

# Merton Council

## Licensing sub-committee

### Membership

#### Councillors:

Michael Bull

Pauline Cowper

Jeff Hanna

A meeting of the Licensing sub-committee will be held on:

**Date: 5 March 2015**

**Time: 2.00 pm**

**Venue: Council chamber - Merton Civic Centre, London Road, Morden  
SM4 5DX**

#### Agenda for this meeting

- 1 Appointment of Chair
- 2 Declarations of Interest
- 3 The RS Snooker & Social Club Ltd, Upper Floor, 1-9 Abbotsbury Road, Morden, SM4 5LH 1 - 52

#### 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. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda and the decision making process contact [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) or telephone 020 8545 3616.

Press enquiries: [press@merton.gov.uk](mailto:press@merton.gov.uk) or telephone 020 8545 3181

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## Summary of procedure

1. Declarations of Interest
2. Welcome by Chair – remind parties that the hearing is being recorded
3. Chair asks parties if they accept the accuracy of the Notice of Hearing and that all relevant Notices, Applications and representations have been included.
4. Chair asks the parties if they have, since the issue of the notice, resolved any of the issues and if so to outline their proposed solution. If all issues are covered by this solution then go to stage 10, otherwise use the following procedure to address the remaining points.
5. Chair outlines procedure as follows:
6. Applicant
  - Applicant's brief statement clarifying their application and addressing any points of clarification raised in the Notice of Hearing
  - Applicants witnesses (if any) to speak on points of clarification raised in the Notice of Hearing.
  - Questioning of the applicant by other parties
  - <sup>(1)</sup> Questioning of the applicant by members
7. Other parties (It is suggested that responsible authorities are taken first and then public representations)
  - Party's brief statement clarifying their representation and addressing any points of clarification raised in the Notice of Hearing.
  - Party's witnesses (if any) to speak on points of clarification raised in the Notice of Hearing
  - Questioning of the party by the applicant
  - If the party is a responsible authority then questioning of the party by other parties may be appropriate.
  - <sup>(1)</sup> Questioning of the party by members
8. Other parties summarise their points
9. Applicant summarises their points
10. <sup>(2)</sup> Legal Officer asked for any comments
11. <sup>(2)</sup> Licensing Officer asked for any comments
12. Chair advises parties that the sub-committee will retire to consider the issues and take legal advice after which the public session will be resumed.
13. Sub-committee retires to consider the issues and take legal advice
14. Sub-committee reconvenes
15. Legal advice given in private session repeated in public by legal officer
16. Decision of sub-committee given – parties advised that a Notice of Determination will be sent to them – **OR** – parties advised of the date when a determination will be made.
17. Close of hearing
  - <sup>(1)</sup> *Members can ask any question of any party at any time but should normally try to do so at these points.*
  - <sup>(2)</sup> *Legal and Licensing Officers should be involved at any stage where members feel they can be of assistance but a particular point should be made of asking for their comments at this stage*



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## Licensing sub-committee Report and Notice of Hearing

Subject of hearing: **The RS Snooker & Social Club Ltd, Upper Floor, 1-9  
Abbotsbury Road, Morden, SM4 5LH**

Date: **5<sup>th</sup> March 2015**

Time: **14:00**

Venue: **Council Chamber**

Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX

Date of issue of this notice:

### **1. Special Policy Area (premises licences and club certificates)**

1.1 The premises are not in the special policy area.

### **2. Type of hearing and powers of the sub-committee**

2.1 The sub-committee is required to determine the application by taking such of the steps set out below as it considers necessary for the promotion of the licensing objectives.

2.2 In making their determination the sub-committee must have regard to the Licensing Act 2003, the licensing objectives, guidance issued by the Secretary of State and Merton's Licensing Policy.

2.3 Application to vary the premises licence.

### **3. Hearing papers**

3.1 The applications, notices and representations for determination by the sub-committee are contained in the hearing bundle (attached) together with any relevant existing licence. This includes any documents which must be sent to any of the parties to the hearing under Regulation 7(2) and Schedule 3 of The Licensing Act 2003 (Hearings) Regulations 2005. This bundle has been issued to all parties to the hearing and forms part of this report.

### **4. Legal advice to the sub-committee**

4.1 A legal officer appointed by the Head of Civic and Legal Services will attend the hearing to advise the sub-committee on statutory provision and legal matters.

#### **Licensing Officer Comments**

4.2 This is an application to vary an existing premises licence.

4.3 The variation is to amend the plan of the premises and to extend the hours of licensable activities. Both the existing premises licence and the plan are included in the report.

4.4 The changes in hours of licensable activities requested are as follows:  
The sale by retail of alcohol – Mon to Sat: 10:00 to 01:30  
Sunday: 10:00 to 23:00

- 4.5 The changes in opening hours requested are as follows:  
Mon to Sat – 10:00 to 02:00  
Sunday – 10:00 to 00:00
- 4.6 The applicant has stated that there are no changes to be made for the hours of late night refreshment, except for Sundays when the hours will be reduced from 23:00 to 00:00.
- 4.7 Two representations have been received, one from the Police, one from the Licensing Authority.
- 4.8 A representation was originally made by the Public Health Department, which was withdrawn following the applicant's agreeing to amend their operating schedule to include certain conditions. A record of the conditions agreed is included in the committee report.
- 4.9 All responsible authorities have responded to this application.

**For enquiries about this hearing please contact**

Democratic Services  
Civic Centre  
London Road  
Morden  
Surrey  
SM4 5DX

**Telephone:** 020 8545 3616

**Email:** [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)



# Rights of parties to the hearing

This document forms part of the Notice of Hearing.

The hearing will be conducted by a three member sub-committee of Merton's Licensing Committee.

You have the right to attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified. You should notify us if you wish to be represented or assisted in this way on the accompanying response form.

You may also request that other persons be permitted to appear at the hearing to assist the sub-committee on particular points relating to the matter under consideration. You should notify us of any persons you wish to attend on the accompanying response form.

At the hearing you are entitled to

- a) respond to any points of clarification detailed in the Notice of Hearing;
- b) if given permission by the sub-committee hearing this matter, ask questions of other parties; and
- c) address the sub-committee

If you do not attend the hearing the sub-committee may proceed in your absence or it may adjourn to another specified date and time. If the hearing proceeds in your absence any application, notice or representation you have made will be considered by the sub-committee. It would be helpful if you could notify us as soon as possible if you are not going to attend the hearing.

Please complete and return the accompanying response form by the response date shown on the Notice of Hearing. Alternatively you can send an email to [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) with the relevant information.

A copy of the procedure to be followed at the hearing is attached.

A guide to licensing hearings in Merton is attached



# Procedure to be followed at the hearing

This document forms part of the notice of hearing

Regulations referred to in this procedure are reproduced under Note <sup>(3)</sup> at the end of the procedure

1. Declarations of Interest.
2. Welcome by Chair of the Licensing sub-committee and outline of the order of proceedings.
3. The Chair will advise parties<sup>(1)</sup> that the proceedings are being recorded.
4. The papers before the sub-committee comprise this Notice of Hearing and any applications, notices or representations and include:
  - The application
  - Representations and notices
  - List of parties to the hearing
5. Points which the authority has raised in the Notice of Hearing as points on which it will be seeking clarification
6. Comments of Licensing Officers on any factual or technical aspects of the application, notices or representations
7. Any other relevant matters and requirements
8. The Chair will ask parties if they are satisfied with the accuracy of the papers issued and the sub-committee will resolve any issues on this point.
9. The Chair will ask officers and parties if there are any other procedural points to deal with and these will be resolved before proceeding.
10. The Licensing Officer will advise the hearing if any representations or notices have been withdrawn since the issue of the Notice of Hearing.
11. The Chair will advise parties that if they introduce new documentary or other information in support of their application, notice or representation the consent of other parties to the consideration by the sub-committee of such information will be sought.
12. The sub-committee will consider, under regulation 22, requests from parties made under Regulation 8(2) for other persons to be permitted to appear before the hearing.
13. The sub-committee will determine the order in which parties (other than the applicant) will be heard and so advise those present.
14. The Chair will advise the parties that they have no rights to question persons appearing under the provisions of regulations 8(2) and 22 and that their right to question other parties can only be exercised with the permission of the sub-committee. The Chair will also advise the parties that under regulation 23 cross-examination is not allowed unless the sub-committee feels that this is required for it to consider the matters before it. If parties wish to put questions to other parties or persons appearing under the provisions of regulations 8(2) or 22 they should seek the permission of the sub-committee and direct such questioning via the chair.

## **15. Applicant**

- i) The applicant will be asked if there is anything they wish to add to or clarify about their application
- ii) The applicant will address the points for clarification raised by the authority in the Notice of Hearing
- iii) Persons appearing under regulations 8(2) and 22 as notified by the applicant will address the hearing
- iv) If the sub-committee considers it necessary it may allow other parties to put questions to the applicant and persons appearing under the provisions of regulations 8(2) and 22 notified by the applicant who have addressed the hearing
- v) The sub-committee members will put any questions to the applicant and persons appearing under the provisions of regulations 8(2) and 22 notified by the applicant who have addressed the hearing
- vi) The applicant will be asked if they have any further points arising from points raised in questioning

## **16. Other parties<sup>(2)</sup>**

- i) The party (party A) will be asked if there is anything they wish to add to or clarify about their representation or notice
- ii) Party A will address the points for clarification raised by the authority in the Notice of Hearing
- iii) Persons appearing under regulations 8(2) and 22 as notified by the Party A to address the hearing
- iv) If the sub-committee considers it necessary it may allow the applicant to put questions to Party A and persons appearing under the provisions of regulations 8(2) and 22 notified by Party A who have addressed the hearing
- v) If the sub-committee considers it necessary it may allow other parties to put questions to Party A and persons appearing under the provisions of regulations 8(2) and 22 notified by Party A who have addressed the hearing
- vi) The sub-committee members will put any questions to Party A and persons appearing under the provisions of regulations 8(2) and 22 notified by Party A who have addressed the hearing
- vii) Party A will be asked if they have any further points arising from points raised in questioning

17. Repeat above stage for each subsequent party.

18. Licensing Officer to be asked if they have any comments

19. Other parties close by summarising their points.

20. Applicant closes by summarising their points.

21. The Chair will then ask the sub-committee's licensing and legal adviser if there are any further matters to be considered prior to a determination being made. If there are such other matters they will then be disposed of as appropriate.

22. If the sub-committee is not going to determine the application at the conclusion of the hearing it will so advise those present and inform them of the date and time that

their determination will be made in public. Determinations must be made in accordance with the provisions of regulation 26.

23. If the sub-committee feels that it needs to go into private session to discuss any issues with its legal adviser it will advise those present that it will resume in public session at the conclusion of any such discussion when the advice it has received from its legal adviser will be read into the public record of the meeting.
24. At the conclusion of any private session the sub-committee will return to public session and the legal adviser will inform the hearing of any advice given in private session.
25. In cases where the sub-committee is not going to make its determination at the conclusion of the hearing it will then adjourn the meeting to a specified date and time. In all other cases it will discuss and determine the matter before it.
26. The Chair will advise parties to the hearing that they will be notified in writing of the determination, thank the parties for their attendance and close the meeting.

Where this procedure is silent the sub-committee may make such arrangements as necessary to ensure the rights of parties to hearings and for the proper discharge of its duties under the Licensing Act 2003 and any guidance or regulations issued by the Secretary of State.

#### **Notes**

<sup>1</sup> Regulation 15 allows parties to be represented or assisted at the hearing by any person whether or not that person is legally qualified. Any reference to a party in this order of procedure should be taken to include a reference to a person assisting or representing a party.

<sup>2</sup> Similar objections will be grouped together as far as possible and a common spokesperson sought. The regulations treat each objector as a party in their own right. If they do not agree to being grouped they will be treated as an individual party.

<sup>3</sup>Extracts from the regulations:

**8.—(1)** A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating—

- (a) whether he intends to attend or be represented at the hearing;
- (b) whether he considers a hearing to be unnecessary.

(2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.

**22.** At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.

**23.** A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-

examination is required for it to consider the representations, application or notice as the case may require.

**26.—(1)** In the case of a hearing under—

(c) section 105(2)(a) (counter notice following police objection to temporary event notice),

(d) section 167(5)(a) (review of premises licence following closure order),

the authority must make its determination at the conclusion of the hearing.

(2) In any other case the authority must make its determination within the period of five working days beginning with the day or the last day on which the hearing was held.

**London Borough of Merton**



**LICENSING COMMITTEE HEARINGS  
A BRIEF GUIDE**

Merton Civic & Legal Services  
October 2005



## **Introduction**

The following pages of this booklet contain guidance on hearings of Licensing Applications by the Council's Licensing Sub-Committee. It is a guide only and not a statement of the law.

The law is to be found in

- 1 Licensing Act 2003
- 2 The Licensing Act 2003 (Hearings) Regulations 2005
- 3 Guidance issued under Section 182 of the Licensing Act 2003

## **Notice of Hearing**

This booklet normally accompanies a "Notice of Hearing" as we are required by law to give you certain information with the Notice of Hearing.

## **Timing of Hearing**

On arrival you may find that you may have to wait until the Committee can deal with the application you are interested in. This is because the Committee may have to deal with other applications on the same day. Committee is called to sit at the published time. There are different applications or items on the Committee agenda. The Committee may take the items in the order that is most efficient for managing that day's applications. You should therefore ensure that you are there in time for the beginning of the Committee Meeting as published.

The Committee Meeting is a public meeting. You are therefore entitled to remain in the Committee room when other applications are being dealt with. If you remain you will see other parties participating in the hearing. Unless it is a hearing that you are interested in, you may not participate although you may feel that you can contribute in that application as well. You can only participate in the hearing if you are a "party".

## **The Licensing Sub-Committee**

Licensing Hearings take place before a Licensing sub-committee of the Council. There are three members of the sub-committee, a chairperson and two others. Also sitting with the Committee (but not part of the committee) will be the Committee Clerk and a Legal Officer who advises the committee on legal issues. Only these two and any trainees are allowed to adjourn with the committee.

Various persons may also be in the committee room in an official capacity. Where the police have submitted representations they will be in the room as a party. They are not part of the committee. Where the Council's Environmental Health Service have submitted representations they will be in the room but as a party not as part of the committee. Finally an officer from the Council's Children's Department may be present. They will not be part of the Committee either.

A Licensing Officer is usually present. The Licensing Officer would have received the application and processed it to ensure that fees have been paid and that it was properly advertised. The Licensing Office is also the office that receives representations and decides if they are in order. The Licensing Officer may be asked to speak at the committee. The Licensing Officer is not part of the Committee and will not retire with the Committee.

#### 4.10 Attending A Licensing Hearing

##### **Your Rights as a “Party”**

You have the right:-

- To attend the Hearing
- To be assisted or represented by any person (whether or not the person is legally qualified)
- To address the sub-committee
- To question any party to the hearing (with the permission of the sub-committee)
- To give clarification of any issue on which advance notice of the need for clarification has been given
- To bring a witness or witnesses

##### **Attending The Hearing (Parties)**

You do not have to attend the Hearing. Where in response to the Notice of Hearing you have informed us that you do not intend to attend the hearing, then the hearing may proceed in your absence.

Where in response to the notice of hearing you say nothing about attending and you do not attend or are not represented the Committee may do one of the following:-

- hold the hearing in your absence
- adjourn the hearing to a specified date but only where the Committee consider it to be in the public interest.

#### 4.11 Procedure To Be Followed At The Hearing

The hearing will take place in public. This means that anyone whether or not they are parties to the hearing are entitled to be at the meeting and to hear all the information. The Committee is allowed to exclude the public from all or part of a hearing. This will be where the Committee considers that the public interest in excluding the public outweighs the public interest in the hearing taking part in public. If you believe that this exception to public hearing applies to you, you may ask the Committee to consider exercising this power.

The committee will explain the procedure but a written version is included with the notice of hearing. Unless required by law to do it differently the committee is allowed to devise it's own procedures.

#### 4.12 The Hearing As A Discussion

The Hearing is intended to be a discussion between the Committee and all the parties. In order to make it an orderly discussion some element of formality exists. Consequently there will be an order in which the hearing will follow. The Committee Chair will explain the order.

During the hearing the procedure is controlled by the Chair. Whilst the Chair will ensure that parties observe the procedure he or she may have to be firm in moving the hearing on to ensure that it proceeds at a pace that enables it to be dealt with within the time allocated. In particular the Chair may have to be strict in respect of ensuring that questions to witnesses keep to the issues. The committee may also put reasonable time limits on submissions.



When an application is received by us a number of persons are allowed to make “representations”. This includes residents, the police, the Environmental Health Service and the Area Child Protection Committee. Those who have made representations are called “parties”.

The Law allows the applicant (the person applying for the Licence) to have discussions with any of these parties before the hearing – this can lead to an agreed way of dealing with concerns relevant to the parties. (For instance, if Environmental Health is concerned about noise the applicant may offer to fit a noise limiter).

When you attend the hearing you may therefore find that some representations have been withdrawn. Where representations are withdrawn this will usually be because the person making the representations has been given satisfaction about how their concerns will be dealt with. For instance the LSCB (Local safeguarding children board) may have concerns about the welfare of children. The applicant may then agree to accept a condition to the license dealing with this concern and this may lead to a withdrawal of that representation.

The first thing that the Committee will do is to find out what representations have been withdrawn so that the Committee only concentrates on outstanding issues.

You must remember that as far as the law is concerned the applicant is entitled to do what they want with their business from a licensing point of view unless their business will offend against the four “licensing objectives” of:-

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

Although these objectives are intended for the benefits of residents and businesses, various statutory bodies are given responsibility for those objectives and it is expected that they will make representations if those objectives are under threat. These statutory bodies are called “Responsible Authorities”

The Responsible Authorities are as follows:-

- The Chief Officer of Police
- The Local Fire Authority
- The Local Enforcement Agency for Health & Safety At Work Act 1974
- The Local Authority with Responsibility for Environmental Health
- The Local Planning Authority
- Another Licensing Authority
- A Body Representing Those Interested In The Protection Of Children And Recognised By The Council (Local safeguarding children board, LSCB)

The Guidance issued by central government advises that as a matter of practice the committee should seek to focus the hearing on the steps needed to promote the licensing objective which gave rise to the hearing. If your representations or application does not show how these four licensing objectives are affected, promoted or effected, then it is not likely to persuade the Committee.

The hearing will probably be in two distinct parts. The first part is where the application and representations are made. The first part ends when the Committee retires to consider the evidence.

The second part of the hearing is when the Committee returns. The main purpose of the second part is to allow the parties to be told what legal advice (if any) has been received during the deliberations in private. The Committee will then announce their decision.

This is then the end of the hearing. The decision will be communicated to the parties in writing.

The Committee will then move on to consider the next application (if any).

#### 4.13 Appeal

There is a right of appeal to the Magistrates Court. You need to take legal advice on which Magistrates Court to go to. The appeal has to be lodged with the Magistrates Court within a period of 21 days beginning on the day you were notified by the Council of the decision appealed against.

#### 4.14 Conclusion

This is necessarily a brief guide. It is not a Statement of Law – for this you will need to take legal advice.

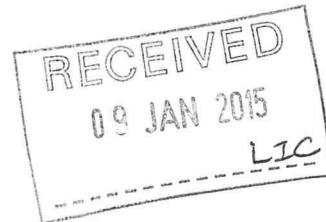
## Contacts

- a) Licensing team:
  - email: [licensing@merton.gov.uk](mailto:licensing@merton.gov.uk)
  - Tel: 020 8545 4005/3929
- b) Meeting arrangements - Democratic Services:
  - email: [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)
  - Tel: 020 8545 3616
- c) All press contacts - Merton's Press office:
  - email: [press@merton.gov.uk](mailto:press@merton.gov.uk)
  - Tel: 020 8545 3181
- d) London Borough of Merton:
  - Address: Civic Centre, London Road, Morden, SM4 5DX
  - Tel: 020 8274 4901

## Useful links

- Merton Council's Web site: <http://www.merton.gov.uk>
- Licensing Act 2003  
<http://www.hmso.gov.uk/acts/acts2003/20030017.htm>
- Guidance issued by the secretary of State for Culture Media and Sport  
[http://www.culture.gov.uk/Reference\\_library/Publications/archive\\_2004/guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_licensing\\_act\\_2003.htm](http://www.culture.gov.uk/Reference_library/Publications/archive_2004/guidance_issued_under_section_182_of_the_licensing_act_2003.htm)
- Regulations issued by the Secretary of State for Culture, Media and Sport  
[http://www.culture.gov.uk/what\\_we\\_do/Alcohol\\_entertainment/lic\\_act\\_reg.htm](http://www.culture.gov.uk/what_we_do/Alcohol_entertainment/lic_act_reg.htm)
- Merton's Statement of Licensing policy  
<http://www.merton.gov.uk/licensing/>
- Readers should note the terms of the legal information (disclaimer) regarding information on Merton Council's and third party linked websites.
- <http://www.merton.gov.uk/legal.htm>
- This disclaimer also applies to any links provided here.

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**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Robert Frost

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	LN/000000784
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**Part 1 – Premises Details**

Postal address of premises or, if none, Ordnance Survey map reference or description			
The RS Snooker & Social Club Ltd			
Upper Floor			
1-9 Abbotsbury Road			
Post town	Morden	Postcode	SM4 5LH

Telephone number at premises (if any)	0208 648 4274
Non-domestic rateable value of premises	£ 41,500

**Part 2 – Applicant details**

Daytime contact telephone number	0208 648 4274		
E-mail address (optional)	capitalis@me.com		
Current postal address if different from premises address	Capital House Unit 8 Rosefield Close Carshalton		
Post town	Carshalton	Postcode	SM5 2PE

**Part 3 – Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?  
(Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

Alteration to Floor plan to re-position internal wall as per attached plan.  
To bring trading hours in line with licensable activities, on Sunday the hours to be reduced.  
To increase hours for sale of alcohol to promote responsible consumption of alcohol.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

--

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

##### Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur					
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun					



**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Both	<input type="checkbox"/>	<b><u>Please give further details here</u></b> (please read guidance note 4)
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

## G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)			
Wed						
Thur			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Fri						
Sat						
Sun						

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)			
Wed						
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)			
Fri						
Sat						
Sun			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4) No Change to current hours same as sunday		
Mon					
Tue			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Wed					
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun	23.00	24.00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	10.00	01.30			
Tue	10.00	01.30	<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Wed	10.00	01.30			
Thur	10.00	01.30			
Fri	10.00	01.30			
Sat	10.00	01.30			
Sun	10.00	23.00			

**K**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

**L**

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10.00	02.00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue	10.00	02.00	
Wed	10.00	02.00	
Thur	10.00	02.00	
Fri	10.00	02.00	
Sat	10.00	02.00	
Sun	10.00	24.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Please tick as appropriate

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

Licence part A and B has been sent to the licensing department as part of an application to amend the licence regarding change of address for the DPS.

## M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

Membership scheme with photo membership cards on a computerised system  
CCTV covering all parts of club.  
And any other appropriate conditions proposed by the authorities.

**b) The prevention of crime and disorder**

Swipe card Door Entry System for Members  
No off sales after 23.00 hours

**c) Public safety**

Door Entry System Restricted to Members

**d) The prevention of public nuisance**

Members Only 24 hour delay on New Membership  
Sign by stairs advising people to leave quietly

**e) The protection of children from harm**

Children's safety is paramount, bar area is adult members only  
children to be supervised by parent or guardian at all times.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 5 – Signatures** (please read guidance note 11)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>R. Frost</i>
Date	09-01-2015
Capacity	Director

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 14)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



### Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.



## LICENSING ACT 2003

### Part A Premises licence

Premises licence number

LN/000000784

#### Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**The RS Snooker and Social Club Ltd**  
**1-9 Abbotsbury Road**  
**Morden**  
**Surrey**  
**SM4 5LH**

**020 8648 4274**

Where the licence is time limited, the dates

**Not applicable**



The opening hours of the premises

<b>Monday</b>	<b>10:00</b>	<b>-</b>	<b>23:00</b>
<b>Tuesday</b>	<b>10:00</b>	<b>-</b>	<b>23:00</b>
<b>Wednesday</b>	<b>10:00</b>	<b>-</b>	<b>23:00</b>
<b>Thursday</b>	<b>10:00</b>	<b>-</b>	<b>23:00</b>
<b>Friday</b>	<b>10:00</b>	<b>-</b>	<b>23:00</b>
<b>Saturday</b>	<b>10:00</b>	<b>-</b>	<b>23:00</b>
<b>Sunday</b>	<b>10:00</b>	<b>-</b>	<b>22:30</b>

On Good Friday, between 12.00 and 22.30 hours.

On Christmas Day, from 12.00 to 15.00 and 19.00 to 22.30 hours.

When New Year's Eve is on a weekday, from 10.00 on New Year's Eve until 23.00 hours on New Year's Day, except when New Year's Day is on a Sunday, then the sale of alcohol shall cease at 22.30. When New Year's Eve is on a Sunday, from 12.00 on New Year's Eve until 23.00 hours on New Year's Day.

Sale & supplies of alcohol, whether these are on and/or off supplies

On and Off the premises



## Licensable activities and permitted times authorised by the licence

### Alcohol Sales

#### On and Off the premises

Monday	10:00	-	23:00
Tuesday	10:00	-	23:00
Wednesday	10:00	-	23:00
Thursday	10:00	-	23:00
Friday	10:00	-	23:00
Saturday	10:00	-	23:00
Sunday	10:00	-	22:30

On Good Friday, between 12.00 and 22.30 hours.

On Christmas Day, from 12.00 to 15.00 and 19.00 to 22.30 hours.

When New Year's Eve is on a weekday, from 10.00 on New Year's Eve until 23.00 hours on New Year's Day, except when New Year's Day is on a Sunday, then the sale of alcohol shall cease at 22.30. When New Year's Eve is on a Sunday, from 12.00 on New Year's Eve until 23.00 hours on New Year's Day.

### Late Night Refreshment

#### Indoors

Monday	23:00	-	02:00
Tuesday	23:00	-	02:00
Wednesday	23:00	-	02:00
Thursday	23:00	-	02:00
Friday	23:00	-	02:00
Saturday	23:00	-	02:00
Sunday	23:00	-	02:00

The premises may also provide private entertainment for the purpose of gain at any time.



## Part 2

Name, (registered) address, telephone number of holder(s) of premises licence

**Robert Frost  
Unit 8 Capital House  
Rosefield Close  
Carshalton  
Surrey  
SM5 2PE**

Registered number of holder, ie company number, charity number etc.

**None**

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

**Pauline Jude O'Hara  
Flat 6  
2a Renaissance Court  
Rosehill Avenue  
Sutton  
SM1 3HQ**

Issuing authority and licence number of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**5870/0501000**





But the above paragraph does not prevent the London Borough of Merton from imposing any condition which it considers necessary on the grounds of public safety.

## Mandatory Licensing Conditions 2010

1.
  - (i) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (ii) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:-
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
    - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:-
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;
    - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
4.
  - (i) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
  - (ii) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before



being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that -
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
    - (iii) still wine in a glass: 125ml; and
  - (b) customers are made aware of the availability of these measures.

## Mandatory Licensing Conditions 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);
- (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
  - (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(a).

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.—(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.





## Annex 2

Conditions consistent with the Operating Schedule

NONE FOR THE PURPOSES OF THE CONVERSION UNDER THE TRANSITIONAL PROVISIONS OF THE LICENSING ACT 2003

## Annex 3

Conditions attached after a hearing by the licensing authority

NONE FOR THE PURPOSES OF THE CONVERSION UNDER THE TRANSITIONAL PROVISIONS OF THE LICENSING ACT 2003



## LICENSING ACT 2003

### Part B Premises licence

Premises licence number

LN/000000784

#### Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**The RS Snooker and Social Club Ltd**  
**1-9 Abbotsbury Road**  
**Morden**  
**Surrey**  
**SM4 5LH**

**020 8648 4274**

Where the licence is time limited, the dates

**Not applicable**



The opening hours of the premises

<b>Monday</b>	<b>10:00</b>	<b>-</b>	<b>23:00</b>
<b>Tuesday</b>	<b>10:00</b>	<b>-</b>	<b>23:00</b>
<b>Wednesday</b>	<b>10:00</b>	<b>-</b>	<b>23:00</b>
<b>Thursday</b>	<b>10:00</b>	<b>-</b>	<b>23:00</b>
<b>Friday</b>	<b>10:00</b>	<b>-</b>	<b>23:00</b>
<b>Saturday</b>	<b>10:00</b>	<b>-</b>	<b>23:00</b>
<b>Sunday</b>	<b>10:00</b>	<b>-</b>	<b>22:30</b>

On Good Friday, between 12.00 and 22.30 hours.

On Christmas Day, from 12.00 to 15.00 and 19.00 to 22.30 hours.

When New Year's Eve is on a weekday, from 10.00 on New Year's Eve until 23.00 hours on New Year's Day, except when New Year's Day is on a Sunday, then the sale of alcohol shall cease at 22.30. When New Year's Eve is on a Sunday, from 12.00 on New Year's Eve until 23.00 hours on New Year's Day.

Sale & supplies of alcohol, whether these are on and/or off supplies

On and Off the premises



## Licensable activities and permitted times authorised by the licence

### Alcohol Sales

#### On and Off the premises

Monday	10:00	-	23:00
Tuesday	10:00	-	23:00
Wednesday	10:00	-	23:00
Thursday	10:00	-	23:00
Friday	10:00	-	23:00
Saturday	10:00	-	23:00
Sunday	10:00	-	22:30

On Good Friday, between 12.00 and 22.30 hours.

On Christmas Day, from 12.00 to 15.00 and 19.00 to 22.30 hours.

When New Year's Eve is on a weekday, from 10.00 on New Year's Eve until 23.00 hours on New Year's Day, except when New Year's Day is on a Sunday, then the sale of alcohol shall cease at 22.30. When New Year's Eve is on a Sunday, from 12.00 on New Year's Eve until 23.00 hours on New Year's Day.

### Late Night Refreshment

#### Indoors

Monday	23:00	-	02:00
Tuesday	23:00	-	02:00
Wednesday	23:00	-	02:00
Thursday	23:00	-	02:00
Friday	23:00	-	02:00
Saturday	23:00	-	02:00
Sunday	23:00	-	02:00

The premises may also provide private entertainment for the purpose of gain at any time.



## Part 2

Name, (registered) address, telephone number of holder(s) of premises licence

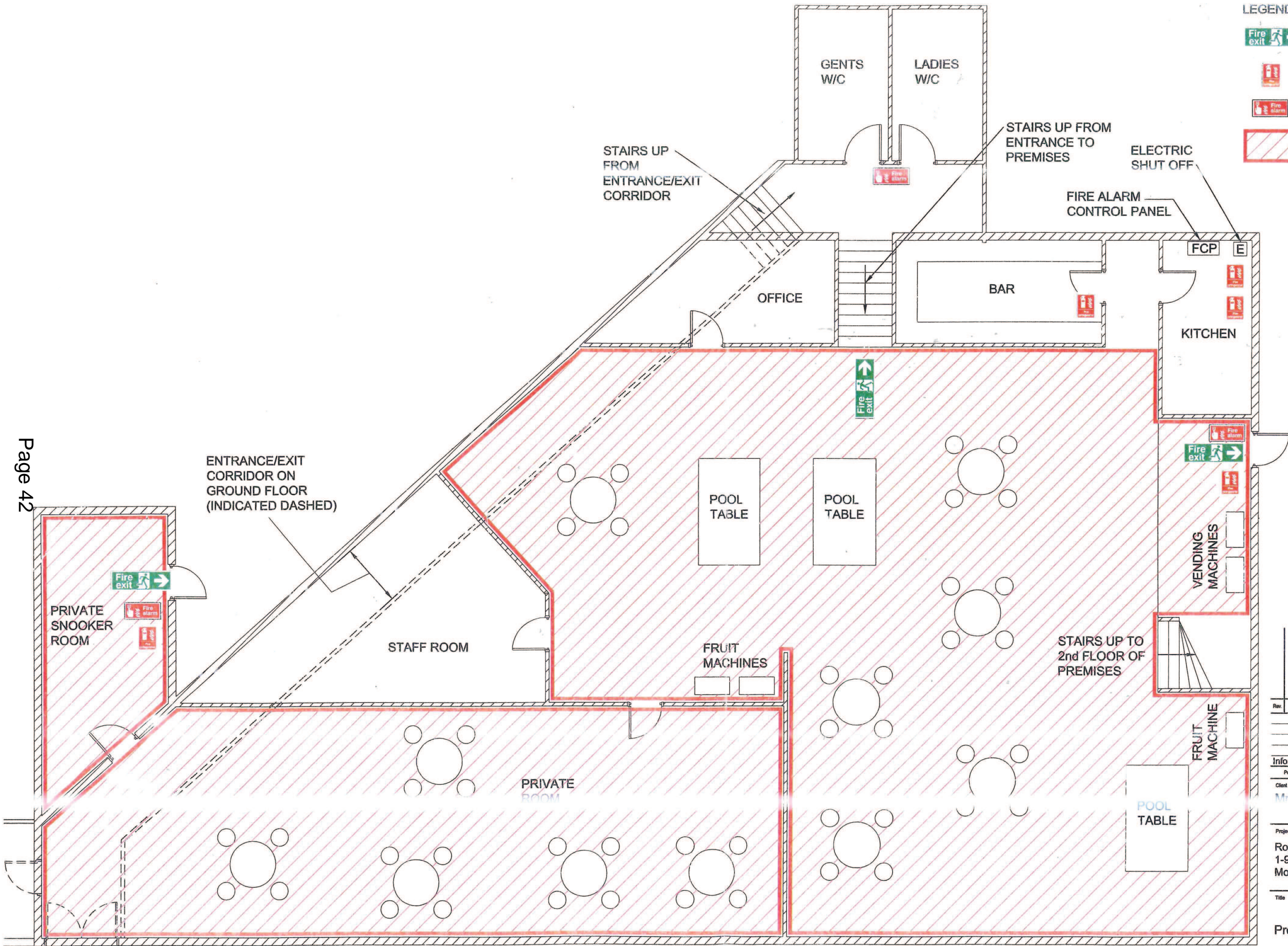
**Robert Frost  
Unit 8 Capital House  
Rosefield Close  
Carshalton  
Surrey  
SM5 2PE**

Registered number of holder, ie company number, charity number etc.

**None**

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

**Pauline Jude O'Hara**



**LEGEND**

-  FIRE EXIT
-  FIRE EXTINGUISHER
-  FIRE CALL POINTS (MANUAL GLASS BREAK)
-  LICENSED BAR AREA

Rev.	Description	By	Date	Chkd	Auth

**Information**

Purpose of issue	A	12/14		
	Rev	Date		Authorised

Client  
**Mr Robert Frost**

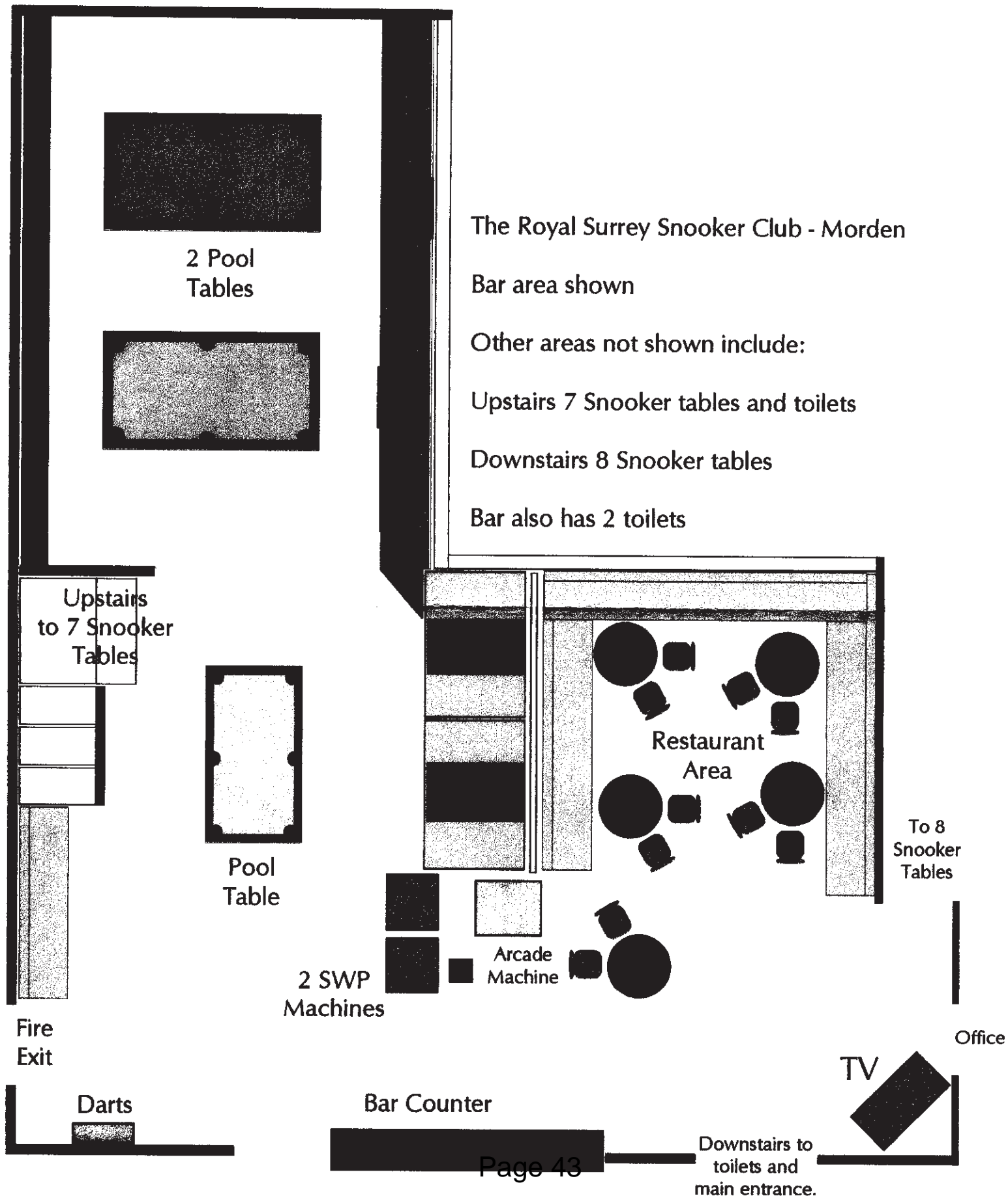
Project  
**Royal Surrey Snooker & Social Club**  
 1-9 Abbotsbury Road  
 Morden, Surrey, SM4 5LH

**Premise Floor Plan**

**ABBOTSBURY ROAD**



Original Scale	1:100	Drawn	BnH	Date	Dec 2014	
Drawing Number	RSSC-001				Rev	A



The Royal Surrey Snooker Club - Morden

Bar area shown

Other areas not shown include:

Upstairs 7 Snooker tables and toilets

Downstairs 8 Snooker tables

Bar also has 2 toilets

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

**VW - Merton Borough  
VW - Wimbledon Police Station**

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

Telephone: 07795665925

Facsimile:

Email:

Peter.Sparham@met.pnn.police.uk

www.met.police.uk

Your ref:

Our ref:

30 January 2015

Dear Sir

**Re:- Application for a Premises Licence under the Licensing Act 2003 - The RS  
Snooker & Social Club Ltd, Upper Floor, 1- 9 Abbotsbury Road, Morden. SM4  
5LH**

On 13th January 2015 an application was received from Robert Frost to vary the premises licence for the above address under the Licensing Act 2003. The application seeks the following:-

An alteration to the floor plan

Late Night Refreshment	Sunday 2300 - 0000
Supply of Alcohol	Monday to Saturday 1000 - 0130 Sunday 1000 - 2300

Hours open to the Public	Monday to Saturday 1000 - 0200 Sunday 1000 - 0000
--------------------------	--

Police wish to make representations to this application on two of the four licensing objectives namely:-

**The Prevention of Crime and Disorder  
Public Nuisance**

These premises are situated in Morden Town Centre and cover the first and second floor above another "pub" type premises. The first floor consists of the bar area and the second floor is occupied by a number of snooker tables.

A search of Police crime reports between 30th January 2014 and 30th January 2015 reveals only one report of theft connected with the venue. In the past 13 months the premises have been served with two(2) Closure Notices under Section 19 Criminal Justice and Police Act 2001 following breaches of conditions of the licence.

I am further aware of a number of complaints made to the Licensing Department of the London Borough of Merton regarding gambling, in particular poker, over a period of some years, this has resulted in a number of joint visits.

The applicant has asked for a substantial change in licensing hours, which, if granted would make it one of the later licences in Morden Town Centre if not the Borough. There is therefore likely to be an increase in the Public Nuisance experienced in the area by customers leaving the premises into the local area.

## **Conclusion**

The premises currently operates until 2300 but is permitted Late Night refreshment until 0200. This application therefore represents a substantial increase in operating hours. It is therefore asked that the Licensing sub-committee gives consideration to the following conditions to assist in the prevention of future issues:-

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premise is open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.

3. A minimum of two SIA licensed door supervisors shall be on duty from 2000 at all times whilst it is open for business beyond midnight.

4. No card games shall be permitted at the premises

5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received

(d) any incidents of disorder

(e) any faults in the CCTV system or searching equipment or scanning equipment

(f) any refusal of the sale of alcohol

(g) any visit by a relevant authority or emergency service.

Yours sincerely,

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Peter Sparham

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**ENVIRONMENT AND REGENERATION DEPARTMENT**  
Head of Public Protection & Development – John Hill



The Licensing Section  
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Please Ask For: Admin Section  
Date: 05 February 2015

Dear Licensing Officer

**LICENSING ACT 2003**  
**THE ROYAL SURREY SNOOKER AND SOCIAL CLUB, 1-9 ABBOTSBURY**  
**ROAD, MORDEN SM4 5LH**

The Licensing Authority acting as a Responsible Authority under the Licensing Act 2003 wish to make the following representation regarding the application to vary the premises licence attached to the above premises.

We understand that the premises are run as a commercial club by The RS Snooker and Social Club Ltd.

We would ask that conditions be attached to the licence to support the licensing objectives as we have concerns relating to the plan and possible crime and disorder and protection of children from harm concerns.

The Police and Licensing Officers visited the premises in November 2014 following information notified to us and information received from the Gambling Commission regarding the limits at which poker was being played and the gaming machines that were sited on the premises. Poker was found to be being played above the limits allowed under the Gambling Act 2005 in a commercial club premises. The person running the poker at the premises stated that this was private gaming and therefore exempt under the Act. We do not believe this is the case as the persons playing poker were all members of a poker club, playing on commercial premises. We have received information over a long period of time regarding poker being played at the

premises above the strict limits that should have been adhered to and further controls are needed to avoid further possible breaches of the law. We know that the premises licence was transferred in February 2014, but Mr Frost, the Director of the Limited company was also a partner in the running of the club for several years before this transfer.

We also had issues with the gaming machines that were sited on the premises at the time of the visit. All issues that came to light at the premises were highlighted to the persons in control of the activities at the time of our visit.

There are two areas on the plan marked as "private". One of these areas is stipulated as a "private snooker room". Should the variation be granted, we would ask that a condition be placed on the licence that this room only be used for snooker and no gaming or betting be allowed at any time and children are only allowed in here when accompanied by an adult.

For the second "private room", it is again not stated in the operating schedule under what terms this room will be used and what supervision will be employed. We are therefore concerned that gaming may take place here without adequate controls to ensure that the strict rules regarding this are adhered to. If it is private we do not see a need for it to be authorised for the sale of alcohol. We would ask that a condition be placed on the licence that only employees of the premises licence holder be allowed use of this private room.

The operating schedule states "Members Only 24 hour delay on New Membership". The club benefits from a Club Machine Permit that allows a maximum of 3 gaming machines on the premises, the maximum prize of which is £400. It is a condition of this that there be a 48 hour delay from applying, nomination or becoming a member, before members can play the machines. The offered condition may therefore cause a breach of their permit condition. We would ask for a condition giving a 48 hour delay from membership to usage of the facilities.

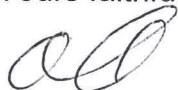
Under the gambling Act, a permit holder must comply with any relevant code of practice re siting and operation of gaming machines. On the plan, it appears that gaming machines are not in line of site of the bar where staff members can supervise, they would appear to be hidden out of easy sight. We would like this part of the plan refused and a condition that all gaming machines must be in clear line of sight of the bar area.

The variation applies to increase the hours for the sale of alcohol “to promote responsible consumption of alcohol”. The Licensing Authority fails to see how increasing the hours in which alcohol can be sold on the premises promotes responsible consumption and the operating schedule does not address this. It would seem to us that increasing the hours of sale and consumption would have a detrimental effect on the licensing objectives of prevention of public nuisance and crime and disorder as the longer people have been drinking alcohol, the more likely they are to exhibit loud drunken behaviour both within the premises and outside. Carrying the activity further into the evening/early morning could mean residents are disturbed later.

Therefore in conclusion, should the committee decide to grant the application in total or in part, we would suggest the following conditions be attached to the premises licence.

1. No poker to be played on the premises.
2. Only persons employed by the The RS Snooker and Social Club Ltd be allowed in the area marked “private room” on the plan. It cannot be used by members of the club or public.
3. The area marked as private snooker room only be used for snooker and no gaming or betting be allowed at any time. Children are only allowed in here when accompanied by an adult.
4. All gaming machines must be in line of sight of the bar area.
5. There must be a 48 hour delay between members joining the club and using the facilities.

Yours faithfully



Elizabeth Macdonald  
Licensing Officer

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