

# Merton Council

## Licensing Sub-Committee

### Membership

#### Councillors:

Pauline Cowper

Philip Jones

John Sargeant

A meeting of the Licensing Sub-Committee will be held on:

**Date: 6 March 2018**

**Time: 1.30 pm**

**Venue: Council chamber - Merton Civic Centre, London Road, Morden  
SM4 5DX**

#### Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 Wafflemeister, 28 The Broadway, Wimbledon, SW19 1RE 1 - 36

#### Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda and the decision making process contact [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) or telephone 020 8545 3616.

Press enquiries: [press@merton.gov.uk](mailto:press@merton.gov.uk) or telephone 020 8545 3181

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

1. The Chair will welcome all parties and all present will be introduced/introduce themselves
2. The Chair will confirm the sub-committee hearing procedures, a copy of which was included in the notice and agenda packs sent to all parties.
3. The Chair will ask the Legal Adviser to inform those present that the sub-committee had a briefing prior to the hearing to confirm the procedure and for clarification on any aspect of the application.
4. The Chair will ask Legal Adviser to confirm the process for questioning and whether there had been any requests for adjournments.
5. The Chair will ask the Licensing Officer if there are any technical issues they feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.  
If all conditions are agreed by all parties then the Sub-Committee may go straight to point 14)
6. The Applicant will present their case. Questions can then be asked of the Applicant by the Responsible Authorities, the interested parties and members of the Sub-Committee.
7. The Responsible Authorities will present their case. Questions can then be asked of the Responsible Authorities by the Applicant, the interested parties, and members of the Sub-Committee.
8. Presentation by any interested party. Questions can then be asked of the interested party by the Applicants, the Responsible Authorities and members of the Sub-Committee.
9. The Chair will ask the Licensing Officer for any comments/ clarifications
10. The Chair will ask the Legal Adviser for any comments/clarifications
11. The Chair will invite closing statements by the responsible authorities
12. The Chair will invite closing statements by the interested parties
13. The Chair will invite closing statements by the Applicant
14. The Chair will announce that the Sub-Committee are retiring for private session. The Legal Officer and Clerk will be invited to also retire.
15. In closed session the Sub-Committee will make their decision. They may ask the Legal Officer for advice during this session.
16. The Sub Committee will return and re-open for public session.
17. The Chair will invite the Legal Officer to present the advice provided during private session.
18. The Sub-committee's decision will be read out either by the Chair or the Chair will invite the Legal Officer to do so.
19. The Chair will inform those present that all parties should receive a written copy of the decision notice within 5 working days, and then close the Hearing



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## Licensing Sub-Committee Report

Subject of hearing: **Wafflemeister, 28 The Broadway, Wimbledon, SW19 1RE**

Date: **6 March 2018**

Time: **1:30pm**

Venue: **Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX**

### **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 a new premises licence application and was for the supply of alcohol both on and off the premises from an applicant already trading from this address.

5.2 The applicant has amended their application to just on sales. An email to this effect is attached to the report.

- 5.3 The applicant has also agreed to amend their operating schedule to attach several conditions after discussion with the Police. These are stated in an email dated 1<sup>st</sup> February 2018 which is attached to this report.
- 5.4 There is other information in the operating schedule that conditions may be formed from.
- 5.5 We have received three representations regarding this application, none of which are from Responsible Authorities.

**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>	
Mr Eric Chemla and Mrs Pascale Chemla	
<b>Statutory Authorities</b>	
None	
<b>Interested Parties</b>	
Jayesh Chauhan	
D.K Ray	
Leigh Terrafranca for Wimbledon E Hillside Residents Association (WEHRA)	

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12 Feb 2018

WK/201710639



Application for a premises licence to be granted 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.

I/We MR ERIC CHEMLA & MRS PASCALE CHEMLA

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Form with fields for postal address (WAFFLEMEISTER, 28 THE BROADWAY), post town (WIMBLEDON), postcode (SW19 1RE), telephone number (0208 946 3777), and non-domestic rateable value (£60,500).

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals \* [X] please complete section (A)
b) a person other than an individual \*
i as a limited company/limited liability partnership [ ] please complete section (B)
ii as a partnership (other than limited liability) [ ] please complete section (B)
iii as an unincorporated association or [ ] please complete section (B)
iv other (for example a statutory corporation) [ ] please complete section (B)
c) a recognised club [ ] please complete section (B)



- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> CHEMLA			<b>First names</b> ERIC SALOMON		
<b>Date of birth</b> [REDACTED]			<input checked="" type="checkbox"/> Please tick yes		
I am 18 years old or over					
<b>Nationality</b> BRITISH					
Current residential address if different from premises address			[REDACTED]		
Post town			[REDACTED]		Postcode
[REDACTED]			[REDACTED]		
<b>Daytime contact telephone number</b>			[REDACTED]		
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> CHEMLA			<b>First names</b> PASCALE MARIE GABRIELLE		
<b>Date of birth</b> [REDACTED]			<input checked="" type="checkbox"/> Please tick yes I am 18 years old or over		
<b>Nationality</b> BRITISH					
<b>Current residential address if different from premises address</b>		[REDACTED]			
<b>Post town</b> [REDACTED]			<b>Postcode</b> [REDACTED]		
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

<b>Name</b>
<b>Address</b>
<b>Registered number (where applicable)</b>
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b>
<b>Telephone number (if any)</b>

E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

A PURPOSE BUILT PREMISES OPERATING AS A WAFFLE AND CREPE CAFÉ/  
RESTAURANT OFFERING BOTH A DINE IN AND TAKEAWAY/ DELIVERY SERVICE.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- 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)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed					
			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			<b><u>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</u></b> (please read guidance note 6)
Fri			
Sat			
Sun			



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	
			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 4)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)	
			<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 6)	
Sun				

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed					
			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 6)		
Sat					
Sun					

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Tue					
			<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 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<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 5)		
Fri					
Sat			<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 6)		
Sun					

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 6)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) NONE		
Mon	09.00	21.30			
Tue	09.00	21.30			
Wed	09.00	21.30			
Thur	09.00	21.30			
Fri	09.00	21.30			
Sat	09.00	21.30			
Sun	09.00	21.30			
			<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 6) NONE		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name ERIC CHEMLA
Date of birth [REDACTED]
Address [REDACTED]
Postcode [REDACTED]
Personal licence number (if known) TBA
Issuing licensing authority (if known) LONDON BOROUGH OF SOUTHWARK



K

**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** (please read guidance note 9).  
NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5) NONE
Day	Start	Finish	
Mon	09.00	22.00	<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 6) NONE
Tue	09.00	22.00	
Wed	09.00	22.00	
Thur	09.00	22.00	
Fri	09.00	22.00	
Sat	09.00	22.00	
Sun	09.00	22.00	



**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e)** (please read guidance note 10)

The DPS fully understands his roles and responsibilities concerning the four licensing objectives obtained within the 2003 Licensing Act, a comprehensive breakdown of these objectives and how to ensure they are met are detailed below.

The DPS attended the level 2 training programme and his personal licence will be issued by The London Borough of Southwark

The DPS will take full responsibility of ensuring all staff are trained and have full knowledge of all licensing issues concerning them under the 2003 Licensing Act including the Challenge 25 rule.

In addition to the mandatory conditions as prescribed by the Licensing Act 2003, the applicant proposes the following:

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

The premises shall store the alcohol behind the sales counter and additionally in areas restricted to employees only

The premises shall cease any sale of alcohol or sale of a food order containing alcohol 30 minutes before the terminal hour.

**c) Public safety**

The DPS will be responsible for conducting a Fire Risk Assessment and also a Health & Safety Risk Assessment for the licensed premises.

All notices in relation to public health & safety will be displayed at the premises.

The DPS will also ensure the premises will be operated in line with the Health & Safety Act and any environmental health issues will be the responsibility of both the licence holder for the premises and the DPS.

Staff will make regular checks on external areas to ensure the area is clean, tidy and safe.

**d) The prevention of public nuisance**

The DPS/Premises licence holder fully understands that it is their duty to prevent their business causing any nuisance to any local residents or businesses.

They will monitor the external premises area in relation to any anti-social behaviour or public nuisance.

The premises will only accept trade deliveries or rubbish collections during normal working hours.

The DPS will also monitor the exterior of the premises to ensure litter is kept to a minimum.

Patrons using the premises shall be asked to respect the neighbours and to leave the premises in a quiet and orderly manner.

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

The DPS will be responsible for ensuring all staff working within the premises will be fully trained and aware of the Challenge 25 Rule.  
The premises will only accept valid forms of identification such as photo driving licence, passport and home office approved ID cards displaying the national proof of age standard scheme (PASS hologram).  
All customers who look under the age of 25 shall be challenged to prove their identity when purchasing alcohol.  
Any children at the premises shall be accompanied by a responsible adult at all times.  
The premises will also have a refusals register, which will be kept at the premises at all times and all refusals by any member of staff shall be recorded.  
The register will be made available to Responsible Authorities on request.

**Checklist:**

**Please tick to indicate agreement**

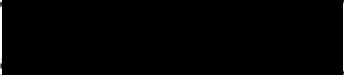
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	
Date	12/01/2018
Capacity	LICENSING CONSULTANTS ON BEHALF OF APPLICANT

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

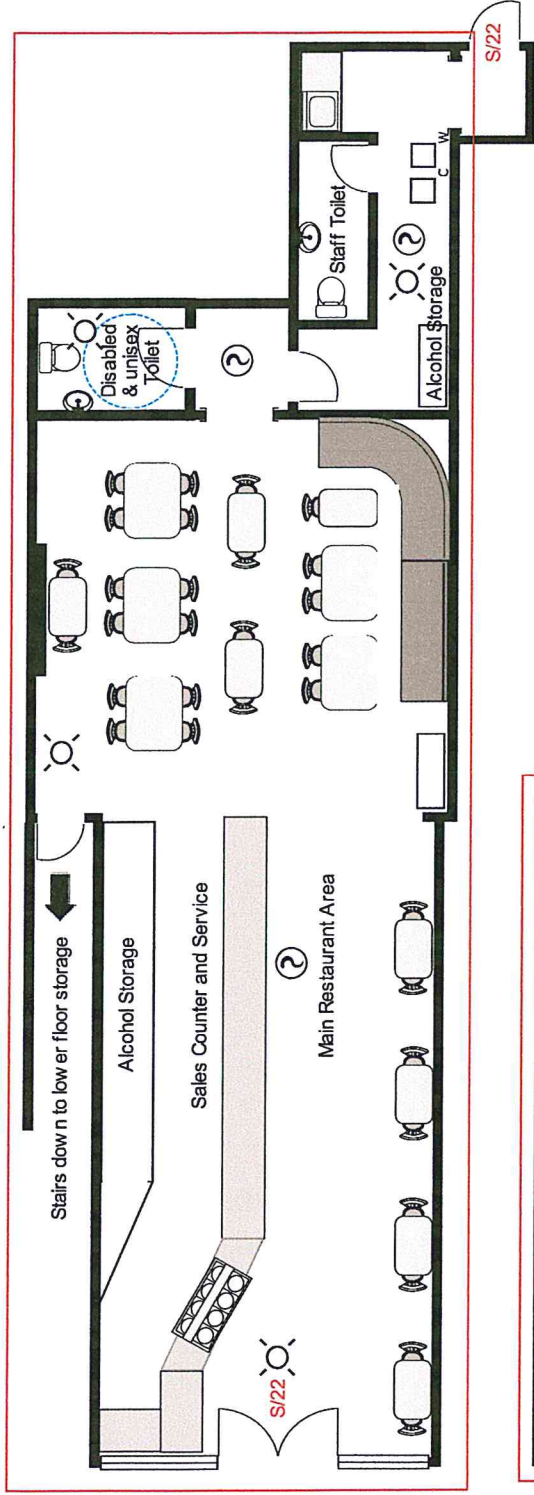
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) PERSONAL LICENCE TRAINING (UK) LTD UNIT 12B, THE PHOTO BLOCK HATHERLEY LANE			
Post town	CHELTENHAM	Postcode	GL51 6PN
Telephone number (if any)	01242 222188		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) INFO@PERSONALLICENCE.COM			

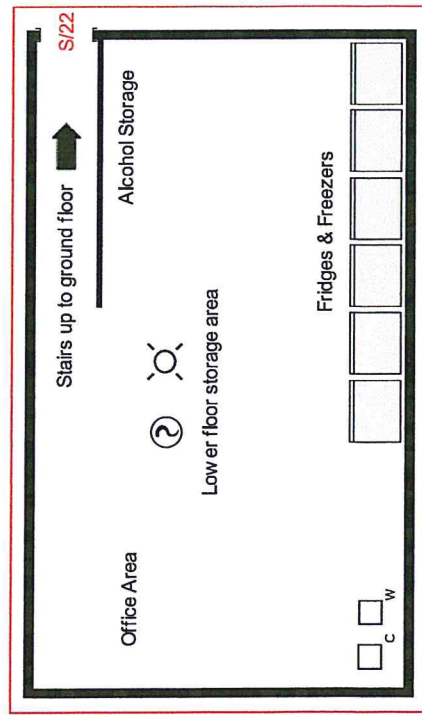
**Notes for Guidance**

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. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant

# Wafflemeister Wimbledon



The Broadway



<b>PLT</b> THE ALCOHOL LICENSING EXPERTS	
<b>Wafflemeister Wimbledon</b> 28 The Broadway Wimbledon London SW19 1RE	<b>Details</b> Scale: 1:100 @A4   Date: 06/01/2018 Client: Mr E Chemia & Mrs P Chemia
<b>Fire Safety</b> Fire Alarm Smoke Detectors Emergency Lights Water Ext Co 2 Ext	Yes Yes Yes x 2 x 2
<b>Security</b> To be installed on grant of licence if requested	Yes
CCTV Alarm System	Yes

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**From:** Eric Chemla  
**Sent:** 01 February 2018 17:16  
**To:** martin; Licensing  
**Cc:** russ.stevens@met.police.uk  
**Subject:** Re: Wafflemeister, 28 The Broadway

To whom it may concern

We also add that in fact we are only applying for an on licence and not an on and off licence as it was specified on the application.  
Regards.

Eric Chemla  
Wimbledon Franchise Director

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**From:**  
**Sent:** Thursday, February 1, 2018 3:41:26 PM  
**To:** [licensing@merton.gov.uk](mailto:licensing@merton.gov.uk)  
**Cc:** [russ.stevens@met.police.uk](mailto:russ.stevens@met.police.uk); Eric Chemla  
**Subject:** Wafflemeister, 28 The Broadway  
Hi

Ref: Wafflemeister, 28 The Broadway, Wimbledon

After speaking with Russ Stevens (Met Police licensing officer) and a meeting between Russ and the applicants I would like to add the following conditions on to the licence should it be granted.

Firstly please amend the opening times to:

Sunday – Thursday 09:00 – 20:00 (alcohol sales to stop at 19:30 to allow 30 minutes drinking up time)

Friday & Saturday 09:00 – 21:30 (alcohol sales to stop at 21:00 to allow 30 minutes drinking up time)

Conditions to be added

1/ CCTV will be active in the premises... (usual 28 day record, member of staff available to produce images upon request etc)

2/ Only 2 brands of craft beer/lager available at one time. These are to have a maximum ABV of 6%

3/ A personal licence holder must be on site after 19:00 on a Friday and Saturday until close of business

4/ Alcoholic Spirits only to be sold as part of a food recipe ie, brandy sauces etc. Not to be sold for consumption as a beverage

5/ Alcohol to be sold ancillary to food orders. Only customers who are seated and consuming food are to be sold alcoholic beverages, one person per meal.

6/ Alcohol is to be on-sales only no off sales period.

If you have any queries with any of the above please let me know.

Kind Regards

**Martin Bostock**

Martin Bostock

Licensing Consultant

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**From:** Jayesh Chauhan  
**Sent:** 06 February 2018 21:15  
**To:** Licensing  
**Subject:** Application Reference: WK/201710639

To Whom It May Concern;

I am writing in objection to the application from Wafflemeister for the Supply of Alcohol and extended opening hours.

Wimbledon Town Centre is turning from the village feel it once was to a local nightspot filled with far too many late night eateries and places selling alcohol. Along that parade of retail units we have lost all the independent retailers we once had all we seem to have is restaurants.

As a local resident this discourages myself and my family to walk down the street after 7pm. It is a constant flow of revellers creating a public nuisance, increasing petty crime and making the whole area look dirty and messy with litter sprawled across the streets. As a resident on Queens Road, we have had in the past had vandalism with drunk people coming onto our drive and smashing plant pots and we are constantly clearing litter from late night food eateries from our drive and garden.

For the above reasons I feel this application should be rejected.

Regards,  
Jayesh Chauhan

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**From:** D RAY

**Sent:** 03 February 2018 15:49

**To:** Licensing

**Cc:** Councillor James Holmes; Councillor Charlie Chirico

**Subject:** Re: New Premises Licence - Application Reference: WK/201710639

To whom It may Concern

With reference to the above mentioned Application, I strongly object to granting licence for the purpose mentioned in the application. More alcohol consumption on and off the premises are likely to cause crime and disorder and compromises public safety. This will gradually lead to using the pavement outside the premises with Tables and Chairs will ultimately be permanent features.

**Pavements/Footpath are for the pedestrians and not for the Cyclists or Restaurant owners.**

Mr.D.K.Ray

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**From:**  
**Sent:** 12 February 2018 17:06  
**To:** Licensing  
**Subject:** Fwd: Wafflemeister, 28 The Broadway SW19 1RE

FYI I left off my contact address. It is [REDACTED]. I trust you will accept this as a valid representation.

With apologies,  
Leigh Terrafranca

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Dear Sir/Madam:

I write on behalf of Wimbledon E Hillside Residents' Association to voice our views on the application for a New Premises Licence for *Wafflemeister*. WEHRA has been involved in Licensing issues since 2001, when the concept of a CIZ was being considered, and prior to enactment of the Licensing Act.

Our homes are in a purely residential area on the perimeter of the town, and every year the impacts are becoming more challenging, deteriorating the neighbourhood and impinging on our right to quiet enjoyment. Hence this letter, to express our community's concerns about the Application.

#### **Introduction**

This little shop sells WAFFLES - mainly as dessert/treat but also as a meal. The shop is amidst a long and growing string of small, medium and large sized shops that have been converted to food/drink venues in the town area. It must be noted these businesses adjoin private family homes, many with young school-aged children who go to bed at 7/8 pm and are up at 6/7 am for work/school. It is acknowledged that we put up with a great deal of nuisance from licensed premises at present.

There are a number of concerns that we like you to consider, prior to your decision.

#### **Enforcement of Licence Conditions**

Like many, the shop is staffed by younger, lightly experienced people, untrained in the needs of a premises that would sell alcohol from 9 am until 10 pm seven days a week. We have had a number of situations in the town area, where a business becomes an easy target for 16/17 year olds wishing to source alcohol. The off-licence below the theatre was closed after Police intervention, because the manager couldn't resist the temptation to sell booze to sons and daughters of Wimbledon people, some of whom receive generous pocket money. PoNaNa was a similar offender, now closed.

What assurance will the owner provide, that no under-aged drinkers will be served in this premises?

The Applicant should guarantee it won't happen; otherwise this just creates another time-waster for Licensing officers, and also wastes precious Police time better spent on keeping our community safe.

It is wrong to seek both on and off premises sales, in our view. (If the Committee were minded to approve, then only on-sales, with a substantial meal.) We do not need one more drop of alcohol on the streets. The Council can't keep the litter clear as it stands, local residents don't wish further drunken disturbances around their homes, the NHS ER is clogged with drunks/druggies, and the Police resource shouldn't be taken for granted.

#### **Their Food/Drink proposal is strategically weak**

The business model is to sell sugar-drenched desert waffles; perhaps a few savouries. Any marketing professional will know that with such rates and rent, this type of business belongs in a very small kiosk in Centre Court or at the Station forecourt, with highest footfall and hungry commuters.

In our view it seems the applicant is either looking at a last ditch attempt to increase revenue by luring drinkers in, or else to enhance the ability to re-let to a new tenant. Either way, this proposal doesn't stand up to scrutiny.

Further, this sets an unsustainable precedent, whereby any of the dozens of coffee shop that sell biscuits will seek a similar licence. With Licensing lawyers quick to pounce, you will have no recourse but to agree.

### **The Cumulative Impact Zone is full to bursting**

We understand the onus is on the applicant to prove they will not add to the cumulative impact of the area, already drenched and sticky dirty with food/drink/drunks/drugs, particularly after dark.

This CIZ is saturated as it stands: For every new restaurant/bar/deli that opens, another one closes. So what is the point of adding even one more Licence (particularly to one on such tenuous grounds as a *sugar-rich waffle that might go down better with alcohol*)?

From recent memory, an Asian noodle bar came and went in about six months; the ice cream store is about to fold, as they aren't drawing customers, Chimichanga sells alcohol on its own, as they can't lure enough people in to eat there, etc. Meanwhile, the Library 'coffee shop' is selling eat in meals and taking over more floor space, Joe & The Juice, Itsu, Darwin & Wallace (307 seat pub open 9 am-2 am) all are open or will do this spring, and BaBoom have been granted a licence and will open across from Centre Court.

Today, right now, there are four further new premises licences on the books: Vintage Fish (50 cover), Sound Lounge (30 cover), Smash (120), and a brand new Premier Inn wants to build a large, separate restaurant and bar, (200 cover). Not to mention we've just been told Paul Garrett has assured the owner of the Bank Buildings, Wimbledon Hill Road that he supports its demolition and replacement with a budget hotel of 100 rooms and a 200 seat GF restaurant and even an audacious new 'sky bar'. All within our so called Cumulative Impact Zone.

Surely the Committee must consider the cumulative impact of these new venues on the CPZ **CUMULATIVELY**. Many if not most of these new premises licences need to be **refused, not approved** in the coming months and years. It is the spirit and letter of the law that citizens expect Merton Council to honour, not the loopholes.

### **Brand Wimbledon deserves better**

Wimbledon is a global asset and the *economic heart of the Borough*; if it is to prosper, it must be cherished. Wimbledon is a delightful conurbation of well used, attractive green spaces, family homes and a hub of creative & performing arts and learning, and this positioning must be further enhanced in the coming years.

Meanwhile it appears the town is heading instead toward become London's most Obesogenic High Street, with an increasing number of food/drink businesses crammed into the area, many serving foods that are unhealthy and yet enticing to young adults. 'Come to Wimbledon to over-indulge in alcohol (and often illegal drugs) and lots of cheap processed/sugary foods.' The Mayor of London's Draft Plan is entirely focussed on 'Healthy Streets' so we're headed in the wrong direction.

Merton Council leaders need to sit back and consider the wider implications of decisions such as this, because otherwise we (the Council, local leaders and citizens) are becoming complicit in creating **an undesirable place**, and one that cannot be easily fixed.

### **In sum ....**

We urge the Council and this Committee to say 'enough is enough' and discourage any further retail (A1) and business (B1) premises conversion to food/drink. **Property Week** (w/c 5 Feb issue) has declared the High Street is resurgent, driven by consumers' wish for independent shops. We know this as fact, from the recent FutureWimbledon Workshops.

At the rate we're going, Wimbledon won't have any A1 premises left to offer those wonderful, trendy independents regenerating Marylebone High Street, Barnes and Richmond. We desperately need to secure a first class FutureWimbledon High Street, and that means **mixed use**, not food/drink establishments, nose to tail. Local people live here; we are here 24/7. We eat at home, yet to shop we are forced to go into London, Kingston, Wandsworth, Barnes or Richmond. Anywhere but Wimbledon town centre, because there is nothing of quality to buy.

**For now, we urge you to refuse permission on the grounds of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.**

We care profoundly for our shared future. Some but not all at Merton Council also care, and want the town to become a much better place. This can only happen by discouraging negative contributors such as bars/clubs and cheap restaurants, cheap takeaways, even fixed odds betting. All these encourage overeating/over-drinking/overindulging. Let's do our best to ensure the local population - including around ten thousand students and hundreds of thousands of visitors - is encouraged to enjoy Wimbledon, and come away fit and well.

In Croydon, many will tell you with a laugh, they come to Wimbledon on the 'free' tram to eat, drink, fight and leave blood on our streets. We all can and must do better. Thank you for your consideration of our views.

Yours sincerely,

Leigh Terrafranca, on behalf of Wimbledon E Hillside Residents' Assn (WEHRA)

***WEHRA: Winners of the Future Wimbledon Design Competition - Creative Communities Award***

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