

Licensing Sub-Committee Report

Subject of hearing: **Tesco Stores Limited, Sandham House, Boundary Business Court, Church Road, Mitcham CR4 3TD**

Date: **Monday 2nd August 2021**

Time: **14:00**

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

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 a new premises licence application.

- 5.2 The applicant has applied for the supply of alcohol for consumption off the premises, Monday to Sunday from 6am to midnight.
- 5.3 They have also applied for the supply of late night refreshment, indoors, Monday to Sunday from 11pm to midnight.
- 5.4 The opening hours stated in the application are Monday to Sunday 6am to midnight.
- 5.5 The applicant has supplied a copy of their policy on the provision of portable fire-fighting equipment within their stores.
- 5.6 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. A draft of possible conditions taken from here is produced as an annex to this report.
- 5.7 An email, dated 10 June 2021, was received from the applicant stating agreement to conditions agreed with the Metropolitan Police. The email stating this and stating the conditions is attached to the report. The conditions are also repeated in the annex document showing possible licence conditions attached to this report.
- 5.8 We have received 24 representations regarding this application. One from Trading Standards, stating conditions they believe should be added to the licence to meet the licensing objectives. These conditions are also repeated in the annex document showing possible licence conditions.
- 5.9 15 representations were received together with a set of photographs from occupiers of units in Boundary Business Court (not including Natasha Oke who supplied her own photo's).
- 5.10 Other photographs have been attached to representations and a short video.

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

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	
Tesco Stores Limited	
Statutory Authorities	
Trading Standards	
Interested Parties	
Mrs Aswegnah Deane	Baskaran Mukunthan
Aga Kapusunsua	Ben Young
Frances Healy	Mitcham Village Residents Association
Kevin McCluskey	Charlie Homberger
Larry Walshe	Jane Francis
Martin Welch	James French
Krishion Newton	Neil Fraser
Sunny Singh	P A Redmond
Thiliebhan Samuelratinam	Patrick Brown
Abiram Tharamaratinam	Robert Fellowes
Simon Potton	Sellaijrah Tharmeshawaran
Natasha Oke	

