

## Licensing Sub-Committee Report

Subject of hearing: **McDonald's Restaurants Limited, 1-3 The Broadway, London, SW19 1PS**

Date: **18 January 2021**

Time: **10.30am**

Venue: **Virtual meeting via Zoom/Youtube**

### **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 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 is an application for a new premises licence. The application states the premises will operate as a restaurant selling hot food and non-alcoholic drinks for consumption on and off the premises.
- 5.2 The applicant has applied for late night refreshment – the provision of hot food and drink to take place both indoors and outdoors from 23:00 to 05:00, thereby allowing them to supply said hot food 24 hours a day, 7 days a week.
- 5.3 There is information in the application’s operating schedule, in section M, which could be converted into licence conditions should the decision be taken to grant the application.
- 5.4 As has been stated in some of the representations, the premises already benefits from a premises licence for late night refreshment. This licence is held by another fast food style restaurant and authorises the supply of hot food Sunday to Thursday from 23:00 to 01:00 the following day and on Friday and Saturday from 23:00 to 02:00 the following day. There are no conditions attached to this licence.
- 5.5 We have received seven valid representations, one from the Police, the other six from residents and representatives of the residents and town centre.

### For enquiries about this hearing please contact

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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:

<b>Applicant</b>	
McDonald’s Restaurants Limited	
<b>Statutory Authorities</b>	
Metropolitan Police	
<b>Interested Parties</b>	
Friends of Wimbledon Town Centre	Love Wimbledon BID

Wimbledon East Hillside Residents Association (WEHRA)	Lynn Avery
Francesca Dizer	Esther Lecumberri

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