

# Merton Council

## Licensing Sub-Committee

### Membership

#### Councillors:

Mike Brunt

Caroline Charles

Stephen Mercer

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

**Date:** 12 May 2023

**Time:** 3.00 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 Pawelek Coffee Shop and Ice Cream Ltd 1 - 32

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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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

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### **Attendance at meetings**

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## Licensing Sub-Committee Report

Subject of hearing: **Pawelek Coffee Shop & Ice Cream Ltd, 335-335A London Road, Mitcham CR4 4BE**

Date **12 May 2023**

Time: **3.00pm**

Venue: **Virtual Meeting**

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

The premises are in the special policy area on cumulative impact covering Mitcham Town Centre 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 Mitcham 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 restaurant.
- 5.3 The applicant applied for
- i) the supply of alcohol for consumption on the premises, Monday to Saturday 08:00 to 23:00 and on Sunday from 09:00 to 21:00.
- 5.4 The opening hours applied for as stated in the application are Monday to Saturday 08:00 to 23:00 and on Sunday from 09:00 to 21:00
- 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 On 11 April 2023 we received an email from the applicant's solicitor stating that they agreed to adding two conditions as requested by the Metropolitan Police to their operating schedule and amending the supply of alcohol times to: Monday to Saturday 11:00 – 22:30hrs and Sunday 11:00 – 20:30hrs
- 5.7 We received one representation regarding this application.
- 5.8 For ease, we have put the conditions that we believe could be created from the application and the conditions as agreed with the Metropolitan Police 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>	
Pawelek Coffee Shop and Ice Cream Ltd	
<b>Statutory Authorities</b>	

<b>Interested Parties</b>	
Bente Maria	

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

1. A notice shall be displayed at every public exit reminding customers to leave the premises quietly.
2. 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.
3. 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.
4. 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.
5. 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, shall be kept and maintained by the Designated Premises Supervisor or the Premises Licence Holder.
6. 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.
7. 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.
8. Notices shall be placed at all points of sale detailing the restrictions on sales of alcohol to children.
9. 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).
10. A closed-circuit television (CCTV) system shall be installed at the premises. The CCTV system installed at the premises shall be maintained in effective working order and shall be in operation 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 and secure manner for a minimum of 31 days and shall be made available on request to the Metropolitan Police, the Licensing Authority or other Responsible Authorities. At all times the premises is open to the public a minimum of one member of staff on duty will be able to operate the CCTV system.



11. An incident log shall be kept at the premises and made available on request to the Metropolitan Police, the Licensing Authority or other Responsible Authorities. It must be completed within 24 hours of the incident and will record:

- I. all crimes reported to the premises
- II. all ejections of patrons
- III. all complaints received concerning crime and disorder
- IV. any incidents of disorder
- V. any faults in the CCTV system
- VI. any visit by a relevant authority.

### **Conditions agreed with the Metropolitan Police**

1. The sale by retail of alcohol is restricted to persons taking table meals there and for consumption by such person as an ancillary to his/her meal.

2. There shall be no vertical drinking.

**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** Pawelek Coffee Shop & Ice Cream 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			
<b>335-335A London Road</b>			
<b>Post town</b>	<b>Mitcham</b>	<b>Postcode</b>	<b>CR4 4BE</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£14,250.00</b>

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as **appropriate** **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  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)	
<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> or over						I am 18 years old <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 Pawelek Coffee Shop & Ice Cream Ltd
Address  335 London Road, Mitcham, England, CR4 4BE
Registered number (where applicable) 14655308
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) +44 20 8648 4512
E-mail address (optional) pawelekpolishfood@yahoo.com

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
12	04	2023

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)  A restaurant.  Please see attached plan.
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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 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)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed			<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)		
Thur					
Fri					
Sat					
Sun					

**B**

<b>Films</b> 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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					



**C**

<b>Indoor sporting events</b> 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			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<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)		
Sat					
Sun					

**E**

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

**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			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
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					


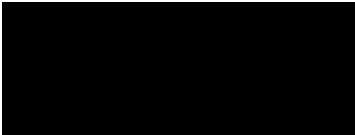
I

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

**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)  None.		
Mon	08:00	23:00			
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00			
Fri	08:00	23:00			
Sat	08:00	23:00			
Sun	09:00	21:00			
			<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)		
			None.		

**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):**

<b>Name</b>	Krzystof Kaczmarczyk
<b>Date of birth</b>	
<b>Address</b>	



Postcode	██████████
Personal licence number (if known)	██████████
Issuing licensing authority (if known)	Exeter City Council

**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)  None.
Day	Start	Finish	
Mon	08:00	23:00	
Tue	08:00	23:00	
Wed	08:00	23:00	
Thur	08:00	23:00	<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)

			None.
Fri	08:00	23:00	
Sat	08:00	23:00	
Sun	09:00	21:00	

## 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)

- 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.
- 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.
- 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.
- 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.
- The Licence shall ensure that at all times when the premises are used for any licensable activity, there are competent staff on duty at the premises for fulfilling the terms and conditions of the licence and satisfy the four licenses objectives.

**b) The prevention of crime and disorder**

- A closed-circuit television (CCTV) system shall be installed at the premises. The CCTV system installed at the premises shall be maintained in effective working order, and shall be in operation 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 and secure manner for a minimum of 31 days, and shall be made available on request to the Metropolitan Police, the Licensing Authority or other Responsible Authorities. At all times the premises is open to the public a minimum of one member of staff on duty will be able to operate the CCTV system.
- 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.
- A security incident log shall be kept at the premises and made available on request to Metropolitan Police, the Licensing Authority or other Responsible Authorities. It must be completed within 24 hours of the incident and will record all crimes reported to the premises, all ejections of patrons, all complaints received concerning crime and disorder, any incidents of disorder, any faults in the CCTV system, any visit by a relevant authority in relation to service.
- Any accidents of a criminal nature that may occur to the premises will be reported to the police.

**c) Public safety**

- Emergency exits shall be kept free from obstruction at all times.

**d) The prevention of public nuisance**

- All customers must be asked to leave the premises quietly.

**e) The protection of children from harm**

- 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.  
- Notices shall be placed at all points of sale detailing the restrictions on sales of alcohol to children.  
- 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).  
- The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as photographic driving licence or passport.

**Checklist:**

**Please tick to indicate agreement**

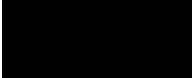
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.  N/A
- 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).  N/A

**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 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)</li> </ul>
Signature	
Date	22/03/2023
Capacity	Applicant’s solicitor

**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)	
JMW Solicitors LLP [REDACTED]	
Post town	London
Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) bernard.ralph@jmw.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 (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.

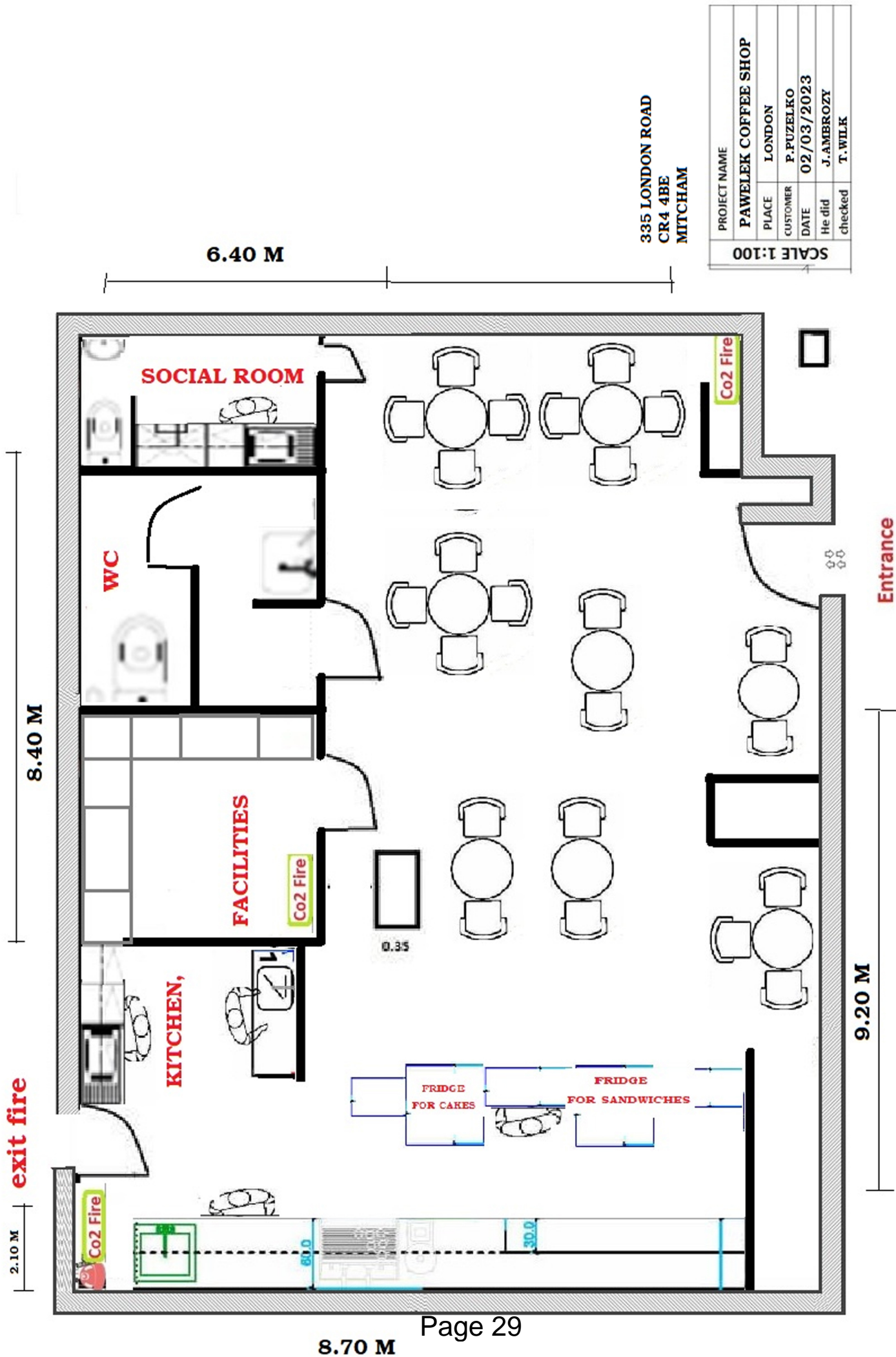
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth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





335 LONDON ROAD  
CR4 4BE  
MITCHAM

PROJECT NAME		PAWELEK COFFEE SHOP	
PLACE	LONDON	CUSTOMER	P. PUZELKO
DATE	02/03/2023	He did	J. AMBROZY
checked	T. WILK		
SCALE 1:100			

**From:** Hannah Smith

**Sent:** 11 April 2023 15:35

**To:** Licensing

**Cc:** Elizabeth Macdonald Bernard Ralph Avril.OBrien

**Subject:** FW: Application for a premises licence - 335-335A London Road, Mitcham, CR4 4BE [JMW-LIVE.FID887318]

Hi Elizabeth,

The MET police have requested the below conditions be added to the operating schedule should the licence be granted;

**Restaurant Conditions**

**1.**The sale by retail of alcohol is restricted to persons taking table meals there and for consumption by such person as an ancillary to his/her meal.

**2.**There shall be no vertical drinking.

**Supply of Alcohol.**

Monday – Saturday 11:00 – 22:30hrs

Sunday - Sunday 11:00 – 20:30hrs.

Our client is happy for these to be added.

Could you please let us know if there is anything further you require?

Many thanks

Hannah

**From:** maria rovena  
**Sent:** 14 April 2023 15:18  
**To:** Licensing  
**Subject:** Fwd: Pawelek coffee and ice cream shop

Hello

Thank you for your reply

Yes of course I will give my name: Bente Maria.

All the details I have written on the bottom why I refuse the fact that a coffee shop shouldn't be having an alcohol license up to 11 in the evening.

Let me know if anything else needs to be done for our end.

Thank you

Hello

Hope you are well,

I'm just inquiring in regards to the alcohol license for this coffee& ice cream shop. I will like to know why you as a council you agreed for a alcohol license if it's a coffee & ice cream shop? And also if you can't stop it at this point I will like the alcohol selling hours to be reduced. We already have a lots is issue in regards to people drinking and making lots of noise and kids can't sleep so to have it that late and to even allow to a shop who actually it's advertised as a coffee and ice cream I find it outrageous.

Please let me know the outcome of this as we had to call a lot of times the police in regards to this situation, because they will purchase the alcohol from the shop and then stay in front of our flats and have a party for hours. So now if they will have access to alcohol that late in the night I can't even imagine what time they will go home and ourselves in your on home we won't be able to rest.

Please take all this in consideration when given an alcohol license as the shop it's not in the middle of nowhere to have party and drunk people in front of there shop. Or if you can please let us know if the issue will be like that and we will send proof with video what would you do?

I need to consider the options we have here please.

Thank you for your time.

And hopefully you will be able to help us in regards to this big situation.

Looking forward for your reply,

Kind regards

Maria

Bente Maria,

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