

Licensing Sub-Committee Report

Subject of hearing: **HakkaMoon, 185 Streatham Road, Mitcham, CR4 2AG**

Date: **8 February 2022**

Time: **1:30 pm**

Venue: **Virtual Meeting**

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

1.1 The premises are in the special policy area, but the policy does not apply as this special policy area relates to premises selling alcohol for consumption off the premises only. Accordingly the relevant section of Merton's Licensing Policy is not 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, for a premises described in the application as a restaurant.

5.2 The applicant has applied for the supply of alcohol for consumption on the premises, Monday to Sunday from 11am to 11pm, with an additional hour to the standard times on the day when British Summertime commences.

- 5.3 The opening hours are stated in the application as Monday to Sunday 10am to 11pm. Again, the additional hour for when British Summertime commences is requested.
- 5.4 An additional document attached to the application gives some background information and proposes some seven conditions.
- 5.5 We received two representations regarding this application. One from a resident and the other from Trading Standards.
- 5.6 After consultation with the applicant, Trading Standards withdrew their representation as the applicant has agreed with them, conditions they would like to add to their application. This email agreement, with the agreed conditions stated and the subsequent withdrawal of the representation is included in this report.
- 5.7 For ease, we have put the applicants proposed conditions from the application and the agreed conditions with Trading Standards as an annex to this report. The Sub-Committee may choose to form some conditions on the licence from these should they decide to grant the licence.
- 5.8 It should be noted, that whilst the premises is within a cumulative impact special policy area, this area in Mitcham is only in relation to premises selling alcohol for consumptions off the premises – see 9.2 of the current policy. This application is for supply of alcohol for consumption on the premises only.

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:

Applicant	
Siew Ngik Yong	
Statutory Authorities	
None	
Interested Parties	
Salim & Mobushera Rahim	

