

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

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

Wimbledon Police Station  
15-23 Queens Road  
London  
SW19 8NN  
Telephone: 020 8649 3074  
Email: Russ.Stevens@met.police.uk

16th May 2017

**Re:- Application for Premises Licence at 323-323a London Road, Mitcham. CR4 4BE**

Dear Sir/Madam,

On 20th April 2017 an application was received from Mr Krzysztof Kaczmarczyk for a Premises Licence under Section 17 of the Licensing Act 2003.

The application can be summarised as follows:-

A shop at 323-323a London Road, Mitcham CR4 4BE. To sell alcohol from 8am to 10pm daily, for consumption off the premises.

**Police wish to make representations to this application on two of the four of the licensing objectives namely:**

**The Prevention of Crime and Disorder**  
**The prevention of Public Nuisance**

It should first be mentioned that the premises is situated well inside a Cumulative Impact Zone specifically for shops selling alcohol for consumption off the premises. It has been agreed and documented that this area of Mitcham is currently saturated with shops selling alcohol and any additional such premises will add to the Cumulative Impact.

The application gives the description of the premises only as, "Entrance to premises directly from the High Street into a 9m x 20m shop. Alcohol to be displayed next to and behind the tills".

Part M, where the applicant describes steps intended to promote the four licensing objectives merely states that alarms and CCTV will be installed, and that no low cost, low quality or high strength alcohol will be sold. No alcohol to be sold to anybody without the appropriate ID.

The plans attached to the application were in Polish and appeared to show a small area of the shop designated for alcohol display.

On Thursday 4th May 2017, I visited Mr Kaczmarczyk at 323 London Road to discuss his application. It was then clear that a double fronted shop was being fitted out as a medium sized supermarket. Mr Kaczmarczyk explained that they will be specializing in Polish

produce for the local Polish community. He already owns a similar shop in Devon and has chosen to expand his business to London.

323 London Road is next door to The Job Centre and Benefits Agency at 321 London Road, and is at one end of a small parade of shops, with a smaller parade of similar shops immediately opposite. In this immediate vicinity there is an existing Off-Licence at 333 London Road (5 doors away), and another opposite at 384 London Road. There is a William Hill Bookmakers only 6 doors away at 335 London Road.

The pavement outside is exceptionally wide and accommodates a Bus Stop and Shelter. These conditions alone combine to create an attractive area for street drinkers to congregate.

Also immediately opposite the premises is a very busy car wash that employs a number of hand car washers. Employees and friends are often seen drinking from cans of beer at the car wash, and complaints have previously been received about staff urinating in the street.

Street Drinking is a serious and well documented problem in Mitcham Town Centre. So much so that there have been a number of official measures put in place to restrict the supply and consumption of alcohol:

- A Controlled Drinking Zone (CDZ) exists to prohibit drinking alcohol in public and gives Police alcohol seizure powers.
- Mitcham Town Centre is subject of a Cumulative Impact Zone (CIZ), relating solely to Off-Licences.
- An application has been submitted for a Public Space Protection Order to deal specifically with Street Drinkers.
- Responsible Retailers Agreement to self regulate sale of high strength beers and ciders.

Street Drinkers adversely affect both residents and businesses in Mitcham. Local residents regularly complain about drunk people urinating in the street and in gardens, dropping litter and empty drink cans, broken glass. Residents feel unsafe and are subjected to abuse when walking past groups of street drinkers loitering in public areas.

Local businesses suffer from regular low value thefts, as well as begging, threats of violence, abuse, and loss of genuine customers as a result.

I have previously compiled impact statements taken from local residents and businesses who have been affected by Street Drinkers.

Street Drinking and the associated Anti-Social Behaviour remains a serious problem in Mitcham despite the aforementioned control measures. In fact, since the phase 1 regeneration, the presence of street drinkers in Mitcham town centre has noticeably increased.

The Controlled Drinking Zone is enforced on a daily basis but powers are limited and relatively ineffective. CDZ legislation allows Police to seize alcohol and a power of arrest is attached if a person fails to surrender. However there is no power of search. Police will seize an opened can of alcohol from a street drinker but they usually have several more cans upon their person.

The street drinkers are fully informed on the CDZ. They will always surrender their alcohol. This is because the supply of strong alcohol is so easily accessible in the Town Centre.

Mitcham Town Centre Team and the Borough Licensing Officer previously visited all the licensed premises in the Town Centre and explained the community impact of selling high strength alcohol. Almost all of the retailers signed up to a 'Responsible Retailer Agreement'. Unfortunately this agreement is not enforceable and appears to have been disregarded by most.

Police are now issuing Community Protection Notices (CPN) under new ASB legislation. The CPN's allow us to place specific conditions on our habitual street drinkers. Breaching a CPN is an offence and will generally result in arrests and interviews. This process involves a huge amount of work and keeps Police officers off the street for a disproportionate length of time.

Over 45 Community Protection Notices have been issued to date. Ten people have been charged for breaching their CPN. Some are still waiting for their court date, but those whose cases have been heard are being fined around £180.

Any additional premises selling alcohol for off-sales will add to the problem of Anti Social Behaviour and Crime relating to Street Drinkers.

I expressed my concerns to Mr Kaczmarczyk and he explained that he was currently working with Devon & Cornwall Police with regard to similar issues at his other store. Mr Kaczmarczyk volunteered an agreement not to sell single cans and high strength beers, but I do not feel that this addresses the cumulative impact.

It is the view of the Police that if this application for a new Premises Licence was granted, there would most certainly be a negative impact in relation to the prevention of Crime and Disorder and the prevention of Public Nuisance. Street drinkers will be further attracted to the area immediately outside the premises, and they will loiter around their source of alcohol supply. Complaints re anti-social behaviour and general public nuisance will increase.

**The Metropolitan Police strongly advise that this application is rejected.**

If the Premises Licence is approved, we strongly recommend that the following conditions are imposed:

1. There will be no sale or display of beer or cider over 5.5% ABV.
2. Cans of beer and cider will only be sold in multiples of 4 or more.
3. Less than 15% of the total produce display will be for alcohol sales.
4. There must be a fully working, good quality digital CCTV system in operation at all times that the premises are open. Recordings must be kept for a minimum of 28 days and be made available to Police with the minimum of delay if requested.
5. A Challenge 25 Policy will be strictly operated.
6. A refusal and incident log will be strictly maintained and made available immediately to Police on request.
7. A minimum of three members of staff to be present at all times that the premises is open.
8. A Personal Licence Holder to be present at all times that the premises is open.

Yours Faithfully

Russ Stevens PC 852VW 191701

Licensing Officer

This page is intentionally left blank