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## LICENSING SUB-COMMITTEE

31 JULY 2014

(10.30 - 11.20)

PRESENT Councillors John Sargeant (in the Chair), Tobin Byers, Pauline Cowper

Also present:

Guy Bishop, Legal Officer,

Stephen Beedell, Licensing Officer

Hilary Gullen, Democratic Services Officer

Sgt Peter Sparham, Metropolitan Police Borough Licensing Officer

For the applicant: Mr K Tverdon and Ms Chelsea Hart

### 1. APPOINTMENT OF CHAIR (Agenda Item 1)

Cllr John Sargeant was appointed chair

### 2. DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

No declarations of pecuniary interest.

### 3. KC STORES, 115 MERTON ROAD, SW19 1ED (Agenda Item 3)

The Chair explained proceedings to the meeting, and that the proceedings were recorded.

Kyle Tverdon presented his application as detailed in the agenda pack, including agreeing to the conditions stipulated by the Metropolitan Police.

Sgt Sparham asked about staffing the business, to which Mr Tverdon confirmed that one or two members of staff would be on the premises during opening hours. There would be two staff present in the evenings.

The Licensing Sub-Committee asked the applicant to demonstrate how he would NOT be contributing to cumulative in breach of the aims of the cumulative impact policy, as the premises was located within the Wimbledon Town CIP zone. Mr Tverdon responded that there would be no impact as the premises had been licensed under the previous owner and Chelsea Hart added that only responsible adults would be purchasing alcohol.

In response to a further Licensing Sub-Committee member question, Mr Tverdon confirmed that he gave training to staff on checking identification and age, and on how to complete the refusal register for tobacco/cigarette sales. Mr Tverdon monitored his staff's understanding of the training by watching them working.

When asked about any relationship to the previous owner, Mr Tverdon said he had only met them at the time of taking over the premises, and that had been very briefly, where the purchase and everything was dealt with by solicitors.

Sgt Sparham confirmed that the previous license had been revoked due to failed test purchases, but he was satisfied the new owners were independent of the previous Premises Licence holder. Sgt Sparham explained that the applicants had been in discussion with him about the conditions and that he was confident they would comply. Sgt Sparham also pointed out that the premises were right on the edge of the cumulative impact zone, and that the closing time was before the other nightclub or late night (on sales) licensed premises nearby.

Stephen Beedell, the Council's licensing officer, reminded the Licensing Sub-Committee that there was a rebuttable presumption that the application would be refused unless the applicant could assure the Licensing Sub-Committee that there would not be an increase in cumulative impact from the premises.

The Licensing Sub-Committee went into closed session at 10.55am.

The hearing reconvened at 11.15am and the chair gave the decision:

The Licensing Sub-Committee have reviewed the application for a premises licence against two licensing objectives: prevention of crime and disorder and the prevention of public nuisance. Although the cumulative impact policy was in force in relation to this particular premises, the Licensing Sub-Committee recognised that this premises had held a licence until recently and accepted that it was a 'like for like' replacement. The Licensing Sub-Committee also noted that the premises would close before nearby late night premises serving alcohol (subject to the applicant's compliance with their planning permission or conditions).

The licence is therefore granted subject to conditions 2-7 of Sgt Sparham's letter (at page 32-33 in the agenda papers).