

## Licensing Sub-Committee Report

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

Date: **Tuesday 26<sup>th</sup> 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](mailto:democratic.services@merton.gov.uk)

## Parties to the hearing

This document forms part of the notice of hearing

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

<b>Applicant</b>	
<b>Mirs Rooster Limited</b>	
<b>Statutory Authorities</b>	
Metropolitan Police	
<b>Interested Parties</b>	
Councillor Peter Southgate	Mr Sivasamboo Parimelalaghan

