

Merton Council

Licensing Sub-Committee

Membership

Councillors:

Agatha Mary Akyigyina OBE

Nick Draper

Nick McLean

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

Date: 20 November 2018

Time: 10.30 am

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

Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 Tasoo Ltd, CMYK (PKA The Pod Bar), 105/109 The Broadway, 1 - 64
London, SW19 1QG

Note on declarations of interest

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

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

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Procedure to be followed at Licensing Hearing

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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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

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Licensing Sub-Committee Report

Subject of hearing: **Tasoo Ltd, CMYK (PKA The Pod Bar), 105/109 The Broadway, London, SW19 1QG**

Date: **20 November**

Time: **10:30am**

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

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

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

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

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

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

2.3 Variation of premises licence: s35

(i) To modify the conditions on the licence

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

3. Hearing papers

3.1 The applications, notices and representations for determination by the sub-committee are contained in the hearing bundle (attached) together with any relevant existing licence. This includes any documents which must be sent to any of the parties to the hearing under Regulation 7(2) and Schedule 3 of The Licensing Act 2003 (Hearings) Regulations 2005. This bundle has been issued to all parties to the hearing and forms part of this report.

4. Legal advice to the sub-committee

4.1 A legal officer appointed by the South London Legal Partnership will attend the hearing to advise the sub-committee on statutory provision and legal matters.

5. Licensing Officer Comments

5.1 This is an application to vary an existing premises licence.

5.2 The application seeks to extend the hours for licensable activities from 02:00 to 02:30 Mondays to Saturdays.

5.3 The application also seeks to remove certain conditions from the licence, to add conditions to it and to amend others, details of which are in the application.

5.4 There have been 11 representations, two supporting the application and 9 opposing it.

For enquiries about this hearing please contact

Democratic Services

Civic Centre

London Road

Morden

SM4 5DX

Telephone: 020 8545 3357

Email: democratic.services@merton.gov.uk

Parties to the hearing

This document forms part of the notice of hearing.

The following are parties to the hearing having submitted relevant applications, notices or representations under the statutory provisions indicated:

Applicant	
Tasoo Ltd	
Statutory Authorities	
Metropolitan Police (in support)	
Interested Parties	
Jean Bedding	
Georgia Enright	
Neil Hamilton	
Dr Wajid Mannan & Mrs Sajeda Mannan	
Louise Robinson	
Wimbledon E Hillside Residents Association	
Kenneth Durbin	
Sophie Hamilton	
David Waterfield	
Love Wimbledon (in support)	

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

We TASOO 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/000001184

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
CMYK (PKA THE POD BAR),
105/109 THE BROADWAY,
LONDON SW19 1QG

Post town

LONDON

Postcode

SW19 1QG

Telephone number at premises (if any)

Non-domestic rateable value of premises

£35200

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

gtlicensingconsultants@googlemail.com

Current postal address if
different from premises
address

UNION SUITE,
51/59 ROSE LANE,
NORWICH,
NORFOLK,
NR1 1BY

Post town

NORWICH

Postcode

NR1 1BY

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? XYes 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 XNo

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

1) TO CHANGE THE NAME OF THE PREMISES TO 'CMYK'.
2) TO EXTEND THE PERMITTED HOURS FOR ALL AUTHORISED LICENSED ACTIVITIES TO 02.30 THE FOLLOWING DAY FROM MONDAY TO SATURDAY. THERE IS NO CHANGE REQUESTED FOR SUNDAY.
3) TO REMOVE CONDITIONS 1,3,6 & 8 FROM THE PART OF THE LICENCE HEADED 'CONDITIONS CARRIED OVER ON TRANSITION FROM THE PUBLIC ENTERTAINMENT LICENCE.' NOTE CONDITION 3 RE CCTV IS REPLACED BY THE CONDITION AT 5B) BELOW.
4) AS AGREED WITH THE POLICE LICENSING OFFICER:
A) TO REMOVE CONDITIONS NUMBER 1,2 & 4 FROM ANNEX 3 OF THE PREMISES LICENCE.
B) TO AMEND CONDITIONS AT ANNEX 3 OF THE PREMISES LICENCE AS FOLLOWS:
CONDITION 5 AMEND TO "ON SUNDAY & THURSDAY NIGHTS THE PREMISES MUST EMPLOY AT LEAST TWO (2) SIA LICENSED DOOR SUPERVISORS FROM 21.00 HOURS."
CONDITION 6 AMEND TO "ON MONDAY TO WEDNESDAY NIGHTS THE PREMISES MUST EMPLOY AT LEAST ONE (1) SIA LICENSED DOOR SUPERVISOR FROM 21.00 HOURS."
CONDITION 7 AMEND TO "ON FRIDAY & SATURDAY NIGHTS THE PREMISES MUST EMPLOY AT LEAST TWO (2) SIA LICENSED DOOR SUPERVISORS FROM 21.00 HOURS. FROM 22.00 HOURS THE PREMISES MUST EMPLOY AT LEAST FOUR (4) SIA LICENSED DOOR SUPERVISORS."
CONDITION 9 TO BE AMENDED TO " THE PREMISES MUST EMPLOY DEDICATED TOILET ATTENDANTS TO SUPERVISE BOTH THE MALE AND FEMALE TOILETS AT ALL TIMES AFTER 22.00 HOURS ON FRIDAY, SATURDAY AND SUNDAY NIGHTS WHEN THE PREMISES IS OPEN TO THE PUBLIC." NOTE THE REMAINDER OF THE CONDITION REMAINS UNCHANGED.
5) TO ADD CONDITIONS AT ANNEX 2 OF THE PREMISES LICENCE AS FOLLOWS:
A) ALL DOOR SUPERVISORS EMPLOYED AT THE PREMISES MUST WEAR BODY WORN VIDEO CAMERAS WHILST ON DUTY. FOOTAGE MUST BE RETAINED FOR A MINIMUM OF 28 DAYS AT THE PREMISES, AND MUST BE MADE AVAILABLE TO THE POLICE ON REQUEST.
B) THE PREMISES MUST MAINTAIN A GOOD QUALITY DIGITAL CCTV SYSTEM COVERING AREAS OF THE PREMISES AS ADVISED BY THE POLICE LICENSING OFFICER. FOOTAGE MUST BE KEPT FOR A MINIMUM OF 28 DAYS AT THE PREMISES AND MADE AVAILABLE TO POLICE WITHOUT DELAY ON REQUEST. THERE MUST BE A MEMBER OF STAFF FULLY CONVERSANT WITH THE OPERATION OF THE CCTV SYSTEM, ON THE PREMISES AT ALL TIMES THAT IT IS OPEN TO THE PUBLIC.

C) IF THE VARIATION IS GRANTED IT SHALL NOT COME INTO EFFECT OR BE USED UNTIL SUCH TIME AS THE SUBSTANTIAL REFURBISHMENT OF THE PREMISES HAS BEEN UNDERTAKEN AND COMPLETED AND THE PREMISES IS BEING PROMOTED AS AN LGBT FRIENDLY VENUE.

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:

N/A

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) X
- f) recorded music (if ticking yes, fill in box F) X
- g) performances of dance (if ticking yes, fill in box G) X
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) X

Provision of late night refreshment (if ticking yes, fill in box I) X

Supply of alcohol (if ticking yes, fill in box J) X

In all cases complete boxes K, L and M

A 7

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

C 7

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			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
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 indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	X
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	10.00		<u>Please give further details here</u> (please read guidance note 5)		
		02.30			
Tue	10.00				
		02.30			
Wed	10.00		<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) NONE		
		02.30			
Thur	10.00				
		02.30			
Fri	10.00		<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) ON NEW YEAR'S EVE THE PERMITTED HOURS FOR ALL AUTHORISED LICENCED ACTIVITIES ARE EXTENDED FROM THE TERMINAL HOUR ON NEW YEAR'S EVE UNTIL THE COMMENCEMENT OF PERMITTED HOURS ON NEW YEAR'S DAY.		
		02.30			
Sat	10.00				
		02.30			
Sun	10.00				
		02.00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	X
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	10.00		Please give further details here (please read guidance note 5)		
		02.30			
Tue	10.00				
		02.30			
Wed	10.0		State any seasonal variations for the playing of recorded music (please read guidance note 6) NONE		
		02.30			
Thur	10.00				
		02.30			
Fri	10.00		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) ON NEW YEAR'S EVE THE PERMITTED HOURS FOR ALL AUTHORISED LICENCED ACTIVITIES ARE EXTENDED FROM THE TERMINAL HOUR ON NEW YEAR'S EVE UNTIL THE COMMENCEMENT OF PERMITTED HOURS ON NEW YEAR'S DAY.		
		02.30			
Sat	10.00				
		02.30			
Sun	10.00				
		02.00			

G 1

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	X
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	10.00	02.30			
Tue	10.00	02.30			
Wed	10.00	02.30	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6) NONE		
Thur	10.00	02.30			
Fri	10.00	02.30	<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) ON NEW YEAR'S EVE THE PERMITTED HOURS FOR ALL AUTHORISED LICENCED ACTIVITIES ARE EXTENDED FROM THE TERMINAL HOUR ON NEW YEAR'S EVE UNTIL THE COMMENCEMENT OF PERMITTED HOURS ON NEW YEAR'S DAY.		
Sat	10.00	02.30			
Sun	10.00	02.00			

H 7

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	X
Mon	10.00			Outdoors	<input type="checkbox"/>
		02.30		Both	<input type="checkbox"/>
Tue	10.00		<u>Please give further details here</u> (please read guidance note 5)		
		02.30			
Wed	10.00				
		02.30	<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) NONE		
Thur	10.00				
		02.30			
Fri	10.00		<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) ON NEW YEAR'S EVE THE PERMITTED HOURS FOR ALL AUTHORISED LICENCED ACTIVITIES ARE EXTENDED FROM THE TERMINAL HOUR ON NEW YEAR'S EVE UNTIL THE COMMENCEMENT OF PERMITTED HOURS ON NEW YEAR'S DAY.		
		02.30			
Sat	10.00				
		02.30			
Sun	10.00				
		02.00			

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment</u> <u>take place indoors or outdoors or both –</u> <u>please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23.00		<u>Please give further details here</u> (please read guidance note 5)		
		02.30			
Tue	23.00				
		02.30			
Wed	23.00		<u>State any seasonal variations for the provision of late night</u> <u>refreshment</u> (please read guidance note 6) NONE		
		02.30			
Thur	23.00				
		02.30			
Fri	23.00		<u>Non standard timings. Where you intend to use the premises for</u> <u>the provision of late night refreshment at different times, to those</u> <u>listed in the column on the left, please list</u> (please read guidance note 7)		
		02.30			
Sat	23.00		ON NEW YEAR'S EVE THE PERMITTED HOURS FOR ALL AUTHORISED LICENCED ACTIVITIES ARE EXTENDED FROM THE TERMINAL HOUR ON NEW YEAR'S EVE UNTIL THE COMMENCEMENT OF PERMITTED HOURS ON NEW YEAR'S DAY.		
		02.30			
Sun	23.00				
		02.00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	X
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6) NONE <u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7) ON NEW YEAR'S EVE THE PERMITTED HOURS FOR ALL AUTHORISED LICENCED ACTIVITIES (INCLUDING THE SUPPLY OF ALCOHOL) ARE EXTENDED FROM THE TERMINAL HOUR ON NEW YEAR'S EVE UNTIL THE COMMENCEMENT OF PERMITTED HOURS ON NEW YEAR'S DAY.		
Mon	10.00	02.30			
Tue	10.00	02.30			
Wed	10.00	02.30			
Thur	10.00	02.30			
Fri	10.00	02.30			
Sat	10.00	02.30			
Sun	10.00	02.00			

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). NONE</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) NONE
Day	Start	Finish	
Mon	10.00		
		03.00	
Tue	10.00		
		03.00	
Wed	10.00		
		03.00	
Thur	10.00		Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) ON NEW YEAR'S EVE THE PERMITTED HOURS FOR ALL AUTHORISED LICENCED ACTIVITIES ARE EXTENDED FROM THE TERMINAL HOUR ON NEW YEAR'S EVE UNTIL THE COMMENCEMENT OF PERMITTED HOURS ON NEW YEAR'S DAY.
		03.00	
Fri	10.00		
		03.00	
Sat	10.00		
		03.00	
Sun	10.00		
		02.30	

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.

1) TO REMOVE CONDITIONS 1,3,6 & 8 FROM THE PART OF THE PREMISES LICENCE HEADED 'CONDITIONS CARRIED OVER ON TRANSITION FROM THE PUBLIC ENTERTAINMENT LICENCE.'

2) TO REMOVE CONDITIONS NUMBER 1,2 & 4 FROM ANNEXE 3 OF THE PREMISES LICENCE

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.
THE PREMISES LICENCE HAS BEEN LOST BUT A COPY HAS BEEN REQUESTED WITH
THE RECENT TRANSFER APPLICATION.

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 PREMISES OPERATES AS A NIGHT CLUB. THE CHANGES HAVE BEEN AGREED WITH THE POLICE LICENSING OFFICER. WE CONSIDER THAT THE REQUESTED LATER HOURS WILL REDUCE THE OVERALL NEGATIVE CUMULATIVE IMPACT IN THE AREA BY REDUCING PEOPLE TRAVELLING TO THE NEARBY LATER OPENING VENUE, REDUCING PEOPLE WAITING IN THE STREET AND RETAINING THEM IN CMYK UNTIL CLOSE. IT WILL ALSO AID IN THE ORDERLY DISPERSAL OF PEOPLE AT THE CLOSING TIME. THE PREMISES WILL BE LGBT FRIENDLY. EXCEPT FOR THE CONDITIONS REQUESTED TO BE REMOVED OR AMENDED, THE OTHER EXISTING CONDITIONS WILL REMAIN IN FORCE.

b) The prevention of crime and disorder

AS AGREED WITH THE POLICE LICENSING OFFICER TO ADD THE FOLLOWING CONDITIONS TO THE PREMISES LICENCE.
A) ALL DOOR SUPERVISORS EMPLOYED AT THE PREMISES MUST WEAR BODY WORN VIDEO CAMERAS WHILST ON DUTY. FOOTAGE MUST BE RETAINED FOR A MINIMUM OF 28 DAYS AT THE PREMISES, AND MUST BE AVAILABLE TO THE POLICE ON REQUEST.
B) THE PREMISES MUST MAINTAIN A GOOD QUALITY DIGITAL CCTV SYSTEM COVERING AREAS OF THE PREMISES AS ADVISED BY THE POLICE LICENSING OFFICER. FOOTAGE MUST BE KEPT FOR A MINIMUM OF 28 DAYS AT THE PREMISES AND MADE AVAILABLE TO POLICE WITHOUT DELAY ON REQUEST. THERE MUST BE A MEMBER OF STAFF FULLY CONVERSANT WITH THE OPERATION OF THE CCTV SYSTEM, ON THE PREMISES AT ALL TIMES THAT IT IS OPEN TO THE PUBLIC.
C) IF THE VARIATION IS GRANTED IT SHALL NOT COME INTO EFFECT OR BE USED UNTIL SUCH TIME AS THE SUBSTANTIAL REFURBISHMENT OF THE PREMISES HAS BEEN UNDERTAKEN AND COMPLETED AND THE PREMISES IS BEING PROMOTED AS AN LGBT FRIENDLY VENUE.
EXCEPT FOR THE CONDITIONS REQUESTED TO BE REMOVED OR AMENDED, THE OTHER EXISTING CONDITIONS WILL REMAIN IN FORCE.

c) Public safety

EXCEPT FOR THE CONDITIONS REQUESTED TO BE REMOVED OR AMENDED, THE OTHER EXISTING CONDITIONS WILL REMAIN IN FORCE.

d) The prevention of public nuisance

EXCEPT FOR THE CONDITIONS REQUESTED TO BE REMOVED OR AMENDED, THE OTHER EXISTING CONDITIONS WILL REMAIN IN FORCE.

e) The protection of children from harm

EXCEPT FOR THE CONDITIONS REQUESTED TO BE REMOVED OR AMENDED, THE OTHER EXISTING CONDITIONS WILL REMAIN IN FORCE.

Checklist:

Please tick to indicate agreement

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

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	28/09/18
Capacity	AUTHORISED LICENSING CONSULTANT

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) GT LICENSING CONSULTANTS, 55 CODENHAM GREEN, BASILDON, ESSEX, SS16 5DT			
Post town	LONDON	Post code	SS16 5DT
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) gtlicensingconsultants@googlemail.com			

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.

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LICENSING ACT 2003

Part A Premises licence

Premises licence number

LN/000001184

Part 1 - Premises details

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

**CMYK
105-109 The Broadway
London
SW19 1QG

020 8540 8339**

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	10:00	-	02:30
Tuesday	10:00	-	02:30
Wednesday	10:00	-	02:30
Thursday	10:00	-	02:30
Friday	10:00	-	02:30
Saturday	10:00	-	02:30
Sunday	10:00	-	02:30

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

On and Off the premises



Licensable activities and permitted times authorised by the licence

Alcohol Sales

On and Off the premises

Monday	10:00	-	02:00
Tuesday	10:00	-	02:00
Wednesday	10:00	-	02:00
Thursday	10:00	-	02:00
Friday	10:00	-	02:00
Saturday	10:00	-	02:00
Sunday	10:00	-	02:00

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	10:00	-	02:00
Tuesday	10:00	-	02:00
Wednesday	10:00	-	02:00
Thursday	10:00	-	02:00
Friday	10:00	-	02:00
Saturday	10:00	-	02:00
Sunday	10:00	-	02:00

Recorded Music

Indoors

Monday	10:00	-	02:00
Tuesday	10:00	-	02:00
Wednesday	10:00	-	02:00
Thursday	10:00	-	02:00
Friday	10:00	-	02:00
Saturday	10:00	-	02:00
Sunday	10:00	-	02:00

Performance of Dance

Indoors

Monday	10:00	-	02:00
Tuesday	10:00	-	02:00
Wednesday	10:00	-	02:00
Thursday	10:00	-	02:00
Friday	10:00	-	02:00
Saturday	10:00	-	02:00
Sunday	10:00	-	02:00

Anything Similar to Music and Dancing

Indoors

Monday	10:00	-	02:00
Tuesday	10:00	-	02:00
Wednesday	10:00	-	02:00
Thursday	10:00	-	02:00
Friday	10:00	-	02:00
Saturday	10:00	-	02:00
Sunday	10:00	-	02:00

Facilities for Music

Indoors

Monday	10:00	-	02:00
Tuesday	10:00	-	02:00
Wednesday	10:00	-	02:00
Thursday	10:00	-	02:00
Friday	10:00	-	02:00
Saturday	10:00	-	02:00
Sunday	10:00	-	02:00



Facilities for Dancing

Indoors

Monday	10:00	-	02:00
Tuesday	10:00	-	02:00
Wednesday	10:00	-	02:00
Thursday	10:00	-	02:00
Friday	10:00	-	02:00
Saturday	10:00	-	02:00
Sunday	10:00	-	02:00

Anything Similar to Facilities for Music and Dancing

Indoors

Monday	10:00	-	02:00
Tuesday	10:00	-	02:00
Wednesday	10:00	-	02:00
Thursday	10:00	-	02:00
Friday	10:00	-	02:00
Saturday	10:00	-	02:00
Sunday	10:00	-	02:00

Late Night Refreshment

Indoors

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

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

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

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



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

Tasso ltd



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



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

Ms Evthokia Sortiris Sortiriou



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





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.



12/11/09: Approved Minor Variation application to alter the premises layout in accordance with submitted plan 4354/02.

Conditions carried over on transition from the Public Entertainment Licence

- (1) The Council's Rules of Management for Places of Public Entertainment shall apply to the premises.
- (2) The maximum number of persons that may be accommodated at any one time in the premises shall not exceed 180 plus staff. Ground floor bar and mezzanine: 120. Basement: 60 with the exception of those patrons using the toilet facilities.
- (3) The installed CCTV surveillance system shall be maintained and operated the whole time that the premises are open to the public, in accordance with the following:
 - 1) Recording tapes shall be of good quality and changed daily
 - 2) Recorded tapes shall be kept in a secure store for a period of 31 days and be available for inspection by both the Police and Officers of the Council,
 - 3) A register of tapes shall be maintained, including both the tape number and details of persons handling such tapes
 - 4) Tapes may be reused/recorded after 31 days have elapsed
 - 5) The CCTV system shall be serviced and maintained on an annual contract with a company specialising in the maintenance and repair of CCTV systems.
- (4) All amplified sound played on the premises shall be through the installed electronic noise limiter which restricts the installed sound system output to a threshold limit (as yet to be determined and agreed with the Environmental Health Department of the Council) in the centre of the ground floor bar area.
- (5) The installed noise limiting system shall be secured such that the only persons that have access to it is the Licensee.
- (6) Certification shall be provided by the Licensee on annual renewal of the Public Entertainments Licences, that the installed monitoring system has been checked and serviced by a competent company to ensure that the system is functioning correctly.
- (7) An incident book containing details of any significant public order issues is to be maintained. The incident book shall be available for inspection by Police, Local Authority and London Fire Brigade Officers at all reasonable times.
- (8) Door Supervisors employed at any time must be currently registered with the Security Industries Authority.

Annex 2 - Conditions consistent with the Operating Schedule

NONE



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

That the interim steps continue until this decision takes effect.

That the following conditions are attached to the premises licence:

Personnel

1. The Designated Premises Supervisor Mr Sotiris Sotirou is to be replaced by a DPS approved in advance by the police licensing officer.
2. Mr Ricardo Martins is not to be employed at the premises in any capacity.
3. A personal licence holder must be present at the premises at all times it is open for licensable activities.

Hours

4. On Friday and Saturday nights the premises shall close to the public at 02:30hrs. All licensable activities, with the exception of late night refreshment, shall end by 02:00hrs. There shall be no entry or re-entry (save for smokers) after 00:30hrs.

Door supervisors and toilet attendants

5. On Sunday and Thursday nights the premises must employ at least two door supervisors from 21:00hrs (or when 40 or more customers are in the premises). The door supervisors must remain on duty for at least 30 minutes after the premises closes to the public.
6. On Monday-Wednesday the premises must employ at least one door supervisor from 21:00hrs (or when 40 or more customers are in the premises). The door supervisors must remain on duty for at least 30 minutes after the premises closes to the public.
7. On Friday and Saturday nights from 21:00hrs the premises must employ at least two door supervisors (or when 40 or more customers are in the premises). From 22:00hrs the premises must employ at least four door supervisors, at least two of whom must monitor the entry door and smoking area, at least one must monitor the 1st floor mezzanine, and at least one must monitor the ground floor. The door supervisors must remain on duty for at least 30 minutes after the premises closes to the public.
8. All door supervisors are to be provided by a reputable independent SIA company approved in advance by the police licensing officer.



9. The premises must employ dedicated toilet attendants to supervise both the male and female toilets at all times after 22:00hrs when the premises is open to the public. A written log must be kept identifying the attendant on duty at any particular time. This log is to be kept at the premises and made available to police and local authority officers upon request.

Policies: Searching, Queuing and Dispersal, Anti-Drugs, Smoking Area

10. In consultation with the police licensing officer the premises must draw up and implement a customer search policy ensuring that customers and their bags are searched prior to entry or re-entry.

11. In consultation with the police licensing officer the premises must draw up and implement a queuing and dispersal policy designed to minimise noise and disorder caused by customers in the immediate vicinity of the premises. This policy must include a procedure to regulate the number of customers within the premises at any one time (e.g. by use of a clicker).

12. In consultation with the police licensing officer the premises must draw up and implement a Smoking Policy designed to ensure that no more than 14 customers are permitted in the designated smoking area at any one time after 22:00hrs when the premises is open to the public .

13. In consultation with the police licensing officer the premises must draw up and implement an "Anti-Drug Policy". This policy must include procedures and steps to minimise the risk of illegal drugs being brought into, used, or sold at the premises. This policy must include steps to prevent admission to persons who appear to be drunk or under the influence of illegal drugs.

Signage

14. Prominent signage is to be put up in the premises advising customers of (i) the zero drugs policy and (ii) the need to be quiet upon leaving the premises to avoid disturbing residents.

Noise outbreak

15. The noise limiter is to be recalibrated and its setting approved by an officer of the licensing authority responsible for Environmental Health/Noise Nuisance.

16. The external doors of the premises must remain shut at all times save to temporarily permit the entry and exit of customers.

17. No music is to be played in the front bar area after 23:00.

Training



18. All staff at the premises are to be trained in drink and drug awareness. This must include recognising the signs of drunkenness and drug intoxication and use. Refresher training must be provided at least once a year. A written log of all training is to be kept at the premises and made available to police and local authority officers upon request.

Other

19. A locked drugs box must be installed to deposit any confiscated drugs.

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The Licensing Department
The London Borough of Merton
Merton Civic Centre,
London Road,
Morden
SM4 5DX

**VW - Merton Borough, SW BCU.
VW - Wimbledon Police Station.**

Wimbledon Police Station
15-23 Queens Road
London
SW19 8NN

Telephone: [REDACTED]
Email: Russ.Stevens@met.police.uk

12th October 2018

Re:- Application for Variation to Premises Licence LN/000001184 (CMYK)

Dear Sir/Madam,

On 1st October 2018, an application was received from TASOO Ltd for a Premises Licence to be varied under Section 34 Licensing Act 2003 at the premises currently known as The Pod Bar, 105-109 The Broadway, Wimbledon, SW19 1QG.

The application can be summarised as follows:-

- To change the name of the premises to CYMK.
- To extend permitted hours for all currently licensed activities by 30 minutes to 2:30am, Monday to Saturday.
- To remove/amend certain conditions that are no longer deemed appropriate to the proposed change in operation.
- To add a condition regarding use of Body Worn Video Cameras by security staff.

The terms of the variation, if granted, will not come into effect until the substantial refurbishment has been completed and the venue is being promoted as LGBT friendly.

The Metropolitan Police Service fully supports this application, as it is our view that the Premises Licence Variation will have a positive effect on three of the four Licensing Objectives, namely:

- The Prevention of Crime and Disorder**
- The prevention of Public Nuisance**
- Public Safety.**

Currently, The Pod Bar is a small, poorly lit nightclub, playing House and Garage music to clientele in their 20s. It is in desperate need of redecoration and has been left behind by other venues in Wimbledon that have upgraded and re-branded. The occasional assault takes place inside the premises, and despite the excellent staff's best efforts, The Pod contributes to more than a fair share of Wimbledon's night time incidents of disorder and Anti Social Behaviour. Without a significant upgrade soon, the venue will deteriorate and crime/ASB will increase.

There are two more late night venues in Wimbledon Down Centre vying for a similar market, Smash (opposite) and Tunnel 267, further along The Broadway. Tunnel 267 is licensed to

sell alcohol to 3am, closing at 3:30am Monday to Saturday. Smash, is also licensed to sell alcohol to 3am, close at 3:30 Friday and Saturday, to 2am (2:30am close) Monday to Thursday. Currently, when The Pod closes at 2:30am, customers often take the option of rushing to Smash or Tunnel 267 for a final half hour of drinking. This can promote reckless and excessive alcohol consumption. Extending the applicant's closing time by 30 minutes will remove the last hour rush to other venues and create a more effective staggered dispersal.

The additional half hour across licensed activities, and removal/amendment of certain restrictive conditions will allow the applicant to undertake a full refurbishment of the venue and re-open as a gay friendly venue. I have had several meetings with the applicant to discuss the proposed refurbishment in great detail and my recommendations have been fully accepted. Communication between us is excellent and I have full confidence in the licence holder's ability to operate a safe and responsible late night venue.

CYMK will be marketed as an LGBT friendly venue and the benefits of this to Wimbledon town centre are potentially huge. The risk of crime and ASB connected to the venue will most certainly plummet. Diversity within the Night Time Economy is well documented as important in reducing crime and promoting public safety.

When the PoNaNa nightclub opposite re-branded to Smash in 2017, the reduction in crime and ASB was instant. The quality of the clientele improved and change in atmosphere was immediate. The knock on effect was noticed by other venues in that area of the town centre as the quality of clientele increased. Wimbledon town centre has become safer as nicer people, less inclined to be involved in ASB or disorder, are drawn to the area. I am confident that the change from The Pod to CYMK will have the same effect.

I firmly believe that the creation of CYMK will have a positive effect on the overall profile of Wimbledon's NTE by reducing risk of crime and increasing safety. The terms of the proposed variation will not have a negative impact on any of the four licensing objectives.

I fully support this application and I recommend that the Premises Licence Variation is granted.

Yours Faithfully

A solid black rectangular box redacting the signature of the Licensing Officer.

Russ Stevens PC 3852SW 191701

Licensing Officer

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

From:

Sent: 21 October 2018 17:26

To: Licensing <Licensing.Licensing@merton.gov.uk>

Subject: WK/201806990

With reference to the above amendment to the current license I wish to object to the proposal. The premises which back on to our house causes a lot of noise and commotion already and now that The Broadway is no longer solely a commercial centre but increasingly residential with the development of the flats above the shops it impacts on more residents.

From Jean Bedding

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

From: Georgia Enright

Sent: 18 October 2018 19:10

To: Licensing

Subject: Complaint WK/201806990

Dear council,

I wish to complain about a licence application. I live on Russell Road and we're experiencing a lot of noise disturbance with local bars (e.g Smash and Weatherspoons, Theatre etc) open late. We have drunk people walking down the street once these premises close and we have had fighting on the street outside our house, people fouling in our front garden, people jumping out fence etc. We DO NOT want another bar nearby being granted a late licence, especially for loud music and alcohol.

Therefore we strongly appose application WK/201806990, especially given this was closed for drug possession with the previous owner actually being a family member of the current applicant.

I'm not sure what the next steps are but feel free to call me on

Kind regards,
Georgia Enright

Sent from my iPhone

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From: Neil Hamilton
Sent: 19 October 2018 21:55
To: Licensing <Licensing.Licensing@merton.gov.uk>
Subject: Object to licensing application: WK/201806990

Dear Sir / Madam,

I want to object to the extension of hours application made on 16 October 2018 for:

Address 105-109 The Broadway, London, SW19 1QG
Applicant(s) Tasoo Ltd Application
Reference WK/201806990

As a local resident of Palmerston Road, this residential road is used as a cut through from the premises to Kingston Road by the frequenters of the bar at 105-109 The Broadway. This means we frequently get extremely drugged / drunk people shouting at night as they go past and waking us up already. An extension of the opening hours to 2.30 am would make this worse.

Regards

Neil Hamilton



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From: Wajid Mannan
Sent: 19 October 2018 19:39
To: Licensing <Licensing.Licensing@merton.gov.uk>
Subject: Application reference WK/201806990

Dear sir,

I wish to register my opposition to the above application on behalf of both myself and my elderly mother, who are residents at [REDACTED]

The grounds for our opposition are the noise outside our home late at night, the intimidation by drunken revellers when coming home from work late, and the residual litter and vomit both on the street and in our and our neighbors front gardens.

Dr Wajid Mannan

[REDACTED]

and on behalf of

Mrs Sajeda Mannan

[REDACTED]

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From: Louise Robinson
Sent: 24 October 2018 13:00
To: Licensing <Licensing.Licensing@merton.gov.uk>
Subject: Re: Objection to extended licensing hours 105-109 Broadway Wimbledon

Dear Ms Joseph

LICENSING ACT 2003
PREMISES DETAILS
The Pod Bar & Club Wimbledon, 105-109 The Broadway, London, SW19 1QG

I object to the extension of licensing hours on the following basis:

- The prevention of crime and disorder - *By extending the licensing hours, customers are more likely to drink to excess and subsequent local crime will increase, this is particularly worrying given we are going to have a much smaller police presence in Wimbledon once the police station closes. We already have a significant amount of vandalism occurring in Palmerston Road - cars scratched, items stolen from gardens. These normally happen at night and I believe will increase in frequency as people have even longer to consume alcohol.*
- Public safety - *Having groups of drunken people walking down Palmerston Road does nothing to instil a sense of safety for those of us returning to our homes and the extending of licensing hours will surely have an impact on how often and late this happens.*
- The prevention of public nuisance - *My partner and I already get regularly woken up by people shouting outside the house after a night out. The extending of licensing hours I believe will increase the frequency and lateness of this anti social behaviour.*
- The protection of children from harm - *not relevant.*

Hopefully, that's a clearer as to why I believe the licensing extension will undermine the objectives of the Licensing Act.

Regards

Louise Robinson

On Wed, 24 Oct 2018 at 08:19, Licensing <Licensing.Licensing@merton.gov.uk> wrote:
Dear Ms Robinson

LICENSING ACT 2003
PREMISES DETAILS
The Pod Bar & Club Wimbledon, 105-109 The Broadway, London, SW19 1QG

I acknowledge receipt of your letter/email dated 23rd October 2018, and note your comments, but reject your representation as it does not address one or more of the 4 licensing objectives.

The Four licensing objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

- The protection of children from harm

You should state why you think the granting of this licence will undermine the objectives. What are the issues you wish the sub-committee and applicant to consider/address?

The closing date for representations to be received by the Council is 26th October 2018. If you wish to re-phrase your representation to reflect the foregoing and re-submit it before the closing date, I will be able to reconsider it.

You have a right of appeal to the Magistrates Court of this decision by way of a Judicial Review.

Regards

Denise Joseph
Licensing Officer
Regulatory Services Partnership
London Boroughs of Merton and Richmond upon Thames
Civic Centre, London Road, Morden SM4 5DX
Telephone: 020 8545 3030
Email: denise.joseph@merton.gov.uk

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

From: Louise Robinson
Sent: 23 October 2018 15:43
To: Licensing
Subject: Objection to extended licensing hours 105-109 Broadway Wimbledon

To whom it may concern,

Re application reference WK/201806990

I'd like to register an objection to the application to extend the licensing hours of the bar on the Broadway at the end of Palmerston Road.

Having lived on Palmerston Road for over 20 years, we already get quite a few late night drinkers walking down our road, shouting abuse, arguing and dropping litter. Even more concerning is that we'll soon be losing our police station in Wimbledon, the rate of crime is likely to go up, the last thing we need are more places in Wimbledon for people to drink later into the night and add to that risk.

Regards

Louise Robinson



Sent from my iPad

From:**Sent:** 24 October 2018 11:56**To:** Licensing <Licensing.Licensing@merton.gov.uk>; Licensing <Licensing.Licensing@merton.gov.uk>**Cc:** Councillor David Williams <David.Williams@merton.gov.uk>; Councillor David Simpson <David.Simpson@merton.gov.uk>; Councillor Daniel Holden <Daniel.Holden@merton.gov.uk>;**Subject:** Premises Licence Variation for Pod Bar (CMYK), 105-109 Broadway, SW19 1QG

Dear Sir/Madam:

I write on behalf of Wimbledon E Hillside Residents' Assn (WEHRA) to share our views on the application to extend 'supply of alcohol' at this venue a further 30 minutes to 2:30 am, Monday to Saturday.

Background

Bar Sia/Pod Bar applied for a nighttime extension a few years ago, and the application was refused, such was the damage being done to Wimbledon town by the late night visitors/drinkers.

These problems persist, and the town late at night is often a battle zone, with drinkers/drugged visitors misbehaving and often requiring emergency call outs from the police and ambulances, clogging St George's ER. Then an army of street sweepers race through in the early morning hours, scurrying to clear away the disgusting waste left behind.

These challenges with licensed premises is why Wimbledon town has a CIZ. These facts are evidence the CIZ is required, and needs strict enforcement. Sirens wake up the local community trying to sleep at night; filthy footpaths, damaged trees, signposts uprooted and a hundred of bags of litter are left behind for the local community the following morning. No one person from Merton Council is removing the vomit and urine, and this remains a thorn in the side of local people who expect areas around their home - Wimbledon - a place that should be kept clean, tidy and welcoming.

Of course the damage mentioned above is not all attributable to the Pod Bar, but a later opening/selling of booze by any of the 'late late night' venues will add to these serious problems. The NHS/emergency services simply cannot be expected to manage - day in and day out - the steady stream of drunken 20/30 somethings, exhausted/drunk/on drugs/fighting from WTC.

Latest Police Data (July 2018)

We know that Wimbledon is the place young people from Merton and Croydon go to have 'a good night out'. Police crime data shows that. In July 2018 there were 27 crimes reported of anti-social behaviour in Trinity Ward (nearly one each day), and 56 drug-related crimes reported (two a day).

The 'core' is the junction of Broadway and Kings Rd, where Pod Bar is located. This is a Hub in the town where problems occur. (Note there are nice family homes on Kings Road, yards from this junction, and thousands of homeowners in the South Park Gardens area that suffer daily from these on-going problems.)

Proposed New Bar

We have heard that there is a possibility the owners may change the venue to become a LGBT bar.

While that is an interesting positioning, and quite a leap from the existing business the owner has offered, it doesn't really matter what the 'concept' it, it's all about the execution.

The Licensing Committee will know Wimbledon as a stable, affluent, well-educated and generous community where *all are welcome, no exceptions*. Wimbledon doesn't attract 'hate crimes' or 'gay crimes' or other such things; they haven't come to the attention of our Councillors or our community. There are many residents who are LGBT in Wimbledon. They don't need to single themselves out; this is a fluid society where we move freely. It seems peculiar that such an exclusive positioning would even be successful here, as it could encourage social segregation. In any case this proposal would be no justification for extending 'sale of alcohol' hours further into the nighttime.

Suggestions to the Premises Owner

The bar is set within the thriving Wimbledon Theatre site, yet the venue doesn't even open until 9/10 pm. See attached images. There is a great need for this venue to be refurbished and taken to a higher level of quality than at present.

In the past, area school teachers used to be known to gather there for a drink and chat after work, from 4 / 5 pm into the evening. (That business has since gone elsewhere because the venue became badly managed.) Today the bar is dark and dingy, the furniture is cheap and broken, the floor needs a proper clean etc. It is no wonder a new direction is being sought.

Perhaps the owner could look at some other ideas, opening the venue during the daytime and evening, instead of trying to eek out a niche into the later night. Go back to being a 'teachers' rest', for example. Or open a coffee shop/wine bar for pre theatre and post-theatre audiences. **Please open during the daytime**, when Wimbledon people are out and about, and able to enjoy the town's offerings. Wimbledon residents are upmarket, social and enjoy a sustainable community life. The present venue, in our view, does not sit well with the needs and wishes of the community.

Summary

In our view the applicant is splitting hairs, if they believe a 30 minute alcohol extension can improve, indeed save this business. We urge the Committee to refuse permission, and urge the applicant to consider a better quality, more a Wimbledon-appropriate concept in future.

In any case, we would urge the Committee to add a condition to the existing licence:

To sweep the front of the premises at 105-109 Broadway and the area just to the left (along wall beside theatre car park) and to the right in front of the studio theatre, to ensure their late night guests' cigarette butts, litter etc are removed, and that a disinfectant is used to remove any vomit or urine left behind in this same area, even if it is not from the Pod Bar's own customers.

A good number of other licensed venues in the town have agreed to this condition as an act of Goodwill to the local community, including SMASH, and it would be very much appreciated if the Pod Bar owner would accept such a condition as well.

Thank you for consideration of the views of the local community.

Yours sincerely,

Leigh Terrafranca, on behalf of WEHRA





“Pod located next to Studio theatre entrance”



“sad, unwelcoming facade with droopy signs”



“Main entrance seating old and torn”



“Tiny outdated dance floor area”



“Successful
SMASH
repositioning”



“Vomit this week at WTC bus stop”

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From: Durbin, Ken/LON
Sent: 24 October 2018 09:04
To: Licensing
Subject: RE: No extension of hours pleas

Hello,

Thanks for the quick reply. My earlier correspondence did mention two of the four objectives you mention below. That is prevention of crime and disorder and prevention of a public nuisance. I did not realize we had to spell out the specifics. Thanks for clarifying this. The specifics are that currently:

- There is significant litter / rubbish that comes from late night activities in the vicinity of the bar [public nuisance, disorder]
- On many nights (especially weekends) there are incidents of extremely drunk patrons staggering down our street yelling at the top of their lungs and getting into arguments outside our house [nuisance, safety, disorder]
- Increased crime in the areas of the bars on The Broadway (demonstrated by police statistics) [crime]

With the proximity of the residential area the bar is just too close for the owner to effectively control the patron behavior, noise and litter to prevent a nuisance completely. We co-exist as best as we can for now but all of the above will worsen with extended hours. We say enough is enough.

Kenneth Durbin

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

From: Licensing <Licensing.Licensing@merton.gov.uk>
Sent: 24 October 2018 08:12
To: Durbin, Ken/LON
Subject: [EXTERNAL] RE: No extension of hours pleas

Dear Mr Durbin

LICENSING ACT 2003
PREMISES DETAILS
The Pod Bar & Club Wimbledon, 105-109 The Broadway, London, SW19 1QG

I acknowledge receipt of your letter/email dated 23rd October 2018, and note your comments, but reject your representation as it does not address one or more of the 4 licensing objectives.

The Four licensing objectives are:

- * The prevention of crime and disorder
- * Public safety
- * The prevention of public nuisance
- * The protection of children from harm

You will need to also submit your Personal Address or it will not be accepted.

You should state why you think the granting of this licence will undermine the objectives. What are the issues you wish the sub-committee and applicant to consider/address?

The closing date for representations to be received by the Council is 26th October 2018. If you wish to re-phrase your representation to reflect the foregoing and re-submit it before the closing date, I will be able to reconsider it.

You have a right of appeal to the Magistrates Court of this decision by way of a Judicial Review.

Regards

Denise Joseph
Licensing Officer
Regulatory Services Partnership
London Boroughs of Merton and Richmond upon Thames Civic Centre, London Road, Morden SM4 5DX
Telephone: 020 8545 3030
Email: denise.joseph@merton.gov.uk

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

From: Durbin, Ken/LON
Sent: 23 October 2018 16:25
To: Licensing
Subject: No extension of hours pleas

Hello,

I am a resident of Palmerston Road and am writing to you to request that the license application for extended hours for the bars on (CMYK and The Pod) that are shown on your website be rejected. They are located very close to our residential street. We hear late night drunken arguments nearly every weekend and this would be only worse with extended hours. We are concerned about increased crime as well. Please reject these applications.

Regards, Ken

From: Sophie Fernandez
Sent: 19 October 2018 22:17
To: Licensing <Licensing.Licensing@merton.gov.uk>
Subject: Object to licensing application: WK/201806990

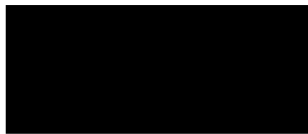
Dear Sir / Madam,

I want to object to the extension of hours application made on 16 October 2018 for:

Address 105-109 The Broadway, London, SW19 1QG
Applicant(s) Tasoo Ltd Application
Reference WK/201806990

As a local resident of Palmerston Road, this residential road is used as a cut through from the premises to Kingston Road by the frequenters of the bar at 105-109 The Broadway. This means we frequently get extremely drugged / drunk people shouting at night as they go past and waking us up already. An extension of the opening hours to 2.30 am would make this worse.

Regards
Sophie Hamilton



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From: David Waterfield
Sent: 19 October 2018 15:09
To: Licensing
Cc:
Subject: WK/201806990 - Objection to licensing change

Dear sir,

I note the above application. I would like to raise my strong objection to this application to extend the licensing hours for this premises. I live around the corner from this location and am already concerned by the impact the place has on the local area. I frequently have to dodge pools of vomit in the street, endure urine against walls and take-away boxes being thrown into my front garden, and loud and abusive language in the early hours on the morning etc. As this premise is, as I understand it, the only place with a late licence nearby it is not unreasonable to attribute this to the venue in question. Recently we've also suffered vandalism on our street, including our gate post being kicked over.

Rather than extending the licence for this venue I would ask that the Council pro-actively review the premises and consider reducing the licensing times, in particular Sunday evenings.

Please let me know the outcome of this application.

Kind regards

David Waterfield

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From: Helen Clark Bell
Sent: 11 October 2018 11:43
To: Licensing <Licensing.Licensing@merton.gov.uk>
Subject: WK/201806990 105 - 109 The Broadway

I am writing in support of this premises license variation.

Over the past 4 years, the management of The Pod have been an active participant in monthly Pubwatch meetings, they use the crime prevention tools of Townlink radio and Littoralis and have been very co-operative with crime prevention methods and communications in the town. The proposed new offer of a well promoted LGBT Friendly venue would present a positive dimension to the night time economy in Wimbledon and by managing the closing times through the town the disbursement of customers will be staggered. The conditions on the license that have been agreed by the owner are very stringent and reasonable, and clearly the advice and guidance from the Police licensing officer has been adopted.

We look forward to working with CMYK when they launch after their refurbishment.

Kind regards

Helen Clark Bell
Chief Executive
Love Wimbledon



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020 8619 2012

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