

Merton Council

Licensing sub-committee

Membership

Councillors:

Jeff Hanna

Joan Henry

David Simpson CBE

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

Date: 23 April 2015

Time: 1.30 pm

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

Agenda for this meeting

- 1 Appointment of Chair
- 2 Declarations
- 3 Temporary Event Notice - Royal Surrey Snooker and Social Club 1 - 22

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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Summary of procedure

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

Licensing sub-committee Report and Notice of Hearing

Subject of hearing: **Royal Surrey Snooker and Social Club, 1-9 Abbotsbury Road, Morden, SM4 5LH**

Date: **23 April 2015**

Time: **13:30**

Venue: **Council Chamber, Merton Civic Centre**

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

Date of issue of this notice:

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

1.1 The premises are not in the special policy area.

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

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

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

2.3 Police objection to temporary event notice: s105

a) To issue or refuse to issue a counter-notice

3. Hearing papers

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

4. Legal advice to the sub-committee

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

5. Licensing Officer Comments

5.1 On 13 April 2015, the licensing authority received a temporary event notification for the above named premises.

5.2 The notification is for an event lasting from 10:00 on 02 May 2015 to 08:00 on 03 May 2015, the licensable activities notified being the sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment.

5.3 On 14 April 2015, an objection notice was received from the Metropolitan Police citing the prevention of crime and disorder.

For enquiries about this hearing please contact

Democratic Services
Civic Centre
London Road
Morden
Surrey
SM4 5DX

Telephone: 020 8545 3616

Email: democratic.services@merton.gov.uk

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	
Mr Robert Frost	
Statutory Authorities	
Metropolitan Police	

Rights of parties to the hearing

This document forms part of the Notice of Hearing.

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

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

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

At the hearing you are entitled to

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

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

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

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

A guide to licensing hearings in Merton is attached

Procedure to be followed at the hearing

This document forms part of the notice of hearing

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

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

15. Applicant

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

16. Other parties⁽²⁾

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

17. Repeat above stage for each subsequent party.

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

19. Other parties close by summarising their points.

20. Applicant closes by summarising their points.

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

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

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

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

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

Notes

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

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

³Extracts from the regulations:

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

(a) whether he intends to attend or be represented at the hearing;

(b) whether he considers a hearing to be unnecessary.

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

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

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

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

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

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

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

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

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

London Borough of Merton



**LICENSING COMMITTEE HEARINGS
A BRIEF GUIDE**

Merton Civic & Legal Services
October 2005

Introduction

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

The law is to be found in

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

Notice of Hearing

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

Timing of Hearing

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

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

The Licensing Sub-Committee

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

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

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

5.4 Attending A Licensing Hearing

Your Rights as a “Party”

You have the right:-

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

Attending The Hearing (Parties)

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

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

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

5.5 Procedure To Be Followed At The Hearing

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

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

5.6 The Hearing As A Discussion

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

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

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

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

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

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

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

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

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

The Responsible Authorities are as follows:-

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

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

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

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

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

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

5.7 Appeal

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

5.8 Conclusion

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

Contacts

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

Useful links

- Merton Council's Web site: <http://www.merton.gov.uk>
- Licensing Act 2003
<http://www.hmso.gov.uk/acts/acts2003/20030017.htm>
- Guidance issued by the secretary of State for Culture Media and Sport
http://www.culture.gov.uk/Reference_library/Publications/archive_2004/guidance_issued_under_section_182_of_the_licensing_act_2003.htm
- Regulations issued by the Secretary of State for Culture, Media and Sport
http://www.culture.gov.uk/what_we_do/Alcohol_entertainment/lic_act_reg.htm
- Merton's Statement of Licensing policy
<http://www.merton.gov.uk/licensing/>
- Readers should note the terms of the legal information (disclaimer) regarding information on Merton Council's and third party linked websites.
- <http://www.merton.gov.uk/legal.htm>
- This disclaimer also applies to any links provided here.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	Frost
Forenames	Robert
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	
4. Your place of birth	
5. National Insurance Number	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
Post town	Sutton
Postcode	
7. Other contact details	
Telephone numbers	0208 648 4274
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	the.rsssc@outlook.com
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Capital House 8 Rosefield Close	
Post town	Carshalton
Postcode	SM5 2PE
9. Alternative contact details (if applicable)	
Telephone numbers:	
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises					
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)					
The RS Snooker & Social Club 1-9 Abbotsbury Rd, Morden SM4 5LH					
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.					
<table border="1"> <tr> <td>Premises licence number</td> <td>LN/000000784</td> </tr> <tr> <td>Club premises certificate number</td> <td></td> </tr> </table>	Premises licence number	LN/000000784	Club premises certificate number		
Premises licence number	LN/000000784				
Club premises certificate number					
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)					
Please describe the nature of the premises below. (Please read note 4)					
Snooker & Social Club					
Please describe the nature of the event below. (Please read note 5)					
Party					

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
02-05-2015 to 03-05-2015		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
10.00 to 08.00		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)		200
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12)

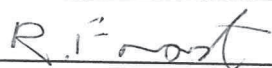
4. Personal licence holders (Please read note 13)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Sutton	
Licence number	5870/11/00570/LAPERS	
Date of issue	04/07/2011	
Date of expiry	03/07/2021	
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	4	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

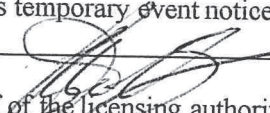
6. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 16)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 17)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 18)	
The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	13/04/2015
Name of Person signing	Robert Frost

For completion by the licensing authority

10. Acknowledgement (Please read note 19)	
I acknowledge receipt of this temporary event notice.	
Signature	 On behalf of the licensing authority
Date	14/04/15
Name of Officer signing	S. BEEDEU

NOTES

General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 15 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

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

VW - Merton Borough
VW - Wimbledon Police Station

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

Telephone: 07795665925
Facsimile:
Email:
Peter.Sparham@met.pnn.police.uk
www.met.police.uk

Your ref:
Our ref:

14 April 2015

Dear Sir

**Re - Application for a Temporary Event Notice - The RS Snooker & Social Club,
1-9 Abbotsbury Road, Morden. SM4 5LH**

On 14th April 2015 an application was received for a Temporary Event Notice (TEN) from Mr Robert Frost to be held at the above premises.

The notice requests the following :-

2.5.15 1000 to 3.5.15 0800

And includes Sale of Retail by Alcohol
Regulated Entertainment
Late Night Refreshment

The nature of the event is described as a "Party"

Police wish to make representations to this application on the grounds of Crime and Disorder.

This event does not specify its nature other than a "party" nor does it specify as requested on page 4 of the application the timings of the relevant entertainment to be provided. It is therefore conceivable that this could run for a period of 22 hours without any regulation under the Licensing Act 2003. This will clearly pose a risk to the Crime and Disorder licensing objective.

Conclusion

It is asked that the Licensing Sub-Committee give consideration to attaching the conditions on the premises licence to this Temporary Event Notice.

Yours faithfully,



Peter Sparham