

## Licensing Sub-Committee Report

Subject of hearing: **Nisa Local, 23 Durnsford Road, Wimbledon Park, London, SW19 8GY**

Date **30 April 2024**

Time: **10.30am**

Venue: **Virtual Meeting**

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

The premises are not within a Cumulative Impact Zone.

### **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 appropriate 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

(a) to modify the conditions of the licence;

(b) to reject the whole or part of the application;

#### **Hearing papers**

2.4 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.

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

3.1 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.

### **4. Licensing Officer comments**

4.1 This is an application to vary the existing premises licence, the current licence and plan are included in this report.

4.2 The applicant has applied to extend the hours that alcohol can be supplied to 24 hours, add late night refreshments from 23:00 to 05:00 for hot drinks only, add conditions that are listed in the application operating schedule and vary the plan that the premises must conform to. They have stated they wish to vary the layout to show a night service hatch.

4.3 On the 26 March 2024, after consultation between the Applicant and the Metropolitan Police, we received an email, included in this report, stating that the applicant had agreed to amend the application. The amendment is to add the following conditions:

## Security Incidents

- An incident log shall be kept at the premises and made available on request to the 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 at 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.
  - f) Any visit by a relevant authority or in relation to service.

## Closed-circuit television

- The premises shall install and maintain a comprehensive closed-circuit television system (CCTV). All recordings shall be stored for a minimum of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- The digital CCTV will cover all areas to where public have access.
- CCTV will be recording at all times when premises is open, and the recordings will be of evidential quality in all lighting conditions and be of a sufficient quality to produce in court of hearing.
- All images downloaded from the CCTV must be provided in a format which can be viewed on regularly available equipment without the need for specialist software.
- 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.
- The CCTV system shall be maintained in effective working order.
- Suitable signage shall be displayed at the premises in a prominent position as customers enter the premises stating that CCTV is in operation.

4.4 One relevant representation regarding this application was received, from a Councillor.

4.5 For ease, conditions that could be attached to the licence from the variation application and those agreed with the Metropolitan Police are included as an annex to this report. The Sub-Committee may choose to form some conditions on the licence from these should they decide to grant the variation to the licence, if they believe they are appropriate for the promotion of the Licensing Objectives.

- 4.6 There are some conditions already attached to the premises licence and there is some duplication with the possible conditions that have been offered by the applicant and agreed with the Metropolitan Police. We have tried to cover these in the conditions document, in case the sub-committee wish to consolidate some of the conditions attached to the licence, but all documents that form part of this report should be considered separately.

**For enquiries about this hearing please contact**

Democratic Services  
Civic Centre  
London Road  
Morden  
SM4 5DX

**Telephone:** 020 8545 3616

**Email:** [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)

# Parties to the hearing

This document forms part of the notice of hearing.

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

<b>Applicant</b>	
Tusharkumar Arvindbhai Patel	
<b>Statutory Authorities</b>	
None	
<b>Interested Parties</b>	
Cllr Jil Hall	

### **Conditions that could be extracted from the application operating schedule**

1. All customer purchases made between 2300hrs and 0600hrs shall be via a secure Night Service Hatch.
2. Any supply of Late Night Refreshment shall be drinks only. There shall be no supply of hot food between 2300hrs and 0500hrs.
3. Members of the public shall not be permitted entry to the shop premises between 2300hrs and 0600hrs.
4. All entrances to the Premises shall be locked and secure between 2300hrs and 0600hrs.
5. There shall be no sale of alcohol for consumption within any area of pavement or open Space adjacent to the premises.
6. There shall be no sale of alcohol from the Night Service Hatch at any time that persons can be seen drinking alcohol within any area of pavement or open space adjacent to the premises.

### **Conditions agreed with the Metropolitan Police**

#### Security Incidents

1. An incident log shall be kept at the premises and made available on request to the 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 at 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.
  - f) Any visit by a relevant authority or in relation to service.

#### Closed-circuit television

2. The premises shall install and maintain a comprehensive closed-circuit television system (CCTV). All recordings shall be stored for a minimum of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
3. The digital CCTV will cover all areas to where public have access.
4. CCTV will be recording at all times when premises is open, and the recordings will be of evidential quality in all lighting conditions and be of a sufficient quality to produce in court of hearing.

5. All images downloaded from the CCTV must be provided in a format which can be viewed on regularly available equipment without the need for specialist software.
6. 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.
7. The CCTV system shall be maintained in effective working order.
8. Suitable signage shall be displayed at the premises in a prominent position as customers enter the premises stating that CCTV is in operation.

**Conditions currently on the premises licence that the Sub-Committee may consider removing or rewording with offered and agreed conditions.**

1. The premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.
2. There shall be "CCTV in Operation" signs prominently displayed at the premises.
3. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.

**From:** Russ Stevens <Russ.Stevens@merton.gov.uk>  
**Sent:** Tuesday, March 26, 2024 4:37 PM  
**To:** Licensing <Licensing@merton.gov.uk>; Elizabeth Macdonald <Elizabeth.Macdonald@merton.gov.uk>  
**Cc:** Avril.OBrien2@met.police.uk; tushar patel [REDACTED]  
**Subject:** FW: Police Conditions

Dear Licensing,

I have just had a telephone conversation with Mr Tusharkumar Patel about his application for a Premises Licence Variation, WK/202422908 refers.

The Met Police are asking for the conditions below to be added to the Premises Licence if the variation is granted.

Mr Patel (CC'd) has stated to me over the phone that he is happy for the conditions to be added as requested, and has asked me to send this email for him.

The existing Premises Licence already has conditions relating to CCTV, signage and incident log, so these will need to be removed to avoid duplication.

Best regards

**Russ Stevens**  
**Licensing Officer**

Regulatory Services Partnership  
Serving the London Boroughs of Merton, Richmond upon Thames and Wandsworth.  
Civic Centre, London Road, Morden SM4 5DX

**Phone number: 020 8545 3207**  
**E-Mail: [Russ.Stevens@merton.gov.uk](mailto:Russ.Stevens@merton.gov.uk)**



**From:** tushar patel [REDACTED]

**Subject:** Fwd: Police Conditions

**This Message Is From an External Sender**

This message came from outside your organisation.

----- Forwarded message -----

From: <[Avril.OBrien2@met.police.uk](mailto:Avril.OBrien2@met.police.uk)>

Date: Tue, 26 Mar 2024 at 1:58 pm

Subject: Police Conditions

To: >

Good Afternoon Mr Patel,

I hope you are well.

I contact you in relation to a full variation of licence for Nisa Local, [23 Durnsford Road, SW19 8GY](#). The Metropolitan Police request the following be added to the operating schedule should it be granted;

### **Security Incidents**

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

1. All crimes reported at the venue
2. All ejections of patrons
3. All complaints received concerning crime and disorder
4. Any incidents of disorder
5. Any faults in the CCTV system.
6. Any visit by a relevant authority or in relation to service.

### **Closed-circuit television**

1. The premises shall install and maintain a comprehensive closed-circuit television system (CCTV). All recordings shall be stored for a minimum of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.



2. The digital CCTV will cover all areas to where public have access.
3. CCTV will be recording at all times when premises is open, and the recordings will be of evidential quality in all lighting conditions and be of a sufficient quality to produce in court of hearing.
4. All images downloaded from the CCTV must be provided in a format which can be viewed on regularly available equipment without the need for specialist software.
5. 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.
6. The CCTV system shall be maintained in effective working order.
7. Suitable signage shall be displayed at the premises in a prominent position as customers enter the premises stating that CCTV is in operation.

If you are in agreement please forward to [licensing@merton.gov.uk](mailto:licensing@merton.gov.uk) and copy me in please.

Many thanks,

Avril

**Application to vary a premises licence 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** Tusharkumar Arvindbhai Patel  
*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

<b>Premises licence number</b> LN/000003012
--

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
Nisa Local 23 Durnsford Road			
Post town	Wimbledon Park	Postcode	SW19 8GY

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£59,500

**Part 2 – Applicant details**

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

To extend the alcohol hours to 24 hours (0000hrs – 0000hrs, Monday – Sunday)  
To add Late Night Refreshment 2300hrs – 0500hrs for hot drinks only  
To add conditions listed in Part M

*To amend the plan to show Night Service Hatch  
(New plan attached)*

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
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 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur					
			<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 7)		
Fri					
Sat					
Sun					



E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the <u>playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – <u>please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	2300		Please give further details here (please read guidance note 5) Hot drinks only		
		0500			
Tue	2300				
		0500			
Wed	2300		State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
		0500			
Thur	2300				
		0500			
Fri	2300		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 (please read guidance note 7)		
		0500			
Sat	2300				
		0500			
Sun	2300				
		0500			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)					
Mon	0000	0000						
Tue	0000	0000						
Wed	0000	0000						
Thur	0000	0000				<b>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</b> (please read guidance note 7)		
Fri	0000	0000						
Sat	0000	0000						
Sun	0000	0000						

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 10).

None

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	0000		
		0000	
Tue	0000		
		0000	
Wed	0000		
		0000	
Thur	0000		
		0000	
Fri	0000		
		0000	
Sat	0000		
		0000	
Sun	0000		
		0000	
<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 7)			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.



**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

1. All customer purchases made between 2300hrs and 0600hrs will be via a secure Night Service Hatch
2. Any supply of Late Night Refreshment will be drinks only.

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

1. Members of the public will not be permitted entry to the shop premises between 2300hrs and 0600hrs.
2. All entrances to the Premises will be locked and secure between 2300hrs and 0600hrs

**c) Public safety**

**d) The prevention of public nuisance**

1. There will be no supply of hot food from the premises between 2300hrs and 0500hrs.
2. There will be no sale of alcohol for consumption within any area of pavement or open space adjacent to the premises.
3. There will be no sale of alcohol from the Night Service Hatch at any time that persons can be seen drinking alcohol within any area of pavement or open space adjacent to the premises.

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

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**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.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	7/3/24
Capacity	Business Owner

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

Post town		Post code	
Telephone number (if any)			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

n

## Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example state 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.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. 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.
  9. 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'.
  10. 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.
  11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.



## LICENSING ACT 2003

### Part A Premises licence

Premises licence number

LN/000003012

#### Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**Nisa Local  
23 Durnsford Road  
Wimbledon Park  
London  
SW19 8GY**

Where the licence is time limited, the dates

**Not applicable**

The opening hours of the premises

<b>Monday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>
<b>Tuesday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>
<b>Wednesday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>
<b>Thursday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>
<b>Friday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>
<b>Saturday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>
<b>Sunday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>

**Non-Standard Timings: At the discretion of the premises licence holder.**

Sale & supplies of alcohol, whether these are on and/or off supplies

**Off the premises**



## Licensable activities and permitted times authorised by the licence

### Alcohol Sales

#### Off the premises

<b>Monday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>
<b>Tuesday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>
<b>Wednesday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>
<b>Thursday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>
<b>Friday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>
<b>Saturday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>
<b>Sunday</b>	<b>07:00</b>	<b>-</b>	<b>23:00</b>



## Part 2

Name, (registered) address, telephone number of holder(s) of premises licence

**Tusharkumar Arvindbhai Patel**

Registered number of holder, ie company number, charity number etc.

**12774901**

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

**Tusharkumar Arvindbhai Patel**

Issuing authority and licence number of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**London Borough of Hammersmith & Fulham**





## **ANNEX 1 TABLE OF MANDATORY CONDITIONS UNDER THE LICENSING ACT 2003**

- 1.** That no supply of alcohol may be made under the premises licence  
(a) at a time when there is no designated premises supervisor in respect of the premises licence, or  
(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2.** That every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3.** Where one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority by a licence granted under the Private Security Industry Act 2001 or entitled to carry out that activity by virtue of section 4 of the Private Security Industry Act 2001.
- 4.** (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
  
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
  
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—  
(a) a holographic mark, or  
(b) an ultraviolet feature.
- 5.** A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 6.** For the purposes of the condition set out in paragraph 1—  
(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;  
(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
  - (i) the holder of the premises licence,



(ii) the designated premises supervisor (if any) in respect of such a licence, or  
(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## Annex 2

### Conditions consistent with the Operating Schedule

1. The premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.
2. There shall be "CCTV in Operation" signs prominently displayed at the premises.
3. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.
4. The premises shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the secretary of the state.
5. The premises will be fitted with a burglar alarm system.
6. The premises will be fitted with a panic button system for staff to utilise in the case of an emergency.
7. The premises licence holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.
8. A complaints procedure will be maintained, details of which will be made available in store and upon request.
9. All staff will receive comprehensive training in relation to age restricted products and in particular the sale of alcohol. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.
10. An age till prompt system will be utilised at the premises in respect of age restricted products.
11. A refusals register (whether kept and written or electronic form) will be maintained at the premises and will be made available for inspection upon request by an authorised Officer of the Police or the Local Authority.

ENVIRONMENT AND REGENERATION DEPARTMENT  
Licensing Team  
London Borough of Merton  
14<sup>th</sup> Floor, Merton Civic Centre  
London Road  
Morden, Surrey  
SM4 5DX

Tel: 020 8274 4901  
[www.merton.gov.uk/licensing](http://www.merton.gov.uk/licensing)



### Annex 3

Conditions attached after a hearing by the licensing authority

NOT APPLICABLE

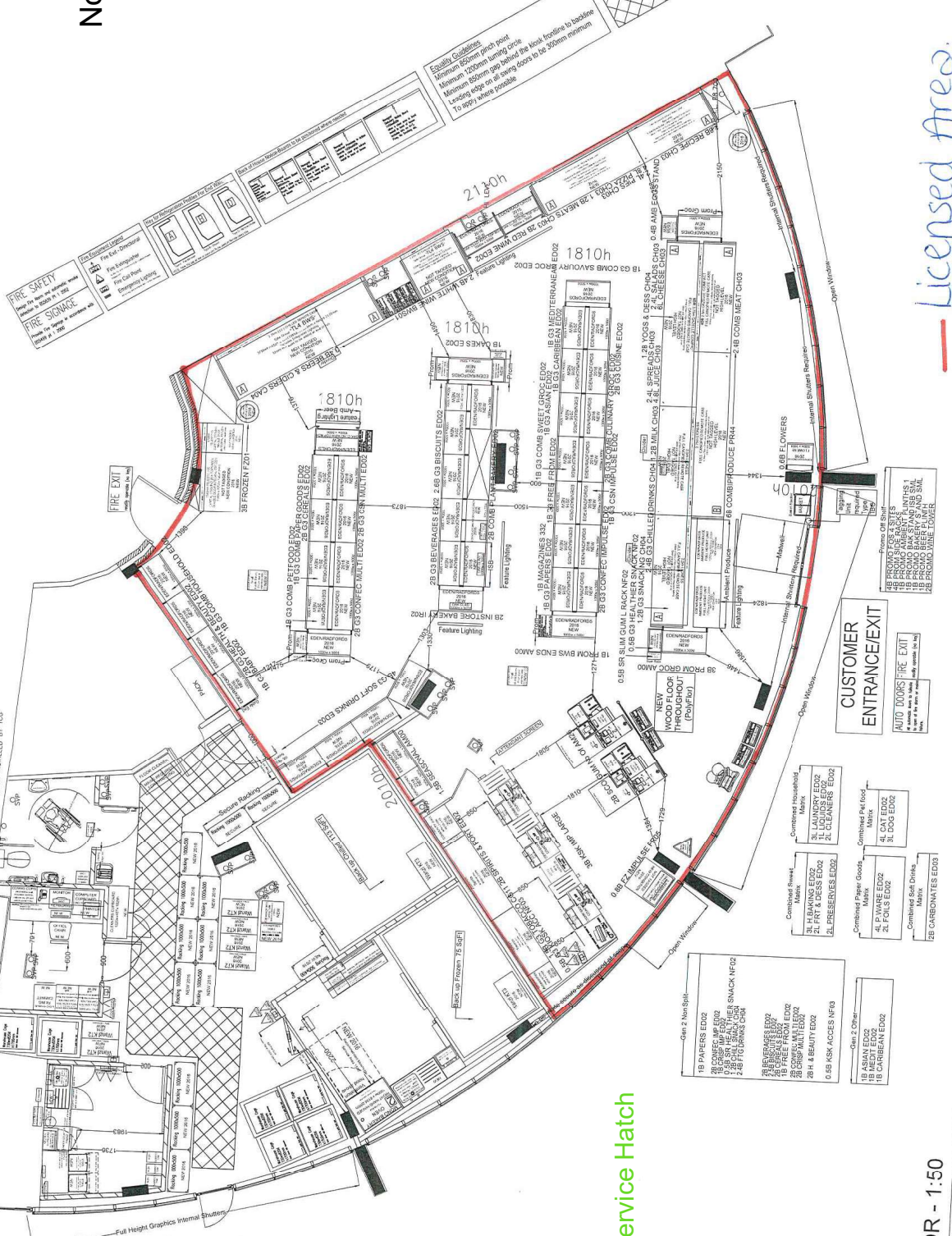
### Annex 4

Premises Plan: Drawing 'Proposed Fixture Layout' of 27/04/2016.



North

Operative food



Licensed Area

ESSENTIAL CRITERIA  
 Minimum 1200mm reach height  
 Minimum 1200mm turning circle  
 Minimum 800mm gap below the floor for trolleys to baseline  
 Landing edge on all serving doors to be 30mm maximum  
 To sign where possible

NEW SFP TO BE INSTALLED BY TCG

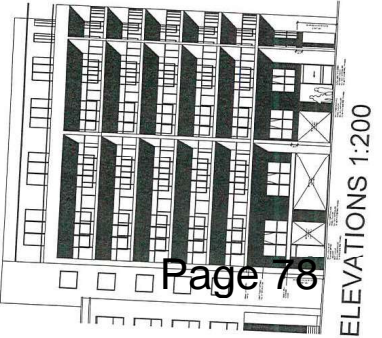
**CUSTOMER ENTRANCE/EXIT**

**AUTO DOORS/FIRE EXIT**

- Combined Dishwashers
- 3L BANKING EDD02
- 3L LAUNDRESSES EDD02
- 3L CLEANERS EDD02
- 3L PRESSURES EDD02
- Combined Paper Goods
- 4L WARE EDD02
- 2L FOLDS EDD02
- 3L COQ SERVE
- Combined Soft Drink
- 2L CARBONATES EDD09

GOODS ENTRANCE

ORDNANCE SURVEY MAP (NTS)



ELEVATIONS 1:200

Night Service Hatch

SHOP-FLOOR - 1:50

BACK OF HOUSE - 1:100

Description of Amendments		Date
1. Feasibility Study	Wimbledon: ACQ / AUS	14.02.2016
2. Feasibility Study	Wimbledon: ACQ / KLB	17.12.2016
3. Feasibility Study	Wimbledon: ACQ / AUS	18.02.2016
4. Feasibility Study	Wimbledon: ACQ / AUS	19.02.2016
5. Feasibility Study	Wimbledon: ACQ / AUS	20.02.2016
6. Feasibility Study	Wimbledon: ACQ / AUS	21.02.2016
7. Feasibility Study	Wimbledon: ACQ / AUS	22.02.2016
8. Feasibility Study	Wimbledon: ACQ / AUS	23.02.2016
9. Feasibility Study	Wimbledon: ACQ / AUS	24.02.2016
10. Feasibility Study	Wimbledon: ACQ / AUS	25.02.2016
11. Feasibility Study	Wimbledon: ACQ / AUS	26.02.2016
12. Feasibility Study	Wimbledon: ACQ / AUS	27.02.2016
13. Feasibility Study	Wimbledon: ACQ / AUS	28.02.2016
14. Feasibility Study	Wimbledon: ACQ / AUS	29.02.2016
15. Feasibility Study	Wimbledon: ACQ / AUS	30.02.2016
16. Feasibility Study	Wimbledon: ACQ / AUS	31.02.2016

Drawing Information	
Client	Wimbledon: ACQ / AUS
Project Name	Wimbledon: ACQ / AUS
Location	London SW19 8BT
Scale	1:50
Drawn	JAL
Checked	JAL
Approved	JAL
Date	12.01.16

Additional Equipment	
VND	1
Magazines	2
Impulse Confict.	2
Impulse CSN	1
Pizza Stop	1
Bakery	1
BMS Prom	1
Edin Bakery Stand	4
Edin Planner KLB	1
Electrical Shaking	NA
Roll Cases RPH	NA

Exceptions	
No shop floor ATM space was an accident	
WVND 100mm depth was used for animal	
Impulse CSN 1 was not used for animal	
Impulse CSN 2 was not used for animal	
Impulse CSN 3 was not used for animal	
Impulse CSN 4 was not used for animal	
Impulse CSN 5 was not used for animal	
Impulse CSN 6 was not used for animal	
Impulse CSN 7 was not used for animal	
Impulse CSN 8 was not used for animal	
Impulse CSN 9 was not used for animal	
Impulse CSN 10 was not used for animal	

CDM Regulations 2015	
CDM 2015	1
CDM 2015	2
CDM 2015	3
CDM 2015	4
CDM 2015	5
CDM 2015	6
CDM 2015	7
CDM 2015	8
CDM 2015	9
CDM 2015	10
CDM 2015	11
CDM 2015	12
CDM 2015	13
CDM 2015	14
CDM 2015	15
CDM 2015	16
CDM 2015	17
CDM 2015	18
CDM 2015	19
CDM 2015	20
CDM 2015	21
CDM 2015	22
CDM 2015	23
CDM 2015	24
CDM 2015	25
CDM 2015	26
CDM 2015	27
CDM 2015	28
CDM 2015	29
CDM 2015	30
CDM 2015	31
CDM 2015	32
CDM 2015	33
CDM 2015	34
CDM 2015	35
CDM 2015	36
CDM 2015	37
CDM 2015	38
CDM 2015	39
CDM 2015	40
CDM 2015	41
CDM 2015	42
CDM 2015	43
CDM 2015	44
CDM 2015	45
CDM 2015	46
CDM 2015	47
CDM 2015	48
CDM 2015	49
CDM 2015	50
CDM 2015	51
CDM 2015	52
CDM 2015	53
CDM 2015	54
CDM 2015	55
CDM 2015	56
CDM 2015	57
CDM 2015	58
CDM 2015	59
CDM 2015	60

**From:** Councillor Jil Hall <Jil.Hall@merton.gov.uk>  
**Sent:** Thursday, March 21, 2024 12:46 PM  
**To:** Elizabeth Macdonald <Elizabeth.Macdonald@merton.gov.uk>  
**Subject:** Licensing application NISA 23 Durnsford Road

Dear Ms Macdonald

I should like to register my objections (on behalf of a number of residents) to the application for a 24 hour alcohol license for the above premises.

As I understand it the shop owners wish to become a 24-hour operation and from 12 midnight will sell through a hatch, rather than allowing people into the shop.

While I can see that this is a sensible health and safety measure (and one used by many 24-hour petrol stations) it does not solve the problem of the shop becoming a magnet for people seeking late night drinking on the streets.

The shop is situated on the Reynolds gate estate which has a history of anti-social behaviour, harassment, and drug abuse – much of this by underage youths. There is CCTV on site, but the gangs of youths know where they are and either mask up or avoid the areas where it operates. In any case, the police seem unable to accept CCTV footage as sufficient evidence to prosecute.

To introduce a source of alcohol for sale throughout the night at this location seems unwise and inappropriate. Even if the staff at the shop impose the age restriction and ask to see identification, there are ways round this. The gang has some members over 18 who would do the purchasing for the underage members. Even if there is a restriction on selling to groups, this is easily got around by only one member doing the purchase and then sharing with the others who may be close by but not seen.

Just outside the shop is a grassed area, ideal to lounge about on during summer nights, as some do now. Introducing easily-obtained alcohol into the mix is not a good idea.

Many of the residents are worried about this application going through.

I want to make it clear that they (and I) have no objection to the shop selling food throughout the night, provided it is properly regulated and the hatch is used. I don't think it is commercially viable, but that is the shop owner's decision.

If there is an opportunity to speak at the sub committee meeting, I would welcome that.

Kind regards

Jil Hall

This page is intentionally left blank