

Merton Council

Licensing Sub-Committee

Membership

Councillors:

Stan Anderson

Philip Jones

John Sargeant

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

Date: 2 October 2017

Time: 2.00 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 Aya Lebanese Takeaway, 72 The Broadway, Wimbledon, SW19 1RQ 1 - 44

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.

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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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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

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Licensing Sub-Committee Report

Subject of hearing: **Aya Lebanese Takeaway, 72 The Broadway, London, SW19 1RQ**

Date: **2 October 2017**

Time: **14:00**

Venue: **Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX**

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

1.1 The premises are in the special policy area. Accordingly the relevant section of Merton's Licensing Policy is particularly relevant to this application though the sub-committee is to have regard to the policy as a whole.

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 Variation of premises licence: s35

(i) To modify the conditions on the licence

(ii) To reject the whole or part of the application.

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 South London Legal Partnership 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 to vary an existing premises licence.

5.2 The current permissions are the supply of late night refreshment Sunday to Wednesday 11pm to 1am the following morning and Thursday to Saturday 11pm to 3am the following morning.

5.3 The applicant want to extend the hours on Thursday to Saturday from 11pm till 5am the following morning, keeping the existing Christmas Eve and New Year's Eve opening to 3am.

5.4 The opening hours would also be extended to reflect this.

5.5 The premises plan shows an inside seating area and an external area at the rear of the premises.

5.6 The applicant has offered, in the operating schedule, to close the seating area after 11pm.

For enquiries about this hearing please contact

Democratic Services

Civic Centre

London Road

Morden

SM4 5DX

Telephone: 020 8545 3357

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 Ali Mahfouz for Aya Lebanese Takeaway	
Statutory Authorities	
Metropolitan Police	
Interested Parties	
Wimbledon E Hillside Residents' Association (WEHRA)	
Stuart Goddard	
South Park Residents' Association (SPERA)	
Martyn Stanger and Sue Hook	

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mr. Ali Mahfouz

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	LN/000001135
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Aya Lebanese Takeaway 72 The Broadway Wimbledon			
Post town	London	Postcode	SW19 1RQ

Telephone number at premises (if any)	020 8543 3363
Non-domestic rateable value of premises	£ 15,000 Band B

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	[REDACTED]	Postcode	[REDACTED]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

We are applying for extended opening hours on Thursdays, Fridays and Saturdays 23:00pm to 05:00am.

currently, the neer by nightclubs are open til 03:30am, most of their customers come to the Cab Office which is next to our shop and it takes at least an hour for them to get a lift home, during that time many are hungry and dehydrated.

at the moment, we are licenced to open until 03:00am, and by extending it by only 2 hours, we will be able to provide fast food and soft drinks to those customers.

we believe the nature of our operation and premises will not cause additional impact on the Cumulative Impact Zone.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) 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 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed					
Thur			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 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Tue					
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			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 (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
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 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u> <u>State any seasonal variations for the performance of live music (please read guidance note 6)</u> <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue					
Wed					
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
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 7)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			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 4)	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 5)		
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 6)		
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 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish	Both	<input type="checkbox"/>
Mon	23:00	01:00	<u>Will the provision of late night refreshment take place indoors or outdoors or both ~ please tick</u> (please read guidance note 4)	
Tue	23:00	01:00		
Wed	23:00	01:00	<u>Please give further details here</u> (please read guidance note 5)	
Thur	23:00	05:00		
Fri	23:00	05:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)	
Sat	23:00	05:00		
Sun	23:00	01:00		
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)	
			Open Christmas eve & New year's eve till 03:00	

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input 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 6)		
Mon					
Tue					
Wed					
Thur			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 7)		
Fri					
Sat					
Sun					

K

<p>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 10).</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	12:00	01:00	
Tue	12:00	01:00	
Wed	12:00	01:00	
Thur	12:00	05:00	
Fri	12:00	05:00	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 7) open christmas eve & new year's eve till 03:00.
Sat	12:00	05:00	
Sun	12:00	01:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

To serve the customers in a safe and healthy environment and to prevent discomfort and nuisance to public.

b) The prevention of crime and disorder

CCTV Already installed
Seating area is closed after 23:00

To instruct a security firm to cover the extended hours if needed

c) Public safety

Fire & Smoke alarms installed and maintained.
Emergency Lights installed and maintained.
First Aid box Available.

d) The prevention of public nuisance

Fast customer turnaround (reduce waiting time)
keep front shop clean and tidy at all times
Advise customers to keep quiet when leaving the premises

e) The protection of children from harm

pay extra attention when children entering the premises.
insure all children are accompanied by a Parent or Guardian.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	14/08/2017
Capacity	Director

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

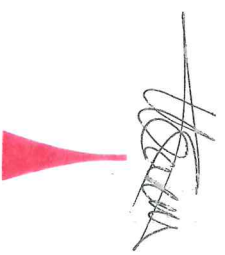
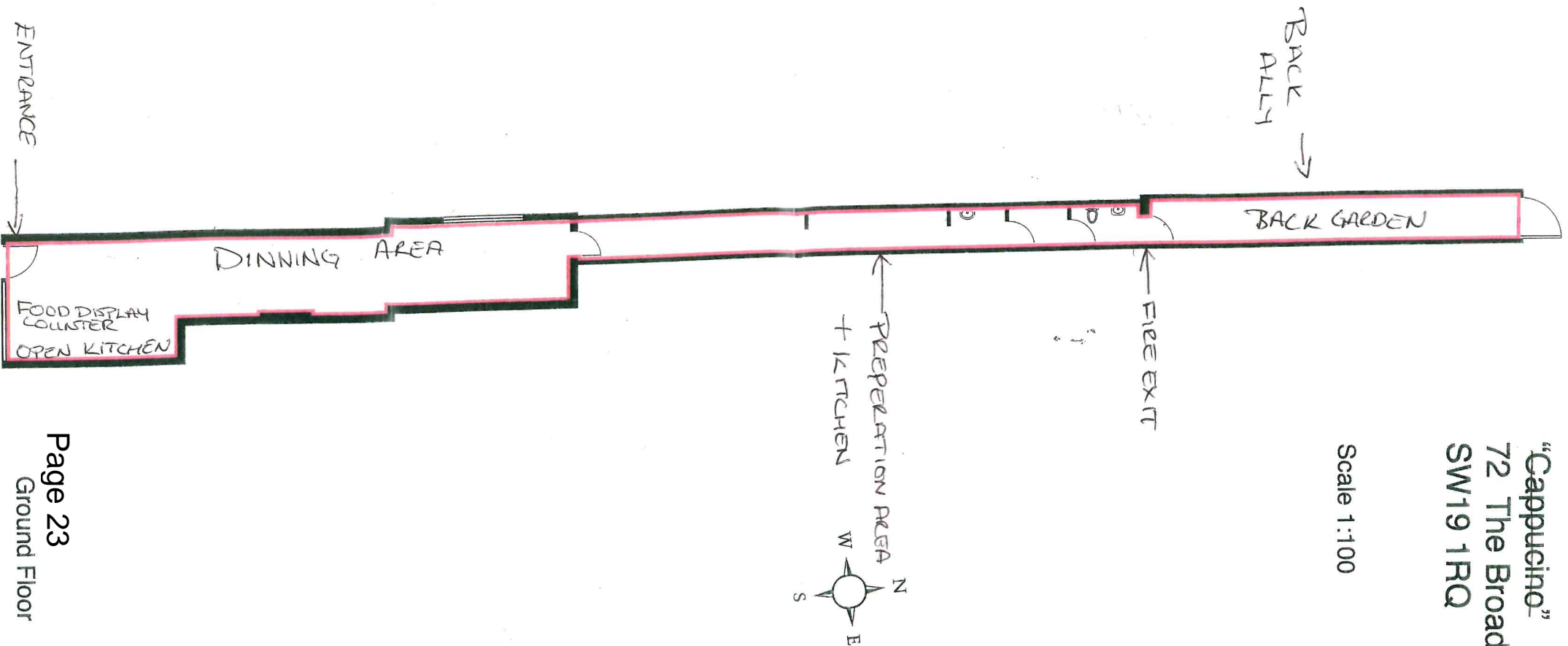
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Post town		Post code	
Telephone number (if any)			

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"Cappuccino" LAFFÉ KAFFEE
72 The Broadway Wimbledon
SW19 1RQ

Scale 1:100



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LICENSING ACT 2003

Part A Premises licence

Premises licence number

LN/000001135

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**Aya Lebanese Takeaway, The Taste of Lebanon
72 The Broadway
Wimbledon
London
SW19 1RQ**

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	12:00	-	01:00
Tuesday	12:00	-	01:00
Wednesday	12:00	-	01:00
Thursday	12:00	-	03:00
Friday	12:00	-	03:00
Saturday	12:00	-	03:00
Sunday	12:00	-	01:00

**OPEN CHRISTMAS EVE & NEW YEAR'S EVE TILL 03:00. CLOSED CHRISTMAS DAY/
EASTER SUNDAY**

Sale & supplies of alcohol, whether these are on and/or off supplies

Not applicable



Licensable activities and permitted times authorised by the licence

Late Night Refreshment

Indoors

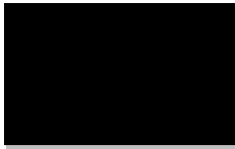
Monday	23:00	-	01:00
Tuesday	23:00	-	01:00
Wednesday	23:00	-	01:00
Thursday	23:00	-	03:00
Friday	23:00	-	03:00
Saturday	23:00	-	03:00
Sunday	23:00	-	01:00

**CLOSED CHRISTMAS DAY/EASTER SUNDAY
OPEN CHRISTMAS EVE & NEW YEAR'S EVE TILL 03:00**

Part 2

Name, (registered) address, telephone number of holder(s) of premises licence

Ali Mahfouz



Registered number of holder, ie company number, charity number etc.

NONE

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Not applicable

Issuing authority and licence number of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Not applicable



Annex 1 - Mandatory conditions

Mandatory conditions where licence authorises supply of alcohol

Where this premises licence authorises the supply of alcohol, the following conditions shall apply:

- no supply of alcohol may be made under the premises licence:
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
 - (c) every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory condition: exhibition of films

Where this premises licence authorises the exhibition of films, the admission of children to the exhibition of any film shall be restricted as follows:

- (1) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children shall be restricted in accordance with any recommendation made by that body.
- (2) Where:
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, the admission of children shall be restricted in accordance with any recommendation made by that licensing authority.
- (3) In this section:
 - (a) "children" means persons aged under 18; and
 - (b) "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory condition: door supervision

- (1) Where this premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, all door supervisors shall be licensed by the Security Industry Authority (SIA).
- (2) But nothing in subsection (1) requires such a condition to be imposed:
 - in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - in respect of premises in relation to:
 - any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section:
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Prohibited conditions: Plays

If this premises licence authorises the performance of plays, no condition shall be attached to the licence as to the nature of the plays that may be performed, or the manner of performing plays, under the licence.

But the above paragraph does not prevent the London Borough of Merton from imposing any condition which it considers necessary on the grounds of public safety.

ENVIRONMENT AND REGENERATION DEPARTMENT
Licensing Team
London Borough of Merton
14th Floor, Merton Civic Centre
London Road
Morden, Surrey
SM4 5DX

Tel: 020 8274 4901
www.merton.gov.uk/licensing



Annex 2
Conditions consistent with the Operating Schedule

NONE

Annex 3
Conditions attached after a hearing by the licensing authority

NOT APPLICABLE

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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: 020 8649 3074
Email: Russ.Stevens@met.police.uk

7th September 2017

Re:- Application to vary Premises Licence at 72 The Broadway Wimbledon (AYA)

Dear Sir/Madam,

On 15th August 2017 an application was received from Mr Ali Mahfouz to vary the Premises Licence LN/000001135 in relation to the Aya Lebanese Takeaway, 72 The Broadway Wimbledon.

The application can be summarised as follows:-

A fast food takeaway restaurant currently offering Late Night Refreshment until 3am on Thursday/Friday/Saturday nights, wishing to extend these hours to 5am

Police wish to make representations to this application on two of the four of the licensing objectives namely:

**The Prevention of Crime and Disorder
The prevention of Public Nuisance**

To serve hot food (above ambient temperature) between 11pm and 5am, a premises must hold a Premises Licence for the provision of Late Night Refreshment.

Fast Food takeaways operating after 11pm can have an obvious impact on crime and anti-social behaviour levels in the vicinity. Hot food Takeaways offering LNR are often situated very close to alcohol premises to supply demand from people who are often heavily intoxicated, as they leave pubs and clubs at the end of an evening out.

Aya Lebanese Takeaway is no exception and is situated in very close proximity to two nightclubs, and three late opening pubs. Aya is next door to a minicab office and directly opposite KFC, another fast food takeaway serving hot food until 2am on Friday and Saturday nights.

Wimbledon Town Centre has a vibrant and lively Night Time Economy, with so many premises selling alcohol that it has now become a Cumulative Impact Zone. This CIZ includes Late Night Refreshment outlets.

There are two main concentrations of pubs and clubs in Wimbledon Town Centre. One is close to Wimbledon BR Station and includes The Terrace, Prince of Wales, Suburban, Slug and Edwards. The other concentration is a 5 minute walk along the Broadway to O'Neills, The Old Frizzle, Wibbas, PoNaNa and The Pod Bar. These bars and clubs tend to open later and become the finishing point for many people drinking in the town centre. Aya is inside this concentration.

There are two other late night fast food takeaways in Wimbledon town centre. One is Burger King at 2 The Broadway. Burger King has a Premises Licence to provide Late Night Refreshment to 2am, and out of necessity, they employ uniformed security guards from 9pm. The risk around Burger King requires constant management. In the last year, there have been six crimes recorded involving fights and assaults (three of which on staff) during the LNR period. This came to a head in December 2016 when the franchise owner submitted a Temporary Event Notice to continue through 5am during the festive period. I objected to this TEN and my decision was supported by the Licensing Sub Committee.

The other late night takeaway is Kentucky Fried Chicken directly opposite Aya. Their Premises Licence has a condition attached to ensure that SIA Door Supervisors are employed after midnight. The condition mentions that they have a role in aiding dispersal from the area, but personal experience shows them to be ineffective.

Police Crime recording systems show that since 1st August 2016, there have been 22 reported assaults in the immediate vicinity of Aya. This is from the locations recorded as between 66 and 78 The Broadway (same side of road as Aya), and between 75 and 89 The Broadway (opposite Aya). These figures do not include incidents on the next pavement outside PoNaNa nightclub 82 The Broadway. Figures for arrests for Drunk and Disorderly in this area are not available.

Experience shows that the risk of alcohol related Crime and Disorder, and Anti-Social Behaviour is greatly reduced when people go straight home after an evening drinking. Most incidents of alcohol related violence in Wimbledon Town Centre occur towards the end of the evening when people are intoxicated. The majority of these incidents involve people having just left alcohol premises. At around midnight on a Friday and Saturday night, the town centre can become an arena for drunken violent clashes.

Fast Food Outlets provide a facility to those who wish to linger. Disputes arise between hungry intoxicated customers, and fights occur. Many drunk people are drawn to Fast Food outlets rather than going home.

Fast Food Outlets slow down the dispersal rate dramatically and cause extra strain on Policing.

If the licence to provide Late Night Refreshment at Aya is extended, the risk of alcohol related violence will increase proportionately. There is also the obvious risk of increased litter.

On the 19th July 2017, I received a complaint from a local resident about loud and disorderly conduct of AYA customers very late at night. The complainant told me that she lives within sight of the premises and can see from her window that AYA regularly remains open as late as 4am on Friday and Saturday evenings. The front door to the shop is always open and loud music can sometimes be heard from the premises. These incidents have awoken her and caused her annoyance.

On the evening of 28th July, I visited Aya, and discussed the complaint with the person in charge. I left my business card and asked for the general manager or owner to contact me, unfortunately he did not.

This is the only complaint that I have received regarding Aya in the last 12 months, and I suspect that visit may have prompted this application to officially extend the LNR hours.

Aya is a responsible operator and I do not believe that it causes anti-social behaviour or any crime in its own right. The food is excellent and the staff are friendly. But, it does provide the facility for intoxicated people to linger after a night out, rather than going home. As the Police Licensing Officer I have been trying to discover ways of improving the rate of dispersal at this specific area on a Thursday/Friday/Saturday evening. Aya's current 3am finish on a Thu/Fri/Sat night marks the close of the town centre's Night Time Economy. If this finish time were to extend indefinitely, then there would be little dispersal and we would be reliant on people going home when they eventually get bored. The application to extend the LNR hours to 5am effectively takes LNR past the regulated hours of 11pm-5am and so would allow Aya to trade all through the night and into the morning. The applicant states that they want to extend by "only two hours", but this is clearly not the case.

Currently, when the nightclubs close at 3am, people have no other option but to make their way home. Aya is already the only premises in Wimbledon Town Centre permitted to serve Late Night Refreshment after 2am. If this application is approved, then people will linger and the potential for crime and anti-social will also linger.

The Metropolitan Police strongly advise that this application is rejected.

If the Premises Licence is approved, I strongly recommend that the following conditions are imposed:

1. There will be a minimum of 2 uniformed security guards on the premises or immediately outside when the premises is open beyond 2300hrs.
2. A good quality digital CCTV will be in operation at all times that the premises is open to the public. Recorded footage will be kept for a minimum of 31 days and will be supplied to Police when requested with the absolute minimum of delay.

Yours Faithfully

Russ Stevens PC 852VW 191701

Licensing Officer

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

From: JEFFREY GUNN

Sent: 24 August 2017 10:48

To: Licensing

Subject: LICENSING APPLICATION WK/201704740

My name is Jeffrey Alexander Gunn and I live at [REDACTED] I am writing as Honorary Secretary of the South Park Residents Association (SPERA) to object to this application for extension of hours on Thursday to Saturday nights from 3 am until 5 am.

The application relates to Aya Lebanese Takeaway at 72 The Broadway, Wimbledon.

SPERA have established details of the cleaning regime (from Merton Council) for the Broadway and Town Centre and it would seem that no cleaning is carried out after 2200 hours each day and cleaning resumes after 5.30 am each day. This and other such establishments already contribute greatly to the piles of rubbish that we see in the town centre early in the morning when our residents are going to work or visiting for shopping. Food waste is of particular concern as it also encourages foxes and other vermin with a free meal. After nearly 10 hours of revelry the volume of rubbish has built up so much that council staff struggle to clear it all away when they resume their considerable efforts. Waste bins are left overflowing and by granting an extension of the nature applied for this will exacerbate an existing problem for local residents.

Another reason we have for objecting to this extension is that there are already anti-social behaviour problems in this area as evidenced by the existence of a Cumulative Impact Zone. By extending the hours of the night economy this encourages drinkers and other problem members of the public to linger on after other activity. Noise and other disruption is often then spread through adjacent residential areas. This establishment is a takeaway and it should be noted that there are no toilets provided in the Town Centre at this time of night. It is logical that adjacent residential areas will then suffer as these individuals go about their business without any consideration for anyone else. It is our view that existing hours are more than adequate and we could indeed suggest closure at 2 am on these nights to reduce the build up of food waste in the Town Centre.

Sincerley

Jeff Gunn

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From:
Sent: 25 August 2017 16:17
To: Licensing; Licensing
Cc:
Subject: AYA Lebanese Takeaway, 72 The Broadway, SW19

Dear Sir:

I write on behalf of WEHRA to share our views on the variation to AYA Premises' Opening Hours and Late Night Refreshment Hours until 5 am on Thursday, Friday and Saturday nights. While AYA has a good quality food offering, this extension of opening hours is an un-welcomed proposal.

The area is a **Cumulative Impact Zone**. It was set up because this specific commercial area in WTC is saturated: there are too many licensed premises, selling too much food and alcohol, too late into the night. The onus is on the applicant to demonstrate they won't add to the problems that exist.

Today we have a great many places to eat/drink until late into the night (3:30 am is the latest club opening, and this is too late in our view). Most of these premises adjoin residential properties. The residential area is mostly a white collar working community of teachers, doctors, engineers, IT and business professionals, many with young families. We need to be in bed by 10:30 / 11 pm, and up again at 6 or 6:30 am. The vast majority of local residents DO NOT stay out after 11 pm.

It would be wrong of any venue to be permitted to regularly disturb our ***right to quiet enjoyment, by disturbing our sleep***. (There is a new planning application to build even more flats behind AYA, and those residents would be especially badly affected by an 'all night' business right next door.)

Further, if the Committee allows one takeaway to be open effectively all night (i.e. until 5 am), this would provide a precedent for all the other takeaways (e.g.: KFC/Burger King), and indeed other late night pubs/clubs/bars may wish to open later too.

Attached are some photos taken last Saturday morning on the Broadway around AYA. You will see rubbish strewn across the footpaths, there is urine in corners of many local buildings and vomit, plus dozens of discarded food containers with food scraps and chips and sticky spilt drinks that the late night visitors toss around indiscriminately in their drunken/ drugged stupor. The street sweepers work very hard and will vividly describe their job to you (BTW they don't pick up vomit; nobody does).

In our view, this proposal is unwarranted, and disrespectful to the local community. It would guarantee an increase in late night noise, litter and public nuisance. It may well also invite an increase in crime & disorder. It will cost the Council and community in both financial and social terms. Allowing late-late night revellers to linger through the night would swiftly add to WTC's problems, and the onus would fall on local residents to call a REVIEW, and proceed with the slow process of a challenge. We aren't against AYA operating in the daytime and during the evening, but we are against their trading after midnight, when anti-social behaviour and crime kicks in.

Finally, may we remind the Licensing Committee Members that it is we local people who ultimately must foot the bill for all the unpleasantness caused by the thousands of younger, rowdy late-night visitors to our town. The ambulances and paramedics waste hundreds if not thousands of highly skilled man-hours tending blind drunks/druggies as it stands; the police sirens go all night long on weekends, such is the disorder experienced beginning on Wednesdays and running through until the wee hours of Sunday morning. We don't want our town further degraded by inviting late-late night visitors to 'sleep it off' on Wimbledon streets. We urge Committee Members to REFUSE PERMISSION for this variation.

Thank you for consideration of our views.

Yours sincerely,
Leigh Terrafranca, on behalf of Wimbledon E Hillside Residents' Assn (WEHRA)

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Photographs Submitted by WEHRA





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of the Local Government Act 1972.

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