

Merton Council

Licensing Sub-Committee

Membership

Councillors:

Stan Anderson

Mary Curtin

David Simpson CBE

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

Date: 31 July 2017

Time: 1.30 pm

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

Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 14 Leopold Road, London, SW19 7BD

1 - 36

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda and the decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3616.

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

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Procedure to be followed at Licensing Hearing

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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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

Licensing Sub-Committee Report

Subject of hearing: **14 Leopold Road, SW19 7BD**

Date: **31 July 2017**

Time: **13:30**

Venue:

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

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

1.1 The premises are not in the special policy area.

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

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

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

2.3 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

5.2 The sale by retail of alcohol (for consumption on the premises) is the sole licensable activity applied for.

5.3 The requested times when licensable activities will take place are as follows:
Mon to Sat: 10:00-23:00
Sun: 10:00-22:30

- 5.4 The requested opening hours are as follows:
Mon to Sat: 10:00-00:00
Sun 10:00-23:30
- 5.5 One representation has been received from a member of the public
- 5.6 The following conditions have been agreed, as the applicant has amended their operating schedule, following a negotiation with the Public Health Team:

Drinkaware will be promoted through the business website and drinking sensibly and appropriately will feature on any menus and marketing literature.

A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person is, or appears to be, under 18 years of age or the person is intoxicated. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the Police or an authorised officer of the local authority.

A 'Challenge 25' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18+ years of age.

The Premises Licence Holder shall ensure that full training is provided to all staff on commencement of employment on their Challenge 25 policy and the law relating to the sale of alcoholic products and any system or procedures that they are expected to follow in the course of dealing with these goods.

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	
Mr Ersan Ozdemir, Mr Hasan Ozdemir, Mr Enver Ozdemir and Mr Ramadan Ozdemir	
Statutory Authorities	
Interested Parties	
Ms Leigh Terrafranca for WEHRA	

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 email

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.

ERSAN OZDEMIR, RAMAZAN OZDEMIR

I/We ENVER OZDEMIR, HASAN OZDEMIR.

(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			
14 LEOPOLD ROAD			
Post town	WIMBLEDON	Postcode	SW19 7BD

Telephone number at premises (if any)	MOBILE: [REDACTED] (ERSAN)
Non-domestic rateable value of premises	£29,000 (JOINTLY WITH NO. 12)

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 *
 - i as a limited company/limited liability partnership please complete section (B)
 - 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 <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

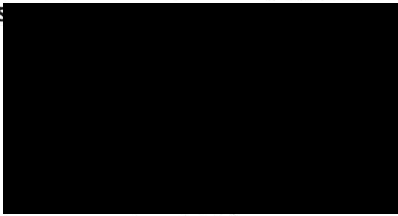
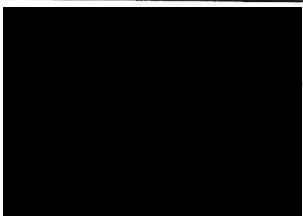


SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

Date of birth		I am 18 years old or over <input type="checkbox"/> 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	MR ERSAN OZDEMIR MR HASAN OZDEMIR, MR ENVER OZDEMIR	MR RAMADAN OZDEMIR
Address		
Registered number (where applicable)	-	
Description of applicant (for example, partnership, company, unincorporated association etc.)	PARTNERSHIP (FAMILY BUSINESS)	
Telephone number (if any)		
E-mail address (optional)		

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

0	1	0	6	2	0	1	7
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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)

● CURRENTLY JOINT WITH 12, FORMING "12 TO 14",
● WE ARE CREATING A SEPARATE UNIT AS NO. 14,
● WE WILL BE TRADING INDEPENDENTLY
● WE WILL BE CONTINUING AS A NEW SEPARATE RESTAURANT WITH BAR AREA FOR STORING AND SERVING ALCOHOL.

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

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)

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			<p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)</p> <p><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)</p>
Tue			
Wed			
Thur			
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

E

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

F

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

G

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

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	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed			<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)		
Thur					
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10.00	23.00			
Tue	10.00	23.00			
Wed	10.00	23.00			
Thur	10.00	23.00			
Fri	10.00	23.00			
Sat	10.00	23.00			
Sun	10.00	22.30			
			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 (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):

Name	MR HASAN OZDEMIR
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	LN20050286
Issuing licensing authority (if known)	MERTON

□□□□

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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10.00	00.00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Tue	10.00	00.00	
Wed	10.00	00.00	
Thur	10.00	00.00	
Fri	10.00	00.00	
Sat	10.00	00.00	
Sun	10.00	23.30	

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)

- WE TRAIN TO KNOWLEDGE STAFF ON ANY LICENCING ISSUES
- WE SHALL HAVE CCTV EQUIPMENT INSTALLED.
- WE ARE EXPERIENCED LICENCE HOLDERS, CURRENTLY HOLDING LICENCE AT THESE PREMISES FOR MANY DECADES WITHOUT ANY ISSUES.

b) The prevention of crime and disorder

- WE HAVE ZERO TOLERANCE TO DRUGS
- WE WILL ENSURE PUBLIC AREAS ARE ADEQUATELY LIT WHERE NECESSARY.

c) Public safety

- WE HAVE ADEQUATE FIRE EXIT PROVISIONS
- WE HAVE FIRST AID PROVISIONS INCLUDING FIRST AID BOX AT THE PREMISES

d) The prevention of public nuisance

- WE SHALL KEEP MUSIC TO A REASONABLE LEVEL
- WE SHALL HAVE NOTICES TO REMIND CUSTOMERS TO LEAVE QUIETLY WHERE SUITABLE.

e) The protection of children from harm

CHILDREN MUST BE ACCOMPANIED BY AN ADULT.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- 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.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [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.

Declaration	<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)
Signature	[REDACTED]
Date	23. 5. 17
Capacity	PARTNER - APPLICANT

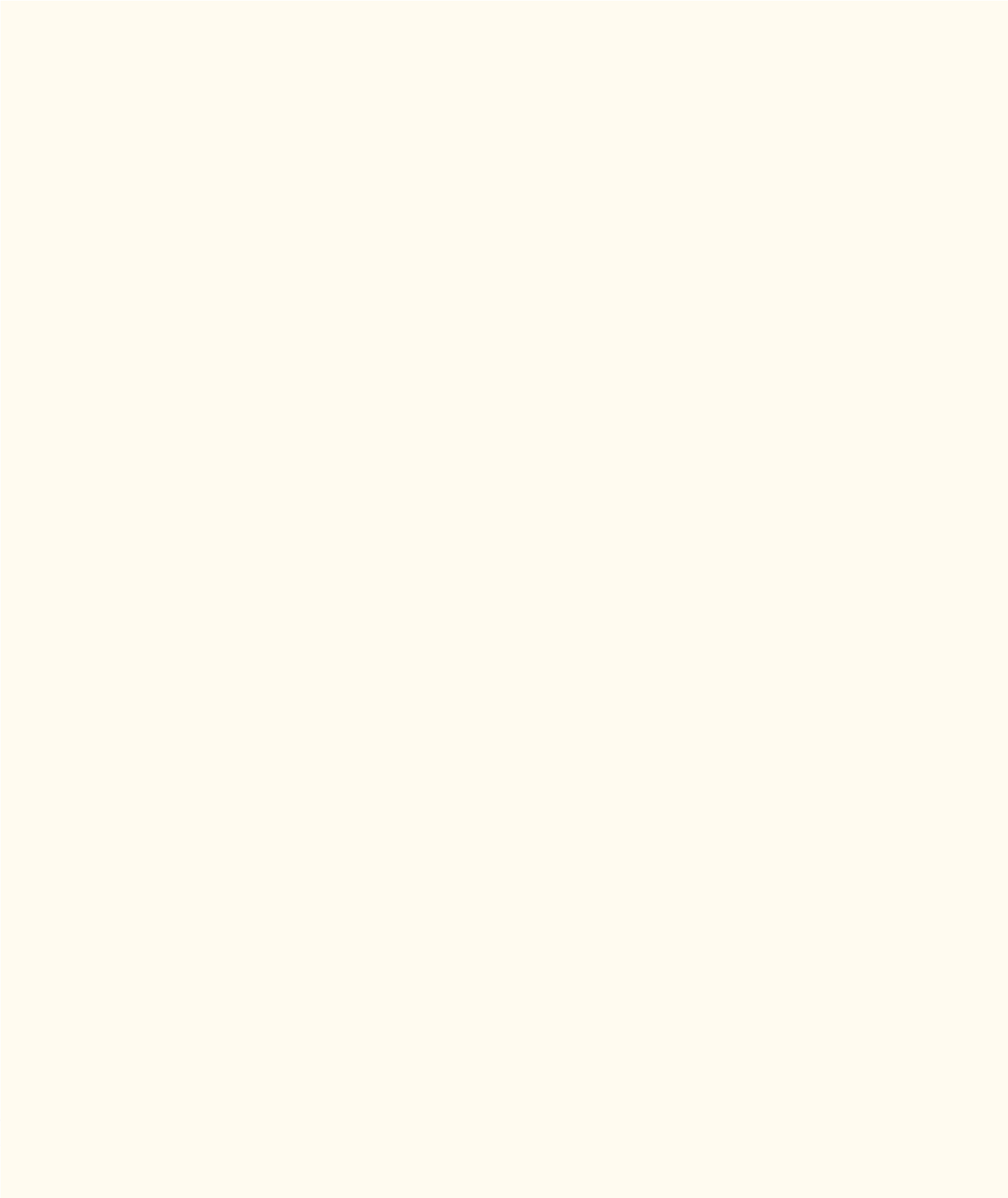
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	[REDACTED]
Date	23. 5. 17
Capacity	PARTNER - APPLICANT

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)	
MR ERSAN OZDEMIR	
[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)	
[REDACTED]	

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:



Rev.	Date	Description	By
A	20-05-17	Issued to Client for alcoholic drinks licence re-application.	O.Y.

Site: 14 LEOPOLD ROAD
 WIMBLEDON PARK
 LONDON SW19 7BD

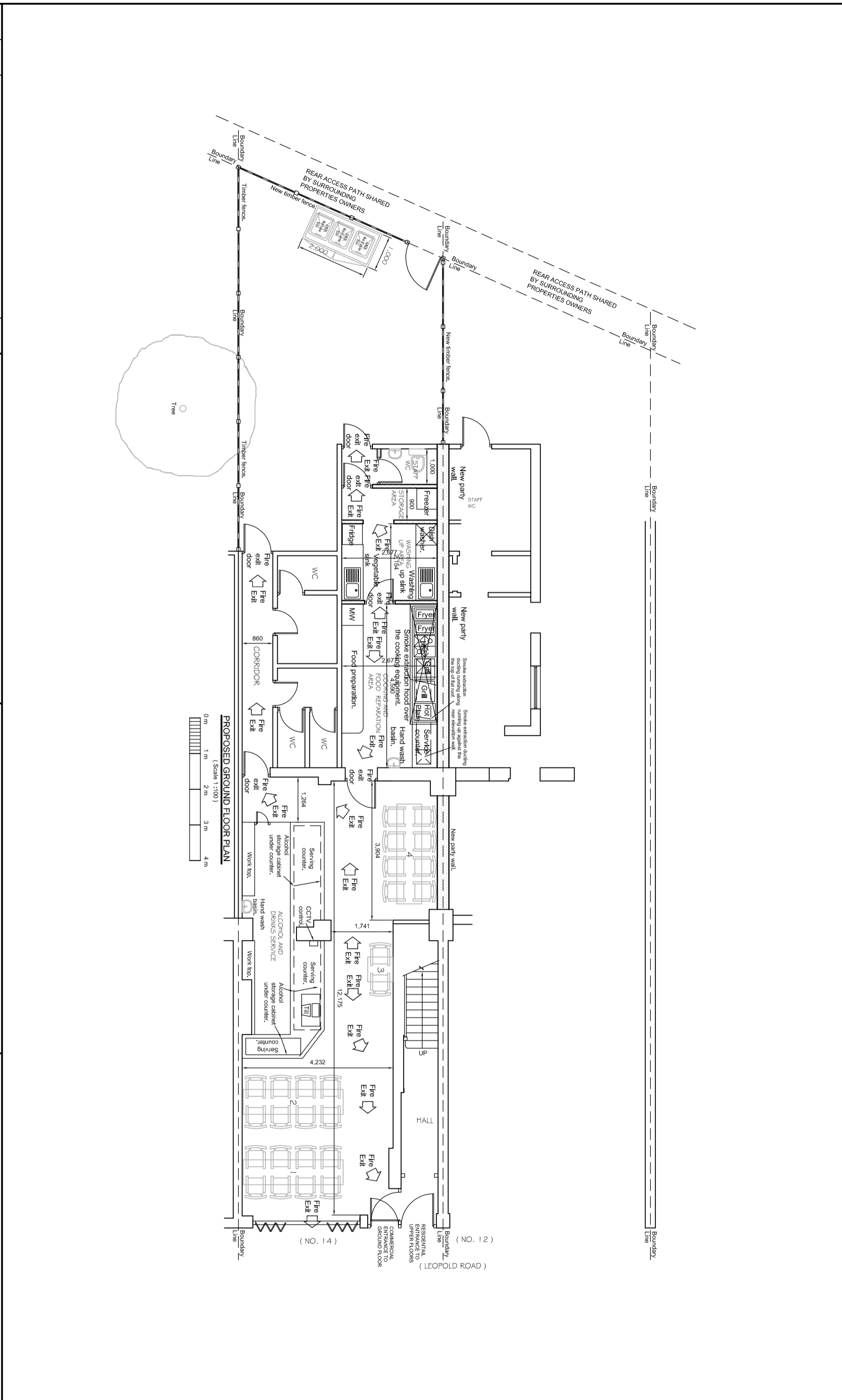
Client: MR. H. OZDEMIR

Job Title: FLOOR PLANS FOR ALCOHOLIC DRINKS LICENCE RE-APPLICATION

Drawing Title: FLOOR PLANS	
Job No. ST/304	Drawing No. ST/304/DL/SK/01
Drawn By. O.Y.	Date. 20-05-17
Checked.	Approved.
AS SHOWN	Scales.

MMY Consultants Ltd
 Structural Engineers and Designers

52 Chestnut Avenue, Ewell, Epsom, Surrey KT19 0SZ
 Tel/Fax - 020 8393 3500 Mobile - 0771 200 3042



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COMMUNITY AND HOUSING DEPARTMENT

Simon Williams - Director

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

Public Health, London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX
T: 020 8545 4834

Date: 29/06/2017

Re: Application for a Premises Licence under the Licensing Act 2003 – 14 Leopold Road, Wimbledon Park, London

Dear Sir/Madam,

As a responsible authority under 2012 amendment to the Licensing Act 2003, the Director of Public Health for Merton wishes to make representation to the application for a premise licence request for 14 Leopold Road.

There is much evidence to show that tackling alcohol misuse is central to achieving good health and wellbeing, and we want to create an environment and culture that prevents problem drinking from starting and provides help for those that are struggling.

This representation aims to ensure the health implications are considered as part of the decision with respect to the licensing objectives. We would like to work together to promote a safe and sociable alcohol environment, and with this in mind we will consider the withdrawal of this representation if the following conditions are added to your license:

1. Public safety

- Drinkaware will be promoted through the business website and drinking sensibly and appropriately will feature on any menus and marketing literature.

2. Prevention of public nuisance

- A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person is, or appears to be, under 18 years of age or the person is intoxicated. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the Police or an authorised officer of the local authority.

3. The protection of children from harm

- A 'Challenge 25' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18+ years of age.
- The Premises Licence Holder shall ensure that full training is provided to all staff on commencement of employment on their Challenge 25 policy and the law relating to the sale of alcoholic products and any system or procedures that they are expected to follow in the course of dealing with these goods.

We appreciate your co-operation and look forward to hearing your response,

Dr Aalaa Jawad
Public Health Registrar

On Behalf of Dr Dagmar Zeuner, Director of Public Health

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From: Aalaa Jawad
Sent: 29 June 2017 14:35
To: 'Ramadan Ozdemir'
Cc: Licensing; publichealthlicensing;
Subject: RE: License representation

Dear Licensing,

Following Mr Ozdemir email below I would like to withdraw my representation with the addition of the conditions.

Many thanks,
Aalaa

From: Ramadan Ozdemir
Sent: 29 June 2017 14:33
To: Aalaa Jawad
Cc: Licensing; publichealthlicensing;
Subject: RE: License representation

Dear Sirs

As the applicants for the licence, I can confirm we accept these conditions.

Kind regards

Ramadan Ozdemir
PP Hasan Ozdemir, Ersan Ozdemir, Enver Ozdemir

14 Leopold Road, Wimbledon, London, SW19 7BD

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

From: "Aalaa Jawad" <Aalaa.Jawad@merton.gov.uk>
Sent: Thursday, 29 June, 2017 14:22
To: "Licensing" <Licensing.Licensing@merton.gov.uk>, "publichealthlicensing" <publichealthlicensing@merton.gov.uk>
Cc:
Subject: License representation

Dear Licensing,

Please find the public health representation for 14 Leopold Road attached. We would be willing to withdraw our representation if the suggested conditions are added to the license.

Many thanks,
Aalaa
Dr Aalaa Jawad
Public Health Specialty Registrar
London Borough of Merton Public Health Team
Aalaa.jawad@merton.gov.uk

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From:**Sent:** 03 July 2017 07:54**To:** Licensing; Licensing**Cc:** publichealthlicensing; Councillor David Williams; Councillor Daniel Holden**Subject:** New Premises Licence for 14 Leopold Road, London SW19 7BD

Dear Sir/Madam:

I write on behalf of Wimbledon E Hillside Residents' Assn to voice our views on a New Premises Licence Application for 14 Leopold Road, SW19.

Leopold Road is a RARITY in the UK - a compact, charming, thriving local Shopping Parade. It is also a Conservation Area, listed because of the strong Victorian street scene, rich with period features including windows, fascias and even a lovely 'gateway' cupola. The footpaths were repaved with York stone and London plane trees, with the help of a Section 106 from the Waitrose development. The Parade's economic strength is in its diversity, including among many others a vet, modern ironmonger, art gallery, florist, barber, butcher, convenience store, dressmaker, newsagent, Italian deli and newsagent. All these units are small in scale and well suit the local community. NB: These qualities should be cherished and protected, and Merton would do well to study this area and seek to replicate it, with dated shopping parades in other parts of the borough.

Unfortunately the more recent businesses appear to be food establishments, many becoming licensed premises, often not open until lunchtime, and most offering takeaways. With takeaway business comes delivery scooters and Uber, idling engines, litter and loitering. In our view, 14 Leopold Road, it should not be allowed to continue operating as a Licensed Premises. It should be returned to A1, as Ambience 'moved' south to 10-12, taking over a convenience store (A1). The owners have assumed they can expand their family restaurants to three units, instead of having the two existing ones. The Licensing Committee should consider what is best for the good health of the entire Parade, not just for one trader.

In our view, we have reached 'peak food/drink' on Leopold Road, and it has emerged this venue will still be linked to Ambience next door. (See attached article, explaining the plans in May 2017). Should 14 Leopold Road become another Turkish food/drink/bar, it will dominate this Parade with too much of one food offering, drawing even more visitors from far beyond the local area. Of course we are pleased for the business, but with that, they will need to relocate to a more high-traffic commercial area such as the town centre, where they must abide by rules of a CIZ that govern larger food/drink premises.

The Applicant proposes Opening Hours until midnight six days each week, and until 11:30 pm on Sundays. This is not acceptable. No other business in Leopold Road operates after 11 pm, because the Parade immediately adjoins family homes, many with young school aged children and working adults who need to be up at dawn and get on with their day. It is wrong to allow one business to disrupt that delicate balance.

Further, it would set a precedent, whereby the Licensing Committee would find it difficult to refuse similar requests from other traders. Allowing a nighttime economy to

develop on this Parade at the expense of the daytime economy - one that the locals require and enjoy - would ultimately mean its demise.

Waste Management. The extended family owns around 20 flats over 10-12-14 Leopold.

For whatever reason, they accept faint responsibility for good management of their tenants' waste at present, and this impacts on all the others trying to earn a living in the Parade. By copy of this email, we request Public Health to request to attach conditions to improve this situation. Further, the extraction system for Ambience is not well managed. (See Ambience representations from neighbouring homeowners.) This suggests a similar problem may occur with number 14 Leopold. With cooking, all ducting needs regular, professional cleaning, and it appears this has not yet been brought to the attention of the Council. Any new extraction ducting system must be scrutinised by Public Health Officer, and inspected regularly, to ensure compliance.

Smoke from the chimney at Ambience reaches adjoining homes, and that is not acceptable.

Should the Committee be minded to approve the application, we would urge an 11 pm closing time (Mon-Sat, 10:30 pm Sunday), and ask that the Committee attach the usual Conditions (see below). We would also request that there is no open ended clause (as Ambience has at present) that would permit 'ad hoc' opening hours for private events, as stag/hen nights as this kind of event is inappropriate here. Finally, we would ask the Applicant to accept - as a matter of goodwill - a Condition to remove any cigarette butts, other litter or fly tipping from the footpath outside 14 Leopold Road, whether it is their rubbish or not. This would be a kind gesture, and hopefully other businesses will do, or are doing the same. Likewise, there are tenants' satellite dishes on the front of the Victorian facade that should not be visible from Leopold Road. These should be removed and relocated to a less visible position on the rear elevation.

In summary, WEHRA believes it is inappropriate that 14 Leopold be granted a Licence, for the Prevention of Public Nuisance. We recon 44% of premises in Leopold Rd Shopping Parade sell food/drink and prepared food, and that is sufficient for any shopping parade. Such is the strength of our convictions, we are exploring a Cumulative Impact Zone for Leopold Road, as we are nearing HALF of the space is used for a single purpose. We must not stray from the 'delightful diversity' that makes a Listed Parade thrive in the 21st Century. We need distinctive offerings from independent business people that encourage local people to shop there regularly, to take delight in their community, and to spend money to keep the businesses prosperous. What is distinctive about a bunch of takeaways and restaurants, closed in the morning and open after bedtime?

Yours sincerely,

Leigh Terrafranca, on behalf of Wimbledon E Hillside Residents' Assn

ATTACHED: Conditions for The Sampler, 26 Leopold Road (June 2017)

1. The conditions offered in the Operating Schedule of the Application were imposed on the Premises Licence, where they were enforceable and/or did not arise from separate legislative enforcement regimes. They were as follows:
 1. There shall be a personal licence holder and/or designated premises supervisor on duty on the premises at all times when the premises is authorised to sell alcohol.
 2. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram. Notices shall be displayed explaining that the Challenge 25 scheme is in operation at the premises.
3. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
4. A clear and legible notice shall be displayed outside the premises indicating the normal opening hours under the terms of the premises licence during which licensable activities are permitted.
5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
6. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.
7. No collections of waste or recycling materials from the premises or deliveries shall take place between 23.00 and 8.00 on the following day.

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Wed 4 May 17

Restaurant's award 'changed business'

REPORTER

ADELA WHITTINGHAM

adela.whittingham@wimbledonguardian.co.uk

A TURKISH restaurant in Wimbledon says it has had a spike in business after winning a national takeaway award last year.

Ambience, in Leopold Road, was ranked by Hungryhouse.co.uk as the most loved UK takeaway in 2016.

After receiving the accolade, the business was featured in a national TV campaign.

Owner Tanser Ozdemir said: "After being named the UK's number-one takeaway in the hungryhouse top takeaway awards in 2016, myself and the team at Ambience were blown away by the level of exposure that the restaurant received.

"Over the past 12 months, we've seen an increase of 50 per cent in restaurant bookings and online orders.

"What's more, we've been able to build up our team, growing from eight staff to 14 (75 per cent); we are also currently expanding our space to create a brand new takeaway section next door, that will continue to run in tandem with the restaurant. Winning last



Owner of Ambience Tanser Ozdemir with his parents Taner and Serap

year's award has totally changed the business and there continues to be an overwhelming surge of interest and publicity a year on."

To pick a winner,

Hungry House analysed data from 11,000 restaurants and millions of customer reviews, and ranked takeaways based on popularity, star ratings, return rates and hygiene standards.

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