



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

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9th October 2018

Dear Sir/Madam,

Police Representations

Re: Application for a New Premises Licence – Mitcham News

On 18th October 2018, I received a copy of an application for a new Premises Licence under Section 17 of the Licensing Act 2003 for 37-39 Upper Green East, Mitcham, CR4 2PF.

The application can be summarised as follows:

A general grocer and off-licence premises wishing to sell alcohol for consumption off the premises from **7am to 1am daily**, extending to **2am Friday and Saturday** nights. The application states the premises as open **24 hours**.

The Metropolitan Police Service wishes to make the strongest representations with regard to all four Licensing Objectives:

- 1. Prevention of Crime and Disorder**
- 2. Prevention of Public Nuisance**
- 3. Public Safety**
- 4. Protection of Children from Harm**

I became aware on the 18th October 2018 that a New Premises Licence had been applied for at 37-39 Upper Green East. I immediately phoned the applicant for details and requested that he sent me a copy of the application. From my discussion with Mr

Sivashankar, the applicant's agent, I learnt that the owner of the premises was Mr Ronak Patel and that he was leasing his business, currently known as Ronnie's Cutter to Mr Jyothis Joseph, the applicant.

Ronak Patel had previously held a Premises Licence for 37-39 Upper Green East, but this was surrendered in May 2018 following my application to review the licence. I had applied to review the original premises licence on the following grounds:

- Failing to ensure that staff living and working at the premises have the right to remain in UK x 2
- Unsupervised sales of alcohol by person under 18
- Serious assault at the premises, when the premises was open for business in breach of the Premises Licence (opening hours)
- Facilitating anti-social behaviour in Mitcham Town Centre by providing drinking cups with alcohol to street drinkers.
- Failing to observe Govt guidelines in relation to the Designated Premises Supervisor and therefore denying Police the opportunity to assess the risk and suitability of the premises manager.
- Sale of alcohol to child under 18.

I have attached my review application for further relevant information. It was in my view that the operation of the off-licence shop at 37-39 Upper Green East, contributed significantly to crime and anti-social behaviour in Mitcham Town Centre.

Mr Sivashankar admitted to me that he knew the full history of the premises as he himself had advised Mr Patel when my review application was received.

The original Premises Licence held at 37-39 Upper Green East permitted alcohol sales from 0800-2300hrs daily, with the same Premises Open Hours. This New Premises Licence application seeks authority to sell alcohol from 0700-0100hrs extending to 0200hrs at weekends, and the shop to be open 24 hours!

The Premises Plan submitted appears to be the same shop layout as before with no change. I am led to believe that the owner remains the same but the day to business is to be run by the applicant, Mr Joseph. The application for the licence is for the postal address of the premises with no indication that the shop name will even change. The application does not mention or address any of the previous problems that led to the surrender of the original licence, yet it requests a new licence with massively extended operating hours.

When I spoke to Mr Sivashankar, he explained my delay in receiving it as he had submitted the application to Croydon Council by mistake, not realising that the premises was within the London Borough of Merton. He also told me that he had been unaware that the premises was sat within a Cumulative Impact Zone, where the policy exists only to deal with off-sales of alcohol.

The initial submission of the application only offered minimal steps to promote the four Licensing Objectives. These are operational CCTV, Challenge 25, and the fact that 2 members of staff will be on duty between 2300hrs and the close of Licensable Activities. Whilst I agree that a minimum of 2 staff on duty from 11pm is essential for safety, I do not agree that this is unnecessary after the close of Licensable Activities, when the risks significantly increase. At 2:30am, when the shop would still be open for business, the lone member of staff on duty would be expected to refuse the sale of alcohol to a potentially violent drunk customer seeking to purchase more drink.

Additional conditions subsequently offered by the applicant to address the Cumulative Impact are in my opinion completely insufficient:

- An incident book cannot prevent incidents, it merely records them and may provide evidence for Police following an incident, or may highlight a training need.
- The CCTV condition repeats the mention of CCTV in the application, and mentions a “standard approved in writing by the Chief Community Safety Officer”??
- The 6.5%abv cap on beers and ciders is not enough considering other responsible retailers already restrict abv to 5.5%.
- The “additional” condition of Challenge 25 just repeats the mention in the application but elaborates to state that verifiable proof of ID would be required, this is already part of the Challenge 25 policy. A challenge 25 policy does not address cumulative impact but assists the operator to stay within the law.
- Lockable display shutters do not address cumulative impact, they assist to reduce theft and unlawful sales outside of permitted hours.
- A till prompt system will not address cumulative impact but assists staff to operate within the law.

The premises is situated in Mitcham town centre, very close to a public green, the Clock Tower, and street market. Mitcham town centre is within a Cumulative Impact Zone specifically for Off-Licences. 37-39 Upper Green East is in the very centre of the CIZ, in an area where crime and anti-social behaviour from street drinkers is a serious problem. Police Officers and Council Wardens deal with incidents of crime and ASB in Upper Green East on a daily basis. There are regular incidents of urinating in public, littering, verbal abuse from intoxicated street drinkers who loiter in Mitcham town centre close to the many shops that sell alcohol. Members of public, including children feel intimidated and are sometimes verbally abused as they walk through the town centre. The local shops report regular petty thefts and loss of business due to street drinkers loitering close by.

Local Police and welfare services continue to offer help and support to street drinkers, to try to divert them from their damaging behaviour. Police also enforce controlled drinking zones, public space protection orders, with Community Protection Notices and Criminal Behaviour Orders and Common Law. We feel that we are fighting a losing battle as the culture of street drinking is so strong.

Despite vast sums of money being spent on the regeneration of Mitcham town centre, there is still an overwhelming feeling of poverty and crime in the area due to the constant presence of drunks.

Mitcham town centre does not need, and cannot cope with yet another Off-Licence. There are currently 12 shops within 300 metres of 37-39 Upper Green East that are licensed to sell alcohol, all of which cumulatively contribute to alcohol related crime and ASB.

The following reports exist on Police systems referring to Alcohol Related Crime and Anti-Social Behaviour, looking back just 12 months in Upper Green East alone..

- 17/09/2018 Upper Green East – Street drinker threatening with broke bottle
- 01/09/2018 Upper Green East – Altercation between 4 males with knives
- 23/08/2018 Upper Green East – Street drinker threatening with knife
- 31/07/2018 Upper Green East – Drunk/Disorderly, Assault, Criminal Damage
- 26/06/2018 Upper Green East – GBH, Shoplifting from Off Licence prems (Drunk)
- 20/05/2018 Upper Green East – MURDER of Arunesh Thangarajah (NFA)
- 28/04/2018 Upper Green East – Criminal Damage to Off Licence prems (Drunk)
- 13/04/2018 Upper Green East – Affray, Drugs o/s Off Licence prems
- 14/02/2018 Upper Green East – Affray, Drugs o/s Off-Licence Premises
- 12/03/2018 Upper Green East – Theft of Alcohol, possession of a knife, damage
- 11/03/2018 Upper Green East – GBH linked to off-licence premises
- 23/01/2018 Upper Green East – Assault, suspect drunk o/s off-licence prems
- 02/12/2017 Upper Green East – Public Disorder, Possession Knife, threats
- 21/11/2017 Upper Green East – GBH, victim drunk

It is my absolute belief that any additional shop premises selling alcohol in Mitcham Town Centre WILL contribute to and exacerbate the existing problems of crime and anti-social behaviour. If the applicant is granted a Premises Licence for 37-39 Upper Green East, they will increase the quantity and availability of alcohol consumed in the street, and will therefore proportionately increase crime and ASB.


This application is effectively for the re-instatement of Premises Licence that was surrendered only 5 months ago for a premises causing considerable problems and danger to the local community. Not content with applying for the same operating hours of the original licence, the applicant is seeking considerably more.

This application completely fails to address Cumulative Impact.

This application is outrageous and presents a serious threat to Crime and Disorder, Public Nuisance, Public Safety and the Protection of Children from Harm.

The Metropolitan Police Service urges the committee to REJECT this application.

Yours faithfully



Russ STEVENS PC3852SW P191701

Licensing Officer