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Merton Council

Licensing Sub-Committee

Membership

Councillors:

Nick Draper

Janice Howard

Paul Kohler

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

Date: 23 November 2020

Time: 10.30 am

Venue: This will be a virtual meeting and therefore will not take place in a physical location, in accordance with s78 of the Coronavirus Act 2020.

Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 We Play Golf Limited, 82 Durham Road, West Wimbledon, London, SW20 0TL 1 - 40

For more information about the agenda and the licensing decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3357.

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Note on declarations of interest

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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. For further advice please speak with the Managing Director, South London Legal Partnership.

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 subcommittee 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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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 to provide advice. The Chair will advise that all parties should receive a written copy of the decision notice within 5 working days and will close the hearing.
15. In closed session the Sub-Committee will make their decision. They may ask the Legal Officer for advice during this session. This advice will be detailed in the decision notice.

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Licensing Sub-Committee Report

Subject of hearing: **We Play Golf Limited, 82 Durham Road, West Wimbledon, London, SW20 0TL**

Date: **23 November 2020**

Time: **10.30am**

Venue: **Virtual Meeting**

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 for the sale and supply of alcohol for consumption on the premises. The times applied for are from 11:30 am to 7pm, from Monday to Sunday.

5.2 The opening hours as stated on the application form are from 08:00am to 7pm, Monday to Sunday.

5.3 There is some information in the operating schedule that could be converted into conditions should this licence be granted.

- 5.4 We have received 6 representations against the application from residents.
- 5.5 Some of the representations make mention of the nuisance created by the running of a restaurant or grill type premises. It should be said that the premises could, subject to planning permissions, be able to run this type of enterprise without a Licensing Act premises licence as they are not applying for late night refreshment.
- 5.6 The plan shows the area to be licensed.

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

Parties to the hearing

This document forms part of the notice of hearing.

The following are parties to the hearing having submitted relevant applications, notices or representations under the statutory provisions indicated:

Applicant	
We Play Golf Limited	
Statutory Authorities	
None	
Interested Parties	
Residents Association of West Wimbledon	Jane Cullis
Caroline Ford	Gavin [REDACTED] & Suelipi [REDACTED]
Neil & Klara Kumar	Harshil & Anisha Shah

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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 WE PLAY GOLF LIMITED
(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			
82 DURHAM ROAD			
Post town	RAUNES PARK	Postcode	SW20 0TL
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 57 000	

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 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)									
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)									

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					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
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	WE PLAY GOLF LIMITED.
Address	ACCOUNTANCY HOUSE, 90 WALWORTH ROAD LONDON, SE 16 SW
Registered number (where applicable)	048 888 11
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY.

Telephone number (if any)
E-mail address (optional) INFO @WEPLAYGOLF.CO.UK.

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	10	2020

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)

INDOOR VIRTUAL GOLF FACILITY, WITH AN ANCILLARY CAFE WHICH PROVIDES A FOOD & DRINK OFFERING TO MEMBERS & VISITORS.

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)

A

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

B

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

D

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

E

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) 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	Will this entertainment take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 (please read guidance note 6)		
Sun					

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A		
Mon	11:30	19:00			
Tue	11:30	19:00			
Wed	11:30	19:00			
Thur	11:30	19:00			
Fri	11:30	19:00			
Sat	11:30	19:00			
Sun	11:30	19:00			
			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 (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	KATERINA STULAJTEROVA
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	MERTON

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

Hours premises are open to the public Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon	08:00	19:00
Tue	08:00	19:00
Wed	08:00	19:00
Thur	08:00	19:00
Fri	08:00	19:00
Sat	08:00	14:00
Sun	08:00	19:00

State any seasonal variations (please read guidance note 5)

N/A

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 (please read guidance note 6)

N/A

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)

b) The prevention of crime and disorder

DIRECTORS OF THE BUSINESS ARE LOCAL RESIDENTS & OWN OTHER ~~THE~~ BUSINESSES IN THE AREA, HENCE AN INVESTED INTEREST IN SAFETY IN AREA.

c) Public safety

THERE WILL BE A DESIGNATED FIRST AID & FIRE MARSHAL ON THE PREMISES AT ALL TIMES. WE WILL PROMOTE RESPONSIBLE CONSUMPTION OF ALCOHOL & PROVIDE FREE DRINKING WATER.

d) The prevention of public nuisance

SOUND PROOFING HAS BEEN INSTALLED IN PREMISES TO REDUCE NOISE. CUSTOMERS WILL BE ADVISED TO RESPECT NEIGHBOURS WHEN EXITING PREMISES.

e) The protection of children from harm

A STRICT ID CHECK POLICY WILL BE IN PLACE TO ENSURE THAT NO MINORS WILL BE SERVED ALCOHOL.

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 or my share code issued by the Home Office online right to work checking service (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.**

Declaration	<ul style="list-style-type: none">• [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).• 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
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	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	29 / 09 / 2020
Capacity	DIRECTOR

For joint applications, signature of 2nd applicant or 2nd 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)			

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The Residents' Association of West Wimbledon

28 October 2020

licensing@merton.gov.uk
Licencing
Merton Civic Centre
London Road
Morden
Surrey
SM4 5DX

WK/202010717, license for restaurant/bar and virtual golf centre at 80 and 82 Durham Rd, SW20 0TL

Dear Sir,

I write on behalf of the Residents' Association of West Wimbledon to object to this application for a licence to sell alcohol on the premises, and a licence for hours of use. The ground floor of 82 Durham Road and part of the rear section of 80 Durham Road have until recently been used as an indoor children's play centre (Sinbads). Works to convert the premises into a restaurant (Grill House Café) with a virtual golf facility (We Play Golf) are now complete and the restaurant and virtual golf facility opened on 5th October. A retrospective planning application for this change of use (20/P2992) has been registered.

An area on the Durham road frontage of 82 Durham has been fenced off, astroturf laid, and tables and chairs set out to provide an outside seating area for those using the restaurant (and bar if the alcohol license is approved). There is a door onto the flat roof to the single storey rear section of the premises which overlooks the gardens of Amity Grove. It is not clear what use if any is intended for this area, but it would appear to be covered by a license for 'the whole premises'.



Licensed premises in Raynes Park are currently all concentrated within the local centre which extends to the southern end of Durham Road, well south of 82 Durham Road. This would significantly extend the area. This section of Durham Road is residential. The road to the rear of the premises, Amity Grove, is also residential. St Matthews church is opposite the premises. The church has a parent and toddler group, and there is a nursery in the hall adjacent to the church.

RAWW objects to the application because the noise and disturbance generated by a licensed premises, especially one with outside seating, would constitute a public nuisance in this otherwise residential area. We believe that approval of this application would be detrimental to our neighbourhood and should be refused.

Jane Barnes

Residents Association of West Wimbledon

CC Raynes Park ward councillors
Ray Littlefield – planning enforcement
David Gardener - planning

From: Jane Cullis
Sent: 28 October 2020 16:22
To: Licensing <Licensing@merton.gov.uk>
Subject: WK/202009443 82 Durham Road

Resubmitting my representation to include my address - see below.

-----Original Message-----

From: Jane Cullis
To: Licensing@merton.gov.uk <Licensing@merton.gov.uk>
Sent: Wed, 28 Oct 2020 14:06
Subject: WK/202009443 82 Durham Road

I write to object to this licensing application on the basis that it would present a public nuisance.

Whilst the Coombe Lane end of Durham Road is a mixture of residential and commercial properties, number 82 is the last commercial property before the upper end of the road becomes completely residential. I note that there is an outside seating area with fake grass, picket fencing and access from the cafe area via bifold doors and that this is immediately adjacent to the residential property at number 84. It is also facing St Matthews's Church.

A search on Google brings up several virtual golf facilities in and around London who make a point of saying that they cater for stag parties. My concern is that if this licence is approved, the venue would attract groups of people not necessarily using the golf facility or eating in the cafe who will use the establishment in the same way as a pub, buying drinks at the bar and then congregating outside the premises, either within the designated area or on the forecourt (and possibly smoking) thus causing disturbance and a public nuisance to passers by and residents.

In addition, when the bifold doors are open, noise from people standing around the bar, the cafe and golf areas is going to be heard on the street and by neighbours.

Yours sincerely

Jane Cullis

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From: Caroline Ford
Sent: 28 October 2020 11:56
To: Licensing <Licensing@merton.gov.uk>; Elizabeth Macdonald <Elizabeth.Macdonald@merton.gov.uk>
Cc: Councillor Adam Bush <Adam.Bush@merton.gov.uk>
Subject: Objections-application reference WK/202010717

To whom it may concern

I am the owner of [REDACTED] and I am writing to object to an all-day music and alcohol licence for 82 Durham Road - Application Ref. WK/202010717.

My property backs on to the wall of 82 Durham Road and I should like to put forward the following objections.

1. I am very concerned about the constant noise and cooking smells that we will suffer 7 days a week . There is also the additional worry of fumes and potentially harmful emissions coming from the grill plus the worry of fire hazards. I cannot see there is any reference request for ventilation. Where would these be and how would they work. Most ventilation systems are continually noisy. Sinbads cafe only provided snacks to those using the soft play centre so this is a totally different scenario.

2. I have also been aware on a number of occasions that people have been measuring up the flat roof of No. 82 and am very concerned that they may be planning to make this into an area for smokers/etc, causing constant noise and pollution. This area is right next to and overlooks all the neighbouring small gardens where children are continually playing.

3. Another major concern is the disposal of food and general waste. A restaurant and bar would generate far more waste than its original use (snack cafe) and a greater risk with vermin.

Yours sincerely,

Caroline Ford

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From: Gavin [REDACTED]
Sent: 28 October 2020 11:04
To: Licensing <Licensing@merton.gov.uk>; Elizabeth Macdonald <Elizabeth.Macdonald@merton.gov.uk>
Cc:
Subject: Objections - Application Reference WK/202010717

To whom it may concern:

We are the owners of, and reside in [REDACTED], and would like to express our concern and strong objection to an all-day music and alcohol licence for 82 Durham Road (application reference WK/202010717).

This is in conjunction with the objection lodged by Mr and Mrs Shah of [REDACTED] I copy Mr Harshil Shah into this email.

We are concerned about this license being granted due to the venue being extremely close to a quiet and close-knit residential neighbourhood.

In particular we would like to highlight the likelihood of nuisance and disruption to the quiet enjoyment of our home.

Noise from the premises, including the clientele, would be clearly audible from our property.

This would disturb our young family, particularly if there is increased inappropriate behaviour as a result of alcohol consumption.

We are also concerned about additional litter and the resultant risk of infestation.

Thank you for giving this letter your consideration, and look forward to your response.

Kind regards

Mr Gavin [REDACTED] and Mrs Suelipi [REDACTED]

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From: Dovile Klara Kumar
Sent: 28 October 2020 18:12
To: Licensing <Licensing@merton.gov.uk>; Elizabeth Macdonald <Elizabeth.Macdonald@merton.gov.uk>
Cc: Councillor Adam Bush <Adam.Bush@merton.gov.uk>;
Subject: Fwd: Objections - application reference WK/202010717

From: Neil and Klara Kumar

Objections - application reference WK/202010717
WE PLAY GOLF, 82 DURHAM ROAD, WEST WIMBLEDON SW20 0TL

To whom it may concern,

We, Neil and Klara Kumar, are the owners of [REDACTED] and we are writing to register our objection to an all day music and alcohol licence for 82 Durham Road (application reference WK/202010717) due to the following reasons:

- The prevention of home residents nuisance
 - The premises subject to this application is located in the middle of a residential family area with the majority of families living next to or directly behind the property. The noise levels will be a nuisance to us and our neighbours as we are located directly behind the property. Even if the property were to be adequately sound proofed, the noise from patrons, kitchens, set up/opening/closing times would filter through to us/our properties. Furthermore, given the current pandemic, many are currently working from home for the foreseeable future and granting this application would be a daily disturbance to us and neighbours working from home during the day.
 - As the venue will also have an in-house restaurant, the noise from industrial style ventilation units they would need for a grill would also be of residential nuisance (noise and smells).
 - Having a grill/restaurant venue would also provide constant cooking smells, smoke and potentially harmful emissions being emitted since high-temperature cooking methods such as grilling produce carcinogens (HCAs).
 - The roof of the premises is facing directly into our kitchen/living area as well as our baby's room and our bedroom which would cause breach of privacy if the roof was to be used by the patrons and restaurant staff, as it currently appears to used as storage of equipment.
- The prevention of crime and disorder:
 - The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour. The application proposes that alcohol will be sold for consumption. Granting a licence would provide a further source of alcohol within the area already populated with licenced premises (such as off-licence, restaurants

and pubs) that crime, disorder and public nuisance have already reached problematic levels for the local police.

- The protection of children from harm
 - As can be seen from the picture attached, the applicants are already storing large industrial materials on the roof that haven't been secured. We are currently expecting a baby, who will be playing or sleeping in the garden on occasions these materials can easily be blown into our garden causing harm to our baby.

Thank you for taking the points above into consideration.

Neil & Klara Kumar



From: Harshil Shah <
Sent: 28 October 2020 01:36

Subject: Objections - application reference WK/202010717

To whom it may concern

We are the owners of [REDACTED] and would like to express our concern and strong objection to an all-day music and alcohol licence for [82 Durham Road](#) (application reference WK/202010717).

We outline the following reasons for this, all arising from the venue being extremely close to a quiet residential neighbourhood:

- Nuisance and disruption to the quiet enjoyment of our home

We live [REDACTED] 82 Durham Rod and would be worst affected if loud music were to be played. Even if the property were to be adequately sound proofed, I suspect noise from patrons, kitchens, opening and closing times, disposal of bottles etc would still filter through to us. My wife and I work from home at least 3 days a week. We also have a toddler who has naps in the afternoon goes to bed by [7pm](#) (his bedroom is towards the back of the house).

I also noticed that the venue has been advertised as having an in-house restaurant (grill house cafe see <http://weplaygolf.co.uk/>) (from the current indoor play area), I suspect the noise from industrial style ventilation units they would need for a grill would also be a nuisance.

We are concerned about additional litter, food waste not being disposed of correctly and the risk of infestations.

Smokers will also congregate outside the venue (not sure where precisely) but I've noticed people taking measurements of the roof and I'm very concerned that they would look to use this space (see photo below, taken from my sons bedroom).

- Application for alcohol licence

Where alcohol is involved, the possibility for nuisance and inappropriate behaviour is increased.

I also worry that once the venue becomes established, an application for later opening times will undoubtedly follow.

- Pollution & health risk to my family

The idea of a grill venue would mean constant unpleasant cooking smells, smoke and potentially harmful emissions being emitted. We know that high-temperature cooking methods such as grilling produce carcinogens (HCAs). I cannot find any change of us planning application with further details (location of vents, fireproofing etc).

- Safety concerns for my family



As can be seen from the above picture, the proprietors spray painted WPG (we play golf) on the door which is unsightly and not at all considerate to those that can see it. They're already storing large industrial materials on the roof that haven't been secured. I worry that these could easily blow over into our garden where our little one loves playing and I worry about his safety.

Kind regards

Harshil & Anisha Shah

Sent from my iPhone

Response from Applicant

Good day,

I have read the emails of concerned residence. Firstly I would like to state, we never applied for loud music. Secondly the measurements on the roof is for waterproofing the roof as there are several leaks.

I feel residence should be a bit more mindful that this is not a pub nor do we want to attract pub culture. Golf is not a rowdy sport.

Regards

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