

# Merton Council

## Licensing Sub-Committee

### Membership

#### Councillors:

Stan Anderson

Nick Draper

Janice Howard

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

**Date: 29 November 2018**

**Time: 3.00 pm**

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

#### Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 37-39 Upper Green East, Mitcham, CR4 2PF 1 - 40

#### 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](mailto: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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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: **37-39 Upper Green East, Mitcham, CR4 2PF**

Date: **29 November**

Time: **15:00**

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

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

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

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

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

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

2.3 New premises licence: s18

(i) To grant the licence subject to conditions

(ii) To exclude from the scope of the licence any of the licensable activities to which the application relates

(iii) To refuse to specify a person in the licence as the premises supervisor

(iv) To reject the application.

### **3. Hearing papers**

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

### **4. Legal advice to the sub-committee**

4.1 A legal officer appointed by the Assistant Director of Corporate Governance and Head of Legal Services will attend the hearing to advise the sub-committee on statutory provision and legal matters.

### **5. Licensing Officer Comments**

5.1 This is an application for a new premises licence.

5.2 The application is for the sale of retail by alcohol for consumption off the premises as follows: Sun to Thurs – 07:00 to 01:00  
Sat & Sun – 07:00 to 02:00

5.3 Six representations have been received.

- 5.4 The application seeks for the premises to be open for 24 hours, seven days per week.

**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](mailto: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:

<b>Applicant</b>	
Jyothis Joseph	
<b>Statutory Authorities</b>	
Metropolitan Police	
LB Merton Public Health	
<b>Interested Parties</b>	
Councillor Geraldine Stanford	Liz Collinson
Mick & Jenny Beasley	Sue Cooper

\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

37/CDL/2018

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

Jyothis

\* Family name

Joseph

\* E-mail

Main telephone number

Include country code.

Other telephone number

- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

### Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text" value="United Kingdom"/>

### Agent Details

* First name	<input type="text" value="Puthrasingam"/>
* Family name	<input type="text" value="Sivashankar"/>
* E-mail	<input type="text" value="office@complianceirectltd.com"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader  
 A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

### Agent Business

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number	<input type="text" value="8832658"/>
Business name	<input type="text" value="Compliance Direct Ltd"/>
VAT number	<input type="text" value="GB"/> <input type="text" value="204915133"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="Director"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.



Continued from previous page...

**Agent Registered Address**

Address registered with Companies House.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	<input type="text" value="37-39"/>
Street	<input type="text" value="Upper Green east"/>
District	<input type="text"/>
City or town	<input type="text" value="Mitcham"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="CR4 2PF"/>
Country	<input type="text" value="United Kingdom"/>

**Further Details**

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="36,750"/>

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21**

**INDIVIDUAL APPLICANT DETAILS**

**Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes                       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy
* Nationality	<input type="text" value="India"/> Documents that demonstrate entitlement to work in the UK

Add another applicant

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

Groundfloor premises in a parade of shops in the town. general grocer and off licence premises.

Continued from previous page...

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

**Section 6 of 21**

**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

- Yes                       No

**Section 7 of 21**

**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

- Yes                       No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes                       No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes                       No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

- Yes                       No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes                       No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

Continued from previous page...

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text" value="07:00"/>	End	<input type="text" value="00:00"/>

SUNDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text" value="07:00"/>	End	<input type="text" value="00:00"/>

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /

Continued from previous page...

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

n/a

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

Start

End

Page 11

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>

WEDNESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>

THURSDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>

FRIDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>

SATURDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)



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*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

This is a general grocer with alcohol for off sales.

b) The prevention of crime and disorder

A CCTV system will be in place and operational during the premises are open. Images will be kept for 31 days. 2 members of staff will be present between 2300 and close of licensable activities.

c) Public safety

CCTV will be operational

d) The prevention of public nuisance

Notices will be provided requesting customers to respect neighbours and put away rubbish responsibly.

e) The protection of children from harm

A challenge 25 policy will be operational. All staff will be trained in such policies.

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**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

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*Continued from previous page...*

### **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

#### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
  - An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
  - A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
  - A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
  - A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
  - A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
  - A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
  - A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
  - A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
  - A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
  - A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
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*Continued from previous page...*

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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### **NOTES ON REGULATED ENTERTAINMENT**

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**Continued from previous page...**

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:
    - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - o 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.
    - o 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.
    - o 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.
    - o 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:
    - o 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.
    - o 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.
    - o 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.
-

Continued from previous page...

- 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:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o 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;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o 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.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Fees are calculated on the valuation of the premises. The value can be found on voa.gov.uk Fees range from £100 - £315 please phone Licensing team to confirm 020 87605466 Rateable Value (commercial) £0 - £4,300= £100 £4,301 - £33,000= £190 £33,001- £87,000=£315 £87,001 - £125,000=£450 £125,000 and over=£635 Please note there is a surcharge of 1.65% if you pay by credit card. There is no surcharge for debit card▲

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my \* licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

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*Continued from previous page...*

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

Date (dd/mm/yyyy)

---

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/croydon/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

---

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**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**

---

**From:** Compliance Direct <office@compliancedirectltd.com>  
**Sent:** 15 October 2018 15:38  
**To:** Licensing <Licensing.Licensing@merton.gov.uk>  
**Subject:** 37-39 Upper Green East, CR4 2PF  
**Importance:** High

Dear Sirs,

Further to our application, please see additional proposed conditions to address the cumulative impact, in addition to the ones already offered in the application.

An incident book shall be kept and maintained at the premises, which shall be made available to a police officer or an authorised officer of any responsible authority upon request. The incident book shall be used to record the date and time of any incident, the name of the staff member and a brief description of the customer concerned

All incidences of the following shall be recorded in the incident book within 24 hours and retained for a minimum of 12 months:

- 1 Any attempted underage alcohol purchase
- 2 Any theft or attempted theft of alcoholic drinks
- 3 Any acts of violence or criminal damage
- 4 Any other incidents involving crime or disorder

Installed CCTV systems that meet the standard to be approved in writing by the Chief Community Safety Officer shall operate and record video images at all times that the premises are open to the public. All CCTV shall be kept for not less than 31 days and be made available to a police officer or an authorised officer of any responsible authority on request. A member of staff capable of operating the CCTV will be present during the opening hours of the premises.

All alcohol that is displayed for sale shall be located within view of the cashier, and all spirits shall be stored behind the serving point to reduce the possibility of a snatch theft. The area designated is outside the normal area where groceries are stocked.

All reasonable steps shall be taken to verify that any documents produced by persons attempting to purchase alcohol are genuine and relate to the person producing them.

Age verification is a mandatory scheme.

The premises licence holder shall operate a "Challenge 25" scheme at the premises whereby anyone who appears to be under the age of 25 is asked to provide proof of age that

he or she is over 18. Proof of age shall only comprise of a passport, a photo card driving licence or an industry approved proof of age identity card.

Suitable signage shall be displayed at the point of entry and at the service area advising customers that the premises operates the "Challenge 25" proof of age scheme.

Suitable signage to be displayed requesting patrons to adhere to the following:

A prominent notice shall be displayed requesting that patrons leave quietly and respect the local area and residents.

Lagers beers and ciders above 6.5% ABV (alcohol by volume) shall not be offered for sale or sold from the premises.

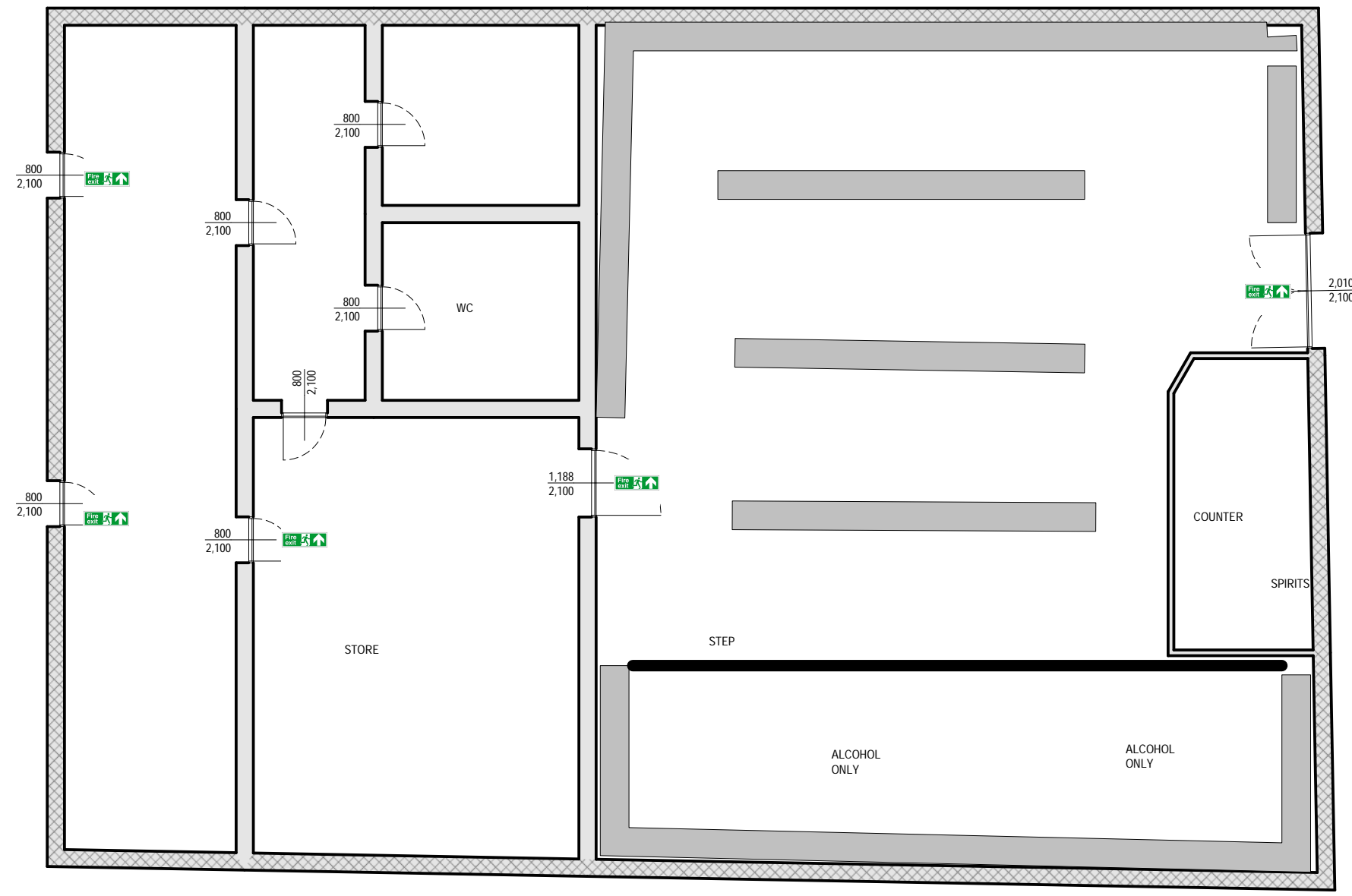
No alcohol to be consumed on the premises. Off sales only

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

Premises shall install and maintain a till prompt system to prompt the seller to check age and ask for ID whenever an age restricted product is made.

Shankar P Sivashankar BSc (MIOL)





GROUND FLOOR  
Drawing scale 1:100

COMPLIANCE DIRECT LTD LICENSING PLAN	SUBJECT	PROJECT	DRAWING MODEL
	LICENSING PLAN	37-39 UPPER GREEN EAST SURREY CR4 2PF	
	DESIGNER	CLIENT	Drawing Scale 1:100
		PROJECT MANAGER	Reg.Nr. 37/CDL/LA18
			revision 1
			date 15/10/2018

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**VW - Merton Borough  
VW - Wimbledon Police Station**

Licensing Team

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

Russ Stevens 3852sw  
Police Licensing Officer  
Wimbledon Police Station  
15-23 Queens Road  
London  
SW19 8NN

Telephone: 020 8649 3074  
Mobile: 07387 257 526

Email: Russ.Stevens@met.police.uk

9<sup>th</sup> October 2018

Dear Sir/Madam,

### **Police Representations**

#### **Re: Application for a New Premises Licence – Mitcham News**

On 18<sup>th</sup> October 2018, I received a copy of an application for a new Premises Licence under Section 17 of the Licensing Act 2003 for 37-39 Upper Green East, Mitcham, CR4 2PF.

The application can be summarised as follows:

A general grocer and off-licence premises wishing to sell alcohol for consumption off the premises from **7am to 1am daily**, extending to **2am Friday and Saturday** nights. The application states the premises as open **24 hours**.

**The Metropolitan Police Service wishes to make the strongest representations with regard to all four Licensing Objectives:**

- 1. Prevention of Crime and Disorder**
- 2. Prevention of Public Nuisance**
- 3. Public Safety**
- 4. Protection of Children from Harm**

I became aware on the 18<sup>th</sup> October 2018 that a New Premises Licence had been applied for at 37-39 Upper Green East. I immediately phoned the applicant for details and requested that he sent me a copy of the application. From my discussion with Mr

Sivashankar, the applicant's agent, I learnt that the owner of the premises was Mr Ronak Patel and that he was leasing his business, currently known as Ronnie's Cutter to Mr Jyothis Joseph, the applicant.

Ronak Patel had previously held a Premises Licence for 37-39 Upper Green East, but this was surrendered in May 2018 following my application to review the licence. I had applied to review the original premises licence on the following grounds:

- Failing to ensure that staff living and working at the premises have the right to remain in UK x 2
- Unsupervised sales of alcohol by person under 18
- Serious assault at the premises, when the premises was open for business in breach of the Premises Licence (opening hours)
- Facilitating anti-social behaviour in Mitcham Town Centre by providing drinking cups with alcohol to street drinkers.
- Failing to observe Govt guidelines in relation to the Designated Premises Supervisor and therefore denying Police the opportunity to assess the risk and suitability of the premises manager.
- Sale of alcohol to child under 18.

I have attached my review application for further relevant information. It was in my view that the operation of the off-licence shop at 37-39 Upper Green East, contributed significantly to crime and anti-social behaviour in Mitcham Town Centre.

Mr Sivashankar admitted to me that he knew the full history of the premises as he himself had advised Mr Patel when my review application was received.

The original Premises Licence held at 37-39 Upper Green East permitted alcohol sales from 0800-2300hrs daily, with the same Premises Open Hours. This New Premises Licence application seeks authority to sell alcohol from 0700-0100hrs extending to 0200hrs at weekends, and the shop to be open 24 hours!

The Premises Plan submitted appears to be the same shop layout as before with no change. I am led to believe that the owner remains the same but the day to business is to be run by the applicant, Mr Joseph. The application for the licence is for the postal address of the premises with no indication that the shop name will even change. The application does not mention or address any of the previous problems that led to the surrender of the original licence, yet it requests a new licence with massively extended operating hours.

When I spoke to Mr Sivashankar, he explained my delay in receiving it as he had submitted the application to Croydon Council by mistake, not realising that the premises was within the London Borough of Merton. He also told me that he had been unaware that the premises was sat within a Cumulative Impact Zone, where the policy exists only to deal with off-sales of alcohol.

The initial submission of the application only offered minimal steps to promote the four Licensing Objectives. These are operational CCTV, Challenge 25, and the fact that 2 members of staff will be on duty between 2300hrs and the close of Licensable Activities. Whilst I agree that a minimum of 2 staff on duty from 11pm is essential for safety, I do not agree that this is unnecessary after the close of Licensable Activities, when the risks significantly increase. At 2:30am, when the shop would still be open for business, the lone member of staff on duty would be expected to refuse the sale of alcohol to a potentially violent drunk customer seeking to purchase more drink.

Additional conditions subsequently offered by the applicant to address the Cumulative Impact are in my opinion completely insufficient:

- An incident book cannot prevent incidents, it merely records them and may provide evidence for Police following an incident, or may highlight a training need.
- The CCTV condition repeats the mention of CCTV in the application, and mentions a “standard approved in writing by the Chief Community Safety Officer”??
- The 6.5%abv cap on beers and ciders is not enough considering other responsible retailers already restrict abv to 5.5%.
- The “additional” condition of Challenge 25 just repeats the mention in the application but elaborates to state that verifiable proof of ID would be required, this is already part of the Challenge 25 policy. A challenge 25 policy does not address cumulative impact but assists the operator to stay within the law.
- Lockable display shutters do not address cumulative impact, they assist to reduce theft and unlawful sales outside of permitted hours.
- A till prompt system will not address cumulative impact but assists staff to operate within the law.

The premises is situated in Mitcham town centre, very close to a public green, the Clock Tower, and street market. Mitcham town centre is within a Cumulative Impact Zone specifically for Off-Licences. 37-39 Upper Green East is in the very centre of the CIZ, in an area where crime and anti-social behaviour from street drinkers is a serious problem. Police Officers and Council Wardens deal with incidents of crime and ASB in Upper Green East on a daily basis. There are regular incidents of urinating in public, littering, verbal abuse from intoxicated street drinkers who loiter in Mitcham town centre close to the many shops that sell alcohol. Members of public, including children feel intimidated and are sometimes verbally abused as they walk through the town centre. The local shops report regular petty thefts and loss of business due to street drinkers loitering close by.

Local Police and welfare services continue to offer help and support to street drinkers, to try to divert them from their damaging behaviour. Police also enforce controlled drinking zones, public space protection orders, with Community Protection Notices and Criminal Behaviour Orders and Common Law. We feel that we are fighting a losing battle as the culture of street drinking is so strong.

Despite vast sums of money being spent on the regeneration of Mitcham town centre, there is still an overwhelming feeling of poverty and crime in the area due to the constant presence of drunks.

Mitcham town centre does not need, and cannot cope with yet another Off-Licence. There are currently 12 shops within 300 metres of 37-39 Upper Green East that are licensed to sell alcohol, all of which cumulatively contribute to alcohol related crime and ASB.

The following reports exist on Police systems referring to Alcohol Related Crime and Anti-Social Behaviour, looking back just 12 months in Upper Green East alone..

- 17/09/2018 Upper Green East – Street drinker threatening with broke bottle
- 01/09/2018 Upper Green East – Altercation between 4 males with knives
- 23/08/2018 Upper Green East – Street drinker threatening with knife
- 31/07/2018 Upper Green East – Drunk/Disorderly, Assault, Criminal Damage
- 26/06/2018 Upper Green East – GBH, Shoplifting from Off Licence prems (Drunk)
- 20/05/2018 Upper Green East – MURDER of Arunesh Thangarajah (NFA)
- 28/04/2018 Upper Green East – Criminal Damage to Off Licence prems (Drunk)
- 13/04/2018 Upper Green East – Affray, Drugs o/s Off Licence prems
- 14/02/2018 Upper Green East – Affray, Drugs o/s Off-Licence Premises
- 12/03/2018 Upper Green East – Theft of Alcohol, possession of a knife, damage
- 11/03/2018 Upper Green East – GBH linked to off-licence premises
- 23/01/2018 Upper Green East – Assault, suspect drunk o/s off-licence prems
- 02/12/2017 Upper Green East – Public Disorder, Possession Knife, threats
- 21/11/2017 Upper Green East – GBH, victim drunk

It is my absolute belief that any additional shop premises selling alcohol in Mitcham Town Centre WILL contribute to and exacerbate the existing problems of crime and anti-social behaviour. If the applicant is granted a Premises Licence for 37-39 Upper Green East, they will increase the quantity and availability of alcohol consumed in the street, and will therefore proportionately increase crime and ASB.


This application is effectively for the re-instatement of Premises Licence that was surrendered only 5 months ago for a premises causing considerable problems and danger to the local community. Not content with applying for the same operating hours of the original licence, the applicant is seeking considerably more.

This application completely fails to address Cumulative Impact.

This application is outrageous and presents a serious threat to Crime and Disorder, Public Nuisance, Public Safety and the Protection of Children from Harm.

**The Metropolitan Police Service urges the committee to REJECT this application.**

Yours faithfully



Russ STEVENS PC3852SW P191701

Licensing Officer

**COMMUNITY AND HOUSING DEPARTMENT**

Department of Public Health

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

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

Direct Line: 020 8545 4577  
Email: Natalie.lovell@merton.gov.uk

Date: 12/11/2018

**Re: Application for a Premises License under the Licensing Act 2003-  
Convenience store, 37-39 Upper Green East, Mitcham, London, CR4 2PF**

License Number	WK/201807603
License Type	Off license
Ward	Figges Marsh

As a responsible authority under the 2012 amendment to the Licensing Act 2003, the Director of Public Health for Merton wishes to submit a representation for this premises license application, on the four licensing objectives namely:

- 1. The Prevention of Crime and Disorder**
- 2. Public Safety**
- 3. Prevention of Public Nuisance**
- 4. The Protection of Children from Harm**

The applicant is seeking to sell alcohol (off the premises) from 07:00 to 01:00 Monday to Thursday, 07:00 to 02:00 Friday to Saturday and 07:00 to 01:00 Sunday. Public Health is seriously concerned about this application to sell alcohol off the premises for the following reasons:

- The premises is located within a Cumulative Impact Zone, an area which has been identified by the Council as presenting serious issues regarding crime and anti-social behavior from street drinkers.
- The applicant is seeking to sell alcohol from very early in the morning into the early hours of the following day which will have negative impacts on the public's health and on the potentially positive effects that the surrounding neighbourhood can have on people's wellbeing and health.

- Public health data shows areas for concern within the premises postal code

## Introduction and Background

Tackling alcohol misuse is central to achieving the outcomes in Merton’s Health and Wellbeing Strategy. Merton’s Health and Wellbeing Strategy is currently being refreshed and the Health and Wellbeing Board have agreed four overarching themes of: Start Well; Live Well; Age Well; in a Healthy Place. The Healthy Place theme is an integral part of the first three themes, and the aim is to focus on what a healthy place looks like that will help individuals and communities in Merton to flourish and live healthy lives.

A crucial element of tackling alcohol-related harm is ensuring that health and wellbeing considerations are met by premises licensed to sell alcohol within the borough, in order to prevent alcohol-related crime and anti-social behaviour, ensure public safety, and prevent harm to children.

Alcohol misuse is currently one of the biggest Public Health issues in the U.K., and it imposes a huge burden on our society.



Irresponsible drinking costs the taxpayer a staggering **£21 billion a year**.<sup>1</sup>



Alcohol is currently the **biggest risk factor** for death, ill-health, and disability among 15-49 year olds in the UK.<sup>2</sup>



The cost of alcohol-related conditions to the NHS is **£3.5 billion** annually.<sup>3</sup>



Alcohol is a contributing factor in **75% of stabbings**, and **60-70% of murders**.<sup>4</sup>

<sup>1</sup> Home Office, 2012.

<sup>2</sup> . Strang, J., Drummond, C., McNeill, A. et al (2014) Addictions, dependence and substance misuse In: Davies, S Annual Report of the Chief Medical Officer 2013: Public Mental Health priorities: investing in the evidence.

<sup>3</sup> <https://www.alcoholconcern.org.uk/alcohol-statistics>. Accessed April 2018

<sup>4</sup> British Medical Association (BMA)



## Evidence of detrimental impact on the licensing objectives

### 1. The prevention of crime and disorder

The link between alcohol and violence has been recognized as far back as the 4th century BC. Alcohol-related violence causes substantial injury and death.<sup>5</sup>

Local data suggests there is a serious issue with crime and violence in the area surrounding the premises postcode.

Within **100m** of the premises postcode, CR4 2 PF

- Bus driver reported violence falls in the **top 5%** of the borough
- Bus driver reported anti-social behaviour falls in the **top 20%** of the borough
- Gun, knife and weapon injuries fall in the **top 30%** of the borough
- Head injuries fall in the **top 30%** of the borough
- Ambulance recorded assaults fall in the **top 40%** of the borough

Issues with crime and violence continue to occur in the wider area surrounding the premises postcode CR4 2PF. For example, between 200m and 300m of the postcode

- Bus driver reported anti-social behaviour falls in the **top 5%** of the borough
- Bus driver reported violence falls in the **top 5%** of the borough
- Alcohol related incidents fall in the **top 20%** of the borough
- Gun, knife and weapon injuries fall in the **top 30%** of the borough

The above data suggests there is a significant impact of alcohol consumption in the local area. While the above data does not relate to the specific premise, any premises that supplies alcohol in the area will be contributing to the trends relating alcohol to crime and disorder.

### 2. Public safety

There is evidence of serious neighbourhood issues in the area in which the applicant is seeking a premises license; residents living in this area are significantly more likely to report noisy neighbours, loud parties, people using or dealing drugs and groups hanging out in the streets.

- The recent [Annual Residents Survey for Merton](#) (2017) highlights that 17% of residents in this area of the borough are very worried or fairly worried about people being drunk and rowdy in public places. 23% are very concerned or fairly concerned about groups hanging around in the

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<sup>5</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3170096/#R2>

streets, and 15% of residents are very concerned or fairly concerned about people using or dealing drugs.<sup>6</sup>

- The recent Annual Residents Survey for Merton (2017) also highlights that crime is the second highest issue (after gangs) that young people in Merton are personally most concerned about, with almost a quarter (24%) of young people citing it as an issue.
- Within the borough, there is an element of variance in the degree of alcohol harm between different wards. Figges Marsh, where this premises is located, has a **higher admission ratio of hospital stays for alcohol-related harm than the figure for Merton and that for London.**<sup>7</sup>
- The crime rate in Figges Marsh is 95 offences per 1,000 population in 2017. This is higher than the Merton value, which is 65 offences per 1,000 population.<sup>8</sup> The highest number of offences recorded is 'violence against the person'.

### 3. Prevention of public nuisance

- The premises in concern are located in the **Cumulative Impact Zone (CIZ)** of Mitcham Town Centre; an area where it is recognised that there is a problem with the impact of alcohol on public nuisance, particularly with regard to street drinking.

### 4. The protection of children from harm

The creation of healthy places is crucial to ensuring future generations have the best possible chance at a healthy future. This is not only essential for individual wellbeing, but also for society as a whole. A healthy place means an environment that makes the healthy choice the easy choice (for example, limiting fast food outlets and sales of alcohol near schools and public spaces), and that protects children from being exposed to antisocial behaviour and crime on their streets.

- The premises postcode, CR4 2PF, is within walking distance of at least two schools, including St Mark's Primary School and St Thomas of Canterbury Catholic Primary School, and is likely to be on the route to and from school for children.
- The premises postcode, CR4 2PF is a short 5 minute walk (0.2 miles) from Mitcham Common, a large public open space frequented by children, young people and older people.
- The population of Figges Marsh is different to other wards in Merton in that there are a higher proportion of young people (0-29 years) living in the area.

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<sup>6</sup> [https://www2.merton.gov.uk/residents\\_survey\\_research\\_report\\_2017.pdf](https://www2.merton.gov.uk/residents_survey_research_report_2017.pdf)

<sup>7</sup> [https://www2.merton.gov.uk/figges\\_marsh\\_ward\\_health\\_profile.pdf](https://www2.merton.gov.uk/figges_marsh_ward_health_profile.pdf)

<sup>8</sup> [https://www2.merton.gov.uk/figges\\_marsh\\_ward\\_health\\_profile.pdf](https://www2.merton.gov.uk/figges_marsh_ward_health_profile.pdf)

**Conclusion**

There is strong evidence revealing serious concerns about alcohol harm in the local population, and the location of the premises in concern is that which serves potentially vulnerable individuals. Therefore, we request that the application for a premises license WK/201807603 be rejected.

Yours Sincerely,

Natalie Lovell

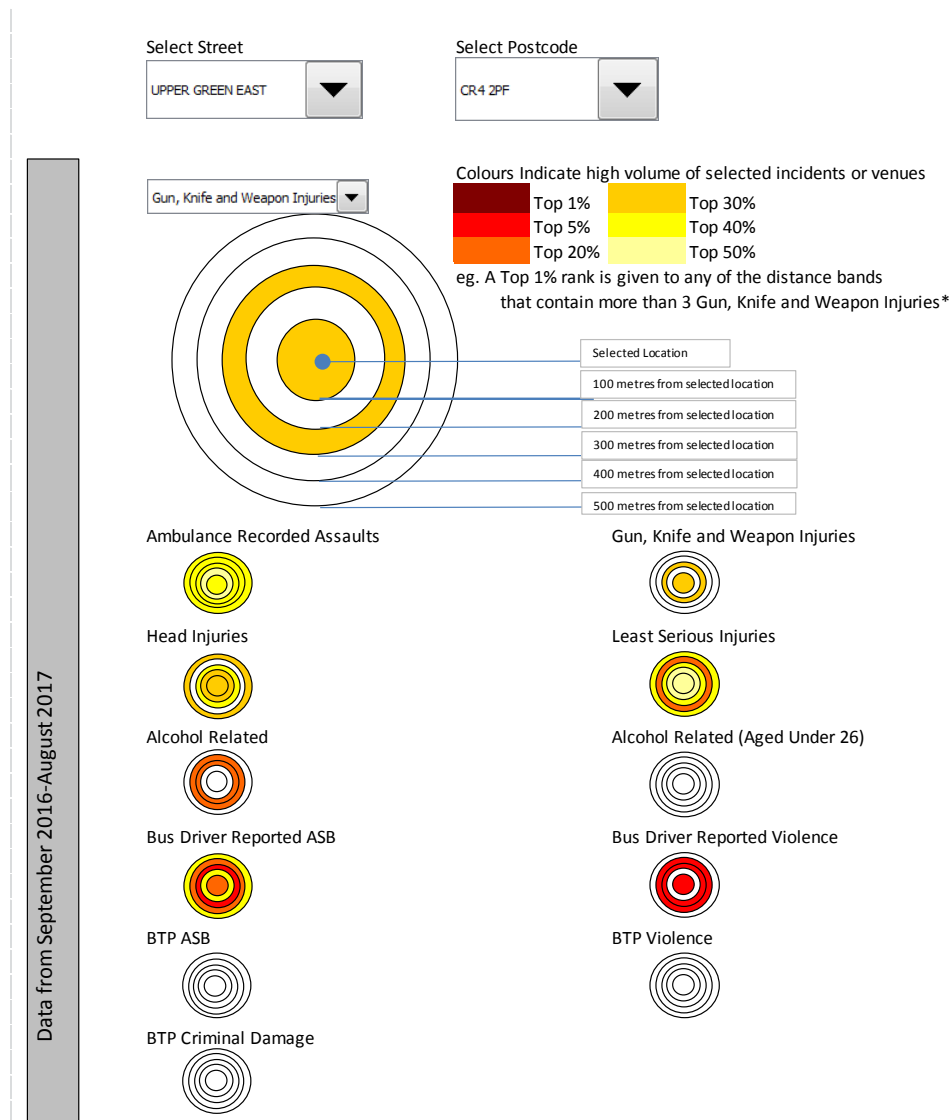
Signed electronically

Natalie Lovell

Healthy Places Officer

On behalf of Dr Dagmar Zeuner, Director of Public Health

# APPENDIX



All Infographics on page 2 from Noun Project artists, accessed at <https://thenounproject.com/>

Credits:

£ icon by Chameleon Design

Heart icon by Ben Davis

Criminal icon by Bakunetsu Kaito

Ambulance icon by dDara

**From:** Councillor Geraldine Stanford  
**Sent:** 17 October 2018 07:39  
**To:** Licensing  
**Cc:** Russ Stevens  
**Subject:** RE: Premises/Club and Gambling Licensing Applications


Dear Licensing,

Wish to object to WK/201807603 – 37/39 Upper Green East, Mitcham. On the grounds that it is within the Mitcham CIZ, and will exacerbate the problems we have in the area with antisocial behaviour related to street drinking.

**Morning Russ** – they don't seem to be getting the message around the Fair Green, that we just don't need or want any more alcohol outlets around there! This one seems to want 24/7 opening hours and selling alcohol till 1/2am – hope you will support refusal.

All the best,  
Geraldine

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Licensing Section  
London Borough of Merton  
14<sup>th</sup> Floor  
Civic Centre  
London Road  
Morden  
Surrey SM4 5DX

23<sup>rd</sup> October 2018

Dear Sir

**Re: Licensing Application 37 – 39 Upper Green East**

I am writing to oppose the above licensing application and the ridiculous hours they have applied for.

Mitcham has become a no go area. The area by the Clock Tower, the seats around the pond, in the corner of the Canons Park, around the pond in the Canons Park and any other dark corners they can find have become regular haunts for drinkers with their drink hidden in carrier bags. It is no longer safe for the general public to walk through these areas. There are already enough shops that sell alcohol.

Hoping you will consider all comments favourably.

Mick & Jenny Beasley



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5<sup>th</sup> November 18

Licensing Section

London Borough of Merton

14<sup>th</sup> Floor Civic Centre

Morden Surrey SM4 5DX

Application WK/201807603

Dear Sir or madam

I would like to oppose the new application for an alcohol license at 37-39 Upper Green East also known as Ronnie's Cutters. We have a considerable problem with street drinking in this area and local residents are troubled by noise (especially late at night), littering and aggressive behaviour. It is also common to witness public urination within plain view of homes and schools. The opening hours requested until 1-2 am make it clear that the applicant wishes to target problem drinkers. Since this shop list its previous license (due I'm told to selling to under age drinkers) there has been an observable reduction in late night trouble. I believe the Police have appealed to the council not to issue any more alcohol licenses in this area.

Yours sincerely

Liz Collinson

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25 Oct 18

Licensing Service, London Borough of Merton  
14th Floor Civic Centre  
London Road, Morden, Surrey  
SM4 5DX

Dear Sir

**Re: License application WK/201807603**

I am amongst others writing to oppose this license application from the business operating from 37-39 Upper Green East (previously 'Costcutter', now known as 'Ronnie's Cutter')

Over recent years the area around Three Kings Pond has been plagued by drinkers at all times of day and night. It has become increasingly noisy, dirty and littered and there has been open use of the pond and surrounding area as a urinal. Local residents have suffered from disturbed sleep, noise, stress, and other issues including aggressive and occasionally violent behaviour from street drinkers in the area.

However, since the business operating at 37-39 Upper Green East had its alcohol license revoked, and the supply of alcohol has been less accessible, the drink-fuelled problems around the pond have declined to a massive extent. The improvement has been little short of stunning, and it coincides with this reduction in the supply of alcohol in the area. Local residents dread the resumption of convenient availability of alcohol as proposed in this application, and an inevitable return of the alcohol-fuelled anti-social behaviour which has previously taken place.

The proposed licensing hours on the application speak for themselves. From 7am each morning until either 1am (weekdays) or 2am (Friday and Saturday) at night, giving a period of 17 or 18 hours every day for selling alcohol, and obviously ensuring they are readily available to service the night time market.

A previous application from another local store for an alcohol license - again clearly aimed at exploiting the local drinking culture, was rejected due to the on-going drinking problems at the pond and town centre. I would like to hope Merton can again consider the wishes of the residents for peaceful surroundings and reject the application.

Given that the local Police Licensing Officer has requested that Merton issue no further alcohol licenses in the area, due to the prevalence and behaviour of drinkers in the town centre (which has rendered the area 'toxic' according to our local MP), I would again hope that this advice would encourage Merton to reject this application.

Yours sincerely

Sue Cooper

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