

Merton Council

Licensing Sub-Committee

Membership

Councillors:

Pauline Cowper

Philip Jones

John Sargeant

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

Date: 23 January 2018

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
- 4 323-323A London Road, Mitcham, CR4 4BE 1 - 32
- 5 The Terrace, Unit 301, Centre Court, Wimbledon, London, SW19 8ND 33 - 130

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

Email alerts: Get notified when agendas are published
www.merton.gov.uk/council/committee.htm?view=emailer

For more information about Merton Council visit www.merton.gov.uk

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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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



Licensing Act 2003 Notice of Extension of Time Limits

Date of issue of this notice: 04 January 2018

Subject of hearing: 323-323A London Road, Mitcham, CR4 4BE

The Licensing authority has decided to extend the time limits applying to this matter as follows:

Date by which a hearing would normally be required to be held: 18 January 2018

Period of extension to time limits applying to holding a hearing: 3 Working Days

Reasons for extending the time limits: To allow the authority to make proper arrangements for the application to be considered by a licensing sub-committee.

For enquiries about this matter please contact

Democratic Services
Civic Centre
London Road
Morden
Surrey
SM4 5DX

Telephone: 020 8545 3357

Email: democratic.services@merton.gov.uk

Useful documents:

Licensing Act 2003

<http://www.hms.gov.uk/acts/acts2003/20030017.htm>

Merton's Statement of Licensing policy

<http://www.merton.gov.uk/licensing>

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Licensing Sub-Committee Report

Subject of hearing: **323-323A London Road, Mitcham**

Date: **Tuesday 23 January 2018**

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 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 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 for a convenience store.

5.2 The applicant's have applied for the supply of alcohol for consumption off the premises from 08:00 to 22:00 Monday to Saturday and 09:00 to 21:00 Sunday.

5.3 We have received one representation from the Police.

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 Krzysztof Kacamarcayk & Mr Pawel Puzelko	
Statutory Authorities	
Metropolitan Police	
Interested Parties	
None	

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WK/201708749

**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.

I/We KRZYSZTOF KACAMARCAYK & PAWEL PUZELKO

(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 323-323A LONDON ROAD MITCHAM			
Post town	LONDON	Postcode	CR44BE
Telephone number at premises (if any)	02086488871		
Non-domestic rateable value of premises	18,000		

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)

Donnie Joseph
28.11.17 ✓

- 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Kaczmarczyk			First names Krzysztof		
Date of birth [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality - Polish					
Current residential address if different from premises address		[REDACTED]			
Post town [REDACTED]			Postcode		[REDACTED]
Daytime contact telephone number			[REDACTED]		
E-mail address (optional)		[REDACTED]			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Puzelko			First names Pawel		
Date of birth - [REDACTED]		I am 18 years old or over		<input checked="" type="checkbox"/>	Please tick yes
Nationality - Polish					
Current postal address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)	[REDACTED]				

(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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?
ASAP

DD	MM	YYYY
15	12	2017

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)

Retail convenience store currently selling polish and European food products and wishing to sell 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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed			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)		
Thur					
Fri					
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"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Tue					
			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)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<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)
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)			<u>Will the performance of live 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 performance of live music</u> (please read guidance note 5)		
Wed					
Thur					
			<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</u> (please read guidance note 6)		
Fri					
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"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Tue					
			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)		
Wed					
Thur					
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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 (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"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Tue					
			<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)		
Wed					
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 type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A 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) N/A		
Mon	0800	2200			
Tue	0800	2200			
Wed	0800	2200			
Thur	0800	2200			
Fri	0800	2200			
Sat	0800	2200			
Sun	0900	2100			

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 Krzysztof Kaczmarczyk	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) Exeter City Council	

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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 9).</p> <p>N/A</p>
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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) N/A
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) N/A
Mon	0800	2200	
Tue	0800	2200	
Wed	0800	2200	
Thur	0800	2200	
Fri	0800	2200	
Sat	0800	2200	
Sun	0900	2100	

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)

The premises is to be a joint business venture to expand the business currently in existence. It is in the main a shop frequented by the polish community providing food and products of polish origin. The clientele are nearly all local regular individuals who use the store for all purposes. It will be run solely and entirely by the premises licence holders who will also act as DPS therefore taking full responsibility for functioning of it. The sale of alcohol is very much ancillary to the sale of all other items offered. The DPS will strictly adhere to the Challenge 25 policy and refuse sale to anyone believed to have failed that or to be intoxicated already. The premises currently has installed extensive CCTV covering the front and rear of the premises as well as the entirety of the inside of it.

Having taken on board the concerns of the police we are able also to stipulate the following as suggested conditions to allay fears:

There will be no sale or display of beer or cider over 5.5% ABV, except for 6% ABV, if sold at £1.49 or more. Furthermore cans of beer and cider will only be sold in multiples of 4 or more. The lowest price at which canned beer or larger will be sold shall be £1.29.

Unless required by law there will be no indication in writing or pictures on any façade facing into the public highway that the premises sells or is licensed to sell alcohol for consumption off the premises.

Alcohol shall only be displayed or offered for sale within a specified area on the plan inside the premises.

Spirits shall only be displayed or offered for sale behind the counter shown on the plan and out of the reach of members of the public.

CCTV will be in operation and images stored for 18 days minimum.

A refusal and incident log will be strictly maintained and made available immediately to Police on their request. All staff to be trained in its use and its location maintained.

A minimum of two members of staff to be on premises at all times Monday to Thursday After 3pm each day three members of staff to be on premises at all times Monday to Thursday. Friday to Sunday a minimum of three members of staff to be on premises from opening to closing.

A personal licence holder to be present at all times that the premises is open.

NB: The point of sale system includes a built in age verification system which logs all refusals automatically on the server. There are only ever going to be two staff members employed at the premises who both have their own personal licences and will be retrained to conform to all policies.

b) The prevention of crime and disorder

Because of a failed application earlier this year there have been significant reviews at the store.

Challenge 25 – this policy has been reviewed with measures in place to secure adherence. This includes automatic age checks for all purchases of any alcohol. This takes place due to automatic scanning and each refusal is automatically logged on the server and available for inspection or printing on demand. (The name of the system is “Techcube” which is an HMRC registered system. All staff will be inducted again to ensure they follow the internal protocol on this issue (regardless of the fact they have to when prompted on the system upon each sale.)

CCTV – the CCTV will now be recorded throughout and retained for 28 days minimum. In line with above there are two cameras covering the serving area which will be recorded. The time and date stamp will match the entries on the system to verify any sale held to be in question.

We also suggest monthly liaison with the local police unit/council officers to monitor any difficulties or concerns and take advice on improvements

c) Public safety

The premises is covered by full insurance. CCTV throughout will be used not just to prevent crime but to safeguard the public. Fire alarms and smoke detectors are also to be installed.

Customers will not be allowed to loiter in the premises or around the outside of it.

The owner will seek constant advice from the Licensing Team and other relevant parties as to how difficulties can be managed and wants to become part of a wider responsible business community for the area.

d) The prevention of public nuisance

The premises is covered by full insurance. CCTV throughout will be used not just to prevent crime but to safeguard the public.

Customers will not be allowed to loiter in the premises or around the outside of it.

No low costs or low quality alcohol will be sold. No high strength alcohol will be sold either. Specifically there will be no sale or display of beer or cider over 5.5% ABV, except for 6% ABV, if sold at £1.49 or more.

e) The protection of children from harm

Challenge 25 – this policy has been reviewed with measures in place to secure adherence. This includes automatic age checks for all purchases of any alcohol. This takes place due to automatic scanning and each refusal is automatically logged on the server and available for inspection or printing on demand. (The name of the system is “Techcube” which is an HMRC registered system. All staff will be inducted again to ensure they follow the internal protocol on this issue (regardless of the fact they have to when prompted on the system upon each sale.)

CCTV – the CCTV will now be recorded throughout and retained for 28 days minimum. In line with above there are two cameras covering the serving area which will be recorded. The time and date stamp will match the entries on the system to verify any sale held to be in question.

We also suggest monthly liaison with the local police unit/council officers to monitor any difficulties or concerns and take advice on improvements

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.

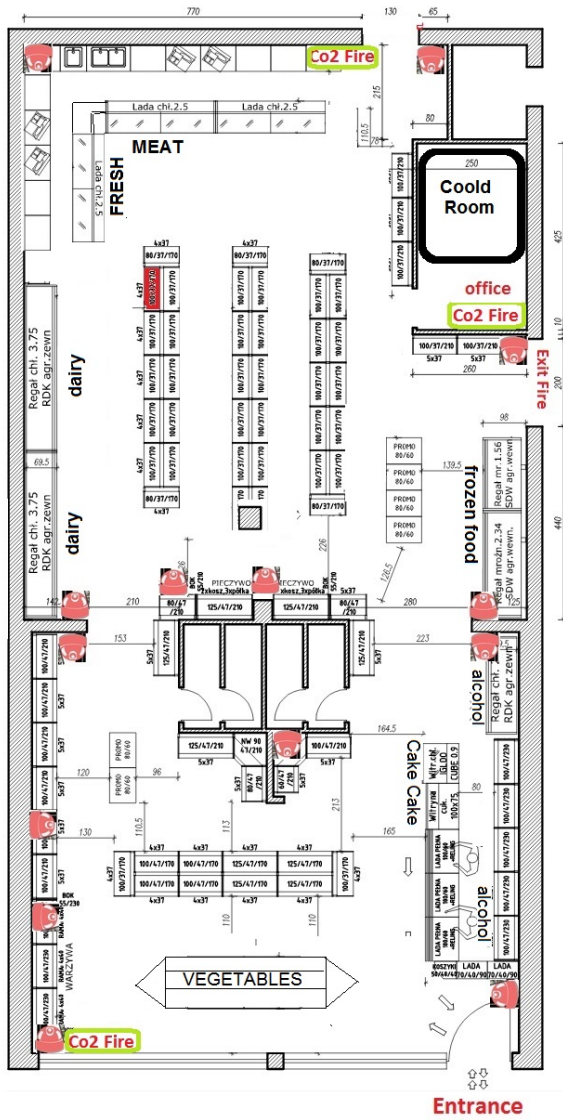
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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
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323-323A London Road,
Mitcham CR4 4BE

SCALE 1:100	PROJECT NAME	GROCERY STORE
	PLACE	LONDON
	CUSTOMER	P.PUZELKO
	DATE	11.04.2017
	He did	J. Ambroży
	checked	T.Wilk

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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

13th December 2017

Re:- Application for Premises Licence at 323-323a London Road, Mitcham. CR4 4BE

Dear Sir/Madam,

On 21st November 2017 an application was received from Mr Krzysztof Kaczmarczyk for a Premises Licence under Section 17 of the Licensing Act 2003.

The application can be summarised as follows:-

A shop at 323-323a London Road, Mitcham CR4 4BE. To sell alcohol from 8am to 10pm daily, for consumption off the premises.

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**

Mr Kaczmarczyk originally applied for a Premises Licence at this location in April 2017. I submitted representations on that occasion and the application was rejected at a Hearing by the Licensing Committee. Extensive conditions were offered up by the applicant at the hearing, but it was deemed that there would still be a negative impact regardless of the conditions.

The new application does set out a number of conditions to address the risks mentioned at the hearing, and I have no other conditions to suggest, but the premises remains well inside a CIZ and any additional alcohol sales at that specific location will have a negative impact.

The premises is situated inside a Cumulative Impact Zone specifically for shops selling alcohol for consumption off the premises. It has been agreed and documented that this area of Mitcham is currently saturated with shops selling alcohol and any additional such premises will add to the Cumulative Impact.

323 London Road is next door to The Job Centre and Benefits Agency at 321 London Road, and is at one end of a small parade of shops, with a smaller parade of similar shops immediately opposite. In this immediate vicinity there is an existing Off-Licence at 333 London Road (5 doors away), and another opposite at 384 London Road. There is a William Hill Bookmakers only 6 doors away at 335 London Road.

The pavement outside is exceptionally wide and accommodates a Bus Stop and Shelter. These conditions alone combine to create an attractive area for street drinkers to congregate.

Also immediately opposite the premises is a very busy car wash that employs a number of hand car washers. Employees and friends are often seen drinking from cans of beer at the car wash, and complaints have previously been received about staff urinating in the street.

Street Drinking is a serious and well documented problem in Mitcham Town Centre. So much so that there have been a number of official measures put in place to restrict the supply and consumption of alcohol:

- A Controlled Drinking Zone (CDZ) exists to prohibit drinking alcohol in public and gives Police alcohol seizure powers.
- Mitcham Town Centre is subject of a Cumulative Impact Zone (CIZ), relating solely to Off-Licences.
- An application has been submitted for a Public Space Protection Order to deal specifically with Street Drinkers.
- Responsible Retailers Agreement to self regulate sale of high strength beers and ciders.

Street Drinkers adversely affect both residents and businesses in Mitcham. Local residents regularly complain about drunk people urinating in the street and in gardens, dropping litter and empty drink cans, broken glass. Residents feel unsafe and are subjected to abuse when walking past groups of street drinkers loitering in public areas.

Local businesses suffer from regular low value thefts, as well as begging, threats of violence, abuse, and loss of genuine customers as a result.

I have previously compiled impact statements taken from local residents and businesses who have been affected by Street Drinkers.

Street Drinking and the associated Anti-Social Behaviour remains a serious problem in Mitcham despite the aforementioned control measures. In fact, since the phase 1 regeneration, the presence of street drinkers in Mitcham town centre has noticeably increased.

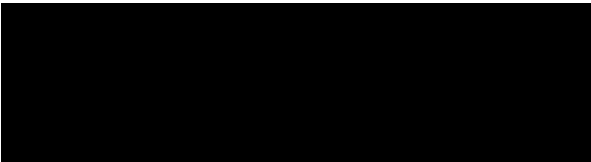
It is the view of the Police that if this application for a new Premises Licence was granted, there would most certainly be a negative impact in relation to the prevention of Crime and Disorder and the prevention of Public Nuisance. Street drinkers will be further attracted to the area immediately outside the premises, and they will loiter around their source of alcohol supply. Complaints re anti-social behaviour and general public nuisance will increase.

The Metropolitan Police advise that this application is rejected.

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

1. There will be no sale or display of beer or cider over 5.5% ABV.
2. Cans of beer and cider will only be sold in multiples of 4 or more.
3. Less than 15% of the total produce display will be for alcohol sales.
4. There must be a fully working, good quality digital CCTV system in operation at all times that the premises are open. Recordings must be kept for a minimum of 28 days and be made available to Police with the minimum of delay if requested.
5. A Challenge 25 Policy will be strictly operated.
6. A refusal and incident log will be strictly maintained and made available immediately to Police on request.
7. A minimum of three members of staff to be present when the premises is open on Friday/Saturday/Sunday, and a minimum of two staff on Mon/Tue/Wed/Thu.
8. A Personal Licence Holder to be present at all times that the premises is open.

Yours Faithfully



Russ Stevens PC 852VW 191701

Licensing Officer

Licensing Sub-Committee Report

Subject of hearing: **The Terrace, Unit 301-302. Centre Court Shopping Centre, The Broadway, London, SW19 8ND**

Date: **Tuesday 23 January 2018**

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 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 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 a variation application to an existing premises licence.

5.2 The applicant is applying to make changes to the plan the premises must adhere to. A copy of the plan currently in use and the plan the applicant wishes to substitute are attached to this report.

5.3 The applicant is also applying to open the premises at 9:00 each day. Currently their opening hours are 12:00 each day.

5.4 A condition has been offered in the operating schedule – "The supply of alcohol between 09:00 and 11:00 on any day shall be ancillary to a table meal".

- 5.5 A change of closing hours is requested for Thursday from midnight to 00:30.
- 5.6 Supply of alcohol on the premises to begin at 09:00 each day increased from 12:00 currently and to increase on Thursday from 23:00 to midnight.
- 5.7 We have received two representations.
- 5.8 Regarding the representations, it should be pointed out that the applicant is not seeking to increase occupancy; this is already a condition on their licence. Also "patrons shall not be permitted entry to the premises after 00:30" is also already a condition of the current licence.
- 5.9 To clarify a point made in a representation, Smash- a premises on the Broadway is not a new premises, it was previously named Po Na Na. BaBaBoom has taken over the premises previously occupied by Ahmed Restaurant.

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	
Darwin and Wallace Ltd, The Terrace	
Statutory Authorities	
None	
Interested Parties	
L.Avery	
Leigh Terrafranca, for Wimbledon E Hillside Residents' Assn (WEHRA)	

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WK/201708930



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 Darwin and Wallace Ltd

(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/000000762
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
The Terrace Unit 301 Centre Court Wimbledon			
Post town	London	Postcode	SW19 8ND

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£121,000

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)

1. Relocate bar counter
2. Relocate toilet facilities
3. Relocate kitchen
4. New fixed and loose seating arrangements throughout
5. Extend terminal hour for licensable activity on Thursday to midnight
6. Extend start time for alcohol to 09.00 with food every day and without food from 11.00
7. New opening time from 09.00 every day

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)			<u>Will the performance of a play 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 performing plays</u> (please read guidance note 6)		
Thur								
Fri						<u>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</u> (please read guidance note 7)		
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films 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								
Wed						State any seasonal variations for the exhibition of films (please read guidance note 6)		
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 7)					
Sat								
Sun								

C

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

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>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 performance of live music</u> (please read guidance note 6)		
Thur								
Fri						<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</u> (please read guidance note 7)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music 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								
Wed						State any seasonal variations for the playing of recorded music (please read guidance note 6)		
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 7)		
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								
Wed						<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur								
Fri						<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)		
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)			<u>Will the provision of late night refreshment 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 provision of late night refreshment</u> (please read guidance note 6)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

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 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 6)		
Mon	09.00	23.00			
Tue	09.00	23.00			
Wed	09.00	23.00			
Thur	09.00	00.00			
Fri	09.00	02.00			
Sat	09.00	02.00			
Sun	09.00	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 7)		

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> <p>None</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	09.00	00.00	
Tue	09.00	00.00	
Wed	09.00	00.00	
Thur	09.00	00.30	
Fri	09.00	02.30	
Sat	09.00	02.30	
Sun	09.00	22.30	

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.

Licence with the Council for transfer

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)

The supply of alcohol between 09.00 and 11.00 on any day shall be ancillary to a table meal

b) The prevention of crime and disorder

See box a

c) Public safety

See box a

d) The prevention of public nuisance

See box a

e) The protection of children from harm

See box a

Checklist:

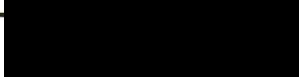
Please tick to indicate agreement

- 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	27 th November 2017
Capacity	Solicitors for applicant

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)

Craig Baylis
BLP
Adelaide House
London Bridge

Post town	London	Post code	EC4R 9HA
Telephone number (if any)	0203 400 2326		

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 for 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the

relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

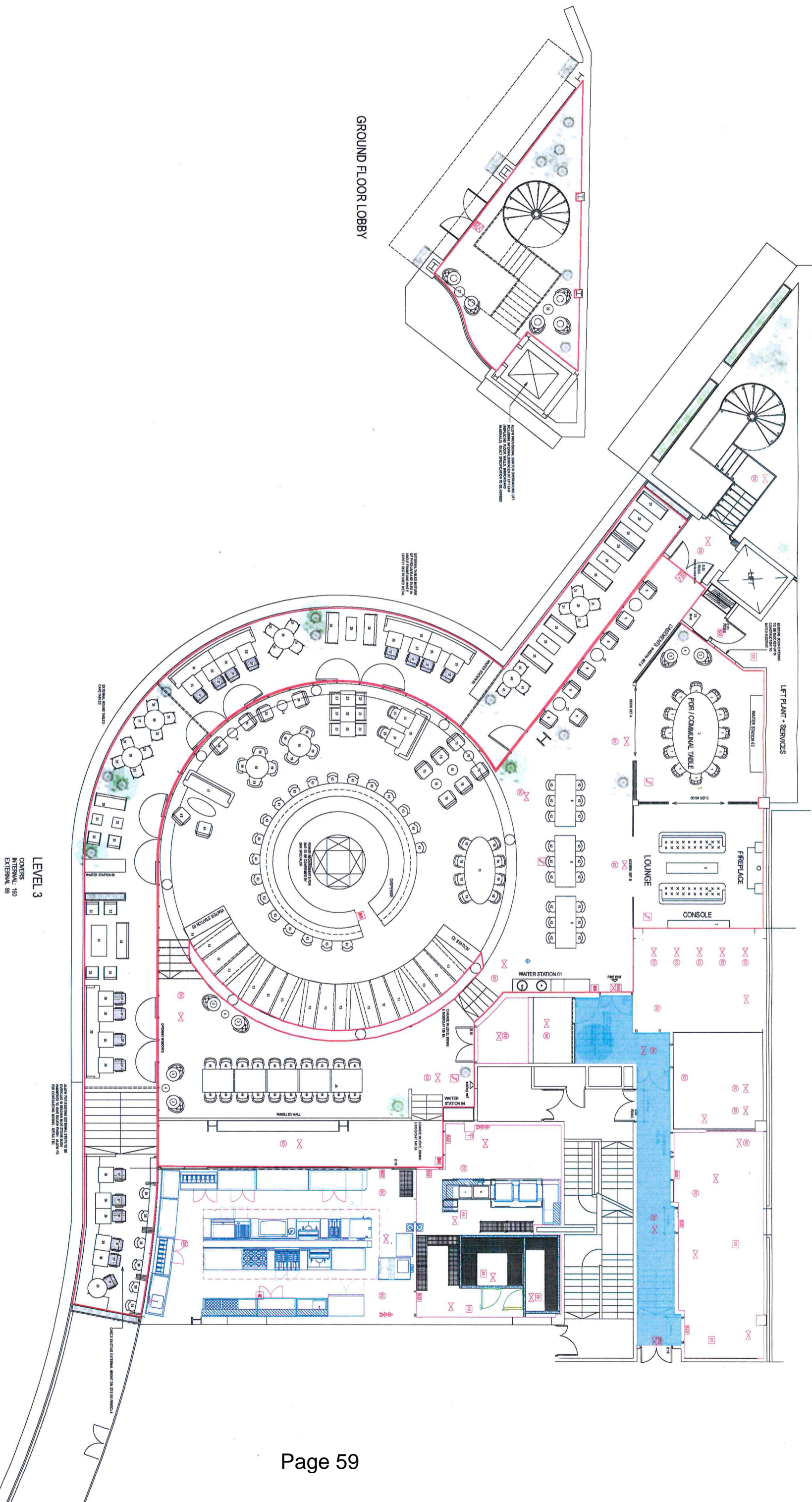
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. 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.
 9. 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'.
 10. 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.

11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

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GROUND FLOOR LOBBY



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LICENSING ACT 2003

Part A Premises licence

Premises licence number

LN/000000762

Part 1 - Premises details

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

**The Terrace
Unit 301-302
Centre Court Shopping Centre
The Broadway
London
SW19 8ND**

020 8944 9970

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	12:00	-	00:00
Tuesday	12:00	-	00:00
Wednesday	12:00	-	00:00
Thursday	12:00	-	00:00
Friday	12:00	-	02:30
Saturday	12:00	-	02:30
Sunday	12:00	-	22:30



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

On the premises

Licensable activities and permitted times authorised by the licence

Alcohol Sales

On the premises

Monday	12:00	-	23:00
Tuesday	12:00	-	23:00
Wednesday	12:00	-	23:00
Thursday	12:00	-	23:00
Friday	12:00	-	02:00
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Sunday	12:00	-	22:30

On New Year's Eve the supply of alcohol is extended from the terminal hour on New Year's Eve until the commencement of permitted hours on New Year's Day.

Live Music

Indoors

Monday	12:00	-	23:00
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Friday	12:00	-	02:00
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Sunday	12:00	-	22:30



Recorded Music

Indoors

Monday	12:00	-	23:00
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Sunday	12:00	-	22:30

Background only - e.g. TV and Radio etc 24 Hours

Performance of Dance

Indoors

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Anything Similar to Music and Dancing

Indoors

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Facilities for Music

Indoors

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Facilities for Dancing

Indoors

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Friday	12:00	-	02:00
Saturday	12:00	-	02:00
Sunday	12:00	-	22:30

Anything Similar to Facilities for Music and Dancing

Indoors

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Tuesday	12:00	-	23:00
Wednesday	12:00	-	23:00
Thursday	12:00	-	23:00
Friday	12:00	-	02:00
Saturday	12:00	-	02:00
Sunday	12:00	-	22:30



Late Night Refreshment

Indoors

Monday	23:00	-	00:00
Tuesday	23:00	-	00:00
Wednesday	23:00	-	00:00
Thursday	23:00	-	02:30
Friday	23:00	-	02:30
Saturday	23:00	-	02:30
Sunday		-	

The premises may also provide private entertainment for the purposes of gain at any time.

Part 2

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

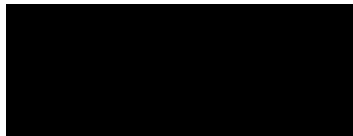
Darwin + Wallace Ltd
Hyde Park House
5 Manfred Road
London
SW15 2RS

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

08071866

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

Jessica Closs



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

Westminster City Council 



ANNEX 1 TABLE OF MANDATORY CONDITIONS UNDER THE LICENSING ACT 2003

1. That 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.
2. That every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. Where one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority by a licence granted under the Private Security Industry Act 2001 or entitled to carry out that activity by virtue of section 4 of the Private Security Industry Act 2001.
4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).



5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either -

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

8. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

9. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or



(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

10. The admission of children to the exhibition of any film is to be restricted in accordance with any recommendation made by the relevant film classification body or relevant licensing authority.

11. No condition may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under a licence that permits the performance of plays.



Annex 2

Conditions consistent with the Operating Schedule

1. The number of persons accommodated within the premises at any one time shall not exceed 307 plus staff.
2. A CCTV surveillance system shall be maintained and operated the whole time that the premises are open to the public, in accordance with the following:
 - i) Recordings shall be kept for a period of 3 months and copies made available for inspection by both the Police and Officers of the Council;
 - ii) The CCTV system shall be serviced and maintained on an annual contract with a company specialising in the maintenance and repair of CCTV systems.
3. Door Supervisors shall be employed when the premises are used after normal licensing hours.
4. All Door Supervisors employed shall be registered with the London Borough of Merton until such time as the SIA take over responsibility for such registration and licensing.
5. An incident book containing details of any significant public order issues shall be maintained. The incident book shall be available for inspection by Police, Local Authority and London Fire Brigade Officers at all reasonable times.

Annex 3 - Conditions attached after a hearing by the licensing authority

1. Patrons shall not be permitted entry to the premises after 00:30.

Annex 4

Premises Plan: Drawing 'FL07.107' of 12/12/2005.



LICENSING ACT 2003

Part B Premises licence summary

Premises licence number

LN/00000762

Part 1 - Premises details

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

**The Terrace
Unit 301-302
Centre Court Shopping Centre
The Broadway
London
SW19 8ND**

020 8944 9970

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	12:00	-	00:00
Tuesday	12:00	-	00:00
Wednesday	12:00	-	00:00
Thursday	12:00	-	00:00
Friday	12:00	-	02:30
Saturday	12:00	-	02:30
Sunday	12:00	-	22:30



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

On the premises

Licensable activities and permitted times authorised by the licence

Alcohol Sales

On the premises

Monday	12:00	-	23:00
Tuesday	12:00	-	23:00
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Background only - e.g. TV and Radio etc 24 Hours

Performance of Dance

Indoors

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Indoors

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Late Night Refreshment

Indoors

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The premises may also provide private entertainment for the purposes of gain at any time.



Part 2

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

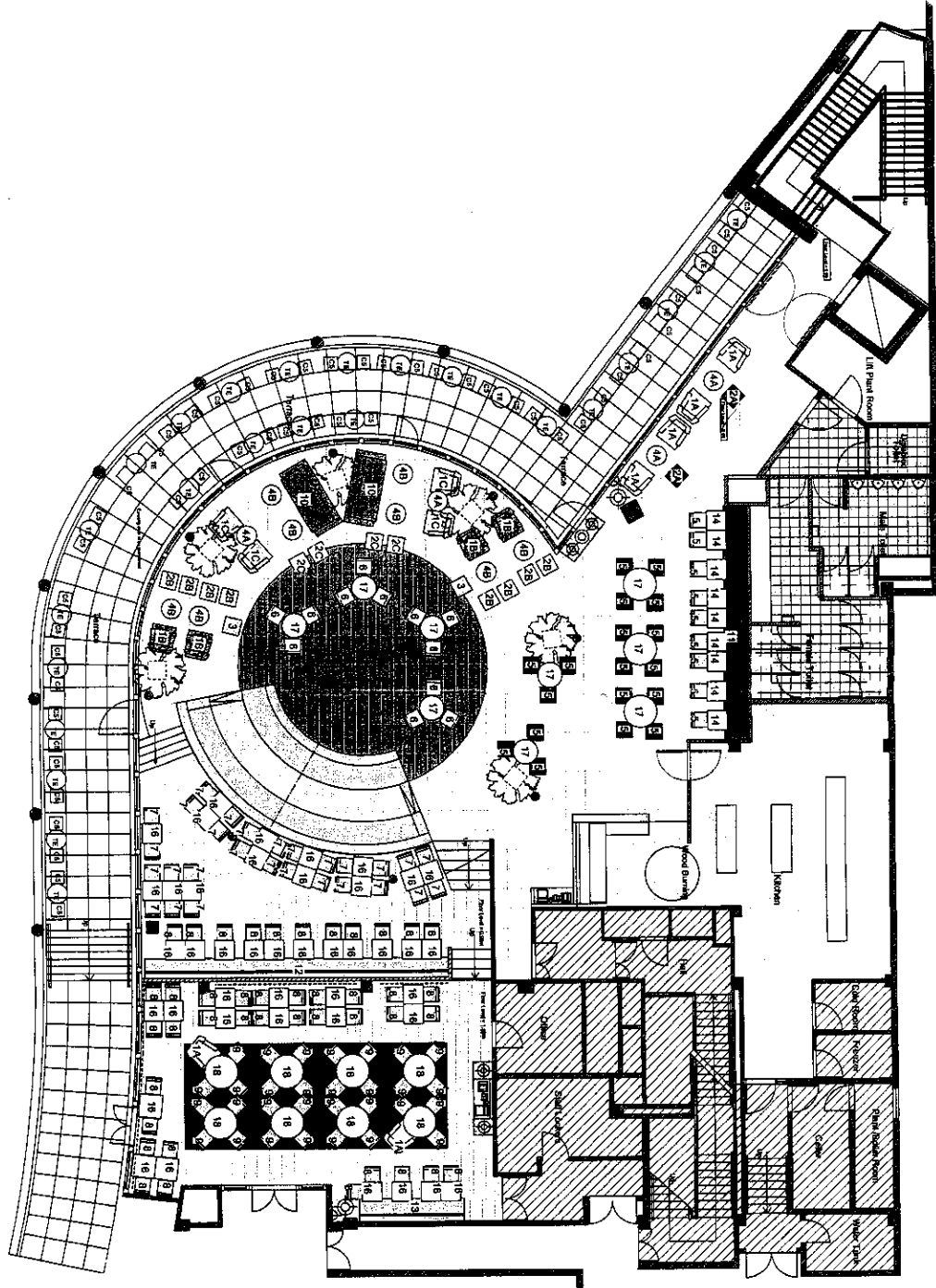
Darwin + Wallace Ltd
Hyde Park House
5 Manfred Road
London
SW15 2RS

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

08071866

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

Jessica Closs



FOR INFORMATION

© Miles Gibney Limited 5 Southpark Road London SW14 1J 120 7731 8141 120 7731 5255 www.tilney.com

Notes:
 1) NOT SCALE. All dimensions are approximate.
 2) All dimensions are approximate and should be confirmed on site prior to any construction work being undertaken.
 3) All dimensions are approximate and should be confirmed on site prior to any construction work being undertaken.
 4) All dimensions are approximate and should be confirmed on site prior to any construction work being undertaken.

Disclaimer:
 The information contained in this plan is for information only and should not be used as a basis for any construction work. It is the responsibility of the client to ensure that the information is accurate and up to date. The information is provided as a guide only and should not be used as a basis for any construction work.

Scale	1:75 @ A1
Date	07/10/05
Drawn by	HM
Project	FOOTLIGHTS RESTAURANT
File	FURNITURE LAYOUT PLAN
Revision	FL07107
Page	1

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DARWIN & WALLACE

A COLLECTION OF
NEIGHBOURHOOD BARS,
MORE HOME THAN
HIGH STREET







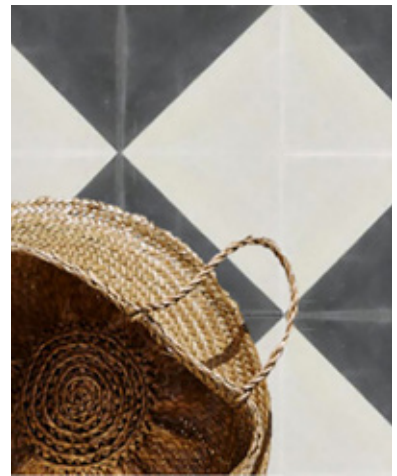
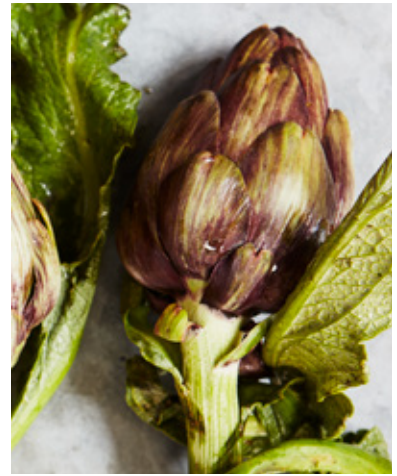
21ST CENTURY PUBS

In a city celebrated for its design, it's odd how many pubs feel formulaic. Frustrated with the abundance of mediocre, identikit "Gastropubs", Darwin & Wallace founder Mel Marriott wanted to turn unloved and under-performing sites into brilliant local bars.

Unique spaces which sound like private addresses; hand-picked (sometimes hand-made) style; delightful drinks from morning coffee to nightcaps (and everything in between); inspiring all-day food; spaces that evolve throughout the day; homes-from-home.







LOOK BEYOND
THE OBVIOUS,
WORK HARDER
THAN THE REST,
SURROUND YOURSELF
WITH THINGS
YOU LOVE...











SPACES

“ BEST DESIGNED
UK PUB ”

N°11 Pimlico Road
Casual Dining Awards
2014

“ BEST PUB ”

N°1 Duke Street
Restaurant & Bar Design Awards
2016

Because we take inspiration from their local areas, our bars are unique – distinct not just from the crowd, but from each other.

We are: Crafted typography, pared-back signage and interesting details. Menus feature bespoke abstract floral prints which change with the seasons. Provençal ceramic tiles, zinc and high-quality timbers create an aesthetic that is stylish but not intimidating – something people can relate to and take inspiration from for their own homes (as noted by the Evening Standard’s ‘Steal the Style’ feature).











No32, The Old Town





FOOD AND DRINK

Pubs are for socialising, and modern life starts early. Our fresh, convivial food and drink starts with serious breakfast options and runs until late – from coffee to nightcap. From virtuous to indulgent, whatever you want, whenever you want.





Rose Sour

35ml Bathtub Sloe Gin
 12.5ml Noilly Prat
 35ml Rose honey syrup
 25ml Lemon juice
 1 Egg-white
 1 Pinch dried rose

The Sour is a traditional family of mixed drinks which include spirit base, lemon/lime, an egg-white foam and a type of sweetener. Our sour is a refreshingly vibrant blend of English botanicals and berry notes, finished with the delicate and iconic floral sweetness of Rose. Perfect for any time of year.

Add all of the ingredients into a Boston shaker, without ice, and shake vigorously for around 15 seconds. This is referred to as a 'dry shaking' a cocktail, to ensure the egg white mixes well and creates a strong foam - essential for the classic Sour.

Add ice to the shaker, and shake once again (this is called the 'wet shake').

Double Strain it into a Coupette glass, and garnish with a sprinkle of dried roses over the foam.



Crushed Avocado And Feta

Sourdough bread, sliced

4 Avocados, diced

240g Feta

20ml Chilli oil, plus extra for drizzling

1 tsp toasted sesame seeds, plus extra for serving.

10g Coriander leaf, chopped

5g Lemon zest

15ml Lemon juice

Salt to taste

A brunch favourite for all our bars, this morning pick-me-up is a perfect way to start the day. Serves 4.

Marinated Feta:

Dice the Feta & marinate in lemon zest, olive oil, salt & pepper.

Chilli Oil:

Warm 200ml good quality rapeseed oil & add 10g dried chilli flakes, remove from the heat. This can be bottled and kept in a good lock top bottle.

Avocado Mix:

Place diced avocado, Feta, coriander, chilli oil, lemon juice, Sesame Seeds and salt and pepper.

Toss them to combine and mix well.

To Serve:

Grill the sourdough Bread with a little olive oil & salt

Divide the avocado mixture evenly between the plates spooning it on top of the sourdough.

Drizzle chilli oil, sesame seeds and picked coriander over the top.







BESPOKE

We're frequently asked about our design and furniture and we'd love to connect our collaborators with a wider audience.

We work with independent artisans to create spaces with integrity. These are London's pioneers, brave enough to go out on their own and make a mark. Their combination of contemporary design and classic technique creates distinct pieces with inherent quality.

COLLABORATORS INCLUDE

Lou Davies
Box 9 design
box-9.co.uk

Lee Thornley
Bert & May
bertandmay.com

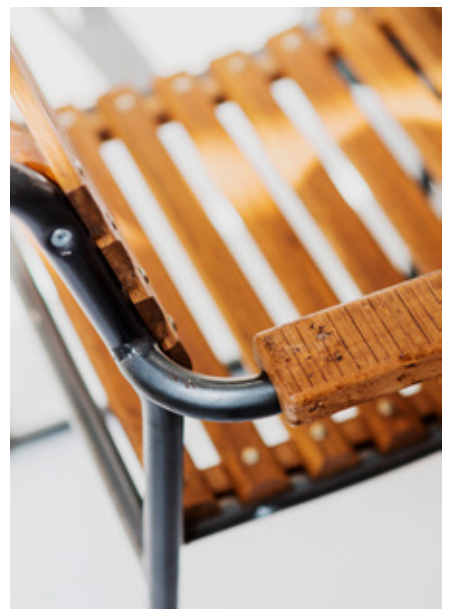
Ben Cotton
Hang Up Pictures
hanguppictures.com

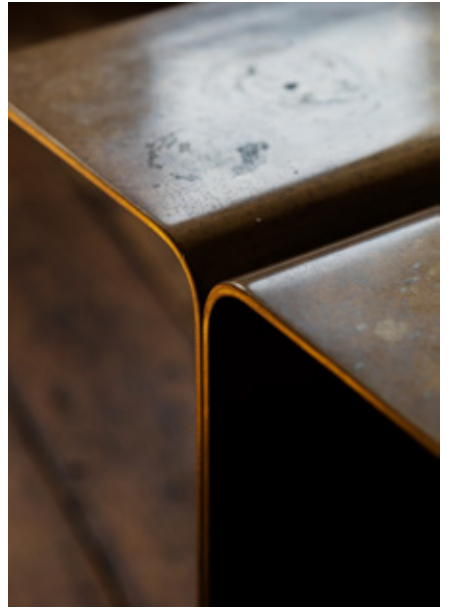
Lionel Real de Azúa
Red Deer
reddeer.co.uk

Marcus Hazell
The Frenchhouse
thefrenchhouse.co.uk

Jan Hendzel
Jan Hendzel Studio
janhendzel.com



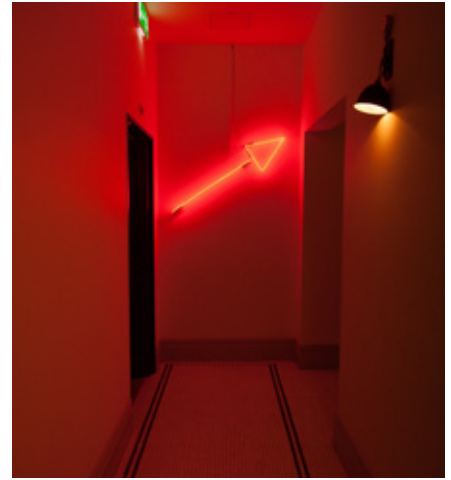












THE ADDRESS

Pubs are about people. We want to make a positive contribution to London's villages – beyond delicious food and drink in beautiful bars. From playlists to profiles of local businesses we love, we engage with neighbourhoods through The Address. A membership club without the fee, customers who sign up receive music, recipes, ideas and the occasional delightful offer.

DARWIN & WALLACE

OUR BARS

Nº 11
PIMLICO
ROAD

No.11 Pimlico Road
London SW1W 8NA
no11pimlicoroad.co.uk

Nº 197
CHISWICK
FIRE
STATION

197-199 Chiswick high road
London W4 2DR
no197chiswickfirestation.co.uk

Nº.1a
Duke
St.

1a Duke street, Richmond
London TW9 1HP
no1adukestreet.co.uk

Nº 32
The Old
Town

32 The Pavement
London SW4 0JE
no32theoldtown.co.uk

NEW SITE OPENING IN BATTERSEA POWER STATION, SPRING 2017

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Licensing, London Borough of Merton

6th December 2017

1st Floor Annexe, Civic Centre, London Road,

Morden, SM4 5DX Email: licensing@merton.gov.uk

Re: The Terrace, Unit 301-302, Centre Court Shopping Centre, The Broadway,
London, SW19 8ND

Application Ref: WK/201708930

The Applicant:

I recently received notification of a “premises licence variation” for the above. However, when I visited their website (to determine current opening hours/menu offering of a morning – to better understand why they had applied for a licence to sell alcohol from 9.00am) I read the following announcement:

“It is with great sadness that after 24yrs of service, we have now closed. At the end of our 25yr rental lease, we were unable to renew to keep this independent family business going”

...so I was unsure who (precisely) had applied for these licence variations. On checking, I discovered it was definitely not the original owners, but someone new who has patently decided to keep the name. As this is the case, it means (I would suggest) that the previous “clean history/good character” of this establishment is not a relevant factor on which to make a positive decision.....if this is ultimately the decision made.

Background as to why I (a Hillside resident) am challenging a Trinity licence application change

As you will see from my address below, I actually live in the Hillside area of Wimbledon, which is a short distance from Centre Court. So you might wonder why I am writing in. My reasons are two-fold:

1. If granted, these extended hours set a worrying precedent in that they could well have a “domino effect” on other A3 premises in the area. And with a reported upcoming planning application to convert x3 ground floor sites in the conservation listed bank buildings (at the foot of Wimbledon Hill Rd) into one huge/single site, with a planned application to convert the huge single unit to A3, it would mean that this quiet residential area (full of owner occupied homes, many of them with school-age children) would be at the mercy of both late night noise and early morning drinking...particularly worrying as, additionally, there is a school at the end of Alwyne plus Wimbledon High (for girls) is diagonally opposite where the new (giant) site is planned.

2. Our street suffers from the fact that “paid for parking” stops at 6.30pm. This means that of an evening, our road is awash with the cars of those visiting the (walking distance) pubs; bars; restaurants of the nearby Broadway. On their return, we are awoken by slamming doors (as they depart) and (very) loud voices – as they laugh and joke and “bid farewell” to their friends/associates. So, if any extended hours are similarly applied for (to that of The Terrace) from the developer (of the bank buildings) this will mean we are all woken up around 2.00am.

Specifics (of my concerns re this licence change)

I object to:

- The extended hours being granted for the Thursday. This is mid working week and can only result in extending the Friday > Sunday weekend “merriment”, which will result in public nuisance. The police are already under pressure to maintain order in the Town Centre and this will increase this (pressure) even further.....a real worry given Sadiq Khan has seemingly got his way to close Wimbledon Police Station. And I find the closing times of 02.00 of a Friday and Saturday equally worrying. Being leisure days, this means increased night time visitors, the majority of whom will be respectful, but as we have seen from previous police reports (for this area) not all will & these sort of hours (with the possibility of even longer hours being applied for, given the 24hr train service offered of a weekend) can only lead to increased crime and disorder and a worry about public safety.
- The extended time to sell alcohol starting @ 9.00am. This is post the rush hour, so will attract “harder core” drinkers (thus changing the nature of the customers we have previously seen @ The Terrace) who may stay for several hours, resulting in the increased likelihood of public nuisance. A neighbour (on seeing this requested start time) said to me: “Do they think Wimbledon residents are alcoholics?”. As I replied to them: “Well, we’re not currently, but if these sort of hours become the norm.....who knows what the future holds”!!!

I urge you to stop these “drip, drip” type of licence extension applications blighting our area.

L. AVERY

Cc: David Williams – Hillside Councillor; Daniel Holden – Hillside Councillor;
Leigh Terrafranca - WEHRA

From:**Sent:** 23 December 2017 09:44**To:** Licensing; Licensing**Cc:****Subject:** Terrace Premises Variation, Centre Court, Wimbledon SW19

Dear Sir/Madam,

I write to provide WEHRA's views on the above proposal to convert this venue into a larger, more concentrated restaurant/club. Specifically, the applicant seeks the following:

- Relocate bar counter;
- Relocate toilet facilities;
- Relocate kitchen;
- New fixed and loose seating arrangements throughout;
- Extend terminal hour for licensable activity on Thursday to midnight ;
- Extend start time for alcohol to 09:00 with food every day and without food from 11:00;
- New opening time from 09:00 every day.

Relocate Bar

The proposal is for a change of focus, to become more of a bar/club than at present.

Already on most nights the town is overrun with drunks from outside Wimbledon. We do not wish this venue to become a late bar/nightclub.

New fixed and loose seating throughout

We are not comfortable with this change, as it suggests easy conversion to a club later at night. Wimbledon already has a problem with drunks/drugged young singles from outside the area, who come to Wimbledon looking for excitement.

Extend terminal hour on Thursday

In a word, No. We don't want any further increase of licensable activity during the work week. The town is saturated with nighttime licensed premises as it stands, and this is a very large venue for Wimbledon. (Perhaps with these changes, it would become the largest?)

Local residents are white collar workers, many younger families with school aged children; professional people who have to get to bed by 11 and up at dawn to get to work/school. When venues have been permitted later week-night openings, there is a correlation with noise disturbance and other anti-social behaviour, parking problems (with car engine sounds waking residents from their sound sleep) and litter, vomit, urine, even blood left behind. The town shuts down on week-days after 11 pm; we do not want that precious right to quiet enjoyment jeopardised by a new venue of this size/scale.

New opening time from 9 am every day; extend start time for alcohol to 9 am daily

This would be an unwelcome change. We already have 20+ places for coffee/meal at 9 am within a few hundred yards, including a large pub that opens at 9 am. Another would just cannibalise from existing operations.

"Patrons not permitted entry after 12:30 am"

This condition indicates the applicant still intends to operate as a self-styled private 'club' after midnight. This venue has had serious incidents in the past, and given its size and location, it could be difficult to police; also difficult for other town centre users to navigate around-in the paved area outside Centre Court.

Q: Should this be a New Licence Application?

This is a new owner of the business, and we feel that it is wrong to grant a Premises Variation to a new group. There is a likelihood further damage could be caused to the wider town after midnight.

The application proposes **307 guests plus staff**, and this increase in size and scale is inappropriate for Wimbledon. The site should instead be considered for retail or a mixed use such as Roast at Borough Market, with fruit/veg sold below, or other such future-looking businesses. This is Centre Court, and strategically, core frontage should be used to invite/attract daytime footfall to the mall (footfall is poor at present, and dwell time is 15 minutes) One wonders what the owners of Centre Court think, as it appears detrimental to the cumulative success of their asset - a mid-market, daytime-focussed shopping mall.

Q: Every previous venue has struggled to operate a restaurant/club here, since it was built in 1990.

This is the town's enclosed shopping mall, and the food court upstairs is - for most hours of the day - nearly deserted. The Licensing Committee has allowed so many more licensed premises in the town centre. Should the council further saturate the town with more food/drink, and impoverish all of Centre Court's other food businesses. What does Costa, Starbucks, Kaldi, Cafe Nero, Pret, & Pasta think of yet another 9 am opening right next door?

FACT: Wimbledon is a Cumulative Impact Area. Three new food/drink venues have opened within the past few months: Itsu and Joe & the Juice right across the road, Smash on the Broadway, and soon BaBaBoom will be opening (early 2018). The applicant must demonstrate they will not increase the Cumulative Impacts from licensed premises in WTC.

This application should be refused, for the Prevention of Crime and Disorder, Public Nuisance, and the promotion of public safety. After the Station forecourt, Centre Court has the heaviest footfall, and any new business should support

daytime/evening shopping activity. The town need more creativity and diversity, more focus on daytime retail and other goods/services that suit Wimbledon people.

Yours sincerely,

Leigh Terrafranca, for Wimbledon E Hillside Residents' Assn (WEHRA)

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Mr Craig Baylis

8th January, 2018

Berwin Leighton Paisner

Adelaide House, London Bridge, London, EC4R 9HA

Dear Craig

Re: Darwin & Wallace Licence Application – Your letter (to me) of 5th January 2018

Thank you for your recent letter (which arrived on Saturday) regarding my letter of objection to Merton Council (re licence extensions at The Terrace).

You mention that I have made a number of assumptions that are “far from reality”, not least that your Client’s premises will operate as a nightclub. In fact, I make no mention of this in my letter...so I think you must be confusing me with someone else who has written in. And although badly worded on my part (so open to misinterpretation), I am aware that Friday and Saturday currently has a 2.30am closing time....my reason for making this point was simply to reinforce (to the Council) my concern that these sort of extended opening hours/early morning closings impact on the local community.

It is gratifying to read that your Client intends spending £1.5Million on refurbishment “to a very high standard” and this “high standard” is amply demonstrated in the document “set” you enclosed (with your letter). Additionally, the awards mentioned:

- “Best Designed UK Pub” (Pimlico) – 2014
- “Best Pub (Duke Street) – 2016

speak volumes. The premises as they currently stand have become somewhat “tired and unloved” in recent years and it is good to learn that such a prime location will soon be brought back to its former glory.

My main concerns are, however (and remain so) the one hour extension to the terminal hour on the Thursday (for the reasons stated in my letter) and the sale of alcohol starting at 9.00am. This may already be happening in your client’s other premises, but for us it is a worrying precedent - which we are concerned that other premises less closely monitored than yours (with your sales ratio being (I seem to remember reading) 60:40/alcohol: food + alcohol without food not being available until 11.00am) will want to replicate.

We have had to fight hard (over the last few years) to ensure our area does not become a “mini me” of Croydon and even as I write, a plan is currently under way to convert the wonderful conservation buildings (41 > 47 Wimbledon Hill Road) into a 94 room hotel, with double basement build and no parking facilities. With the entrance to this 24/7 operation being on a quiet residential road of owner-occupied family homes. Thus sucking Wimbledon nightlife into a relatively unspoilt area....compounded by the fact that the plan is (additionally) to convert x3 retail sites** into one huge A3 site that will sit on the corner of Alwyne and Wimbledon Hill Road.

***One of which is a jewellery shop started in the late 1800's.*

NB Should your client wish to see a 3D build of these plans, they will be available for viewing this Thursday @ Wimbledon Library from 2.00pm >8.00pm

This whole exercise, we are convinced, is to capitalise on the influx of away fans once AFC Wimbledon football stadium (which will be built in parallel) is completed.

So, in conclusion Craig, although I appreciate your offer to meet with yourself/the owners of Darwin & Wallace, I am afraid there would be little that you could say to change my resolve on these two (for me) crucial issues. But, ultimately, of course.....this decision is not mine to make, but that of the Council.

However, I am really reassured as to the nature of your Client's offering (they are now very much a "known entity", rather than just an anonymous name) and I look forward to visiting (with friends) The Terrace's newly refurbished premises once completed.....just not at 9.00am in the morning for a quick breakfast drink to start the day (joke)!!

Regards.

LYNN (Avery)

PS As the design of each of your client's offerings is unique to the areaa thought. If your Design Company has not already spoken to The Wimbledon Society (a charity whose remit is to protect local conservation buildings) they might find it useful to do so, as the museum they have at the top of Wimbledon Hill Road is awash with photographs of "olden times", which give a real flavour of what Wimbledon used to be like (before it became known primarily for the All England Tennis).

Additionally, local conservation groups have worked closely with the redevelopers of Wellington** House (at the base of Wimbledon Hill Road) to maximise their "green" credentials and ensure the building is "sensitive" to its historical surroundings (just as the buildings opposite have done with the inclusion of farmhands carrying sheaths of wheat inlaid into each of their columns – a homage to the areas agricultural heritage.)

***Although currently "under wraps", my understanding is that these are being removed shortly. But, of course (as you will know) details on all of this can be provided by Merton Council's planning department.*

All/any of this would, of course, generate positive PR for your client, as too will (of course) their philosophy (quoted in their brochure) of "giving back to the local community".