

Merton Council

Licensing Sub-Committee

Membership

Councillors:

Pauline Cowper

Nick Draper

Nick McLean

A meeting of the Licensing Sub-Committee will be held on:

Date: 27 June 2018

Time: 10.30 am

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

Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 Wimbledon Food & Wine, 226 Merton High Street, Wimbledon, SW19 1AU 1 - 52
- 5 Exclusion of the Press and Public
The following motion should be moved, seconded and approved if the committee wishes to exclude the press and public to deal with reports revealing exempt information:
“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 2 Schedule 12A of the Local Government Act 1972.”
- 6 REVIEW: Ronnie's Cutter, 37-39 Upper Green East, Mitcham, CR4 2PF 53 - 92

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 or telephone 020 8545 3616.

Press enquiries: press@merton.gov.uk or telephone 020 8545 3181

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Procedure to be followed at Licensing Hearing

1. The Chair will welcome all parties and all present will be introduced/introduce themselves
2. The Chair will confirm the sub-committee hearing procedures, a copy of which was included in the notice and agenda packs sent to all parties.
3. The Chair will ask the Legal Adviser to inform those present that the sub-committee had a briefing prior to the hearing to confirm the procedure and for clarification on any aspect of the application.
4. The Chair will ask Legal Adviser to confirm the process for questioning and whether there had been any requests for adjournments.
5. The Chair will ask the Licensing Officer if there are any technical issues they feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.
If all conditions are agreed by all parties then the Sub-Committee may go straight to point 14)
6. The Applicant will present their case. Questions can then be asked of the Applicant by the Responsible Authorities, the interested parties and members of the Sub-Committee.
7. The Responsible Authorities will present their case. Questions can then be asked of the Responsible Authorities by the Applicant, the interested parties, and members of the Sub-Committee.
8. Presentation by any interested party. Questions can then be asked of the interested party by the Applicants, the Responsible Authorities and members of the Sub-Committee.
9. The Chair will ask the Licensing Officer for any comments/ clarifications
10. The Chair will ask the Legal Adviser for any comments/clarifications
11. The Chair will invite closing statements by the responsible authorities
12. The Chair will invite closing statements by the interested parties
13. The Chair will invite closing statements by the Applicant
14. The Chair will announce that the Sub-Committee are retiring for private session. The Legal Officer and Clerk will be invited to also retire.
15. In closed session the Sub-Committee will make their decision. They may ask the Legal Officer for advice during this session.
16. The Sub Committee will return and re-open for public session.
17. The Chair will invite the Legal Officer to present the advice provided during private session.
18. The Sub-committee's decision will be read out either by the Chair or the Chair will invite the Legal Officer to do so.
19. The Chair will inform those present that all parties should receive a written copy of the decision notice within 5 working days, and then close the Hearing

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Licensing Sub-Committee Report

Subject of hearing: **Wimbledon Food & Wine, 226 Merton High Street, SW19 1AU**

Date: **27 June 2018**

Time: **10.30am**

Venue:

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

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 Variation of premises licence: s35

(i) To modify the conditions on the licence

(ii) To reject the whole or part of the application.

3. Hearing papers

3.1 The applications, notices and representations for determination by the sub-committee are contained in the hearing bundles 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.

4. Legal advice to the sub-committee

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

5. Licensing Officer Comments

5.1 This is an application to vary an existing licence. The existing licence and associated plan forms part of this report.

5.2 The applicant wishes to extend the times when it can sell alcohol for consumption off the premises only and amend condition 3 in Annex 3 of their current premises licence.

5.3 The current licence allows the sale of alcohol for consumption off the premises, Monday to Sunday, between 07:00 to 23:00. They wish to extend this to Monday to Sunday until 02:00 the following morning.

- 5.4 The applicant states that there has been some negotiation with the Police regarding the condition and the applicant has amended their operating schedule. Instead of amending the condition to “No super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises”, It would be – “No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, **except for premium and craft beers.**”
- 5.5 There is a condition in the operating schedule that states has been agreed with the Police, that the Sub-committee may wish to consider.
- 5.6 We have received 6 representations regarding this matter – 1 Councillor, 2 Responsible Authorities, 1 residents association and 2 members of the public.

For enquiries about this hearing please contact

Democratic Services

Civic Centre

London Road

Morden

SM4 5DX

Telephone: 020 8545 3616

Email: democratic.services@merton.gov.uk

Parties to the hearing

This document forms part of the notice of hearing.
 The following are parties to the hearing having submitted relevant applications, notices or representations under the statutory provisions indicated:

Applicant	
Allirajah Thamilselvan	
Statutory Authorities	
Metropolitan Police	
London Borough of Merton Public Health Department	
Interested Parties	
Councillor Nigel Benbow	
Julie Gould	
Robert Giles, Battles Area Residents Association	
Kaysar Miah	

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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 ALLIRAJAH THAMILSELVAN

(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/000002746

Part 1 – Premises Details

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

226 MERTON HIGH ST

Post town

WIMBLEDON

Postcode

SW19 1AU

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 11000

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if
different from premises
address

Post town

Postcode

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)

THIS IS A LOCAL CONVENIENCE STORE LOCATED IN THE HIGH STREET AMONG MANY OTHER RETAIL PREMISES.

THIS RETAIL STORE HAS BEEN IN OPERATION FOR LONG TIME AND IT WAS ABOUT TO CLOSE DUE TO TESCO, SAINSBURY OPENED RECENTLY. AND CURRENT OWNER HAS TAKEN OVER TO RUN THIS STORE TO SUPPORT LOCAL LATE NIGHT CUSTOMERS, WHO COMES BACK FROM WORK LATE AND DO THEIR ESSENTIAL SHOPPING.

IT IS IMPORTANT FOR THE STORE TO SELL ALL PRODUCTS INCLUDING ALCOHOL, TO CONTINUE A FINANCIALLY VIABLE BUSINESS.

THE STORE WOULD LIKE TO EXTEND ITS OPENING HOURS TO 02.00AM.

THE STORE ALREADY HAVE CONDITIONS IN THE LICENCE TO PROMOTE THE LICENSING OBJECTIVES, INCLUDING THE STRENGTH 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 see guidance note 3) 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)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed					
Thur			<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> (please read guidance note 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<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> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<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> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur								
Fri								
Sat						<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> (please read guidance note 7)		
Sun								

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the <u>performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6) <u>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</u> (please read guidance note 7)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<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> (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<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> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	07.00	02.00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Tue	07.00	02.00			
Wed	07.00	02.00			
Thur	07.00	02.00	<u>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</u> (please read guidance note 7)		
Fri	07.00	02.00			
Sat	07.00	02.00			
Sun	07.00	02.00			

K

<p>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 10).</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	07.00	02.00	
	-----	-----	
Tue	07.00	02.00	
	-----	-----	
Wed	07.00	02.00	
	-----	-----	
Thur	07.00	02.00	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 (please read guidance note 7)
	-----	-----	
Fri	07.00	02.00	
	-----	-----	
Sat	07.00	02.00	
	-----	-----	
Sun	07.00	02.00	
	-----	-----	

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.

ONLY APPLICANT WOULD TO AMEND CONDITION NUMBER 3.

IT STATES – ‘NO SUPER STRENGTH BEER, LARGERS OR CIDERS OF 5.5% ABV (ALCOHOL BY VOLUME) OR ABOVE SHALL BE SOLD AT THE PREMISES.

AMEND IT TO : 6.5% (THIS WILL ALLOW TO SELL SOME PREMIUM CRAFT BEERS , NOT SUPER STRENGTH.

Please tick as appropriate

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

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.

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 11)

THE PREMISES HAS ALREADY EXISTING 9 CONDITIONS TO PROMOTE ALL FOUR LICENSING OBJECTIVES.

ADDITIONAL CONDITION AGREED AFTER DISCUSSION WITH PC RUSS STEVENS

“On Friday and Saturday evenings, there must be a minimum of two members of staff on duty at the premises from 2300hrs whilst open to the public”

b) The prevention of crime and disorder

“On Friday and Saturday evenings, there must be a minimum of two members of staff on duty at the premises from 2300hrs whilst open to the public”

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	NIRA SURESH
Date	20/04/2018
Capacity	LICENSING AGENT

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 14). **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 15)
 UNIT B003 TRIDENT BUSINESS CENTRE
 89 BICKERTETH ROAD

CONTACT@ARKALICENSING.CO.UK

Post town	LONDON	Post code	SW17 9SH
Telephone number (if any)	0203 4051886/ [REDACTED]		

**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
CONTACT@ARKALICENSING.CO.UK**

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 for 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day 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: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, 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.
 - a performance of amplified live music between 08.00 and 23.00 on any day, 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 or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, 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.
 - any playing of recorded music between 08.00 and 23.00 on any day, 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.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority 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 where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. 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.
 9. 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'.
 10. 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.
 11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

From: ARKA LICENSING <contact@arkalicensing.co.uk>
Sent: 04 May 2018 11:12
To: Licensing <Licensing.Licensing@merton.gov.uk>
Cc: Russ.Stevens@met.pnn.police.uk
Subject: Re: Receipt MECO00265742 - PREMISES LICENCE VARIATION APPLICATION - 226 MERTON HIGH STREET, WIMBLEDON SW19 1AU
Importance: High

Dear Sirs,

Further to our above application, we have also requested to amend a condition of ABV to 6.5% from 5.5%, and the police is not happy.

And they are happy add the following to the condition to amend the condition number 3.

“except for premium and craft beers”

Should read as follow;

3. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, “except for premium and craft beers”.

Thank you
Suresh

Consultant
Arka Licensing

Tel: (0203) 405 1886
[REDACTED]

E-mail: contact@arkalicensing.co.uk

This email is sent for and on behalf of Arka Licensing Consultants, which is a company registered in England, registered number 09036487, registered office Trident Business Centre, 89 Bickersteth Road, London SW17 9SH.

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LICENSING ACT 2003

Part A Premises licence

Premises licence number

LN/000002746

Part 1 - Premises details

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

**Wimbledon Food n Wine
226 Merton High Street
Colliers Wood
London
SW19 1AU**

020 3556 7932

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	07:00	-	23:00
Tuesday	07:00	-	23:00
Wednesday	07:00	-	23:00
Thursday	07:00	-	23:00
Friday	07:00	-	23:00
Saturday	07:00	-	23:00
Sunday	07:00	-	23:00

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

Off the premises



Licensable activities and permitted times authorised by the licence

Alcohol Sales

Off the premises

Monday	07:00	-	23:00
Tuesday	07:00	-	23:00
Wednesday	07:00	-	23:00
Thursday	07:00	-	23:00
Friday	07:00	-	23:00
Saturday	07:00	-	23:00
Sunday	07:00	-	23:00

Part 2

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

Allirajah Thamilselvan



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

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



ANNEX 1 TABLE OF MANDATORY CONDITIONS UNDER THE LICENSING ACT 2003

1. That no supply of alcohol may be made under the premises licence
(a) at a time when there is no designated premises supervisor in respect of the premises licence, or
(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. That every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. Where one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority by a licence granted under the Private Security Industry Act 2001 or entitled to carry out that activity by virtue of section 4 of the Private Security Industry Act 2001.
4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either—
(a) a holographic mark, or
(b) an ultraviolet feature.
5. 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.
6. 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;
(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) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

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.

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.

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

Annex 3 Conditions attached after a hearing by the licensing authority

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. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.

4. A proof of age scheme, such as Challenge (21/25), shall be operated at the premises, where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport / holographically marked PASS scheme identification cards.

5. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.

6. 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.

7. Age related notices shall be displayed regarding sales of alcohol.

8. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.

9. Bins shall be made available outside for litter disposal.

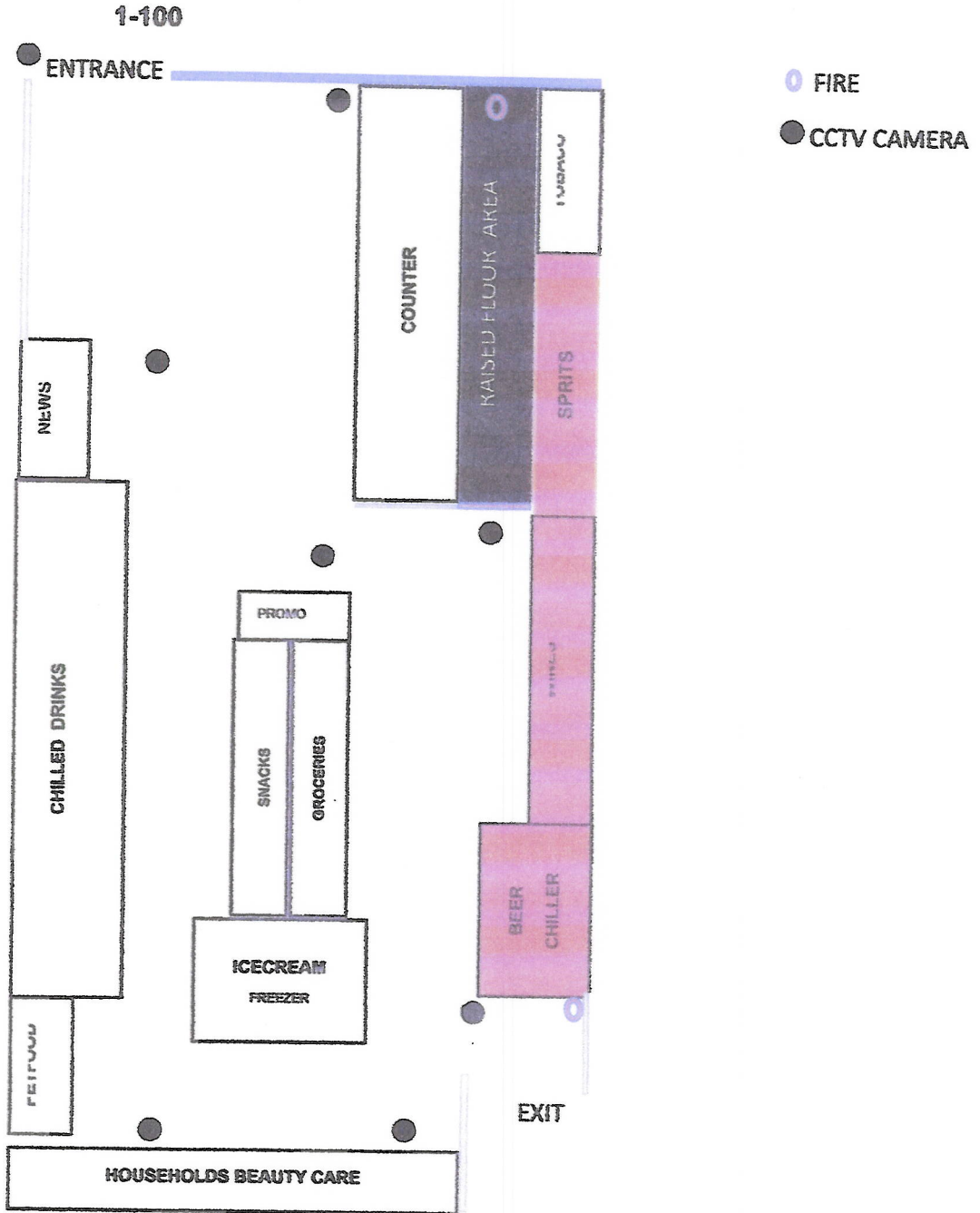
Annex 4

Premises Plan: Drawing 'Wimbledon Food n Wine' of 27/02/2014.

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WIMBLEDON FOOD n WINE

226 , merton high street , London , sw19 1au



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From: Russ.Stevens@met.pnn.police.uk [mailto:Russ.Stevens@met.pnn.police.uk]
Sent: 17 May 2018 21:35
To: Licensing
Subject: Wimbledon Food and Wine REPRESENTATIONS

Dear Sir/Madam,

With regard to the current Licensing Application for Wimbledon Food & Wine, 226 Merton High St, Colliers Wood, on behalf of the Metropolitan Police, I would like to make the following objections on grounds of Public Nuisance..

The applicant wishes to extend permitted alcohol hours from 2300hrs to 0200hrs every night of the week. They also wish to raise the max abv of beer and cider currently permitted from 5.5% to 6.5%.

The premises is situated adjacent to and opposite residential areas, it is also close to South Wimbledon Underground Station which is now part of the Night Tube network. I am concerned that the extension of hours will encourage people to buy alcohol and loiter close to residential areas late at night. People returning home from enjoying Wimbledon town centre's Night Time Economy, or returning from central London will pass by Wimbledon Food & Wine on their way home. Stopping to buy alcohol will likely give rise to Anti Social Behaviour and public nuisance. This is a concern apparently shared by local residents commenting on a news article about the application published by Wimbledon Guardian. There are historic problems associated with the premises when under previous ownership.

I am also concerned about the applicant's desire to raise the 5.5% abv limit currently imposed to tackle ASB committed by street drinkers.

I ask the committee to consider revising the terms of the application if minded to grant the license. My recommendation is that the alcohol hours are extended to 0000hrs Monday to Thursday, and to 0200hrs on Friday and Saturday nights, 2300hrs on Sundays.

The condition that restricts max abv be amended to include "except for Premium and Craft beers".

To provide the confidence and ability to safely refuse sales of alcohol when necessary, I would like to see the following condition added to the licence if granted: "On Friday and Saturday evenings, there must be a minimum of two members of staff on duty at the premises from 2300hrs whilst open to the public"

From my discussions with the applicant's agent during the consultation, we almost reached agreement with the above. The applicant was reluctant to amend alcohol hours on Wednesdays and Thursdays.

Kind regards

Russ STEVENS PC852VW P191701
Merton Licensing | Wimbledon Police Station | Metropolitan Police Service
Metphone 733074 Telephone 020 8649 3074

Licensing Correspondence to:

The Chief Officer of Police
Russ Stevens 852VW
Licensing Office
Wimbledon Police Station
15-23 Queens Road
London
SW19 8NN

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COMMUNITY AND HOUSING DEPARTMENT

Department of Public Health

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

Public Health
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Direct Line: 020 8545 4834

Date: 17/05/2018

**Re: Application to vary/for a Premises License under the Licensing Act 2003 –
Wimbledon Food n Wine, 226 Merton High Street, Colliers Wood, London,
SW19 1AU**

License Number	WK/201800801
Name of Premise License Holder	Mr Allirajah Thamilselvan
License Type	Off-License
Ward	Abbey

As a responsible authority under the 2012 amendment to the Licensing Act 2003, the Director of Public Health for Merton wishes to submit a representation for this premises license variation, on the following licensing objectives:

- 1. The prevention of crime and disorder**
- 2. Public safety**

The premises in concern is currently licensed to sell alcohol (off the premises) from 07:00 to 23:00, Monday to Sunday. The applicant is seeking to extend these hours to sell alcohol from 07:00 to 02:00, seven days a week. Public Health is concerned about the extension of license hours for the following reasons:

- Public health data shows some areas for concern within the premises postal code
- Evidence of concern from local residents with regard to existing issues related to alcohol in the area
- Location of the premises is in close proximity to a tube station (South Wimbledon) which is served by the night tube on weekends, where customers who may already be under the influence of alcohol will have the availability of late-night opening off-licenses nearby.

Introduction and Background

Tackling alcohol misuse is central to achieving the outcomes in Merton's Health and Wellbeing Strategy.

A crucial element of tackling alcohol-related harm is ensuring that health and wellbeing considerations are met by premises licensed to sell alcohol within the borough, in order to prevent alcohol-related crime and anti-social behaviour, ensure public safety, and prevent harm to children.

Alcohol misuse is currently one of the biggest Public Health issues in the U.K., and it imposes a huge burden on our society.



Irresponsible drinking costs the taxpayer a staggering **£21 billion a year**.¹



Alcohol is currently the **biggest risk factor** for death, ill-health, and disability among 15-49 year olds in the UK.²



The cost of alcohol-related conditions to the NHS is **£3.5 billion** annually.³



Alcohol is a contributing factor in **75% of stabbings**, and **60-70% of murders**.⁴

¹ Home Office, 2012.

² . Strang, J., Drummond, C., McNeill, A. et al (2014) Addictions, dependence and substance misuse In: Davies, S Annual Report of the Chief Medical Officer 2013: Public Mental Health priorities: investing in the evidence.

³ <https://www.alcoholconcern.org.uk/alcohol-statistics>. Accessed April 2018

⁴ British Medical Association (BMA)

Evidence of detrimental impact on the licensing objectives

1. The prevention of crime and disorder

The link between alcohol and violence has been recognized as far back as the 4th century BC. Alcohol-related violence causes substantial injury and death.⁵

Local data suggests there is a serious issue with crime and violence in the area surrounding the premises postcode.

Within 200m of the premises postcode, SW19 1AU,

- A. Alcohol-related issues in under 26 year olds falls in the **top 1%** of the borough
- B. BTP-reported violence falls in the **top 5%** for the borough
- C. Alcohol related issues (all ages) fall in the **top 20%** for the borough
- D. BTP-reported anti-social behaviour falls in the **top 20%** for the borough
- E. BTP-reported criminal damage falls in the **top 20%** for the borough

The above data suggests there is a significant impact of alcohol consumption in the local area. While the above data does not relate to the specific premise, any premises that supplies alcohol in the area will be contributing to the trends relating alcohol to crime and disorder. This is especially pertinent in this case where there is evidence of irresponsible trade and breaching of licensing objectives.

Moreover, the premises is located in close proximity to a tube station which is served by the night tube on weekends (South Wimbledon, Northern Line). The premises is therefore likely to be on the route home for commuters who may already be under the influence of alcohol, encouraging them to stay out longer and drink more.

2. Public safety

- The recent Annual Residents Survey for Merton (2017) highlights that 17% of residents in this area of the borough are very worried or fairly worried about people being drunk and rowdy in public places. 23% are very concerned or fairly concerned about groups hanging around in the streets, and 15% of residents are very concerned or fairly concerned about people using or dealing drugs.⁶

⁵ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3170096/#R2>

⁶ https://www2.merton.gov.uk/residents_survey_research_report_2017.pdf

- In terms of alcohol harm overall, in 2012, Merton ranked 55 out of 326 local authorities. This is to say that over 83% of boroughs in England have less alcohol harm overall than Merton. Within the borough, there is an element of variance in the degree of alcohol harm between different wards. Figge's Marsh, where this premises is located, has a higher admission ratio of hospital stays for alcohol-related harm than the figure for Merton and that for London.
- The crime rate in Abbey Ward is 6.6 offences per 1000 population. This is higher than the Merton value (5.4 per 1000 population), and the highest number of offences recorded is 'anti-social behaviour'.⁷

Conclusion

There is evidence revealing serious concerns about alcohol harm in the local population, and the location of the premises in concern is that which serves potentially vulnerable individuals. Therefore, we request that the application of variation to the Premise License WK/201800801 be rejected, and the premises licensed hours remain unchanged.

Yours sincerely,



Signed Electronically

Dr Rooah Omer

Specialty Registrar in Public Health

On behalf of Dr Dagmar Zeuner, Director of Public Health

⁷ https://www2.merton.gov.uk/figges_marsh_ward_health_profile.pdf

APPENDIX

Select Street

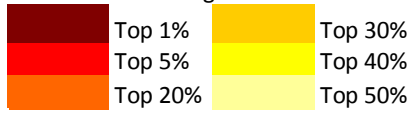
MERTON HIGH STREET ▼

Select Postcode

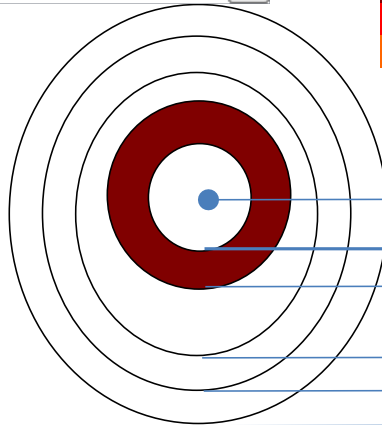
SW19 1AU ▼

Alcohol Related (Aged Under 26) ▼

Colours Indicate high volume of selected incidents or venues



eg. A Top 1% rank is given to any of the distance bands that contain more than 1 Alcohol Related (Aged Under 26)*



- Selected Location
- 100 metres from selected location
- 200 metres from selected location
- 300 metres from selected location
- 400 metres from selected location
- 500 metres from selected location

Ambulance Recorded Assaults



Head Injuries



Alcohol Related



Bus Driver Reported ASB



BTP ASB



BTP Criminal Damage



Gun, Knife and Weapon Injuries



Least Serious Injuries



Alcohol Related (Aged Under 26)



Bus Driver Reported Violence



BTP Violence



Data from September 2016-August 2017

All Infographics on page 2 from Noun Project artists, accessed at <https://thenounproject.com/>

Credits:

£ icon by Chameleon Design

Heart icon by Ben Davis

Criminal icon by Bakunetsu Kaito

Ambulance icon by dDara

**FAO: Licensing, London Borough of Merton.
1st Floor Annexe Civic Centre, London Road, Morden SM4 5DX**

**Wimbledon Food n Wine – 226 Merton High Street, South Wimbledon SW19 1AU
Premises Licence Variation, Application Reference: WK/201800801**

I understand that Wimbledon Food n Wine on 226 Merton High Street in South Wimbledon have applied to extend their opening hours to 2am, Monday to Sunday.

I strongly object to this licensing application.

It would encourage anti-social behaviour after drinking hours (pubs and restaurants nearby closing at 11pm), outside the drinking premises causing more nuisances to the residents of South Wimbledon community.

Directly opposite Wimbledon Food n Wine store, there's a likelihood large space-area for drinking behind the Kilkenny Tavern pub, also in front of properties on Hayward Close. Problems have been reported in the past and also would also encourage more empty cans and bottles littered into this area, as well as noise, urinating and increasing the probability of graffiti on the massively exposed wall behind the Kilkenny pub. This is obviously very unpleasant for the residents living nearby, hence no consideration for them.

Absolutely no respect would be given when it comes to other people's properties in back streets. Littered with beer cans and bottles. They find a quiet spot for 'urinating' purposes, as well as a drinking area space. The whole of the South Wimbledon area is not a "controlled drinking zone" after 11pm. I never once saw a Community Police Officer in the area at night times. Why should our residents be expected to clear littered beer cans and bottles thrown in their front gardens?

Is there a need to increase licensing hours in a family, residential community area? I can foresee an increase in 'anti-social behaviour' that would bring us no benefit, but more costly for the council in the long run.

I would be very happy to argue my objection further.

With best wishes,

Nigel.

**Councillor Nigel Benbow
Abbey Ward**



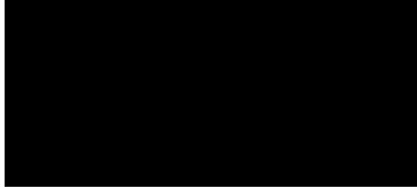
Nigel.benbow@merton.gov.uk

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I object to the extension of the licensing hours at the above property.
It will increase anti social behaviour on a busy main road. The noise pollution will also disturb residents in all the flats along the High Street.
The inevitable increase in litter which will occur in the early hours is also a reason to refuse this licence.
How will the police ensure under age drinkers do not purchase drink? Young people always use small, High Street shops to buy alcohol and cigarettes because they know the security checks/ monitoring is not as thorough as in Supermarkets.

Yours faithfully

Julie Gould



Sent from my iPhone

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17 May 2018

Licensing
London Borough of Merton
1st Floor Annexe
Merton Civic Centre
London Road
Morden
SM4 5DX

Wimbledon Food n Wine Application Reference WK/201800801

226 Merton High Street, London, SW19 1AU

Premises Licence Variation Closing Date for Representations Friday, 18 May 2018

Dear Sir/Madam

On behalf of the Battles Area Residents Association I have been instructed to make a representation in respect of the above licence variation application.

We are opposed to this variation on the basis of:

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

The availability to purchase alcohol to AM, including stronger beers and ciders, would attract people to the High Street to hang around, cause a nuisance, with noise, leave litter, which is already a problem, and urinate in the nearby streets, which as a group we are actively trying to resolve with the Council, to improve the area which we believe this licence would definitely not benefit us as a community.

As the Tube is now running through the night at weekends, if local residents were to come home late they may feel intimidated if drinkers were there. Although this is a High Street with flats above, some with families, shops have also been converted into flats and they deserve to have peace and relative quiet in the area.

If this licence were to be allowed it would increase the anti-social behaviour that as we all know is associated with alcohol in excess, this has been seen in

Wimbledon Town Centre and with less police a totally unnecessary requirement to our area.

I hope these points are taken on board and you see fit to decline these longer hours of alcohol sales.

To allow the extension of the licence from 11AM to 2AM would set a precedent which would likely lead over time to a number of outlets supplying alcohol to persons who may wish to consumer them immediately in the street or in neighbouring streets such as Hamilton Road Mews which is immediately behind the premises.

Yours faithfully



Robert Giles

Chair

From: Kaysar Miah

Sent: 14 May 2018 20:54

To: Licensing

Subject: Application Reference: WK/201800801 - Objection to Wimbledon Food n Wine extending opening hours

To Licensing, London Borough of Merton.

We were recently informed Wimbledon Food n Wine on 226 Merton High Street have applied to extend their opening hours.

I would like to object on the grounds extended hours would increase the level of nuisances we already receive from customers of the store. They are;

- Next to the store there is a large metal blue box (similar to cable company street boxes though I'm not sure what this one is used for). Customers use the box as a makeshift table and female visitors to the house have felt intimidated when waking past customers who loiter around the blue box drinking. With the pubs nearby closing at 11pm I fear the area around the blue box will become an improvised pub by the loiters.
- There is an issue with litter. At mornings I frequently have to dispose bottles and cans left on the street. We can identify the litter was brought from the store and not the local Tesco and Sainsburys by the price tag or by the plastic bag they've been left in.
- Customers of the store who loiter around Hardy Road have urinated against the wall on our driveway. Again, we can tell they are customers of the store by easily identifying where the bottles and cans they leave behind, after they've urinated, were brought from.

I don't see how extending the opening hours of an off-license in a residential and family area can bring us any benefit. Should we need any emergency supplies late at night we are well serviced by the local Tesco and Sainsburys.

I am happy to discuss my objection in more detail.

Kind regards,
Kaysar Miah



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Procedure to be followed at Licensing Hearing - Review

1 Presentation by the Applicant – Police

- a) Questions by Licensee
- b) Questions by responsible authorities and then interested parties to the Applicant
- c) Questions by the sub-committee of the Applicant

2 Presentation by each responsible authority (this will need repeating for each authority)

- a) Questions by Licensee to responsible authorities
- b) Questions by the Applicant -Police and then interested parties to responsible authorities
- c) Questions by the sub-committee of the responsible authorities

3 Presentation by any interested parties (based on agenda order, unless changed by Chair) (this will need repeating each party)

- a) Questions by Licensee
- b) Questions by the Police and then responsible authorities to the interested parties
- c) Questions by the sub-committee of other interested parties

4 Presentation and response by Licensee

- a) Questions by Applicant - Police to Licensee
- b) Questions by the responsible authorities, then interested parties to the Licensee
- c) Questions by the sub-committee to the Licensee

5 Licensing Officer comments/ clarification

6 Legal Adviser for any comments/clarifications

7 Closing statements by the responsible authorities and interested parties

8 Closing statements by the Licensee

9 Closing statements by the Applicant – Police

10 The sub-committee will retire to closed session and invite the Legal Adviser & Clerk to join them to provide advice.

11 Re-open for public session

12 Legal Officer to present the advice provided during private session

13 Decision will be read out, with written confirmation to follow within five working days

14 Close of hearing

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Licensing Sub-Committee Report

Subject of hearing: **Ronnie's Cutter, 37-39 Upper Green East, Mitcham, CR4 2PF**

Date: **27 June 2018**

Time: **10.30 am**

Venue: **Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX**

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

1.1 The premises are in the special policy area. Accordingly the relevant section of Merton's Licensing Policy is particularly relevant to this application though the sub-committee is to have regard to the policy as a whole.

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 Review of premises licence: s52

- (i) To modify the conditions of the licence
- (ii) To exclude a licensable activity from the scope of the licence
- (iii) To remove the designated premises supervisor
- (iv) To suspend the licence for a period not exceeding three months
- (v) To revoke the licence.
- (vi) To grant or reject the application.

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 South London Legal Partnership will attend the hearing to advise the sub-committee on statutory provision and legal matters.

5. Licensing Officer comments

5.1 This is an application for a review of the premises licence brought by the Metropolitan Police.

5.2 The grounds for the review are fully stated in the application.

5.3 We have received 4 representations in support of the review. 1 from a Councillor and 3 from Responsible Authorities.

For enquiries about this hearing please contact

Democratic Services

Civic Centre

London Road

Morden

SM4 5DX

Telephone: 020 8545 3616

Email: democratic.services@merton.gov.uk

Parties to the hearing

This document forms part of the notice of hearing.
The following are parties to the hearing having submitted relevant applications, notices or representations under the statutory provisions indicated:

Review Applicant	
Metropolitan Police	
Statutory Authorities	
London Borough of Merton Public Health	
London Borough of Merton Trading Standards	
London Borough of Merton Safeguarding Children Board	
Interested Parties	
Councillor Geraldine Stanford	

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LICENSING ACT 2003

Part A Premises licence

Premises licence number

CPL 2005 0039

Part 1 - Premises details

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

**COSTCUTTERS
37-39 UPPER GREEN EAST
MITCHAM
CR4 2PF**

Telephone number

020 86409547

Dates where the licence is time limited

NOT APPLICABLE

Licensable activities and permitted times authorised by the licence

SUPPLY OF ALCOHOL:

On weekdays, other than Christmas Day, between 08.00 and 23.00 hours.

On Sundays, other than Christmas Day, between 10.00 and 22.30 hours.

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

On Good Friday, between 08.00 and 22.30 hours.

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

The opening hours of the premises for sale of alcohol

Monday to Saturday: 08.00 until 23.00 hours

Sunday: 10.00 until 22.30 hours

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

OFF sales

Part 2

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

RONAK PATEL

[REDACTED]

TUSHAR PATEL

[REDACTED]

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

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

RONAK PATEL

[REDACTED]

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

LONDON BOROUGH OF CROYDON

[REDACTED]

Annex 1 - Mandatory conditions

Mandatory conditions where licence authorises supply of alcohol

- (1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.
- (2) The first condition is that no supply of alcohol may be made under the premises licence:
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory condition: exhibition of films

- (1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
- (2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where:
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that licensing authority.
- (4) In this section:
 - "children" means persons aged under 18; and
 - "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory condition: door supervision

- (1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
- (2) But nothing in subsection (1) requires such a condition to be imposed-
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to:
 - i. any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - ii. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section:
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Prohibited conditions: plays

- (1) In relation to a premises licence which authorises the performance of plays, no condition may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under the licence.
- (2) But subsection (1) does not prevent a licensing authority imposing, in accordance with section 18(2)(a) or (3)(b), 35(3)(b) or 52(3), any condition which it considers necessary on the grounds of public safety.

ENVIRONMENT AND REGENERATION DEPARTMENT
Licensing Section
London Borough of Merton
14th Floor, Merton Civic Centre
London Road
Morden, Surrey
SM4 5DX

Tel: 020 8274 4901
www.merton.gov.uk/licensing



Annex 2 - Conditions consistent with the Operating Schedule

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

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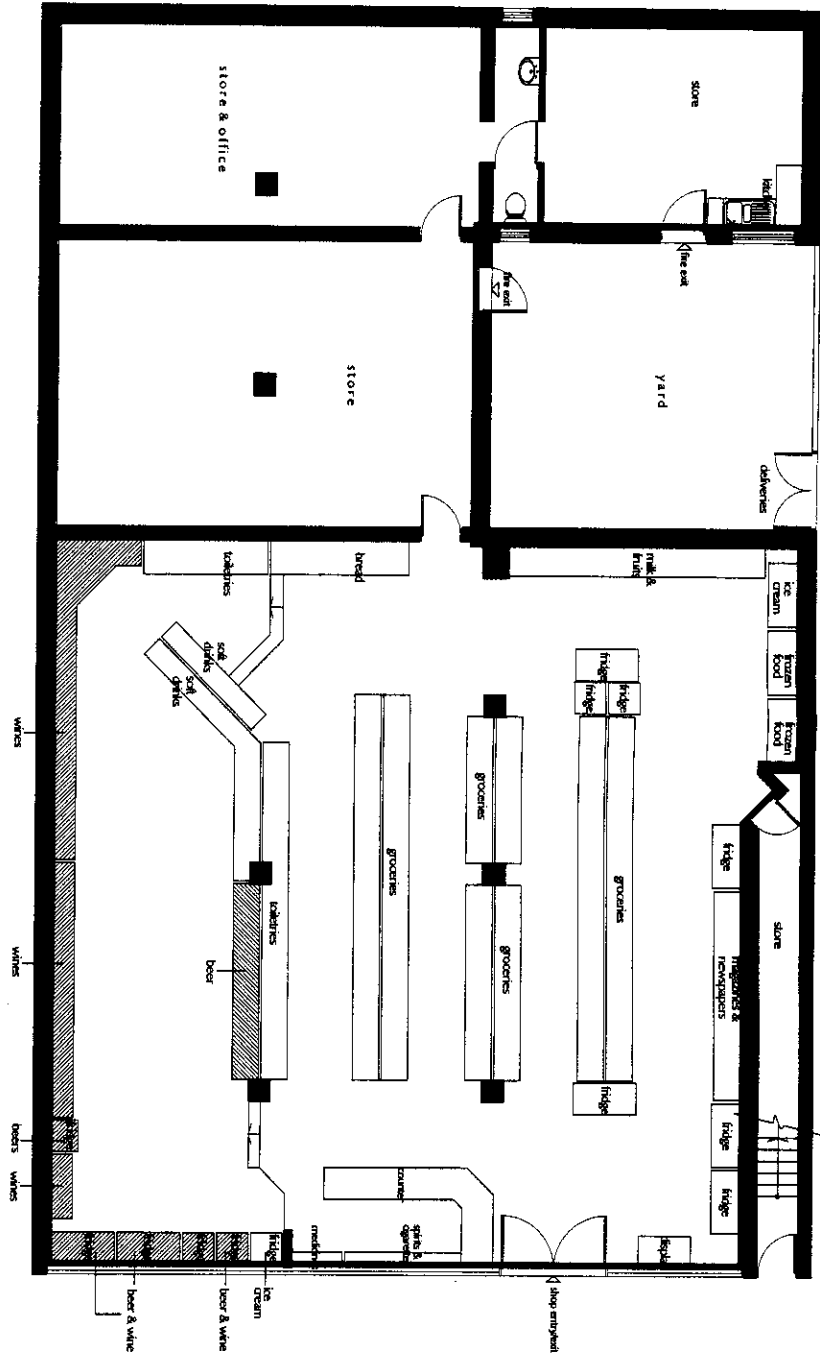
Annex 3 - Conditions attached after a hearing by the licensing authority

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

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extent of off-license shop



COST CUTLER SUPERMARKET
 37/39 UPPER GREEN EAST
 MITCHAM SURREY CR4 2PF
 Scale 1/100 @ A3

00514/101

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From: Licensing
Sent: 08 June 2018 14:26
To: Amy Dumitrescu
Subject: Review of Premises Licence Ronnie Cutters Upper Green East

Dear Amy

Having looked at the forms submitted surrendering the above licence, I have determined that the surrender is valid for the following reasons:

1. An e-mail was received from Mr Ronak Patel, one of the licence holders, surrendering the licence, in which he cited the full address of the premises and the premises licence number. Mr Patel was told that he needed to submit a form to formally surrender the licence.
2. The form was received with the address of the premises missing from it. The form was rejected for this reason.

With both the e-mail and the form taken together, however, the licensing authority accepts that it has been properly notified in writing that the licence has been surrendered, meaning that the licensing sub-committee can be so informed accordingly.

I attach a copy of the surrender form and e-mail for your information and will forward a copy of this e-mail to PC Russ Stevens and the premises licence holder for their information ..

Stephen Beedell

Licensing Officer

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

From: Ronak Patel

Sent: 23 April 2018 07:01

To: Licensing

Cc: Russ.Stevens@met.police.uk

Subject: Ln/000000704

Ronnie's cutter(Formerly Costcutter)

37-39 upper Green East

Mitcham

Cr42pf

License no : LN/000000704

Dear sirs

To whom it may concern ,
MERTON Council Licencing .

Due to the recent events that have taken place at the above premises, regrettably With sadness I here by am surrendering the above premise licence.

Please note that within my 16 years of being D.P.S and premises licence holder my record has been very good, and it was my mistake in not transferring the Licence to the current management (and keeping the D.P.S in my name).

I hope I am able to work with Merton in future projects.

Many thanks

Ronak Patel .

Sent from my iPhone

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WK/201801275

LICENSING ACT 2003

NOTICE OF SURRENDER OF PREMISES LICENCE



Please read the notes overleaf before completing this notice.

I/We (Full name/company name of all premises licence holder(s)).....
RONAK PATEL & TUSHAR PATEL

of (each home/registered office address of holders) .. [Redacted]

[Redacted]

being the premises licence holder(s) of (name and full address of premises)
SOME AS ABOVE

hereby give notice that I/we wish to surrender the above licence with immediate effect.

I enclose the original Premises licence YES / NO

If No, please provide full details as to why you have not enclosed the original premises licence.

.....
.....
.....

I am or I have the authority to act on behalf of the premises licence holder.

Signed: [Redacted] Date: 8th May 2018

Print Name: TUSHAR PATEL Capacity: WORKER

Signed: [Redacted] Date: 8th May 2018

Print Name: RONAK PATEL Capacity: OWNER

Please return this completed form to London Borough of Merton
Licensing Section
14th Floor, Civic Centre
London Road
Morden

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By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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COMMUNITY AND HOUSING DEPARTMENT

Department of Public Health

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

Public Health
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Direct Line: 020 8545 4834

Date: 17/04/2018

Re: In support of a Metropolitan Police review of a premises license under Section 51 of the Licensing Act 2003

Ronnie's Cutter, 37-39 Upper Green East, Mitcham, CR4 2PF.

License Number	LN/000000704
Name of Premise License Holder	Ronak Patel
License Type	Off-License
Ward	Figge's Marsh

As a responsible authority under the 2012 amendment to the Licensing Act 2003, the Director of Public Health for Merton wishes to support the review submitted by the Metropolitan Police for this premises license, on all four licensing objectives:

- 1. The prevention of crime and disorder**
- 2. Public safety**
- 3. Prevention of public nuisance**
- 4. The protection of children from harm**

Public Health is requesting this license review for the following reasons:

- Evidence of breaching of licensing objectives
- Evidence of selling alcohol to children, and unsupervised selling of alcohol by a child
- Evidence of two undocumented workers at the premises
- Public health data shows some areas for concern within the premises postal code.

Introduction and Background

Tackling alcohol misuse is central to achieving the outcomes in Merton's Health and Wellbeing Strategy.

A crucial element of tackling alcohol-related harm is ensuring that health and wellbeing considerations are met by premises licensed to sell alcohol within the borough, in order to prevent alcohol-related crime and anti-social behaviour, ensure public safety, and prevent harm to children.

Alcohol misuse is currently one of the biggest Public Health issues in the U.K., and it imposes a huge burden on our society.



Irresponsible drinking costs the taxpayer a staggering **£21 billion a year**.¹



Alcohol is currently the **biggest risk factor** for death, ill-health, and disability among 15-49 year olds in the UK.²



The cost of alcohol-related conditions to the NHS is **£3.5 billion** annually.³



Alcohol is a contributing factor in **75% of stabbings**, and **60-70% of murders**.⁴

¹ Home Office, 2012.

² . Strang, J., Drummond, C., McNeill, A. et al (2014) Addictions, dependence and substance misuse
In: Davies, S Annual Report of the Chief Medical Officer 2013: Public Mental Health priorities:
investing in the evidence.

³ <https://www.alcoholconcern.org.uk/alcohol-statistics>. Accessed April 2018

⁴ British Medical Association (BMA)

Evidence of detrimental impact on the licensing objectives

1. The prevention of crime and disorder

The link between alcohol and violence has been recognized as far back as the 4th century BC. Alcohol-related violence causes substantial injury and death.⁵

Local data suggests there is a current serious issue with crime and violence in the area surrounding the premises postcode.

a) **Bus-driver reported violence**

Within 100m of the premises postcode, the number of incidents which have occurred falls in the **highest 5%** of areas in the borough.

b) **Bus-driver reported anti-social behavior**

Within 300m of the premise, the number of incidents which have occurred falls in the **highest 5%** of areas in the borough.

c) **Alcohol related issues**

Within 300m of the premises post code, the number falls in the **top 20%** for the borough.

d) Figures for **gun, knife and weapon injuries** within 200m of the premises postcode fall in the **top 30%** for the borough.⁶

The above data suggests there is a significant impact of alcohol consumption in the local area. While the above data does not relate to the specific premise, any premises that supplies alcohol in the area will be contributing to the trends relating alcohol to crime and disorder. This is especially pertinent in this case where there is evidence of irresponsible trade and breaching of licensing objectives.

Moreover, the premises is situated in Figge's Marsh, one of the most deprived areas in the country⁷, home to a sizeable population of vulnerable people.

Figge's Marsh is ranked as the **No. 1 ward** in Merton for gun, knife and weapon injuries, and for violence. The Metropolitan police responded to a stabbing incident immediately outside the Ronnie's Cutter, where the perpetrator was seen to enter the premises afterwards, and this occurred outside of licensed opening hours. In such a high-risk area, there is absolutely no tolerance for irresponsible trading such as this.

⁵ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3170096/#R2>

⁶ Data in Section 1 parts a-d published by the GLA in January 2018. (See appendix)

⁷ Index of Multiple Deprivation (IMD) 2015.

2. Public safety

- The recent Annual Residents Survey for Merton (2017) highlights that 17% of residents in this area of the borough are very worried or fairly worried about people being drunk and rowdy in public places. 23% are very concerned or fairly concerned about groups hanging around in the streets, and 15% of residents are very concerned or fairly concerned about people using or dealing drugs.⁸
- In terms of alcohol harm overall, in 2012, Merton ranked 55 out of 326 local authorities. This is to say that over 83% of boroughs in England have less alcohol harm overall than Merton. Within the borough, there is an element of variance in the degree of alcohol harm between different wards. Figge's Marsh, where this premises is located, has a higher admission ratio of hospital stays for alcohol-related harm than the figure for Merton and that for London.
- The crime rate in Figge's Marsh is 9.3 offences per 1000 population. This is higher than the Merton value (5.4 per 1000 population), and the highest number of offences recorded is 'anti-social behaviour'.⁹

3. Prevention of public nuisance

- The premises in concern are located in the Cumulative Impact Zone (CIZ) of Mitcham Town Centre, an area where it is recognised that there is a problem with the impact of alcohol on public nuisance, particularly with regard to street drinking. The Metropolitan Police have received reports that the premises in concern have been providing drinking cups with alcohol purchases to street drinkers, in turn facilitating anti-social behaviour in the area.

4. The protection of children from harm

- Evidence submitted by the Metropolitan police reveals that there was found to be a child selling alcohol unsupervised at the premises, and a test purchase where a 15 year old was able to successfully purchase alcohol at the premises without any challenge.
- More than 40% of children who start drinking in early youth will go on to abuse alcohol/become alcoholics later in life, and underage drinking is associated with other risky behaviours such as teenage pregnancy and youth offending¹⁰. It is therefore of paramount importance that we protect our youths from the harm associated with the illegal selling of alcohol to those underage.
- The population of Figge's Marsh is different to other wards in Merton in that there are a higher proportion of young people (0-29 years) living in the area. The premises in concern is also situated within walking distance (400m) from three local school, and is likely to be on the route to and from school for children.

⁸ https://www2.merton.gov.uk/residents_survey_research_report_2017.pdf

⁹ https://www2.merton.gov.uk/figges_marsh_ward_health_profile.pdf

¹⁰ <http://www.merton.gov.uk/health-social-care/publichealth/jsna/lifestyle-risk-factors/adults-substance-misuse/alcohol-jsna.htm>

Conclusion

The premises in concern have failed to display that they are a responsible retailer, and have participated in, and facilitated, numerous unlawful engagements. In conjunction with the evidence revealing serious concerns about alcohol harm in the local population, we believe that the licensed premises are not running at a level where they can prevent crime and disorder, assure public safety, prevent public nuisance, and protect children from harm. Therefore, we request that the Premise License LN/000000704 be revoked as soon as is possible.

Yours sincerely,



Signed Electronically

Dr Rooah Omer

Specialty Registrar in Public Health

On behalf of Dr Dagmar Zeuner, Director of Public Health

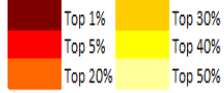
APPENDIX

UPPER GREEN EAST

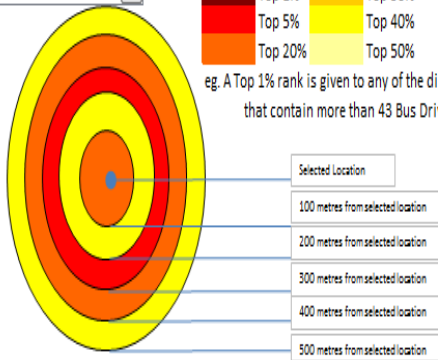
CR4 2PF

Bus Driver Reported ASB

Colours indicate high volume of selected incidents or venues



eg. A Top 1% rank is given to any of the distance bands that contain more than 43 Bus Driver Reported ASB*



Ambulance Recorded Assaults



Head Injuries



Alcohol Related



Bus Driver Reported ASB



BTP ASB



Gun, Knife and Weapon Injuries



Least Serious Injuries



Alcohol Related (Aged Under 26)



Bus Driver Reported Violence



BTP Violence



Indicator	Count	Distance
Ambulance Recorded Assaults	10	100
	8	200
	10	300
	14	400
	11	500
Gun, Knife and Weapon Injuries	1	100
	0	200
	1	300
	0	400
	0	500
Head Injuries	3	100
	3	200
	1	300
	0	400
	2	500
Least Serious Injuries	2	100
	2	200
	4	300
	9	400
	4	500
Alcohol Related	0	100
	0	200
	1	300
	1	400
	0	500
Alcohol Related (Aged Under 26)	0	100
	0	200
	0	300
	0	400
	0	500
Bus Driver Reported ASB	9	100
	2	200
	20	300
	8	400
	0	500

Data from September 2016-August 2017

Bullseye

USER INPUT
 SELECT POSTCODE FROM LIST WARD WARD NAME
 CLICK HERE>

PREVENTION OF CRIME AND DISORDER

AMBULANCE DATA

RANK ALL ASSAULTS 4 out of 20 wards	RANK SEXUAL ASSAULTS 7 out of 20 wards
RANK ALL WEAPON INJURIES 1 out of 20 wards	RANK KNIFE INJURY 1 out of 20 wards
RANK GUN INJURIES 1 out of 20 wards	RANK VIOLENCE AGAINST AMBULANCE CREW 3 out of 20 wards

POLICE DATA: recorded crime and ASB

RANK ALL VIOLENCE 1 out of 20 wards	RANK RAPE 4 out of 20 wards
RANK THEFT FROM PERSON (OTHER) 4 out of 20 wards	RANK PERSONAL ROBBERY 2 out of 20 wards
RANK CRIMINAL DAMAGE 2 out of 20 wards	RANK POSSESSION OF DRUGS 1 out of 20 wards
MPS ASB RANK 3 out of 20 wards	MPS POSSESSION OF WEAPON 1 out of 20 wards

Other data sources

NIGHT TIME VIOLENT DISORDER 6 out of 20 wards	DELIBERATE FIRES 11 out of 20 wards
Probation Clients with Alcohol misuse Risk 1 out of 20 wards	Probation Clients Alcohol Risk and High risk of causing harm 18 out of 20 wards

All Infographics on page 2 from Noun Project artists, accessed at <https://thenounproject.com/>

Credits:
 £ icon by Chameleon Design
 Heart icon by Ben Davis
 Criminal icon by Bakunetsu Kaito
 Ambulance icon by dDara

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Mr Barry Croft
Licensing Manager
Merton Civic Centre
Morden
Surrey
SM4 5DX

Public Protection Division
Trading Standards Service
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Direct Line: 020 8545 4098
Fax: 020 8545 4025
My Ref : wk.201713254
Please Ask For: S.Fletcher
Your Ref:
Date: 09 April 2018

Dear Sir

**Licence Review of Premises Licence LN/000000704
Ronnie's Cutter, 37-39 Upper Green East, Mitcham, CR4 2PF**

I have received a copy of a licence review application brought by the Metropolitan Police in relation to the above premises and wish to make a representation in support of this review.

As a Responsible Authority the Trading Standards Service has concerns on the basis of the following licensing objectives;

- a) the prevention of crime and disorder,
- b) public safety,
- c) the prevention of public nuisance, and
- d) the protection of children from harm.

Trading Standards have conducted enforcement visits to Ronnie's Cutter, 37-39 Upper Green East, Mitcham, CR4 2PF during 2018 on the following occasions.

9th March 2018

An advisory visit providing a business advice and support pack, including point of sale material in relation to the sale of alcohol, tobacco and other age restricted products. The officer discussed the businesses legal obligations in depth and provided practical advice. The discussion was with [REDACTED] who received and signed for the business advice pack. [REDACTED] was advised that an attempt to test purchase alcohol would be made within the next 3 months.

26th March 2018

At 1735 hours a 15 year old boy accompanied by Trading Standards Staff visited the premises. The boy purchased a 325ml bottle of Guinness beer. He was served by [REDACTED]. No identification was requested and the boy was not asked how old he was. [REDACTED] did ask if the boy had any change during the transaction and the boy requested a carrier bag. There was no other conversation.

When officers spoke to [REDACTED] denied all knowledge of the sale but subsequently recalled events following a conversation with the DPS Mr Ronak Patel.

Four previous test purchases had been undertaken at the premises in 2010, 2011 and 2013. On each occasion a sale was refused. Mr Ronak Patel had owned the business for a number of years however; I understand that he has now leased the shop premises to a different business but remains as DPS.

The sale of alcohol to young people can lead to serious health and anti-social behaviour issues. Young people who start drinking alcohol before age 15 are five times more likely to develop alcohol abuse or dependence than people who first used alcohol at age 21 or older.

For the above reasons, and those highlighted in the review application, the Trading Standards Service fully supports this licence review.

Having regard to all the circumstances highlighted in the review application the Trading Standards Service would respectfully request that the Licencing Committee consider revoking the Premises Licence.

Yours faithfully

[REDACTED]

John Hillarby
Chief Inspector of Weights and Measures
Trading Standards Manager

From: Paul Bailey
Sent: 06 April 2018 11:52
To: Licensing
Subject: Ronnie Cutter's Off Licence 37-39 Upper Green East CR4 2PF

Dear Colleagues,

I am writing in order to support the recommendation from the Police that the license of the above named premises is revoked. The above business has failed

- To prevent crime and disorder
- To ensure public safety
- Prevent public nuisance
- To protect children from harm

The attached application provides details of the breached highlighted above.

I am very concerned that the proprietors of this establishment have repeatedly allowed a minor to sell and purchase alcohol. I am also concerned that they have conducted business outside of agreed hours of operation. I am informed by the Police that this has happened on a number of occasions.

Kind regards

Paul Bailey

MSCB Safeguarding Development & Policy Manager

12th Floor

Merton Safeguarding Children Board

London Borough of Merton

Civic Centre

SM4 5DX

Paul.Bailey@merton.gov.uk



The MSCB works to ensure that

Everyone in Merton does

Everything they can to ensure that

Every Child is *Safe, Supported and Successful*

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From: Councillor Geraldine Stanford

Sent: 30 March 2018 10:35

To: Licensing

Cc: Councillor Agatha Akyigyina; Councillor Mike Brunt; Councillor Mike Brunt

Subject: RE: Premises/Club and Gambling Licensing Applications

Dear Licensing,

Ref WK/201713252

As ward councillor for the area including these premises – Costcutters 37/39 Upper Green East, I wish to make representation to the Review Panel following evidence provided by the Police, who have been monitoring the premises, and includes the employment of illegal immigrants, alcohol sales made by and to children, and incidents of violent crime reported outside the premises.

I have also had many complaints from residents living in nearby roads, that street drinkers regularly gather in their streets, causing antisocial behaviour by noise, littering and urinating in the streets.

We have had problems with street drinkers around the Fair Green, Three Kings Pond and Mitcham Common for some years now, and this is fuelled by the many outlets selling alcohol in the area – often till late at night.

I would therefore support a full revocation of the licence at the Review Panel.

Kind regards,

CLlr Geraldine Stanford

Figges Marsh Ward

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