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Merton Council

Licensing Sub-Committee

Membership

Councillors:

Caroline Charles

Robert Page

Martin Whelton

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

Date: 27 June 2022

Time: 2.30 pm

Venue: This will be a virtual meeting and therefore not held in a physical locationDX

Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 SuperGroceries Ltd, 1 Commonsides East, Mitcham, CR 4 2QA 1 - 42

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. For further advice please speak with the Managing Director, South London Legal Partnership.

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda and the licensing decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3357.

Press enquiries: communications@merton.gov.uk or telephone 020 8545 3181

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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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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 and that all parties will receive a written decision notice within five working days. 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.

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CORPORATE SERVICES DEPARTMENT
Caroline Holland - Director



Democratic Services
London Borough of Merton
Merton Civic Centre
Morden, Surrey SM4 5DX
Direct Line: 020 8545 3616
Email: democratic.services@merton.gov.uk

Date: 17/06/2022

NOTICE OF LICENSING SUB-COMMITTEE HEARING

1. **DATE OF HEARING: 27 June at 2.30pm**
2. **SUBJECT OF HEARING: SuperGroceries, 1 Commonsides East, Mitcham, CR4 2QA**
3. **WHAT IS INCLUDED IN THIS NOTICE PACK:**
The enclosed papers are being sent to you as you are a party to the licensing hearing due to be held to consider this application. They contain all the hearing documents; a guide to Rights of the Parties to a Hearing and the Procedure to be followed at Licensing Hearing. The agenda pack which includes the application is also included.
4. **WHAT YOU NEED TO DO NOW:**
Please respond to the questions set out on the reverse of this letter and return to the email/ phone/ address given above as soon as possible.
5. **IF YOU HAVE ADDITIONAL DOCUMENTS FOR CONSIDERATION BY THE SUB-COMMITTEE**
If you have any additional documents which you wish the sub-committee to consider at the hearing, please send them to the above email /address to arrive at least 24 hours before the hearing. If any additional information is received by the Authority this will be sent on all parties, (via email where possible) and additional copies will be available at hearing.

Yours

Richard Seedhouse
Democratic Services Officer

London Borough of Merton



Your Name:

Your Email address (where possible):

If you wish to withdraw any representations you have made please notify us as soon as possible.

You are required to give the following information to us by the date specified in the letter:

- 1) Do you intend to attend the hearing? **Yes/No**
- 2) Do you intend to be represented or assisted at the hearing? **Yes/No**
- 3) Do you consider a hearing to be unnecessary? (If all parties agree that a hearing is unnecessary the sub-committee may dispense with the hearing and determine the matter on the basis of the written application, notices and representations)
Yes/No
- 4) Do you wish to request that any other person(s) be given permission to attend the hearing to assist the sub-committee in relation to the matter under consideration?
Yes/No

Please give the name(s) of any such person(s) and brief details of the points on which you feel they may be able to assist the sub-committee in relation to the matter under consideration.

Please return this form to Democratic Services, Civic Centre, London Road, Morden SM4 5DX or telephone 020 8545 3357 or email the information to democratic.services@merton.gov.uk

Rights of the Parties to a Hearing

This document forms part of the Notice of Hearing.

The hearing will be conducted by a three member sub-committee of Merton's Licensing Committee.

You have the right to attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified. **You should notify us if you wish to be represented or assisted in this way on the accompanying response form.**

You may also request that other persons be permitted to appear at the hearing to assist the sub-committee on particular points relating to the matter under consideration. You should notify us of any persons you wish to attend on the accompanying response form.

At the hearing you are entitled to:

- a) respond to any points of clarification detailed in the Notice of Hearing; and give further information in support of their application, representations or notice
- b) if given permission by the sub-committee, ask questions of other parties; and
- c) address the sub-committee.

If you do not attend the hearing the sub-committee may proceed in your absence or it may adjourn to another specified date and time. If the hearing proceeds in your absence any application, notice or representation you have made will be considered by the sub-committee. It would be helpful if you could notify us as soon as possible if you are not going to attend the hearing.

Please complete and return the accompanying response form by the response date shown on the Notice of Hearing. Post or send an email with the relevant information to:

democratic.services@merton.gov.uk

Procedure to be followed at Licensing Hearing

1. The Chair will welcome all parties and all present will be introduced/introduce themselves
2. The Chair will confirm the sub-committee hearing procedures, a copy of which was included in the notice and agenda packs sent to all parties.
3. The Chair will ask the Legal Adviser to inform those present that the sub-committee had a briefing prior to the hearing to confirm the procedure and for clarification on any aspect of the application.
4. The Chair will ask Legal Adviser to confirm the process for questioning and whether there had been any requests for adjournments.
5. The Chair will ask the Licensing Officer if there are any technical issues they feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14. If all conditions are agreed by all parties then the Sub-Committee may go straight to point 14)
6. The Applicant will present their case. Questions can then be asked of the Applicant by the Responsible Authorities, the interested parties and members of the Sub-Committee.

7. The Responsible Authorities will present their case. Questions can then be asked of the Responsible Authorities by the Applicant, the interested parties, and members of the Sub-Committee.
8. Presentation by any interested party. Questions can then be asked of the interested party by the Applicants, the Responsible Authorities and members of the Sub-Committee.
9. The Chair will ask the Licensing Officer for any comments/ clarifications
10. The Chair will ask the Legal Adviser for any comments/clarifications
11. The Chair will invite closing statements by the responsible authorities
12. The Chair will invite closing statements by the interested parties
13. The Chair will invite closing statements by the Applicant
14. The Chair will announce that the Sub-Committee are retiring for private session. The Legal Officer and Clerk will be invited to also retire.
15. 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

Licensing Objectives

Decisions will be made with respect to the four licensing objectives:

- Prevention of Public Nuisance
- Prevention of Crime and Disorder
- Protection of Children from Harm
- Promotion of Public Safety

Responsible Authorities

These statutory bodies are called “Responsible Authorities” and are given responsibility to make representations if the licensing objectives are under threat.

- The Chief Officer of Police
- The Local Fire Authority
- The Local Enforcement Agency for Health & Safety At Work Act 1974
- The Local Authority with Responsibility for Environmental Health
- The Local Planning Authority
- Local Licensing Authority or any Licensing Authorities
- A body representing those interested in the protection of children and recognised by the council (Local Safeguarding Children Board).
- The Local Public Health Authority

Privacy Notice for Parties to a Licensing Sub-Committee Hearing

The London Borough of Merton is a Data Controller in line with Data Protection law, as we collect and process personal information about you in order to accept and process your representation/application.

We are committed to protecting and respecting your privacy. Your personal information given as part of your Licensing Representation or Application (Contact details including your address and email address) is not published. Although your representation will remain published online, your personal data will be kept for 3 months and then destroyed.

Your data will not be shared with other third parties (with the exception of representations made being sent to the licence applicant as you will have already been advised).

Your data will be kept secure as it will be processed using the council's secure IT and email systems.

You have the right to access your data and to rectify mistakes, erase, restrict, object or move your data in certain circumstances.

If you have any questions regarding our privacy practices please contact the Data Protection Officer at data.protection@merton.gov.uk

For further details please see the Council's [full Privacy Notice](#).

Licensing Act 2003 Notice of Extension of Time Limits

Date of issue of this notice: 17 June 2022

Subject of hearing: SuperGroceries Ltd, 1 Commonside East, Mitcham, CR 4 2QA

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

Date by which a hearing would normally be required to be held: 6 May 2022

Period of extension to time limits applying to holding a hearing: 36 Working Days

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

For enquiries about this matter please contact

Democratic Services
Civic Centre
London Road
Morden
Surrey
SM4 5DX

Telephone: 020 8545 3357

Email: democratic.services@merton.gov.uk

Useful documents:

Licensing Act 2003

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

Merton's Statement of Licensing policy

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

Licensing Sub-Committee Report

Subject of hearing: **Supergroceries Ltd, 1 Commonside East, Mitcham, CR4 2QA**

Date: **27 June 2022**

Time: **2.30pm**

Venue: **Virtual Meeting**

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

1.1 The premises are in the special policy area.

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

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

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

2.3 New premises licence: s18

(i) To grant the licence subject to conditions

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

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

(iv) To reject the application.

3. Hearing papers

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

4. Legal advice to the sub-committee

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

5. Licensing Officer comments

5.1 This is an application for a new premises licence, for a premises described in the application as a convenience store.

5.2 The applicant has applied for the supply of alcohol for consumption off the premises, Monday to Friday from 10am to 8pm, Saturday from 10am to 7pm and Sunday from 10am to 4pm

5.3 The opening hours are stated in the application as Monday to Friday 7am to 8pm, Saturday 8am to 7pm and Sunday 9am to 4pm.

- 5.4 The operating schedule of the application sets out steps that the Applicant will take to promote the four licensing objectives. Conditions could be created from some of these steps should the Sub-Committee decide to grant the application.
- 5.5 We received two representations regarding this application from local residents.
- 5.6 After consultation with the applicant, both Metropolitan Police and Trading Standards withdrew their representations as the applicant has agreed to add conditions to their application. These email agreements, with the agreed conditions stated and the subsequent withdrawals of the representations are included in this report.
- 5.7 For ease, we have put the applicants proposed conditions from the application and the agreed conditions with Trading Standards as an annex to this report. The Sub-Committee may choose to form some conditions on the licence from these should they decide to grant the licence.

For enquiries about this hearing please contact

Democratic Services
 Civic Centre
 London Road
 Morden
 SM4 5DX

Telephone: 020 8545 3616

Email: democratic.services@merton.gov.uk

Parties to the hearing

This document forms part of the notice of hearing.

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

Applicant	
Supergroceries Ltd	
Statutory Authorities	
None	
Interested Parties	
Ms Linda DaSilva Nascimento	
Ms Sue Cooper	

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Super Groceries Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description 1 Commonside East			
Post town	Mitcham	Postcode	CR4 2QA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 9,000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*** If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):**

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		<input type="checkbox"/> Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	Super Groceries Ltd
Address	1 Commonside East, Mitcham, CR4 2QA
Registered number (where applicable)	13358378
Description of applicant (for example, partnership, company, unincorporated association etc.)	Company
Telephone number (if any)	
E-mail address (optional)	supergroceriesltd@gmail.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	5	012022

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
Deli Grocery Shop

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 4)	
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed					
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Tue					
			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 (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue			State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)			
			Indoors	<input type="checkbox"/>		
			Outdoors	<input type="checkbox"/>		
			Both	<input type="checkbox"/>		
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
Wed					<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)	
Thur						
Fri					<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Thur			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	1000	2000			
Tue	1000	2000			
Wed	1000	2000			
Thur	1000	2000			
Fri	1000	2000			
Sat	1000	1900			
Sun	10 00	1600			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	Gianni Scandaliato
Date of birth	██████████
Address	████████████████████ ████████████████████ ████████████████████

Postcode	██████████
Personal licence number (if known)	██████████
Issuing licensing authority (if known)	Newham London

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	0700	2000	
Tue	0700	2000	
Wed	0700	2000	
Thur	0700	2000	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

Fri	0700	2000	
Sat	0800	1900	
Sun	0900	1600	

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

No alcohol sale before 10am.
 Age proof to be ask prior purchase
 Off premises license

b) The prevention of crime and disorder

All wine and spirits displayed for sale on the premises will be situated behind the counter. Only members of staff will have direct access to them

c) Public safety

No drinking is to be allowed inside or immediately outside the premises.

d) The prevention of public nuisance

Signage shall be displayed in the premises requesting customers to keep noise levels down.
No single cans or bottles of beer shall be sold
The operators will actively prevent customers from congregating at the front and side of the store.

e) The protection of children from harm

CCTV shall operate at all times while the premises remains open to the public
Staff shall be trained to operate a Challenge 21 scheme

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	[REDACTED]
Date	15/02/2022
Capacity	Director

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500,

- and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Right to work / immigration status

A licence may not be held by an individual or an individual in a partnership which is not a limited liability 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 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 the right 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 in one of two ways:

1) by providing with this application copies or scanned copies of the documents which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in guidance issued under section 182 of the Licensing Act 2003.

2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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.

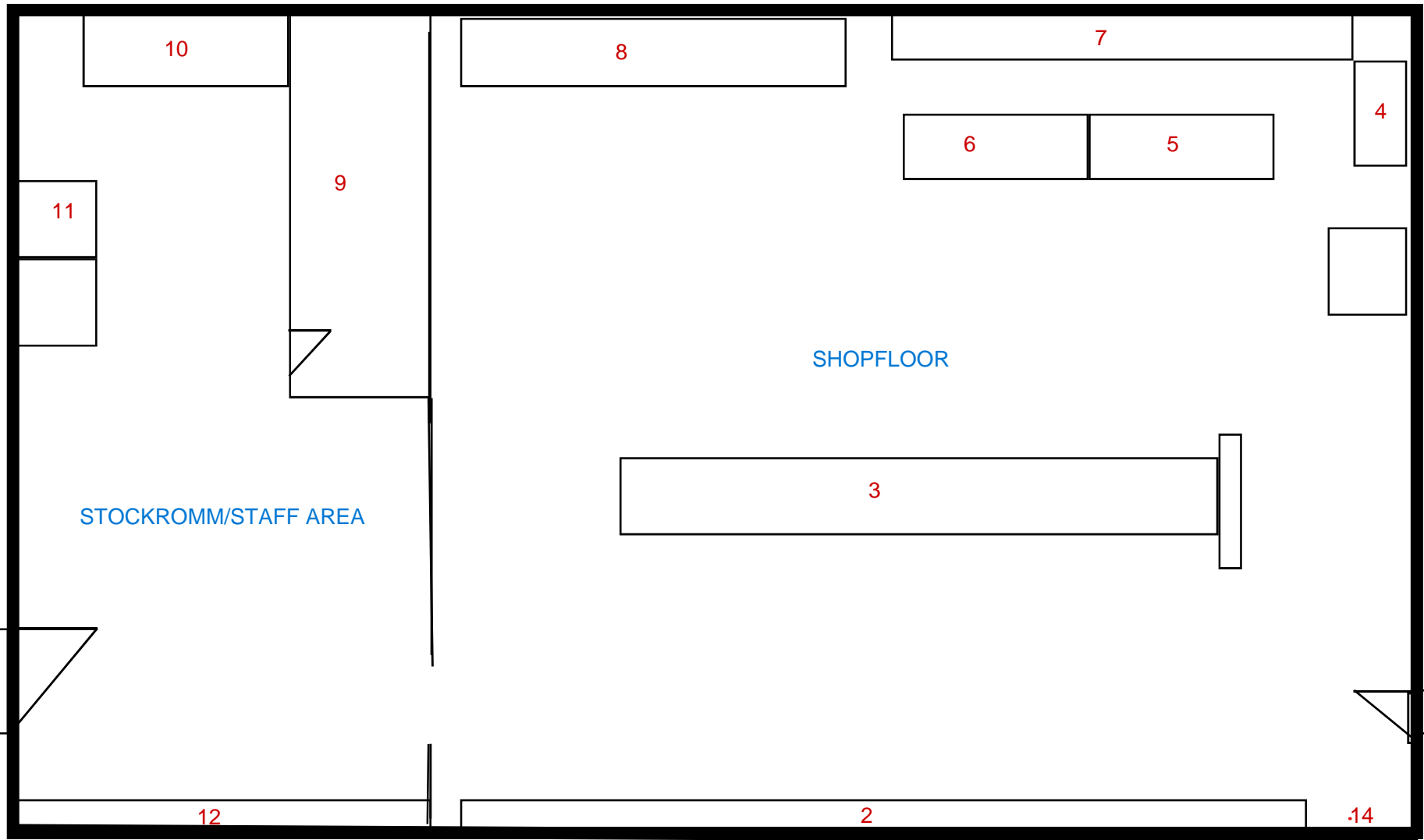
1. Main Entrance
2. Sheving
3. Shelving Unit



4. Cake Fridge
5. Till Counter
6. Counnter Fridge

7. Shelves
8. Display Fridge
9. Staff Toilet

10. Sink
11. Upright Fridges
12. Stock Shelves

13. Bank Entrance
14. Fire Extinguisher



 External Walls
 Internall Walls

14m

From: Avril O'Brien
Sent: 08 April 2022 13:10
To:; Licensing
Subject: RE: Police Conditions - Super Groceries

Good Afternoon Licensing,

Attached is the conditions which have been agreed with police and the applicant for Super Groceries.

Can you confirm receipt please?

Kind Regards,

Avril

*PC Avril O'Brien 3406SW
South West Licensing – Merton*



From: Patrycja Palonek-Szwagrowski
Sent: 08 April 2022 11:40
To: Licensing
Cc: O'Brien Avril E - SW-CU
Subject: Re: Police Conditions - Super Groceries

Good morning,

I hope this email finds you well.
I am emailing to inform you that we agree to the licensing conditions set by the Merton met police regarding our alcohol application.

Thank you,
Kind regards,
Lorena Rabadan

On Fri, Apr 8, 2022 at 9:58 AM wrote:

Good Morning Lorena,

Thank you for your previous email to confirm you are in agreement with police conditions. Could you forward this email to licensing@merton.gov.uk and let them know you agree, could you also CC me in please?

Kind Regards,

Avril

PC Avril O'Brien 3406SW

South West Licensing – Merton

Keeping South West London Safe
Putting victims first—Preventing harm—Working as one team



1) The premises licence holder, DPS, a personal licence holder or a fully trained member of staff authorised in writing by the DPS shall be present at the premises at all times during the permitted hours for the sale of alcohol.

2)a) The premises licence holder shall ensure that a CCTV system is installed in the premises of a standard acceptable to the Metropolitan Police Service. The system shall be maintained in good working order & fully operational covering all internal areas of the premises to which the public have access and also the area immediately outside the premises. All entry and exit points shall be covered enabling frontal identification (full head and shoulders images), of every person entering the premises in any light condition to an evidential standard.

b) All staff will be fully trained in the operation of the CCTV system including the ability to download screenshots and images for Police or Authorised Officers on request. A minimum of one such member of staff fully trained in the operation of the CCTV system shall be on duty at all times that the premises are open to the public.

c) The CCTV system will have the capability to download footage onto a disk or memory stick. The footage of the CCTV system will be retained for a minimum period of 31 days before re-writing itself with the correct date and time showing. Screenshots and CCTV footage will be made available to Police or Authorised Officers immediately upon request.

d) If the CCTV system is broken the premises licence holder shall notify the Licensing Authority and Police Licensing Team as soon as possible and get the fault rectified as soon as practicable.

e) The premises licence holder shall ensure that a log is kept in the Incident Book with the details of the dates of all work / repairs carried out on the CCTV system including the name and phone number of the engineer.

f) On a minimum daily basis the premises licence holder / DPS will check that the CCTV system is operational and the date and time stamp are correctly set and on a minimum of a weekly basis, check that the CCTV system is also correctly recording images for a minimum of 31 days and that screenshots and footage can be correctly downloaded. Details of these checks are to be recorded in the appropriate section of the Incident Book.

3) An Incident Book shall be kept at the premises and made available to the Police or Authorised Officers, which will record the following:

All crimes reported;

All ejections of customers;

Any complaints received and the outcome;

Any incidents of disorder;

Any faults in the CCTV;

Any refusal in the sale of alcohol;

Any visit by a relevant authority or emergency service. Whenever Police are called a CAD number shall be obtained and recorded in the Incident Book.

4) Appropriate notices shall be clearly displayed by the entry / exit door and behind the counter advising customers:

That CCTV and the Challenge 25 proof of age policy are in operation;

Of the provisions of the Licensing Act 2003 regarding underage or proxy sales;

That no single cans or bottles of beer, lager or cider may be sold in a single transaction;

Of the permitted (licensed) hours for the sale of alcohol and the opening hours of the shop;

Asking customers to respect residents, to leave the shop and area quietly, not to loiter or drink outside the shop and to dispose of litter legally;

That customers may not drink alcohol in the premises;

That the shop does not buy alcohol or tobacco goods from unsolicited (cold) callers to the premises at any time and that details of any such unsolicited (cold) callers including CCTV images will be passed to the Police.

5) The Challenge 25 proof of age policy will be operated as the proof of age scheme. (See Box E Protection of Children From Harm - Condition 1 for full details.)

6) All staff shall be trained on induction and given refresher training at a minimum of six monthly intervals.

7) There shall be no supply of alcohol for consumption off the premises except in sealed containers.

8) No beers, lagers or ciders above 6% ABV (alcohol by volume) shall be sold at the premises.

9) No single cans or bottles of beer, lager or cider shall be sold at the premises.

10) No spirits shall be sold in bottles of less than 20cl (centilitres).

11) All spirits must be displayed behind the counter and all other alcohol must be displayed in clear line of sight of the counter.

12) All displays of alcohol must be specifically covered by CCTV at all times.

13) A maximum of 20% of the retail display space may be used for the display of alcohol at any time.

14) All alcohol not on display will be stored in a lockable store.

15) The premises will actively engage with and work with the local Police Team and the Police and Council Licensing Teams.

16) Invoices or copies of all invoices relating to all alcohol and tobacco goods shall be kept on the premises for at least a year after the date of purchase. Alcohol and tobacco must never be purchased from a cold caller to the shop.

17) The shop will operate a clear window policy.

Appropriate notices shall be clearly displayed by the entry / exit door and behind the counter.

Management and staff will proactively discourage persons from drinking or loitering outside the shop both by monitoring the CCTV system & physical checks, politely asking persons drinking or loitering outside the shop to leave the area quietly.

The shop front will be kept tidy at all times and shall be swept at close.

No deliveries will be received or removal of rubbish especially glass take place between 20.00 and 08.00 daily.

A written refusals record will be kept as part of the Incident Book and made available to Police or Authorised Officers on request. The refusals record shall contain details of date & time, description of the person attempting to buy the age restricted products & the products that they were attempting to purchase, reasons why the sale was refused and the name and signature of the person refusing the sale. The refusals book is to be examined on a weekly basis by the premises licence holder / DPS and the date and time of each examination is to be endorsed in the book.

All staff will be trained for their role on induction and be given refresher training at minimum intervals of six months thereafter. Training will include the operation of the CCTV system and the Challenge 25 proof of age scheme, including identifying persons under 25, making a challenge, acceptable proof of age, making and recording a refusal, avoiding proxy sales, avoiding conflict, responsible alcohol retailing and safeguarding children and vulnerable people.

From: Cooper
Sent: 08 April 2022 10:40
To: Licensing
Subject: WK/202219380

Dear Sir

License application WK/202219380

I am writing to object to this alcohol application, having only recently been made aware of it by another concerned resident.

The previous occupant of this commercial unit at the western end of the pond was Smak, a small specialist supermarket, which applied for an alcohol licence which was turned down due to the negative effects of potential further alcohol sales on the local area - specifically the area around Three Kings Pond. This had become an evening and late-night gathering place for groups of men, who would drink until the small hours of the night, creating disturbance, occasionally fighting, leaving garbage and using the bushes as their own personal lavatory. The police were often called, and it was a very unpleasant time for those living in the area.

The local residents went through a long period of disturbed nights, stress and interrupted sleep etc due to alcohol-based issues, and objected to Smak applying for the alcohol license, which was clearly a cynical attempt to tap into this market and exploit their location, with no consideration for the local residents.

LB Merton denied that license application, on the basis that there were more than enough alcohol outlets already existing in the area, and they were aware of the alcohol issues around the pond (and other areas of the town center). With the reduction of alcohol licences being issued the area, the situation around the pond has improved immeasurably. With this in mind, I would hope that the sub-committee would consider this in relation to its own licensing objectives most specifically crime and disorder and public nuisance.

The shop is now a new enterprise (Super Groceries Ltd), which appears to be a foodstore and cafe, so I am deeply concerned about their desire to sell **off premises** alcohol as we are aware that the same problems involving public nuisance and crime and disorder are more than likely to re-appear, with alcohol being available for purchase at the store, and then taken to the area around the pond for consumption.

I hope the council will understand our objections, and refer to their previous policy of limiting further off premises (take away) alcohol sales in this area.

Sue Cooper

From: Linda Dasilva
Sent: 08 April 2022 12:21
To: Elizabeth Macdonald <
Subject: Re: Wk/202219380

Dear sir my name is Linda DaSilva Nascimento

I am writing to object to the above application for an alcoholic license. Commonside East is considered a beauty spot with the pond and wildlife many elderly, women and young children come to visit. Should you grant permission to the above I believe it will attract many drinkers not only intimidating the elderly, women and young children but creating rubbish every day.

Thanking You

Linda DaSilva Nascimento

From: Christopher Jones
Sent: 30 March 2022 14:24
To: Patrycja Palonek-Szwagrowski
Cc: Licensing
Subject: RE Super Groceries Limited, 1 Commonsides East, London CR4 2QA - Application for Licence

Dear Patrycja,

Thank you for your e-mail. As a result of its contents, I am happy to withdraw my representation in relation to the above licence application.

Kind regards,

Christopher

Christopher Jones
Senior Principal Trading Standards Officer

Merton Trading Standards Service is part of the Regulatory Services Partnership serving Wandsworth, Merton and Richmond Councils.

The Regulatory Services Partnership is hosted by the London Borough of Merton at,
Merton Civic Centre
London Road
Morden SM4 5DX

From: Patrycja Palonek-Szwagrowski
Sent: 30 March 2022 14:17
To: Christopher Jones ; Licensing
Subject: Re: RE Super Groceries Limited, 1 Commonsides East, London CR4 2QA - Application for Licence

Good afternoon,

I hope this email finds you well.

I can confirm that we accept all the conditions stated above and we will add them to our operating schedule.

Thank you,
Kind regards,
Patrycja Palonek

On Thu, Mar 17, 2022 at 6:56 PM Christopher Jones wrote:

Dear All,

After due consideration of the above application, and in its opinion to meet the licensing objectives of 'the prevention of crime and disorder' and 'the protection of children from harm', Merton Trading Standards Service would like to make the following representation requesting that these conditions be added,

1. Evidence of age in the form of photo identification shall be requested from any person appearing to those selling or supplying alcohol, to be under the age of 25 and attempting to buy alcohol. Examples of appropriate photo identification include a passport, driving licence, and the Proof of Age Standards Scheme (PASS) approved age card.

2. Notices shall be placed at all points of sale detailing the restrictions on sales of alcohol to children.

3. A record of refusals shall be maintained which documents every instance that a sale of alcohol (and any other age-restricted product) is refused on the premises, indicating the date and time the refusal was made, and the member of staff making the refusal.

4. The record of refusals shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service, and officers of the Police.

5. An effective visual (and/or aural) reminder shall be in place at all points of sale to ensure staff undertake appropriate age checks on potential sales of alcohol (and any other age-restricted product).

6. All staff that undertake the sale or supply of alcohol (and any other age-restricted product) shall receive appropriate training in relation to undertaking appropriate age checks on such, before being allowed to sell or supply any alcohol (and any other age-restricted product). Refresher training will be carried out at least every three months.

7. Records of all staff training, relating to the sale or supply of alcohol (and any other age-restricted product), along with any training material used, will be kept and maintained by the Designated Premises Supervisor or the Premises Licence Holder.

8. Staff training records shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service, and officers of the Police.

Many thanks,

Christopher

Christopher Jones

Senior Principal Trading Standards Officer

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Morden SM4 5DX

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