

# Merton Council

## Licensing Sub-Committee

### Membership

#### Councillors:

Pauline Cowper

Nick Draper

Nick McLean

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

**Date: 17 September 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 Time in RO, 22 Abbotshbury Road, Morden, SM4 5LQ 1 - 48
- 5 Mitcham News, 25 Upper Green East, Mitcham, CR4 2PE 49 - 88

#### 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: [communications@merton.gov.uk](mailto:communications@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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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: **Time in RO, 20-22 Abbotsbury Road, Morden, SM4 5LQ**

Date: **17 September**

Time: **13:30**

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

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

1.1 The premises are not in the special policy area.

### **2. Type of hearing and powers of the sub-committee**

2.1 The sub-committee is required to determine the application by taking such of the steps set out below as it considers necessary for the promotion of the licensing objectives.

2.2 In making their determination the sub-committee must have regard to the Licensing Act 2003, the licensing objectives, guidance issued by the Secretary of State and Merton's Licensing Policy.

2.3 New premises licence: s18

(i) To grant the licence subject to conditions

(ii) To exclude from the scope of the licence any of the licensable activities to which the application relates

(iii) To refuse to specify a person in the licence as the premises supervisor

(iv) To reject the application.

### **3. Hearing papers**

3.1 The applications, notices and representations for determination by the sub-committee are contained in the hearing bundles together with any relevant existing licence. This includes any documents which must be sent to any of the parties to the hearing under Regulation 7(2) and Schedule 3 of The Licensing Act 2003 (Hearings) Regulations 2005. This bundle has been issued to all parties to the hearing.

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

4.1 A legal officer appointed by the Assistant Director of Corporate Governance and Head of Legal Services will attend the hearing to advise the sub-committee on statutory provision and legal matters.

### **5. Licensing Officer comments**

5.1 This is an application for a new premises licence.

5.2 The application seeks the following licensable activities:

The Sale by Retail of Alcohol- Mon to Thurs 08:00 to 22:00  
Fri 08:00 to 04:30  
Sat 08:00 to 05:00  
Sun 08:00 to 01:00

Regulated Entertainment – Fri 18:00 (17:00 performance of plays) to 04:30  
Sat 14:00 to 05:00  
Sun 14:00 to 01:00

Opening Times - Mon to Thurs - 08:00 to 22:00  
Fri 08:00 to 04:30  
Sat 08:00 to 05:00  
Sun 08:00 to 01:00

5.3 Seven representations have been received.

**For enquiries about this hearing please contact**

Democratic Services  
Civic Centre  
London Road  
Morden  
SM4 5DX

**Telephone:** 020 8545 3357

**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>	
Marius Prisecaru	
<b>Statutory Authorities</b>	
Metropolitan Police	LB Merton Public Health
LB Merton Licensing	LB Merton Pollution Team
LB Merton Environmental Health	
<b>Interested Parties</b>	
Mark Gale	
Victor Fedianine	



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PAYMENT REF N<sup>o</sup>: MECO: 00272915

£ 190

WK/221804508



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 TIME IN RO LTD MARIUS PRISECARU

(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

Postal address of premises or, if none, ordnance survey map reference or description			
20 - 22 ABBOTSBURY ROAD MORDEN LONDON			
Post town	MERTON	Postcode	SM4 5LQ
Telephone number at premises (if any)	[REDACTED] 02086464460		
Non-domestic rateable value of premises	£ 8900 / 8100.		

Part 2 - Applicant details

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

- a) an individual or individuals \*       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)	
Surname			PRISECARU		
First names			MARIUS		
Date of birth		[REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes	
Nationality		ROMANIAN			
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]		Postcode	[REDACTED]	
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)	TIMEINRO@GMAIL.COM				

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

**(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.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
3	1	08
2	0	18

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)

RESTAURANT, EVENT HALL

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

Plays 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 checked="" 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 performing plays</u></b> (please read guidance note 5)		
Thur					
Fri	17.00	04.30	<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)		
Sat	14.00	05.00			
Sun	14.00	01.00			

**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			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Wed					
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

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



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment 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			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
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 checked="" 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 performance of live music</u></b> (please read guidance note 5)		
Thur					
Fri					
Fri	18.00	04.30	<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)		
Sat	14.00	05.00			
Sun	14.00	01.00			

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish	Both		<input type="checkbox"/>	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur					
Fri	18.00	04.30	<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 6)		
Sat	14.00	05.00			
Sun	14.00	01.00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <b>indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Wed			<b>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</b> (please read guidance note 6)		
Thur					
Fri	18.00	04.30			
Sat	14.00	05.00			
Sun	14.00	01.00			

# 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					





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).

N/A

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)
Day	Start	Finish	
Mon	08.00	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)
Tue	08.00	22.00	
Wed	08.00	22.00	
Thur	08.00	22.00	
Fri	08.00	04.30	
Sat	08.00	05.00	
Sun	08.00	01.00	



**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)**

WAITER AND WAITRESS SERVICE WILL BE AVAILABLE THROUGHOUT THE PREMISES

- \* THE PREVENTION OF CRIME AND DISORDER
- \* PUBLIC SAFETY
- \* THE PREVENTION OF PUBLIC NUISANCE
- \* THE PREVENTION OF CHILDREN FROM HARM

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

CCTV WILL BE INSTALLED AND WORKING TO A STANDARD TO THE SATISFACTION OF THE LICENSING AUTHORITY AND POLICE WHO WILL BE INFORM IMMEDIATELY OF ANY DEFECT AND PROMPT STEPS WILL BE TAKEN TO RECTIFY ANY DEFECT. IMAGES WILL BE RETAINED FOR A MINIMUM OF 28 DAYS AND AVAILABLE TO THE LOCAL AUTHORITY.

**c) Public safety**

THE PREMISES WILL BE SUBJECT OF A FULL FIRE RISK ASSESSMENT.

**d) The prevention of public nuisance**

THE EXTERNAL AREA WILL BE REGULARLY MONITORED BY CCTV.

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

ALL STAFF WILL BE TRAINED IN RELATION TO AGE SALES, A RECORD OF THE TRAINING WILL BE KEPT ON SITE AND MADE AVAILABLE TO THE POLICE OR LOCAL AUTHORITY ON REQUEST.

Annex 1

I would like to add the following restriction to the licence:

- 1) on Friday and Saturday after 22.00 will have at the premises at least 2 CIA licence securities
- 2) alcohol will only be sold to people taking a table meal as ancillary to the meal or after a substantial meal.
- 3) alcohol will be sold by waiter service.

**Checklist:**

**Please tick to indicate agreement**

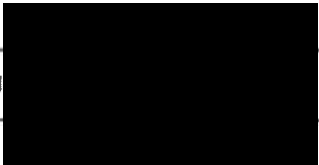
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, 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	MARIUS PRISECARU 
Date	02/07/2018
Capacity	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)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

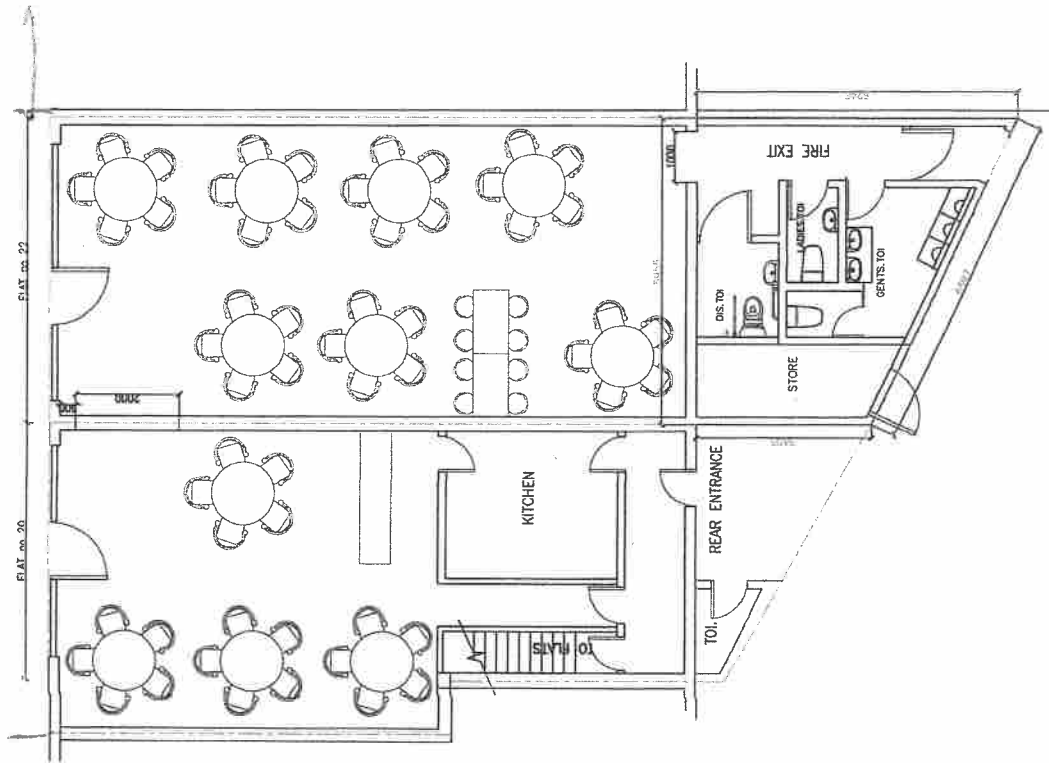
**Notes for Guidance**

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 premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

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12M X 2M STREET TRADING  
TABLES AND  
CHAIRS.



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REV.	DATE	DETAILS
R00	09/07/2018	1ST DESIGN PROPOSAL
R01	13/07/2018	REVISED FOLLOWING CLIENTS COMMENTS
R02	18/07/2018	2ND DESIGN PROPOSAL
R03	20.07.2018	3rd design draft as per phone conversation

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BEST WEST LONDON PARTNER

**PROJECT:** HB180129

**ADDRESS:** 20 ABBOTSBURY RD

**REVISION:** R02

**SHEET:** 102

**CLIENT:** SM4 SCL WOLDEN

**DATE:** 09.07.2018

**CLIENT:** MARIUS PRISECARU

**ARCHIVE NAME:** HB180129-DWG\_R00

**SCALE:** 1:100

**DRAWING TITLE:**

01 GROUND FLOOR PLAN  
SCALE 1:100

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**VW - Merton Borough  
VW - Wimbledon Police Station**

Licensing Team

London Borough of Merton  
Merton Civic Centre  
London Road  
Morden  
SM4 5DX

Russ Stevens 3852sw  
Police Licensing Officer  
Wimbledon Police Station  
15-23 Queens Road  
London  
SW19 8NN

Telephone: 020 8649 3074  
Mobile: [REDACTED]

Email: Russ.Stevens@met.police.uk

Dear Sir/Madam,

### **Police Representations**

#### **Re: Application for a New Premises Licence – Time In RO**

On 25th July 2018, I received a copy of an application for a new Premises Licence under Section 17 of the Licensing Act 2003 for Time In RO, 20-22 Abbottsbury Road, Morden, SM4 5LQ.

The application can be summarised as follows:

A restaurant and event hall open to the public from 0800-2200hrs Mon-Thu, 0800-0430hrs Fri, 0800-0500hrs Sat, and 0800-0100hrs Sun. Alcohol sales for the entire time that the premises is open to the public. Live Music, Recorded Music, and Performance of Dance on Fri/Sat/Sun evenings until close. Late Night Refreshment, ie hot food after 11pm has not been applied for.

**The Metropolitan Police Service wishes to make the following representations with regard to two of the four Licensing Objectives:**

- 1. Prevention of Crime and Disorder**
- 2. Prevention of Public Nuisance**

I have concerns around the applicant's professional ability to manage a Licensed Premises safely and legally, let alone one that remains open throughout the night. The applicant wishes to open until 4:30am on a Friday night, 5:30am on a Saturday night, and until 1am on a Sunday night. If the application is approved, Time In RO will become the latest opening Licensed Premises in Merton. Control measures have been offered by the applicant as a result of our recent meeting, but these do not adequately address the potentially serious impact that such late opening (including the option of live music) will

have on crime and public nuisance in the local area. If further control measures were imposed, I do not have the confidence in Mr Prisecaru to maintain those measures.

The applicant, Mr Prisecaru rents or owns two adjacent premises within a parade of shops in Morden town centre. He also has control of the residential flats above the premises, which are currently occupied. Mr Prisecaru is currently using the premises at No 20 Abbotsbury Road as a Romanian bar/restaurant, named Time In RO. He wishes to expand the restaurant to include the floor area of No 22 Abbotsbury Road and intends to create a large open archway between the two premises to effectively double the size of his restaurant.

The floor area of No 22 Abbotsbury Road is intended to be used as an event venue, for weddings and parties, with a stage area / DJ booth in one corner (not marked on the plan). Mr Prisecaru told me that he would install a noise limiter but would not commit to proposed dB levels.

Mr Prisecaru claims to be a qualified Accountant.

This current application is the third submission due to the first two being rejected by Merton Council as incorrect. Each submission has varied significantly in terms of hours and layout. Mr Prisecaru told me that his previous submission was to licence No 22 separately from No 20 as he was unsure if the shorter lease on No 20 would be renewed. If he lost No 20, Mr Prisecaru could then move his business into No 22. Mr Prisecaru also told me that by having two separate licensed premises he could avoid Business Rates.

I originally arranged to meet the applicant at his restaurant on Wednesday 18<sup>th</sup> July, but unfortunately Mr Prisecaru forgot to attend. We rescheduled for the following evening.

Immediately prior to our meeting on 19<sup>th</sup> July 2018, I discovered that the Premises Licence for No 20 Abbotsbury Road (Currently operating as Time in RO) had been suspended for non-payment of the annual fee. Mr Prisecaru was keen to phone the Council Licensing in front of me. When he admitted to having dissolved the company to which the licence was registered three years ago, it became apparent that the Premises Licence he had been operating his restaurant under was not valid and could not be re-instated.

I served a Closure Notice on 20 Abbotsbury Road for attempting to carry out licensable activities without authority.

On the 20<sup>th</sup> July 2018, Mr Prisecaru attended the Civic Centre and successfully re-instated an old Premises Licence in his name for 20 Abbotsbury Road. This licence, for "ABC Grocery / Butcher" had not been surrendered when the "Time In RO" Licence had been granted.

On 30<sup>th</sup> July 2018, I became aware that the Premises Licence LN/000002788 that the applicant is now using to operate as a bar/restaurant only authorises the supply of alcohol for consumption OFF the Premises. This means that Time In RO is still operating without the proper authorisation and therefore in contravention of the Closure Notice I served on the 19<sup>th</sup> July. I have informed Mr Prisecaru of this and warned him that any further breach will result in my application to the court for a Closure Order.

The current application for a new Premises Licence does not offer any undertaking that any existing licence will be surrendered if the new licence is granted.

The applicant claims to be a qualified accountant with an excellent understanding of Licensing Law, yet he has been unable to ensure that his own premises is correctly licensed.

I have no confidence that Mr Prisecaru could keep to any restrictions imposed on the Premises Licence if granted as he does not appear to take his responsibilities seriously.

A bar/restaurant opening through the night to 4:30am and 5am, carries a massive risk to the Licensing Objectives relating to Crime & Disorder, and Public Nuisance. Morden town centre is relatively small with only the RS Snooker Club open after midnight. Morden town centre hosts the last stop on the Northern Line, one of the few 24hr underground services in London. Morden is mostly residential and after midnight the town centre only serves as an Tube and Night Bus terminus. The residents and local businesses are not prepared for a significant increase to the local Night Time Economy.

Research into Abbotsbury Road and Morden Town Centre shows an already unacceptable level of night time violence and anti-social behaviour:

- 14/10/2017 2300hrs Abbotsbury Rd – Criminal Damage (urinating through letterbox)
- 18/09/2017 0100hrs Abbotsbury Rd – ABH, victim drunk
- 25/05/2017 1955hrs Abbotsbury Rd – Racially Agg Harassment, suspect drunk
- 07/07/2018 2030hrs Abbotsbury Rd – GBH, all parties drunk
- 27/08/2017 0340hrs Abbotsbury Rd – GBH W/I, victim very drunk
- 17/06/2018 0131hrs Abbotsbury Rd – Poss Knife, threatening, suspect drunk
- 16/03/2017 1432hrs Abbotsbury Rd – Threats violence, knife, alcohol related
- 15/01/2017 2030hrs Abbotsbury Rd – GBH, fight in pub
- 10/06/2018 0525hrs London Rd – Threats of violence, suspect drunk
- 02/05/2018 2337hrs London Rd – GBH, victim drunk
- 26/04/2018 2300hrs London Rd – ABH
- 19/04/2018 2150hrs London Rd – MURDER, alcohol related
- 07/04/2018 0450hrs London Rd – Fight, drug related.
- 14/02/2018 2114hrs London Rd – Threat of violence, suspect drunk
- 28/01/2018 0841hrs London Rd – Drunk & Disorder, knife
- 08/09/2017 2155hrs London Rd – Affray, suspect very drunk
- 03/09/2017 0049hrs London Rd – Racially aggravated assault, suspect drunk.
- 04/06/2017 2335hrs London Rd – ABH
- 26/05/2017 0030hrs London Rd – Racially agg harassment. Alcohol related

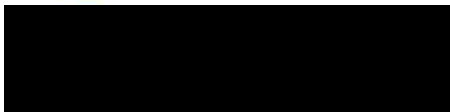
No reports of any violence at Time In RO have been recorded, although I have dealt with one complaint of loud noise from the restaurant during the early hours in January 2017, and I was passed information from Merton Council about another similar complaint in June 2017.

It is my view that if this application is granted, the huge extension of alcohol hours, accompanied with live music, will cause a proportionate rise in crime and anti-social behaviour in the local area. I do not believe that the applicant is equipped to run a late night venue responsibly, and I am certain its operation will have a negative impact on the lives of local residents.

Time in RO has been operating without a valid Premises Licence for over two years. For that reason alone, the Metropolitan Police urges the sub-committee to reject the application outright.

If the sub-committee is minded to approve the application, based on all factors mentioned above, I strongly advise that the terminal hour for all activities is set to Midnight every night of the week, and the opening hours also end at Midnight.

Yours faithfully

A solid black rectangular box used to redact the signature of the Licensing Officer.

**Russ STEVENS** PC3852SW P191701

Licensing Officer

**ENVIRONMENT AND REGENERATION DEPARTMENT**

Chris Lee - Director



The Licensing Officer  
London Borough of Merton  
Licensing Team  
14<sup>th</sup> Floor Civic Centre  
London Road  
Morden  
SM4 5DX

**Licensing Section**  
London Borough of Merton  
Merton Civic Centre  
London Road  
Morden SM4 5DX

**Direct Line:** 020 8545 3798  
**Fax:** 020 8545 4025  
**Email:** [licensing@merton.gov.uk](mailto:licensing@merton.gov.uk)

**My Ref :**  
**Please Ask For:** Barry Croft  
**Your Ref:**

**Date:** 22 August 2018

Dear Sirs,

**Time in Ro 20 – 22 Abbotsbury Road Morden London SM4 5LQ – New  
Premises Licence Application No. WK/29804508**

**Licensing Act 2003**

On behalf of the Licensing Authority, as a Responsible Authority under the Licensing Act 2003, I write to object to the application to new premises licence for Time in Ro at 20 to 22 Abbotsbury Road Morden SM4 5LQ.

The new premises licence application seeks the following licensable activities:

**Plays (Indoors only)**

**Friday - 17:00 to 04:30 hours**  
**Saturday – 14:00 to 05:00 hours**  
**Sunday – 14:00 to 01:00 hours**

**Live Music (Indoors only)**

**Friday - 18:00 to 04:30 hours**  
**Saturday – 14:00 to 05:00 hours**  
**Sunday – 14:00 to 01:00 hours**

**Recorded Music (Indoors only)**

**Friday - 18:00 to 04:30 hours**  
**Saturday – 14:00 to 05:00 hours**  
**Sunday – 14:00 to 01:00 hours**

**Performance of Dance (Indoors only)**

**Friday - 18:00 to 04:30 hours**  
**Saturday – 14:00 to 05:00 hours**

**Sunday – 14:00 to 01:00 hours**

**Sale by Retail of Alcohol (for consumption on the premises only).**

**Monday to Thursday 08:00 to 22:00 hours**

**Friday 08:00 to 04:30 hours**

**Saturday 08:00 to 05:00 hours**

**Sunday 08:00 to 01:00 hours**

**Hours premises open to the public.**

**Monday to Thursday 08:00 to 22:00 hours**

**Friday 08:00 to 04:30 hours**

**Saturday 08:00 to 05:00 hours**

**Sunday 08:00 to 01:00 hours**

These premises are situated in an area of the borough with mixed commercial and residential units. It is the opinion of the Licensing Authority that the applicant has failed to address the Public Nuisance and Crime and Disorder objectives. While the operating schedule offers some very limited control measures, the Authority is of the opinion that the offer of SIA door staff on a Friday and Saturday after 22:00 hours, and the supply of alcohol will only be made to persons taking a table meal, is insufficient the hours applied for in connection with the sale by retail of alcohol, the provision of live music and the provision of recorded music.

It is noted the applicant has failed to apply for Late Night Refreshment as part of their application. This means, should this application be granted as applied for, the sale of hot food and drink after 23:00 hours would not be possible. The omission of the offer of Late Night Refreshment as part of this application may be an indicator that the applicants intend their venue to be a late night/ early morning drinking venue with regulated entertainment only, which will have a significant impact on nearby local residents.

Because of the excessive hours sort for various licensable activities, as well as the lack of suitable and sufficient control measures addressing the licensing objectives, the Licensing Authority asks for this applicant to be refused.

The Licensing Authority reserves the right to submit further supporting evidence in connection with this representation, and to assist in oral evidence to be given at any Licensing Sub-Committee hearing organised to determine this variation application.

Yours faithfully,



**Barry Croft**

**Licensing Manager**

**Licensing Team**

**Part of the Joint Regulatory Services Partnership for the**

**London Borough of Merton and the London Borough of Richmond upon Thames.**

## COMMUNITY AND HOUSING DEPARTMENT

Department of Public Health

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

Public Health  
London Borough of Merton  
Merton Civic Centre  
London Road  
Morden SM4 5DX

Direct Line: 020 8545 4577  
Email: Natalie.lovell@merton.gov.uk

Date: 22/08/2018

### Re: Application for a Premises License under the Licensing Act 2003- Time in RO, 20-22 Abbotsbury Road, Morden, London, SM4 5LQ

License Number	WK/201804508
License Type	On license
Ward	Ravensbury

As a responsible authority under the 2012 amendment to the Licensing Act 2003, the Director of Public Health for Merton wishes to submit a representation for this premises license application, on all of the four licensing objectives namely:

1. **The Prevention of Crime and Disorder**
2. **Public Safety**
3. **Prevention of Public Nuisance**
4. **The Protection of Children from Harm**

The applicant is seeking to sell alcohol (on the premises) from 08:00-22:00hrs Mon-Thu, 08:00-04:30hrs Fri, 08:00-05:00hrs Sat and 08:00-01:00hrs Sun. Public Health is concerned about this application to sell alcohol on the premises for the following reasons:

- Public health data shows some areas for concern within the premises postal code
- Proximity of the premises to public spaces that are valued by Merton residents

## Introduction and Background

Tackling alcohol misuse is central to achieving the outcomes in Merton's Health and Wellbeing Strategy.

A crucial element of tackling alcohol-related harm is ensuring that health and wellbeing considerations are met by premises licensed to sell alcohol within the borough, in order to prevent alcohol-related crime and anti-social behaviour, ensure public safety, and prevent harm to children.

Alcohol misuse is currently one of the biggest Public Health issues in the U.K., and it imposes a huge burden on our society.



Irresponsible drinking costs the taxpayer a staggering **£21 billion a year**.<sup>1</sup>



Alcohol is currently the **biggest risk factor** for death, ill-health, and disability among 15-49 year olds in the UK.<sup>2</sup>



The cost of alcohol-related conditions to the NHS is **£3.5 billion** annually.<sup>3</sup>



Alcohol is a contributing factor in **75% of stabbings**, and **60-70% of murders**.<sup>4</sup>

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<sup>1</sup> Home Office, 2012.

<sup>2</sup> . Strang, J., Drummond, C., McNeill, A. et al (2014) Addictions, dependence and substance misuse  
In: Davies, S Annual Report of the Chief Medical Officer 2013: Public Mental Health priorities:  
investing in the evidence.

<sup>3</sup> <https://www.alcoholconcern.org.uk/alcohol-statistics>. Accessed April 2018

<sup>4</sup> British Medical Association (BMA)



## Evidence of detrimental impact on the licensing objectives

### 1. The prevention of crime and disorder

The link between alcohol and violence has been recognized as far back as the 4th century BC. Alcohol-related violence causes substantial injury and death.<sup>5</sup>

Local data suggests there is a serious issue with crime and violence in the area surrounding the premises postcode.

Within **100m** of the premises postcode, SM4 5LQ,

- Ambulance recorded assaults fall in the **top 50%** of the borough

Within **200m** of the premises postcode, SM4 5LQ,

- Head injuries incidents fall in the top **40%** of the borough
- Bus driver reported anti-social behaviour (ASB) falls in the **top 5%** of the borough
- BTP ASB falls in the **top 20%** of the borough
- BTP criminal damage falls in the **top 5%** of the borough
- Bus driver reported violence falls in the **top 5%** of the borough
- BTP violence falls in the **top 5%** of the borough

The above data suggests there is a significant impact of alcohol consumption in the local area. While the above data does not relate to the specific premise, any premises that supplies alcohol in the area will be contributing to the trends relating alcohol to crime and disorder.

### 2. Public safety

- The recent [Annual Residents Survey for Merton](#) (2017) highlights that:
  - 19% of residents in this area of the borough are very worried or fairly worried about people being drunk and rowdy in public places;
  - 28% are very concerned or fairly concerned about groups hanging around in the streets; and

---

<sup>5</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3170096/#R2>

- 18% of residents are very concerned or fairly concerned about people using or dealing drugs.<sup>6</sup>
- The recent Annual Residents Survey for Merton (2017) also highlights that crime is the second highest issue (after gangs) that young people in Merton are personally most concerned about, with almost a quarter (24%) of young people citing it as an issue.
- In terms of alcohol harm overall, in 2012 Merton ranked 55 out of 326 local authorities and was in the higher percentiles for:
  - Male mortality chronic liver disease (104/326)
  - Female alcohol-specific hospital admissions (106/326)
  - Male alcohol-specific hospital admissions (109/326)
  - Male alcohol-attributable hospital admissions (151/326)
  - Alcohol-related violent crimes (192/326)
  - Alcohol-related sexual offences (208/326)<sup>7</sup>
- Within the borough, there is an element of variance in the degree of alcohol harm between different wards. Ravensbury where this premises is located, has a higher admission ratio of hospital stays for alcohol-related harm than the figure for Merton and that for London.<sup>8</sup>
- The crime rate in Ravensbury is 70.7 offences per 1,000 population in 2017. This is higher than the Merton value, which is 65.1 offences per 1,000 population. The highest number of offences recorded is 'violence against the person'.<sup>9</sup>

### 3. Prevention of public nuisance

- The recent [Annual Residents Survey for Merton](https://www2.merton.gov.uk/residents_survey_research_report_2017.pdf) (2017) highlights that **22%** of residents in Ravensbury, where this premises postcode is located, are very concerned or fairly concerned about noisy neighbours or loud parties in the area.
- The premises location is 0.2 miles (about a 3 minute walk) from Morden Station, the last stop of one of five London tube lines which run a 24-hour service on Fridays and Saturdays. This poses a serious public nuisance risk as Morden Town Centre is mostly residential and yet this current application could lead to more antisocial behaviour and crime, already a serious issue in the area.

### 4. The protection of children from harm

The creation of healthy places is crucial to ensuring future generations have the best possible chance at a healthy future. This is not only essential for individual wellbeing, but also for society as a whole. A healthy place means an environment that makes the healthy choice the easy choice (for example, limiting fast food outlets and sales of alcohol near

<sup>6</sup> [https://www2.merton.gov.uk/residents\\_survey\\_research\\_report\\_2017.pdf](https://www2.merton.gov.uk/residents_survey_research_report_2017.pdf)

<sup>7</sup> <https://www2.merton.gov.uk/health-social-care/publichealth/jsna/lifestyle-risk-factors/adults-substance-misuse/alcohol-jsna.htm>

<sup>8</sup> [https://www2.merton.gov.uk/ravensbury\\_ward\\_health\\_profile.pdf](https://www2.merton.gov.uk/ravensbury_ward_health_profile.pdf)

<sup>9</sup> [https://www2.merton.gov.uk/ravensbury\\_ward\\_health\\_profile.pdf](https://www2.merton.gov.uk/ravensbury_ward_health_profile.pdf)

schools and public spaces), and that protects children from being exposed to antisocial behaviour and crime on their streets and public transport. However:

- Compared to Merton, Ravensbury, where the premises postcode is located, has a higher proportion of young people (aged 10-24 years), who must be protected from alcohol- related harm<sup>10</sup>
- The premises postcode, SM4 5LQ is a short 4 minute walk (0.2 miles) from Morden Hall Park, a large public open space frequented by children, young people and older people

## **Conclusion**

There is evidence revealing serious concerns about alcohol harm in the local population, and the location of the premises in concern is that which serves potentially vulnerable individuals. Therefore, we request that the application for a premises license WK/201804508 be rejected.

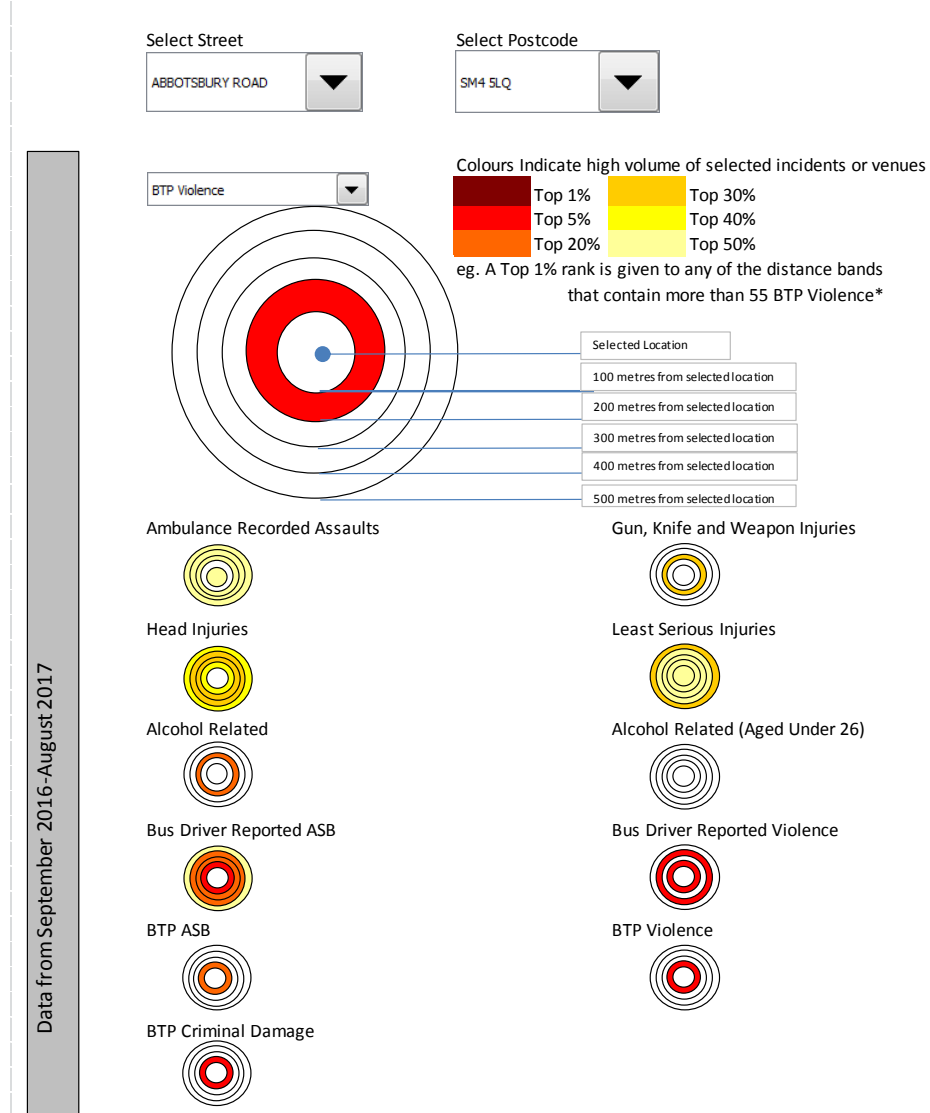
Yours Sincerely,  
Natalie Lovell

Signed electronically  
Natalie Lovell  
Healthy Places Officer  
On behalf of Dr Dagmar Zeuner, Director of Public Health

---

<sup>10</sup> [https://www2.merton.gov.uk/ravensbury\\_ward\\_health\\_profile.pdf](https://www2.merton.gov.uk/ravensbury_ward_health_profile.pdf)

# APPENDIX



All Infographics on page 2 from Noun Project artists, accessed at <https://thenounproject.com/>

Credits:

£ icon by Chameleon Design

Heart icon by Ben Davis

Criminal icon by Bakunetsu Kaito

Ambulance icon by dDara

The Licensing Team

The Pollution Team are submitting a representation on the Application for Premises Licence for 20-22 Abbotsbury Road, Morden SM4 5LQ

This representation is made as a Responsible Authority under the Licensing Act 2003 and relates to the Licensing Objective 'The Prevention of Public Nuisance'

The premises is requesting opening hours and regulated entertainment , namely Live and Recorded Music until

- Friday until 4:30am
- Saturday until 5:00am
- Sunday until 1am

However it is not clear as to how the dates and times cross-over from one day to the next.

The Pollution Team are making a formal Representation on two grounds.

1. The suitability of the premises as a late night entertainment venue including its location.
2. Previous complaints about noise from the premises and responses by the Owner.

#### **The properties suitability as a late night entertainment venue:**

Premises that are licensed for late night entertainment are strictly controlled by both the use of acoustic attenuation, that is noise measures taken inside the building such as noise insulation to contain noise, noise limiting devices and a strict Noise Management Plan that also considers noise from both music and patrons. Even with the best controls, as noise professionals we still see issues with premises of these kind near to residential properties.

The Licence Application is an opportunity for the applicant to set out controls to ensure that the property does not contravene the Licensing Objectives specifically section M d). The applicant has put forward ' The External Area will be regularly Monitored by CCTV' This is wholly unacceptable for a premises that is requesting live and recorded music until the early hours of the morning.

Steps such as the material consideration of the property and how it can contain music without impacting on neighbours is needed, along with an acoustic assessment substantiating this conclusion. A noise Management Plan should be submitted and be robust enough to ensure that all noise, including patrons is controlled with a series of practical and enforceable conditions.

#### **Complaints about the Premises.**

On the 24<sup>th</sup> of July 2017 a complaint about loud amplified music was made to the Councils Night Duty Noise Service at 23:30 about this property, officers attended and considered the noise to be unacceptable and requested that the owner reduce the volume of music. The officers report that they were subject to abuse from the owner. This was then followed up in writing, details of which are available.

On the 30<sup>th</sup> of June 2018 at 23:54 a further complaint was made about noise from loud amplified music.

## **Recommendation**

It is recommended that the application is rejected by Committee on the grounds of the Prevention of Public Nuisance.

Sincerely

**Jason Andrews**

EH Pollution Manager

Regulatory Services Partnership

London Boroughs of Merton and Richmond upon Thames

Civic Centre, London Road, Morden SM4 5DX



**From:** Andrew Bradley  
**Sent:** 01 August 2018 18:11  
**To:** Licensing  
**Subject:** Time in Ro 20/22 Abbotsbury Road Morden SM4 5LQ

Dear Licensing

I am writing to you in relation to the application for a premises licence made by Mr Marius Priscaru in relation to the Time in Ro at 22 Abbotsbury Road, Morden.

I have to advise you that on the 21 May 2018 , one of my officers visited these premises in order to carry out a routine Food Hygiene Inspection.

During the course of the inspection the applicant Mr Marius Priscaru become very verbally aggressive and obstructed the inspection. The Officer was very upset by Mr Priscaru's behaviour and phoned me from the premises. A second officer was sent to join them and they managed to complete the inspection.

On the 24 May 2018 I wrote to Mr Priscaru advising him that officers had the council had a right to carry out their lawful duties without being subject to verbal and physical aggression. Copy of letter attached.

It is my understanding that other officers of the council have been verbally abused by Mr Priscaru and given his past behaviour I do not consider him a suitable person to hold a premises licence on the grounds of public safety and the prevention of public nuisance.

I hope that this information is of use to you

Kind regards

**Andrew Bradley MCIEH, CEnvH, APCIP**  
**Environmental Health (Commercial) Manager**  
Regulatory Services Partnership  
Serving the London Boroughs of Merton, Richmond upon Thames and Wandsworth  
Civic Centre, London Road, Morden SM4 5DX



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Dear Licensing

In regard to the following business:

Time in Ro, 20-22 Abbotsbury Road, Morden, SM4  
5LQ

In a need to prevent **public nuisance** Requesting  
4:30am/5:00am hours for music and alcohol - the hours  
are unreasonable especially as the flats above the shops  
and opposite in Abbotsbury Road will be negatively  
impacted by the loud noise from the premises and also  
from groups gathering outside smoking during all hours  
of the morning.

Mark Gale

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**From:** Victor Fedianine  
**Sent:** 05 August 2018 23:02  
**To:** Licensing  
**Subject:** Time in Ro (Morden)

Hello,

I am a resident of Morden and I have just read an article about a restaurant Time in Ro which submitted an application to serve alcohol until 5am and also play music and have dancing, etc. (<http://www.yourlocalguardian.co.uk/news/16391475.morden-restaurant-is-looking-to-serve-alcohol-until-5am-on-weekends-for-traditional-parties>)

I would ask, please, under no circumstances allow this application to go through. Morden is a community to which people are relocating for a primary reason that is safe. It has improved over the years, with nice shop fronts, Luna outdoor cinema, Morden Hall park which has been looked after, some new cafes... However if we allow more drinking, especially late at night, all it will spark is antisocial behaviour that we've been trying to get rid of for so long in Morden. Instead more middle to upper range cafes should open up, which would pride itself for food and service, rather than for alcohol it serves. If we want to improve our community, we need to ensure that our council remains one of the safest among London and we need to ensure that people middle and upper level find their demands met in Morden and move to the area, making it more vibrant and attractive.

Thank you

Victor Fedianine

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## Licensing Sub-Committee Report

Subject of hearing: **Mitcham News, 25 Upper Green East, Mitcham, CR4 2PE**

Date: **17 September**

Time: **13:30**

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 an application for a new premises licence for a newsagent and convenience store.

5.2 The application is for the sale of alcohol for consumption off the premises between 9am and 11pm Monday to Sunday, with opening hours of 6am to 11pm Monday to Sunday.

- 5.3 The applicant has offered 15 possible conditions in the operating schedule.
- 5.4 We have received four (4) representations, three from Responsible Authorities and one from a Councillor.

**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>	
Mrs Kaluwa Handi	
<b>Statutory Authorities</b>	
Metropolitan Police	
Licensing Authority	
LB Merton Public Health	
<b>Interested Parties</b>	
Councillor Geraldine Stanford	



- 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 type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> KALUWA HANDI			<b>First names</b> INOSHA S D S		
<b>Date of birth</b>	[REDACTED]	I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
<b>Nationality</b> SRI LANKAN					
Current residential address if different from premises address		[REDACTED]			
Post town	MITCHAM		Postcode	[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 type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		



<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/> Please tick yes	
<b>Nationality</b>			
Current residential address if different from premises address			
Post town		Postcode	
<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.**

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
0	1	0 9 2 0 1 8

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)  
This is a local news agents and convenience store operating over long time. The premises is a small store, run by current owners for over 2 years as a family business. The store has been selling newspapers and magazines as well as mobile top up cards, National Lottery tickets, scratch cards and soft drinks in addition to confectionery and tobacco products. It is now would like to add alcohol as a small part of the business. The store will only stock high quality wines, beers and other products. The store is only interested in selling to its existing customers

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"/>
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 performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<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)		
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			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Wed					
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			<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)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment 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 boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur								
Fri						<b><u>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</u></b> (please read guidance note 6)		
Sat								
Sun								

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music 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>Please give further details here</b> (please read guidance note 4)		
Tue			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Wed			<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 6)		
Thur					
Fri					
Sat					
Sun					



**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded 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"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

# G

Performances of dance 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"/>
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			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Fri			<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)		
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

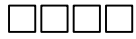
<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<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 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><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)		
Mon	09.00	23.00			
Tue	09.00	23.00			
Wed	09.00	23.00			
Thur	09.00	23.00			
Fri	09.00	23.00			
Sat	09.00	23.00			
Sun	09.00	23.00			
			<b><u>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</u></b> (please read guidance note 6)		

**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 INOSHA S D S KALUWA HANDE	
Date of birth	
	
Postcode	
Personal licence number (if known) 	
Issuing licensing authority (if known) MERTON COUNCIL	



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).

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5)
Day	Start	Finish	
Mon	06.00	23.00	<b><u>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</u></b> (please read guidance note 6)
Tue	06.00	23.00	
Wed	06.00	23.00	
Thur	06.00	23.00	
Fri	06.00	23.00	
Sat	06.00	23.00	
Sun	06.00	23.00	

**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 is a small store, will be run by husband and wife. Applicant has experience working in managing a off licence store for over 2 years. She has been working in store locally, which is great experience in a small store, handling all sections of the store.

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

PLEASE FIND ATTACHED OPERATING CONDITIONS

**c) Public safety**

PLEASE FIND ATTACHED OPERATING CONDITIONS

**d) The prevention of public nuisance**

PLEASE FIND ATTACHED OPERATING CONDITIONS

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

PLEASE FIND ATTACHED OPERATING CONDITIONS

**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	NIRA SURESH
Date	23/07/2018
Capacity	LICENSING AGENT

**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	

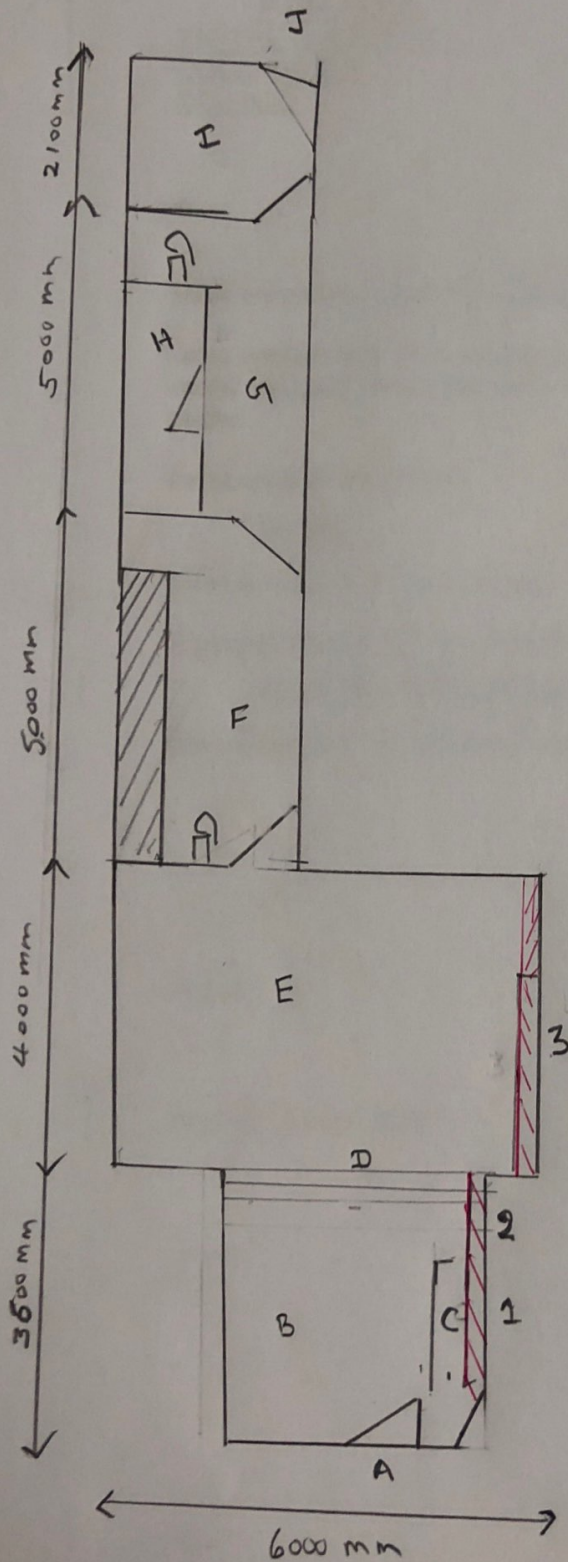
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) ARKA LICENSING AGENT B003 TRIDENT BUSINESS CENTRE 89 BICKERSTETH ROAD LONDON			
Post town	LONDON	Postcode	SW17 9SH
Telephone number (if any)	[REDACTED] 0203 405 1886		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) CONTACT@ARKALICENSING.CO.UK			

## **Conditions consistent with the Operating Schedule for Mitcham News**

1. No super strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises except for Premium and Craft Beers
2. No single cans of beers, lagers, cider or similar will be sold
3. No miniature bottles of spirits of below 20cl shall be sold from the premises
4. There shall be no self-service of spirits on the premises.
5. No more than 15% of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol
6. A personal Licence Holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of Alcohol.
7. A minimum of two staff to be on duty from 19.00 hours to closure of the business.
8. There shall be no advertising of the sale of alcohol from the premises that is visible from outside the premises.
9. Outside the hours authorised for the sale of alcohol, all alcohol within the trading area to be secured behind locked grilles/ screens or secured behind locked cabinet doors so as to prevent access to the alcohol by both customers and staff save for restocking.
10. A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, passport or proof of age card with the PASS Hologram.
11. The promise shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Merton Police Licensing Team. 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. Viewing of recordings shall be made available immediately upon the request of the police or an authorised officer throughout the preceding 31 day period.
12. A staff member staff from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show police recent data or footage with the absolute minimum of delay when requested.

13. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Merton Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) any faults in the CCTV system (f) any refusal of the sale of alcohol (g) any visit by a relevant authority or emergency service
14. A diary log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Merton Council at all time whilst the premises are open.
15. The premise shall ensure that reasonable and adequate staff training shall be carried out and properly documented in relation to, dealing with incidents and prevention of crime and disorder: sale of alcohol (to underage, persons over 18 purchasing for underage, drunks etc.) prior to being allowed to sell alcohol.

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MITCHAM NEWS  
 25 UPPER GREEN EAST  
 MITCHAM  
 CR4 2PE

SCALE 1:100

A: MAIN ENTRANCE

B: RETAIL FLOOR

C: SALES COUNTER

D: STEPS TO NEXT SECTION

E: RETAIL FLOOR

F: STORE ROOM

G: STORE ROOM

H: SECURE LOCKED ROOM

I: KITCHEN

J: FIRE EXIT

A: FIRE EXTINGUISHERS

ALCOHOL DISPLAY

1 SPIRITS - BEHIND COUNTER

2 BEERS - FRIDGE

3 WINES - QUALITY WINES

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**VW - Merton Borough  
VW - Wimbledon Police Station**

Licensing Team

London Borough of Merton  
Merton Civic Centre  
London Road  
Morden  
SM4 5DX

Russ Stevens 3852sw  
Police Licensing Officer  
Wimbledon Police Station  
15-23 Queens Road  
London  
SW19 8NN

Telephone: 020 8649 3074

Mobile: [REDACTED]

Email: Russ.Stevens@met.police.uk

14<sup>th</sup> August 2018

Dear Sir/Madam,

### **Police Representations**

#### **Re: Application for a New Premises Licence – Mitcham News**

On 24th July 2018, I received a copy of an application for a new Premises Licence under Section 17 of the Licensing Act 2003 for Mitcham News, 25 Upper Green East, Mitcham, CR4 2PE.

The application can be summarised as follows:

An existing newsagent/tobacconist/convenience store wishing to sell alcohol for consumption off the premises. Alcohol sales from 9am to 11pm daily.

**The Metropolitan Police Service wishes to make the following representations with regard to all four Licensing Objectives:**

- 1. Prevention of Crime and Disorder**
- 2. Prevention of Public Nuisance**
- 3. Public Safety**
- 4. Protection of Children from Harm**

The premises is situated in Mitcham town centre, opposite a public green, the Clock Tower, and street market. Mitcham town centre is within a Cumulative Impact Zone specifically for Off-Licences. Mitcham News is in the very centre of the CIZ, in an area where crime and anti-social behaviour from street drinkers is a serious problem. Police Officers and Council Wardens deal with incidents of crime and ASB within the immediate vicinity of Mitcham News on a daily basis. There are regular incidents of urinating in



public, littering, verbal abuse from intoxicated street drinkers who loiter in Mitcham town centre close to the many shops that sell alcohol. Opposite 25 Upper Green East is Mitcham Clock Tower, this historic landmark is surrounded by benches that have become adopted by street drinkers, behind the benches are bushes that street drinkers use to hide their cans and bottles, and discard them when empty. Members of public, including children feel intimidated and are sometimes verbally abused as they walk past. The local shops report regular petty thefts and loss of business due to street drinkers loitering close by.

Local Police and welfare services continue to offer help and support to street drinkers, to try to divert them from their damaging behaviour. Police also enforce controlled drinking zones, public space protection orders, with Community Protection Notices and Criminal Behaviour Orders and Common Law. We feel that we are fighting a losing battle as the culture of street drinking is so strong.

Despite vast sums of money being spent on the regeneration of Mitcham town centre, there is still an overwhelming feeling of poverty and crime in the area due to the constant presence of drunks.

In the last year, two convenience stores in Mitcham town centre have lost their licences to sell alcohol due to their evidenced contribution to problems of crime and ASB. The loss of their licences solved these problems in the respective vicinities overnight. One of these premises, at 37 Upper Green East, is only a few doors along from Mitcham News.

Mitcham town centre does not need, and cannot cope with yet another Off-Licence. There are currently 12 shops within 300 metres of Mitcham News that are licensed to sell alcohol, all of which cumulatively contribute to alcohol related crime and ASB.

The following reports exist on Police systems referring to Alcohol Related Crime and Anti-Social Behaviour, looking back just 12 months..

- 31/07/2018 Upper Green East – Drunk/Disorderly, Assault, Criminal Damage
- 26/06/2018 Upper Green East – GBH, Shoplifting from Off Licence prems (Drunk)
- 20/05/2018 Upper Green East – MURDER of Arunesh Thangarajah (NFA)
- 28/04/2018 Upper Green East – Criminal Damage to Off Licence prems (Drunk)
- 13/04/2018 Upper Green East – Affray, Drugs o/s Off Licence prems
- 14/02/2018 Upper Green East – Affray, Drugs o/s Off-Licence Premises
- 12/03/2018 Upper Green East – Theft of Alcohol, possession of a knife, damage
- 11/03/2018 Upper Green East – GBH linked to off-licence premises
- 23/01/2018 Upper Green East – Assault, suspect drunk o/s off-licence prems
- 02/12/2017 Upper Green East – Public Disorder, Possession Knife, threats
- 21/11/2017 Upper Green East – GBH, victim drunk
- 15/09/2017 Upper Green East – GBH, victim drunk
- 15/09/2017 Upper Green East – ABH, fight between street drinkers
- 02/07/2017 Upper Green East – Criminal Damage to off-licence premises
- 05/05/2017 Upper Green East – Drunk/Disorderly, Drugs



- 23/05/2017 Upper Green East – Handling Stolen Goods, street drinkers
- 16/05/2017 Upper Green East – ABH, victim very drunk street drinker
- 06/05/2017 Upper Green East – Criminal Damage, suspect drunk
- 03/05/2017 Upper Green East – GBH, victim very drunk
- 16/04/2017 Upper Green East – GBH, drunk street drinker
- 08/04/2017 Upper Green East – GBH, victim drunk
- 01/04/2017 Upper Green East – ABH, victim drunk
- 30/05/2018 Mitcham Fair Green – GBH, victim drunk
- 25/05/2018 Majestic Way – Assault, Robbery, victim street drinker
- 28/10/2017 Majestic Way – GBH, fight between street drinkers
- 20/10/2017 Majestic Way – Assault on Police, shoplifting, Drunk/Disorderly
- 12/10/2017 Majestic Way – Shoplifting (Alcohol)
- 22/07/2017 Majestic Way – Shoplifting (Alcohol)
- 05/06/2017 Majestic Way – Shoplifting (Alcohol)

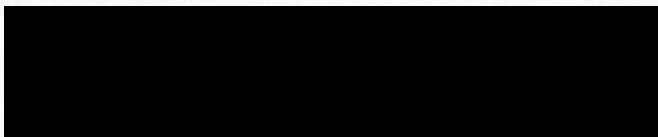
It is my absolute belief that any additional shop premises selling alcohol in Mitcham Town Centre WILL contribute to and exacerbate the existing problems of crime and anti-social behaviour. If Mitcham News are granted a Premises Licence, they will increase the quantity and availability of alcohol consumed in the street, and will therefore proportionately increase crime and asb.

Prior to the submission of this application, the applicant's solicitor informed me of their intention. I immediately asked for a meeting with him and his client. During that meeting, I described my serious concerns and hoped to dissuade the applicant from applying. I explained that even with a number of control measures in place (now listed on the application), it would not be possible to negate the potential impact on the Licensing Objectives within the proposed location.

With my help, the applicant has attempted to address the Cumulative Impact, but has not gone far enough.

**The Metropolitan Police Service urges the committee to REJECT this application.**

Yours faithfully



Russ STEVENS PC3852SW P191701

Licensing Officer

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**ENVIRONMENT AND REGENERATION DEPARTMENT**

Chris Lee - Director



The Licensing Officer  
London Borough of Merton  
Licensing Team  
14<sup>th</sup> Floor Civic Centre  
London Road  
Morden  
SM4 5DX

**Licensing Section**  
London Borough of Merton  
Merton Civic Centre  
London Road  
Morden SM4 5DX

**Direct Line:** 020 8545 3798  
**Fax:** 020 8545 4025  
**Email:** [licensing@merton.gov.uk](mailto:licensing@merton.gov.uk)

**My Ref :**  
**Please Ask For:** Barry Croft  
**Your Ref:**

**Date:** 20 August 2018

Dear Sirs,

**Mitcham News 25 Upper Green East Mitcham CR4 2PE – New Premises  
Licence Application No.**

**Licensing Act 2003**

On behalf of the Licensing Authority, as a Responsible Authority under the Licensing Act 2003, I write to object to the application to new premises licence application for Mitcham News at 25 Upper Green East Mitcham CR4 2PE.

The new premises licence application seeks the following licensable activities:

**Sale by Retail of Alcohol (for consumption off the premises only).  
Sunday to Saturday 09:00 to 23:00 hours**

**Hours premises open to the public.  
Sunday to Saturday 06:00 to 23:00 hours.**

These premises are situated within the Mitcham Town Centre and Surrounding Area cumulative impact zone (CIZ) covering the sale by retail of alcohol for consumption off the premises only. The current Statement of Licensing Policy for the London Borough of Merton dated 6 January 2016 at points 7.1 to 7.16 sets out the Council's reasons for imposing three CIZ's within the Borough. In particular there is a separate paragraph for Mitcham Town Centre and the Surrounding Area, which states the following:

**Mitcham Town Centre and the Surrounding Area**

*There has been a significant increase in the number and scale of licensed premises in Mitcham Town Centre over recent years. This has*

*resulted in a significant number of alcohol related crimes and of complaints being made to the Council and/or Police concerning disorder and nuisance involving street drinkers, litter, urination in the street, and the proliferation of alcohol off licence premises. The Police have provided evidence regarding alcohol related crime and disorder and the connection between the offences and licensed premises. The Public Health Team has also undertaken research on these issues by way of a survey which supports a special policy. This special policy has been approved and adopted by the Council to cover sales of alcohol for consumption off the premises (off sales) only.*

The Licensing Authority has concerns with this application, in particular the applicant failure to address the Council's special policy.

To support the Council's Statement of Licensing Policy dated 6 January 2016 and the CIZ's contained within, the Licensing Authority requests the Licensing Sub-Committee to refuse this application in its entirety to uphold the Crime and Disorder as well as the Public Nuisance Licensing Objectives.

The Licensing Authority reserves the right to submit further supporting evidence in connection with this representation, and to assist in oral evidence to be given at any Licensing Sub-Committee hearing organised to determine this variation application.

Yours faithfully,

A solid black rectangular box used to redact the signature of Barry Croft.

**Barry Croft  
Licensing Manager  
Licensing Team  
Part of the Joint Regulatory Services Partnership for the  
London Borough of Merton and the London Borough of Richmond upon  
Thames.**



**COMMUNITY AND HOUSING DEPARTMENT**

Department of Public Health

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

Public Health  
London Borough of Merton  
Merton Civic Centre  
London Road  
Morden SM4 5DX

Direct Line: 020 8545 4577  
Email: Natalie.lovell@merton.gov.uk

Date: 20/08/2018

**Re: Application for a Premises License under the Licensing Act 2003- Mitcham News, 25 Upper Green East, Mitcham, London, CR4 2PE**

License Number	WK/201804360
License Type	Off license
Ward	Figges Marsh

As a responsible authority under the 2012 amendment to the Licensing Act 2003, the Director of Public Health for Merton wishes to submit a representation for this premises license application, on the four licensing objectives namely:

- 1. The Prevention of Crime and Disorder**
- 2. Public Safety**
- 3. Prevention of Public Nuisance**
- 4. The Protection of Children from Harm**

The applicant is seeking to sell alcohol (off the premises) from 09:00 to 23:00 Monday –Sunday. Public Health is concerned about this application to sell alcohol off the premises for the following reasons:

- Public health data shows some areas for concern within the premises postal code
- Proximity of the premises to St Mark’s Primary School and Mitcham Common
- The premises is located within a Cumulative Impact Zone, an area which has been identified as presenting serious issues regarding crime and anti-social behavior from street drinkers

## Introduction and Background

Tackling alcohol misuse is central to achieving the outcomes in Merton's Health and Wellbeing Strategy.

A crucial element of tackling alcohol-related harm is ensuring that health and wellbeing considerations are met by premises licensed to sell alcohol within the borough, in order to prevent alcohol-related crime and anti-social behaviour, ensure public safety, and prevent harm to children.

Alcohol misuse is currently one of the biggest Public Health issues in the U.K., and it imposes a huge burden on our society.



Irresponsible drinking costs the taxpayer a staggering **£21 billion a year**.<sup>1</sup>



Alcohol is currently the **biggest risk factor** for death, ill-health, and disability among 15-49 year olds in the UK.<sup>2</sup>



The cost of alcohol-related conditions to the NHS is **£3.5 billion** annually.<sup>3</sup>



Alcohol is a contributing factor in **75% of stabbings**, and **60-70% of murders**.<sup>4</sup>

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<sup>1</sup> Home Office, 2012.

<sup>2</sup> . Strang, J., Drummond, C., McNeill, A. et al (2014) Addictions, dependence and substance misuse In: Davies, S Annual Report of the Chief Medical Officer 2013: Public Mental Health priorities: investing in the evidence.

<sup>3</sup> <https://www.alcoholconcern.org.uk/alcohol-statistics>. Accessed April 2018

<sup>4</sup> British Medical Association (BMA)

## Evidence of detrimental impact on the licensing objectives

### 1. The prevention of crime and disorder

The link between alcohol and violence has been recognized as far back as the 4th century BC. Alcohol-related violence causes substantial injury and death.<sup>5</sup>

Local data suggests there is a serious issue with crime and violence in the area surrounding the premises postcode.

Within **100m** of the premises postcode, CR4 2 PE

- Bus driver reported anti-social behaviour falls in the **top 20%** of the borough
- Ambulance recorded assaults fall in the **top 40%** of the borough
- Gun, knife and weapon injuries fall in the **top 30%** of the borough
- Head injuries fall in the **top 30%** of the borough

Between **100m and 200m** of the premises postcode, CR4 2PE

- Bus driver reported violence falls in the **top 5%** of the borough
- Alcohol related incidents fall in the top **20%** of the borough

The above data suggests there is a significant impact of alcohol consumption in the local area. While the above data does not relate to the specific premise, any premises that supplies alcohol in the area will be contributing to the trends relating alcohol to crime and disorder.

### 2. Public safety

- The recent [Annual Residents Survey for Merton](#) (2017) highlights that 17% of residents in this area of the borough are very worried or fairly worried about people being drunk and rowdy in public places. 23% are very concerned or fairly concerned about groups hanging around in the streets, and 15% of residents are very concerned or fairly concerned about people using or dealing drugs.<sup>6</sup>
- The recent Annual Residents Survey for Merton (2017) also highlights that crime is the second highest issue (after gangs) that young people in Merton are personally most concerned about, with almost a quarter (24%) of young people citing it as an issue.

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<sup>5</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3170096/#R2>

<sup>6</sup> [https://www2.merton.gov.uk/residents\\_survey\\_research\\_report\\_2017.pdf](https://www2.merton.gov.uk/residents_survey_research_report_2017.pdf)

- In terms of alcohol harm overall, in 2012 Merton ranked 55 out of 326 local authorities and was in the higher percentiles for:
  - Male mortality chronic liver disease (104/326)
  - Female alcohol-specific hospital admissions (106/326)
  - Male alcohol-specific hospital admissions (109/326)
  - Male alcohol-attributable hospital admissions (151/326)
  - Alcohol-related violent crimes (192/326)
  - Alcohol-related sexual offences (208/326)<sup>7</sup>
- Within the borough, there is an element of variance in the degree of alcohol harm between different wards. Figges Marsh, where this premises is located, has a higher admission ratio of hospital stays for alcohol-related harm than the figure for Merton and that for London.<sup>8</sup>
- The crime rate in Figges Marsh is 95 offences per 1,000 population in 2017. This is higher than the Merton value, which is 65 offences per 1,000 population.<sup>9</sup> The highest number of offences recorded is 'violence against the person'.

### 3. Prevention of public nuisance

- The premises in concern are located in the Cumulative Impact Zone (CIZ) of Mitcham Town Centre, an area where it is recognised that there is a problem with the impact of alcohol on public nuisance, particularly with regard to street drinking.

### 4. The protection of children from harm

The creation of healthy places is crucial to ensuring future generations have the best possible chance at a healthy future. This is not only essential for individual wellbeing, but also for society as a whole. A healthy place means an environment that makes the healthy choice the easy choice (for example, limiting fast food outlets and sales of alcohol near schools and public spaces), and that protects children from being exposed to antisocial behaviour and crime on their streets. However:

- The population of Figges Marsh is different to other wards in Merton in that there are a higher proportion of young people (0-29 years) living in the area. The premises postcode, CR4 2PE, is also a mere 3 minute walk (0.1 miles) from St Marks Primary School, and is likely to be on the route to and from school for children.

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<sup>7</sup> <https://www2.merton.gov.uk/health-social-care/publichealth/jsna/lifestyle-risk-factors/adults-substance-misuse/alcohol-jsna.htm>

<sup>8</sup> [https://www2.merton.gov.uk/figges\\_marsh\\_ward\\_health\\_profile.pdf](https://www2.merton.gov.uk/figges_marsh_ward_health_profile.pdf)

<sup>9</sup> [https://www2.merton.gov.uk/figges\\_marsh\\_ward\\_health\\_profile.pdf](https://www2.merton.gov.uk/figges_marsh_ward_health_profile.pdf)



- The premises postcode, CR4 2PE is a short 5 minute walk (0.2 miles) from Mitcham Common, a large public open space frequented by children, young people and older people
- As stated previously on page 3, within 100m of the premises postcode, CR4 2PE, there are high levels of the following: gun, knife and weapon injuries; bus driver reported anti-social behaviour; ambulance recorded assaults; and head injuries.

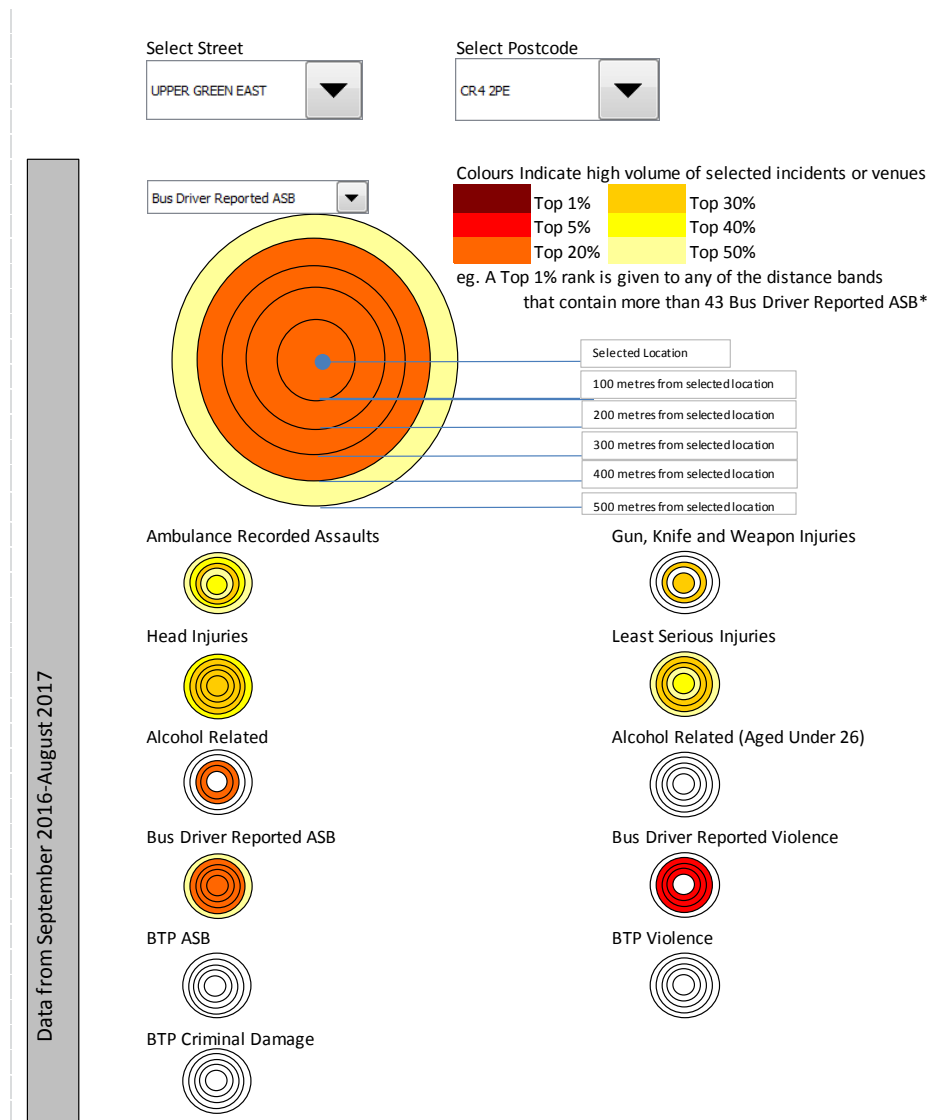
## **Conclusion**

There is evidence revealing serious concerns about alcohol harm in the local population, and the location of the premises in concern is that which serves potentially vulnerable individuals. Therefore, we request that the application for a premises license WK/201804360 be rejected.

Yours Sincerely,  
Natalie Lovell

Signed electronically  
Natalie Lovell  
Healthy Places Officer  
On behalf of Dr Dagmar Zeuner, Director of Public Health

# APPENDIX



All Infographics on page 2 from Noun Project artists, accessed at

<https://thenounproject.com/>

Credits:

£ icon by Chameleon Design

Heart icon by Ben Davis

Criminal icon by Bakunetsu Kaito

Ambulance icon by dDara

**From:** Councillor Geraldine Stanford  
**Sent:** 11 August 2018 07:29  
**To:** Licensing  
**Subject:** RE: Premises/Club and Gambling Licensing Applications

Dear Licensing,

I believe I may have objected to Mitcham News – WK/201804360 – already?

If not, I wish to object to this application on the grounds that it is within the Mitcham Cumulative Impact Zone and is likely to exacerbate the problems we already have in the area with street drinking and associated antisocial behaviour with littering and urinating in nearby streets.

Kind regards,  
Geraldine

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