

Merton Council

Licensing Sub-Committee

Membership

Councillors:

Agatha Mary Akyigyina OBE

John Bowcott

Mary Curtin

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

Date: 29 November 2017

Time: 10.30 am

**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 Morden Food Centre, 17 Morden Court Parade, London Road, Morden, SM4 5HJ 1 - 38

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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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: **Morden Food Centre, 17 Morden Court Parade, London Road, Morden, SM4 5HJ**

Date: **29 November 2017**

Time: **10:30am**

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 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 application seeks to extend the hours of the sole licensable activity, the sale by retail of alcohol and the opening hours of the premises.

5.3 The current opening times/hours for licensable activities on the licence are as follows:

Mon to Sat - 07:00 to 00:00; Sun – 08:00 to 23:00

5.4 The proposed opening hours/hours for licensable activities are as follows:
Mon to Thurs - 07:00 to 02:00; Fri and Sat - 07:00 to 03:00; Sun- 08:00 to 00:00

5.5 Four representations have been received, three from responsible authorities and one from a member of the public.

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 Ismail Ulas for Morden Food Centre	
Statutory Authorities	
Metropolitan Police	
LB Merton Licensing	
LB Merton Public Health	
Interested Parties	
David Galley more	

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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 ISMAIL ULAS

(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/000002629

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
MORDEN FOOD CENTRE 17 MORDEN COURT PARADE MORDEN			
Post town	SURREY	Postcode	SM4 5HJ
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£19,250	

Part 2 – Applicant details

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

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)

- VARIATION OF RETAIL OF ALCOHOL HOURS

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 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"/>
Please tick further details here (please read guidance note 4)						
Day	Start	Finish				
Mon	.....	.....		
Tue	.....	.....		
Wed	.....	.....		
Thur	.....	.....		
Fri	.....	.....	Non-standard timings. Where you intend to use the premises for the performance of a play 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"/>	Outdoors <input type="checkbox"/>	Both <input type="checkbox"/>
Please tick further details here (please read guidance note 4)						
Day	Start	Finish				
Mon	.....	.....		
Tue	.....	.....		
Wed	.....	.....		
Thur	.....	.....		
Fri	.....	.....	Non-standard timings. Where you intend to use the premises for the exhibition of films, please read guidance note 5			
Sat	.....	.....		
Sun	.....	.....		

C

Indoor sporting events Standard days and timings (please read guidance note 7)		Please tick further details (please read guidance note 4)				
Day	Start	Finish				
Mon	.....	.....		
Tue	.....	.....		
Wed	.....	.....		
Thur	.....	.....		
Fri	.....	.....	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 6)			
Sat	.....	.....		
Sun	.....	.....		

D

Bowling or wrestling Standard days and timings (please read guidance note 7)		Will the bowling or wrestling entertainment 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"/>
Please tick further details here (please read guidance note 4)						
Day	Start	Finish				
Mon	.....	.....		
Tue	.....	.....		
Wed	.....	.....		
Thur	.....	.....		
Fri	.....	.....	Non-standard timings. Where you intend to use the premises for bowling or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)			
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"/>
Please tick further details here (please read guidance note 4)						
Day	Start	Finish				
Mon	.....	.....		
Tue	.....	.....		
Wed	.....	.....		
Thur	.....	.....		
Fri	.....	.....	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)			
Sat	.....	.....		
Sun	.....	.....		

F

Recorded music Standard days and timings (please read guidance note 7)		Will the playing of recorded 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"/>
Please tick further details here (please read guidance note 4)						
Day	Start	Finish				
Mon	.....	.....		
Tue	.....	.....		
Wed	.....	.....		
Thur	.....	.....		
Fri	.....	.....	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 (please read guidance note 6)			
Sat	.....	.....		
Sun	.....	.....		

G

Performance of dance (please read guidance note 7)		Will the performance of dance take place indoors or outdoors with a different risk (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 the performance of dance (please read guidance note 5)			
Thur						
Fri			Non seasonal variations. Where you intend to use the premises for the performance of dance at different times to those listed in the column for the different risks (please read guidance note 6)			
Sat						
Sun						

H

Anything of a similar nature to that being listed in column G (for 4)		Please give a description of the type of entertainment you will be providing (please read guidance note 7)				
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - different risk (please read guidance note 3)	Indoors <input type="checkbox"/>	Outdoors <input type="checkbox"/>	Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)			
Tue						
Wed						
Thur			State any seasonal variations for entertainment of a similar description to that being listed in column G (for 4) (please read guidance note 5)			
Fri						
Sat			Non seasonal variations. Where you intend to use the premises for the entertainment of a similar description to that being listed in column G at different times to those listed in the column for the different risks (please read guidance note 6)			
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	07:00 -----	02:00 -----			
Tue	07:00 -----	02:00 -----			
Wed	07:00 -----	02:00 -----			
Thur	07:00 -----	02:00 -----			
Fri	07:00 -----	03:00 -----			
Sat	07:00 -----	03:00 -----			
Sun	08:00 -----	00:00 -----			
			<u>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</u> (please read guidance note 6)		

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).
N/A

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) NONE
Day	Start	Finish	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)
Mon	07:00	02:00	
Tue	07:00	02:00	
Wed	07:00	02:00	
Thur	07:00	02:00	
Fri	07:00	03:00	
Sat	07:00	03:00	
Sun	08:00	00:00	

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.
 N/A

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 10)

- STAFF TO BE TRAINED REGULARLY ON LICENSING PROVISIONS AND THIS TO BE DOCUMENTED.

b) The prevention of crime and disorder

- ALL INSTANCES OF CRIME AND DISORDER SHALL BE REPORTED TO THE POLICE.
- AN INCIDENT BOOK SHALL BE USED TO RECORD ALL INSTANCES OF PUBLIC DISORDER.
- CCTV SHALL BE INSTALLED, OPERATED AND MAINTAINED IN AGREEMENT WITH THE POLICE. THE SYSTEM WILL ENABLE FRONTAL IDENTIFICATION OF EVERY PERSON ENTERING THE PREMISES. THE SYSTEM SHALL RECORD IN REAL TIME AND OPERATE WHILST THE PREMISES ARE OPEN FOR LICENSABLE ACTIVITIES. THE RECORDINGS SHALL BE KEPT AVAILABLE FOR A MINIMUM OF 31 DAYS. RECORDINGS SHALL BE MADE AVAILABLE TO AN AUTHORISED OFFICER OR A POLICE OFFICER (SUBJECT TO THE DATA PROTECTION ACT 1998) WITHIN 24 HRS OF ANY REQUEST.

c) Public safety

- TO COMPLY WITH THE FIRE REGULATIONS AND THE PROVISIONS OF THE MANAGEMENT REGULATIONS.
- MAINTAIN AND CHECK SYSTEMS IN PLACE, SMOKE DETECTORS, FIRE EXTINGUISHERS, EMERGENCY SAFETY LIGHTING AND FIRE ALARMS.

d) The prevention of public nuisance

DISCOURAGE NOISE FROM PATRONS ARRIVING AT, QUEUING OR DEPARTING FROM THE PREMISES BY DISPLAYING POLITE NOTICES FOR CUSTOMERS' ATTENTION.

e) The protection of children from harm

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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.

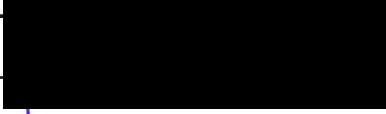
IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Mr A. AY
Date	28/09/2017
Capacity	AGENT

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 13). **If signing on behalf of the applicant, please state in what capacity.**

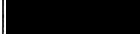
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

MR A. AY



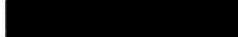
Post town



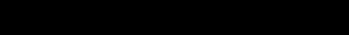
Post code



Telephone number (if any)



If you would prefer us to correspond with you by e-mail, your e-mail address (optional)



Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

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LICENSING ACT 2003

Part A Premises licence

Premises licence number

LN/000002629

Part 1 - Premises details

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

**Morden Food Centre
17 Morden Court Parade
London Road
Morden
Surrey
SM4 5HJ**

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	07:00	-	00:00
Tuesday	07:00	-	00:00
Wednesday	07:00	-	00:00
Thursday	07:00	-	00:00
Friday	07:00	-	00:00
Saturday	07:00	-	00:00
Sunday	08:00	-	23:00

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

Off the premises



Licensable activities and permitted times authorised by the licence

Alcohol Sales

Off the premises

Monday	08:00	-	00:00
Tuesday	08:00	-	00:00
Wednesday	08:00	-	00:00
Thursday	08:00	-	00:00
Friday	08:00	-	00:00
Saturday	08:00	-	00:00
Sunday	09:00	-	23:00

Part 2

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

Ismail Ulas



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

Ismail Ulas



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

London Borough of Enfield LN/201000669



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.



Mandatory Licensing Conditions 2010

1.
 - (i) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (ii) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.



Annex 2

Conditions consistent with the Operating Schedule

1. Staff to be trained regularly on licensing provisions. This training is to be documented and available to authorised officers of the council and police on request.
2. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Metropolitan Police Crime Prevention Officer. 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. Recordings shall be made available immediately upon the request of Police or authorized officers throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.
3. 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 to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
4. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
5. A proof of age scheme, such as Challenge (21/25) 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 holographically marked PASS scheme identification card.
6. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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. An incident log shall be kept at the premises and made available on request to an authorised officer of the council or the police, which shall record the following:
(a) all crimes reported to the venue, (b) all ejections of patrons, (c) any complaints received, (d) any incidents of disorder, (e) any faults in the CCTV system or searching equipment or scanning equipment, (f) any refusal of the sale of alcohol, (g) any visit by a relevant authority or emergency service.



8. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

Annex 3

Conditions attached after a hearing by the licensing authority

NOT APPLICABLE



LICENSING ACT 2003

Part B Premises licence

Premises licence number

LN/000002629

Part 1 - Premises details

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

**Morden Food Centre
17 Morden Court Parade
London Road
Morden
Surrey
SM4 5HJ**

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	07:00	-	00:00
Tuesday	07:00	-	00:00
Wednesday	07:00	-	00:00
Thursday	07:00	-	00:00
Friday	07:00	-	00:00
Saturday	07:00	-	00:00
Sunday	08:00	-	23:00

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

Off the premises



Licensable activities and permitted times authorised by the licence

Alcohol Sales

Off the premises

Monday	08:00	-	00:00
Tuesday	08:00	-	00:00
Wednesday	08:00	-	00:00
Thursday	08:00	-	00:00
Friday	08:00	-	00:00
Saturday	08:00	-	00:00
Sunday	09:00	-	23:00



Part 2

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

Ismail Ulas



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

None

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Ismail Ulas



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

2nd November 2017

Re:- Application to vary Premises Licence at 17 Morden Court Parade (Morden Food Centre)

Dear Sir/Madam,

On 9th October 2017, the Metropolitan Police Service received an application from Mr Ismail Ulas in relation to the Premises Licence at Morden Food Centre, 17 Morden Court Parade, Morden.

The application can be summarised as follows:-

A mini supermarket / food store wishing to sell alcohol from 7am Mon-Saturday (currently 8am) and 8am on Sunday (currently 9am), until 2am Mon-Thu (currently Midnight) until 3am Fri/Sat (currently midnight) and until midnight on Sunday (currently 11pm).

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

The proposed extension to the current alcohol hours on the licence is a huge jump. Morden Food Court is currently one of the latest opening Licensed Premises in Morden with only the Blue Junction bar/restaurant and RS Snooker club permitted to open later (1am and 1:30am respectively). The applicant wishes to extend his alcohol hours from Midnight to 3am on Friday and Saturday nights, and to 2am Mon-Thu. This would make Morden Food Centre the latest opening alcohol premises in Morden.

Morden town centre has a busy bus terminus and has an end-of-the-line underground station. Morden town centre is on the very edge of a huge residential area. Morden's night time economy effectively closes at Midnight with only a few Late Night Refreshment outlets remaining open to cater for people returning home from central London.

With the introduction of the "night tube", people are able to stay out later in Central London as they can now travel home later. The overnight underground services were introduced to provide safe transport home from Central London at the end of the evening.

Clearly, the applicant's proposals are to cater for people returning home on the night tube as they come to the end of the line in Morden before their final leg home.

If the application is granted, people passing through Morden will be able to purchase alcohol until 3am in the morning and continue drinking, possibly to excess. They will loiter in Morden town centre, clash in fast food outlets, and make noise walking through the adjacent residential streets.

So far this year, there have been 3 assaults, including 1 GBH, 3 Public Order Crimes, and a Criminal Damage all recorded in Morden Town Centre, close to Morden Food Centre, between the hours of Midnight and 2am. This does not include any crimes at Morden Underground Station.

The applicant is a responsible retailer, during the day, selling only normal strength beer and ciders, and has recently signed up to a Responsible Retailer's Agreement to restrict Alcohol sales. But, the applicant has not offered any additional measures to deal with the impact of selling alcohol to 3am in the morning.

After Midnight, it is highly likely that most customers entering the shop will be intoxicated. If someone is drunk and attempts to purchase more alcohol, then staff must have the strength and confidence to refuse the sale. This can be very difficult when minimum staffing levels are necessary to make staying open late, financially viable.

I have visited Morden Food Centre during the consultation period but found the applicant, who is also the Designated Premises Supervisor to be out of the country.

The Metropolitan Police advise that this application is rejected.

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

1. There must be a minimum of 2 members of staff on duty and present in the shop between midnight and 2am Mon-Thursday, and 3 members of staff from Midnight – 3am Friday and Saturday.
2. There must be at least one Personal Licence holder on duty and present in the shop when the premises is open after Midnight.

Yours Faithfully



Russ Stevens PC 852VW 191701

Licensing Officer

ENVIRONMENT AND REGENERATION DEPARTMENT

Chris Lee - Director



The Licensing Officer
London Borough of Merton
Licensing Team
14th Floor Civic Centre
London Road
Morden
SM4 5DX

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

Direct Line: 020 8545 3798
Fax: 020 8545 4025
Email: licensing@merton.gov.uk

My Ref :
Please Ask For: Barry Croft
Your Ref:

Date: 31 October 2017

Dear Sirs,

**Morden Food Centre 17 Morden Court Parade Morden Surrey SM4 5HJ –
Premises Licence No. LN/000002629**

**Application to Vary an Existing Premises Licence under the Licensing
Act 2003.**

On behalf of the Licensing Authority, as a Responsible Authority under the Licensing Act 2003, I write to object to the application to vary premises licence LN/000002629 for Morden Food Centre at 17 Morden Court Parade Morden Surrey SM4 5HJ.

The application received seeks to extend the sale by retail of alcohol for consumption off the premises, and to extend the opening and closing times allowing for the premises to open over a seven day period as follows:

Monday to Thursday 07:00 to 02:00 hours
Friday and Saturday 07:00 to 03:00 hours
Sunday 08:00 to 00:00 (midnight).

The current hours for the sale by retail of alcohol for consumption off the premises, and the opening and closing times on premises licence LN/000002629, are as follows:

Sale by Retail of Alcohol and Opening and Closing Times
Monday to Saturday 08:00 to 00:00 (midnight).
Sunday 09:00 to 23:00 hours.

The Licensing Authority has concerns that the granting of a premises licence to sell alcohol for the hours applied for will have an effect on crime and disorder as well as an increase in public nuisance in the locality. The applicant/ premises licence holder has failed to offer suitable and sufficient

control measures by addressing the four Licensing Objectives in section M of the premises licence variation application, received on the 5 October 2017.

The Licensing Authority reserves the right to submit further supporting evidence in connection with this representation, and to assist in oral evidence to be given at any Licensing Sub-Committee hearing organised to determine this application.

Yours faithfully,

Barry Croft

**Barry Croft
Licensing Manager
Licensing Team
Part of the Joint Regulatory Services Partnership for the
London Borough of Merton and the London Borough of Richmond upon
Thames.**



Public Health
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Direct Line: 020 8545 4834

Date: 01/11/2017

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

**Re: Application to Vary the Premises Licence under the Licensing Act 2003
Morden Food Centre 17 Morden Court Parade Morden Surrey SM4 5HJ – Premises Licence No.
LN/000002629**

The application received seeks to extend the sale by retail of alcohol for consumption off the premises, and to extend the opening and closing times allowing for the premises to open over a seven day period as follows:

Monday to Thursday 07:00 to 02:00 hours

Friday and Saturday 07:00 to 03:00 hours

Sunday 08:00 to 00:00 (midnight).

The current hours for the sale by retail of alcohol for consumption off the premises, and the opening and closing times on premises licence LN/000002629, are as follows:

Sale by Retail of Alcohol and Opening and Closing Times

Monday to Saturday 08:00 to 00:00 (midnight).

Sunday 09:00 to 23:00 hours.

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 on all four licensing objectives:

- 1. The prevention of crime and disorder**
- 2. Public safety**
- 3. Prevention of public nuisance**
- 4. The protection of children from harm**

Tackling alcohol misuse is central to achieving the outcomes in Merton's Health and Wellbeing Strategy: giving every child a healthy start in life, supporting people to improve their health, improving wellbeing, resilience and connectedness, and reducing the gap in life expectancy between the east and west of the borough. We want to create an environment and a culture in the borough that prevents problem drinking from starting and provides early help for people who are struggling. One of the ways we will be doing this is ensuring health and wellbeing considerations are presented for consideration in licensing decisions, in order to tackle alcohol-related crime and anti-social behaviour, ensure public safety and prevent harm to children.

The Merton Joint Strategic Needs Assessment (JSNA) chapter on alcohol sets out a summary of the available evidence on alcohol-related behaviours and consequences, as background to the importance of tackling alcohol effectively in the borough: <http://www.merton.gov.uk/health-social-care/publichealth/jsna/lifestyle-risk-factors/adults-substance-misuse/alcohol-jsna.htm>

1. The prevention of crime and disorder

Local data attached in the appendix reveals the following:

- 'Alcohol Related Issues' within 100m of the premises postcode was ranked in the top 20% for the borough.
- The ward in which the premises is located (Merton Park) ranked 5th out of 20 wards in the borough for ambulance-treated alcohol-related illness in adults.

This data suggests an existing significant impact of alcohol consumption in the local area. While the above data does not relate to these specific premises, it is likely that the granting of this variation as requested, particularly the increase in hours where alcohol will be sold, will contribute to the above trends relating alcohol to crime and disorder.

National and international scientific evidence shows the following:

- Overall, more alcohol is consumed when it is easily available.¹
- An increase in alcohol sales is strongly linked to an increase in drinking-related damage, for instance injuries and assaults.²
- Harmful use of alcohol is a major contributor to violence: alcohol use commonly precedes aggressive behaviour, and harmful drinking is associated with being both a perpetrator and a victim of violence³
- Reducing the availability of alcohol through regulating sales outlets, hours and prices can substantially decrease violence.³

2. Public Safety

Data on assaults, violence, and knife and gun injuries attached in Appendix 1 paint a picture of the impact of alcohol consumption in this specific area on both public safety and nuisance.

¹ Alcohol Concern UK (2012) Response to The Government's Alcohol Strategy (March 2012)

² Popova et al 2009, Hours and days of sale and density of alcohol outlets: impacts on alcohol consumption and damage: a systematic review. *Alcohol & Alcoholism* Vo. 44, No. 5, pp. 500-516

³ WHO 2009 Preventing violence by reducing the availability and harmful use of alcohol

3. Prevention of public nuisance

- ‘Alcohol-related disturbance reported by TFL’: Merton Park was ranked 4th out of 20 wards for this, and 2nd out of 20 wards for ‘BTP-reported drunken behaviour’. The Northern line joined the Night Tube in November 2016, and the premise in concern is located less than 200m away from Morden tube station. The extension of its opening hours up to 3 am on Friday and Saturday means alcohol would be available to those coming off the tube, thereby potentially encouraging them to stay out longer and continue drinking. This would further exacerbate the pre-existing issues highlighted above.

4. The protection of children from harm

In younger people, risky drinking behaviour is associated with anti-social behaviour and teenage conceptions⁴ .

Out of 20 wards, the premises’ ward is ranked 5th in the borough for alcohol illness treated by London Ambulance Service in underage drinkers (ages 8-17). The premises is located in the top 30% of areas in the borough for schools within 100m-500m, and is likely to be on the route to and from school for many children.

Conclusion

The applicant states a number of steps they will take to promote the licensing objectives; however we believe that these will not be sufficient to prevent an additional impact of the proposed change in licence on pre-existing the levels of alcohol-related crime and disorder and issues around public safety already seen in the area.

Therefore we would recommend that the Committee reject the application for a variation to this premise licence.

Yours sincerely,

Dr Rooah Omer

On behalf of Dr Dagmar Zeuner, Director of Public Health Merton

⁴ Merton JSNA: <http://www.merton.gov.uk/health-social-care/publichealth/jsna/lifestyle-risk-factors/adults-substance-misuse/alcohol-jsna.htm>

Appendix 1

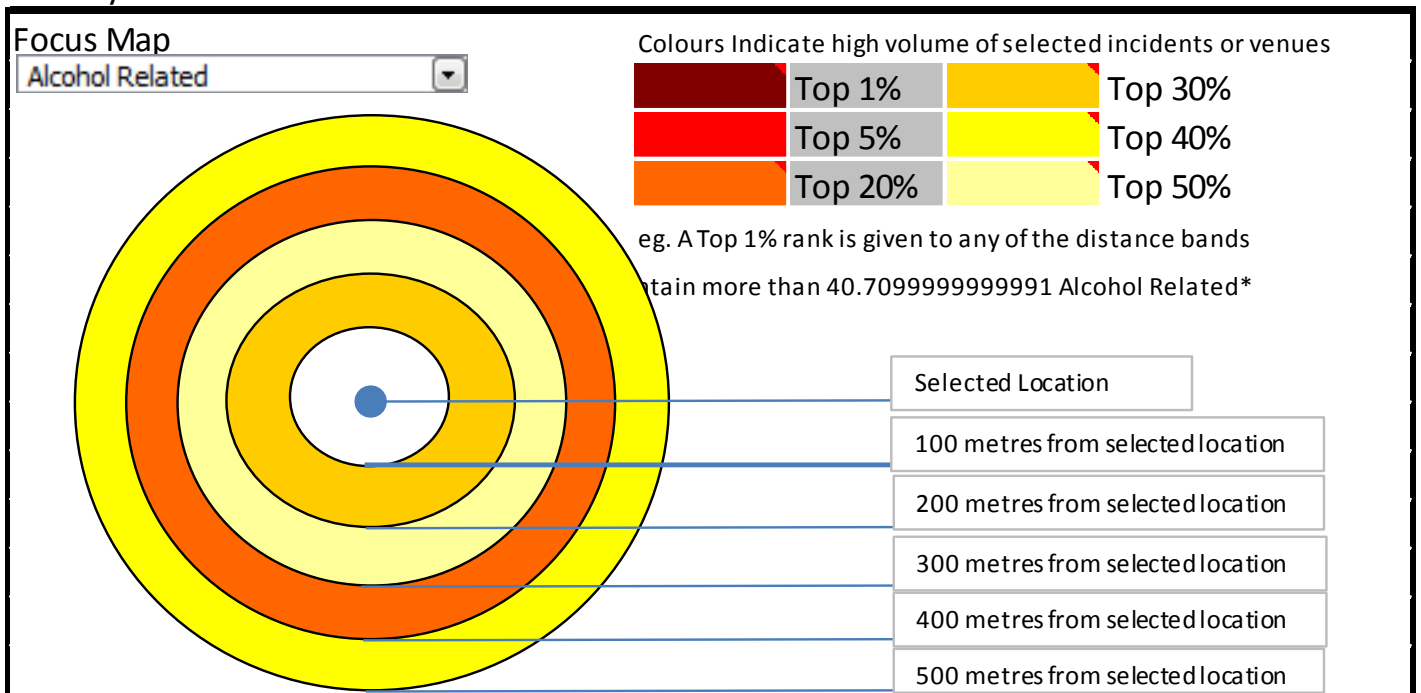
MERTON 'Traffic Light Dashboard' to: October 2015

PREVENTION OF CRIME AND DISORDER	
AMBULANCE DATA	
RANK ALL ASSAULTS 14 out of 20 wards	RANK SEXUAL ASSAULTS 7 out of 20 wards
RANK ALL WEAPON INJURIES 12 out of 20 wards	RANK KNIFE INJURY 5 out of 20 wards
RANK GUN INJURIES 1 out of 20 wards	RANK VIOLENCE AGAINST AMBULANCE CREW 15 out of 20 wards

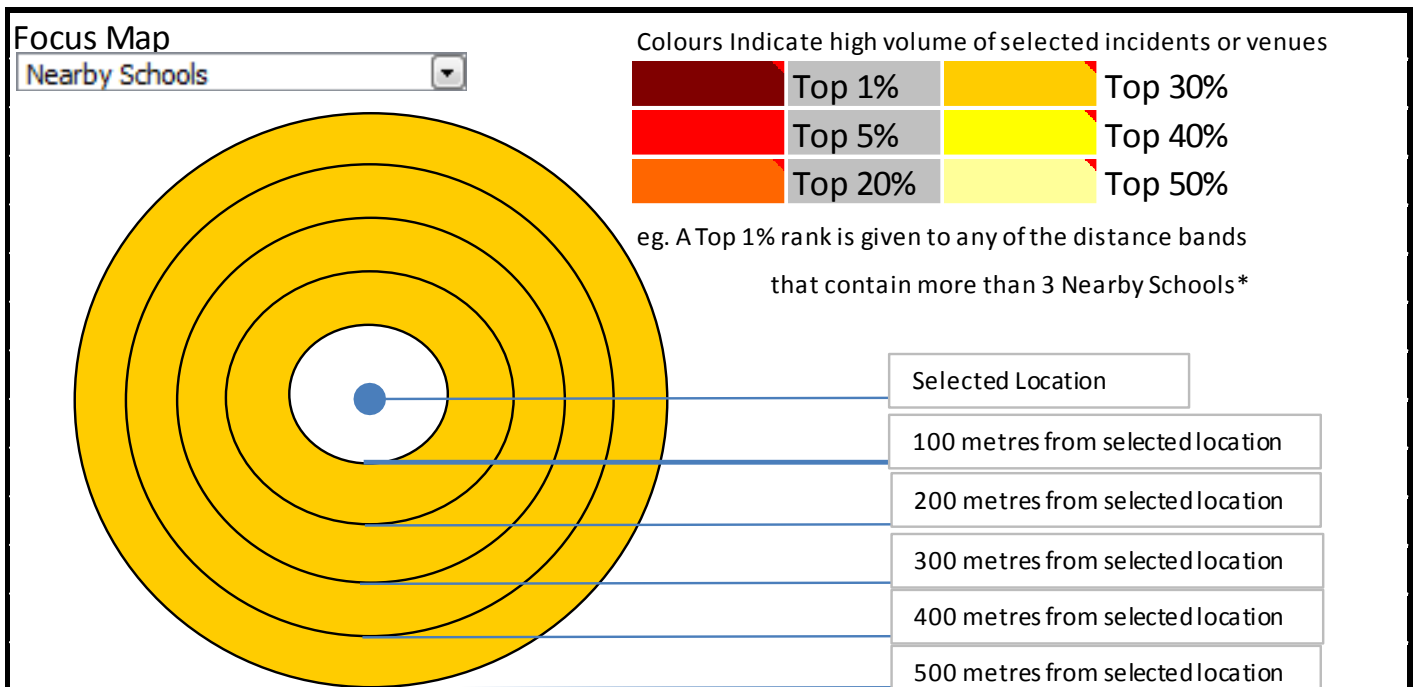
ALCOHOL ILLNESS TREATED BY LONDON AMBULANCE SERVICE		
ambulance data		
AGED 8 -17 5 out of 20 wards	AGED 18 - 25 6 out of 20 wards	
AGED 26 - 39 7 out of 20 wards	AGED 8 - 39 7 out of 20 wards	AGED 18+ 5 out of 20 wards

PUBLIC TRANSPORT ALCOHOL RELATED INCIDENTS	
BTP DRUNKEN BEHAVIOUR 2 out of 20 wards	TFL ALCOHOL RELATED DISTURBANCE 4 out of 20 wards

Bullseye' Indicators



Date range of Analysis: Year to October 2015.



Date range of Analysis: Year to October 2015



30/10/17

Dear Sir/Madam



I would like to object to the new hours of opening at the MORDEN FOOD Centre, to extend the time of when they can sell alcohol,

At the moment we have a drug problem in the area (please with local beat officer P.C John Weatherhead) and to make alcohol ever available, later in the night as a resident, would be unbearable.

David Galleymore

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