

Licensing Sub-Committee Report

Subject of hearing: **The Terrace, Unit 301-302. Centre Court Shopping Centre, The Broadway, London, SW19 8ND**

Date: **Tuesday 23 January 2018**

Time: **13:30**

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

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

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

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

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

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

2.3 Variation of premises licence: s35

(i) To modify the conditions on the licence

(ii) To reject the whole or part of the application.

3. Hearing papers

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

4. Legal advice to the sub-committee

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

5. Licensing Officer Comments

5.1 This is a variation application to an existing premises licence.

5.2 The applicant is applying to make changes to the plan the premises must adhere to. A copy of the plan currently in use and the plan the applicant wishes to substitute are attached to this report.

5.3 The applicant is also applying to open the premises at 9:00 each day. Currently their opening hours are 12:00 each day.

5.4 A condition has been offered in the operating schedule – "The supply of alcohol between 09:00 and 11:00 on any day shall be ancillary to a table meal".

- 5.5 A change of closing hours is requested for Thursday from midnight to 00:30.
- 5.6 Supply of alcohol on the premises to begin at 09:00 each day increased from 12:00 currently and to increase on Thursday from 23:00 to midnight.
- 5.7 We have received two representations.
- 5.8 Regarding the representations, it should be pointed out that the applicant is not seeking to increase occupancy; this is already a condition on their licence. Also "patrons shall not be permitted entry to the premises after 00:30" is also already a condition of the current licence.
- 5.9 To clarify a point made in a representation, Smash- a premises on the Broadway is not a new premises, it was previously named Po Na Na. BaBaBoom has taken over the premises previously occupied by Ahmed Restaurant.

For enquiries about this hearing please contact

Democratic Services

Civic Centre

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Morden

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Parties to the hearing

This document forms part of the notice of hearing.

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

Applicant	
Darwin and Wallace Ltd, The Terrace	
Statutory Authorities	
None	
Interested Parties	
L.Avery	
Leigh Terrafranca, for Wimbledon E Hillside Residents' Assn (WEHRA)	

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