

## Licensing sub-committee Report and Notice of Hearing

Subject of hearing: **Alexandra, 31-33 Wimbledon Hill Road, SW19 7NE**

Date: **6 February 2015**

Time: **10.30am**

Venue: **Council Chamber**

Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX

Date of issue of this notice: **21 January 2015**

### **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 (if any) 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 Application to vary a premises licence.

### **3. Hearing papers**

3.1 The applications, notices and representations for determination by the sub-committee are contained in the hearing bundle (attached) 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 and forms part of this report.

### **4. Legal advice to the sub-committee**

4.1 A legal officer appointed by the Head of Civic and 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 to vary an existing premises licence.

5.2 The variation is to the plan only.

5.3 There is no change requested to the hours of operation or authorised activities at the premises.

5.4 Both the current plan and the plan subject to the variation are attached to this report.

5.5 4 representation have been received, one from the Police.

5.6 The following responsible authorities have responded to this application, but not made a representation: Trading Standards and Health and Safety

**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](mailto: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:

<b>Applicant:</b>	
Young & Co's Brewery PLC	
<b>Statutory Authorities</b>	
Metropolitan Police	
<b>Interested Parties</b>	
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L Terrafranca obo WEHRA	

# Rights of parties to the hearing

This document forms part of the Notice of Hearing.

The hearing will be conducted by a three member sub-committee of Merton's Licensing Committee.

You have the right to attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified. You should notify us if you wish to be represented or assisted in this way on the accompanying response form.

You may also request that other persons be permitted to appear at the hearing to assist the sub-committee on particular points relating to the matter under consideration. You should notify us of any persons you wish to attend on the accompanying response form.

At the hearing you are entitled to:

- a) respond to any points of clarification detailed in the Notice of Hearing;
- b) if given permission by the sub-committee hearing this matter, ask questions of other parties; and
- c) address the sub-committee.

If you do not attend the hearing the sub-committee may proceed in your absence or it may adjourn to another specified date and time. If the hearing proceeds in your absence any application, notice or representation you have made will be considered by the sub-committee. It would be helpful if you could notify us as soon as possible if you are not going to attend the hearing.

Please complete and return the accompanying response form by the response date shown on the Notice of Hearing. Alternatively you can send an email to [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) with the relevant information.

A copy of the procedure to be followed at the hearing is attached.

A guide to licensing hearings in Merton is attached

# Procedure to be followed at the hearing

This document forms part of the notice of hearing

Regulations referred to in this procedure are reproduced under Note <sup>(3)</sup> at the end of the procedure

1. Declarations of interest.
2. Welcome by Chair of the licensing sub-committee and outline of the order of proceedings.
3. The Chair will advise parties<sup>(1)</sup> that the proceedings are being recorded.
4. The papers before the sub-committee comprise this Notice of Hearing and any applications, notices or representations and include:
  - The application
  - Representations and notices
  - List of parties to the hearing.
5. Points which the authority has raised in the Notice of Hearing as points on which it will be seeking clarification
6. Comments of Licensing officers on any factual or technical aspects of the application, notices or representations
7. Any other relevant matters and requirements
8. The Chair will ask parties if they are satisfied with the accuracy of the papers issued and the sub-committee will resolve any issues on this point.
9. The Chair will ask officers and parties if there are any other procedural points to deal with and these will be resolved before proceeding.
10. The Licensing officer will advise the hearing if any representations or notices have been withdrawn since the issue of the Notice of Hearing.
11. The Chair will advise parties that if they introduce new documentary or other information in support of their application, notice or representation the consent of other parties to the consideration by the sub-committee of such information will be sought.
12. The sub-committee will consider, under regulation 22, requests from parties made under Regulation 8(2) for other persons to be permitted to appear before the hearing.
13. The sub-committee will determine the order in which parties (other than the applicant) will be heard and so advise those present.
14. The Chair will advise the parties that they have no rights to question persons appearing under the provisions of regulations 8(2) and 22 and that their right to question other parties can only be exercised with the permission of the sub-committee. The Chair will also advise the parties that under regulation 23 cross-examination is not allowed unless the sub-committee feels that this is required for it to consider the matters before it. If parties wish to put questions to other parties or persons appearing under the provisions of regulations 8(2) or 22 they should seek the permission of the sub-committee and direct such questioning via the chair.

15. Applicant
  - i) The applicant will be asked if there is anything they wish to add to or clarify about their application
  - ii) The applicant will address the points for clarification raised by the authority in the Notice of Hearing
  - iii) Persons appearing under regulations 8(2) and 22 as notified by the applicant will address the hearing
  - iv) If the sub-committee considers it necessary it may allow other parties to put questions to the applicant and persons appearing under the provisions of regulations 8(2) and 22 notified by the applicant who have addressed the hearing
  - v) The sub-committee members will put any questions to the applicant and persons appearing under the provisions of regulations 8(2) and 22 notified by the applicant who have addressed the hearing
  - vi) The applicant will be asked if they have any further points arising from points raised in questioning
16. Other parties<sup>(2)</sup>
  - i) The party (party A) will be asked if there is anything they wish to add to or clarify about their representation or notice
  - ii) Party A will address the points for clarification raised by the authority in the Notice of Hearing
  - iii) Persons appearing under regulations 8(2) and 22 as notified by the Party A to address the hearing
  - iv) If the sub-committee considers it necessary it may allow the applicant to put questions to Party A and persons appearing under the provisions of regulations 8(2) and 22 notified by Party A who have addressed the hearing
  - v) If the sub-committee considers it necessary it may allow other parties to put questions to Party A and persons appearing under the provisions of regulations 8(2) and 22 notified by Party A who have addressed the hearing
  - vi) The sub-committee members will put any questions to Party A and persons appearing under the provisions of regulations 8(2) and 22 notified by Party A who have addressed the hearing
  - vii) Party A will be asked if they have any further points arising from points raised in questioning
17. Repeat above stage for each subsequent party.
18. Licensing officer to be asked if they have any comments
19. Other parties close by summarising their points.
20. Applicant closes by summarising their points.
21. The Chair will then ask the sub-committee's licensing and legal adviser if there are any further matters to be considered prior to a determination being made. If there are such other matters they will then be disposed of as appropriate.

22. If the sub-committee is not going to determine the application at the conclusion of the hearing it will so advise those present and inform them of the date and time that their determination will be made in public. Determinations must be made in accordance with the provisions of regulation 26.
23. If the sub-committee feels that it needs to go into private session to discuss any issues with its legal adviser it will advise those present that it will resume in public session at the conclusion of any such discussion when the advice it has received from its legal adviser will be read into the public record of the meeting.
24. At the conclusion of any private session the sub-committee will return to public session and the legal adviser will inform the hearing of any advice given in private session.
25. In cases where the sub-committee is not going to make its determination at the conclusion of the hearing it will then adjourn the meeting to a specified date and time. In all other cases it will discuss and determine the matter before it.
26. The Chair will advise parties to the hearing that they will be notified in writing of the determination, thank the parties for their attendance and close the meeting.

Where this procedure is silent the sub-committee may make such arrangements as necessary to ensure the rights of parties to hearings and for the proper discharge of its duties under the Licensing Act 2003 and any guidance or regulations issued by the Secretary of State.

#### **Notes**

<sup>1</sup> Regulation 15 allows parties to be represented or assisted at the hearing by any person whether or not that person is legally qualified. Any reference to a party in this order of procedure should be taken to include a reference to a person assisting or representing a party.

<sup>2</sup> Similar objections will be grouped together as far as possible and a common spokesperson sought. The regulations treat each objector as a party in their own right. If they do not agree to being grouped they will be treated as an individual party.

#### **<sup>3</sup>Extracts from the regulations:**

- 8.(1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating:
  - (a) whether he intends to attend or be represented at the hearing;
  - (b) whether he considers a hearing to be unnecessary.
8. (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.

**23.** A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.

**26.(1)** In the case of a hearing under:

(c) section 105(2)(a) (counter notice following police objection to temporary event notice),

(d) section 167(5)(a) (review of premises licence following closure order),  
the authority must make its determination at the conclusion of the hearing.

**26.(2)** In any other case the authority must make its determination within the period of five working days beginning with the day or the last day on which the hearing was held.



**London Borough of Merton**



**LICENSING COMMITTEE HEARINGS  
A BRIEF GUIDE**

Merton Civic & Legal Services  
October 2005

## **Introduction**

The following pages of this booklet contain guidance on hearings of Licensing Applications by the Council's Licensing Sub-Committee. It is a guide only and not a statement of the law.

The law is to be found in:

- 1 Licensing Act 2003
- 2 The Licensing Act 2003 (Hearings) Regulations 2005
- 3 Guidance issued under Section 182 of the Licensing Act 2003.

## **Notice of Hearing**

This booklet normally accompanies a "Notice of Hearing" as we are required by law to give you certain information with the Notice of Hearing.

## **Timing of Hearing**

On arrival you may find that you may have to wait until the committee can deal with the application you are interested in. This is because the committee may have to deal with other applications on the same day. The committee is called to sit at the published time. There are different applications or items on the committee agenda. The committee may take the items in the order that is most efficient for managing that day's applications. You should therefore ensure that you are there in time for the beginning of the committee meeting as published.

The committee meeting is a public meeting. You are therefore entitled to remain in the committee room when other applications are being dealt with. If you remain you will see other parties participating in the hearing. Unless it is a hearing that you are interested in, you may not participate although you may feel that you can contribute in that application as well. You can only participate in the hearing if you are a "party".

## **The Licensing Sub-Committee**

Licensing Hearings take place before a licensing sub-committee of the Council. There are three members of the sub-committee, a chairperson and two others. Also sitting with the Committee (but not part of the committee) will be the committee clerk and a Legal officer who advises the committee on legal issues. Only these two and any trainees are allowed to adjourn with the committee.

Various persons may also be in the committee room in an official capacity. Where the police have submitted representations they will be in the room as a party. They are not part of the committee. Where the Council's Environmental Health service have submitted representations they will be in the room but as a party not as part of the committee. The Director of Public Health or a Public Health officer may be present, especially if they have submitted a representation. They will be in the room, but not as part of the committee. Finally an officer from the Council's Children, Schools and Families Department may be present. They will not be part of the committee either.

A Licensing officer is usually present. The Licensing officer would have received the application and processed it to ensure that fees have been paid and that it was properly advertised. The Licensing officer is also the officer that receives representations and decides if they are in order. The Licensing officer may be asked to speak at the committee. The Licensing officer is not part of the committee and will not retire with the committee.

## **Attending a Licensing Hearing**

### **Your Rights as a “Party”**

You have the right:

- To attend the hearing
- To be assisted or represented by any person (whether or not the person is legally qualified)
- To address the sub-committee
- To question any party to the hearing (with the permission of the sub-committee)
- To give clarification of any issue on which advance notice of the need for clarification has been given
- To bring a witness or witnesses.

### **Attending the Hearing (Parties)**

You do not have to attend the hearing. Where in response to the Notice of Hearing you have informed us that you do not intend to attend the hearing, then the hearing may proceed in your absence.

Where in response to the notice of hearing you say nothing about attending and you do not attend or are not represented the committee may do one of the following:

- hold the hearing in your absence
- adjourn the hearing to a specified date but only where the committee consider it to be in the public interest.

### **Procedure to be followed at the Hearing**

The hearing will take place in public. This means that anyone whether or not they are parties to the hearing are entitled to be at the meeting and to hear all the information. The committee is allowed to exclude the public from all or part of a hearing. This will be where the committee considers that the public interest in excluding the public outweighs the public interest in the hearing taking part in public. If you believe that this exception to public hearing applies to you, you may ask the committee to consider exercising this power.

The committee will explain the procedure but a written version is included with the Notice of Hearing. Unless required by law to do it differently the committee is allowed to devise its own procedures.

### **The Hearing as a Discussion**

The hearing is intended to be a discussion between the committee and all the parties. In order to make it an orderly discussion some element of formality exists. Consequently there will be an order in which the hearing will follow. The committee Chair will explain the order.

During the hearing the procedure is controlled by the Chair. Whilst the Chair will ensure that parties observe the procedure he or she may have to be firm in moving the hearing on to ensure that it proceeds at a pace that enables it to be dealt with within the

time allocated. In particular the Chair may have to be strict in respect of ensuring that questions to witnesses keep to the issues. The committee may also put reasonable time limits on submissions.

When an application is received by us a number of persons are allowed to make “representations”. This includes residents, the police, the Environmental Health service, Public Health, Licensing Authority and the Local Safeguarding Children Board. Those who have made representations are called “parties”.

The Law allows the applicant (the person applying for the licence) to have discussions with any of these parties before the hearing – this can lead to an agreed way of dealing with concerns relevant to the parties. (For instance, if Environmental Health is concerned about noise the applicant may offer to fit a noise limiter).

When you attend the hearing you may therefore find that some representations have been withdrawn. Where representations are withdrawn this will usually be because the person making the representations has been given satisfaction about how their concerns will be dealt with. For instance the Local Safeguarding Children Board may have concerns about the welfare of children. The applicant may then agree to accept a condition to the licence dealing with this concern and this may lead to a withdrawal of that representation.

The first thing that the committee will do is to find out what representations have been withdrawn so that the committee only concentrates on outstanding issues.

You must remember that as far as the law is concerned the applicant is entitled to do what they want with their business from a licensing point of view unless their business will offend against the four “licensing objectives” of:

- Prevention of Public Nuisance
- Prevention of Crime and Disorder
- Protection of Children from Harm
- Promotion of Public Safety

Although these objectives are intended for the benefits of residents and businesses, various statutory bodies are given responsibility for those objectives and it is expected that they will make representations if those objectives are under threat. These statutory bodies are called “Responsible Authorities”.

The Responsible Authorities are as follows:

- The Chief Officer of Police
- The Local Fire Authority
- The Local Enforcement Agency for Health & Safety At Work Act 1974
- The Local Authority with Responsibility for Environmental Health
- The Local Planning Authority
- Local Licensing Authority or any Licensing Authorities
- A body representing those interested in the protection of children and recognised by the council (Local Safeguarding Children Board).
- The Local Public Health Authority

The guidance issued by central government advises that as a matter of practice the committee should seek to focus the hearing on the steps needed to promote the licensing objective which gave rise to the hearing. If your representations or application does not show how these four licensing objectives are affected, promoted or effected, then it is not likely to persuade the committee.

The hearing will probably be in two distinct parts. The first part is where the application and representations are made. The first part ends when the committee retires to consider the evidence.

The second part of the hearing is when the committee returns. The main purpose of the second part is to allow the parties to be told what legal advice (if any) has been received during the deliberations in private. The committee will then announce their decision.

This is then the end of the hearing. The decision will be communicated to the parties in writing.

The committee will then move on to consider the next application (if any).

### **Appeal**

There is a right of appeal to the Magistrates Court. You need to take legal advice on which Magistrates Court to go to. The appeal has to be lodged with the Magistrates Court within a period of 21 days beginning on the day you were notified by the Council of the decision appealed against.

### **Conclusion**

This is necessarily a brief guide. It is not a Statement of Law. For this you will need to take legal advice.

## Contacts

- (i) Licensing team:
  - email: [licensing@merton.gov.uk](mailto:licensing@merton.gov.uk)
  - Tel: 020 8545 3025
- (ii) Meeting arrangements - Democratic Services:
  - email: [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)
  - Tel: 020 8545 3616
- (iii) All press contacts - Merton's Press office:
  - email: [press@merton.gov.uk](mailto:press@merton.gov.uk)
  - Tel: 020 8545 3181
- (iv) London Borough of Merton:
  - Address: Civic Centre, London Road, Morden, SM4 5DX
  - Tel: 020 8274 4901

## Useful links

- Merton Council's Web site: <http://www.merton.gov.uk>
- Licensing Act 2003  
<http://www.hmso.gov.uk/acts/acts2003/20030017.htm>
- Guidance issued by the secretary of State for Culture Media and Sport  
[http://www.culture.gov.uk/Reference\\_library/Publications/archive\\_2004/guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_licensing\\_act\\_2003.htm](http://www.culture.gov.uk/Reference_library/Publications/archive_2004/guidance_issued_under_section_182_of_the_licensing_act_2003.htm)
- Regulations issued by the Secretary of State for Culture, Media and Sport  
[http://www.culture.gov.uk/what\\_we\\_do/Alcohol\\_entertainment/lic\\_act\\_reg.htm](http://www.culture.gov.uk/what_we_do/Alcohol_entertainment/lic_act_reg.htm)
- Merton's Statement of Licensing policy  
<http://www.merton.gov.uk/licensing/>
- Readers should note the terms of the legal information (disclaimer) regarding information on Merton Council's and third party linked websites.
- <http://www.merton.gov.uk/legal.htm>
- This disclaimer also applies to any links provided here.

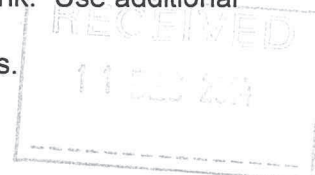
Merton London Borough Council

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.



We Young and Co's Brewery PLC

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

<b>Premises licence number</b> VPL 2005 301
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Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
Alexandra 33 Wimbledon Hill Road  Wimbledon			
<b>Post town</b>	London	<b>Post code</b>	SW19 7NE

Telephone number at premises (if any)	020 8947 7691
Non-domestic rateable value of premises	£223,000

Part 2 – Applicant details

<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			
<b>Current postal address if different from premises address</b>	Riverside House 26 Osiers Road		
<b>Post Town</b>	Wandsworth	<b>Postcode</b>	SW18 1NH

### Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

**FROM THE DATE ON WHICH THE COUNCIL ARE NOTIFIED THAT THE WORKS HAVE BEEN COMPLETED**

If not, from what date do you want the variation to take effect?

Day		Month		Year	

**Please describe briefly the nature of the proposed variation** (Please see guidance note 1)

To vary the layout of the premises for first floor only (ground floor to remain as existing) in accordance with plans supplied by the applicant.

Main Changes:-

External Area (currently Licensed)

- Existing ladies toilets to be changed to men's.
- New external canopy with retractable blinds to form walls.
- Remove existing chimney to central area
- Introduce covered fixed seating.

Internal Area:

- Currently staff accommodation, so we will be removing several walls to open up the space.
- New ladies toilets.
- New kitchen.
- New bar.
- New fixed seating.
- New bi-folding doors to external area.

All licensable activities, permitted hours and opening hours to remain as existing.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

#### Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)



**Sale by retail of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

Plays Standard days and timings (please read guidance note 6)			Indoors <input type="checkbox"/>
Day	Start	Finish	
			Outdoors <input type="checkbox"/>
			Both <input type="checkbox"/>
Mon			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)
Tue			
			<b>Please give further details here</b> (please read guidance note 3)
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)
Thur			
			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Fri			
Sat			
Sun			

**B**

Films Standard days and timings (please read guidance note 6)			Indoors <input type="checkbox"/>
Day	Start	Finish	
			Outdoors <input type="checkbox"/>
			Both <input type="checkbox"/>
Mon	No Change		<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)
Tue	No Change		
			<b>Please give further details here</b> (please read guidance note 3) No Change
Wed	No Change		<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4) No Change
Thur	No Change		
			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5) No Change
Fri	No Change		
Sat	No Change		
Sun	No Change		

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details</b> (please read guidance note 3)
Day	Start	Finish	
Mon			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)
Tue			
Wed			<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)	
Thur			<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)	
Fri				
Sat				
Sun				

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	No Change		<b>Please give further details here</b> (please read guidance note 3) No Change		
Tue	No Change				
Wed	No Change		<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4) No Change		
Thur	No Change				
Fri	No Change		<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5) No Change		
Sat	No Change				
Sun	No Change				

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	No Change		<b>Please give further details here</b> (please read guidance note 3) No Change		
Tue	No Change				
Wed	No Change		<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4) No Change		
Thur	No Change				
Fri	No Change		<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5) No Change		
Sat	No Change				
Sun	No Change				

## G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon	No Change		<b><u>Please give further details here</u></b> (please read guidance note 3) No Change			
Tue	No Change					
Wed	No Change		<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4) No Change			
Thur	No Change					
Fri	No Change		<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) No Change			
Sat	No Change					
Sun	No Change					

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment you will be providing</u></b>			
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
Mon	No Change				Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue	No Change		<b><u>Please give further details here</u></b> (please read guidance note 3) No Change			
Wed	No Change					
Thur	No Change		<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4) No Change			
Fri	No Change					
Sat	No Change		<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) No Change			
Sun	No Change					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) No Change					
Mon	No Change							
Tue	No Change							
Wed	No Change					<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4) No Change		
Thur	No Change							
Fri	No Change							
Sat	No Change					<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5) No Change		
Sun	No Change							

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) No Change					
Mon	No Change							
Tue	No Change							
Wed	No Change					<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5) No Change		
Thur	No Change							
Fri	No Change							
Sat	No Change							
Sun	No Change							

K

<b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children</b> (please read guidance note 8) None
---

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) No Change
Day	Start	Finish	
Mon	No Change		
Tue	No Change		
Wed	No Change		
Thur	No Change		
Fri	No Change		
Sat	No Change		
Sun	No Change		<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5) No Change

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking  
None

Please tick yes

- I have enclosed the premises licence ✓
- I have enclosed the relevant part of the premises licence ✓

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence  
n/a

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b,c,d,e)** (please read guidance note 9)

We have considered the impact of the proposed alterations and do not feel that there will be any increased risk. No further steps will be necessary to promote the licensing objectives and the cumulative impact area and the existing measures will continue

**b) The prevention of crime and disorder**

See box a) above

**c) Public safety**

See box a) above

**d) The prevention of public nuisance**

See box a) above

**e) The protection of children from harm**

See box a) above

Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	10 December 2014
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)</b>			
Vicki Caress Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
<b>Post town</b>	Nottingham	<b>Post code</b>	NG1 1LS
<b>Telephone number (if any)</b>	0115 934 9176		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> v.caress@popall.co.uk			

#### Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.



10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.





LEGEND

- FP FIRE PLACE
- DOOR
- BOILER
- FIRE EXIT
- EMERGENCY LIGHT DISTRIBUTION BOARD
- FIRE ALARM CALL POINT
- BELL SOUNDER
- SMOKE DETECTOR
- HEAT DETECTOR
- FIRE BLANKET
- FIRE EXTINGUISHER CO
- FIRE EXTINGUISHER FOAM
- FIRE EXTINGUISHER WATER
- FIRE EXTINGUISHER POWDER
- SPRINKLER OUTLETS
- STEPS
- ARROWS ALWAYS SHOWN IN 'UP' DIRECTION UNLESS OTHERWISE NOTED
- AMUSEMENT WITH PRIZES
- BAR FLAP
- PROPOSED LICENSED AREA

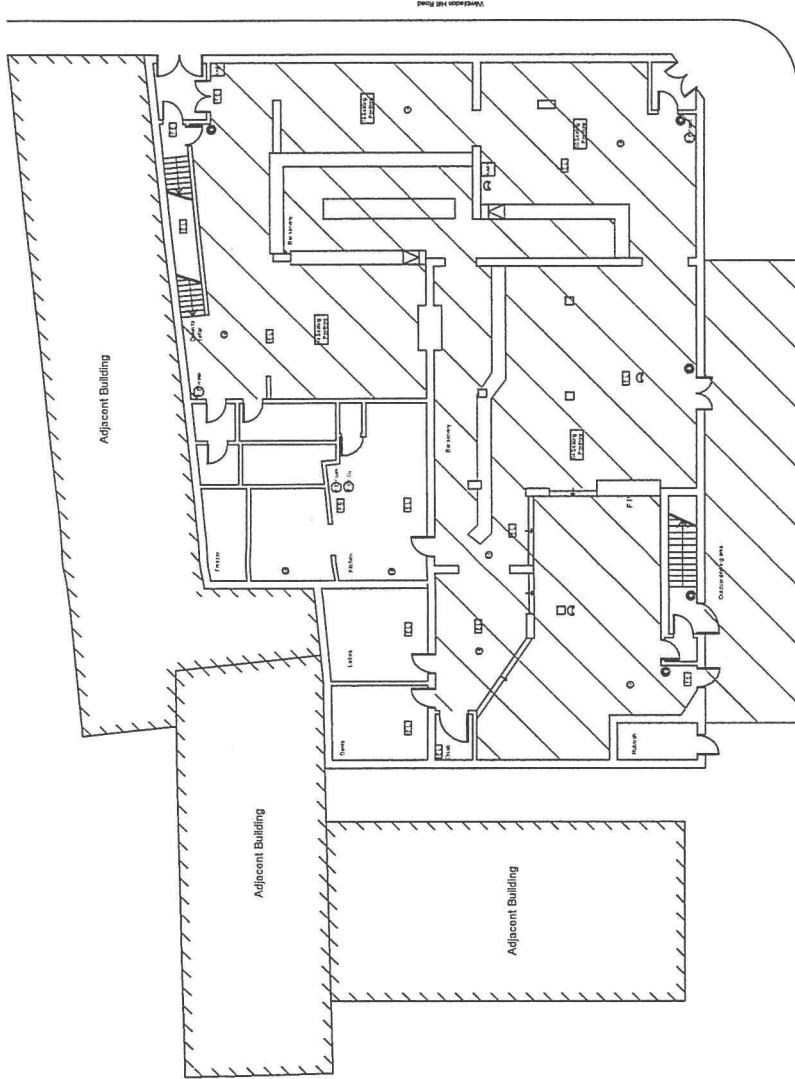
**PETER NORTH & PARTNERS**  
 Chartered Surveyors  
 Building Surveying - Quantity Surveying  
 Building Engineers

42, UPPER HIGH STREET  
 THAME  
 OXON OX9 2DW  
 Tel: 01844 261222  
 Fax: 01844 261190  
 Email: Surveying@peternorth-thames.co.uk  
 website: www.peternorth.co.uk

CLIENT  
 Young's Brewery

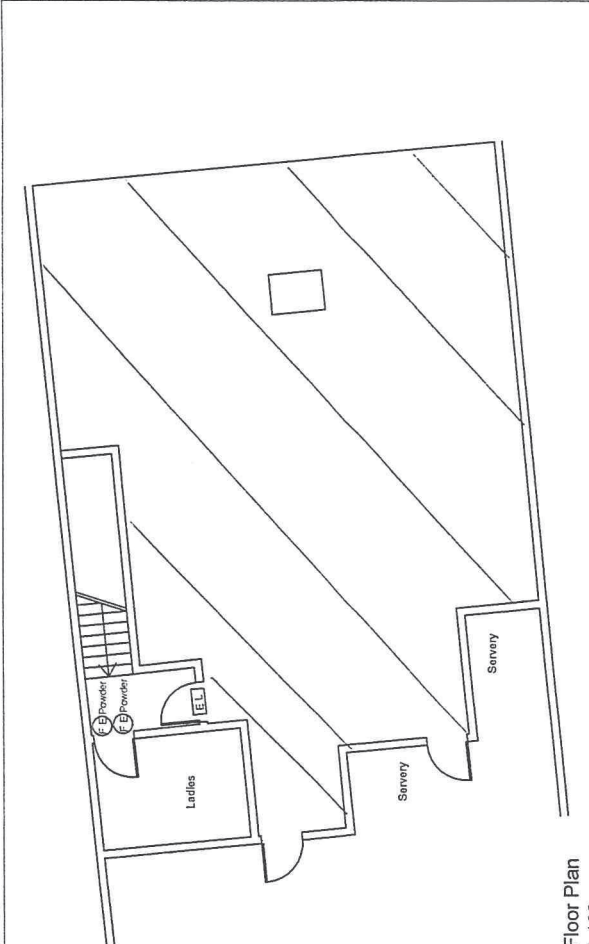
<b>DRAWING TITLE</b> Plan for License Application	
<b>PUB NAME</b> Alexandria Wembleton	
<b>Licensed External Drinking Area (sqm)</b> 351.0	<b>Licensed External Drinking Area (sqm)</b> 62.0
<b>DATE</b> March 05	<b>SCALE</b> As Shown
<b>DWG No</b> YM-002 (2)	<b>DRAWN</b> SF
<b>NOTES</b> No Additional Notes	

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 No liability will be accepted for amendments made by other persons.  
 This drawing is for planning purposes only and should not be used for any design or construction work.



St Marks Place

Ground Floor Plan  
1:200



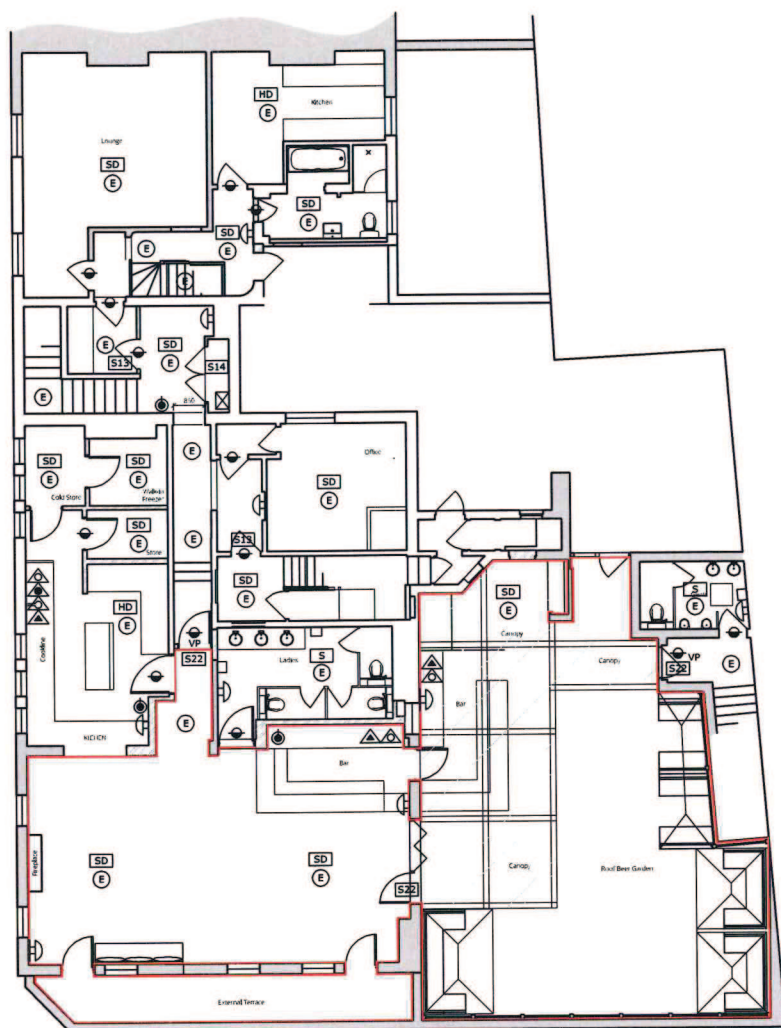
First Floor Plan  
1:200

NIR See also plan YM-002 (1)

revisions

rev by date comment

\*



Licensing - Fire Safety Requirements.

1. Doors & partitions required to be fire resisting are to be in accordance with British Standard B.S. 476 Pt. 3.
2. Fire resisting doors required to resist the passage of smoke at ambient temperature conditions should, unless tested in accordance with B.S. 476 section 311, be fitted with a smoke seal.
3. The fire alarm system is to comply with British Standard B.S. 5839.
4. The emergency lighting installation is to comply with British Standard 5266 Pt.1.
5. Illuminated 'EXIT' signs are to conform to British Standard B.S. 2560.
6. Fire fighting equipment to conform to British Standard B.S. 5423.
7. Fire safety related signs & notices are to conform to British Standard B.S. 5449 Pt.1.
8. Wall & ceiling linings are to be class 1 surface spread of flame (as defined in British Standard B.S. 476 Pt. 7) in non-public areas & class 0 (as defined in the Building Regulations) in circulation spaces.
9. Upholstered seating furniture should satisfy, as a minimum standard, (ignition source), (cigarette test) specified in British Standard B.S. 5852 Pt.1 'Fire tests for furniture - Methods of test for ignitability by smokers materials of upholstered composites for seating' & British Standard B.S. 5852 Pt.2 'Fire tests for furniture - Methods of tests for ignitability of upholstered composites for testing by flaming source'. For which latter standard crib ignition source 5 is the minimum requirement.
10. Any fabrics which have received a flame retardant treatment should be subjected to the water soak test detailed in British Standard B.S. 5651 independent certification to the above standards should be provided from an accredited test organisation.
11. Curtains & drapes are to satisfy type B, performance requirements of British Standard B.S. 5867 Pt.2.
12. Artificial foliage & other decorative effects are to be fire retardant to the satisfaction of the Fire Authority.
13. Textile floor coverings should be tested to British Standard B.S. 4790 (Effects of small ignition source hot metal nut method).
14. Vertically hung textiles should conform to British Standard B.S. 5438.

A copy of the laboratory test report from an accredited testing laboratory identifying compliance of the furnishing composite with the above mentioned British Standards must be forwarded to this Authority before installation & confirmation that the furnishings specified in this certificate have been installed in the premises.

All Doors and walls in thick lines to conform to the definition of fire resisting. Doors including frames are to be tested and installed in accordance with the current British Standard BS476: Part 22 (and BS 476: Section 31.1 where 's' specification requires smoke stopping).

Exit widths and staircases to conform to BS 5588: Part 2 or Part 6. Arrow denotes upward direction. Occupation densities to BS 5588: Part 2 or Part 6 as appropriate.

Licensing Key

Fire safety Installation legend	
	9 litre water extinguisher
	9 litre foam extinguisher
	2kg carbon dioxide extinguisher
	Fire blanket
	6 litre fry fighter
	Fire alarm call point (BS 5839)
	Area covered by smoke detector (BS 5839)
	Area covered by heat detector (BS 5839)
	Combined smoke detector/sounder/strobe
	Sign - 'FIRE DOOR KEEP SHUT' - 75mm letters to both sides of door leaf
	Sign - 'FIRE DOOR KEEP LOCKED' - 75mm letters to both sides of door leaf
	Sign - 'FIRE EXIT KEEP CLEAR'
	Sign - internally illuminated 'FIRE EXIT' or graphic equivalent - 75mm high letters
	Directional arrow to be provided in the direction indicated
	Area covered by alarm sounder (at high level position to be agreed on site) with visual alarm for disabled or 'easy access' toilets
	Area covered by emergency luminaire. Certificates of compliance to B.S. 5839 (Fire Alarms) and/ or B.S. 5266 (Emergency Lighting) to be provided to the fire Authority.
	Vision panel
	FD30S
	FD60S
	Fire alarm panel
	Push Bar fitted to door

Licensed Area  
Sale and supply of alcohol, late night refreshment and regulated entertainment.

All existing fire doors to have intumescent fire strips and smoke seals checked. If damaged allow for repair

- NOTES
1. FIRE ALARM INSTALLATION TO BE L1 SYSTEM
  2. FIRE SUPPRESSION TO BE INSTALLED OVER THE COOKING APPLIANCES WITHIN THE COOKLINE AREA

**harrison**  
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Call +44 (0)20 7493 6397

BIRMINGHAM: 15 Coleshill Street, Sutton Coldfield,  
Birmingham B72 1SD  
Call +44 (0)121 321 3030

info@harrison.hn www.harrison.hn

client

**Young's & Co**

project

The Alexandra  
Wimbledon  
London SW19 7NE

title

Licensing Plan

drawn EN

check JM

scale @ A1

date Nov'14

project/dwg no.

3219/03/\*



The Licensing Department  
The London Borough of Merton  
Civic Centre  
London Road  
Morden  
SM4 5DX

VW - Merton Borough  
VW - Wimbledon Police Station

Wimbledon Police Station  
15-23 Queens Road  
London  
SW19 8NN

Telephone: 07795665925

Facsimile:

Email:

Peter.Sparham@met.pnn.police.uk  
www.met.police.uk

Your ref:

Our ref:

8 January 2015

Dear Sir

**Re :- Variation of the Premises Licence - The Alexandra, 33 Wimbledon Hill Road, Wimbledon. SW19 7NE**

On 11th December 2014 an application from Poppleston Allen Solicitors on behalf of Young and Co's Brewery Plc was received to vary the premises licence at the above premises. The variation consists of alteration to the first floor. It is presumed the trading area will be expanded.

Police wish to make representations to this application on two of the four licensing objectives namely:-

**The Prevention of Crime and Disorder  
Public Nuisance**

This premises is situated within the Cumulative Impact Zone (CIZ) which governs the Wimbledon Town Centre area.

Section 7.8 of the London Borough of Merton Licensing Policy states the following :-

***The Council considers that it is appropriate and necessary to continue a special policy within the designated cumulative impact zones. Where relevant representations have been received the policy will affect applications for new premises' licences or club premises' certificates or variations of existing licences or certificates. It will be for the applicants to show in their operating schedules that their proposals will not add to the cumulative impact already being experienced. Responsible authorities and/or interested parties will need to see the steps proposed by an applicant in order to decide whether to submit representations. The presumption will be that where proposed operations are material to the policy they will normally be refused, however, the process allows applicants to rebut the presumption in their applications, and to make the case before a licensing sub-committee. Where an application is material to the special policy the burden of proof lies on the applicant to rebut the presumption.***

This application fails to address the Merton Licensing Policy. The increase in number of customers frequenting the premises as a result of the expansion will clearly have potential to impact on the local area.

A search of police crime indices between 6th January 2014 and 6th January 2015 reveals a total of 13 crimes that can be directly associated with these premises and can be broken down as follows:-

Four(4) Assaults

Eight(8) Theft

One(1) Racially Aggravated Public Order Offence

### **Conclusion**

The Alexandra is a popular premises, however it is a concern that any changes in the licence will impact on the licensing objectives. With this in mind the following conditions are suggested in order to limit any impact.

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premise is open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.

3. SIA licensed door supervisors shall be on duty from 2000 at all times whilst it is open for business beyond midnight.

4. Alcohol consumed outside the premises shall only be consumed by patrons within the curtilage of the building.

5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received

(d) any incidents of disorder

(e) any faults in the CCTV system or searching equipment or scanning equipment

(f) any refusal of the sale of alcohol

(g) any visit by a relevant authority or emergency service.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Peter Sparham', with a long horizontal stroke extending to the right.

Peter Sparham