

# **Merton Council**

## **Licensing Sub-Committee**

**11 May 2016**

### **Supplementary agenda**

4 Jimmy's World Grill and Bar, Unit B, 122 The Broadway,  
London, SW19 1RH

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## Jimmy's Restaurant, Wimbledon

### Position Statement FROM APPLICANT'S SOLICITOR

1. An application was made to the London Borough of Merton for a Premises Licence by East and West Restaurants 5 Limited on 12<sup>th</sup> November 2009 for licensable activities specified therein consisting of Films, Recorded Music and Late Night Refreshment and the sale of alcohol on the premises between the hours of 10:00 hrs and 01:00 hrs the next day each day of the week with the premises being open to the public for the same hours.
2. After careful consideration of the planning situation and discussions with the statutory authorities the hours were reduced to 23:30 hrs daily with the premises closing at the same time. This licence was granted on 12<sup>th</sup> January 2010 and the premises after an investment by the premises licence holder of approximately £1m and started trading with Mukesh Rusi Driver as DPS in July/August 2010. Subsequently there was an application for a change of DPS to Rajesh Selvaraju and then to Harshit Vyas and now to Ashish Dabral on the applied for licence on 11<sup>th</sup> May 2016 provided the application is granted.
3. In October/November 2014 there was a transfer of the premises licence to Jimmys World Restaurants Limited. Also the name of the operation had changed to Jimmy's World Grill & Bar.
4. The premises so traded until it came to light in early March 2016 that an administrator had been appointed to Jimmy's World Restaurants Limited on 30<sup>th</sup> December 2015 and consequently the licence lapsed under Section 27 of the Licensing Act 2003 as did the premises licences of 11 others and the application dated 17<sup>th</sup> March 2016 and three temporary event notices to cover licensable activities in the meantime were applied for. The premises ceased selling alcohol until the TENS took effect and also ceased all licensable activities when the representations came to light on Friday 15<sup>th</sup> April 2015.
5. There have been representations from two responsible authorities namely the Metropolitan Police and London Borough of Merton Public Health Department and approximately 54 interested parties. Broadly speaking the representations are saying that if granted the application will undermine the four licensing objectives. The Metropolitan Police and Public Health both opposed the application but it will be seen that their representations have been withdrawn and they would like to see the 7 and 9 conditions attached to the licence which the applicant is happy with. The applicant has carefully considered them and is of the view that they are reasonable and proportionate and although there is some overlap they can be agreed and attached to any licence that may be granted. Furthermore an email has been sent to all parties indicating the reduction of the hours for licensable activities and use of the premises to 10:00 hrs to 23:00 hrs each day and on that basis and agreeing the proposed conditions as drafted both these responsible authorities have withdrawn their representations.
6. Now that we have the email address of all interested parties they have been emailed the attached letter on 28<sup>th</sup> April 2016 and the same letter explaining the operation has been hand delivered to all occupants of the flats at the Chorus building and 2 Stanley Road. All such persons had been invited to meet Mr Amandeep Uppal a Director and his managers at 7 pm on Thursday 5<sup>th</sup> May 2016 at Jimmy's Restaurant in order to try and reassure attendees that none of the licensing objectives will be undermined if this application is granted.
7. So far as the future is concerned:
  - a. There will be no change to the existing restaurant and it will continue to be one of "spacious and light filled family entertainment chain offering a pan global all-you-can-eat buffet". Currently starters and main dishes are sourced from India, China, Thailand, Italy, Mexico, Japan and the Americas. Such dishes are available daily from 12 midday to 15:30 hrs and 17:00 hrs to 22:30 hrs.

- b. The applicant has discussed the way the business operates in practice and is prepared not to proceed with an application for Films, Late Night Refreshment and Recorded Music and they will merely play light background music which is not a licensable activity.
- c. There are three Personal Licence holders at the premises, namely Harshit Vyas Personal Licence number SOL/PE1053/2009 issued by Solihull Metropolitan Borough Council, there is also the proposed DPS Mr Ashish Dabral Licence number LN/000007490 issued by Royal Borough of Greenwich and Onkar Jendu Licence number LN20143116 issued by Merton Borough Council. All these people and their staff are fully aware of the former and new conditions proposed to be on the new Premises Licence and at all times the premises are open and trading there will be at least one Personal Licence Holder present.
- d. The CCTV consisting of 11 cameras including one that records everyone entering the premises via the one entrance and there shall always be someone on duty who can download the CCTV on request.
- e. The premises currently have a five star rating from the Food Standards Agency and its local agent Merton Borough Council.
- f. The appropriate signage advertising Challenge 25 is in place at the entrance to the premises and adjacent to the till and bar. A log is in place detailing all refused sales of alcohol and there is also an incident book where all of the items mentioned in 5(A) to (G) of the police conditions will be recorded. There is an up-to-date fire risk assessment as is required by the Regulatory Reform (Fire Safety) Order 2005.
- g. Overall this is a family orientated restaurant and the amount of alcohol sold is approximately £1,000 per week out of total drinks sales of approximately £7,000 against a total turnover of approximately £30,000 per week. This is a different pattern to the applicant's similar large premises at O2 Arena, Wembley and Brighton and the manager estimates that 90% of customers go straight home rather than go elsewhere after they have finished dining.

## Suzanne Oatley

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**From:** Andrew Potts  
**Sent:** 06 May 2016 15:44  
**To:** Suzanne Oatley  
**Subject:** FW: Jimmy's Restaurants Wimbledon

**From:** Amandeep Uppal [<mailto:amandeepp@jimmysrestaurants.com>]  
**Sent:** 28 April 2016 11:10  
**To:** Amandeep Uppal  
**Subject:** Jimmy's Restaurants Wimbledon

Dear Sirs/Dear Neighbour

### Jimmy's Restaurant

I am a Director of Park Regency Ltd which is a family run business with a number of restaurants around the UK. I am the owner and have worked in all aspects of the restaurants since our first one opened in Broad Street, Birmingham.

I believe considerable confusion has arisen with regard to our application for a new Premises Licence as it refers to licensable activities to 01:00 hrs each day. This was a mistake and Park Regency does not wish to extend the hours and/or licensable activities from the current situation on the then existing licence, i.e. all licensable activities shall cease at 23:00 and the premises close at the same time to the public. The restaurant will operate exactly as before and we are not asking for licensable activities of "Films" and "Late Night Refreshment" on the new licence.

The operation is now to be known as Jimmy's Restaurant and an appropriate application will be made to Merton Council to alter the name and no longer "Jimmy's World Grill and Bar" and it is a condition on the licence that "the sale or supply of alcohol shall only be as ancillary to a meal being taken at the premises". This was a condition on the existing licence and offered on the new one and reinforced by a specific request from the Metropolitan Police.

In an attempt at resolving this application without a hearing I would be very happy to meet you all at Jimmy's Restaurant on Thursday 5<sup>th</sup> May 2016 from 7 p.m. onwards and will have members of management present to allay and fears you may have.

I look forward to seeing you then and if there are any specific points you wish me to address please feel free to email me.

Yours sincerely

**Amandeep Uppal**  
**Director**

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FURTHER WITHDRAWN REPRESENTATIONS.

Please note that the following representations have now been withdrawn:

Sam Curtis – Interested Party

Leigh Terrafranca, on behalf of Wimbledon East Hillside Residents' Association  
(WEHRA) – Interested Party

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