any rear/side access/exit, and also CCTV of bar area and wide angle of venue; and if outside area, CCTV to monitor any untoward behaviour in that area (again, usually drugs)
- Readily sharing CCTV footage to assist Police in identifying drug dealers and other unsavoury activity that the venue and/or town may attract
- Commitment to sweep the frontage of the venue at the close of business each and every day, removing cigarette butts, litter and washing down any spilt coffee/drinks/other remains that are on their own footpath, including such unpleasantness as urine, vomit, blood if in evidence on the footpath outside the frontage of the venue
- Removing tables/chairs/glass/food waste when venue closes, including glasses/bottles left on adjoining windowsills and footpaths

8.4 Licensing Policy

Merton assumes it may grant licences for its own venues, yet Merton Council properties are technically owned by the people of Merton. Please would you modify the paragraph to read something like “any Licence holder will be required to follow the same procedures as any other Applicant, including written commitment to abide by the Conditions established with each individual licence and that a Condition would always be included to ensure no disturbance is caused by their guests, that would be allowed to occur for adjoining homeowners to the council premises”.

9. Cumulative Impact

We note the draft Policy includes the language “to give rise to **serious problems** of crime, disorder and/or public nuisance ...”

For the record, the words ‘**serious problems**’ do not necessarily mean things where blood is involved, like knife crime or GBH. Serious problems may include regular, on-going **Public Nuisance**. (The Licensing Act establishes that each of the four licensing objectives are of equal importance.) In Wimbledon town there is a tremendous QUANTITY and BREADTH of problems: noise, nuisance, litter, blood from fights, windows smashed, and urine et cetera, BECAUSE of so many venues and so many are 11 pm plus hours of operation, when fewer sober people are out to witness bad behaviour as it happens. In addition, we do have a significant number of VERY SERIOUS incidents in the town, and these are more often on Thursday/Friday/Saturday nights, and running into the early hours of the following morning.

It should be noted that it is not just the town that has serious problems associated with licensed premises. Wimbledon Village continues to have very many problems linked to alcohol consumption, and there are thousands of visitors who buy alcohol and consume it not just in pubs and restaurants, but also in all of the public spaces and open spaces throughout Wimbledon, leaving behind bottles, cans, food waste, human waste, drug paraphernalia, etc. **These regular disturbances seem to have been ignored by this draft Policy and must be mentioned in the final approved Policy 2021-2026.** The pandemic is forcing thousands of drinkers onto the Common and on the large grassy acres around Rushmere Pond, where it is openly acknowledged as a significant, serious and on-going public drinking problem as relates to the CIA. It was disappointing that in the Licensing meeting of 9 June 2020 not one member mentioned this serious problem when voting on removing the Village CIA. Have any in the Committee been to the Village or on the common during the lockdown?! The Village CIA should not be eliminated; instead due recognition is needed, of the ongoing problems of Public Nuisance, Public Safety and Protection of Children from Harm from drinking – if only from those thousands (including underage) drinking in public open spaces.

Finally, a Council member of some authority aspires to increase revenue from the Village's bars/restaurants/pubs/off-licensees by inviting 'even more leisure/commercial activity'. See Merton **Youtube** Channel <https://www.youtube.com/watch?v=Y8Ae-A0-yNU> This person does not understand why a Cumulative Impact Area is set up and for what reasons CIAs are kept in place. It is disappointing that committee had to take time to consider removing the CIA for both Wimbledon Village and Wimbledon town, despite the thousands of problems well documented by emergency services, with ambulance callouts, hundreds of policing problems, crime and disorder related to overindulgence in drink/drugs, smashed plate glass frontages, tree branches broken off, other bad behaviour, including much of it on the doorstep of local residents, who are trying to get a good night's sleep. It would be appropriate that the person apologises for not understanding his role on the Licensing Committee – an independent body of Councillors and professionals charged with administering Policy, not re-inventing it.

Further justification for retaining Wimbledon Village CIA is outlined in the attached representation from PRA, a strong Village RA, and member of the Union of Wimbledon RAs. WEHRA supports PRA's rationale for continuation of the Village CIA from Merton's (for PRA Representation, see Attachment A). It would be a grave mistake to remove the Village CIA, given the on-going problems of Public Nuisance and Protection of Children from Harm.

9.2 Summary of CIA's in Merton – Recommendation should be amended to Retain all three CIAs, including Wimbledon Village

Given Home Office changes to the Licensing Act, and shift in interpretation of how a CIA operates, it would be wrong to remove the Village CIA without careful study over a period of 2/3 years, of all aspects of Public Safety, Public Nuisance and Protection of Children from Harm by analysing results of statistical data from the NHS, police and the council waste management team

There is insufficient evidence to justify discontinuing the CIA in Wimbledon Village, especially given the vast social and economic changes brought about by the Covid-19 pandemic, and corresponding need for residents and visitors to socialise outdoors, not just for their own health and wellbeing, but for the mental health of the entire population. We have been locked up for most of 2020, and local/national government should not be jail keepers for its citizens. (See **Attachment B**: BRS Brothers Licence Application, and letter from PC Stevens outlining problems with off-licences near to large open spaces. This is relevant to outdoor drinking problems regularly experienced in Wimbledon Village.)

It must also be noted: There is a large new SPAR grocery/off-licence about to open in Wimbledon Village a few paces from Wimbledon Common, and they plan to apply for a License to sell value- priced wine/beer/spirits in newly converted premises (former LK Bennett clothing). They are hoping you will withdraw the CIA so they are free to sell whatever they choose. The SPAR situation is yet another reason the CIA must be continued during 2021-2026. When the pandemic has passed, and perhaps if SPAR and the other two discount grocery/off-licences - Tesco and Co-Op - have all been in operation for a few years, only then might a new assessment of the CIA be conducted. It is wrong to do so today.

Lastly, WEHRA requests the Licensing Officer be permitted to open a Cumulative Impact Area 'LICENSING COMPLAINTS FILE'. This would be a Council Website PORTAL (ie: not linked to any specific premises, simply filed by the Cumulative Impact Area, and otherwise by Ward).

This would be a GENERAL file, listed for the public to send in their comments/concerns/complaints related to general LICENSING ISSUES in the Borough. There could be a dedicated file for each of the Council's three CIAs, and when the Licensing Officers receive emails/letters relating to CIAs but not to specific Licence Holders, these documents would be retained, stored chronologically, year by year. Given the changes in the ways CIA are to be managed, this would provide the Licensing Officer and Licensing Committee a formal procedure to monitor qualitatively the volume and breadth of 'general complaints, problems, concerns' related to Licensing industry in any given area. Here's an example of what type of information might be recorded in the File:

From: 

Date: 

To: publicspace@merton.gov.uk

Dear Public Spaces, Dear Case Officer,

Outside Wimbledon Library this morning are three big fresh dumps of vomit from Friday night's drunks.

Would you kindly jet wash the footpaths ASAP. It smells bad, and visitors to the town are put off.

The Planning Officer is reminded that Wimbledon already has too many late night venues, and the Council's street cleansing resources are sorely inadequate.

 WEHRA planning and licensing officer



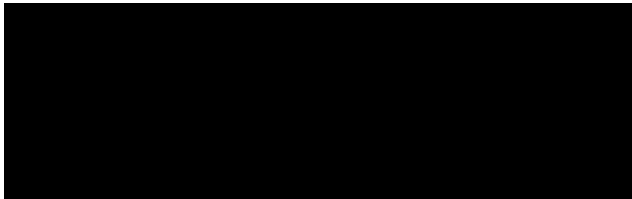
And this charming sight was on the footpath on Wimbledon Hill Road as I walked to church recently. It looks as if a drinker had been wearing a mask and had to vomit. He/she used the mask. This shows what was left on the footpath – It was disgusting, and nobody was willing to clear it away. Eventually I kicked it into the gutter



At present the Officer regularly asks individuals who provide such concerns that they should keep their own files. Surely the Council's best interest would be to keep a master file, if only to be able to represent qualitative concerns from local residents, for use when future draft Policies need updating.

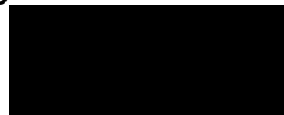
The reason we have a Cumulative Impact Area is because there are problems in a specific area. In order to keep track of the quantity and quality of concerns within a CIA, it would be very helpful to have a dedicated web-page on the Council website, to gather this important information for use when considering issues/renewal of CIAs. **Thank you for agreeing to make this an easy, yet important addition to the draft Planning Policy 2021-2026.**

If you have read this complete document, thank you very much for your time. Before closing, WEHRA wishes to acknowledge the terrific work done by Ms Macdonald, Merton Licensing Officer, Licencing PC Russ Stevens and the NHS and street cleansing Teams who strive to keep us all safe. Thank you all, and to the whole Licensing Team, for your help in ensuring all Merton communities are kept safe, happy and healthy.



Attachment A: PRA Representation to retain CIZ in Wimbledon Village, reprinted by permission

PARKSID CIATION



Sheila Brass, Licensing Section
London Borough of Merton
Civic Centre
London Road
Morden, SM4 5DX

Dear Ms Brass

16 August 2020

Consultations: Licensing Policy 2021-2026 and Cumulative Impact Assessment

Thank you for the invitation to respond to the above Consultations.

We do not have any comments to make upon the suggested revisions to the draft Licensing Policy, other than in relation to the proposal to withdraw the designation of Wimbledon Village as a Cumulative Impact Zone (“CIZ”) which is based upon the analysis in the Cumulative Impact Assessment (“CIA”) circulated with the draft Policy.

We very much regret and strongly oppose the proposed withdrawal of the Village CIZ from the Licensing Policy due to take effect in 2021. We believe the proposal is not justified and do not accept the analysis in the CIA which supports this recommendation. Our reasons are set out below.

1. Background

1.1 The membership area of this Association, which comprises over 300 households, is to the north of Wimbledon Village. It includes Marryat Road and Parkside which adjoin Wimbledon Village High Street, Burghley Road which adjoins Church Road and Peek Crescent, Rushmere Place and Parkside Avenue which are all close to the Village. Residents within our membership area take a keen interest in the preservation of the amenities of Wimbledon Village for the benefit of the local community.

1.2 In 2004/2005 we, along with the Wimbledon Union of Residents Associations (“WURA”) and other residents’ groups, worked with Ward Councillors to contribute towards the formulation of Merton’s Licensing Policy, and in particular the designations of Wimbledon Village and Wimbledon Town Centre as Cumulative Impact Zones. Since then we have continued to take an active interest in licensing matters and have reviewed all licensing applications which have been submitted within the Village CIZ.

1.3 The commercial elements of Wimbledon Village are laid out in a ribbon pattern along the High Street, Church Road and part of the Ridgway, all with residential roads behind them or directly adjoining. There are also a large number of flats at first and second floor level above many of these premises, especially on the High Street. With this proximity, many residents are therefore directly impacted by any noise, disturbance and nuisance issues which occur from the behaviour of customers of licensed premises.

1.4 The high concentration of licensed restaurants pubs and bars has had the effect of establishing Wimbledon Village as a popular “destination venue” attracting large numbers of visitors, especially at weekends. Many of them travel here by car and park in surrounding residential roads. In 2006 when the Council’s Licensing Policy was first introduced, the CIZ designation was made in response to the negative impact of visitors’ behaviour experienced by residents living around the Village. They had described instances of alcohol fuelled Public Nuisance occurring on a regular basis; examples included noisy, inconsiderate, and rowdy behaviour by groups and people who had had too much to drink, disturbance late at night (including sleep disturbance) from noise from visitors returning to their cars, shouting, slamming car doors etc., littering, antisocial parking preventing residents’ access to their homes, damage to parked cars and unpleasant antisocial behaviour in the street and towards residents and their property.

1.5 In 2006, the incidents experienced in Wimbledon Village contrasted somewhat with those occurring in the Town Centre where the concentration of licensed premises is higher. Alcohol related incidents reported in the Town also included criminal activity such as violence, assaults and antisocial

behaviour which involved frequent police and ambulance call outs. Since Licensing Policy includes the Prevention of Crime and Disorder and the Prevention of Public Nuisance as separate Objectives it was concluded in 2006 that rather than having a single CIZ covering both Wimbledon Village and Wimbledon Town Centre there should be two separate Zones, albeit with boundaries that were almost contiguous, to reflect the fact that the justification for each designation responded to a different Objective.

2. Present Context

2.1 The designation of Wimbledon Village as a CIZ has undoubtedly had a beneficial effect for residents in helping to ensure that the overall number of licensed premises has not increased and in curtailing licensing applicants' efforts to secure generous late night extensions for alcohol sales (see below). However, our understanding is that nuisance remains an issue, particularly at weekends, for residents living in and close to the Village. Examples mentioned to us have included late night noise and disturbance, including from people enjoying licensed outdoor areas, or returning to their cars in residential roads and leaving noisily. Littering is also raised; as people leave the Village, empty or partly empty bottles of beer and/or wine are frequently left on pavements, often resulting in broken glass, and cans and bottles are sometimes thrown into gardens or stuffed into boundary hedges. Residents have also complained that visitor parking often means that if they return late they cannot find anywhere to park near their home or that antisocial visitor parking prevents access to their property. Damage to street furniture in the Village has also been mentioned as well as, on occasion, unpleasant anti-social behaviour by inebriated people.

2.2 In recent months, the government's Covid-19 restrictions have either prevented or severely limited opportunities for indoor social gatherings in licensed premises. As a result, one consequence of these restrictions has been the growing popularity of Wimbledon Common as an outdoor destination for visitors; it directly adjoins the Village CIZ and with no gates or fences it is one of the few open spaces in the local area which permits unrestricted access on a 24/7 basis. We understand that the numbers of visitors to the Common are now significantly higher than ever before and whilst many are coming in the daytime simply to walk, enjoy the open space and/or to take exercise, with the easing of restrictions to permit outdoor gatherings, there are increasing numbers who come later in the day and in the evenings to socialise and to eat and drink "al fresco"; we understand that gatherings where alcohol is available are regularly taking place. Many of these groups stay until late at night, making a lot of noise (music is often played) which travels widely into surrounding residential areas and when they go they leave large quantities of litter, including empty alcohol bottles and cans, both on the Common itself and in nearby roads. There has also been evidence of the use of recreational drugs. The age of the attendees is not known but it is possible that some will be under age. Police have also been called to the Common on several occasions. We do not know if arrests have been made but the fact that police intervention has been required at all is an indication of the serious concerns which this behaviour, invariably fuelled by alcohol, is causing.

2.3 Specifically, on 26th June 2020, a very large gathering took place on Rushmere which is one of the largest of the open areas on the Common and surrounded on three sides by houses. To quote (with her permission) from a report of the event at the time from one resident, Mrs SJ Holden, whose home in Parkside Avenue is some distance from Rushmere:

"tonight the noise was louder and more widespread and then at around 10pm the sirens from the emergency services eventually lured me to see what on earth was going on. I counted at least x3 ambulances, x6 police cars, x5 police Vans at the northern end of Rushmere. Groups of x8, x10, x12 young adults were dispersing in all directions away from the area. The Village was heaving of course, Friday nights normally attract a partying crowd."

There are concerns that due to ongoing closures of nightclubs and indoor party venues, and the lack of alternative, accessible open spaces in the wider area, it is likely that Rushmere will continue to attract similar gatherings in the future.

2.4 There are 5 shops in the Village CIA which are licensed to sell alcohol for consumption off the premises. In addition many of the licensed restaurants, pubs and bars in the Village are also licensed to sell alcohol for consumption off the premises. A number of restaurants and cafes are also selling take away food. All are within very easy reach of Wimbledon Common, especially Rushmere

2.5 As the data relied upon in the CIA considers incidents taking place between April 2019 and February/March 2020 there is no reference to any of the above events or their impact in the CIA's analysis of the present circumstances relevant to the Wimbledon Village CIZ. These must be given due consideration.

3. Effects of the CIZ designation in Wimbledon Village and Implications of withdrawal

3.1 Since 2006 the overall number of licensed premises within the CIZ has not changed significantly although many of these premises have changed hands. There have been a number of licensing applications where incoming operators have sought to introduce new trading models with different opening hours. Typically, applicants have initially sought permission for late night opening until at least midnight every day except Sundays, but in all such cases, thanks to the CIZ designation, objections from residents have been given due weight and these proposals have been withdrawn or significantly curtailed. Late night opening (usually to midnight) if permitted at all has been restricted to Fridays and Saturdays and with a requirement that alcohol is only sold with table service meals. In some cases, the need for a Hearing before the Licensing Sub Committee has been avoided altogether because applicants have been prepared to negotiate with residents to agree suitably modified proposals which meet concerns raised.

3.2 Residents value the protection which the CIA designation has provided. As noted above, the overall number of Licensed Premises in the Village has not changed significantly since 2006 and a degree of consensus now exists amongst operators as to the hours and terms for alcohol sales across the Village. Residents consider that a reasonable balance has been achieved between supporting the promotion of the business economy of the Village and the amenities of the residential community. At Hearings when applications have been contested, successive Licensing Sub Committees have reflected residents' concerns in their decisions. It should also be noted that the CIZ designation has been confirmed without question on each review of the Council's Licensing Policy.

3.3 With clear evidence that the CIA has been working effectively to protect their interests and amenities, residents do not accept that there is no longer any need for that protection to continue. Given the approach commonly adopted by incoming operators to seek extensive late night opening permissions, residents have good reason to believe that this practice will continue, and will probably be encouraged, following any withdrawal of the CIZ designation. In any event, as Lockdown restrictions ease it seems inevitable that operators in the hospitality sector will want to maximise trading opportunities, including seeking longer opening hours. Inevitably, going forward, it will be far more difficult to challenge such proposals without the protective Policy restrictions which CIZ status affords. We are not reassured by the view in the CIA that despite the loss of CIZ status, each application would be considered "on its individual merits". Without a CIZ designation, the cumulative impact of the density of existing licensed premises in the vicinity will no longer be a relevant factor. In any event it seems self-evident that applicants will cite the withdrawal of the CIZ to demonstrate that the Council considers that within the Village there is insufficient evidence of nuisance etc to justify a restrictive approach to their application.

3.4 In addition, the retention of the Wimbledon Town Centre CIZ which the CIA recommends (and which we support) will only serve to create an unfortunate contrast in the context of Licensing issues if the Village CIZ is withdrawn. Operators will be encouraged to open in the Village rather than the Town to exploit the more flexible Licensing Policy terms which will apply, especially in relation to late night opening. More visitors will come, including late night revellers migrating up Wimbledon Hill from the Town to take advantage of the longer opening hours which will be available. In summary, the absence of CIZ controls in Wimbledon Village will only encourage a shift towards a new “night time economy” throughout the week. This will detrimentally affect residents and radically change the character of the Village for the worse.

4. The Cumulative Impact Assessment

4.1 Licensing Policy is framed to promote the Licensing Objectives which include the Prevention of Crime and Disorder and the Prevention of Public Nuisance. Each of the Licensing Objectives, whilst addressing distinct and separate issues, is of equal weight for the purposes of Policy formulation and implementation. Unfortunately in our view, the CIA’s analysis appears to focus exclusively upon the incidents relevant to the Prevention of Crime and Disorder and presents an assessment of “evidence” relating to the Wimbledon Village CIZ in that context but no other. In our view this approach is flawed because it ignores the reasons, namely Public Nuisance incidents, for which as noted above, the Wimbledon Village CIZ was designated as a separate CIZ from the Town Centre.

4.2. The Licensing Objective of the Prevention of Public Nuisance needs more careful analysis than the CIA offers in the context of the Wimbledon Village CIZ. By their nature, the majority of instances of nuisance, in particular those described by Village area residents, such as late night noise, sleep disturbance, littering and antisocial behaviour, whilst distressing and sometimes resulting in damage to property, seldom cause physical harm to residents or lead to requests for the intervention of police, ambulance or other authorities. It therefore follows that the lack of data referencing nuisance incidents should not be taken as evidence that these nuisance incidents have not taken place; it merely shows that they have not been reported. Moreover, for the same reason the lack of data cannot justify an assumption that such incidents will not occur again. Given the density and popularity of Wimbledon Village’s licensed premises, the continuing widespread availability of alcohol and the proximity of residential property it seems inevitable that there is an ongoing risk that these same nuisance incidents will continue to occur. That risk justifies a continuing response in the form of CIZ protection.

4.3 The analysis in the CIA of the Wimbledon Village CIZ is brief. It refers to data from police and ambulance call outs in Village Ward, referencing low recorded levels of incidents under these headings:

- violence with injury – non domestic
- ambulance call-outs for alcohol
- ambulance call-outs for assaults, and
- antisocial behaviour complaints to the police.

As these are all matters which would properly be considered as examples of Crime and Disorder for the purposes of Licensing Policy, the CIA suggests that the Ward’s low levels of incidents in each case cannot justify continuing designation of Wimbledon Village as a CIZ. However, as noted above, since the Wimbledon Village CIZ was designated in response to issues of Public Nuisance, it seems wrong to consider, and with such great emphasis, evidence relating to a Licensing Objective which has not been relevant to the Village CIZ from the outset. The CIA offers little, if any, analysis of issues of Public Nuisance because no efforts have been made to investigate these matters with affected local residents until this Consultation.

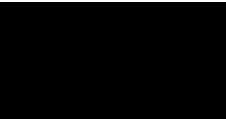
4.4 Due weight must however be given to the more recent incidents described above which have involved police and ambulance attendance on Wimbledon Common. These incidents post-date the information considered in the CIA but are directly relevant to any analysis of the impact of the widespread availability of alcohol in Wimbledon Village.

4.5 The residents' survey data relied upon in the CIA cannot in our view be considered as valid evidence that there is now a widespread acceptance that the Wimbledon Village CIZ designation is no longer necessary or wanted by local residents. The survey was a sample survey of residents across the whole borough which would only have included a small number of residents from Village Ward. There is nothing to suggest that this was a representative sample especially of those living in or around the Village who are directly affected by Nuisance issues. In any event, questions relating to perceptions of crime and disorder and, in that context, personal safety are not directly relevant in the context of the Village CIZ where the Prevention of Public Nuisance was the priority upon which the CIZ was founded. It would appear that no questions were asked relating to residents' experience of, or worries about ongoing levels of a range of public nuisance incidents which would justify a CIZ designation. In addition, as far as we are aware, when the CIA was being prepared, officers did not seek the views of WURA and/or of any local Residents' Association in relation to any of the issues under consideration.

Conclusion

The beneficial effects of the CIZ designation in Wimbledon Village are much valued by residents and there are good reasons to believe that those benefits will be reversed if the designation is withdrawn. As the volume and density of licensed premises and the proximity of residents' homes remains unchanged since 2006, the vulnerability to alcohol fuelled nuisance incidents will continue. Accordingly, we do not believe that removing the designation of Wimbledon Village as a Cumulative Impact Zone for the purposes of Merton's Licensing Policy is justified. The designation should be renewed along with those for Wimbledon Town Centre and Mitcham.

Yours sincerely



Attachment B: Recent Licensing Hearing for BRS Brothers, Mitcham (CIA) with Licensing PC Stevens' letter clearly identifying Police difficulty supervising off-licenses, particularly when near to public open space, in this case Wimbledon Common

Here's the link: <https://democracy.merton.gov.uk/mgAi.aspx?ID=14398>

BRS Brothers, 256 London Road, Mitcham, CR4 3HD

- Meeting of Licensing Sub-Committee, Wednesday 6 May 2020 1.00 pm (Item 4.)



The Licensing Department
The London Borough of Merton Merton Civic Centre,
London Road,
Morden
SM4 5DX

Wimbledon Police Station 15-23 Queens Road London
SW19 8NN

Telephone: Email: Rus

17th March 2020

SW BCU
VW - Merton Borough
VW - Wimbledon Police Station

Re:- Application for Premises Licence at 256 London Road, Mitcham. CR4 3HD

Dear Sir/Madam,

On 27th February 2020, an application was received from Mr Surjit Ram Chopra for a new Premises Licence under Section 17 of the Licensing Act 2003.

The application can be summarised as follows:-

A convenience and mobile phone repair shop at BRS Brothers, 256 London Road, Mitcham CR4 3HD. To sell alcohol from 8am to 11pm daily, for consumption off the premises.

Police wish to make strong objections to this application with regard to all four of the licensing objectives namely:

The Prevention of Crime and Disorder
The Prevention of Public Nuisance
Public Safety
The Protection of Children from Harm

The premises is situated in Mitcham town centre, close to a public green, the Clock Tower, and street market. Mitcham town centre is within the Mitcham Cumulative Impact Zone, the policy specifically relating to Off-Licences. 256 London Road is in the very centre of the CIZ, in an area where crime and anti-social behaviour from street drinkers is a serious problem. Police Officers and Council Wardens deal with incidents of crime and ASB within the immediate vicinity on a daily basis. There are regular incidents of urinating in public, littering, verbal abuse from intoxicated street drinkers who loiter in Mitcham town centre close to the many shops that sell alcohol. Approximately 50m from 256 London Road is Mitcham Clock Tower, this historic landmark is surrounded by benches that have become adopted by street drinkers, behind the benches are bushes that street drinkers use to hide their cans and bottles, and discard them when empty. Members of public, including children feel intimidated and are sometimes verbally abused as they walk past. The local shops report regular petty thefts and loss of business due to street drinkers loitering close by. Despite vast sums of money being spent on the regeneration of Mitcham town centre there is still an overwhelming feeling of poverty and crime in the area due to the constant presence of drunks.

Mitcham town centre does not need, and could not cope with another Off-Licence. At last count there were 10 shops within 300 metres of Mitcham News that are licensed to sell alcohol, all of which cumulatively contribute to alcohol related crime and ASB. There is an existing off-licence shop only 3 doors away at No 250 London Road.

Relevant Crimes recorded in the immediate vicinity over last twelve months:

Assault on female by drunk male whilst sitting outside
Shoplifting of wine
Shoplifting of spirits
Personal robbery of drunk victim

Victim drinking alone outside, robbed and stabbed
Shoplifting of alcohol
Threatening and abusive behaviour from drunks outside
Alcohol related affray

Victim assaulted by street drinkers
Shoplifting of alcohol
Abusive and threatening drunk male in shop
Serious sexual assault
Assault, drunk victim hit over head with bottle, group of drunk suspects
Shoplifting bottles of wine

Shoplifting bottles of spirits
Drunk male assaulted
Shoplifting bottles of spirits
Drunk male abusive, threatening and throwing chairs

It is my absolute belief that any additional shop premises selling alcohol in Mitcham Town Centre

WILL contribute to and exacerbate the existing problems of crime and anti-social behaviour. If BRS

Brothers are granted a Premises Licence, they will increase the quantity and availability of alcohol consumed in the street, and will therefore proportionately increase crime and ASB.

There has not been any pre-application contact with the Metropolitan Police regarding this application. S182 Licensing Act 2003 (Home Office Guidance) encourages early consultation with the Police, and it is normal and sensible procedure to attempt discussion with the Police prior to submission of a Licensing Application. As a result, the application makes no attempt to address the Cumulative Impact Policy. I have had a brief email conversation with the applicant's agent during the consultation period, but due to late receipt of the application and Coronavirus related sickness, a site meeting has not been possible.

I have received a number of offered conditions from the applicant but I do not believe that any of these address the CIP.

The Metropolitan Police strongly urges the sub-committee to reject this application.

Yours Faithfully

Russ Stevens PC 3852SW 191701 Licensing Officer

End

From: [Redacted]

Sent: 07 September 2020 08:45

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Cc: Councillor David Simpson <David.Simpson@merton.gov.uk>; Elizabeth Macdonald <Elizabeth.Macdonald@merton.gov.uk>; Democratic Services <DemocraticServices@merton.gov.uk>

Subject: #Section35 in place for #WIMBLEDON VILLAGE - Input for draft Licensing Policy 2021-2026

URGENT - PLEASE READ

This provides further evidence of serious, ongoing problems associated with drink/alcohol/overindulgence in the Village. It is wrong to remove the CIA in Wimbledon Village, particularly during this very challenging period as we all battle with not just economic uncertainty, also a global pandemic.

Unprecedented times, and not such a time to withdraw support for ANY community's safety and wellbeing. Thank you for retaining the Village CIA, and for more carefully studying all CIAs in future, with a better provision of existent data, by also gathering information on general licensing concerns via a dedicated council Drwebsite PORTAL.

Yours sincerely,
[Redacted]



[View on Nextdoor](#)



[PCSO Dave Haywood, Merton Police](#) PUBLIC SERVICE

S.35 authorised for Wimbledon Common + Parkside, Southside Common, Woodhayes rd, Copse Hill, Coombe Lane, Kingston Bypass, Roehampton Vale + Kingston rd till 20:30 hour on the 7th Sept. This is due to large groups holding unlicensed music events

[Crime and Safety · 6 Sep to subscribers of Merton Police](#)

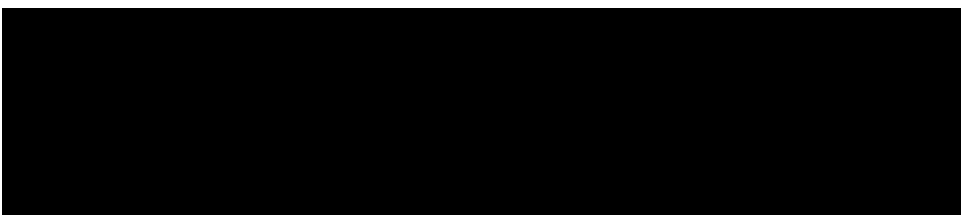


[Thank](#)



[Private message](#)

[View or reply](#)



From: [REDACTED]
Sent: 07 September 2020 13:56
To: [REDACTED] la.Brass@merton.gov.uk>
Cc: [REDACTED]
Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Ms Brass,

We live in Wimbledon Village, [REDACTED]. We have been living here since 2006 and are now joining the long list of residents who are strongly opposed to the intended removal of the CIZ status of Wimbledon Village.

We believe the recommendation for the removal of the designation of Wimbledon Village as a Cumulative Impact Zone for the purposes of Merton's Licensing Policy is not justified because:

1. CIZ designation for Wimbledon Village since 2006 has had a beneficial effect in preventing an increase in the number of licensed premises in the Zone and in ensuring that residents' concerns about controlling nuisance etc. are properly addressed in licensing applications. (Most applicants apply speculatively at first for late night opening every night). Removal of the designation will reverse these benefits and will have a long lasting and detrimental impact upon the character of the Village (eg Open Season on new applications for late night opening, new premises opening etc, etc.)
2. The Cumulative Impact Assessment upon which the recommendation is based relies heavily upon an analysis of data relating to Crime and Disorder incidents. These are not relevant to the Wimbledon Village CIZ which was designated in response to incidents of Public Nuisance. The Prevention of Crime and Disorder and the Prevention of Public Nuisance are separate but distinct Licensing Objectives which are of equal value when considering a CIZ designation. They have not been given equal weight in the Assessment.
3. The survey evidence cited in the assessment reporting residents' views on perception of crime, personal safety and other considerations was from a 2019 sample survey across the Borough. It gives neither a representative view in the Village Ward (the sample was too small) nor is it relevant in the context of Village CIZ licensing matters as respondents weren't asked about licensing related issues including their experience of nuisance incidents.
4. By their nature, incidents of Public Nuisance (such as noise and antisocial behaviour) tend not to be reported by residents nor require intervention by the police or other authorities so the absence of incident data should not justify an assumption that there have been no nuisance issues. Residents living in and around the Village say that they do experience ongoing nuisance issues (eg late night noise and disturbance, littering, parking problems and some antisocial behaviour) even if they have not reported them to the authorities.

There is no doubt that things have improved within the CIZ since 2006 however there is a developing and ongoing issue with open air drinking (possibly underage?) and partying on Rushmere. There was a major incident at the end of June when Police and Ambulances were called so that will have been logged. We have no idea where the alcohol is being bought but the simple point is that The Common adjoins a CIZ which includes off licenses and restaurants/pubs/bars with off sales licences. This type of incident could become more frequent if the CIZ were removed and therefore alcohol was more readily available for a longer number of hours.

We hope that Merton Council will refrain from taking this to the next level, i.e. remove the CIZ status for Wimbledon Village.

Sincerely Yours,

A solid black rectangular redaction box covering the signature of the sender.

From [REDACTED]

Sent: 27 July 2020 21:04

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Cc: [REDACTED]

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Sheila,

We live in the Village Ward and fully agree with the Parkside residents Association objections to the cancellation of the Wimbledon Village CIZ protection.

The PRA committee's view is that the Council's proposal is ill-conceived:

-) The lack of recorded incident data is unsurprising; the Village CIZ was designated in response to nuisance and antisocial behaviour issues, many of which, by their nature, are not reported to the police or the Council but they are still legitimate concerns for protection in a licensing policy. (The "Prevention of Public Nuisance" is one of the stated Objectives in Licensing legislation.)
-) In any event, lack of recorded data is more likely to be a reflection of the effectiveness of the CIZ. Given the numbers of licensed premises in the Village, the risks of late night noise, nuisance and antisocial behaviour will continue and may escalate unless properly controlled by CIZ protection.
-) Withdrawing CIZ protection risks bringing unwelcome change to the Village. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. Do we want the Village to have a "vibrant night time economy" - which is how Wimbledon Town Centre's late night alcohol related problems are frequently, if somewhat euphemistically, described?
-) An important change of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents and made no reference to proposed changes in licensing policy.

We look forward to you reconsidering the current proposal.

Kind regards,

[REDACTED]

From: [REDACTED]

Sent: 06 September 2020 23:03

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Ms Brass

I am a resident in the Wimbledon Village Ward. I understand that the Council is considering the removal of the special status of a Cumulative Impact Zone which has been applied to Wimbledon Village since 2005. I would strongly object to the removal of the CIZ as a resident for the following reasons:

∩The CIZ has worked effectively in the Village; this is a justification for its retention, not its removal.

∩The commercial premises in Wimbledon Village are surrounded by residential roads and there are also flats above many of the units in the High Street and Church Road. As was the case in 2005 there are many residents who are vulnerable to the noise, disturbance, nuisance and other alcohol related issues caused by the behaviour of customers of licensed premises. Given the density of licensed premises the risks of these incidents occurring will continue and may escalate unless properly controlled by CIZ protection.

∩The Council's case refers to low levels of recorded incident data in Village Ward but the data cited references incidents which are primarily examples of crime and disorder. This low incidence is not surprising because the Village CIZ was designated in response to issues of nuisance and antisocial behaviour rather than crime and disorder. The majority of nuisance etc. incidents, by their nature, tend not to be reported to the police or the Council but they are still legitimate concerns for protection in a Licensing Policy.

∩Withdrawing CIZ protection in the Village whilst retaining it for the Town Centre also risks promoting the Village as a destination where late night drinking is encouraged. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. This would materially change the character of the Village for the worse and to the detriment of residents.

∩An important proposal of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents and made no reference to proposed changes in Licensing Policy.

∩Residents living in and around the Village are concerned about nuisance, noise and disturbance, littering, parking problems etc especially at weekends. An emerging local issue however is the frequency of noisy, late night gatherings on

Rushmere on Wimbledon Common where alcohol is consumed and excessive amounts of litter are left behind. This is not the time to introduce relaxations in Licensing Policy which will lead to an increase the availability of alcohol in the Village.

- Furthermore, since the easing of lockdown since May/June, there has been a marked increase in litter and food waste around the Common, especially around the Rushmere Pond area, particularly alcoholic glass bottles and cans which are hazardous to children and animals. The imminent opening of a new SPAR convenience store on the High Street which is right next to the Common will also encourage this problem.

As a result I strongly object to the removal of the existing CIZ status and would request that these issues are considered by the Council.

Thank you



From [REDACTED]
Sent: 15 August 2020 08:55
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: CIZ and Wimbledon Village

I am in complete agreement with the points covered by the Chairman of the Parkside Residents Association ([REDACTED]) with regard to any possible changes to the current CIZ rulings with regard to licensing in Wimbledon Village. There has been an improvement in the Village, particularly at night and noticeably at weekends, since the CIZ came into force. I live close to the Rose & Crown Pub and I am confident in saying that I believe they would not want the opportunity to extend their hours other than at the special arrangements normally allowed during the Wimbledon fortnight. My address is [REDACTED] and name

[REDACTED]

From: [REDACTED]
Sent: 06 September 2020 15:02
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Ms Brass,

I am writing as a resident on [REDACTED], Wimbledon Village.

I wish to lodge my objection to the removal of the Wimbledon Village CIZ.

The very fact that it has been working, and has seen the reduction of incidents, is the reason why it should remain. The village continues to be a very vibrant area, because commercial and residential inhabitants are able to live side by side under the protections that CIZ has provided.

Please do reconsider the removal of the Wimbledon Village CIZ.

Many thanks.

[REDACTED]

From: [REDACTED]

Sent: Wednesday, August 12, 2020 4:14:31 PM

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment.

Dear Ms Brass,

I am writing to you both as a long term resident (since 1994) in [REDACTED] in the Village Ward and also as [REDACTED] of Moorgate Estates Limited - the owners of a number of commercial and residential buildings in the Village including 70, High Street (the recently refurbished Clock Tower following a lightning strike in July 2019), 65/65 High Street, 76 High Street, 4 Church Road and 1/13 Church Road inclusive.

All these holdings make us one of the larger, if not the largest, Village commercial landlords and we accordingly have a very particular interest in both preserving the unique atmosphere of the Village and also in securing its future long term success and economic viability.

I have spent many years supporting initiatives to enhance the popularity of Wimbledon Village with both residents and visitors alike and I was accordingly very disturbed to read that consideration is being given to the cancellation of its "Cumulative Impact Zone" status.

Since 2005 this status has gone a long way towards creating the environment so loved by all users of the Village – allowing a wide variety of licensed premises and restaurants of varying types (5 pubs of different sizes and styles, some 20 restaurants and a number of off licenses/ convenience stores- more than enough for the most dedicated bon viveur or partygoer by any standards) whilst retaining a modicum of peace for those residential occupiers and owners living in close proximity.

It is interesting that over the last few years the incidence of complaints about night time behaviour from residents of residential properties in our ownership at 70 and 76 High Street has increased dramatically- by and large all the usual alcohol fuelled culprits found in less controlled areas such as noise, violence, theft, urination, plant box destruction etc, etc.

When something as unique as the Village exists why risk reducing it to the levels so sadly found in other parts of the Borough by removing a CIZ status that has served the area so well.

Could I ask you to reflect on the contents of this email and not be influenced by other views which may be less concerned with the destruction of quality of life and more interested with reducing everything to the same less unique level – I assure you this will not result in a happier environment for all Village users and will probably result in a poorer environment for future generations whether visitors or residents.

I am happy to meet both you and the Licensing committee to discuss if you feel it would be helpful.

Yours Sincerely,

[REDACTED]

From [REDACTED]
Sent: 07 September 2020 11:36
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: CIZ Review

CONSULTATION, LICENSING POLICY 2021-2025 and CUMULATIVE IMPACT ASSESSMENT

In the matter of the Council's imminent review of cumulative impact zones, may I offer the following specific thoughts for the Licencing Committee's consideration.

As a Wimbledon resident who has lived for forty years directly between two of the Village's most popular public houses, namely *The Hand In Hand* and *The Crooked Billet*, I can attest to the benefits of the CIZ with the issues of nuisance and late-night noise, both being considerably less of a problem than they were prior to the CIZ's inception.

When any difficulties do arise, we tend to address them directly with the pub managements in the confidence that we have the strength of the CIZ behind us. Consequently the data regarding nuisance and noise which may inform the Committee's decisions in this review would be unlikely to reflect any such complaints, though they are surely still legitimate concerns within Licensing Policy, and sufficient to justify continuing CIZ protection.

The Committee may also care to take into consideration the marked increase in customer numbers since an extension to The Crooked Billet pub in 2014 and a more recent and substantial extension to The Hand In Hand in 2019. That, plus the continuing attraction of the Crooked Billet Green and The Common in fine weather, regularly makes for a large volume of customers within what is a relatively small residential area.

Also, with the current economic challenges facing so many businesses, there is no reason for us to be overconfident that the pubs will not seek licence extensions or other variations, and without the protection of the CIZ our amenities as residents would enjoy less priority than the provisions currently afford us.

I would suggest that the current CIZ is working well here, and performing as the Council intended it to, and that to remove it now could upset the fair balance which exists between the interests of local residents, the pubs and other businesses in the Village Ward.

Thank you for your consideration of these points, which I hope may be helpful.

Yours sincerely,

[REDACTED]

7th September, 2020

From: [REDACTED]
Sent: 07 September 2020 14:47
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment”

Good afternoon,

I am writing in support of your proposal to lift the special status CIZ Wimbledon Village has. The village is such a wonderful place, and whilst we need to respect it's heritage, we need to ensure the future and the challenges that high streets currently presents. It's upsetting to see so many shops and businesses struggling and even closing down.

I was born and am still a resident in Wimbledon village for over 40 years and I feel that the area is desperate for more bars which would attract more visitors and can only thrive with more drinking establishments, especially during Wimbledon fortnight. Wimbledon village is up there as one of the greatest high streets in the country but it's deeply lacking bars, and too many charity shops. I feel this would be an excellent law change to allow more.

Regards,

[REDACTED]

From: [REDACTED]

Sent: 02 September 2020 12:22

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: CIZ WIMBLEDON VILLAGE

Dear Ms Brass

I am a resident of [REDACTED] adjacent to the Hotel du Vin and object to the removal of CIZ designation in the village for all the reasons set out below.

In addition, since the Covid 19 epidemic the adjacent Cannizaro and Village Green have become a widely used leisure destinations particularly at weekends, the former served by the Hotel. If restrictions are lifted this would invite behaviour which would seriously impact the whole area of West Side Common which is after all a Conservation and Residential Area and part of Wimbledon Common. You may recall a few years ago we had to take action with the Hotel to restrain its activities in the Orangery and Car Park related to their events activity, late night drinking, rowdyism and noise and this within the prevailing CIZ restraints.

The argument that there hasn't been any complaints is de facto a recognition that its working not a justification for change. What conceivable justification is there for lifting it?

Yours Faithfully

[REDACTED]

Village area Residents' Associations believe that the proposal to cancel the Wimbledon Village CIZ designation is not justified. These are the main reasons:

-) The CIZ has worked effectively in the Village; this is a justification for its retention, not its removal.
-) The commercial premises in Wimbledon Village are surrounded by residential roads and there are also flats above many of the units in the High Street and Church Road. As was the case in 2005 there are many residents who are vulnerable to the noise, disturbance, nuisance and other alcohol related issues caused by the behaviour of customers of licensed premises. Given the density of licensed premises the risks of these incidents occurring will continue and may escalate unless properly controlled by CIZ protection.
-) The Council's case refers to low levels of recorded incident data in Village Ward but the data cited references incidents which are primarily examples of crime and disorder. This low incidence is not surprising because the Village CIZ was designated in response to issues of nuisance and antisocial behaviour rather than crime and disorder. The majority of nuisance etc. incidents, by their nature, tend not to be reported to the police or the Council but they are still legitimate concerns for protection in a Licensing Policy.
-) Withdrawing CIZ protection in the Village whilst retaining it for the Town Centre also risks promoting the Village as a destination where late night drinking is encouraged. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. This would materially change the character of the Village for the worse and to the detriment of residents.
-) An important proposal of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents and made no reference to proposed changes in Licensing Policy.

-) Residents living in and around the Village have spoken of their concerns about nuisance, noise and disturbance, littering, parking problems etc especially at weekends. An emerging local issue however is the frequency of noisy, late night gatherings on Rushmere on Wimbledon Common where alcohol is consumed and excessive amounts of litter are left behind. This is not the time to introduce relaxations in Licensing Policy which will lead to an increase the availability of alcohol in the Village.

From [REDACTED]

Sent: 03 September 2020 10:09

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Cc: Councillor Thomas Barlow <Thomas.Barlow@merton.gov.uk>; Councillor Andrew Howard <Andrew.Howard@merton.gov.uk>; Councillor Najeeb Latif <Najeeb.Latif@merton.gov.uk>

Subject: "Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment"

Dear Ms Brass

I am astonished to learn that the Council is considering dropping the CIZ for the Village Ward, advancing as a reason "that the CIZ has been successful"! For that success to continue and the Village to remain as pleasant an environment as it has been, the CIZ also needs to continue and I object strongly to its proposed cessation.

[REDACTED]

From [REDACTED]
Sent: 10 August 2020 18:11
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Merton Council Licensing Policy

Dear Ms Brass

The proposed changes to the Merton Council Licensing Policy have come to our attention.

We are writing to object to the proposal as the current situation which has been in place is working satisfactorily, and any relaxation or policy will simply bring us back to the original issues, which in turn will require further mitigation. Furthermore, to attempt any infrastructure changes during a serious pandemic is most definitely not a good idea.

The efficiently working system which you have implemented does not require change.

Many thanks for your consideration.

Yours sincerely,

[REDACTED]

From: [REDACTED]
Sent: 03 September 2020 10:52
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Sheila Brass,

Living in a cul de sac very close to Wimbledon Village High St, we residents witnessed some very unsavoury events towards the end of the lockdown. Takeaway drink was freely being sold, though there were no public toilets. The result was people relieving themselves on our grass verge, and/or sitting drinking on it.

Please consider very carefully the possible outcome of offering licences for late night drinking!

I understand the need for extra business in the village, but due to the above experience of drunken behaviour, I regret that I must object.

[REDACTED]

From: [REDACTED]
Sent: 06 September 2020 09:37
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: CIZ Consultation Licencing Policy 2021-2026. Cumulative Impact Assessment

Dear Ms Brass

I object very strongly to the change of the Licencing policy in Wimbledon Village.
I am a resident in the Village ward and object for the following key reasons:

The current policy has had some success - a reason to keep it not remove it.

There have been considerable problems with alcohol related gatherings on the Common;
particularly adjacent to the Village.

The different policy for Wimbledon Town and Village will result in more alcohol related
gatherings in the Village as people move to the Village to take advantage of the different
policies.

I would much appreciate you taking notice of these comments.

Regards

[REDACTED]

From [REDACTED]
Sent: 02 September 2020 11:18
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: The importance of maintaining the CIZ status of Wimbledon Village

Dear Ms. Brass,

We are very concerned indeed that there is even a suggestion of removing the Cumulative Impact Zone in Wimbledon Village. We have been shocked enough to see the terrible amounts of rubbish on the Common from late night drinking and anything that can be done to lower this and maintain the status quo, or improve it, in Wimbledon Village is vital. We should point out that in more than 15 years in this area, we have never seen a policeman in the village, except going through it in a car at vast speed with the sirens blaring.

We are residents here and the impact of removing the CIZ would be enormous for the following reasons:

-) The CIZ has worked effectively in the Village; this is a justification for its retention, not its removal.
-) The commercial premises in Wimbledon Village are surrounded by residential roads and there are also flats above many of the units in the High Street and Church Road. As was the case in 2005 there are many residents who are vulnerable to the noise, disturbance, nuisance and other alcohol related issues caused by the behaviour of customers of licensed premises. Given the density of licensed premises the risks of these incidents occurring will continue and may escalate unless properly controlled by CIZ protection.
-) The Council's case refers to low levels of recorded incident data in Village Ward but the data cited references incidents which are primarily examples of crime and disorder. This low incidence is not surprising because the Village CIZ was designated in response to issues of nuisance and antisocial behaviour rather than crime and disorder. The majority of nuisance etc. incidents, by their nature, tend not to be reported to the police or the Council but they are still legitimate concerns for protection in a Licensing Policy.
-) Withdrawing CIZ protection in the Village whilst retaining it for the Town Centre also risks promoting the Village as a destination where late night drinking is encouraged. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as

well as late night extensions for alcohol sales to boost trade. This would materially change the character of the Village for the worse and to the detriment of residents.

) An important proposal of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents and made no reference to proposed changes in Licensing Policy.

) We hate to see and hear nuisance, noise and disturbance, littering, parking problems etc especially at weekends. An emerging local issue however is the frequency of noisy, late night gatherings on Rushmere on Wimbledon Common where alcohol is consumed and excessive amounts of litter are left behind. This is not the time to introduce relaxations in Licensing Policy which will lead to an increase the availability of alcohol in the Village.

Please ensure this CIZ protection is maintained.

Yours sincerely,

A black rectangular redaction box covering the signature of the sender.

From: [REDACTED]

Sent: 02 September 2020 10:55

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Cc: [REDACTED]

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

As a resident in Wimbledon Village I am writing to object to the proposed withdrawal of CIZ licensing status for the Village area, especially in comparison to preserving such status in neighbouring Wimbledon Town Centre.

Such a proposal is obviously likely to shift late night drinking and carousing, with all its associated anti-social repercussions, towards the Village area. Why should we Village residents bear the brunt and suffer accordingly? What right has the Council to force such a change upon us?

If your response is that our local businesses need such a relaxation in order to flourish then I would counter that these are not desirable local businesses to have in such a residential area as ours, and would be no loss to the Village if they closed down.

If anything, we need tighter regulations of these types of business, not looser. We already suffer from late night noise from the likes of Hemingways et al. Their clientele is not comprised of locals making use of a local amenity, but people from outside the area who have no regard for those living here. I make no excuses for having what could be seen as a NIMBY attitude towards this subject. There are areas of London where late night activity and noise is the norm, where the majority of the population is young and keen to participate in such activity - Wimbledon Village isn't one of them.

If you want to relax the licensing policy you should arrange to rent a flat in the High Street, or next door to Hemingways, and live there for a while so as to experience what you've inflicted on the Village.

Regards

[REDACTED]

From [REDACTED]

Sent: 03 September 2020 11:30

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Cc: Councillor Andrew Howard <Andrew.Howard@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment”

Dear Sheila Brass

I am writing in response to the above consultation and, specifically the proposal to remove the CIZ status of Wimbledon village. I am a resident of the Village ward. I write to oppose the proposal to remove the CIZ status on the following grounds:

1. The Council's argument for the proposal appears to be that there no longer is a need for the CIZ to be retained because of the lack of notified incidents. This seems illogical on two counts. First, it suggests that the CIZ status has been effective. Second, the low number of reported incidents refers to crime rather than nuisance, which will impact residents but is unlikely to be reported.
2. The number of residential roads surrounding the village and the number of residences on the High Street and Church Road mean that there are many residents vulnerable to the noise and associated nuisance from alcohol related issues.
3. The number of licensed premises in Wimbledon Village is at least as high as when the CIZ was first implemented and therefore remains appropriate.
4. There appears to be an issue with alcohol related gatherings on the Common near Rushmere. Removing the CIZ will only accentuate the problem.

I accept that, as we come out of lockdown, the hospitality businesses need support but there needs to be a balance with the needs of local residents. The removal of the CIZ in Wimbledon Village is a step too far in this balancing act.

I shall therefore be grateful if you will retain the CIZ in Wimbledon Village and recognise its effectiveness.

Regards

[REDACTED]

From: [REDACTED]
Sent: 07 September 2020 15:08
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Cc:
Subject: Wimbledon Village CIZ

Dear Sirs

As a village ward resident , I wish to object to the proposal to cancel the CIZ relating to Wimbledon village

1 . The CIZ has worked well since introduced ; it is no longer a late night drinking arena with loud and antisocial behaviour, but any change in the status would immediately open the Village to a change of tide , and the danger of reverting to the position that previously appertained, and caused the introduction of the CIZ in the first place

2. The first point, above , is accentuated by the proposal to , correctly, retain the CIZ for the Wimbledon Town Centre; this is completely illogical , and would inevitably have the result of pushing antisocial elements “ up the hill “

3. Post covid first lockdown we are seeing a wholly different situation on Wimbledon Common , around “ Rushmere” , and just of the central Village ; large groups gather in the late evenings, no social distancing, cans and other debris left for the wardens to clear ; any lessening of restrictions will inevitably accentuate this trend , encourage the borderline criminal fraternity, and seriously affect the whole area

4. When covid ends, and Britain returns to normal, London want our tourists back : Wimbledon village is one of the six London villages , with attractive buildings, character shops, scenic pubs, and “go to” restaurants, and an atmosphere that we must do everything to encourage . It is a jewel in Merton’s crown to be massaged and cultivated, not treated , as present , with disproportionately highly priced and inconvenient parking restrictions, unsympathetic planning decisions, and no concern for the wider environment.

5. Any such proposal should be supported by an uptodate and specifically targeted survey of local residents; nothing of this kind has been taken ; yet the Council then seek to rely on an old and peripheral survey, not representing even a handful of affected Village ward residents

I urge the Council to make a fair and reasonable assessment of the position , and continue the CIZ for at least a further five years

Yours faithfully

[REDACTED]

-----Original Message-----

From [REDACTED]

Sent: 02 September 2020 16:50

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Cumulative Impact Assessment

We live in the Village Ward and object to Merton Licensing Authority removing the above CIA, simply to increase the sale of alcohol through extended licensing Underage Drinking on the Common will be a problem.

[REDACTED]

From: [REDACTED]
Sent: Monday, August 31, 2020 2:45:39 PM
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Consultation, Licensing Policy 2012-26 and Cumulative Impact Assessment

Dear Ms.Brass

I am writing to object to the the proposed changes to the Licensing Policy in Wimbledon Village, which I believe could have adverse consequences for the Village if the special status as a "Cumulative Impact Zone" is withdrawn. This designation has served us well in protecting the amenities of residents when licensing applications have been considered, and in my view has enabled a fair balance to be achieved between the interests of the residential and business communities.

In my opinion this is a backward step, particularly with COVID-19 and the possibility of future coronavirus pandemics occurring. The council should be taking a responsible approach to limiting late opening hours. This not only applies to keeping the existing licensing hours in Wimbledon Village as they are, but the Council should reduce elsewhere to be in line. Many people in this country are concerned about health issues, be it coronavirus, alcoholism or violence in out streets late at night. There is a not only a cost to peoples health from late opening, neighbourhood noise and local violence but a financial cost to the police and public services at a time when they are already stretched.

The fact that there has not been crime and disorder incidents, alcohol-related ambulance call outs or complaints to environmental health issues etc highlights the success of the Council's Licensing Policy in Wimbledon Village and is a very good reason why the status-quo should be maintained and introduced to other areas of the Borough, particularly in family areas like Wimbledon Village.

I therefore feel that Merton Council should be taking a lead on social issues, particularly in light of the current pandemic to act responsibly in the interests of residents and importantly public services in keeping the current Licensing Policy in Wimbledon Village and bringing other areas in the Borough into line too.

Kind regards

[REDACTED]

From
Sent:

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021 - 2026 and Cumulative Impact Assessment

Dear Ms. Brass,

We are residents of the Village ward and fully agree with the Parkside Residents' Association objections to the cancellation of the CIZ protection in Wimbledon Village.

The PRA Committee's view is that the Council's proposal has not been thought through.

- J The lack of recorded data is not surprising. The CIZ in the Village was designated in response to antisocial behaviour and nuisance issues in the Village. Most of these incidents are not reported to the police/Council but they are nonetheless legitimate concerns for protection in a licensing policy. The 'prevention of Public Nuisance' is one of the objectives stated in the Licensing legislation.
- J Lack of recorded data is most likely to be a result of the effectiveness of the CIZ. There are a number of licensed premises in the Village and therefore the risk of late night noise, antisocial behaviour and nuisance will continue and it is more than likely will escalate if not controlled by the CIZ protection.
- J The withdrawal of the CIZ protection risks bringing unwanted change to the Village. There are a number of empty units in the High Street which are more likely to attract more restaurants than shops, if the CIZ protection is removed we could see more licences being granted and late night extensions for alcohol sales to enhance their income. We do not want to have a 'vibrant night time economy' in the Village if this bring with it late night alcohol related problems experienced in Wimbledon Town Centre.
- J This is an important change and should be supported by evidence from residents in the affected area. No survey has been undertaken. The Council is relying on responses to questions about general perceptions of safety gathered from a 2019 borough wide sample survey which included a very small number of residents in the Village Ward and made no reference to the proposed changes in the licensing policy.

We ask the Council to reconsider the proposal.

Yours sincerely,

From [REDACTED]

Sent: 03 August 2020 07:45

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Hi Sheila,

Hope you are well.

I live at [REDACTED] in Wimbledon Village. I'm slightly concerned about the proposed changes to the licensing rules in our area and think it will adversely impact the local area.

A summary of my rationale is below:

- I believe the lack of recorded nuisances and antisocial behaviour issues in Wimbledon Village show's how the current process works highly effectively and it is a further argument for not changing the licensing policy.
- this will provide unwelcome change to the Village. I understand that a lot of the premises are empty but we should be trying to fill them with local shops not restaurants.
- The late night extension of alcohol sales will change the feel of the village. It could lead to noise and unwanted disturbances in the village at night.

[REDACTED]

From [REDACTED]

Sent: 05 September 2020 22:07

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021-2026 Wimbledon Village

Dear Ms Brass,

With regard to the consultation on the above, we are strongly of the opinion that the CIZ arrangements currently in place in Wimbledon Village should be retained.

We believe that it offers a fair balance between the interests of local business, the opportunities for visitors and the local community.

Recent problems associated with the unlimited use of the Common has resulted in local difficulties and increased costs to the local conservators. This would be further evidenced in the village in the event that the open times of facilities were extended, bearing in mind the CIZ in neighbouring areas.

With thanks.

[REDACTED]

From: [REDACTED]
Sent: 07 September 2020 13:36
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Wimbledon Village Farmers Market - Amazing

Hi Sheila,

I hope you had a great weekend. I just wanted to write to you and say what a great job has been done with the new location for the Farmers Market in Wimbledon Village.

As lovely as the old market was, being able to spread out into the street gave the market, the stalls and importantly the village a whole new energy, one that hopefully will continue as we see a resurgence in visitors to our amazing little community following the pandemic – we definitely need it!

I understand from some of my friends that there is a proposal to extend the licencing laws too – something I whole heartedly back. We need to drive more people back to the village, move with the times and embrace a little change, while continuing to offer an authentic experience people want to come back too. It can only benefit every other outlet in the village in my opinion, in a time when we all need to stand together.

Thank you for your hard work, it certainly had an impact on me and will hopefully continue to drive positive change in the village.

Kind Regards

[REDACTED]

From: [REDACTED]

Sent: 02 September 2020 19:18

To: Sheila Brass Sheila.Brass@merton.gov.ukpos

Subject: Consultation, Licensing Policy 2021 - 2026, Retention of CIZ in Wimbledon Village

Dear Ms. Brass,

It has been brought to my attention that there is a proposal for businesses in Wimbledon Village to be dropped from the CIZ classification. As a long-standing resident of the village, having moved into my present house ([REDACTED] in 1966) I strongly object to such a move. The reason that there has been a relatively small amount of crime in this area is precisely because the CIZ classification has been in force so why abandon a successful system?

Having lived in Wimbledon village for over 50 years now I note with some dismay the increase in population, in buildings where there is no parking provided, in the volume of traffic. Surely it is high time to enforce protection of the establishments where alcohol is provided rather than throw it to the wind. Since Covid we have seen increasing numbers gathering on Wimbledon Common round the Rushmere pond, leaving quantities of litter. Now that pubs and restaurants are beginning to open up it is to be hoped that those gathering on the Common and bringing their own drinks will move to these establishments. Wimbledon village is a popular area, especially at the weekend. I should feel reassured if the CIZ classification were retained in order to protect us from potential hooligans.

I would add that not every petty crime or noisy behaviour is brought to the attention of the police. Plenty of minor crimes and disturbances occur without the involvement of the authorities. That does not make them any less of a nuisance to the many elderly, like myself, who live in this hitherto quiet, leafy suburb.

I have been the object of a minor theft when my handbag was stolen from my house some years ago. It was later discovered empty in an adjoining garden and was clearly the result of someone from the local pub, the Swan in the Ridgway, having gone in search of cash. This is the sort of crime we would like to feel we are protected from.

So please, please retain the CIZ in Wimbledon Village.

Yours,

[REDACTED]

From:

Sent: 07 September 2020 13:01

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Re: Consultation on Village Ward's CIZ.

Dear Ms. Brass,

As a resident of the Village Ward, I ask you to please note my objection to the proposal to end the inclusion of the ward in the CIZ.

It ain't broke, so *please* - don't fix it.

Yours sincerely,

A solid black rectangular box used to redact the sender's name and signature.

From [REDACTED]

Sent: Wednesday, August 19, 2020 10:58:39 AM

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: "Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment"

Dear Ms Brass,

I have lived in the Village for 37 years.

I also spent my school years here.

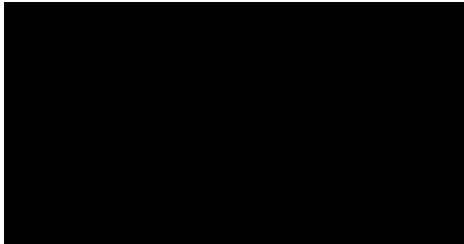
Over that time, the nature of the Village has changed substantially. What has been particularly noticeable is that the number of quick-service restaurants has multiplied enormously. These facilities appear to be just one stop on rounds of drinking that young people now frequent. These are not restaurants where patrons spend an evening dining (and drinking) and then return home.

Particularly on Fridays and Saturdays, there seem to be fairly continuous pub-crawls.

It is perhaps not surprising that the Council does not feel there is a problem with anti-social behaviour and crime. Residents have given up reporting vandalism, car break-ins and anti-social behaviour resulting from the influx of drinkers, as the police seem to be more concerned with appearing "cool" and "woke" than tackling problems. Rest assured, anti-social behaviour and crime are still prevalent.

So, I think the relative calm achieved by the current arrangements should be maintained

Best regards,



From: [REDACTED]
Sent: 04 September 2020 18:50
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Cc: [REDACTED]
Subject: PROPOSAL TO CANCEL THE CIZ (CUMULATIVE IMPACT ZONE) STATUS OF THE VILLAGE REGARDING LICENSING

Dear Sheila Brass

We feel that the proposed removal of the designation of Wimbledon Village as a Cumulative Impact Zone regarding Licensing, should not go ahead for the following reasons:

The residential hinterland of the Village is currently protected by the CIZ from excessive nuisance, crime and disorder. This should continue. To remove its protection will, over time lead to more crime, nuisance and disturbance as more premises will inevitably be granted licences. To say that there are insufficient cases of crime, nuisance and disturbance to justify its retention seems illogical - surely that is the reason for its retention so that these cases of crime, nuisance and disturbance are kept in check otherwise they will gradually increase as more licences are granted.

Merton Council on the one hand want to protect borough residents from nuisance and disturbance from non-residents by for example Low Traffic Neighbourhoods and then on the other hand it wants to reduce protection for residents by withdrawing for example the CIZ. This doesn't make sense.

Kind regards

[REDACTED]

From [REDACTED]

Sent: 07 September 2020 18:21

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Re: Licensing Policy - An Important Consultation on Changes

Hi Sheila,

I have just seen [REDACTED] email below and wanted to echo his thoughts on the subject matter. It's so important locals speak up in support of you at this time.

As a proud female business owner I understand it's vitally important we stick together and encourage investment into the area. Ideally from independent entrepreneurs but investment non the less during these unprecedented times. Wimbledon Village, as along with all high streets in the UK, has been going through change. Modern technology has been chipping away at the historical shopping habits of consumers over the last few years and it is changing the very fabric of the way we use our local amenities.

The service industry plays a significant role in changing the future of the High Street, it has to evolve and restaurants, pubs and bars alike should be encouraged. Locals will visit a thriving high street especially if there is a variety of different options during their leisure time. We need to act quickly and encourage new and fresh investment into the area before it is too late. We also need put a stop to greedy landlords charging rental prices that price out independent entrepreneurs but perhaps that challenge comes at later stage.

I have lived here for over 10 years and during this time this has been a safe environment for women to live and work. I do get frustrated when I hear people exaggerating the noise, the increases in traffic and the minor disturbances which are common place in any suburb of any village or town anywhere in the world. It's a nonsense to say Wimbledon isn't safe. It's time we opened up the village up to new ideas, new ventures, we want positive change. We want new people to visit and even live here.

I fully support the proposal to extend licencing laws and would actively spend my money in the Village to support it through these challenging time. I wish you well with your endeavours.

Regards

[REDACTED]

----- Forwarded message -----

From: [REDACTED]

Date: Mon, 7 Sep 2020, 10:23

Subject: Licensing Policy - An Important Consultation on Changes

To: <sheila.brass@merton.gov.uk>

Good morning Sheila,

Yesterday we attended the newly located Sunday's farmers market on the Wimbledon Village High Street and I was delighted to see high levels of footfall and bustling activity on a sunny autumnal day. It made for such a positive experience and I was encouraged for local shops, bars and restaurants thriving and villagers clearly enjoying themselves and spending money.

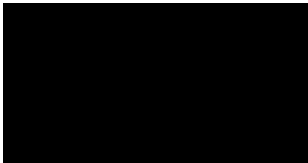
With Covid, and the challenges that obviously presents, it's upsetting to see so many shops struggling and even closing down. I have lived here for over 20 years and have never seen so many empty shops in Wimbledon Village. It's worrying. Yesterday I was with a large group of friends, all professionals in their relative fields (some travelling here on a sunny day) all commenting on the need to spend locally to invest in the greater good of their local community.

I see your proposal to extend licencing laws and commend you. It's exactly what we need. We need footfall, we need newcomers visiting our High Street and enjoying it. We need to make it attractive again to visit. The village is such a wonderful place, and whilst we need to respect it's heritage, we need to embrace the future. An increase in F&B outlets will move the village forwards and help the local community. In my opinion, it's also wrong that that a large pub company has been allowed to monopolise an entire area and is able to exploit the locals through an inflated pricing strategy, discouraging local spend no doubt. Lifting over cautious restrictions will encourage competition, improve standards and increase the chances of people visiting our high street. It will help us to save our High Street and protect the local community.

Thank you for you hard work and commitment to improving Wimbledon Village. We need to change and adapt to the times we are in and I am delighted you are helping us.

I wish you well, don't give up!

Best regards,



From [REDACTED]

Sent: 18 Aug

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Ms Brass,

Merton Council – Licensing Policy Review Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

We understand that the Council is reviewing its Licensing Policy and one specific cause for concern is the cancellation of the special status which Wimbledon Village has enjoyed since 2005 as a “Cumulative Impact Zone” (CIZ).

As we understand it a CIZ in a Licensing Policy means the amenities of residents are given priority and that applicants for new licences and/or late night extensions to permitted hours to sell alcohol have to justify their proposals as a special case.

The overall number of licensed premises in Wimbledon Village has changed little since 2005 and it has enabled our and other residents’ associations to ensure that late night opening is controlled to minimise any disturbance, nuisance and undue noise for residents. Some applications for new licences have been refused. Others, for late night extensions during the week, have been withdrawn in negotiation or refused at Hearings. Friday or Saturday night extensions have usually been limited to midnight and linked to service of meals. A consensus has been established which has achieved a fair balance between the interests of the business and residential communities. Put simply, the CIZ has worked and this protection has been important to the Village.

The Council's main case for cancelling the Village CIZ is that there is insufficient evidence of crime and disorder incidents, alcohol-related ambulance call outs or complaints to environmental health services etc. to justify continuing the CIZ protection. The most obvious reason for this lack of recorded incident data is unsurprising as it reflects the effectiveness of the CIZ.

The Village CIZ was designated in response to nuisance and antisocial behaviour issues. By their nature, many of these issues are not reported to the police or the Council but they are still legitimate concerns for protection in a licensing policy. (The “Prevention of Public Nuisance” is one of the stated Objectives in Licensing legislation.)

Withdrawing CIZ protection risks bringing unwelcome change to the Village. Without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. The Village is not suitable for a “vibrant night-time economy” as Wimbledon Town Centre’s is described. It is disturbing to note that, by contrast, the Council is proposing that Wimbledon Town Centre’s CIZ, established at the same time as the Village CIZ, should be retained

As the new Policy will operate for the next five years it is right that we should look ahead, basing our views on what we would like for the Village in an environment where we can enjoy the best it has to offer.

The Covid19 situation has obviously changed everyone’s perception and the hospitality industry is having to re-open in a new era of social distancing. Therefore, we feel the proposed changes in licensing policy should be supported by survey evidence from all residents in the affected area. It is incorrect for the Council, especially now in the light of Covid19, to rely on information gathered from responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents.

Yours sincerely,

From [REDACTED]

Sent: 07 September 2020 16:13

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: FW: Licensing Policy - An Important Consultation on Changes CIZ 2021 - 2026

Dear Ms Brass

I am responding to the email below which I received from [REDACTED]

I am appalled that the Council are considering amending the licence in relation to Wimbledon Village. I agree with every word Clive has set out below.

The existing policy has worked well. It is utterly ludicrous to suggest that because it has worked well we no longer need it. We might have had a foretaste through the lock-down period of what might happen if the licence were to be removed.

I live in [REDACTED] just off the Common and we have been subjected to nightly disturbance and noise from, mainly youngsters buying alcohol and then "partying" into the late hours on the Common close to the Village. The next day the locals are asked to volunteer to clear up the disgusting litter they leave, locals who I would point out have already paid for the upkeep of the Common.

Due to the vast numbers of non-locals massing on the Common during lock-down I and many of my neighbours were simply unable to use the Common. Quite disgraceful.

Yours sincerely

From [REDACTED]

Sent: [REDACTED]

To: [REDACTED]

Subject: Fw: Licensing Policy - An Important Consultation on Changes

Sent from my BlackBerry — the most secure mobile device — via the EE Network

From: [REDACTED]

Sent: 1 September 2020 19:56

To: [REDACTED]

[REDACTED] - An Important Consultation on Changes

An Important Consultation on Changes to Licensing Policy

Dear Residents,

The Council is reviewing its Licensing Policy and consulting on proposed changes. One proposal is to cancel the special status which the Village has enjoyed since 2005 (when Merton's Licensing Policy was first introduced) as a "Cumulative Impact Zone" (CIZ), whilst retaining Wimbledon Town Centre's CIZ which was established at the same time.

What is a CIZ? Areas with a high concentration of licensed premises which collectively attract large numbers of visitors are at greater risk from the alcohol related problems (ranging from crime to nuisance and antisocial behaviour) which Licensing laws seek to control. So when such an area is designated as a CIZ in a Licensing Policy the amenities of residents are given priority; applicants for new licences and/or late night extensions to permitted hours to sell alcohol have to justify their proposals as a special case.

How has the CIZ worked for Wimbledon Village? The Village CIZ designation was made because of the incidence of nuisance, noise, disturbance and antisocial behaviour experienced by residents. Since then, CIZ protection has been important; the overall number of licensed premises has changed little and when challenging licensing applications, residents' associations have been able to ensure that late night opening is controlled to minimise nuisance etc. Some applications for new licences have been refused. Others, for late night extensions during the week, have been withdrawn in negotiation or refused at Hearings and Friday or Saturday night extensions have usually been limited to midnight and linked to service of meals. A consensus has been established which has achieved a fair balance between the interests of the business and residential communities. Put simply, the CIZ has worked.

Why is it proposed to cancel the Village CIZ? The Council's main case for the cancellation is that there is now insufficient evidence of incidents of crime and disorder, alcohol-related ambulance call outs or complaints about noise and disturbance to environmental health services etc. to justify continuing the CIZ protection.

Village area Residents' Associations believe that the proposal to cancel the Wimbledon Village CIZ designation is not justified. These are the main reasons:

- J The CIZ has worked effectively in the Village; this is a justification for its retention, not its removal.
- J The commercial premises in Wimbledon Village are surrounded by residential roads and there are also flats above many of the units in the High Street and Church Road. As was the case

in 2005 there are many residents who are vulnerable to the noise, disturbance, nuisance and other alcohol related issues caused by the behaviour of customers of licensed premises. Given the density of licensed premises the risks of these incidents occurring will continue and may escalate unless properly controlled by CIZ protection.

) The Council's case refers to low levels of recorded incident data in Village Ward but the data cited references incidents which are primarily examples of crime and disorder. This low incidence is not surprising because the Village CIZ was designated in response to issues of nuisance and antisocial behaviour rather than crime and disorder. The majority of nuisance etc. incidents, by their nature, tend not to be reported to the police or the Council but they are still legitimate concerns for protection in a Licensing Policy.

) Withdrawing CIZ protection in the Village whilst retaining it for the Town Centre also risks promoting the Village as a destination where late night drinking is encouraged. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. This would materially change the character of the Village for the worse and to the detriment of residents.

) An important proposal of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents and made no reference to proposed changes in Licensing Policy.

) Residents living in and around the Village have spoken of their concerns about nuisance, noise and disturbance, littering, parking problems etc especially at weekends. An emerging local issue however is the frequency of noisy, late night gatherings on Rushmere on Wimbledon Common where alcohol is consumed and excessive amounts of litter are left behind. This is not the time to introduce relaxations in Licensing Policy which will lead to an increase the availability of alcohol in the Village.

As we emerge from lockdown with the hospitality industry having to re-open in a new era of social distancing, some of the issues which this consultation is addressing may seem rather remote. However, the timing of this review is unavoidable and as the new Policy will operate for the next five years it is right that we should look ahead, basing our views on what we would like for the Village in an environment where we can enjoy the best it has to offer.

If the Council is to reconsider this proposal it will want to hear from as many Village area residents as possible. If you agree with the objections summarised above, and/or have your own thoughts to add, you can send your comments in an email to the Licensing Officer, Sheila Brass sheila.brass@merton.gov.uk quoting "Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment" and confirming that you live in the Village Ward. Alternatively you can complete the Council's online questionnaire headed "Review of Cumulative Impact Zones 2021" (which also refers to the proposed retention of the CIZ in Wimbledon Town Centre and another in Mitcham) via this link:

<https://consult.merton.gov.uk/kms/dmart.aspx?LoggingIn=tempVar&strTab=PublicDMart&noip=1>

The consultation ends on 7 September 2020

From: [REDACTED]
Sent: 07 September 2020 11:55
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Re: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear members of Merton Council Licensing Committee,

I have been a resident of Wimbledon Village Ward for 28 years, and I am [REDACTED] Wimbledon Village Ward Safer Neighbourhood Police Panel. It is in both capacities I write to oppose the proposed removal of the Cumulative Impact Zone (CIZ) which was granted to the Village in 2006 in response to a large amount of nuisance, noise and antisocial behaviour.

The CIZ has been effective for the Village, and nuisance calls and antisocial behaviour appear to have decreased. Surely this means the CIZ is working, and should not be justification for its removal.

Our local Safer Neighbourhood police team have worked closely over the years with licensed premises to actively discourage the sales of liquor to underage children, and have had success in doing so. They also work hard making sure that the Village is a safe place for residents and visitors alike. Having more licensed premises will make their job more difficult, and residents' lives more inconvenienced.

Despite the hard work of our police and the Wimbledon Common Rangers, Rushmere Pond remains a place where people congregate and drink in evenings, often resulting in crime and antisocial behaviour, not to mention trash which is generated and left behind. On an evening this past June, numerous police response cars and ambulances had to intervene, and although the sheer number of response vehicles was higher than usual, it was not an unusual occurrence. Removing the CIZ would only increase drinking in the Village and contribute to more issues on the Common.

There are empty units in Wimbledon Village. It would be a shame if those spaces were filled by restaurants and bars, rather than shops which would be useful for residents.

A decision this impactful should not be undertaken without consulting the residents who will be affected by it. It is my understanding the Council is relying on a borough wide survey which few Village residents responded to, and made no reference to changes in Licensing policy.

Without CIZ protection, the nature of the Village could be materially changed, to the detriment of the residents, businesses and police. Please keep it in place.

Yours truly,

[REDACTED]

Wimbledon Village Ward Safer Neighbourhood Police Panel

From [REDACTED]

Sent: 30 July 2020 17:02

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Cc: [REDACTED]

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Sheila,

I am writing to support the Parkside Residents Association (PRA) objections to the cancellation of the Wimbledon Village CIZ protection.

In addition to the points made by the PRA committee, I would like to add that:

-) Any extension of licensing the Village would 100% lead to more anti-social behaviour. To counter this, the police would have to guarantee an increased number of resources to the Village, which given resource restraints, is unlikely to happen. The police have struggled to handle the increase of anti-social behaviour during these sunny-noschool-furloughed days, yet alone with an extended licening period. This is not to criticise the police, but a realistic comment on the police's limited resources.
-) The Village is called the Village, because of its unique Village characteristics. Extended licensing is totally contrary to a Village feel which is not about a "vibrant nightlife".
-) A decision needs to be made on facts and data, which must be drawn from Village residents, rather than the wider borough, which has different characteristics.

Please reconsider the current proposal which would have a very detrimental impact on the Village, which plays an important role in positioning the borough as a positive and attractive place for residents, businesses and visitors.

Kind regards,

[REDACTED]

From: [REDACTED]
Sent: 03 September 2020 23:48
To:
Cc: [REDACTED]
Subject: Proposals to lift the CIZ for Wimbledon Village

Dear Sheila,

I am writing to strongly object to the proposal to lift the CIZ in Wimbledon village. As both a resident and a former Chairman of the Councils Licensing Committee I am well apprised of the need to retain CIZ, both for the benefit of village residents and to retain the character of this well loved part of the borough.

The commercial premises in Wimbledon Village are surrounded by residential roads and there are also flats above many of the units in the High Street and Church Road. As was the case in 2005 there are many residents who are vulnerable to the noise, disturbance, nuisance and other alcohol related issues caused by the behaviour of customers of licensed premises. Given the density of licensed premises the risks of these incidents occurring will continue and may escalate unless properly controlled by CIZ protection.

The Council's case refers to low levels of recorded incident data in Village Ward but the data cited references incidents which are primarily examples of crime and disorder. This low incidence is not surprising because the Village CIZ was specifically designated in response to issues of nuisance and antisocial behaviour rather than crime and disorder. The majority of nuisance etc. incidents, by their nature, tend not to be reported to the police or the Council but they are still legitimate concerns for protection in a Licensing Policy.

- Withdrawing CIZ protection in the Village whilst retaining it for the Town Centre also risks promoting the Village as a destination where late night drinking is encouraged. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. This would materially change the character of the Village for the worse and to the detriment of residents.

- An important proposal of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents and made no reference to proposed changes in Licensing Policy.

- Residents living in and around the Village have spoken to me of their concerns about nuisance, noise and disturbance, littering, parking problems etc especially at weekends. An emerging local issue however is the frequency of noisy, late night gatherings on Rushmere on Wimbledon Common where alcohol is consumed and excessive amounts of litter are left behind. This is absolutely not the time to introduce relaxations in Licensing Policy which will lead to an increase the availability of alcohol in the Village.

Yours faithfully

From [REDACTED]

Sent: 25 August 2020 11:47

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultations; Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Ms Brass

We live in [REDACTED], close to Wimbledon Village, and are frequent users of the amenities that the Village has to offer as well as the Commons nearby.

We are strongly opposed to the removal of the Village CIZ from the Licensing Policy which is due to take effect in 2021. The analysis in the CIA refers to data from the police and ambulance services regarding the low level of call outs to the Village but this, surely, is evidence of the effectiveness of the Village's CIZ status not a reason to remove it.

In fact there has been a considerable increase in late night disturbance, more recently, thanks to the Covid 19 lock downs and consequent heavy use of the Commons areas nearest to the Village for late night partying. The availability of alcohol into the night would only exacerbate this problem.

If the CIZ for the Village is removed, and that for the Town retained, it would, in effect, promote the Village as a late night drinking destination. This would be a wholly undesirable label to put on one commercial street in the heart of a residential community and the consequences for the families living here would be wholly unacceptable.

Yours sincerely

[REDACTED]

From: [REDACTED]

Sent: 02 September 2020 08:50

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: proposal to remove the current CIZ for Wimbledon Village

Dear Sheila,

We are writing to express our strong objection to removing the current CIZ for Wimbledon Village.
Being residents of the Village for many years we find no valid reason for the proposed change.

Sincerely yours,

[REDACTED]

From: [REDACTED]
Sent: 06 August 2020 12:44
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Cc: [REDACTED]
Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Ms. Brass

I wish to comment on and object to the above proposals in so far as they impact Wimbledon Village.

My wife and I fully support the position of the Parkside Residents' Association and I am copying my e-mail to them.

CIZ protection has been important to the Village. The overall number of licensed premises has changed little since 2005 and it has ensured that late night opening is controlled to minimise undue noise, disturbance and nuisance for residents such as us. Some applications for new licences have been refused. Others, for late night extensions during the week, have been withdrawn in negotiation or refused at Hearings and Friday or Saturday night extensions have usually been limited to midnight and linked to service of meals. A consensus has been established which has achieved a fair balance between the interests of the business and residential communities. Put simply, the CIZ has worked and for us reduced significantly the late night crime, disturbances and litter thrown into our garden.

The Council's main case for cancelling the Village CIZ is that there is insufficient evidence of crime and disorder incidents, alcohol-related ambulance call outs or complaints to environmental health services etc. to justify continuing the CIZ protection (note. this seems to ignore the recent drunk fuelled raves around Rushmere Pond on Wimbledon Common – see below).

In our view the Council's proposal is ill-conceived:

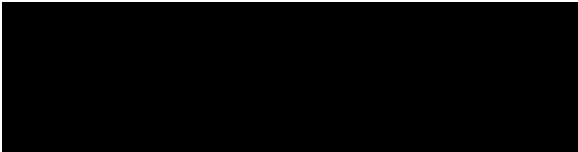
-) The lack of recorded incident data is unsurprising; the Village CIZ was designated in response to nuisance and antisocial behaviour issues, many of which, by their nature, are not reported to the police or the Council but they are still legitimate concerns for protection in a licensing policy. (The "Prevention of Public Nuisance" is one of the stated Objectives in Licensing legislation.)
-) In any event, lack of recorded data is more likely to be a reflection of the effectiveness of the CIZ. Given the numbers of licensed premises in the Village, the risks of late night noise, nuisance and antisocial behaviour will continue and may escalate unless properly controlled by CIZ protection.
-) Withdrawing CIZ protection risks bringing unwelcome change to the Village. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. Do we want the Village to have a "vibrant night time economy" - which is how Wimbledon Town Centre's late night alcohol related problems are frequently, if somewhat euphemistically, described?
-) An important change of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents and made no reference to proposed changes in licensing policy.

In addition the proposal does not seem to take into account in any way the significant increase in COVID -19 risks that removing the CIZ in Wimbledon Village would bring. It is already clear that COVID-19 will be with us for many years to come even if a vaccine is feasible next year. Increasing

the number of licensed premises can only increase the risk of a breakdown in social distancing and a local pandemic outbreak. The Council will certainly be aware of the drunken, drug fuelled and violent raves that have already taken place around Rushmere Pond on Wimbledon Common in close proximity to Wimbledon Village that have consumed valuable emergency services resources -police and ambulance – and have led to injuries and at least one death. We believe that before going ahead with these proposals the Council is under an obligation (possibly a legal one) to undertake a COVID-19 risk assessment and publish it.

We therefore strongly oppose the lifting of the CIZ for Wimbledon Village.

Sincerely

A large black rectangular redaction box covering the signature area.

From: [REDACTED]

Sent: 03 September 2020 11:10

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2012 - 26 and Cumulative Impact Assessment

Dear Sheila Brass,

As a resident of Wimbledon Village Ward, I consider removal of CIZ status potentially harmful to the character of this neighbourhood.

Furthermore, should CIZ status in the Town Centre be retained, the results are obvious: drinkers migrate to Wimbledon Village where they spill easily onto the Common.

This can lead to rowdy behaviour, drug taking, discarded litter, which has to be cleared by the Council & possible Police involvement.

All this could follow from one misconceived decision by the Council to remove CIZ status from Wimbledon Village.

It is hard to see the merits of any such proposal.

[REDACTED]

From [REDACTED]

Sent: 03 September 2020 11:57

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Ms Brass

“Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment”

I am writing to strongly support the objections you have received from the various Wimbledon Village and surrounding Residents' Associations and Residents themselves, to the cancellation of the Wimbledon Village CIZ protection.

-) Should the CIZ in the Village be cancelled, there is no doubt this would lead to far more anti-social behaviour.
-) Police resources are already under huge pressure and given the current restraints on their resources, it is unlikely there would be capacity to counter this.
-) We have already witnessed the huge problems arising from 'parties' on Wimbledon Common during the current Covid crisis and sadly the police have struggled to contain these due to being so under-resourced. The police are doing a fantastic job but sadly, their hands are tied due to lack of finance etc.
-) The Village is called The Village due to its unique features. The Village is not a place for exciting nightlife and entertainment and this is why the Village has such a special feel. This is also why the Village attracts so many residents, businesses and visitors.
-) The decision must be based on the feedback from the residents of the Village and surrounding area. This cannot be taken from facts and figures from Merton Borough as a whole which has quite different areas, with completely different characteristics.
-) The Council's reasoning that the Village's anti-social behaviour is under control, hence the abandonment of the scheme does not make sense. The reason the anti-social behaviour is under control is precisely because of the implementation of the CIZ.
-) Prior to the implementation of the CIZ the anti-social behaviour was far worse, hence the Village's 2005 inclusion in the scheme – it speaks for itself!

Please reconsider the current proposal which would have an extremely detrimental impact on the Village – please safeguard its unique atmosphere and the well-being of the residents and those who visit it.

Thank you.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: Wednesday, August 19, 2020 6:38:48 PM
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Consultation, licensing policy 2021-2026 and cumulative impact

The PRA committee's view is that the Council's proposal is ill-conceived:

-) The lack of recorded incident data is unsurprising; the Village CIZ was designated in response to nuisance and antisocial behaviour issues, many of which, by their nature, are not reported to the police or the Council but they are still legitimate concerns for protection in a licensing policy. (The "Prevention of Public Nuisance" is one of the stated Objectives in Licensing legislation.)
-) In any event, lack of recorded data is more likely to be a reflection of the effectiveness of the CIZ. Given the numbers of licensed premises in the Village, the risks of late night noise, nuisance and antisocial behaviour will continue and may escalate unless properly controlled by CIZ protection.
-) Withdrawing CIZ protection risks bringing unwelcome change to the Village. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. Do we want the Village to have a "vibrant night time economy" - which is how Wimbledon Town Centre's late night alcohol related problems are frequently, if somewhat euphemistically, described?
-) An important change of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents and made no reference to proposed changes in licensing policy.

I look forward to you reconsidering the current proposal.

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 28 July 2020 17:08
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Cumulative Impact Zone - Wimbledon Village

Dear Sheila,

We are residents in the Village Ward.

I am writing to you to ask you to reconsider removing the Cumulative Impact Zone from Wimbledon Village.

Since it's inception in the area the locality has improved notably in the evenings and weekends.

I am unaware of the statistics but as a resident I view the area as much improved.

It would be regrettable if this improvement were to be lost.

Kind regards



Sent from my iPad

-----Original Message-----

From: [REDACTED]

Sent: 04 September 2020 13:11

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Cc: [REDACTED]

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Sheila,

We believe the proposal to cancel the Wimbledon Village CIZ designation would not be in the interests of local residents or the long term success of Wimbledon village as a whole.

The CIZ has been successful in reducing the amount of crime and alcohol related incidents in the village and we would very much like it to continue.

It has been noticeable that the late night noise level in the area opposite our house around Rushmere Pond has increased and we are deeply concerned that this and the associated littering would markedly increased if the CIZ was removed.

Best regards,

[REDACTED]

From: [REDACTED]
Sent: 27 July 2020 17:13
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Sheila,

I am a resident in the Wimbledon Village ward, resident at [REDACTED]
[REDACTED].

I have learnt through my membership of the Parkside Residents Association of the above consultation. I would just like to register my concern at the possible cancellation of the Village's status as a CIZ. Before this was the case the level of late night noise was noticeably higher (living where we do we are on the route home for many pedestrian drinkers coming from the areas further up Parkside towards Tibbetts Corner); since the Village has been a CIZ this has been much reduced. With the number of licensed premises in the Village the risk of anti-social behaviour would be greatly increased by extension of licensing hours and I strongly support the views of the Parkside Residents Association on this issue. As always it is a question of balance when licensed premises are close to otherwise quiet residential neighbourhoods and I would support the maintenance of the Village with its special character as a CIZ, even more so should at the same time the CIZ status of Wimbledon Town Centre be retained (which would just drive all the drinkers up the hill and into the Village!).

I hope these observations are helpful.

Kind regards

[REDACTED]

From:

Sent: 07 September 2020 10:02

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Cc: [REDACTED]

Subject: "Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment"

Dear Ms Brass

We live in the Village Ward [REDACTED] and are responding to the ongoing Consultation on Changes to Licensing Policy. In essence, we strongly believe the "Cumulative Impact Zone ("CIZ") for Wimbledon Village should be retained. In particular:

-) The CIZ has worked effectively in the Village; this is a justification for its retention, not its removal.
-) The commercial premises in Wimbledon Village are surrounded by residential roads and there are also flats above many of the units in the High Street and Church Road. As was the case in 2005 there are many residents who are vulnerable to the noise, disturbance, nuisance and other alcohol related issues caused by the behaviour of customers of licensed premises. Given the density of licensed premises the risks of these incidents occurring will continue and may escalate unless properly controlled by CIZ protection.
-) The Council's case refers to low levels of recorded incident data in Village Ward but the data cited references incidents which are primarily examples of crime and disorder. This low incidence is not surprising because the Village CIZ was designated in response to issues of nuisance and antisocial behaviour rather than crime and disorder. The majority of nuisance etc. incidents, by their nature, tend not to be reported to the police or the Council but they are still legitimate concerns for protection in a Licensing Policy.
-) Withdrawing CIZ protection in the Village whilst retaining it for the Town Centre also risks promoting the Village as a destination where late night drinking is encouraged. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. This would materially change the character of the Village for the worse and to the detriment of residents.
-) An important proposal of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents and made no reference to proposed changes in Licensing Policy.
-) Residents living in and around the Village have spoken of their concerns about nuisance, noise and disturbance, littering, parking problems etc especially at weekends. An emerging local issue however is the frequency of noisy, late night gatherings on Rushmere on Wimbledon Common where alcohol is consumed and excessive amounts of litter are left behind. This is not the time to introduce relaxations in Licensing Policy which will lead to an increase the availability of alcohol in the Village.

Kind regards,

[REDACTED]

From: [REDACTED]
Sent: 02 September 2020 16:09
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment”

Dear Sheila Brass

Thank you for the chance to comment on the proposal to end the CIZ for Wimbledon Village.

I feel that this would be a mistake and I offer three reasons.

I understand that the justification for the change is at least in part because the earlier imposition of the CIZ resulted in a reduction of associated problems, and that therefore it is no longer needed. That seems to me a strange form of logic. If there was a problem and the CIZ removed it, then that is in itself a powerful reason to retain the CIZ to ensure that the problem does not return, not to remove it.

I understand that it is not proposed that CIZ status be removed from Wimbledon Town. That is a recipe for the transfer of the problem up the hill, is it not?

Finally, with the current atmosphere of uncertainty resulting from Covid, which has as you will be aware led to unwelcome drinking on parts of the Common near the Village, this is surely not the time to ease control of alcohol consumption, probably anywhere, and certainly not in or around Wimbledon Village.

In summary, this is not a good idea and one which I believe does not reflect the wishes of the affected population, surely the prime consideration.

Sincerely

[REDACTED]

From: [REDACTED]
Sent: 28 July 2020 09:03
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Ms Brass,

I am a resident of Wimbledon Village and I live within earshot of the Village high street in [REDACTED]. I am writing to strongly object to the proposal to stop Wimbledon Village being a cumulative impact area.

The cumulative impact zone (CIZ) is essential to protect Wimbledon Village from becoming a late night drinking/eating destination. Whilst it is essential for any high street to have a vibrant bar and restaurant scene, if licensing of late night venues is allowed, the incidence of noise, crime and nuisance will increase and safety will be compromised. I have no doubt that these matters have been kept under control to date because of the CIZ being in place. I also believe that if the CIZ is removed, more bars and restaurants will be attracted to the area, forcing out other shops (which will upset the balance of the types of proprietors on the high street) and making the village a destination for late night revellers.

I hope that this e mail helps to persuade you of the ridiculousness of the suggestion to remove the CIZ. Currently the Village feels a safe place to be at night and removal of the CIZ allowing late night drinking will obviously jeopardise safety, increase noise levels, crime and anti-social behaviour, and generally ruin the atmosphere of the Village. The Village is in the middle of a residential area and the late night noise levels which will necessarily increase with the removal of the CIZ will severely disturb many quiet roads (including mine) on a nightly basis.

Yours sincerely,

[REDACTED]

From: [REDACTED]
Sent: 03 September 2020 10:51
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Cc: [REDACTED]
Subject: Consultation, Licensing policy 2021-2026 and Cumulative Impact Assessment

For the attention of Sheila Brass, Licensing Officer, Merton Council

3 September 2020

Dear Ms Brass

We are writing to object to the Council's proposed cancellation of the Cumulative Impact Zone (CIZ) in Wimbledon Village and to ask that the Council keep the Village CIZ.

We are [REDACTED]
[REDACTED] runs parallel to the High Street. Our house is [REDACTED] but within earshot of the High Street, which in happier times, pre-Covid 19, was a thriving commercial area with a fair share of cafes, restaurants and pubs.

It was also a civilised entertainment area largely because the CIZ ensured that premises supplying alcohol and/or playing loud music did not operate into the early hours of the morning. Thanks to the CIZ, a balance was achieved pre-Covid between the commercial interests of the High Street and the interests of residents who need to sleep at night.

We have read the Council's Cumulative Impact Analysis and it now appears that the Council is proposing to scrap a measure that has worked well for the Village on the flimsiest of evidence in times of great uncertainty.

The document makes no case for there being any demand to end the CIZ. Instead, the Council relies on favourable incident statistics and vague assertions of residents' level of contentment with life in Wimbledon Village to justify a change of policy that has worked well for 15 years. It takes no account of the fact that residents need to sleep well at night.

We have lived in this house long enough to remember conditions in the 2005-6 period, before the CIZ began to work effectively and when there was a proliferation of bars and other establishments in the Village operating to around midnight. If you search your files you will find that [REDACTED] wrote to the Council's licensing department on January 15th 2006 to report as follows: "Since the beginning of the year, one or the other of us has been woken on successive Saturday mornings between 00.30 and 01.00 AM by loud voices, the clattering of high heels, and the banging of car doors as the clients of some of Wimbledon Village's many licensed premises have come along [REDACTED] to find their transport home."

This is what we can expect if the CIZ is scrapped. We realise that the Council is obliged by the terms of the Licensing Act 2003 to review its licensing policy at this time. With many

Village retail outlets and cafes now closed as a result of the pandemic, we can understand why the Council might want to encourage the hospitality industry to take up vacant premises so as to boost employment and business rate income.

But the midst of a pandemic is surely the worst possible time to contemplate a radical change in the conditions created by the CIZ which have hitherto proved beneficial for residents -- who are also council tax payers.

Please remember that you are setting policy for a five year period to 2026. Although the hospitality trade is in a terrible state at present, we cannot assume that these conditions will last for ever. A Covid vaccine or other public health intervention may restore conditions in which running a bar late at night will again be a very profitable enterprise. And in those conditions, the Village would again emerge as catnip for people in the sector anxious to recoup revenues and profits lost during the crisis by seeking late night licenses.

You may think this vision far-fetched. But back in 2005, the Village was threatened with widespread "alcoholisation" as businesses vied to apply for licenses to sell alcohol and provide entertainment into the early hours of the morning.

Again, if you look into your files, you will find that on the 25th August 2005, ■ wrote to the Council's licensing department to protest about a specific application to extend alcohol consumption into the early hours of the morning. ■ letter contained the following paragraphs which should give you an idea of what could happen if the CIZ is abolished and the Covid-19 crisis eases. Referring to individual establishments, ■ wrote:

"A walk along the High Street in the Village reveals the following applications:

- i) SW19 – Alcohol and entertainment until midnight during the week and 1AM at weekends.
- ii) The Common Room. Alcohol and entertainment until 2AM.
- iii) The Dog and Fox, including Bayee Village and Finches. Alcohol, live music and dancing until midnight Sunday to Wednesday, until 1AM Thursday to Saturday, and until 2 AM on around 30 days a year.
- iv) The Rose and Crown. Alcohol and entertainment until midnight Sunday to Thursday, 1AM Friday and Saturday and 2AM on more than 40 days a year.
- v) The Brewery Tap. Alcohol until midnight Sunday to Thursday and 1AM Friday and Saturday."

Fortunately, the Council at that time listened to our plea and those of other Village residents and introduced the CIZ. Please do not undo that good work by scrapping the CIZ today. It is a policy that has worked and which should be retained.

We will copy this email to the Village Ward councillors.

Yours sincerely

From: [REDACTED]

Sent: 02 September 2020 15:23

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Cc: [REDACTED]

Subject: "Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment"

Dear Sheila Brass,

With reference to the above consultation on changing the Licensing Policy 2021-2026, I would like to mention that this would have a devastating effect on the area around The Village. Only recently we had a group of very drunk noisy men shouting down along The Ridgway from The Village, bashing things insight and dismantling the big public bins and throwing them into the roads and pavements. If the policy was changed can you imagine what chaos would occur. Very frightening for anybody travelling home late at night and disturbing much needed sleep too.

Regards,

[REDACTED]

From: [REDACTED]

Sent: 06 September 2020 19:59

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

[REDACTED]

Dear Sheila

I wanted to say that I agree with all the points made by my local residents association (BERA) with respect to the proposal to remove the CIZ designation for Wimbledon Village. These are listed below. We live near the village (19 years) and I can vouch for the positive effect of introducing the CIZ designation in 2006, and the fact that despite this we still get incidents of public nuisance. The consequences of removing it for local residents would be detrimental, and only benefit the profits of pubs and other bars. Please protect your local residents who are at the core of maintaining a clean and safe and civil neighbourhood.

Best regards

[REDACTED]

1. CIZ designation for Wimbledon Village since 2006 has had a beneficial effect in preventing an increase in the number of licensed premises in the Zone and in ensuring that residents' concerns about controlling nuisance etc. are properly addressed in licensing applications. (Most applicants apply speculatively at first for late night opening every night). Removal of the designation will reverse these benefits and will have a long lasting and detrimental impact upon the character of the Village (eg Open Season on new applications for late night opening, new premises opening etc, etc.)

2. The Cumulative Impact Assessment upon which the recommendation is based relies heavily upon an analysis of data relating to Crime and Disorder incidents. These are not relevant to the Wimbledon Village CIZ which was designated in response to incidents of Public Nuisance. The Prevention of Crime and Disorder and the Prevention of Public Nuisance are separate but distinct Licensing Objectives which are of equal value when considering a CIZ designation. They have not been given equal weight in the Assessment.

3. The survey evidence cited in the assessment reporting residents' views on perception of crime, personal safety and other considerations was from a 2019 sample survey across the Borough. It gives neither a representative view in the Village Ward (the sample was too small) nor is it relevant in the context of Village CIZ licensing matters as respondents weren't asked about licensing related issues including their experience of nuisance incidents.

4. By their nature, incidents of Public Nuisance (such as noise and antisocial behaviour) tend not to be reported by residents nor require intervention by the police or other authorities so the absence of incident data should not justify an assumption that there have been no nuisance issues. Residents living in and around the Village say that they do experience ongoing nuisance issues (eg late night noise and disturbance, littering, parking problems and some antisocial behaviour) even if they have not reported them to the authorities.

-----Original Message-----

From: [REDACTED]

Sent: 01 September 2020 12:02

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Ms Brass,

I feel most strongly that the CIZ designated for Wimbledon Village is maintained. There are quite enough licensed premises in the Village and with good weather the spill of imbibers onto pavements etc. is noisy and obstructive. Even this year, despite Covid-19, `Hemingways` at the bottom Of Lancaster Road is a case in point.

Yours sincerely,

[REDACTED]

From: [REDACTED]

Sent: 06 September 2020 11:50

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: RE: Licensing Policy Consultation - Proposed Changes to CIZ Wimbledon Village

Dear Sheila

It is my understanding that it is the Council's intention to cancel CIZ for Wimbledon Village on the grounds that there is insufficient evidence of incidents of crime and disorder, alcohol-related ambulance call outs or complaints about noise and disturbance to environmental health services etc. to justify continuing the CIZ protection. I have some concerns about this proposed change and hope that you will decide to continue with CIZ as it exists.

My husband & I have been fortunate to live [REDACTED] for past 26 years. When the Hotel du Vin started trading on Westside Common, a new license was issued to deal with the constant noise nuisance to local residents during events and afterwards in the carpark & on the Common.

Even with this more restrictive license in place, we have continued to experience noise nuisance problems, as recently as August last year. These were reported to Environmental Health & dealt with by Andrew Small. These are not reported crimes. This year has obviously been more peaceful for residents as weddings have not been permitted because of the Covid-19 virus.

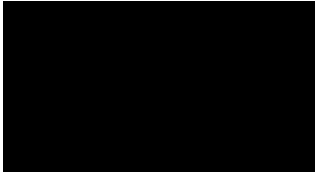
We are aware that the Hotel can apply to change the license at any time and that there is no obligation to notify neighbours as with planning changes.

I am sure you are aware that the existing license states that the 'Premise is an hotel and as such is open to the public 24 hours every day'. It also allows the hotel to 'supply alcohol on & off the premises to residents and guests 24 hours every day'. None of this is reassuring in terms of removal of CIZ for the neighbourhood.

In addition, prior to pubs re-opening, there was huge increase in noise nuisance & litter problems with the park & Common around Rushmere Pond, being used in the evenings mostly by youngsters with nowhere to go. It is of concern with no CIZ that Village will become the go to destination and social distancing will ignored and uncontrolled/uncontrollable. The rangers are having to spend increased time & money unnecessarily cleaning up litter & other mess left on the Common by late night ravers. The fence at the entrance to Cannizaro Park was damaged, the noticeboard was destroyed as was one of the statues along with various bollards. Again, litter and vandalism are not generally reported as crimes. I have attached a couple of photos.

I do hope that the decision will be to maintain the exiting CIZ balancing needs of business and local residents, to ensure that the Village & Common do not become a late night party venue as a result of the removal of Village CIZ and maintenance of the CIZ in Wimbledon Town Centre and Mitcham.

Regards









From: [REDACTED]

Sent: 17 August 2020 15:05

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Sheila

I live in the Wimbledon Village Ward.

I am in full support of the Cumulative Impact Zone remaining in Wimbledon Village area to maintain the benefit of the CIZ which by the quoted lack of incidents is clearly doing its job.

I can foresee no purpose in its removal and create the potential for Police and Emergency services to become involved in an area where the CIZ has clearly had a positive impact.

The council has a responsibility to safeguard the health and wellbeing of its residents.

This includes the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. All of these would be in danger threat should the CIZ be removed.

Yours sincerely

[REDACTED]

-----Original Message-----

From: 

Sent: 07 September 2020 23:09

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021 - 2026 and Cumulative Impact Assessment Wimbledon Village

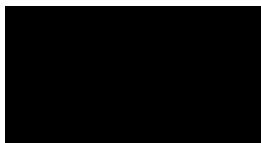
Attention of Licensing Officer, Ms Sheila Brass

Dear Madam

I do not agree with the proposal to take Wimbledon Village out of the CIZ for the following reasons:-

- 1 The CIZ in Wimbledon Village has worked well and this supports keeping CIZ here rather than removing it
2. There are many licensed premises in Wimbledon Village as well as flats above commercial premises and residential roads throughout the Village. Residents need the protection of the CIZ designation to minimise alcohol related noise, disturbance and nuisance.
3. If Wimbledon Village ceases to have CIZ status when Wimbledon Town Centre has CIZ then The Village will attract more late night drinkers with added noise and problems for residents
4. There is a danger that more licences and late night extensions will be granted in the Village. This will attract even more drinking places in the Village rather than shops. The result would be detrimental to residents and would adversely impact the whole character of the Village.
5. Residents in the Village have not been specifically surveyed by the Council on these CIZ proposals.

Based on the above I request that Wimbledon Village remains a Cumulative Impact Zone.



Sent from my iPad

From: [REDACTED]
Sent: 07 September 2020 14:46
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Consultation, Licensing Policy 2021-2026 and Cumulative impact Assessment

Dear Ms Brass

I write as a Village resident [REDACTED] to register some objections to the proposal to cancel the CIZ that has protected the Village since 2005.

The lack of recorded incident data illustrates the effectiveness of the CIZ policy, reducing the possible incidence of noise, anti-social behaviour and alcohol-related late-night nuisance.

There have been sufficient incidents of urination in gardens and doorways to indicate that without CIZ controls on late-night openings of bars and restaurants the bad behaviour of customers would be an even worse issue.

Wimbledon Town Centre has plenty of such problems even with a CIZ. The removal of such protection from the Village, with the likelihood of vacant retail spaces being converted into hospitality venues, carries the certainty, more than just the risk, of the Village becoming a focus for late-night revelry and resulting inconsiderate and anti-social conduct. Why should Village residents and Council employees be expected to clear up the inevitable resulting mess, of litter, ordure, urine and vomit in the streets?

There is no justification for this change of policy, not even as an experiment. There are already sufficient bars and restaurants in the Village as well as in the Town to cater for potential customers and to generate income and profits without increasing numbers of such establishments or permitting late-night operations. It would be a disgrace if the Village CIZ were to be withdrawn without consideration of the probable increased call on police and ambulance services to deal with resulting disorder and accidents.

I ask, even urge, that the withdrawal of CIZ status from the Village be abandoned and that the area remains a CIZ for at least the period under review.

Yours sincerely

[REDACTED]

From: [REDACTED]

Sent: 03 September 2020 17:28

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Cc: [REDACTED]

Subject: Consultation Licensing Policy 2021-2026 / Cumulative Impact Assessment / Wimbledon Village

We wish to object to the proposal by Merton Council to cancel the Wimbledon Village CIZ. We entirely concur with & adopt the reasons given by the Parkside Residents Association opposing cancellation.

We confirm we live in the Village Ward at the address given below.

[REDACTED]

From: [REDACTED]
Sent: 03 September 2020 12:25
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: "Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment"

I understand that there is a proposal to withdraw the CIZ status for Wimbledon Village.

I well remember the village before the introduction of the zoning and how unpleasant it very frequently was for local residents in late evening mostly because it attracted young people from far and wide who had no local interest, cared nothing for local people and inflicted noisy, drunken behavior late into the night, left the village in a mess the next morning and seemed to make drug dealing a normal street corner activity.

Following its introduction the situation became and has remained – for the most part but not always – more tolerable. The introduction of the zone took a long time to achieve, was opposed by those with vested interests – vested interests who would do the same to try to prevent the CIZ reintroduction were it ever lost and who feel absolutely no duty of care towards or interest in the lives of local residents.

The village has more than enough places to drink and eat – probably too many which is at the expense of a more balanced mix of shops and similar premises. In the evenings and at weekends particularly, it attracts visitors from many, many miles around. This may help those who have a vested interest in removing the CIZ but neither justifies additional licensed premises nor longer opening hours for existing licensed premises.

As a local resident I can see no reason to change the zoning and object strongly to the proposal which is a retrograde step and against the interest of local people. Their lives and views should be paramount.

[REDACTED]

From: [REDACTED]

Sent: 06 September 2020 23:00

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment (Wimbledon Village Ward)

Dear Ms Brass

Thank you for the opportunity for providing feedback for the consultation in respect of the Wimbledon village CIZ. I am a resident in the Wimbledon Village Ward. I understand that the Council is considering the removal of the special status of a Cumulative Impact Zone which has been applied to Wimbledon Village since 2005. I would strongly object to the removal of the CIZ as a resident for the following reasons:

1. The CIZ works well in the Village; this is a reason for its retention, not its removal. In the same way that laws are not repealed in peaceful areas to see if there will be an increase in crime.
2. in respect of criminality, I assume the local police support the removal of the CIZ? If they do not then there is no reason for its removal. Any increase in crime is unwanted and a burden on the police. The police (not to mention the NHS) have already enough to do with drink related crime.
3. If the Wimbledon Town CIZ is retained while that of the Village is removed, the result will be to funnel late night drinking to the Village.
4. With Covid-19, promoting late night drinking is unhelpful for a number of reasons not least social distancing will either be out of doors which will add to the late night noise or indoors where it will be non-existent.
5. The extension of licensing will not create new jobs in Wimbledon, it will simply increase the profits of a small number of pubs and bars.

I have set these and other points in more detail below for your consideration:

The present system works. Why change it? The commercial premises in Wimbledon Village are surrounded by residential roads and there are also flats above many of the units in the High Street and Church Road. As was the case in 2005 there are many residents who are vulnerable to the noise, disturbance, nuisance and other alcohol related issues caused by the behaviour of customers of licensed premises. Given the density of licensed premises the risks of these incidents occurring will continue and may escalate unless properly controlled by CIZ protection.

The Council's case refers to low levels of recorded incident data in Village Ward but the data cited references incidents which are primarily examples of crime and disorder. This low incidence is not surprising because the Village CIZ was designated in response to issues of nuisance and antisocial behaviour rather than crime and disorder. The majority of nuisance etc. incidents, by their nature,

tend not to be reported to the police or the Council but they are still legitimate concerns for protection in a Licensing Policy.

)Withdrawing CIZ protection in the Village whilst retaining it for the Town Centre also risks promoting the Village as a destination where late night drinking is encouraged. There are empty units in the High Street which could attract yet more restaurants rather than shops; without CIZ protection we could see more licences being granted as well as late night extensions for alcohol sales to boost trade. This would materially change the character of the Village for the worse and to the detriment of residents.

)An important proposal of this nature should be supported by survey evidence from residents in the affected area. No such survey has been undertaken; instead the Council is relying upon responses to questions about general perceptions of safety obtained from a 2019 borough wide sample survey which included only a very small number of Village Ward residents and made no reference to proposed changes in Licensing Policy.

)Residents living in and around the Village have spoken of their concerns about nuisance, noise and disturbance, littering, parking problems etc especially at weekends. An emerging local issue however is the frequency of noisy, late night gatherings on Rushmere on Wimbledon Common where alcohol is consumed and excessive amounts of litter are left behind. This is not the time to introduce relaxations in Licensing Policy which will lead to an increase the availability of alcohol in the Village.

As a result I strongly object to the removal of the existing CIZ status and would request that these issues are considered by the Council.

Thank you for your attention,



From: [REDACTED]

Sent: 06 September 2020 15:57

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: "Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment"

“Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment”

To The Licensing Officer, Sheila Brass

I have read of the proposals to remove the CIZ designation for Wimbledon Village and am appalled. I live in [REDACTED], within the conservation area in [REDACTED] and which is included in the Village Ward

The pressure in the Village from applicants wishing to open licensed premises was mounting for many years prior to the CIZ designation, to the extent that they now dominate the area. The introduction of the CIZ in 2006 has been helpful as at the very least it has enabled residents (including me; I have given evidence at several hearings) to make representations relating particularly to the question of late night openings, the achievement of which has been one of the primary objectives of applicants.

The issue of crime and anti-social behaviour, largely fuelled by alcohol, is also of vital concern to me and many other residents. I have certainly experienced a great deal of casual and very inconsiderate behaviour. Screaming as groups walk home or to their cars, banging doors and revving unnecessarily loudly, well into the small hours. The roads immediately surrounding the High Street are essentially residential. Late night noise is unnecessary and unreasonable. Rubbish, including broken bottles, is dumped in my front garden for me to walk on as I go out in the morning. Not infrequent keying of my car at night. Just malicious damage from which the culprit gains nothing except presumably some curious satisfaction from inconveniencing me and increasing my insurance premium. The relationship between this and the overwhelming prevalence of licensed premises is clearly evident.

The incidence of problems relating to noise, drunken and anti-social behaviour is so commonplace that experience shows that reporting such matters rarely results in any effective action. So statistics regarding reported incidents are misleading as to the situation on the ground.

The designation of the Village as a CIZ is about the only weapon in the hands of residents in challenging yet further growth in the damage done to our welfare and our living environment. To deprive us of that would be wrong. I am sure that there are plenty of businesses in the Village who must suffer, as we residents, from the petty vandalism and more serious crimes which impact on their insurance and repair costs. Costs which they could well do without in these times of retail strain.

For these reasons I am strongly opposed to the withdrawal of the CIV designation from Wimbledon Village while supporting the retention of that for the Town Centre.

From [REDACTED]

Sent: 02 September 2020 15:59

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Ms Brass

As a resident of [REDACTED], I am writing to object to the proposal that the Cumulative Impact Zone for Wimbledon Village be cancelled.

It has worked quite well until now in controlling adverse and unruly behaviour, precisely because it was in place, and relaxation can only have a negative impact.

We can see from the recent behaviour on and around Wimbledon Common, especially close to Rushmore Pond, that the wider zone needs to be closely monitored, and ending the CIZ would push things in the wrong direction.

Kind regards

[REDACTED]

From [REDACTED]
Sent: 07 September 2020 20:42
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Cc: [REDACTED]
Subject: "Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment"

I am a resident of Wimbledon Village and have lived in [REDACTED] for the past 32 years. I wish to object to the suggestion that the current village CIZ designation should be withdrawn. CIZ protection has been important and was originally introduced because of the incidence of nuisance, noise disturbance and anti social behaviour experienced by residents of Wimbledon village.

Since then CIZ protection has worked. The argument for the cancellation of this CIZ is that there is insufficient incidence of crime and disorder, alcohol related ambulance call outs and complaints about noise and disturbance to environmental health services and the police to justify continuing the CIZ protection. This is an entirely circular argument. The reason for the absence of such disruption is because the CIZ exist and its withdrawal would have a major impact I believe on life in the village.

There are currently a number of premises in the village which are vacant and might therefore attract applications to become licensed premises. This is not the time, I believe, to introduce a significant relaxation in licensing policy which will lead to an increase of the availability of alcohol in the village.

For these reasons I strongly believe that the current policy should be maintained and there should be not relaxation of the existing policy

Yours sincerely

[REDACTED]

From: [REDACTED]
Sent: Monday, August 31, 2020 8:50:29 PM
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment

Dear Ms Brass

I am writing in to express my ongoing support of the CIZ in Wimbledon Village.

The High Street area of the village is a mix of licensed premises, shops and residential properties. The bars, pubs and restaurants are a great draw for visitors but they come with associated problems of noise, disruption and rubbish. The CIZ offers the residents some protection from an increased number of premises or those opening later. I believe that the current licensing arrangements offer a good status quo between the businesses and residents in the area.

I believe that the survey used as evidence in this decision is based on too small sample size of village residents to be meaningful. I also understand that the respondents were not asked about licensing related matters, such as nuisance incidents. Such surveys may also under-represent the local concern as I believe that many low-level incidents such as noise complaints or rubbish are never reported officially to the council or police. A full review of the CIZ should be completed before its removal is considered, with feedback from a large number of residents, particularly those in streets that are close to the High Street.

I believe that without powerful evidence there is no justification in removing the CIZ designation for Wimbledon Village.

kind regards

[REDACTED]

Sent from [Mail](#) for Windows 10

From:

Sent: 02 September 2020 09:49

To: Sheila Brass <Sheila.Brass@merton.gov.uk>

Subject: Licensing Policy

The CIZ has worked effectively in the Village; this is a justification for its retention, not its removal.

I have read other reasons for keeping the CIZ which I agree with.

Sincerely

A solid black rectangular box used to redact the sender's name and signature.

From: [REDACTED]
Sent: 07 September 2020 15:04
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Subject: "Consultation, Licensing Policy 2021-2026 and Cumulative Impact Assessment"

Dear Sheila

I am emailing in support of Merton Council's proposal to lift the CIZ around Wimbledon Village.

As a resident now living centrally in the heart of the Village who has lived in the area for 15 years I can say I have seen shops, bars, restaurants and businesses open and close with alarming frequency over the past few years. It is my view that any move to bring more bars or restaurants into the village will serve to increase footfall and will benefit all businesses and retail outlets alike.

The Village is a safe, friendly place and we have very little problem with antisocial behaviour - my husband and I welcome new visitors and look forward to supporting new businesses in the future.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 06 September 2020 20:32
To: Sheila Brass <Sheila.Brass@merton.gov.uk>
Cc: Licensing <Licensing@merton.gov.uk>
Subject: Consultation, Licensing policy 2021-2026 and Cumulative Impact Assessment

For the attention of Sheila Brass, Licensing Officer, Merton Council

Dear Ms Brass,

I am writing to object to the Council's proposed cancellation of the Cumulative Impact Zone (CIZ) in Wimbledon Village and to ask that the Council keep the Village CIZ.

I am [REDACTED] and have lived at [REDACTED] for the last 33 years. [REDACTED] the Dog and Fox Hotel which has recently been refurbished to accommodate another dozen hotel rooms and entertainment areas, this is particularly concerning for me. Should the CIZ be removed this would allow the playing of loud music, loud voices and alcohol related disturbances to impact on my sleep as well as on other residents [REDACTED].

I strongly support and endorse [REDACTED] objections sent to you in their email of 3rd September 2020 and appeal to the Council to retain the CIZ as it stands at present.

Yours sincerely

[REDACTED]

From: [REDACTED]
Subje [REDACTED] **d Cumulative Impact**
Assessment
Date: 3 September 2020 at 10:51:24 BST
To:
Cc: [REDACTED]

For the attention of Sheila Brass, Licensing Officer, Merton Council

3 September 2020

Dear Ms Brass

We are writing to object to the Council's proposed cancellation of the Cumulative Impact Zone (CIZ) in Wimbledon Village and to ask that the Council keep the Village CIZ.

We are [REDACTED]. We live at [REDACTED] in a street that mainly runs parallel to the High Street. Our house is [REDACTED] but within earshot of the High Street, which in happier times, pre-Covid 19, was a thriving commercial area with a fair share of cafes, restaurants and pubs.

It was also a civilised entertainment area largely because the CIZ ensured that premises supplying alcohol and/or playing loud music did not operate into the early hours of the morning. Thanks to the CIZ, a balance was achieved pre-Covid between the commercial interests of the High Street and the interests of residents who need to sleep at night.

We have read the Council's Cumulative Impact Analysis and it now appears that the Council is proposing to scrap a measure that has worked well for the Village on the flimsiest of evidence in times of great uncertainty.

The document makes no case for there being any demand to end the CIZ. Instead, the Council relies on favourable incident statistics and vague assertions of residents' level of contentment with life in Wimbledon Village to justify a change of policy that has worked well for 15 years. It takes no account of the fact that residents need to sleep well at night.

We have lived in this house long enough to remember conditions in the 2005-6 period, before the CIZ began to work effectively and when there was a proliferation of bars and other establishments in the Village operating to around midnight. If you search your files you will find that we wrote to the Council's licensing department on January 15th 2006 to report as follows: "Since the beginning of the year, one or the other of us has been woken on successive Saturday mornings between 00.30 and 01.00 AM by loud voices, the clattering of high heels, and the banging of car doors as the clients of some of Wimbledon Village's many licensed premises have come along Homefield Road to find their transport home."

This is what we can expect if the CIZ is scrapped. We realise that the Council is obliged by the terms of the Licensing Act 2003 to review its licensing policy at this time. With many Village retail outlets and cafes now closed as a result of the pandemic, we can understand why the Council might want to encourage the hospitality industry to take up vacant premises so as to boost employment and business rate income.

But the midst of a pandemic is surely the worst possible time to contemplate a radical change in the conditions created by the CIZ which have hitherto proved beneficial for residents -- who are also council tax payers.

Please remember that you are setting policy for a five year period to 2026. Although the hospitality trade is in a terrible state at present, we cannot assume that these conditions will last for ever. A Covid vaccine or other public health intervention may restore conditions in which running a bar late at night will again be a very profitable enterprise. And in those conditions, the Village would again emerge as catnip for people in the sector anxious to recoup revenues and profits lost during the crisis by seeking late night licenses.

You may think this vision far-fetched. But back in 2005, the Village was threatened with widespread "alcoholisation" as businesses vied to apply for licenses to sell alcohol and provide entertainment into the early hours of the morning.

Again, if you look into your files, you will find that on the 25th August 2005, we wrote to the Council's licensing department to protest about a specific application to extend alcohol consumption into the early hours of the morning. Our letter contained the following paragraphs which should give you an idea of what could happen if the CIZ is abolished and the Covid-19 crisis eases. Referring to individual establishments, we wrote:

"A walk along the High Street in the Village reveals the following applications:

i) SW19 – Alcohol and entertainment until midnight during the week and 1AM at weekends.

ii) The Common Room. Alcohol and entertainment until 2AM.

iii) The Dog and Fox, including Bayee Village and Finches. Alcohol, live music and dancing until midnight Sunday to Wednesday, until 1AM Thursday to Saturday, and until 2 AM on around 30 days a year.

iv) The Rose and Crown. Alcohol and entertainment until midnight Sunday to Thursday, 1AM Friday and Saturday and 2AM on more than 40 days a year.

v) The Brewery Tap. Alcohol until midnight Sunday to Thursday and 1AM Friday and Saturday."

Fortunately, the Council at that time listened to our plea and those of other Village residents and introduced the CIZ. Please do not undo that good work by scrapping the CIZ today. It is a policy that has worked and which should be retained.

We will copy this email to the Village Ward councillors.

Yours sincerely

