

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at www.merton.gov.uk/committee.

LICENSING SUB-COMMITTEE

20 JUNE 2017

(1.30 pm - 4.29 pm)

PRESENT Councillor John Sargeant (in the chair), Councillor Mary Curtin,
and Councillor Stan Anderson

1 APPOINTMENT OF CHAIR (Agenda Item 1)

RESOLVED: That Councillor John Sargeant be appointed Chair of the meeting.

2 APOLOGIES FOR ABSENCE (Agenda Item 2)

There were no apologies for absence.

3 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 3)

There were no declarations of interest.

4 TERRAZZINO CAFE, UNIT 1, 144 CENTRAL ROAD, MORDEN, SM4 5RL (Agenda Item 4)

The Chair opened the meeting, outlined the procedures to be followed, and all present introduced themselves.

The applicant Delfina Kociubinska presented her application to the Committee, outlining that she was planning to open a new family-friendly, family-run café/restaurant, and wished to also be able to sell alcohol so customers could have a drink with their meal. The applicant advised that following reading the representations from local residents she had withdrawn the provision of music from 23:00-00:00 and removed the request for music on New Years Eve from 23:00-01:30. The applicant confirmed that the opening hours she was seeking were 08:00-23:00, and that there was not a specific bar area but a small area where customers would wait for their table as well as an outside terrace area where they could eat and drink. The Applicant stated that she wasn't planning to run a pub or a bar but she would want customers to be able to come and have a drink after work. She explained that customers should all have left by 11pm and that after that only staff would be on site to clear up, which she estimated would take no more than an hour.

Councillor Mary Curtin asked for clarification on whether drinks would be served without a meal. The applicant advised that yes she would serve drinks without a meal. Whilst it was mainly for a drink with dinner, she would not mind serving patrons a drink when it was quiet in between main meal times.

Councillor John Sargeant asked the Applicant if she had undertaken any noise assessments on the effect of her premises on the surrounding residential roads, to

which the applicant responded that she had not. The applicant stated that she planned low level background music inside and outside, but that whilst it was essential inside, she could drop the outside music.

The Applicant then advised that a noise measurement had been taken of which 45db was measured. However Councillor Sargeant responded that this reading would have been in the current premises which was empty and therefore was not representative of what the noise level would be if the premises was fully operational.

In response to questions about staffing, the applicant advised that there would be 4 staff including herself plus a number of other casual part time staff. She would write a manual and train staff on company policies and advise them not to serve alcohol to intoxicated people.

The applicant advised that she was a local company made up of staff who lived locally and she would want to not be a nuisance, and hoped the Committee would grant the application.

The Committee retired into private session to take legal advice and make their decision at 13.53.

The Committee reconvened at 14:28. The Legal Advisor gave information on the legal advice he had given during discussions in relation to the Live Music Act 2012 and the evidence from objectors, as well as the issues that had been discussed with concerns about the outside area. The Legal Advisor then relayed the Committee's decision.

The Chair closed the meeting at 14:32.

RESOLVED: That the Licence is granted subject to conditions.

5 THE SAMPLER, 26 LEOPOLD ROAD, WIMBLEDON, SW19 7BD (Agenda Item 5)

The Chair opened the meeting at 14:46, outlined the procedure to be followed and all present introduced themselves.

Philip Beaven, Managing Director, and Dawn Mannis one of the founders of The Sampler, presented their application to the Committee. The Applicants advised that they had been trading for 10.5 years and were 70% retail whilst also selling to restaurants such as The Ivy and Claridges. They provided a relaxed retail atmosphere with all their staff being WSET trained, and their manager and assistant manager were currently studying for their diploma.

The applicant advised that they would like to have one tutored testing event each month which would be ticketed. They sold over 700 different wines, 70% of which were own import, with wines ranging up to £3200 per bottle, with the average customer transaction being £28. The applicant stated that they had a discerning clientele and had never had any issues with alcohol, and the flats above their

premises in Islington had not had any issues. The applicant stated they hoped to be a productive member of the street and work with the local area.

Local residents and traders Suzanne Warre-Dymond, Margaret Potts, Katja Nuutinen and Raj Patel presented their representations to the Committee. They requested dates of when the notice was published and whether this complied with the legal requirements, to which the Licensing Officer advised that they were satisfied all had been adhered to.

Residents expressed their concern that lots of businesses had come and gone in the area and that if the business was not successful, whoever took over the Licence in the future could use the premises to allow vertical drinking. The applicant reassured residents that they were not opening a wine bar, but just to dispense measures and to have tasting events on the premises. When asked by residents if they would accept a condition on the licence to allow tasting only, the applicant agreed that would be acceptable to them.

In regards to the opening hours requested, residents requested that the terminal hour be 20:30, whilst the applicant explained that they wished to have the flexibility and ability to test the hours, and also required later opening hours for when tasting events were taking place. However noting that the shop would be closed to the general public during tasting events. Following lengthy discussions, the applicant advised that they would be willing to amend the closing time to 21:30, but would need to look at ways to allow the tastings to go ahead, reiterating this was the reason a later time was requested; the intention was not to have retail until 23:00.

The applicant advised they wished to build up a local clientele, noting that the majority of their business in their Islington store was from people on their way home from work in the evening, and that as people generally worked later in London, the store would need to be open later to reflect this.

Councillor Stan Anderson asked how many tasting events the applicant would have to which they responded that they would aim to have one per month, with additional tastings at Spring, Summer and Christmas times, but no more than 12 a year, and each one small with only about 10 people present each, with a ticket to admit them.

The applicant advised that they were passionate about wine education so the amounts of wine would be small as it was an event to learn and wine was expensive.

The applicant clarified the layout and explained that the new plan included in the first supplemental agenda would be the plan that they would be requesting. The applicant also explained in detail the set up of the dispensing machines and how they worked.

Residents raised concern over the local school children who would be walking past and asked what advertising would be in the windows of the store. They also raised concern that there were already 10 licensed premises in the road and there was a saturation in a residential area. The applicant advised that the opening hours and a selection of lit wine bottles would be displayed in the windows, and that they would

operate a strict challenge 25 policy, with no one under 18 permitted to enter the shop without an adult.

The applicant stated they hoped to work together and be a productive part of the community, and commended the involvement of the local residents and traders.

The Licensing Sub-Committee retired to private session at 15:41 to take legal advice and make their decision.

The meeting was reconvened at 16:25 and the Chair relayed the Committee's decision.

The meeting was closed at 16:29.

RESOLVED: That the Licence is granted subject to conditions.