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Merton Council

Licensing Sub-Committee

Membership

Councillors:

Stephen Alambritis MBE

Janice Howard

Russell Makin

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

Date: 26 October 2021

Time: 10.30 am

Venue: This will be a virtual meeting and therefore not held in a physical location

Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 Mirs Rooster Limited, 117 London Road, Morden, SM4 5HP 1 - 52

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

This is a public meeting and can be viewed on the Council's Youtube channel. For more information about the agenda and the licensing decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3357. Press enquiries: 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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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 that all parties will receive a written copy of the decision notice within 5 working days and 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 and this advice will be detailed in the decision notice.

Licensing Sub-Committee Report

Subject of hearing: **Mirs Rooster Limited, 117 London Road, Morden, SM4 5HP**

Date: **Tuesday 26th October 2021**

Time: **10:30**

Venue: **Virtual meeting via Zoom/Youtube**

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 application is for a new premises licence, for a premises described as a restaurant and take-away for both food collection and delivery.

5.2 The Applicant has applied for the provision of late night refreshment - Monday to Sunday from 11pm to 4am the following day.

5.3 A covering letter to the application states that the overall idea is to close the restaurant at 11pm to eat

in customers, and rely on a take-away service after this time.

- 5.4 The opening hours stated on the application are Monday to Sunday 11am to 4am the following day.
- 5.5 the operating schedule sets out the steps they intend to take to promote the four licensing objectives.
- 5.6 We have received three representations against this application, from a resident, a Councillor and the Metropolitan Police.
- 5.7 On 1 October 2021 we received, from the Applicant's agent, some correspondence regarding communication he had with the Metropolitan Police. This document is attached to this report.

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 | |
| Mirs Rooster Limited | |
| Statutory Authorities | |
| Metropolitan Police | |
| Interested Parties | |
| Councillor Peter Southgate | Mr Sivasambo Parimelalaghan |

Mir's Rooster Ltd
117 London Road
Morden
SM4 5HP

Telephone [REDACTED]

Email: [REDACTED]

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

3 September 2021

Dear Sir/Madam,

Application for a Premises Licence

We, Mir's Rooster Ltd, wish to apply for a premises licence. We presently run a Restaurant and Takeaway at 117 London Road in Morden and our hours are presently 11 am to 11 pm.

In this application for a Premises Licence we are applying for our opening hours to be extended so that they are from 11 am to 4 am. And this is for seven days a week.

Our overall idea is that during the extended hours of 11 pm to 4 am, we would close the Restaurant and not have eat-in customers. We would instead be relying solely on customers either coming for a take-away or ordering a take-away through such online services such as Uber, Deliveroo, and, Just Eat.

As part of this application we enclose a plan of the premises. This plan is in two parts with **Plan A** showing the front of the premises facing London Road.

Plan B shows the rear of the premises – the Kitchen and storeroom - which back onto York Close.

Trusting that we have provided all of the information you will require to consider this application.

Thank you

Yours faithfully
Muhammad Naeem
[Director]

[REDACTED]

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 MIR'S ROOSTER LTD

(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 | | | |
| <p>117 London Road Morden London</p> | | | |
| Post town | London | Postcode | SM45HP |
| Telephone number at premises (if any) | | 0203 - 905 - 1111 | |
| Non-domestic rateable value of premises | | £ 11,250 | |

Part 2 - Applicant details

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

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | |
|---|---|--|-----------------------------|--------------------------------|
| Mr <input type="checkbox"/> | Mrs <input checked="" type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) |
| 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 | MIR'S ROOSTER LTD |
| Address | 117 London Road Morden London SM4 5HP |
| Registered number (where applicable) | 12777843 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) | Limited Company |

| | |
|---------------------------|-------------------|
| Telephone number (if any) | 0203 - 905 - 1111 |
| E-mail address (optional) | [REDACTED] |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | |
|----|----|------|
| DD | MM | YYYY |
| 01 | 10 | 2021 |

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)

The premises is a Restaurant & Take-away in the front, and to the rear is a kitchen and store

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

| |
|-----|
| N/A |
|-----|

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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) | | | 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 | | | | | |
| Tue | | | State any seasonal variations for performing plays (please read guidance note 5) | | |
| Wed | | | | | |
| Thur | | | 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) | | |
| 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 | | | <p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)</p> | |
| Tue | | | | |
| Wed | | | | |
| Thur | | | | <p><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)</p> |
| Fri | | | | |
| Sat | | | | |
| Sun | | | | |

D

| | | | | | |
|--|-------|--------|---|-----------------------------------|--|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 7) | | | Will the boxing or wrestling entertainment 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 | | | |
| Mon | | | Please give further details here (please read guidance note 4) | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | 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 (please read guidance note 6) | | |
| 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 | | | State any seasonal variations for the performance of live music (please read guidance note 5) | | | |
| Wed | | | | | | |
| Thur | | | 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) | | | |
| Fri | | | | | | |
| Sat | | | | | | |
| Sun | | | | | | |

F

| Recorded music Standard days and timings (please read guidance note 7) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors <input type="checkbox"/> |
|--|-------|--------|---|-----------------------------------|
| Day | Start | Finish | | Outdoors <input type="checkbox"/> |
| | | | | Both <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 4) | |
| Tue | | | | |
| Wed | | | State any seasonal variations for the playing of recorded music (please read guidance note 5) | |
| Thur | | | | |
| Fri | | | 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 (please read guidance note 6) | |
| 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 | | | | |
| Mon | | | Please give further details here (please read guidance note 4) | | | |
| Tue | | | | | | |
| Wed | | | State any seasonal variations for the performance of dance (please read guidance note 5) | | | |
| Thur | | | | | | |
| Fri | | | 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) | | | |
| 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"/> |
| Tue | | | Please give further details here (please read guidance note 4) | Both | <input type="checkbox"/> |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5) | | |
| 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 checked="" type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 11 am | 4 am | <u>Please give further details here</u> (please read guidance note 4) 11 am – 11 pm Restaurant & Take-away 11 pm – 4 am Take-away | | |
| Tue | 11 am | 4 am | | | |
| Wed | 11 am | 4 am | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) | | |
| Thur | 11 am | 4 am | | | |
| Fri | 11 am | 4 am | <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) | | |
| Sat | 11 am | 4 am | | | |
| Sun | 11 am | 4 am | | | |

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) <input type="checkbox"/> On the premises <input type="checkbox"/> Off the premises <input type="checkbox"/> Both |
| Day | Start | Finish | |
| Mon | | | |
| Tue | | | State any seasonal variations for the supply of alcohol (please read guidance note 5) |
| Wed | | | |
| Thur | | | |
| Fri | | | 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) |
| Sat | | | |
| Sun | | | |

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 | Muhammad Naem |
| Date of birth | [REDACTED] |
| Address | [REDACTED] |
| Postcode | [REDACTED] |
| Personal licence number (if known) | |
| Issuing licensing authority (if known) | |

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
|--|-------|--------|--|
| Day | Start | Finish | |
| Mon | 11 am | 4 am | <p><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> (please read guidance note 6)</p> |
| Tue | 11 am | 4 am | |
| Wed | 11 am | 4 am | |
| Thur | 11 am | 4 am | |
| Fri | 11 am | 4 am | |
| Sat | 11 am | 4 am | |
| Sun | 11 am | 4 am | |
| | | | |

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)

We are in agreement with the four licensing objectives. We perceive our ability to promote those objectives will involve us creating written instructions and organising a training session for our workforce to make them more conscious of these objectives.

b) The prevention of crime and disorder

We, as the operator of a café/takeaway business are keen for there to be less “crime and disorder” in Morden as such. We are fortunate that to date our business rarely sees any crime and disorder. Should any crime and disorder break out in or near our premises we would of course be obliged to call the police for them to tackle the issue.

c) Public safety

We, as stated before, support the licensing objective of businesses being mindful of “public safety” and I think that this is one of the things we had in mind when designing the layout of our café. It is designed so that customers can readily exit should an event such as a fire break out.

d) The prevention of public nuisance

And likewise our experience of operating a café/takeaway business leaves us with strong impressions that it is extremely rare for public nuisances to break out in this type of café/takeaway business.

On the other hand we are extremely keen to be on good terms with our neighbours and for our customers to not cause any public nuisance.

e) The protection of children from harm

We certainly support the four objectives, however, as stated above, our experience to date is that issues such as the exposure of children to harm rarely arises within our type of café/takeaway business. But we will repeat that we are extremely keen to be on good terms with our neighbours, and to encourage our customers to not cause any public nuisances. And likewise we will be aiming to provide written instructions to our staff so that they can have an increased awareness of such objectives as protecting children from harm.

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 |
|--------------------|--|

| | |
|-----------|--|
| | 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 |  (Muhammad Naeem Mir) |
| Date | 30 July 2021 |
| Capacity | Director of Mirs Rooster Ltd |

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) | | | |

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.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
- 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,

- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

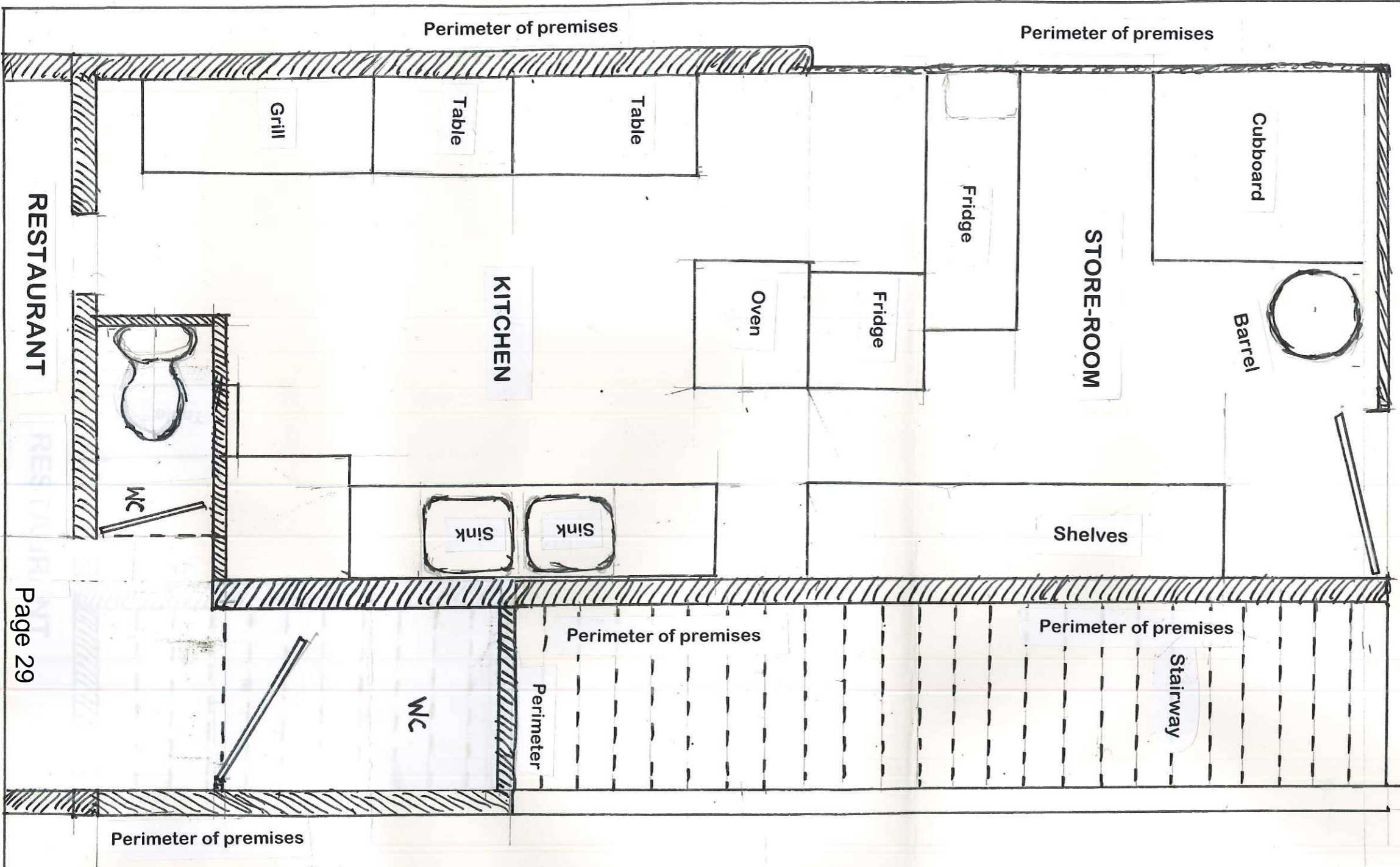
Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.



YORK CLOSE

REAR OF PREMISES

Pavement

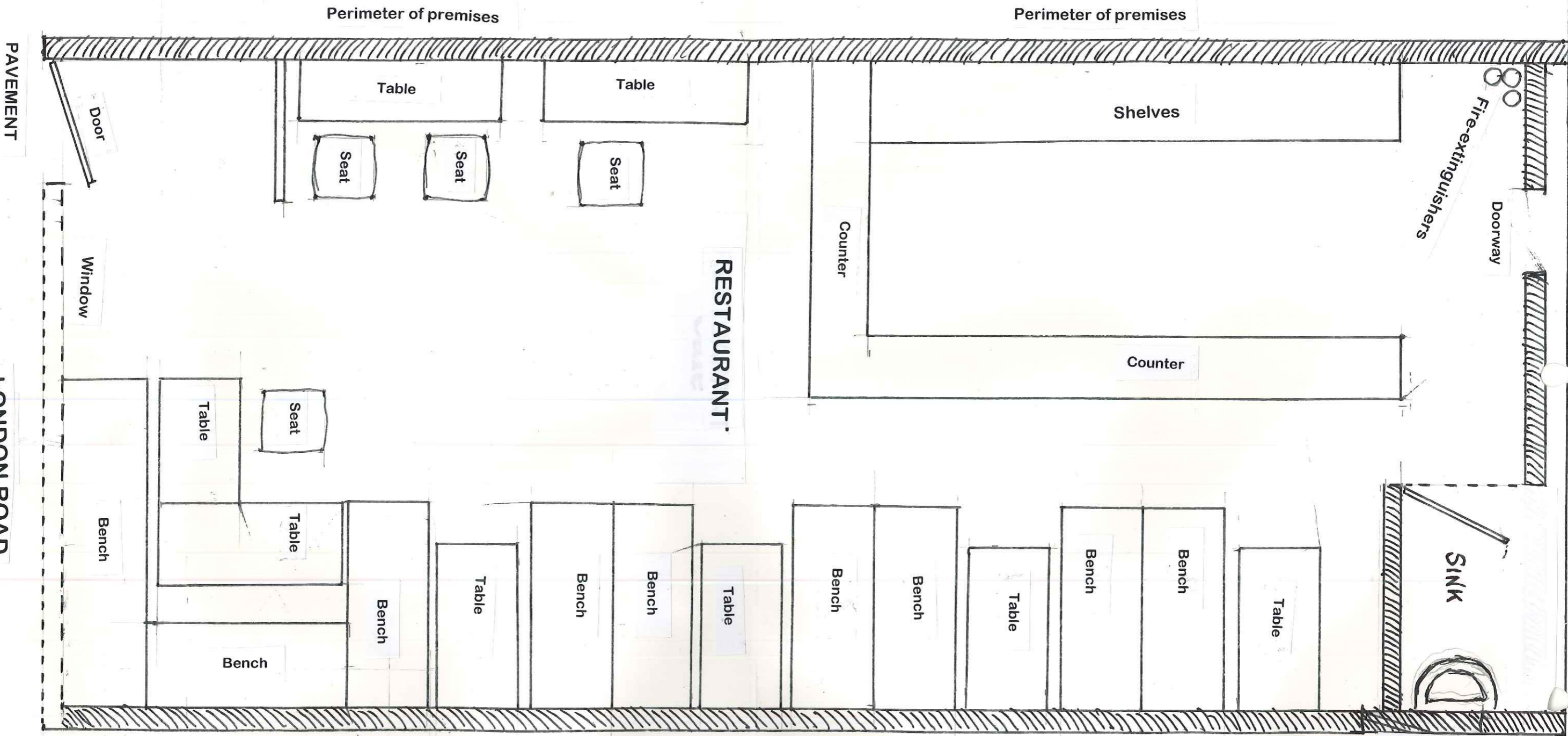
PLAN B
 MIR'S ROOSTER LTD
 117 London Road
 Morden
 London
 SM4 5HP

This Plan show the rear of the premises backing on to York Close

Scale: One Centimetre = One Foot

Pavement

RESTAURANT



PAVEMENT

LONDON ROAD

Page 30

MORDEN COURT

MORDEN COURT

PAVEMENT

PLAN A
 MIR'S ROOSTER LTD
 117 London Road
 Morden
 London
 SM4 5HP

This Plan show the front of the premises facing London Road

Scale: One Centimetre = One Foot

**Dudley Heslop
13 Canterbury Crescent
Brixton
London
SW9 7QH**

Licensing Section
London Borough of Merton
14th Floor
Civic Centre
London Road
Morden
Surrey
SM4 5DX

29 September 2021

Dear Licensing Committee,

Application of Mirs Rooster Limited for a Premises License

I have been assisting the Proprietor of Mirs Rooster Limited in his application for a premises licence. And the principal objective being sought is to extend the hours from the present 11am to 11 pm, to 11 am to 4am.

We have received proposals from PC Avril O'Brien and Belinda Loizou, licensing officers at Lavender Hill Police Station, and it seems appropriate to make some comments. I am attaching a copy of their email. The content of that email, and my comments, are:

"Restaurant Conditions

Last night refreshment from 11pm to 2am Monday

To minimise disturbance to local residents after 22.00 hours, when a delivery is made utilising a vehicle, then only an electric or non-motorised vehicle will be used, except in the event of an emergency or breakdown. A record of any exceptions shall be maintained and made available for inspection on request to the Licensing Authority or the authorised Officer."

COMMENTS

This suggestion "The premises shall close to members of public..." is imprecisely worded, but I take it to mean that the eat-in service will be closed at 11 pm.

The fact is that it is already a part of the proprietor's proposals that the eat-in service will close from 11pm, and the only service to be provided after 11pm is the take-away service.

"Delivery of late night refreshment

Last night refreshment from 11pm to 2am Monday

To minimise disturbance to local residents after 22.00 hours, when a delivery is made utilising a vehicle, then only an electric or non-motorised vehicle will be used, except in the event of an emergency or breakdown. A record of any exceptions shall be maintained and made available for inspection on request to the Licensing Authority or the authorised Officer."

COMMENTS

Hours. The Applicant's proposal is for the hours to be extended to 4 am, but Lavender Hill Police Station suggest the extension be limited to 2am. I note that no reasons have been advanced to restrict the extension to 2am.

I presume that the proposal "*Last night refreshment from 11 pm to 2 am Monday*" is a mistake and that what they actually mean is "*Last night refreshment from 11 pm to 2 am Monday to Sunday*". If, on the other hand, it is not a mistake then we object to the proposal.

Delivery vehicle. The proposal from the Licensing officers at Lavender Hill Police Station is that to minimise disturbance to local residents after 10pm only an electric or non-motorised vehicle be used.

I think that I have some concerns about this suggestion, such as:

- 1) I doubt that the Licensing Committee have the jurisdiction to impose such a condition. But if they have the jurisdiction then surely the proprietor should be compensated for the inability to subsequently use his motorised vehicle (a 125 cc motorbike).
- 2) The proposal also sounds like Lavender Hill Police Station is making laws when it is not their job to legislate.
- 3) And no evidence is provided that a delivery can cause "disturbance" to local residents".
- 4) I doubt that Lavender Hill Police Station would proceed to practise what they appear to be preaching, and that is to say to restrict themselves to electric vehicles after 10 pm so as to "*minimise disturbance to local residents*".

“CCTV

A closed-circuit television (CCTV) system shall be installed at the premises. The CCTV system installed at the premises shall be maintained in effective working order, and shall be in operation at all times the premises is open to the public. All recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 31 days, and shall be made available on request to the Metropolitan Police, the Licensing Authority or other Responsible Authorities. At all times the premises is open to the public a minimum of one member of staff on duty will be able to operate the CCTV system.”

COMMENTS

I doubt that the Licensing Committee have the necessary jurisdiction to order a premises licence applicant to install a CCTV system.

But the fact of the matter is that the Applicant already has a CCTV system in operation.

I would prefer that this proposal were not made a condition of the premises licence since it is self evident that were a crime to occur at 117 London Road that the CCTV footage would be made available to the police investigating the matter.

“Security incidents

And incident log shall be kept at the premises and made available on request to Metropolitan Police, the Licensing Authority or other Responsible Authorities. 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) All complaints received concerning crime and disorder.**
- d) Any incidents of disorder.**
- e) Any faults in the CCTV system, searching equipment or scanning equipment.**
- f) Any refusal of the sale of alcohol.**
- g) Any visit of a relevant authority in relation to service.”**

COMMENTS

The idea of keeping an “incident log” is sensible. The main concern is whether the Licensing Committee have jurisdiction, or not, to impose such a condition.

“Conduct of Premises

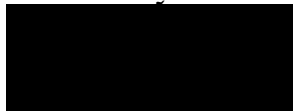
Clear legible notices are to be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.”

COMMENTS

I have no comments to make on this proposal.

Trusting that you will take these comments into consideration.

Thank you



Yours faithfully
DUDLEY HESLOP

FW: Application For Premises Licence

Avril.O'Brien2@met.police.uk <Avril.O'Brien2@met.police.uk>

Fri 24/09/2021 01:58

To: [REDACTED]

Cc: Belinda.Loizou@met.police.uk <Belinda.Loizou@met.police.uk>

Good Afternoon Mr Heslop,

Thank you for your email, please see below which I sent to your client yesterday.

Kind Regards,

Avril

PC Avril O'BRIEN 3406SW | Licensing
South West – BCU
Lavender Hill Police Station
176 Lavender Hill
SW11 1JX
0208 247 8630
07769586158
Avril.O'Brien2@met.police.co.uk

Keeping South West London Safe

Putting victims first—Preventing harm—Working as one team



From: O'Brien Avril E - SW-CU
Sent: 23 September 2021 15:19
To: mirsrooster786@gmail.com
Cc: Loizou Belinda S - SW-CU <Belinda.Loizou@met.police.uk>; Lelas Natali C - SW-CU <Natali.Lelas@met.police.uk>
Subject: Application For Premises Licence

Good Afternoon,

9/2021, 12:41

I am one of the police licensing officers who covers the borough of Merton alongside my colleagues Belinda Loizou and Natali Lelas.

I contact you in relation to an application for premises licence at Mir's Rooster, 117 London Road, Morden, SM4 5HP, the Metropolitan Police Request the following be added to the operating schedule;

Restaurant Conditions

The premises shall close to members of public at 2300 Monday to Sunday.

Delivery of late night refreshment

Last night refreshment from 11pm to 2am Monday

To minimise disturbance to local residents after 22.00 hours, when a delivery is made utilising a vehicle, then only an electric or non-motorised vehicle will be used, except in the event of an emergency or breakdown. A record of any exceptions shall be maintained and made available for inspection on request to the Licensing Authority or the authorised Officer.

CCTV

A closed-circuit television (CCTV) system shall be installed at the premises. The CCTV system installed at the premises shall be maintained in effective working order, and shall be in operation at all times the premises is open to the public. All recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 31 days, and shall be made available on request to the Metropolitan Police, the Licensing Authority or other Responsible Authorities. At all times the premises is open to the public a minimum of one member of staff on duty will be able to operate the CCTV system.

Security incidents

An incident log shall be kept at the premises and made available on request to Metropolitan Police, the Licensing Authority or other Responsible Authorities. It must be completed within 24 hours of the incident and will record the following;

- All crimes reported to the venue.
- (b) All ejections of patrons.
- All complaints received concerning crime and disorder.
- (d) Any incidents of disorder.
- () Any faults in the CCTV system, searching equipment or scanning equipment.
- (g) Any refusal of the sale of alcohol.
- (h) Any visit by a relevant authority in relation to service

Conduct Of Premises

Clear legible notices are to be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

I look forward to hearing from you.

Kind Regards,

Avril

PC Avril O'BRIEN 3406SW | Licensing
South West – BCU



Southwest BCU Police Licensing

Lavender Hill Police Station
176 Lavender Hill
London
SW11 1JX
Telephone: 07769586158
Email: Avril.O'Brien2@met.police.co.uk
Date 04/10/2021

Dear Sir/Madam,

Merton Police Licensing has received an application for a new premises licence in relation to premises at **MIR'S ROOSTER, 117 LONDON ROAD, MORDEN, SM4 5HP.**

The premises currently operates as a restaurant and takeaway and the hours of operation are between 11.00am and 11.00pm.

This application seeks to extend the opening hours of the premises from 11.00am to 04.00am on Monday to Sunday for the licensing activity of late night refreshment between the hours of 11.00pm to 04.00am on Monday to Sunday.

The application also states that the provision of late night refreshment will only take place **indoors.**

On behalf of Merton police I wish to **object** to this application being granted as police believe it will undermine the licensing objectives.

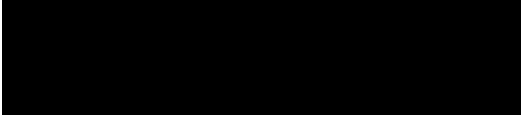
Police feel that a 4.00am terminal hour is unreasonable in this residential area. Also, the applicant failed to provide steps within the operating schedule of the application that they intend to take to promote the licensing objectives. Therefore, on 23rd September 2021 I contacted the applicant to seek an amendment of the terminal hour to 02.00am on Monday to Sunday with proposed conditions. This has been met with strong objection from the applicant's representative – Mr. Dudley Heslop.

Mr Heslop has written a letter to The Licensing Sub-Committee questioning their and the police's jurisdiction in seeking conditions being attached to the premises licence. I attach his letter to this representation which shows a reluctance by the applicant to have proportionate

conditions attached to the premises licence, if granted, to help promote the licensing objectives.

I 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 application.

Yours sincerely



PC Avril O'Brien 3406SW - Licensing Officer

Dudley Heslop

[REDACTED]

Licensing Section
London Borough of Merton
14th Floor
Civic Centre
London Road
Morden
Surrey
SM4 5DX

29 September 2021

Dear Licensing Committee,

Application of Mirs Rooster Limited for a Premises License

I have been assisting the Proprietor of Mirs Rooster Limited in his application for a premises licence. And the principal objective being sought is to extend the hours from the present 11am to 11 pm, to 11 am to 4am.

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The fact is that it is already a part of the proprietor's proposals that the eat-in service will close from 11pm, and the only service to be provided after 11pm is the take-away service.

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- f) Any refusal of the sale of alcohol.**
- g) Any visit of a relevant authority in relation to service.”**

COMMENTS

The idea of keeping an “incident log” is sensible. The main concern is whether the Licensing Committee have jurisdiction, or not, to impose such a condition.

“Conduct of Premises

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Thank you

Yours faithfully
DUDLEY HESLOP

From: [O'Brien Avril E - SW-CU](#)
To: [McGann John C - SW-CU](#)
Subject: FW: Application For Premises Licence
Date: 04 October 2021 13:32:12
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image007.png](#)

From: O'Brien Avril E - SW-CU
Sent: 29 September 2021 14:33
To: [REDACTED]
Cc: Loizou Belinda S - SW-CU <Belinda.Loizou@met.police.uk>
Subject: FW: Application For Premises Licence

Good Afternoon Sir,

Please see correction to the delivery of late night refreshment, highlighted in red.

I look forward to hearing from you.

Kind Regards,

Avril

PC Avril O'BRIEN 3406SW | Licensing
South West – BCU
Lavender Hill Police Station
176 Lavender Hill
SW11 1JX
0208 247 8630
07769586158
Avril.O'Brien2@met.police.co.uk

Keeping South West London Safe
Putting victims first—Preventing harm—Working as one team



From: O'Brien Avril E - SW-CU

Sent: 27 September 2021 16:07

To: [REDACTED]

Cc: Loizou Belinda S - SW-CU <Belinda.Loizou@met.police.uk>

Subject: FW: Application For Premises Licence

Good Afternoon Sir,

Have you had a chance to discuss my previous email with your client?

Kind Regards,

Avril

PC Avril O'BRIEN 3406SW | Licensing

South West – BCU

Lavender Hill Police Station

176 Lavender Hill

SW11 1JX

0208 247 8630

07769586158

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Putting victims first—Preventing harm—Working as one team



From: O'Brien Avril E - SW-CU

Sent: 24 September 2021 14:59

To: [REDACTED]

Cc: Loizou Belinda S - SW-CU <Belinda.Loizou@met.police.uk>

Subject: FW: Application For Premises Licence

Good Afternoon Mr Heslop,

Thank you for your email, please see below which I sent to your client yesterday.

Kind Regards,

Avril

PC Avril O'BRIEN 3406SW | Licensing

South West – BCU

Lavender Hill Police Station

176 Lavender Hill

SW11 1JX

0208 247 8630

07769586158

Avril.O'Brien2@met.police.co.uk

Keeping South West London Safe

Putting victims first—Preventing harm—Working as one team



From: O'Brien Avril E - SW-CU

Sent: 23 September 2021 15:19

To: [REDACTED]

Cc: Loizou Belinda S - SW-CU <Belinda.Loizou@met.police.uk>; Lelas Natali C - SW-CU <Natali.Lelas@met.police.uk>

Subject: Application For Premises Licence

Good Afternoon,

I am one of the police licensing officers who covers the borough of Merton alongside my colleagues Belinda Loizou and Natali Lelas.

I contact you in relation to an application for premises licence at Mir's Rooster, 117 London Road, Morden, SM4 5HP, the Metropolitan Police Request the following be added to the operating schedule;

Restaurant Conditions

The premises shall close to members of public at 2300 Monday to Sunday.

Delivery of late night refreshment

- Last night refreshment from 11pm to 2am Monday - **Sunday**

- To minimise disturbance to local residents after 22.00 hours, when a delivery is made utilising a vehicle, then only an electric or non-motorised vehicle will be used, except in the event of an emergency or breakdown. A record of any exceptions shall be maintained and made available for inspection on request to the Licensing Authority or the authorised Officer.

CCTV

A closed-circuit television (CCTV) system shall be installed at the premises. The CCTV system installed at the premises shall be maintained in effective working order, and shall be in operation at all times the premises is open to the public. All recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 31 days, and shall be made available on request to the Metropolitan Police, the Licensing Authority or other Responsible Authorities. At all times the premises is open to the public a minimum of one member of staff on duty will be able to operate the CCTV system.

Security incidents

An incident log shall be kept at the premises and made available on request to Metropolitan Police, the Licensing Authority or other Responsible Authorities. It must be completed within 24 hours of the incident and will record the following;

All crimes reported to the venue.

All ejections of patrons.

All complaints received concerning crime and disorder.

Any incidents of disorder.

Any faults in the CCTV system, searching equipment or scanning equipment.

Any refusal of the sale of alcohol.

Any visit by a relevant authority in relation to service

Conduct Of Premises

Clear legible notices are to be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

I look forward to hearing from you.

Kind Regards,

Avril

PC Avril O'BRIEN 3406SW | Licensing
South West – BCU
Lavender Hill Police Station
176 Lavender Hill
SW11 1JX
0208 247 8630
07769586158
Avril.O'Brien2@met.police.co.uk

Keeping South West London Safe
Putting victims first—Preventing harm—Working as one team



From: Councillor Peter Southgate <Peter.Southgate@merton.gov.uk>

Sent: 11 September 2021 12:18

To: Licensing <Licensing@merton.gov.uk>

Cc:

Subject: Roosters Ltd 117 London Road, Morden, SM4 5HP Ref. WK/202166016

As a councillor for Merton Park Ward and leader of the Merton Park Ward Independent Residents (MPWIR), I write to object to the application for the above late night refreshment licence which would allow Roosters to remain open for the sale of hot food from 23.00 hours to 04.00 hours.

I have been Ward councillor for nearly 20 years and as such I know this area very well. The recently renovated Morden Court Parade includes thriving independent shops with two storeys of flats above, creating an inevitable tension between commercial and residential needs and priorities. The area lies between two major mosques, the Baitul Futuh mosque of the Ahmadiyya Muslim Association (AMA) and the Morden Islamic Community Centre (MICC), and is home to many of their followers.

The implications of this application for the licensing objectives are as follows:

1. **Prevention of crime and disorder** - the Merton Park Safer Neighbourhood Team (SNT) has reported low level drug dealing at night around York Close and Morden Court, and in the past this has been linked to a half way house in London Road. If Roosters is to remain open until 04.00 it will provide a meeting point for dealers and their clients.
2. The SNT also report joy riding around York Close car park late at night when it is empty, and again Roosters could become a focal point for such activity.
- 3.
4. **2. Prevention of public nuisance** - the latest opening fast-food takeaway in the town centre currently is Morden Fish and Kebabs at 86 London Road which (from memory) is open until 01.00 hours. If Roosters is allowed to remain open until 04.00 it will attract late night travellers from Morden station once all-night services are resumed on the Northern line.
2. Noise into the small hours will be to the detriment of residents living above or near Roosters, while the absence of any night time toilet facilities in Morden will result in customers urinating in York Close and the car park beyond.
- 3.

4. **3. Protection of children from harm** - although not ideal accommodation for a young family, the fact of the matter is that many of the flats above Morden Court Parade and London Road are home to families with young children. They - and their parents - deserve an uninterrupted night's sleep.
- 5.
6. Councillor Peter Southgate
7. Merton Park Ward
8. c/o Civic Centre
- 9.
- 10.

Sent: 17 September 2021 15:18

To: Licensing <Licensing@merton.gov.uk>

Cc: Councillor Peter Southgate <Peter.Southgate@merton.gov.uk>

Subject: Objection to Premises License for Roosters Ltd, 117 London Road Morden

To whom it may concern,

My name is Sivasambo Parimelalaghan and I am a resident at [...]. I am writing to you to object to the premises license requested by Roosters Ltd, 117 London Road, Morden for the provision of late-night refreshments from 11am to 4am.

The nature of my objection falls into the categories detailed below:

1. **Prevention of public nuisance**

The primary nuisance created by the opening of the shop is the sound of their extractor fan which is attached directly to the roof [REDACTED]. The noise created by this is a droning which can be heard throughout the day but particularly at night. The fan currently operates from 11.45am to 12 midnight and has a direct impact on my family who often attempt to sleep around 10pm but find it hard to do until the fan is switched off at midnight. If the shop were to be open until 4am that would leave my family with less than **two hours** of sleep every day. This would be completely unacceptable for both our physical and mental health. I have attached a recording of the extractor fan.

Furthermore, during the late-night hours, the clientele of the shop has a tendency to gather behind the property on York close, at the bottom of our communal staircase (which directly leads up to my property) often consuming food and alcohol, and their empty bottles, half eaten pieces of chicken and food packaging are left behind discarded over the steps. Furthermore, it is also a regular occurrence to find the remains of urination and occasionally faeces on the staircase, which I have regularly had to wash away by filling several buckets of water and throwing it down the steps, so that not only my own family, but all those living along this balcony are able to walk down the stairs safely. At the age of 70, with various mobility issues, it is becoming increasingly difficult to continue to clean up after those who ruin our environment with little to no regard for the impact it has on the residents here. If the opening hours of the shop were to extend, I can only imagine this will continue, to possibly a more extreme extent.

In addition, I am also an amateur radio and video creator and I require a quiet environment for the recordings I do at home. At the moment I carry these out outside of the operating hours of the restaurant's extractor fan (11.45am -12 midnight) and if they were to extend this to 4am it would severely impact my ability to do my work.

2. **The protection of children from harm**

I have a young working family as do many of the residents along this parade of properties. My daughter is a student and my wife is a primary school teacher at a school in the local area, leaving home at 7am and returning after 6pm every day. Every member of society should be allowed an undisturbed night's sleep in their own homes but with their strenuous schedules, regular, guaranteed rest is paramount. Alongside us, there are many young families along both London Road and York Close, and young children who regularly spend time outside in the vicinity around the back of Roosters Ltd. The sort of clientele and behaviour this license premise will encourage will make this area a less safe, clean and friendly place for its young residents.

3. Prevention of crime and disorder

As a sheltered vicinity between residential houses and nearby to the York Close car park there has always been a tendency for those awake during the small hours to gather along York Close. It has previously been identified that low level drug dealing at night around York Close and Morden Court has taken place. Many also drive their cars down the dead-end road and around the carpark playing incredibly loud music during the night-time (to the extent that the walls and floor of my house vibrate). It is also very often that we are disturbed by the sounds of fights taking place on the road, between those who find our neighbourhood a secluded space at that time. The opening of a shop serving late night refreshments to the late hour of 4am will only encourage congregation and cause these disturbances and illegal activities to continue and even increase.

The latest closing time of premises in the area are 1am, with many shutting much earlier. By remaining open to 4am, Roosters Ltd would be further attracting late-night visitors who will have nowhere else in the local town to congregate, naturally leading them all to our residence. In addition, if Roosters Ltd were to set a precedent for premises to stay open later, the night time disturbances throughout Morden will be unbearable.

I am more than happy to provide any more details you may need. I strongly believe this permit should not go ahead, not just for my own family, but for the neighbourhood as a whole.

Please contact me on my email [...] or my mobile number [...] if you require any more information.

Yours faithfully,
Mr Sivasambo Parimelalaghan