

# Merton Council

## Licensing Sub-Committee

### Membership

#### Councillors:

Caroline Charles

Jil Hall

James Williscroft

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

**Date:** 19 December 2022

**Time:** 3.30 pm

**Venue:** These are virtual meetings and therefore not held in a physical location

#### Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 Sushi Co, 42 Wimbledon Hill Road, Wimbledon, SW19 7PA 1 - 44

#### 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](mailto:democratic.services@merton.gov.uk) or telephone 020 8545 3357.

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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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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 should receive a written copy of the decision notice within 5 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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### **Attendance at meetings**

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## Licensing Sub-Committee Report

Subject of hearing: **Sushi Co, 42 Wimbledon Hill Road, Wimbledon, SW19 7PA**

Date **19 December 2022**

Time: **3.30pm**

Venue: **Virtual Meeting**

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

1.1 The premises are in the special policy area, and as such section 9 and appendix 3 of the Council's Statement of Licensing Policy will apply.

### **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 appropriate 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 application is in a special policy area on cumulative impact covering Wimbledon Town Centre and as such section 9 and appendix 3 of the Council's Statement of Licensing Policy will apply.

5.2 This is an application for a new premises licence, for a premises described in the application as a Japanese sushi delivery, take away and dine-in.

- 5.3 The applicant has applied for
- i) plays, with performances both indoors and outdoors on Monday to Sunday from 11am to 12 midnight,
  - ii) recorded music from 11am to 12 midnight on Monday to Sunday, inside the premises,
  - iii) late night refreshment, delivery, takeaway and dine in on Monday to Sunday from 11am to 12 midnight.
  - iv) the supply of alcohol for consumption on the premises, Monday to Sunday from 11am to 12 midnight.
- 5.4 The opening hours are stated in the application as Monday to Sunday 11am to 12 midnight
- 5.5 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.
- 5.6 We received seven representations regarding this application. One of which was from a Responsible Authority, Trading Standards, requesting conditions.
- 5.7 For ease, we have put the conditions that we believe could be created from the application and the conditions requested by 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 and may change or add to these should they believe it appropriate.

**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>
Sushi Co
<b>Statutory Authorities</b>

Trading Standards	
<b>Interested Parties</b>	
Catherine Greenhalgh	
Gabrielle Horent	
Lynne Gordon, WEHRA	
Andy Padden-Modi	
Councillor Susie Hicks	
Lynn Avery	

### **Conditions that could be extracted from the application operating schedule**

1. Notices shall be displayed advising customers to leave the premises quietly.
2. CCTV shall be maintained in effective working order and shall be in use at all times that the premises are open to the public. All recordings shall be retained and stored securely for a minimum of 31 days and shall be made available on request to the metropolitan police and other authorised officers.
3. At all times the premises is open to the public, a minimum of two members of staff on duty shall be able to operate the CCTV system.
4. Signage shall be displayed advising customers that a CCTV system is in operation at the premises.
5. An incident log shall be retained at the premises and made available to authorised officers of the police or local authority.
6. Regular litter patrols shall be in place to address litter created by customers from the premises.
7. Staff shall be trained to promote the four licensing objectives.

### **Conditions requested by Trading Standards**

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.

**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 THE SUSHI CO Ltd (Gopitha Sama)  
*(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		
THE SUSHI CO Ltd. 42 WIMBLEDON HILL MERTON		
Post town		Postcode SW19 7PA
Telephone number at premises (if any)		
Non-domestic rateable value of premises	£ 50 000	

**Part 2 - Applicant details**

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

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <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                                 | <input type="checkbox"/>            | please complete section (B) |
| d) a charity   | <input type="checkbox"/>            | 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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/> Please tick yes			
<b>Nationality</b>					
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	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(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	THE SUSHICO. Ltd.
Address	4 White Church Parade. Edgware E14 9DZ
Registered number (where applicable)	13681780
Description of applicant (for example, partnership, company, unincorporated association etc.)	co-director.

Telephone number (if any)
E-mail address (optional) <i>gopi @ the sushico . co . uk .</i>

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
05	11	2022

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)

*Japanese Sushi, hot food and drinks delivered take away and dine in*

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)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/>            |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>            |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>            |

**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)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	11.00	00.00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	11.00	00.00			
Wed	11.00	00.00	<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur	11.00	00.00			
Fri	11.00	00.00	<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	11.00	00.00			
Sun	11.00	00.00			

**B**

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



C

Indoor sporting events Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

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

**E**

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

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	00.00	<b>Please give further details here</b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	11.00	00.00			
Wed	11.00	00.00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur	11.00	00.00			
Fri	11.00	00.00	<b>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</b> (please read guidance note 6)		
Sat	11.00	00.00			
Sun	11.00	00.00			

**G**

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

# H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	11.00	00.00	<p><b>Please give further details here</b> (please read guidance note 4)</p> <p>DELIVERY <del>and</del> Take away and Dine in</p>		
	11.00	00.00			
Tue	11.00	00.00			
	11.00	00.00			
Wed	11.00	00.00	<p><b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)</p> <p>Christmas New years and any Seasonal cultural changes may differ.</p>		
Thur	11.00	00.00			
Fri	11.00	00.00	<p><b>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</b> (please read guidance note 6)</p>		
Sat	11.00	00.00			
Sun	11.00	00.00			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	11.00	00.00			
Tue	11.00	00.00			
Wed	11.00	00.00			
Thur	11.00	00.00			
Fri	11.00	00.00			
Sat	11.00	00.00			
Sun	11.00	00.00			
			<b>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</b> (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	Gopitha Sama		
Date of birth	[REDACTED]		
Address	[REDACTED]		
Postcode	[REDACTED]		
Personal licence number (if known)	[REDACTED]		
Issuing licensing authority (if known)	Merton		



**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**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	<b>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</b> (please read guidance note 6)
Mon	11.00	00.00	
Tue	11.00	00.00	
Wed	11.00	00.00	
Thur	11.00	00.00	
Fri	11.00	00.00	
Sat	11.00	00.00	
Sun	11.00	00.00	

## 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)

We have highly trained staff to understand the 4 licensing objectives. We will put up notices for our customers to leave our premises quietly. We will set up regular litter patrols around the store. We will monitor CCTV to ensure public safety plus a dedicated staff handler for children.

### b) The prevention of crime and disorder

The closed-circuit television (CCTV) system installed at the premises shall be maintained in effective working order, and shall be in operational order at all times the premises is open to the public. All recordings made by the CCTV system shall be retained and stored in a suitable place ~~for~~ security for 31 days, and shall be made available on request to the Metropolitan Police, the licensing authority or other responsible authorities.

### c) Public safety

AT ALL TIMES THE PREMISES IS OPEN TO THE PUBLIC A minimum of two members of staff on duty will be able to operate the CCTV system. Signs shall be displayed advising customers that a CCTV system is in operation. At the premises, an incident log (in writing or electronic) shall be retained at the premises and made available to an authorised officer of the police or the local authority. General public safety will not be at risk.

### d) The prevention of public nuisance

We respect our neighbour and the general public and will keep the local street clean of litter and noise to a minimum and also request customers to do the same. We have signs displayed ~~in~~ in the FOH.

### e) The protection of children from harm

THE Manager on duty will be fully trained on issues related to CHILDREN.

**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)

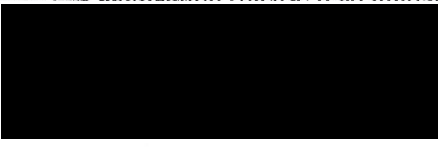

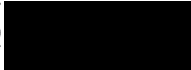

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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</li> </ul>
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	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	
Date	13/10/22
Capacity	co-director

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)			
gopi@the-sushi-co.co.uk			

## 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

- (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.

#### **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 checked online. 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.

- 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.
- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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,

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 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).

### **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 birth or adoption certificate issued 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 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.

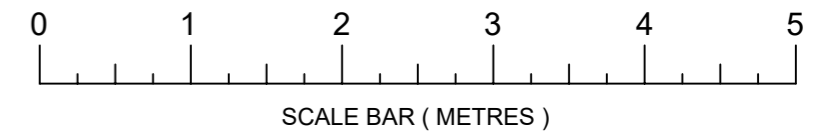


(b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

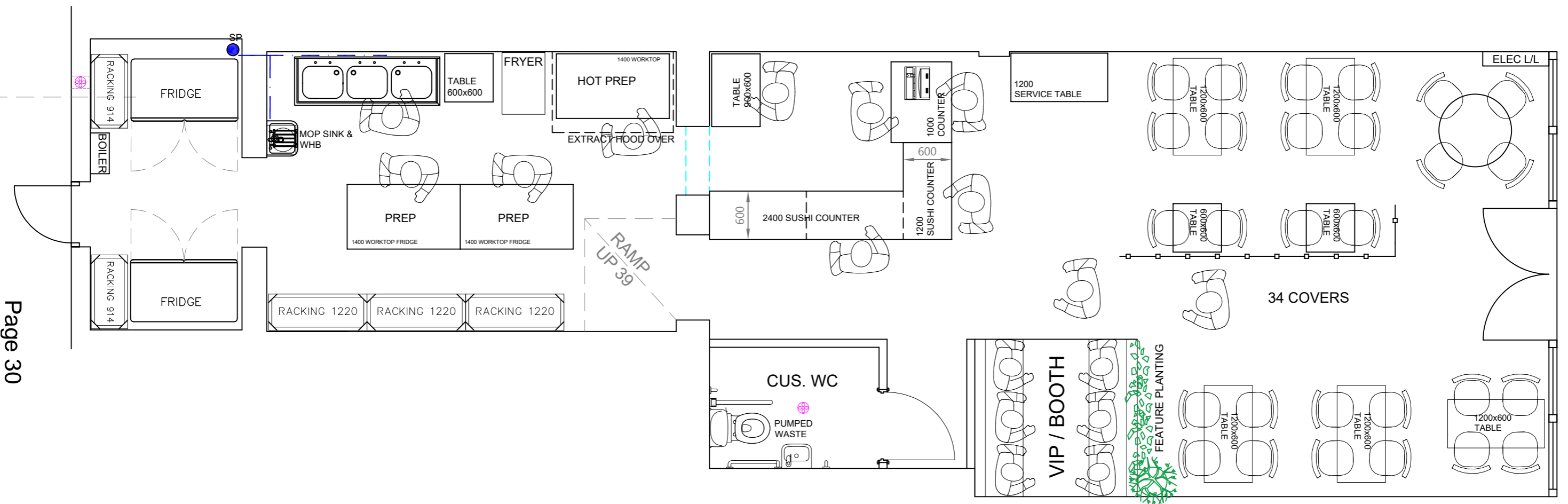
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, 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. **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.



Page 30



# PROPOSED GROUND FLOOR

81.27sq.m. / 874sq.ft.

B	DRAWING REVISED	21.8.22	MAS
A	DRAWING REVISED	5.8.22	MAS
REV	AMENDMENT	DATE	CHKD
<b>MA DESIGN</b> MARTIN ANTHONY DESIGN LIMITED			
CLIENT -			
PROJECT 42 WIMBLEDON HILL ROAD LONDON SW19 7PA			
DRAWING TITLE PROPOSED FLOOR PLAN			
SCALE 1:50@A3	DRAWN BY MAS	CHECKED -	DATE APR'22
DRAWING NUMBER 21166-02		REVISION B	

**From:** Christopher Jones

**Sent:** 28 October 2022 09:29

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

**Subject:** RE: The Sushi Co Limited, 42 Wimbledon Hill Road, London SW19 7PA - Application for Licence

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.

Yours sincerely,

Christopher Jones

Senior Principal Trading Standards Officer

**From:**

**Sent:** 20 November 2022 09:24

**To:**

**Subject:** WK/202265984 The Sushi Co Ltd

Dear Merton

I own flats [REDACTED] and on behalf of my tenants, I completely share and support his concerns about granting this license for The Sushi Co. This premises was a sports retailer and then an estate agents going back to the 1970's. We have never had late night opening, music, food and drink below us before and this will seriously impact the quality of life for residents in the building. It's devastating. The freeholder did not consult us when he entered into this contract. We contacted the council about this a few months ago, but they said there was nothing we could do about this change of use.

However, I'm not sure the council are aware that this premises, unlike all the other restaurants along this part of Wimbledon Hill, has no direct access to Worple Road Mews at the rear. This causes huge problems, outlined below.

Mr Padden-Modi also correctly identifies this problem with access to and from the rear of the proposed restaurant. The back door opens directly into the residents' communal courtyard which is private for us and only accessible out onto Worple Road Mews via a locked entry system. It is completely unacceptable for Deliveroo riders to be being buzzed in and out on the commercial scale which a restaurant service would generate. The private entrance is shared with another small block of 3 flats. I'm sure they would be equally concerned. (And yes, delivery mopeds are already a terrible nuisance on the Mews, speeding, making noise, drivers smoking and dropping cigarettes etc.)

Also, it is our experience that staff from all the restaurants that back directly onto the Mews (eg Wagamama) use the Mews for their breaks, for smoking, littering and chatting, as well as leaving their back doors open for ventilation so that noise and smells escape. In the case of our building this would be directly out into our private courtyard, right at the bottom of the stairwell to our flats. It's a horrific thought. What we have enjoyed as an utterly quiet, private, secure space will become a noisy, dirty thoroughfare for taking out rubbish, smoking etc.

Which brings me to the next point - what is this proposed restaurant going to do about waste? There is no bin storage in the communal area. It is not in the leases and we would strongly object to it. The courtyard is not suitable for bins as it is a thoroughfare and an amenity of quiet space and privacy at the back of our flats. Bin storage is in an external bin shed on Worple Road Mews beyond the locked gate - a shed already fully utilised by all flats and totally inadequate for restaurant waste. A neighbouring restaurant used to deploy a giant wheelie bin on the Mews pavement which was eventually disallowed, so this is not a solution either. Unless they have permission to put rubbish out at the front of the premises, on Wimbledon Hill, they have nowhere to dispose of waste.

Specifically, the alcohol and late opening application is going to have a particularly negative impact because disposal of glass bottles will take place at very antisocial hours after closing time - above and beyond the street noise a late opening alcohol serving business causes.

Closing at 11pm already means clearing and disposal of rubbish till probably midnight making a lot of noise when the bottles smash being put in the bin. This is currently what Pho restaurant, who are

next to us, do at the moment. Giving a licence till midnight would mean very antisocial noise until 1am estimated. Lots of restaurants say that they will do it the next morning, but in reality they never do.

This section of Wimbledon Hill is already full of bars and restaurants, and the fair balance of amenity for the residents is already stretched. I therefore add my strong objection to this application.

Catherine Greenhalgh



**From:**

**Sent:** 23 November 2022 11:48

**To:**

**Subject:** WK/202265984 The Sushi Co Ltd

Dear Merton,

Following Elizabeth Macdonald's invitation to add to my representation about this application, regarding 4 key areas, I set out my objections below:

- The prevention of crime and disorder

The back door to this proposed restaurant is onto an enclosed private courtyard with an open stairwell (covered from the elements but with no door) leading up to flats 42A, 42B and 42F, which are directly above the applicant premises. This stairwell could therefore be accessed by anybody entering or leaving the restaurant this way and used for crimes such as mugging, theft, drug-taking etc especially after dark. The late-night license application makes this particularly concerning as the restaurant will still be active after residents have gone to bed. The late night serving of alcohol would also create a magnet for people who are already drunk and seeking to prolong their night out.

- Public safety - the physical safety of people using the venue

The confined nature of the rear courtyard makes it unsuitable for evacuation of large numbers of people should it be necessary.

- The prevention of public nuisance

Noise, smells and littering at anti-social hours will affect both front and back of this proposed restaurant, impacting residents in both the blocks comprising 42 Worple Road Mews. This includes delivery mopeds in the Mews, drivers congregating and talking/shouting, heavy amounts of cigarette smoke and butts, and at the back door of the venue, staff taking breaks in the courtyard with similar effects. Food smells are also a concern given the proximity of the back door to residents' own front doors. The late night proposal will generate extra noise and nuisance behaviour at anti-social hours. 42 Worple Road Mews already suffers from such impacts from a

saturation of existing restaurants who front onto Wimbledon Hill but whose back entrances are along Worple Road Mews. The bedrooms of flats A, B and F are directly above both front and rear of the proposed venue, and noise from staff and late night customers will create a great nuisance.

- The protection of children from harm.

The secure nature of the courtyard is of paramount importance to the residents and has so far only been accessible to the residents and their visitors. The estate agents came and went during daytime office hours only, as well as being known to us. The proposal completely changes the security of the venue with particular safeguarding hazard for children, given the number of strangers who would now have access. One flat houses a single mother and her teenage daughter (who is no longer a minor, but other children may well be resident now or in the future.) The security of the courtyard and stairwell has the converse implication of being secluded, of course, should it be wrongly accessed. Residents would now have to walk right past whoever is hanging around the back door of the restaurant until late at night, in order to access the stairwell leading to their flat, and could, in a worst case, be followed up the stairwell.

Yours faithfully,

Catherine Greenhalgh  
Owner of 42A and 42F Worple Road Mews SW19 4DB

**From:** Mr and Mrs Horent  
**Sent:** 21 November 2022 12:02  
**To:**  
**Subject:** Fw: 42 Worple Road mews - WK/202265984 The Sushi Co Ltd

Hi,

I have been made aware by other owners at 42 Worple Road mews that The Sushi Co, opening underneath [REDACTED] are applying for a license to open later than 11pm to midnight. As owner of the ground floor flat at [REDACTED] that is currently rented out, I would like to object to that time extension as this will surely mean even more noise than is already happening for the tenants and that will disrupt the night for longer.

I would appreciate if the peace of the neighbourhood would be taken into account when you take the decision.

Kind regards  
Gabrielle Horent

**From:**  
**Sent:** 28 November 2022 10:33

**To:**

**Subject:** 42 Worple Road mews - WK/202265984 The Sushi Co Ltd

Dear Merton,

Following Elizabeth Macdonald's invitation to add to my representation about this application, regarding 4 key areas, I set out my objections below:

- The prevention of crime and disorder

The back door to this proposed restaurant is onto an enclosed private courtyard with an open stairwell (covered from the elements but with no door) leading up to flats 42A, 42B and 42F, which are directly above the applicant premises. This stairwell could therefore be accessed by anybody entering or leaving the restaurant this way and used for crimes such as mugging, theft, drug-taking etc especially after dark. The late-night license application makes this particularly concerning as the restaurant will still be active after residents have gone to bed. The late night serving of alcohol would also create a magnet for people who are already drunk and seeking to prolong their night out.

- Public safety - the physical safety of people using the venue

The confined nature of the rear courtyard makes it unsuitable for evacuation of large numbers of people should it be necessary.

- The prevention of public nuisance

Noise, smells and littering at anti-social hours will affect both front and back of this proposed restaurant, impacting residents in both the blocks comprising 42 Worple Road Mews. This includes delivery mopeds in the Mews, drivers congregating and talking/shouting, heavy amounts of cigarette smoke and butts, and at the back door of the venue, staff taking breaks in the courtyard with similar effects. Food smells are also a concern given the proximity of the back door to residents' own front doors. The late night proposal will generate extra noise and nuisance behaviour at anti-social hours. 42 Worple Road Mews already suffers from such impacts from a saturation of existing restaurants who front onto Wimbledon Hill but whose back entrances are along Worple Road Mews. The bedrooms of flats A, B and F are directly above both front and rear of the proposed venue, and noise from staff and late night customers will create a great nuisance.

- The protection of children from harm.

The secure nature of the courtyard is of paramount importance to the residents and has so far only been accessible to the residents and their visitors. The estate agents came and went during daytime office hours only, as well as being known to us. The proposal completely changes the security of the venue with particular safeguarding hazard for children, given the number of strangers who would now have access. One

flat houses a single mother and her teenage daughter (who is no longer a minor, but other children may well be resident now or in the future.) The security of the courtyard and stairwell has the converse implication of being secluded, of course, should it be wrongly accessed. Residents would now have to walk right past whoever is hanging around the back door of the restaurant until late at night, in order to access the stairwell leading to their flat, and could, in a worst case, be followed up the stairwell.

Yours faithfully,  
Gabrielle Horent

Dear Sir/Madam,

I am writing on behalf of the Wimbledon East Hillside Residents Association (**WEHRA**), in response to the licencing application for premises at **42 Wimbledon Hill Road, SW19 7PA - Application No: WK/202265984**

WEHRA is a formal organisation, working together for over 40 years, with the mandate to 'preserve, protect and enhance our community'. We are a stable community consisting of family homes, the majority owner occupied, with many young families with school children, plus empty nesters and older people who have resided here for many years.

WEHRA represents residents living in ten roads (c.800 households) located at northern part of Wimbledon Town Centre. The WEHRA area abuts the growing hospitality area at the lower end of Wimbledon Hill Road and is close to the major transport links at Wimbledon Bridge and the Town Centre; therefore, this proposed licence will impact the WEHRA area. WEHRA notes that the application seeks licences for the regulated activities of i) the sale of **alcohol on the premises** ii) **Late Night Refreshment** (sale of hot food post 23.00) iii) playing **recorded music** and iv) **performance of a play**. The proposed operating hours (section L) are 11am to 00.00 (midnight) 7 days a week.

The premises are within the **Wimbledon Town Centre Cumulative Impact Zone**, to which Merton has applied a **Special Policy** (Paragraph 9 Merton Licencing Policy approved November 2020).

The Special Policy advises applicants to consider cumulative impact, when drawing up their operating schedule (Paragraph 10.2 page 16) and expects applicants, to '*demonstrate in the operating schedule that they would not be adding to the cumulative impact.*' (Paragraph 9.4).

Whilst the Special Policy does not set terminal hours, it observes that the operating hours of an outlet, are relevant to the **cumulative impact** and **potential for crime and disorder, and public nuisance**.

The Licencing Policy (Paragraph 2.3 Page 10) notes that '*customers of licensed premises often park their vehicles in residential streets*' and an '*intention of the policy is to ensure that local residents are not unreasonably disturbed, whether in the street or at home, by activities within licenced premises or by customers arrive at, or leaving, licensed premises.*' (Paragraph 1.10 Page 9).

WEHRA supports a changing business economy that safeguards residents from adverse impacts of crime and disorder, and public nuisance, particularly surrounding the night-time



economy. The enclosed map of licenced premises within our area and their licensing hours is maintained by WEHRA to identify additional licensed premises.

Several residential streets including Alwyne and Compton Roads, Worple Mews and Mansel Road, already suffer disturbance from patrons visiting the many licensed premises in this part of Wimbledon Hill Road. This takes the form of customers talking loudly, closing of car doors of patrons parked (there is no restriction on parking post 18.30pm and on Sundays these streets) and the congregation of moped take-away delivery drivers.

The Council is aware of the considerable disturbance caused by the latter, that currently congregate on Wimbledon Bridge and is consulting on a TMO. Without a suitable alternative location, these moped drivers will simply relocate to local roads, including those mentioned above, that are proximate to the many restaurants in Wimbledon Hill Road offering take-out service.

The take-away service appears to be an integral part of the offering from this premises in that it only has 34 covers. If the licence were granted as applied for, the premises would become yet another licensed venue with late night trading every day of the week. It would add to the **cumulative impact** of existing licenced premises in this part of the Town Centre Zone, which increases the potential for public nuisance disturbing residents, and an increase in crime, disorder, or anti-social behaviour in the area. For these reasons, WEHRA **objects** to the application in its current form, as i) it adds to the cumulative impact and ii) the proposed operating hours cannot be said to promote the licensing objectives, including the Prevention of Public Nuisance.

WEHRA would support an amended **application that has:**

i) the sale of **alcohol on the premises** with a terminal hour of 22.30pm on Sunday, and Monday to Wednesday (inclusive) and 23.00pm on Thursday to Saturday (inclusive), with the usual conditions being agreed or imposed

ii) the Late-Night Refreshment Licence application being withdrawn and

iii) the performance of a play being withdrawn. WEHRA assumes that Section A of the Application Form was completed in error, as the premises plan does not show a 'stage' or other facility for such performance. In any event such activity would significantly increase footfall and potential for public disturbance.

Please let us know the date of the licensing hearing and whether the applicant is agreeable to amending the licence application as proposed above.

Yours faithfully

Lynne Gordon  
Chair, WEHRA

Good Afternoon Elizabeth,

Thank you for your email.

Myself, along with other tenants and owners of the flats above and behind 42 Wimbledon Hill Road, have concerns relating to the points that you have highlighted.

First of which is Public Nuisance. As mentioned in the previous email, there is no access behind the proposed restaurant, and therefore nowhere for bins to be stored, or waste to be disposed of. My concern is that this waste will be stored in and around the entrance for the flats, which will cause bad smells along with further risk of rats and other unsanitary conditions.

The other nuisance created from having a later licence for opening and the sale of alcohol is the level of noise created. The noise already from other restaurants and bars in the area is already enough, and the addition of yet more late opening establishments in the area will push this further beyond an acceptable level. The noise I can see being made will likely come from the disposal of bottles, which Pho next door already empty in an incredibly loud fashion late at night. If the opening hours are beyond 11pm this noise is yet a further disruption to the lives of everyone in the flats at 42 Worple Road Mews.

More nuisance that I can foresee is again the lateness of the licence for selling alcohol will cause even more people milling around outside my windows in a drunken manner. This is already at a high level considering the area, and I feel that we are at a level of saturation of late opening establishments.

The noise levels coming from, again, even more mopeds and delivery cars in the area will cause even more of a public nuisance as well as a safety issue relating to the speed and volume at which these already operate along Worple Road Mews. If the delivery mopeds don't operate behind the flats, where there is no access for the shop anyway, they will have to access the shop of the shop. This is on a busy main road and on a busy pavement area. If there are frequent mopeds mounting pavements, or disrupting traffic on Wimbledon Hill Road, this will cause a public safety issue for pedestrians.

In terms of protecting children from harm, my wife and I are starting a family and are worried about said smells, sanitary conditions relating to the bins, noise levels from outside causing difficulty sleeping, increase traffic of mopeds mounting pavements. All of these, as you can imagine, cause worry for any parent in the area.

I hope the committee will see it right to not give Suchi Co. a late opening license and a license for selling alcohol.

If you have any further questions, please don't hesitate in getting in constant.

Kind Regards,

Andrew Padden-Modi

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**From:** Elizabeth Macdonald  
**Sent:** 17 November 2022 17:28  
**To:** Andy Padden-Modi  
**Subject:** RE: Planning Application 42 Wimbledon Hill Road WK/202265984

Dear Mr Padden-Modi

### **Licensing Act 2003 – New Premises Licence Application**

**The Sushi Co Ltd, 42 Wimbledon Hill Road, Wimbledon SW19 7PA**

I refer to your email below, which you sent to the Licensing Section, however, you have titled the email “Planning Application” and state in the last paragraph that you trust the new planning applications will not be grated.

We have no input into the planning process. Do you want me to forward your email to the planning section?

There has been a premises licence application submitted by the operator, I have attached a redacted copy of the application for you information. If you wish to comment (make a representation) on this application, you can do so but any representation must be received by us by the 22 November 2022 which is the end of this applications consultation period.

For your information, representations for or against an application must address one or more of the four licensing objectives which are:

- The prevention of crime and disorder
- Public safety - the physical safety of people using the venue

- The prevention of public nuisance
- The protection of children from harm.

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

Yours sincerely

**Elizabeth Macdonald**

**Licensing Officer**

**Regulatory Services Partnership**

**From:** Andy Padden-Modi  
**Sent:** 15 November 2022 11:38  
**To:** Licensing  
**Subject:** Re: Planning Application 42 Wimbledon Hill Road

Hello,

I would like to follow up with this email as work has now started on the shop downstairs that I mentioned in my previous email.

Best wishes,

Andrew Padden-Modi

**From:** Andy Padden-Modi  
**Sent:** Saturday, November 12, 2022 10:14:30 PM  
**To:**  
**Subject:** Planning Application 42 Wimbledon Hill Road

Dear Council Members,

My name is Andrew Padden-Modi and I live at [REDACTED] I'm writing to you with regards to the planning application for 42 Wimbledon Hill Road. My wife and I live in the flat [REDACTED]

I have some serious concerns about the new application for late night opening, and alcohol licence to this space. The property below was previously a letting agent and is being converted into a sushi restaurant, without discussion or consultation with the leaseholders of the residential properties above and around.

My issues with the application are as follows:

1. Increase in motorcycle traffic from food deliveries around the back of the property.
  - We already have Pho, Wagamama, Rosa's Thai and Sticks 'n' Sushi that use our road for take-away deliveries; the addition of more take-away shops will pose an even greater risk of being hit by the mopeds, which unfortunately we have come close to on many occasions.
  - This particularly poses a worry as we are soon to be starting a family.
  - The motorcycles/mopeds drive into Worple Road Mews with some speed already and mount the pavement. This is unsafe for not only residents of Worple Road Mews but also clients of the businesses which operate on this road.
- 2.
3. The noise from the motorcycles and downstairs late opening sushi take away is greatly concerning.
  - We know this will cause a nuisance to all residents above and around 42 Wimbledon Hill Road.
  - My wife is a Doctor in the NHS and must work late shifts and weekends as part of her duties. The noise will inevitably disturb her sleep and affect her ability to work safely. There are other NHS staff and working professionals living in the area that will also be affected by the noise.
  - As we are a growing family, it will mean that the noise from downstairs would affect sleeping patterns and routines for children.
- 4.
5. Most worryingly we object to the permission allowing food and hazardous waste being transported through the back of the residential walkway.
  - There is no further/associated bin space in the back of the property to accommodate a restaurant. There is already a foul-smelling waste area, which is always too full and overflowing, and there have been frequent rats and mice noted in the area, which is a sanitary issue for all who live and work in Worple Road Mews.
  - There aren't any facilities for waste disposal in front of the property, so my concern is that the new permissions would result in inevitable use of the back exit of the shop, which is our communal space/ entrance area for Flats-42, 42a, 42b, 42c, 42d and 42e.

- If this waste is going to be transported through the private walkway and communal area it will cause smells and transport of hazardous waste products through a communal residential space. We have already noted rats in the area around the bins and unfortunately this is likely to become much worse if the new permission is granted. This is a health and safety hazard for the residents of Worple Road Mews, as well as a nuisance.
  - A security issue of increased throughput through the residential communal space (see below on point 4).
- 6.
7. The transport of waste and takeaway drivers coming through the back entrance/residential area of 42 Worple road mews is a security concern, especially if delivery staff and employees are transporting food through this area where they have easy access to our housing. Previously this was never a concern as the shop below used the back door only as a fire exit and so was permanently closed.

I appreciate that there are other restaurants in the area (with back entrances leading directly to Worple Road Mews), however they have a separate entrance to the back, which is not through residential space. Therefore, this is a unique circumstance that the other restaurants did not pose for residents in the area. In this situation the following will be compromised:

- Health and safety (hazardous waste and road safety)
- Sanitation and smells
- Noise and Nuisance
- Security concerns
- Impact on mental health and wellbeing

I trust the council will strongly consider our grievances with the new planning applications and not grant it permission. There is not just one issue, but several and I feel that it will negatively impact on our wellbeing and safety. Several residents in our area agree that the planning permission is totally unacceptable.

Please do not hesitate to get in touch with me to discuss the points raised.

Yours sincerely,

Andrew Padden-Modi

Dear Sirs,

I write as one of the Hillside Ward councillors, in respect of the licensing application for the Sushi Co. As you will know the little parade where the Sushi Co is opening is surrounded by largely residential streets – flats above and opposite, and quiet residential streets, Mansel Road round the corner, Alwyne and Compton opposite. This application raises a number of concerns for local residents, viz

- 1) Off sales, coupled with late opening hours in a largely residential setting could lead to drunkenness in the neighbourhood late at night;

- 2) The sale of carry out food late at night will result in noisy delivery drivers in the vicinity late at night;
- 3) The proposed hours of opening are longer than is the norm for that parade, and may draw late night revellers into the area.

For these reasons, given the legitimate concerns of local families, I would like to suggest that the opening hours be limited to 10.30 pm, 10.00 on a Sunday, apart from Friday and Saturday which could be later, and that off sales of alcohol be banned.

Best wishes,

Susie Hicks

To: Licensing Department

Date: 3rd November 2022  
Application No: WK/202265984  
Applicant: The Sushi Co, 42 Wimbledon Hill Road, SW19 7PA

I write to object to the above restaurant's application to **open until midnight, 7 days per week** on the **grounds of noise & (potentially) anti-social behaviour**.

**Background:** The location of this new restaurant is in the relatively small parade at the start of the hill leading up to Wimbledon Village & on the very outer boundary line of what constitutes as being designated the Town Centre.

No 42 is immediately opposite Compton Road (**a street of many family owned residential homes**) with the rest of the parade being a mix of estate agents; building society; dry cleaners; health shop; gym; mini mart with post office & a few restaurants.

A few months ago **Rosas opened a few sites further up the hill**. They too applied for similar hours, but after discussion with local residents (who now use this restaurant) they agreed that the reality would be (out of respect to these local residents) that their hours would be considerably shorter than their licence application. And this promise they adhered to, with their closing times being:

Mon>Thurs: 10.30pm

Fri & Saturday: 11.00pm

Sunday & Bank Hols: 10.00pm

As with my letter of objection to Rosas original proposed opening hours, the reasons for my concerns are as follows:

- Such late night closing will suck the Town Centre visitors into a quiet residential area. Customers (able to stay until midnight every day of the week) won't immediately vacate the surrounding pavement space outside The Sushi Co, instead staying awhile to chat (potentially loudly).
- Compton Rd (immediately opposite) is currently used by visitors as a convenient road in which to park their cars (as is Alwyne, the road that runs parallel & in which I live). This will mean that when returning from The Sushi Co, there will be the noise of slamming car doors/cars being driven away (until well past midnight). Particularly as such late night opening hours discourage people from using public transport.

- From their website it appears they will be offering a food delivery service across a variety of providers. Just Eat; Deliveroo & Uber Eats all feature. This means motorbikes (which we have had issues with previously) may well park until late in Compton Road (& Alwyne) i.e. awaiting food orders. Bringing with them the resultant noise of motorbikes we have experienced in the past + the loud conversations between the drivers.

I would request that The Sushi Co respect the concerns of local residents (as did Rosas) & **follow the practice they have adopted in their other venues which are in residential areas.** Here I am specifically thinking of:

- Chiswick: Open until 11.00pm
- Woodford: Open until 10.00pm, except Fri & Sat when open until 11.00pm.
- Ealing: Open until 11.00pm
- Putney: Open until 11.00pm

**Additionally, I would ask Merton Council make the Condition that: Alcohol only be served to those having a substantial meal**

And finally, “**performance of a play**” does seem an odd request for such a small venue, thus it is unclear (to me) what this might be. My concern is that this might be a euphuism for Karaoke. If so, this makes my request for the above Condition even more pertinent, as I am sure that provision of alcohol only (without food) will compound our concerns about noise levels/fact that customers will be sucked into this location (very) late evening, simply to partake of this popular form of entertainment. Particularly if the venue continues with their request to open until midnight every day of the week.

Regards.

L.Avery