

Licensing Sub-Committee Report

Subject of hearing: **Wimbledon Food & Wine, 226 Merton High Street, SW19 1AU**

Date: **27 June 2018**

Time: **10.30am**

Venue:

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

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

1.1 The premises are not in the special policy area.

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

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

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

2.3 Variation of premises licence: s35

(i) To modify the conditions on the licence

(ii) To reject the whole or part of 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 to vary an existing licence. The existing licence and associated plan forms part of this report.

5.2 The applicant wishes to extend the times when it can sell alcohol for consumption off the premises only and amend condition 3 in Annex 3 of their current premises licence.

5.3 The current licence allows the sale of alcohol for consumption off the premises, Monday to Sunday, between 07:00 to 23:00. They wish to extend this to Monday to Sunday until 02:00 the following morning.

- 5.4 The applicant states that there has been some negotiation with the Police regarding the condition and the applicant has amended their operating schedule. Instead of amending the condition to “No super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises”, It would be – “No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, **except for premium and craft beers.**”
- 5.5 There is a condition in the operating schedule that states has been agreed with the Police, that the Sub-committee may wish to consider.
- 5.6 We have received 6 representations regarding this matter – 1 Councillor, 2 Responsible Authorities, 1 residents association and 2 members of the public.

For enquiries about this hearing please contact

Democratic Services

Civic Centre

London Road

Morden

SM4 5DX

Telephone: 020 8545 3616

Email: democratic.services@merton.gov.uk

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	
Allirajah Thamilselvan	
Statutory Authorities	
Metropolitan Police	
London Borough of Merton Public Health Department	
Interested Parties	
Councillor Nigel Benbow	
Julie Gould	
Robert Giles, Battles Area Residents Association	
Kaysar Miah	

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