

Licensing Sub-Committee Report

Subject of hearing: **Taste Harmony, 8 Monmouth Close, CR4 1XS.**

Date **14 August 2024**

Time: **10.30a**

Venue: **Virtual Meeting**

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

1.1 The premises are not in a Cumulative Impact Zone.

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 appropriate 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 New premises licence: s18

(i) To grant the licence subject to conditions

(ii) To exclude from the scope of the licence any of the licensable activities to which the application relates

(iii) To refuse to specify a person in the licence as the premises supervisor

(iv) To reject 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 for a new premises licence, for a premises described in the application as a commercial ghost kitchen dedicated to food delivery only. There is no provision for customer pickup or dine-in services.

5.2 The Applicant had applied for the provision of late night refreshment to take place indoors, Monday to Sunday from 23:00 to 05:00 the next morning.

5.3 There are no opening hours applicable as the premises is not open to the public.

- 5.4 One relevant representation regarding this application was received from the Environmental Health Noise Team.
- 5.5 Following this, the Applicant sent an email, dated 24 July 2024 stating they were happy to amend their application to a reduced terminal hour of 02:00 the following morning and further explaining their application. The application times applied for are therefore 23:00 to 02:00 the following morning - Monday to Sunday. This email is attached.
- 5.6 On 25 July 2024 the Applicant sent another email to the Environmental Health Noise Team regarding the application. This email is also attached to this report.
- 5.7 The operating schedule of the application sets out steps that the Applicant will take to promote the four licensing objectives. There are also steps stated in the email from the Applicant to the Noise Team received on 24 July 2024. Conditions consistent with those steps could be attached to the licence should the Sub-Committee decide to grant the application, in addition to any additional conditions the Sub-Committee believe appropriate for the promotion of one or more of the Licensing Objectives.
- 5.8 The sub-committee are reminded that any conditions attached to a granted licence must be clear, concise, proportionate and appropriate for the promotion of the licensing objectives.
- 5.9 For ease, possible conditions taken from the operating schedule that we believe could be attached to the licence are attached in a separate document included in this report.
- 5.10 We have highlighted two of these possible conditions that we believe would need more explanation from the Applicant before they should be re-written to provide more clarity should the sub-committee wish to attach certain conditions. These are conditions seven (7) and eight (8) in the document.

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	
Taste Harmony	
Statutory Authorities	
Andrew Pickup, RSP Environmental Health Section (Noise and Nuisance) Team.	
Interested Parties	

Conditions that could be extracted from the application operating schedule and subsequent email from the applicant.

CCTV

1. A CCTV system shall be in place when authorised activities are taking place. This system shall monitor, at a minimum, all entrances and exits to the premises. The CCTV recordings shall be kept for a minimum of 28 days and made available to an officer of a responsible authority (as defined under the Licensing Act 2003) upon reasonable request with a minimum of delay. Appropriate signage shall be displayed.

Incident Register

2. An incident log shall be kept at the premises. All incidents concerning crime and disorder, refusals of delivery and visits from statutory bodies shall be recorded, stating the date and time, member of staff involved and reason for the record being made.
3. This incident log shall be made available upon reasonable request to an officer of a responsible authority (as defined under the Licensing Act 2003).

Operational

4. Staff shall be trained so that they are aware of the restrictions on the premises licence and their responsibilities under the Licensing Act 2003. Records of staff training shall be made available on request to officers of a responsible authority (as defined under the Licensing Act 2003).
5. No members of the public shall be allowed to collect orders from the premises. Supply of food shall be by delivery only.
6. Lighting, both internal and external, shall be positioned to promote the safety of both staff and delivery drivers. Consideration shall be taken so as not to cause a disturbance to nearby residents.
7. Only one outside delivery company shall be used for deliveries at any one time and orders shall be staggered to avoid build-up of delivery drivers.
8. Delivery drivers shall wait in a designated quiet area.
9. Prominent, clear and legible notices shall be displayed at all exits requesting staff and delivery drivers to respect the needs of nearby residents and leave the premises and area quietly. Staff shall also be advised of this requirement.

**Application for a premises licence to be granted
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 TASTE HARMONY LTD

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description TASTE HARMONY 8 MONMOUTH PLACE			
Post town	MITCHAM	Postcode	CR4 1XS

Telephone number at premises (if any)	07974 848317
Non-domestic rateable value of premises	[REDACTED]

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | |
|--|-----------------------------|
| a) an individual or individuals * | please complete section (A) |
| b) a person other than an individual * | |
| [as a limited company/limited liability | please complete section (B) |
| X partnership | |
|] i | |
| ii as a partnership (other than limited liability) | please complete section (B) |
| iii as an unincorporated association or | please complete section (B) |
| iv other (for example a statutory corporation) | please complete section (B) |
| c) a recognised club | please complete section (B) |

- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
----	-----	------	----	--------------------------------	--

Surname		First names	
Date of birth		I am 18 years old or over	Please tick yes
Nationality			
Current postal address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name TASTE HARMONY LTD
Address HARMONY HOUSE 100 WATERLOO ROAD SMETHWICK B66 4JN
Registered number (where applicable) 10989795
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) [REDACTED]
E-mail address (optional) Tasteharmony.co.uk@gmail.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	6	0	8	2	0	2	4

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			

Please give a general description of the premises (please read guidance note 1)

Type of Premises: Commercial ghost kitchen dedicated to food delivery only.

General Situation and Layout:

The premises are solely used for the preparation and cooking of food for delivery only.

There is no provision for customer pickup or dine-in services.

The kitchen will be equipped with commercial-grade appliances and food preparation areas to handle volumes of orders efficiently, which will be primarily food done in the oven. (there is no open fire or gas)

The layout includes distinct sections for food preparation, cooking, packaging, and storage of ingredients.

Relevance to Licensing Objectives:

Prevention of Crime and Disorder: The premises will be equipped with a live-stream CCTV system to monitor all areas, ensuring the safety and security of the operations and to gain the public trust in being open and transparent.

An incident log is maintained to record any unusual activity.

Public Safety: The kitchen adheres to all health and safety regulations, with regular staff training to ensure safe food handling and preparation practices.

All management and staff have the appropriate health and hygiene certificate and beyond and years of experience.

Prevention of Public Nuisance: As a delivery-only service, there is minimal foot traffic, reducing the likelihood of disturbances or noise pollution. Deliveries are coordinated to minimize disruption to the surrounding area.

Protection of Children from Harm: Staff are trained to ensure all operations comply with regulations, and there is no direct interaction with the public, including minors.

Additional Information:

Food delivery is facilitated through partnerships with JustEat, UberEats, and Deliveroo.

The premises operate primarily during late-night hours to cater to demand for late-night refreshments.

Our Caribbean TASTE HARMONY – AfterDARK, (designed for light cooking) with 4 main menu items only, and our own sauces, is specifically for socializing and for those wanting more than just the stereotypical late-night food. Therefore, the niche hours we need to operate in are crucial.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

GHOST KITCHEN -
NO CUSTOMERS
ALLOWED OR PICK-
UPS – FOOD
DELIVERY
EXCLUSIVELY BY
JUSTEAT,
UBEREATS,
DELIVEROO

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

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)

[X
]

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 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Fri			<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 6)		
Sat					
Sun			<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 6)		

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
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 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Tue					
			<u>Please give further details here</u> (please read guidance note 4)		
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
			<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 6)		

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
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 6)		
Sat			<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 6)		
Sun			<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 6)		

H

Anything of a similar description to that falling within (e), (f) or (g) 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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
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 5)		
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 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
				Outdoors	
Day	Start	Finish		Both	
Mon	23.00	5.00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23.00	5.00			
Wed	23.00	5.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23.00	5.00			
Fri	23.00	5.00	<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 6)		
Sat	23.00	5.00			
Sun	23.00	5.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption</u> – please tick (please read guidance note 8)	On the premises	
				Off the premises	
				Both	
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<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 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Postcode	

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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).

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L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	20.00	5.00	

Tue	20.00	5.00	

Wed	20.00	5.00	

Thur	20.00	5.00	<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)

Fri	20.00	5.00	

Sat	20.00	5.00	
Sun	20.00	5.00	

M Describe the steps you intend to take to promote the four licensing objectives:

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

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a/ Ensuring no drunk and disorderly behaviour in the premises area
- b/ Vigilance in preventing the use and sale of illegal drugs within the premises
- c/ Prevention of violent and anti-social behaviour
- d/ Ensuring no harm to children
- e/ Adhering to and being aware of noise pollution regulations to minimize any disturbance to the neighbourhood during operating hours

- Operating Schedule providing the hours of operation and licensable activities during those hours.
- Incident and day book log
- Designated manager/supervisor confirmed they will be obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale
- CCTV system installed with recording option available

As licensed premises we know that it is necessary to carry out our functions or operate our business with a purpose of promoting these objectives. We promise to support these objectives through our operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.

The CCTV will be recorded for at least 28 days and will be GDPR compliant with signage clearly displayed stating CCTV in operation. CCTV will be handed to any responsible authority on request.

An incident book will be kept on the premises at all times which will record incidents whether the police are called or not. This will be available at the request from any responsible authority.

A clear and legible notice on all our relevant media sites indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Prevention and vigilance in illegal drug use within the premises.

Staff will be well trained to use premises in an orderly and respectful manner, including no smoking or drinking (alcohol)

Ghost Kitchen: The premises will operate as a ghost kitchen, with no customer pickup allowed. Food delivery will be conducted exclusively through JustEat, UberEats, and Deliveroo.

c) Public safety

Internal and external lighting fixed to promote the public safety objective.

Well trained staff adherence to environmental health requirements.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air extractor, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.

Prominent, clear and legible notices will be displayed at the exits requesting the staff and all delivery drivers to respect the needs of nearby residents and to leave the premises and the area quietly.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

If required a quiet designated area has been sought for hand-over of food delivery to delivery riders. Also note electric cars and scooters are used by most of the delivery drivers, especially at nights

The Licensee will ensure that staff who depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Ghost Kitchen – No customers will not be admitted to premises. Delivery only exclusively by JustEat, UberEats, Deliveroo or any other reputable firm deemed fit and within compliance to UK regulations.

The movement of bins and rubbish outside the premises will be kept to a minimum after 22.00pm. This will help to reduce the levels of noise produced by the premises.

Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

e) The protection of children from harm

Well-Trained Staff: Staff will be well trained about the requirements for verifying the age and identification of persons to ensure compliance with regulations.

Refusals Log: Any refusals of service will be recorded in a logbook, including the date and reason for the refusal. This logbook will be kept on the premises and made available to any responsible authority upon request.

Training Records: All details provided in the Training Record Book will be available at the retail unit.

Checklist:

Please tick to indicate agreement

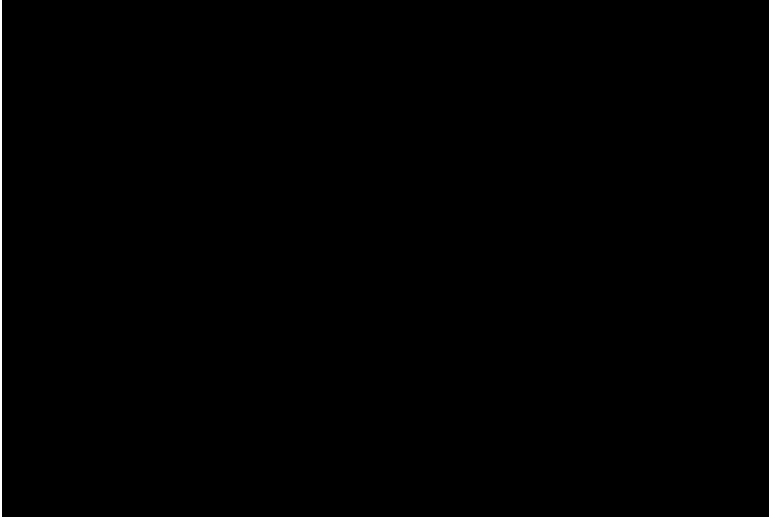
- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected.
- X
[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

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

<p>Declaration</p>	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
<p>Signature</p>	<p>Kevin Ruddy</p> 
<p>Date</p>	<p>25.06.2024</p>
<p>Capacity</p>	<p>Director</p>

For joint applications, signature of 2nd applicant 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.

<p>Signature</p>	
<p>Date</p>	
<p>Capacity</p>	

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

Kevin Rutty

[REDACTED]

Post town

[REDACTED]

Postcode

[REDACTED]

Telephone number (if any)

[REDACTED]

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Tasteharmony.co.uk@gmail.com

Notes for Guidance

1. 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.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the 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 agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

[Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents \(which do not need to be certified\).](#)

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official

document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-

- evidence of the applicant's own identity – such as a passport,
- evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

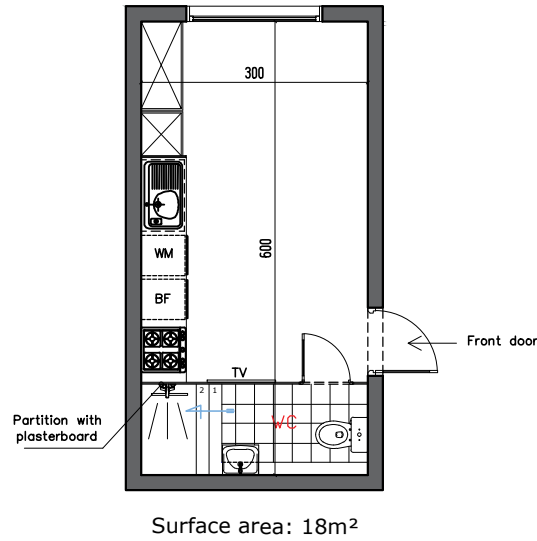
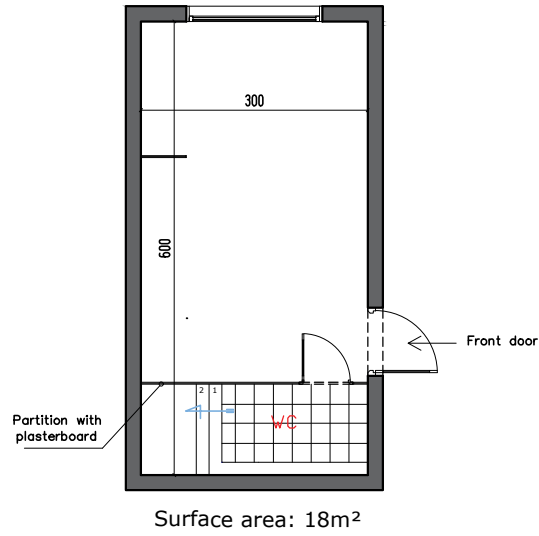
Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

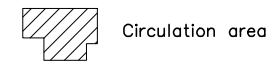
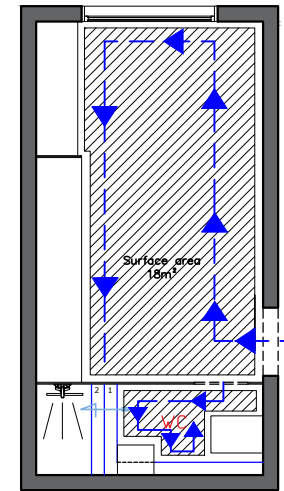
- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.



WM: Washing machine
BF: Bar fridge



TASTE HARMONY
8 Monmouth Close
Address: Mitcham
Surrey
CR4 1XS

FLOOR PLAN

Scale: 1 : 100



**LICENSING ACT 2003
REPRESENTATION FORM**

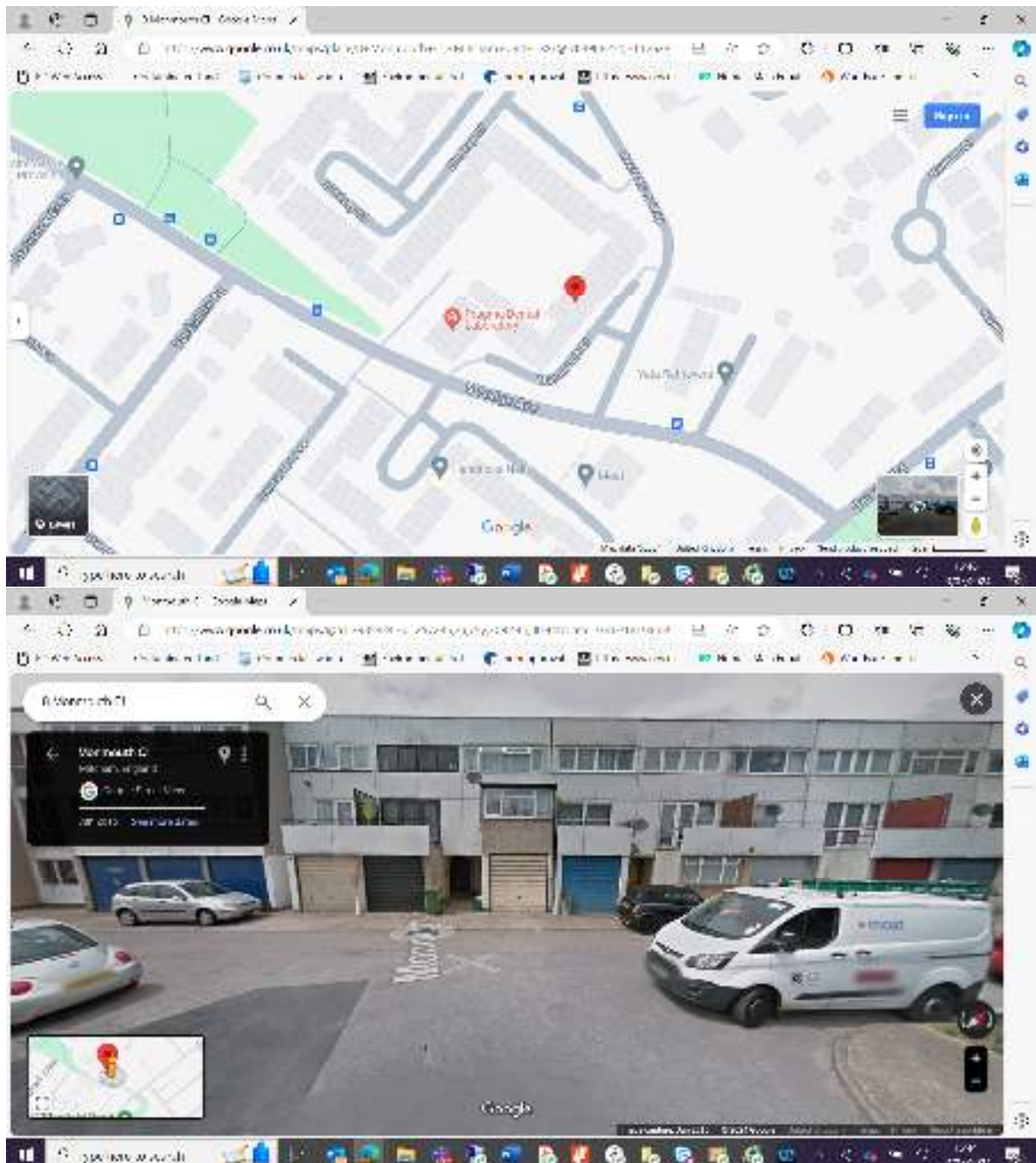
Responsible Authority	RSP Environmental Health Section (Noise and Nuisance) Team.																								
Your Name: Andrew Pickup	Your Address: Regulatory Services Partnership Serving the London Boroughs of Merton, Richmond upon Thames, and Wandsworth. Civic Centre, London Road, Morden SM4 5DX																								
Please indicate which Responsible Authority you are presenting	<table border="0"> <tr> <td>Metropolitan Police</td> <td><input type="checkbox"/></td> <td>Planning</td> <td><input type="checkbox"/></td> </tr> <tr> <td>London Fire Brigade</td> <td><input type="checkbox"/></td> <td>Trading Standards</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Children Services</td> <td><input type="checkbox"/></td> <td>Licensing Authority</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Public Health Authority</td> <td><input type="checkbox"/></td> <td>Home Office (Immigration)</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Environmental Health (Noise)</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> <tr> <td>Environmental Health (Health and Safety)</td> <td></td> <td></td> <td><input type="checkbox"/></td> </tr> </table>	Metropolitan Police	<input type="checkbox"/>	Planning	<input type="checkbox"/>	London Fire Brigade	<input type="checkbox"/>	Trading Standards	<input type="checkbox"/>	Children Services	<input type="checkbox"/>	Licensing Authority	<input type="checkbox"/>	Public Health Authority	<input type="checkbox"/>	Home Office (Immigration)	<input type="checkbox"/>	Environmental Health (Noise)	<input checked="" type="checkbox"/>			Environmental Health (Health and Safety)			<input type="checkbox"/>
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Environmental Health (Noise)	<input checked="" type="checkbox"/>																								
Environmental Health (Health and Safety)			<input type="checkbox"/>																						
Contact E-mail	<div style="background-color: black; width: 100%; height: 15px;"></div>																								
Type of Application	New Licence Application																								
Name & Address of premises you are making a representation about	Taste Harmony, 8 Monmouth Close, CR4 1XS																								

Your representation may be in opposition to, or in support of the application. Your representation must be about the likely effect, if the application is granted (subject to review), on the promotion of the one or more of the four licensing objectives (See A to D below) with evidence if you have any available. Use separate sheets if necessary.

(A) The prevention of Crime and Disorder	
(B) Public Safety	
(C) The Prevention of Public Nuisance	I refer to the new premises application for late night refreshment from 23:00 hours until 05:00 hours. I wish to object to the application on noise grounds and other disturbance such as lighting. The application converts a mid-terrace residential property into a commercial food business operating through the night. The property is located in a residential area with no other commercial units close by. SEE LOCATION PLANS Whist I accept that there will not be members of the public visiting, there is little difference by having a plethora of food delivery riders or drivers attending the property during nighttime hours. Given the surrounding area only a small amount of noise in the residential area would likely disturb other residents trying to sleep, for example frequency vehicle movements. The applicant states that food delivery will be exclusively by JustEat, Ubereats and Deliveroo or any other reputable firm therefore there will be several companies visiting and collecting food.

	<p>The lights from the various vehicles visiting may shine into properties and cause addition disruption together with the noise from the vehicles. There is likely to be conversation between catering staff and the delivery drivers which is likely to be noticeable particularly during the proposed operational times.</p> <p>The use of the kitchen during the proposed times may also create disturbance for the two attached neighbouring properties. There may also be odour from cooking given that it will be on a commercial scale. The access to the property shares a covered passage to the front door entrance which are immediately adjacent to the neighbouring property. It is also likely that the use of a residential property as a commercial food outlet will likely require planning permission. Commercial waste collection would also be necessary.</p>
<p>(D) The Protection of Children from Ham</p>	
<p>Suggestions/conditions you would like the Licensing Authority or Licensing Sub Committee to consider adding to the licence if the application is granted</p>	
<p>If your representation is accepted, you will be invited to attend the Licensing Sub Committee hearing (and any subsequent appeal court hearing) to amplify your representation should you wish to do so.</p>	

Location of Premises – 8 Monmouth Close



Screen shots from Google Maps

From: TASTE HARMONY

Sent: Wednesday, July 24, 2024 12:44 PM

To: Elizabeth Macdonald

Cc: Andrew Pickup

Subject: Re: New Premises Licence Application WK/202441953 : Subject: Response to Objection Regarding Noise Nuisance for Late Night Refreshment License Application

Also note after carefully consideration, we are prepared to amend our operating hours. Initially, we applied for a 5am licence; although during the week, and on Friday and Saturday, we intended to close at 2am. We will be happy at an amendment for 2am.

with regards

TASTE HARMONY® - "Our Name Says It All"

[Home of Harmony Sauce™]

TASTE HARMONY Ltd

Harmony House

100 Waterloo Road

Birmingham

B66 4JN

Registration Number 10989795

On Wed, 24 Jul 2024, 12:23 TASTE HARMONY, wrote:

Dear Andrew,

Thank you for your feedback and concerns regarding our application for a late-night refreshment license for TASTE HARMONY at 8 Monmouth Place, Mitcham, CR4 1XS. We appreciate the opportunity to address your concerns and provide clarifications.

We understand the importance of maintaining a peaceful residential environment and have taken several measures to minimize any potential noise or disturbance. Below, we outline how we plan to mitigate these concerns:

1. ****Use of UberEats Exclusively****:

- We will be using UberEats exclusively for food delivery, thereby reducing the number of delivery vehicles visiting the property. This will help in minimizing traffic and noise generated by multiple delivery services.

2. ****Designated Quiet Area for Pick-ups****:

- We have arranged for a designated quiet area (a nearby bus stop) a few yards away from the property for delivery drivers to wait. This area is away from residential homes, helping to prevent noise and lighting disturbances.

3. ****Staggering Orders to Prevent Congestion****:

- Using our UberEats tablet, we will manage and stagger orders effectively to avoid a build-up of delivery drivers waiting to pick up orders. This system allows us to handle deliveries one at a time and notify drivers only when their orders are ready, thus preventing any crowding or excessive noise.

4. ****Minimizing Light Pollution****:

- We will ensure that delivery drivers park in a manner that does not direct their headlights towards residential properties. Additionally, we will use low-intensity lighting around the premises to minimize light disturbance.

5. ****Noise and Odour Management****:

- Conversations between staff and delivery drivers (if necessary) will be kept to a minimum and conducted indoors on the phone to reduce outdoor noise.

As our menu only consists of 4 mains, and designed in such a way, there is no need for any cooking during late-night. Food is reheated in a microwave preventing any cooking odors, escaping and disturbing any neighboring properties.

6. ****Waste Management****:

- We will arrange for commercial waste collection during non-disruptive hours to avoid noise disturbances related to waste collection.

We believe these measures will effectively mitigate any potential noise and disturbance issues. Our goal is to provide a valuable service to the community while respecting and preserving the peaceful nature of our residential neighborhood.

We hope this clarifies our commitment to addressing your concerns and would like to note we have experience in running such operations.

Please feel free to contact us if you require any further information or have additional questions.

Thank you for your understanding and consideration.

Kind regards,

with regards

TASTE HARMONY® - "Our Name Says It All"
[Home of Harmony Sauce™]

TASTE HARMONY Ltd
Harmony House
100 Waterloo Road
Birmingham
B66 4JN
Registration Number 10989795

From: TASTE HARMONY
Sent: Thursday, July 25, 2024 3:41 AM
To: Elizabeth Macdonald

Cc: Andrew Pickup

Subject: Re: New Premises Licence Application WK/202441953 | Subject: Response to Objection Regarding Noise Nuisance for Late Night Refreshment License Application

Dear Andrew,

I hope this email finds you well. We rang you yesterday to discuss my application to no avail. So I am writing again to address the objections raised concerning our application for a late-night refreshment license for TASTE HARMONY at 8 Monmouth Place, Mitcham, CR4 1XS. We appreciate the feedback and wish to clarify our position, address the concerns, and highlight relevant legal considerations.

Addressing Presumptions and Legal Framework

We note that the objections are based on presumptions of potential noise, lighting, and disturbance issues. While we understand these concerns, it is essential to highlight that the council or committee decisions should not be based solely on hypothetical scenarios. As established in case law, notably ****Gillingham Borough Council v Medway Dock Co Ltd [1993]****, planning and licensing decisions should be grounded in evidence rather than presumption. It was held that existing controls are adequate to manage any issues that might arise after the grant of permission.

Legal Protections and Enforcement

Should any noise or disturbance issues arise post-approval, there are existing legal frameworks and mechanisms to address and rectify them, such as noise abatement notices under the Environmental Protection Act 1990. These measures ensure that any genuine nuisance can be dealt with promptly and effectively.

Revised Operating Hours

Additionally, we have decided to amend our operating hours to further reduce any potential impact. We will now operate until 2:00 AM instead of 5:00 AM, significantly reducing the period during which any potential disturbance could occur.

We believe these proactive measures and adjustments demonstrate our commitment to being a responsible and considerate business within the community. We respectfully request that our application be considered in light of these mitigations and the existing legal protections available to manage any future issues.

Thank you for your understanding and consideration.

Kind regards,

--

with regards

TASTE HARMONY® - "Our Name Says It All"

[Home of Harmony Sauce™]

TASTE HARMONY Ltd
Harmony House
100 Waterloo Road
Birmingham
B66 4JN
Registration Number 10989795