

Merton Council

Licensing Sub-Committee

Membership

Councillors:

Pauline Cowper

Philip Jones

John Sargeant

A meeting of the Licensing sub-committee will be held on:

Date: 15 December 2015

Time: 10.30 am

**Venue: Council chamber - Merton Civic Centre, London Road, Morden
SM4 5DX**

Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 Morrisons, 51 The Broadway, Wimbledon, SW19 1QD 1 - 42
- 5 Morrisons, 11 Majestic Way, Mitcham, CR4 2JS 43 - 78

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. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda and the decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3616.

Press enquiries: press@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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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 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.
16. The Sub Committee will return and re-open for public session.
17. The Chair will invite the Legal Officer to present the advice provided during private session.
18. The Sub-committee's decision will be read out either by the Chair or the Chair will invite the Legal Officer to do so.
19. The Chair will inform those present that all parties should receive a written copy of the decision notice within 5 working days, and then close the Hearing

Licensing Sub-Committee Report

Subject of hearing: **Morrisons, 51 The Broadway, SW19 1QD**

Date: **15 December 2015**

Time: **10.30 am**

Venue: **Council Chamber**

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

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

1.1 The premises are in the special policy area. Accordingly the relevant section of Merton's Licensing Policy is particularly relevant to this application though the sub-committee is to have regard to the policy as a whole.

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 application seeks to vary an existing premises licence

5.2 The application is to vary the hours of the sale by retail of alcohol and opening times to 06:00 to 00:00 Monday to Sunday.

5.3 Five representations have been received objecting to the application.

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	
WM Morrison Supermarkets PLC – Hilmore House, Gain Lane, Bradford, BD3 7DL	
Applicants Solicitors: Gosschalks Solicitors, Queens Gardens, Hull, HU1 3DZ	
Statutory Authorities	
Metropolitan Police	
LBM Public Health	
Interested Parties	
Claire Stone	
Jeffrey Alexander Gunn South Park Estate Residents' Association (SPERA)	
L. Avery	
Yvette Ruggins and Graham Hall	

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.

(1) Delete as applicable.
(2) Insert name(s) of applicant.

(1) ~~[[]]~~ **[We]** (2)

WM MORRISON SUPERMARKETS PLC



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

Premises licence number LN/000001056

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
MORRISONS 51 THE BROADWAY			
Post town	LONDON	Postcode	SW19 1QD
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 845,000.00	

Part 2 - Applicant Details

Daytime contact telephone number	0845 611 5000		
E-mail address (optional)			
Current postal address if different from premises address	HILMORE HOUSE GAIN LANE		
Post town	BRADFORD	Postcode	BD3 7DL

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
<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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

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

1. TO VARY THE HOURS TO PERMIT THE SALE BY RETAIL OF ALCOHOL AND OPENING TO 0600 TO 2400 ON MONDAYS TO SUNDAYS INCLUSIVE.

2. TO ADD CONDITIONS.

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 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 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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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)		
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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			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)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			
Thur			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 (please read guidance note 6)
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	Please give further details here (please read guidance note 4)		
Mon			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Tue					
Wed					
Thur			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)		
Fri					
Sat					
Sun					

E

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

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon				
Tue				
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)	
Thur				
Fri				
Sat			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)	
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	
			Will this 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	Please give further details here (please read guidance note 4)	
Mon				
Tue				
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)	
Thur				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sun				

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption - please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	0600	2400			
Tue	0600	2400			
Wed	0600	2400			
Thur	0600	2400	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)		
Fri	0600	2400			
Sat	0600	2400			
Sun	0600	2400			

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	0600	2400	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Tue	0600	2400	
Wed	0600	2400	
Thur	0600	2400	
Fri	0600	2400	
Sat	0600	2400	
Sun	0600	2400	

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

TO REPLACE THE PERMITTED HOURS FOR THE SALE BY RETAIL OF ALCOHOL WITH THE TIMES SET OUT IN BOX J ABOVE.

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

THE LICENCE HAS NOT YET BEEN ISSUED FOLLOWING A RECENT MINOR VARIATION APPLICATION

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 10)

ALL STAFF ENGAGED IN THE SALE OF ALCOHOL WILL BE TRAINED IN ACCORDANCE WITH THE PREMISES LICENCE HOLDER'S TRAINING PROCEDURES.

(b) The prevention of crime and disorder

ALL STAFF ENGAGED IN THE SALE OF ALCOHOL WILL RECEIVE SUITABLE TRAINING (INCLUDING REFRESHER TRAINING) IN RELATION TO THE PROOF OF AGE "CHALLENGE 25" SCHEME TO BE APPLIED ON THE PREMISES. THE FOLLOWING FORMS OF IDENTIFICATION ARE ACCEPTABLE: PHOTO DRIVING LICENCE, PASSPORT, PROOF OF AGE STANDARDS SCHEME (PASS) CARD AND ANY OTHER LOCALLY OR NATIONALLY APPROVED FORM OF IDENTIFICATION.

CCTV SHALL BE PROVIDED ON THE PREMISES AND SHALL BE KEPT IN GOOD WORKING ORDER.

ALL CHECKOUT OPERATORS WILL OPERATE A REFUSAL LOG.

(c) Public safety

THE PREMISES LICENCE HOLDER UNDERTAKES ONGOING RISK ASSESSMENTS IN ORDER TO COMPLY WITH HEALTH & SAFETY LEGISLATION.

(d) The prevention of public nuisance

THE PREMISES ARE RESPONSIBLY MANAGED AND SUPERVISED. NO ADDITIONAL MEASURES ARE BELIEVED NECESSARY.

(e) The protection of children from harm

ALL STAFF ENGAGED IN THE SALE OF ALCOHOL WILL RECEIVE SUITABLE TRAINING (INCLUDING REFRESHER TRAINING) IN RELATION TO THE PROOF OF AGE "CHALLENGE 25" SCHEME TO BE APPLIED ONT HE PREMISES. THE FOLLOWING FORMS OF IDENTIFICATION ARE ACCEPTABLE: PHOTO DRIVING LICENCE, PASSPORT, PROOF OF AGE STANDARDS SCHEME (PASS) CARD AND ANY OTHER LOCALLY OR NATIONALLY APPROVED FORM OF IDENTIFICATION.

TILL PROMPTS ARE IN USE AT THE STORE.

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, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 - Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>Gosschalks</i>
Date	20TH OCTOBER 2015
Capacity	SOLICITORS ON BEHALF OF THE APPLICANT

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 13). **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 14) Gosschalks Solicitors Queens Gardens Hull			
Post town	HULL	Postcode	HU1 3DZ
Telephone number (if any)	01482 324252		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) mcj@gosschalks.co.uk			

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 to 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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. 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.
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 agents must sign the application form.
14. 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/000001056

Part 1 - Premises details

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

WM Morrison Supermarket plc
51 The Broadway
London
SW19 1QD

020 8879 3353

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	06:00	-	23:00
Tuesday	06:00	-	23:00
Wednesday	06:00	-	23:00
Thursday	06:00	-	23:00
Friday	06:00	-	23:00
Saturday	06:00	-	23:00
Sunday	06:00	-	23:00

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

Monday	06:00	-	23:00
Tuesday	06:00	-	23:00
Wednesday	06:00	-	23:00
Thursday	06:00	-	23:00
Friday	06:00	-	23:00
Saturday	06:00	-	23:00
Sunday	06:00	-	23:00

Part 2

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

Wm Morrison Supermarkets Plc
Hilmore House
Gain Lane
Bradford
West Yorkshire
BD3 7DL

0845 611 5626

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

00358949

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

Colin Anthony Jeffs

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

Milton Keynes Council - [REDACTED]



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.



23/08/2012: Approved Minor Variation application in accordance with plan number 411/J/3/BWSL/003.

08/09/2010: Approved Minor Variation application in accordance with plan number 411/C/1J/BWSL/002.

Annex 2

Conditions consistent with the Operating Schedule

NONE FOR THE PURPOSES OF THIS CONVERSION UNDER THE TRANSITIONAL PROVISIONS OF THE LICENSING ACT 2003

Annex 3

Conditions attached after a hearing by the licensing authority

NONE FOR THE PURPOSES OF THIS CONVERSION UNDER THE TRANSITIONAL PROVISIONS OF THE LICENSING ACT 2003



LICENSING ACT 2003

Part B Premises licence

Premises licence number

LN/000001056

Part 1 - Premises details

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

WM Morrison Supermarket plc
51 The Broadway
London
SW19 1QD

020 8879 3353

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	06:00	-	23:00
Tuesday	06:00	-	23:00
Wednesday	06:00	-	23:00
Thursday	06:00	-	23:00
Friday	06:00	-	23:00
Saturday	06:00	-	23:00
Sunday	06:00	-	23:00

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

Monday	06:00	-	23:00
Tuesday	06:00	-	23:00
Wednesday	06:00	-	23:00
Thursday	06:00	-	23:00
Friday	06:00	-	23:00
Saturday	06:00	-	23:00
Sunday	06:00	-	23:00



Part 2

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

Wm Morrison Supermarkets Plc
Hilmore House
Gain Lane
Bradford
West Yorkshire
BD3 7DL

0845 611 5626

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

00358949

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Colin Anthony Jeffs

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COMMUNITY AND HOUSING DEPARTMENT

Simon Williams - Director



Public Health
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Direct Line: 020 8545 4834

Date: 9th November 2015

To: Licensing Department
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Re: Application to Vary the Premises Licence under the Licensing Act 2003 – Wm Morrison’s, 51 The Broadway, London, SW19 1QD

Premises licence number	LN/000001056
Applicant	Wm Morrison Supermarkets plc
Premises address	51 The Broadway, London, SW19 1QD
Ward	Dundonald
Summary of the application	Variation: Hours for the sale of alcohol. Proposed hours for the supply of alcohol: Monday – Sun 0600-0000

As a responsible authority under 2012 amendment to the Licensing Act 2003, the Director of Public Health for Merton wishes to make representation to the application on three of the four licensing objectives:

- 1. The prevention of crime and disorder**
- 2. Public safety**
- 3. Prevention of public nuisance**

Tackling alcohol misuse is central to achieving the outcomes in Merton’s Health and Wellbeing Strategy: giving every child a healthy start in life, supporting people to improve their health, improving wellbeing, resilience and connectedness, and reducing the gap in life expectancy between the east and west of the borough. We want to create an environment and a culture in the borough that prevents problem drinking from starting and provides early help for people who are struggling. One of the ways we will be doing this is ensuring health and wellbeing considerations are presented for consideration in licensing decisions, in order to tackle alcohol-related crime and anti-social behaviour, ensure public safety and prevent harm to children.

The Merton Joint Strategic Needs Assessment (JSNA) chapter on alcohol sets out a summary of the available evidence on alcohol-related behaviours and consequences, as background to the importance of tackling alcohol effectively in the borough: <http://www.merton.gov.uk/health-social-care/publichealth/jsna/lifestyle-risk-factors/adults-substance-misuse/alcohol-jsna.htm>

1. The prevention of crime and disorder

Local data from the London Ambulance Service shows that in the year to June 2015, the following incidents occurred within 500 meters of the postcode for this premises:

- 48 Ambulance-reported assaults
- 4 Gun, knife and weapon injuries
- 147 alcohol-related incidents, 36 of which were in those under the age of 26
- 20 least serious injuries, which are often used as a proxy for alcohol related harm
- 30 episodes of anti-social behavior reported by bus-drivers.

The premises is situated in Dundonald Ward, which ranks 2nd out of all 20 Merton wards for alcohol illness treated by ambulance in 18-25 year olds.

The above data and that in appendix 1 suggests an existing significant impact of alcohol consumption in the local area. While the above data does not relate to these specific premises, it is likely that the granting of this variation as requested, particularly the increase in hours where alcohol will be sold, will contribute to the above trends relating alcohol to crime and disorder.

National and international scientific evidence shows the following:

- Overall, more alcohol is consumed when it is easily available.¹
- An increase in alcohol sales is strongly linked to an increase in drinking-related damage, for instance injuries and assaults.²
- Harmful use of alcohol is a major contributor to violence: alcohol use commonly precedes aggressive behaviour, and harmful drinking is associated with being both a perpetrator and a victim of violence³
- Reducing the availability of alcohol through regulating sales outlets, hours and prices can substantially decrease violence.⁴

2. Public Safety and

3. Prevention of public nuisance

Wm Morrison's, The Broadway is located within a cumulative impact zone, an area where it is recognised that there is already a problem with the impact of alcohol on public safety and public nuisance. The data above on assaults and violence above and in Appendix 1 paints a picture of the impact of alcohol consumption in this specific area on both public safety and nuisance.

¹ Alcohol Concern UK (2012) Response to The Government's Alcohol Strategy (March 2012)

² Popova et al 2009, Hours and days of sale and density of alcohol outlets: impacts on alcohol consumption and damage: a systematic review. *Alcohol & Alcoholism* Vo. 44, No. 5, pp. 500-516

³ WHO 2009 Preventing violence by reducing the availability and harmful use of alcohol

⁴ WHO 2009 Preventing violence by reducing the availability and harmful use of alcohol

Public Health have also been made aware of concerns which have also been raised by local residents about the proposed increase in licensing hours, in view of the level of alcohol-related harm in the area.

Controlled Impact Zone (see Appendix 2 for relevant parts of the SOLP)

The Merton Statement of Licensing Policy (SOLP) 2011 sets out that the cumulative impact of the number, type and density of licensed premises in a given area may lead to serious problems of nuisance and disorder outside and within the vicinity of these premises. Wimbledon Town Centre where the proposed premises is located is designated a Cumulative Impact Zone. In a CIZ, the Council may consider that the attachment of conditions is unlikely to address identified problems and it may then consider refusing new licences because the area is saturated and the granting of any more would undermine the licensing objectives.

There has been a significant increase in the number and scale of licensed premises in Wimbledon Town Centre over recent years. This has resulted in a significant number of alcohol related crimes and of complaints being made to the Council concerning nuisance. The Police have provided evidence regarding alcohol related crime and disorder and the connection between the offences and licensed premises. Anti-social behaviour has led to the Metropolitan Police designating part of the town centre as a dispersal area under the Anti - Social Behaviour Act 2003. Residents and Residents Associations in Wimbledon Town Centre have made representations that the Town Centre is at saturation point.

Conclusion

The applicant states a number of steps they will take to promote the licensing objectives; however we believe that these will not be sufficient to prevent an additional impact of the proposed increase in hours for sale of alcohol on the levels of alcohol-related crime and disorder and issues around public safety already seen in the area.

Therefore we would recommend that the Committee reject the application for increased hours of supply of alcohol.

Further to this, and based on the information provided, we would also recommend that the following conditions are applied to the licence to further promote the prevention of crime and disorder and to promote public safety:

1. No super-strength beer, lagers or ciders, or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
2. No single cans or bottles of beer, lager cider or spirit mixtures shall be sold at the premises
3. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol

Yours sincerely,

Dr Eleanor Curtis
Specialty Registrar in Public Health

On behalf of Dr Kay Eilbert, Director of Public Health

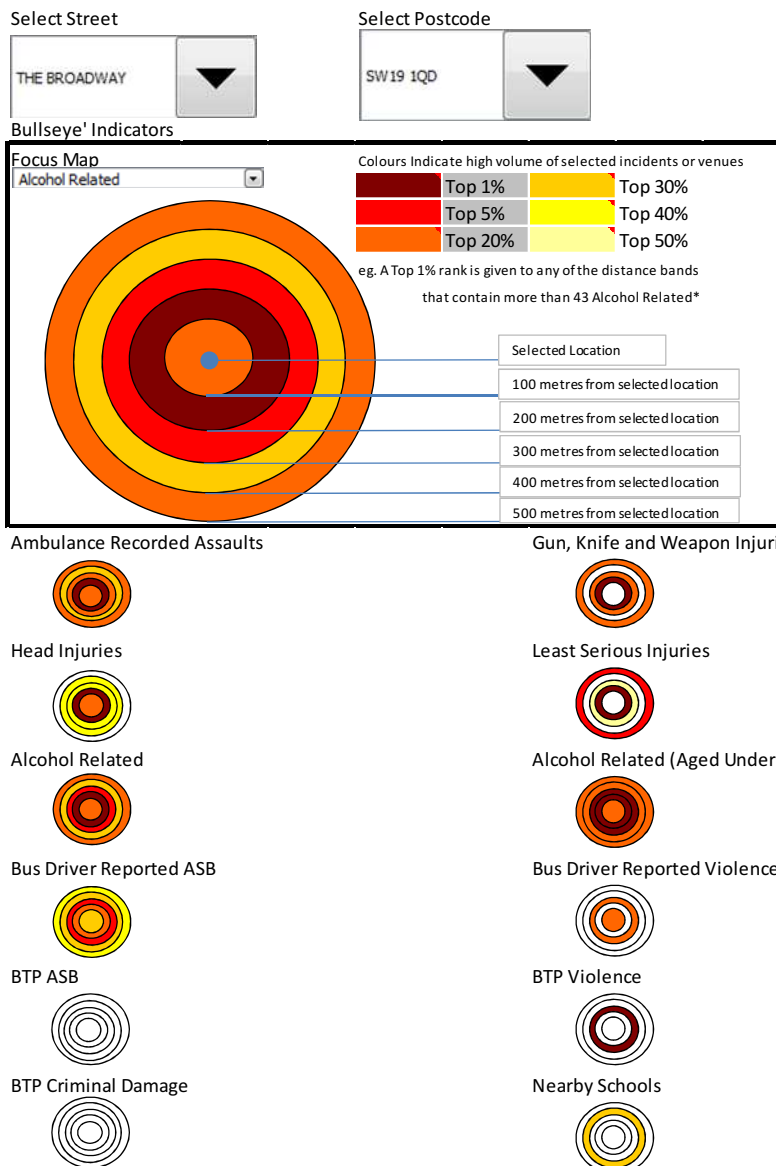
Appendix 1: LBM Public Health preliminary data scan for the following premises:

Morrison's, 51 The Broadway, SW19 1QD

A. SafeStats bullseye dashboard for St Mark's Road, CR4 2LF:

Merton: Cumulative Impact Analysis Tool: Proximity Analysis

Date Range of Analysis: Year to June 2015



Headlines related to this postcode:

- 147 alcohol related incidents within 500m of this postcode in the year to June 2015; 36 in those aged under 26.
- Within 100-200m of the postcode: particularly high volume of alcohol-related incidents (top 5% rank in the borough – see the bullseye charts to the left).
- 48 assaults within 500m of this postcode; 100-200m from postcode highest 1% in the borough

Type of data (incidents)	Total within 500m
Ambulance recorded assaults	48
Gun, Knife and Weapons injuries	4
Head injuries	12
Least serious injuries	20
Alcohol related	147
Alcohol related (aged under 26)	36
Bus driver reported ASB	30
Bus driver reported Violence	2
Nearby schools	1

* in the year to June 2015

B. SafeStats traffic light dashboard for postcode

USER INPUT		
SELECT POSTCODE FROM LIST	WARD	WARD NAME
CLICK HERE> SW19 1QB	00BAGB	Dundonald

PREVENTION OF CRIME AND DISORDER	
AMBULANCE DATA	
RANK ALL ASSAULTS 14 out of 20 wards	RANK SEXUAL ASSAULTS 8 out of 20 wards
RANK ALL WEAPON INJURIES 16 out of 20 wards	RANK KNIFE INJURY 9 out of 20 wards
RANK GUN INJURIES 1 out of 20 wards	RANK VIOLENCE AGAINST AMBULANCE CREW 8 out of 20 wards

POLICE DATA: recorded crime and ASB	
RANK ALL VIOLENCE 13 out of 20 wards	RANK RAPE 10 out of 20 wards
RANK THEFT FROM PERSON (OTHER) 2 out of 20 wards	RANK PERSONAL ROBBERY 9 out of 20 wards
RANK CRIMINAL DAMAGE 12 out of 20 wards	RANK POSSESSION OF DRUGS 4 out of 20 wards
MPS ASB RANK 17 out of 20 wards	MPS POSSESSION OF WEAPON 10 out of 20 wards

Other data sources	
NIGHT TIME VIOLENT DISORDER 12 out of 20 wards	DELIBERATE FIRES 12 out of 20 wards
Probation Clients with Alcohol misuse Risk 18 out of 20 wards	Probation Clients Alcohol Risk and High risk of causing harm 6 out of 20 wards

MERTON 'Traffic Light Dashboard' to: June 2015

ALCOHOL ILLNESS TREATED BY LONDON AMBULANCE SERVICE		
ambulance data		
AGED 8 - 17 2 out of 20 wards	AGED 18 - 25 2 out of 20 wards	
AGED 26 - 39 7 out of 20 wards	AGED 8 - 39 7 out of 20 wards	AGED 18+ 4 out of 20 wards

DEPRIVATION	
ward summaries	
INCOME DEPRIVATION 19 out of 20 wards	EMPLOYMENT DEPRIVATION 19 out of 20 wards
AVERAGE DEPRIVATION 19 out of 20 wards	RANK BY MOST DEPRIVED SUB WARD AREA 20 out of 20 wards

<http://data.london.gov.uk/datastore/package/indices-deprivation-2010>

PUBLIC TRANSPORT ALCOHOL RELATED INCIDENTS	
BTP DRUNKEN BEHAVIOUR 12 out of 20 wards	TFL ALCOHOL RELATED DISTURBANCE 8 out of 20 wards

WELL BEING
18 RANK Life Expectancy
18 RANK Incapacity claimant rate -index
9 RANK Crime rate - Index
20 RANK Average Capped GCSE and Equivalent Point Score Per Pupil
20 RANK Unauthorised Absence in All Schools (%)
18 RANK Dependent children in out-of-work families
18 RANK Public Transport Accessibility
4 RANK Homes with access to open space & nature, and % greenspace
11 RANK Subjective well-being average score

<http://data.london.gov.uk/datastore/package/london-ward-well-being-scores>

Excerpts from the Merton Statement of Licensing Policy 2011 relevant to the Cumulative Impact Policy (paragraphs 7.8-7.10 of the Policy):

7.8 The Council considers that it is appropriate and necessary to continue a special policy within the designated cumulative impact zones. Where relevant representations have been received the policy will affect applications for new premises' licences or club premises' certificates or variations of existing licences or certificates. It will be for the applicants to show in their operating schedules that their proposals will not add to the cumulative impact already being experienced. Responsible authorities and/or interested parties will need to see the steps proposed by an applicant in order to decide whether to submit representations. The presumption will be that where proposed operations are material to the policy they will normally be refused, however, the process allows applicants to rebut the presumption in their applications, and to make the case before a licensing sub-committee. Where an application is material to the special policy the burden of proof lies on the applicant to rebut the presumption.

7.9. The presumption of a refusal does not, however, relieve responsible authorities or interested parties of the need to make a relevant representation, as the special policy can only lawfully be invoked by a licensing sub-committee, which has been convened in response to valid representations that refer to that special policy. If no representation were received it would remain the case that any application must be granted in terms that are consistent with the operating schedule submitted. Responsible authorities, such as the Police, or interested parties, can make a written representation maintaining that it is necessary to refuse the application in order to meet the licensing objectives. In doing so they should refer to the special policy and any information, which had been before the licensing authority when it developed its Statement of Licensing policy. Responsible authorities, where they have promoted or provided the evidence to support a special policy, should consider carefully any implications that maybe drawn from their not making a representation.

7.10 This special policy is not absolute. The circumstances of each application will be considered properly and it is possible for licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives to be granted. As a consequence of the presumption that underpins the special policy such cases are likely to be exceptional. Following receipt of representations in respect of a new application for or a variation of a licence or certificate, the Licensing Authority will consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. Notwithstanding the significance of the special policy the Licensing sub committee will announce its reasons for any decision to refuse an application.

APPENDIX 3: Public Health data on alcohol in Merton & Dundonald Ward (premises location):

Nationally, alcohol is the leading risk factor for preventable death in 15-49 year olds. Nine million adults now drink at levels that increase the risk of harm, of whom 1.6 million show signs of alcohol dependence. The number of people dying due to liver disease in England is rising, in contrast to other major causes of disease that have been declining.⁵ The harm of alcohol falls not just on individuals and their health, but on society as a whole. Alcohol misuse is associated with a wide range of criminal offences, including drink driving, being drunk and disorderly, criminal damage, assault and domestic violence, all of which can also indirectly impact on health. In younger people, risky drinking behaviour is associated with anti-social behaviour and teenage conceptions.

The estimated prevalence of binge drinking is 13.8% compared with 14.3% in London and 20.0% nationally. However, this masks differences across the borough. Estimated levels of the adult population drinking at 'increasing risk' (21%) and 'higher risk' (7.2%) are above London average, and again, drinking patterns vary across the borough.

In terms of alcohol harm overall, in 2012 Merton ranked 55 out of 326 local authorities (Local Alcohol Profiles for England, LAPE 2012) but was in the higher percentiles for:

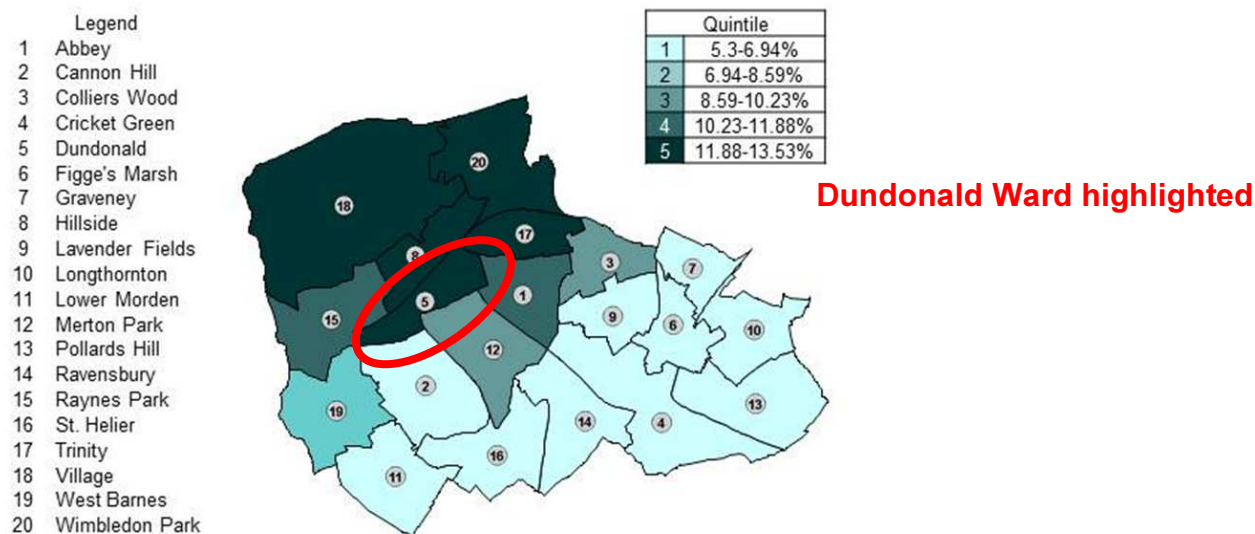
- Male mortality chronic liver disease (104/326)
- Female alcohol-specific hospital admissions (106/326)
- Male alcohol-specific hospital admissions (109/326)
- Male alcohol-attributable hospital admissions (151/326)
- Alcohol-related violent crimes (192/326)
- Alcohol-related sexual offences (208/326).

The amount of harm caused by alcohol also varies across the borough.

Figure 1: Residents reporting drinking alcohol every day

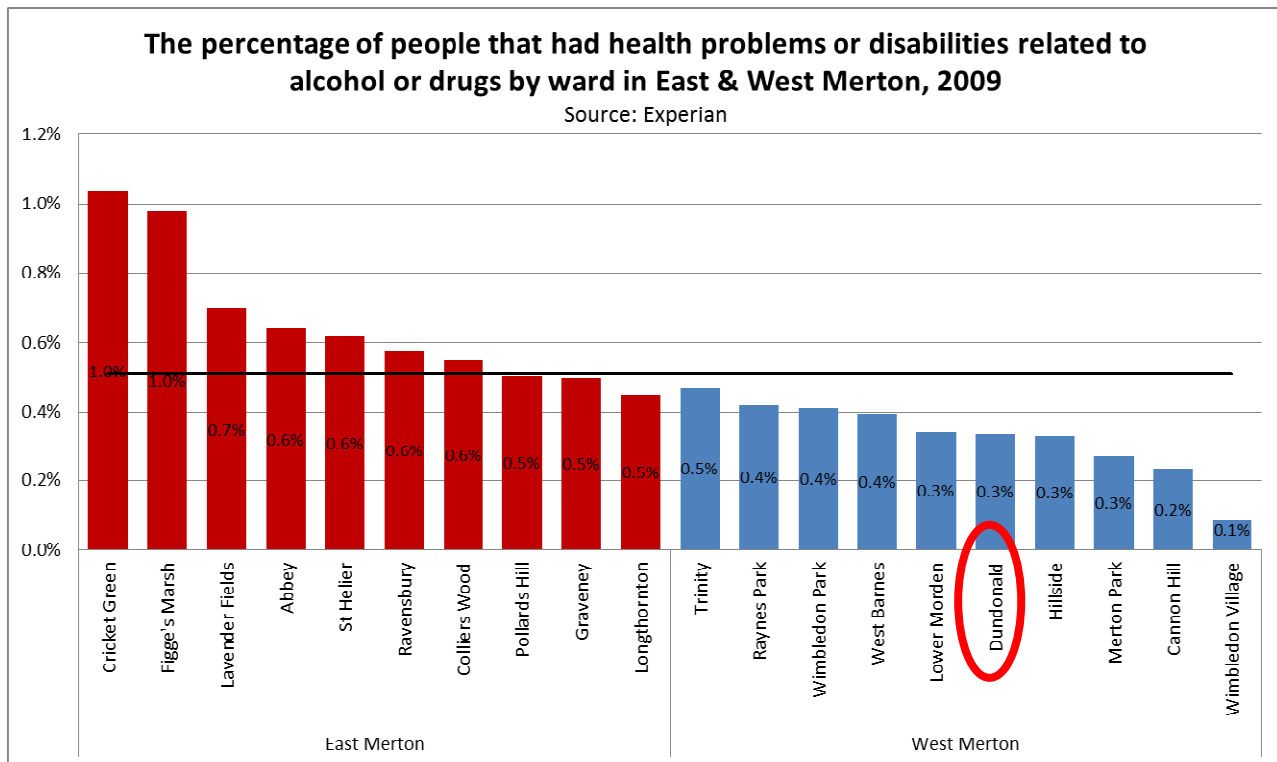
Expected Prevalence of Alcohol Consumption at Home in Merton by Ward: Once a Day or More.

Source: Experian Grand Index 2014



⁵ PHE (2014) From evidence into action: opportunities to protect and improve the nation's health

Figure 2: Residents with health problems or disabilities caused by alcohol or drugs



Dundonald Ward highlighted

In terms of all alcohol-related crime, Merton with a rate of 7.3 recorded crimes per 1,000 populations was higher than the neighbouring boroughs Sutton (6.7) and Kingston (6.7) and the England average of 7 but lower than the London average of 11.1 (LAPE 2012). See Figure 2. Figure 3 shows that the trend has generally been downward.

Figure 3: Recorded crime attributable to alcohol, Merton compared with South West London, London overall, England, 2011-12.

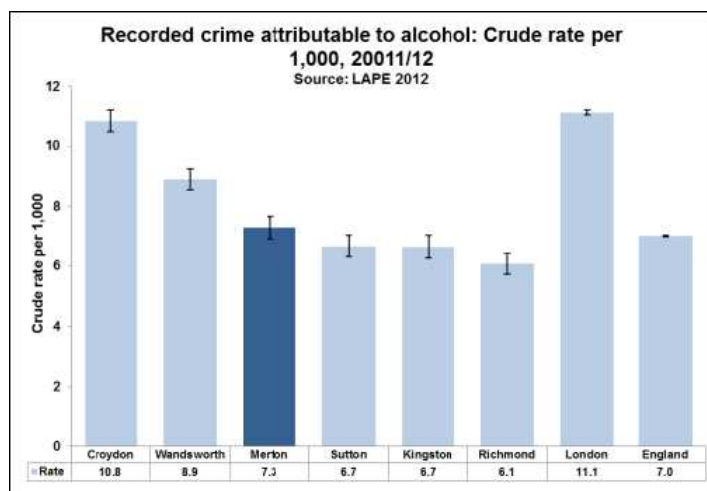
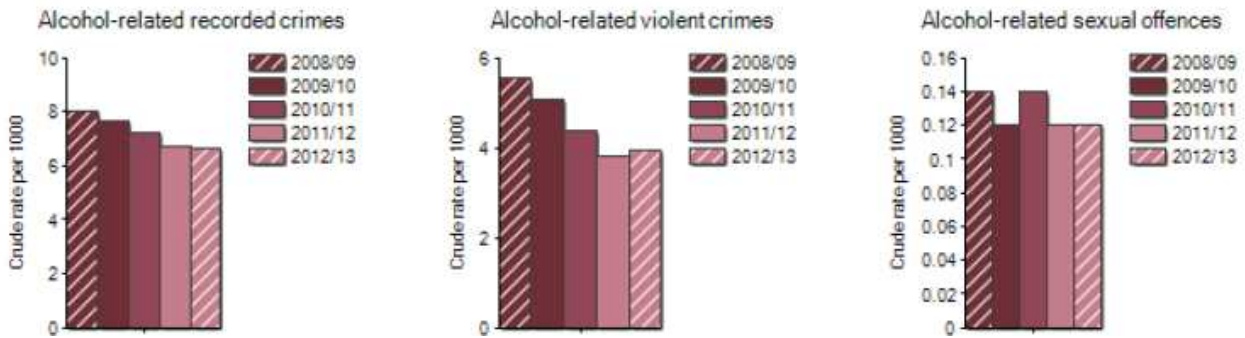
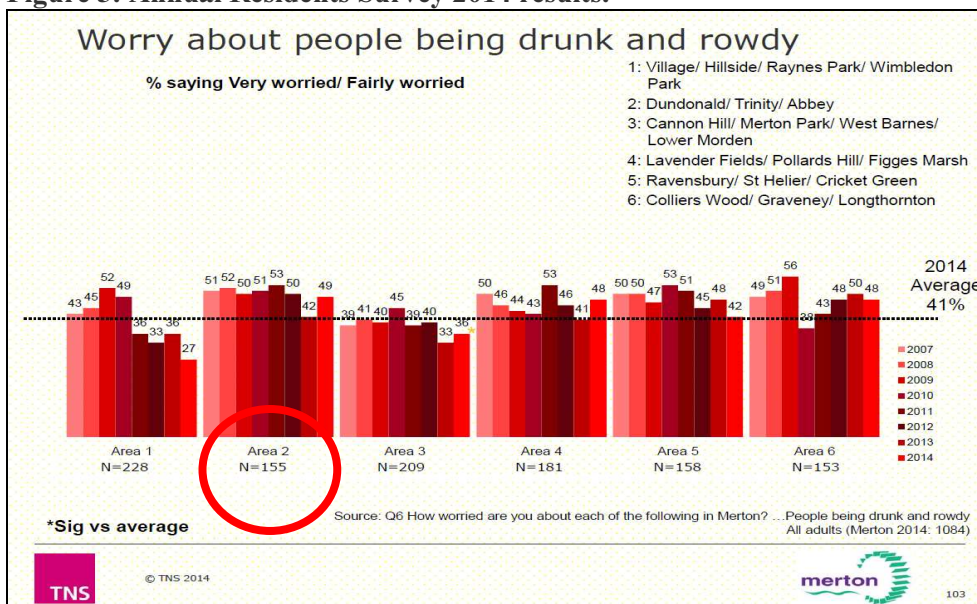


Figure 4: Alcohol-related crimes in Merton, 2008-09 to 2012-13.



However, the 2014 Annual Residents Survey highlighted that residents are still concerned about crime, anti-social behaviour and people being drunk and rowdy – see Figure 4:

Figure 5: Annual Residents Survey 2014 results.



Area which includes Dundonald Ward is highlighted: in 2014 an above average number (49%) of local residents are very worried or fairly worried about people being drunk and rowdy, and this is an increase on 2013.

For more information see the Merton Joint Strategic Needs Assessment (JSNA) chapter on alcohol: <http://www.merton.gov.uk/health-social-care/publichealth/jsna/lifestyle-risk-factors/adults-substance-misuse/alcohol-jsna.htm>

The Licensing Department
The London Borough of Merton
Merton Civic Centre,
London Road,
Morden
SM4 5DX

**VW - Merton Borough
VW - Wimbledon Police Station**

Wimbledon Police Station
15-23 Queens Road
London
SW19 8NN

Telephone: 07795665925

Facsimile:

Email: Tristan.Paoli@met.police.uk

www.met.police.uk

Your ref:

Our ref:

12th November 2015

Dear Sir

**Re:- Application to vary a Premises Licence under the Licensing Act 2003 -
Morrisons, 51 The Broadway, SW19 1QD**

On 28th October 2015 an application was received from Gosschalks Solicitors on behalf of Morrisons for a variation to the premises licence under Licensing Act 2003.

The application can be summarised as follows:-

Supply of Alcohol Monday to Sunday 0600-0000 (currently 0600-2300)

Opening Hours Monday to Sunday 0600-0000 (currently 0600-2300)

Police wish to make representations to this application on two of the four licensing objectives namely:-

**The Prevention of Crime and Disorder
Public Nuisance**

This premises is situated on a busy high street in close proximity to other residential accommodation in the local area. It already benefits from a premises licence which permits alcohol sales from 0600 - 2300 each day.

Morrisons is situated within the Community Impact Zone and the application does not explain what measures will be taken to mitigate the extra hour of alcohol sales at a time that historically sees a rise in alcohol related crime particularly at weekends.

The Local Policing Team (LPT) covering this ward have been consulted on this application and make the observation that there are issues in relation to street drinking in this area, alcohol related crime and anti social behaviour as well as problems with local youths.

A search of crime indices has been carried out which revealed that in the year from 12th November 2015 to 12th November 2016 there were twenty (20) crimes

associated with the Morrisons at 51 The Broadway. The majority of these offences are theft related but there also three (3) assaults and one (1) public order offence.

It is felt that an increase in licensed hours will add to these figures.

Conclusion

Morrisons can be deemed to be a responsible operator, however it is still felt that additional issues will arise from the extended hours requested. A number of options are therefore suggested as follows:-

1. Refuse the application

If the licence is granted a number of conditions are suggested:-

2. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.

3. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premise is open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.

4. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.

5. A proof of age scheme, such as Challenge (21/25), shall be operated at the premises where the only acceptable forms of identification are (recognised photographic identification cards, such as a driving licence or passport / Holographically marked PASS scheme identification cards).

6. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premise is open.

7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received

(d) any incidents of disorder

(e) any faults in the CCTV system or searching equipment or scanning equipment

(f) any refusal of the sale of alcohol

(g) any visit by a relevant authority or emergency service.

Yours faithfully,

Tristan Paoli

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Licensing Sub-Committee Report

Subject of hearing: **Morrisons, 11 Majestic Way, Mitcham, CR4 2JS**

Date: **15 December 2015**

Time: **10.30 am**

Venue: **Council Chamber**

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 application seeks to vary an existing premises licence

5.2 The application is to vary the hours of the sale by retail of alcohol and opening times to 06:00 to 00:00 Monday to Sunday.

5.3 Two representations have been received objecting to the application.

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	
WM Morrison Supermarkets PLC – Hilmore House, Gain Lane, Bradford, BD3 7DL	
Gosschalks Solicitors, Queens Gardens, Hull, HU1 3DZ	
Statutory Authorities	
Metropolitan Police	
LBM Public Health	
Interested Parties	

WK/201507813

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.

- (1) Delete as applicable.
- (2) Insert name(s) of applicant.

(1) [] [We] (2)

WM MORRISON SUPERMARKETS PLC



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

Premises licence number LN/000001304

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
MORRISONS 11 MAJESTIC WAY MITCHAM			
Post town	SURREY	Postcode	CR4 2JS
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 337,500.00	

Part 2 - Applicant Details

Daytime contact telephone number	0845 611 5000		
E-mail address (optional)			
Current postal address if different from premises address	HILMORE HOUSE GAIN LANE		
Post town	BRADFORD	Postcode	BD3 7DL

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

DD MM YYYY

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

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

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

1. TO VARY THE HOURS TO PERMIT THE SALE BY RETAIL OF ALCOHOL AND OPENING TO 0600 TO 2400 ON MONDAYS TO SUNDAYS INCLUSIVE.
2. TO ADD CONDITIONS.

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 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 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			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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)		
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			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			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)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick</u> (please read guidance note 3) <table border="1" style="float: right;"> <tr> <td>Indoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table>	Indoors	<input type="checkbox"/>	Outdoors	<input type="checkbox"/>	Both	<input type="checkbox"/>
Indoors	<input type="checkbox"/>								
Outdoors	<input type="checkbox"/>								
Both	<input type="checkbox"/>								
Day	Start	Finish							
Mon			<u>Please give further details here</u> (please read guidance note 4)						
Tue									
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)						
Thur									
Fri									
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)						
Sun									

E

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

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both - please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
			State any seasonal variations for the performance of dance (please read guidance note 5)			
Wed						
Thur						
			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)			
Fri						
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing			
			Will this entertainment take place indoors or outdoors or both - please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)			
Wed						
Thur						
			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)			
Fri						
Sat						
Sun						

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption - please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	0600	2400			
Tue	0600	2400			
Wed	0600	2400			
Thur	0600	2400	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)		
Fri	0600	2400			
Sat	0600	2400			
Sun	0600	2400			

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	0600	2400	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Tue	0600	2400	
Wed	0600	2400	
Thur	0600	2400	
Fri	0600	2400	
Sat	0600	2400	
Sun	0600	2400	

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

TO REPLACE THE PERMITTED HOURS FOR THE SALE BY RETAIL OF ALCOHOL WITH THE TIMES SET OUT IN BOX J ABOVE.

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

THE LICENCE HAS NOT YET BEEN ISSUED FOLLOWING A RECENT MINOR VARIATION APPLICATION

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 10)

ALL STAFF ENGAGED IN THE SALE OF ALCOHOL WILL BE TRAINED IN ACCORDANCE WITH THE PREMISES LICENCE HOLDER'S TRAINING PROCEDURES.

(b) The prevention of crime and disorder

ALL STAFF ENGAGED IN THE SALE OF ALCOHOL WILL RECEIVE SUITABLE TRAINING (INCLUDING REFRESHER TRAINING) IN RELATION TO THE PROOF OF AGE "CHALLENGE 25" SCHEME TO BE APPLIED ON THE PREMISES. THE FOLLOWING FORMS OF IDENTIFICATION ARE ACCEPTABLE: PHOTO DRIVING LICENCE, PASSPORT, PROOF OF AGE STANDARDS SCHEME (PASS) CARD AND ANY OTHER LOCALLY OR NATIONALLY APPROVED FORM OF IDENTIFICATION.

CCTV SHALL BE PROVIDED ON THE PREMISES AND SHALL BE KEPT IN GOOD WORKING ORDER.

ALL CHECKOUT OPERATORS WILL OPERATE A REFUSAL LOG.

(c) Public safety

THE PREMISES LICENCE HOLDER UNDERTAKES ONGOING RISK ASSESSMENTS IN ORDER TO COMPLY WITH HEALTH & SAFETY LEGISLATION.

(d) The prevention of public nuisance

THE PREMISES ARE RESPONSIBLY MANAGED AND SUPERVISED. NO ADDITIONAL MEASURES ARE BELIEVED NECESSARY.

(e) The protection of children from harm

ALL STAFF ENGAGED IN THE SALE OF ALCOHOL WILL RECEIVE SUITABLE TRAINING (INCLUDING REFRESHER TRAINING) IN RELATION TO THE PROOF OF AGE "CHALLENGE 25" SCHEME TO BE APPLIED ON THE PREMISES. THE FOLLOWING FORMS OF IDENTIFICATION ARE ACCEPTABLE: PHOTO DRIVING LICENCE, PASSPORT, PROOF OF AGE STANDARDS SCHEME (PASS) CARD AND ANY OTHER LOCALLY OR NATIONALLY APPROVED FORM OF IDENTIFICATION.

TILL PROMPTS ARE IN USE AT THE STORE.

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, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 - Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	Gosschalks
Date	20TH OCTOBER 2015
Capacity	SOLICITORS ON BEHALF OF THE APPLICANT

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 13). 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 14)			
Gosschalks Solicitors Queens Gardens Hull			
Post town	HULL	Postcode	HU1 3DZ
Telephone number (if any)	01482 324252		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) mcj@gosschalks.co.uk			

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 to 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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. 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.
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 agents must sign the application form.
14. 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/000001304

Part 1 - Premises details

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

Morrisons
11 Majestic Way
Mitcham
Surrey
CR4 2JS

020 8687 1797

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	06:00	-	23:00
Tuesday	06:00	-	23:00
Wednesday	06:00	-	23:00
Thursday	06:00	-	23:00
Friday	06:00	-	23:00
Saturday	06:00	-	23:00
Sunday	06:00	-	23:00

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

Monday	06:00	-	23:00
Tuesday	06:00	-	23:00
Wednesday	06:00	-	23:00
Thursday	06:00	-	23:00
Friday	06:00	-	23:00
Saturday	06:00	-	23:00
Sunday	06:00	-	23:00

Part 2

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

Wm Morrison Supermarkets Plc
Hilmore House
Gain Lane
Bradford
West Yorkshire
BD3 7DL

0845 611 5626

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

00358949

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

Andrew Mark Moullin

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

Mole Valley District Council - [REDACTED]



Annex 1 - Mandatory conditions

Mandatory conditions where licence authorises supply of alcohol

Where this premises licence authorises the supply of alcohol, the following conditions shall apply:

- 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.
 - (c) every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory condition: exhibition of films

Where this premises licence authorises the exhibition of films, the admission of children to the exhibition of any film shall be restricted as follows:

- (1) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children shall be restricted in accordance with any recommendation made by that body.
- (2) Where:
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, the admission of children shall be restricted in accordance with any recommendation made by that licensing authority.
- (3) In this section:
 - (a) "children" means persons aged under 18; and
 - (b) "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory condition: door supervision

- (1) Where this premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, all door supervisors shall be licensed by the Security Industry Authority (SIA).
- (2) But nothing in subsection (1) requires such a condition to be imposed:
 - in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - in respect of premises in relation to:
 - any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section:
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Prohibited conditions: Plays

If this premises licence authorises the performance of plays, no condition shall be attached to the licence as to the nature of the plays that may be performed, or the manner of performing plays, under the licence.

But the above paragraph does not prevent the London Borough of Merton from imposing any condition which it considers necessary on the grounds of public safety.



Mandatory Licensing Conditions 2010

1. (i) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(ii) 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 a holographic mark.



19/09/2011: Approved Minor Variation for minor alterations to the layout and a refurbishment of the premises in accordance with the plan 527/C/3A/BWSL/003 deposited with the licensing authority.

Annex 2

Conditions consistent with the Operating Schedule

NONE FOR THE PURPOSES OF THIS CONVERSION UNDER THE TRANSITIONAL PROVISIONS OF THE LICENSING ACT 2003

Annex 3

Conditions attached after a hearing by the licensing authority

NONE FOR THE PURPOSES OF THIS CONVERSION UNDER THE TRANSITIONAL PROVISIONS OF THE LICENSING ACT 2003



LICENSING ACT 2003

Part B Premises licence

Premises licence number

LN/000001304

Part 1 - Premises details

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

Morrisons
11 Majestic Way
Mitcham
Surrey
CR4 2JS

020 8687 1797

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	06:00	-	23:00
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Wednesday	06:00	-	23:00
Thursday	06:00	-	23:00
Friday	06:00	-	23:00
Saturday	06:00	-	23:00
Sunday	06:00	-	23:00

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

Monday	06:00	-	23:00
Tuesday	06:00	-	23:00
Wednesday	06:00	-	23:00
Thursday	06:00	-	23:00
Friday	06:00	-	23:00
Saturday	06:00	-	23:00
Sunday	06:00	-	23:00

Part 2

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

**Wm Morrison Supermarkets Plc
Hilmore House
Gain Lane
Bradford
West Yorkshire
BD3 7DL**

0845 611 5626

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

00358949

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Andrew Mark Moullin

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COMMUNITY AND HOUSING DEPARTMENT

Simon Williams - Director



Public Health
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Direct Line: 020 8545 4834

Date: 9th November 2015

To: Licensing Department
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Re: Application to Vary the Premises Licence under the Licensing Act 2003 – Morrison's, 11 Majestic Way, Mitcham, CR4 2JS

Premises licence number	LN/000001304
Applicant	Wm Morrison Supermarkets plc
Premises address	11 Majestic Way, Mitcham, CR4 2JS
Ward	Figge's Marsh
Summary of the application	Variation: Hours for the sale of alcohol. Proposed hours for the supply of alcohol: Monday – Sun 0600-0000

As a responsible authority under 2012 amendment to the Licensing Act 2003, the Director of Public Health for Merton wishes to make representation to the application on three of the four licensing objectives:

1. **The prevention of crime and disorder**
2. **Public safety**
3. **Prevention of public nuisance**

Tackling alcohol misuse is central to achieving the outcomes in Merton's Health and Wellbeing Strategy: giving every child a healthy start in life, supporting people to improve their health, improving wellbeing, resilience and connectedness, and reducing the gap in life expectancy between the east and west of the borough. We want to create an environment and a culture in the borough that prevents problem drinking from starting and provides early help for people who are struggling. One of the ways we will be doing this is ensuring health and wellbeing considerations are presented for consideration in licensing decisions, in order to tackle alcohol-related crime and anti-social behaviour, ensure public safety and prevent harm to children.

The Merton Joint Strategic Needs Assessment (JSNA) chapter on alcohol sets out a summary of the available evidence on alcohol-related behaviours and consequences, as background to the importance of tackling alcohol effectively in the borough: <http://www.merton.gov.uk/health-social-care/publichealth/jsna/lifestyle-risk-factors/adults-substance-misuse/alcohol-jsna.htm>

1. The prevention of crime and disorder

Local data from the London Ambulance Service shows that in the year to June 2015, the following incidents occurred within 500 meters of the postcode for this premises:

- 43 Ambulance-reported assaults
- 4 Gun, knife and weapon injuries
- 116 alcohol-related incidents, 20 of which were in those under the age of 26
- 20 least serious injuries, which are often used as a proxy for alcohol related harm

Additionally, the ward in which this premises is situated (Figge's Marsh) ranks 2nd out of all 20 wards in Merton for alcohol illness treated by the London Ambulance Service for all over 18s. It also has high rates of violence, with the highest rates of overall violence and rape for all wards, as well as 3rd for theft, personal robbery and criminal damage.

This data suggests an existing significant impact of alcohol consumption in the local area. While the above data does not relate to these specific premises, it is likely that the granting of this variation as requested, particularly the increase in hours where alcohol will be sold, will contribute to the above trends relating alcohol to crime and disorder.

National and international scientific evidence shows the following:

- Overall, more alcohol is consumed when it is easily available.¹
- An increase in alcohol sales is strongly linked to an increase in drinking-related damage, for instance injuries and assaults.²
- Harmful use of alcohol is a major contributor to violence: alcohol use commonly precedes aggressive behaviour, and harmful drinking is associated with being both a perpetrator and a victim of violence³
- Reducing the availability of alcohol through regulating sales outlets, hours and prices can substantially decrease violence.³

2. Public Safety and

3. Prevention of public nuisance

Morrison's Mitcham is located at the boundary of the proposed Mitcham cumulative impact zone, an area where it is recognised that there is already a problem with the impact of alcohol on public safety and public nuisance. The data above on assaults and violence above and in Appendix 1 paint a picture of the impact of alcohol consumption in this specific area on both public safety and nuisance.

¹ Alcohol Concern UK (2012) Response to The Government's Alcohol Strategy (March 2012)

² Popova et al 2009, Hours and days of sale and density of alcohol outlets: impacts on alcohol consumption and damage: a systematic review. *Alcohol & Alcoholism* Vo. 44, No. 5, pp. 500-516

³ WHO 2009 Preventing violence by reducing the availability and harmful use of alcohol

Conclusion

The applicant states a number of steps they will take to promote the licensing objectives; however we believe that these will not be sufficient to prevent an additional impact of the proposed increase in hours for sale of alcohol on the levels of alcohol-related crime and disorder and issues around public safety already seen in the area.

Therefore we would recommend that the Committee reject the application for increased hours of supply of alcohol.

Further to this, and based on the information provided, we would also recommend that the following conditions are applied to the licence to further promote the prevention of crime and disorder and to promote public safety:

1. No super-strength beer, lagers or ciders, or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
2. No single cans or bottles of beer, lager cider or spirit mixtures shall be sold at the premises
3. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol

Yours sincerely,

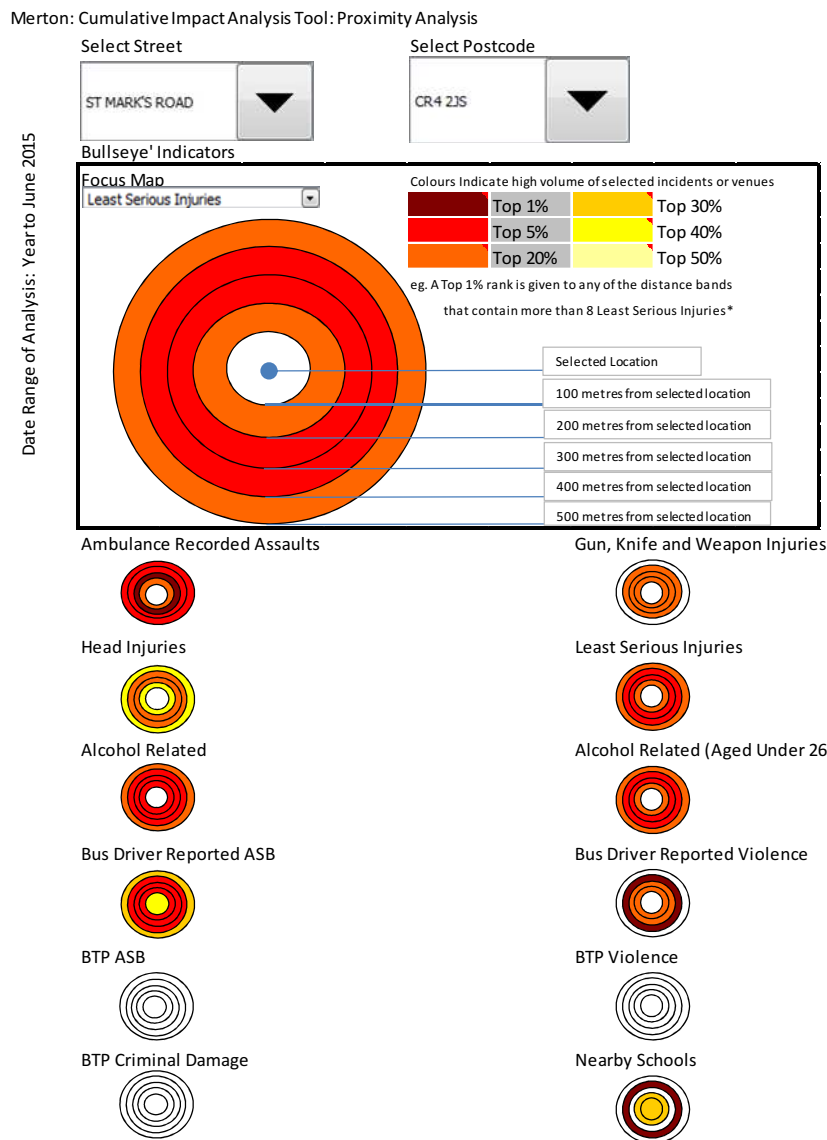
Dr Eleanor Curtis
Specialty Registrar in Public Health

On behalf of Dr Kay Eilbert, Director of Public Health

Appendix 1: LBM Public Health preliminary data scan for the following premises:

Morrison's Mitcham, St Mark's Road, CR4 2JS[§]

A. SafeStats bullseye dashboard for St Mark's Road, CR4 2JS:



Headlines related to this postcode:

- 116 alcohol related incidents within 500m of this postcode in the year to June 2015; 20 in those aged under 26.
- Within 100-400m of the postcode: particularly high volume of alcohol-related incidents (top 5% rank in the borough – see the bullseye charts to the left).
- 20 least serious injuries within 500m of this postcode; 200-400m from postcode highest 5% in the borough

Type of data (incidents)	Total within 500m
Ambulance recorded assaults	39
Gun, Knife and Weapons injuries	4
Head injuries	8
Least serious injuries	18
Alcohol related	111
Alcohol related (aged under 26)	20
Bus driver reported ASB	48
Bus driver reported Violence	3
Nearby schools	5

* in the year to June 2015

[§] Different road name used as Majestic Way not in data source; St Mark's Road is adjacent and postcode is the same. St Mark's Road is also the address used on Morrison's own website.

B. SafeStats traffic light dashboard for postcode

USER INPUT
 SELECT POSTCODE FROM LIST WARD WARD NAME
 CLICK HERE> 00BAGC Figge's Marsh

PREVENTION OF CRIME AND DISORDER	
<small>AMBULANCE DATA</small>	
RANK ALL ASSAULTS 3 out of 20 wards	RANK SEXUAL ASSAULTS 8 out of 20 wards
RANK ALL WEAPON INJURIES 1 out of 20 wards	RANK KNIFE INJURY 1 out of 20 wards
RANK GUN INJURIES 1 out of 20 wards	RANK VIOLENCE AGAINST AMBULANCE CREW 5 out of 20 wards

POLICE DATA: recorded crime and ASB	
RANK ALL VIOLENCE 1 out of 20 wards	RANK RAPE 1 out of 20 wards
RANK THEFT FROM PERSON (OTHER) 3 out of 20 wards	RANK PERSONAL ROBBERY 3 out of 20 wards
RANK CRIMINAL DAMAGE 3 out of 20 wards	RANK POSSESSION OF DRUGS 1 out of 20 wards
MPS ASB RANK 2 out of 20 wards	MPS POSSESSION OF WEAPON 4 out of 20 wards

Other data sources	
NIGHT TIME VIOLENT DISORDER 3 out of 20 wards	DELIBERATE FIRES 11 out of 20 wards
Probation Clients with Alcohol misuse Risk 1 out of 20 wards	Probation Clients Alcohol Risk and High risk of causing harm 3 out of 20 wards

MERTON 'Traffic Light Dashboard' to: June 2015

ALCOHOL ILLNESS TREATED BY LONDON AMBULANCE SERVICE		
<small>ambulance data</small>		
AGED 8 -17 5 out of 20 wards	AGED 18 - 25 3 out of 20 wards	
AGED 26 - 39 2 out of 20 wards	AGED 8 - 39 2 out of 20 wards	AGED 18+ 2 out of 20 wards

DEPRIVATION	
<small>ward summaries</small>	
INCOME DEPRIVATION 2 out of 20 wards	EMPLOYMENT DEPRIVATION 2 out of 20 wards
AVERAGE DEPRIVATION 2 out of 20 wards	RANK BY MOST DEPRIVED SUB WARD AREA 1 out of 20 wards

PUBLIC TRANSPORT ALCOHOL RELATED INCIDENTS	
BTP DRUNKEN BEHAVIOUR 7 out of 20 wards	TFL ALCOHOL RELATED DISTURBANCE 3 out of 20 wards

WELL BEING
1 RANK Life Expectancy
2 RANK Incapacity claimant rate -index
1 RANK Crime rate - Index
7 RANK Average Capped GCSE and Equivalent Point Score Per Pupil
3 RANK Unauthorised Absence in All Schools (%)
4 RANK Dependent children in out-of-work families
14 RANK Public Transport Accessibility
14 RANK Homes with access to open space & nature, and % greenspace
14 RANK Subjective well-being average score

<http://data.london.gov.uk/datastore/package/london-ward-well-being-scores>

APPENDIX 2: Public Health data on alcohol in Merton & Figge’s Marsh Ward (premises location):

Nationally, alcohol is the leading risk factor for preventable death in 15-49 year olds. Nine million adults now drink at levels that increase the risk of harm, of whom 1.6 million show signs of alcohol dependence. The number of people dying due to liver disease in England is rising, in contrast to other major causes of disease that have been declining.⁵ The harm of alcohol falls not just on individuals and their health, but on society as a whole. Alcohol misuse is associated with a wide range of criminal offences, including drink driving, being drunk and disorderly, criminal damage, assault and domestic violence, all of which can also indirectly impact on health. In younger people, risky drinking behaviour is associated with anti-social behaviour and teenage conceptions.

The estimated prevalence of binge drinking is 13.8% compared with 14.3% in London and 20.0% nationally. However, this masks differences across the borough. Estimated levels of the adult population drinking at ‘increasing risk’ (21%) and ‘higher risk’ (7.2%) are above London average, and again, drinking patterns vary across the borough.

In terms of alcohol harm overall, in 2012 Merton ranked 55 out of 326 local authorities (Local Alcohol Profiles for England, LAPE 2012) but was in the higher percentiles for:

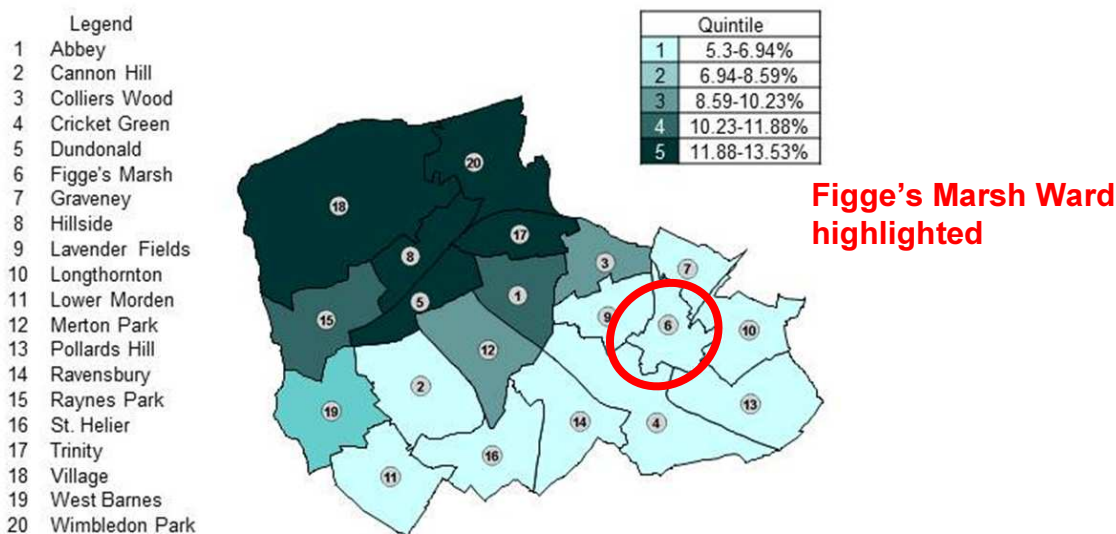
- Male mortality chronic liver disease (104/326)
- Female alcohol-specific hospital admissions (106/326)
- Male alcohol-specific hospital admissions (109/326)
- Male alcohol-attributable hospital admissions (151/326)
- Alcohol-related violent crimes (192/326)
- Alcohol-related sexual offences (208/326).

The amount of harm caused by alcohol also varies across the borough.

Figure 1: Residents reporting drinking alcohol every day

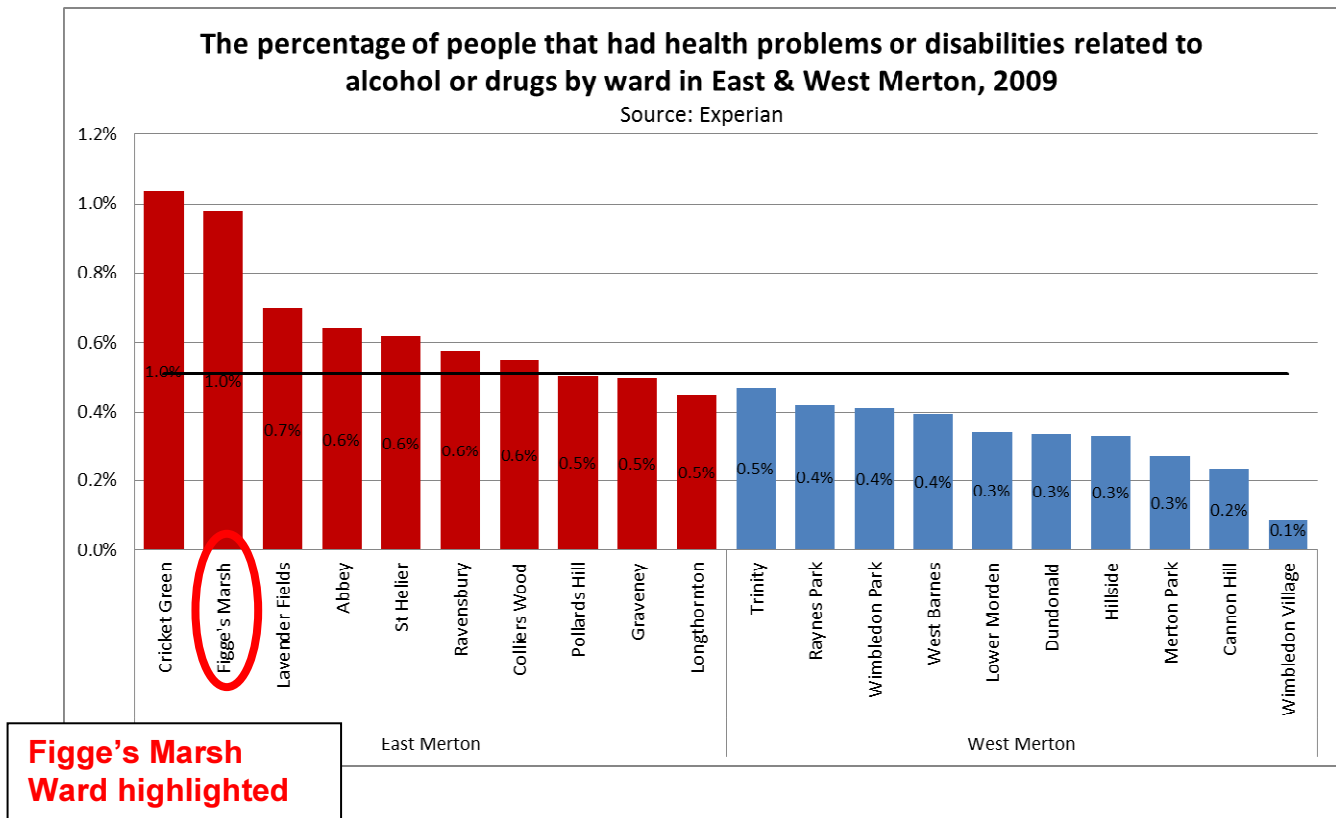
Expected Prevalence of Alcohol Consumption at Home in Merton by Ward: Once a Day or More.

Source: Experian Grand Index 2014



⁵ PHE (2014) From evidence into action: opportunities to protect and improve the nation's health

Figure 2: Residents with health problems or disabilities caused by alcohol or drugs



In terms of all alcohol-related crime, Merton with a rate of 7.3 recorded crimes per 1,000 populations was higher than the neighbouring boroughs Sutton (6.7) and Kingston (6.7) and the England average of 7 but lower than the London average of 11.1 (LAPE 2012). See Figure 2. Figure 3 shows that the trend has generally been downward.

Figure 3: Recorded crime attributable to alcohol, Merton compared with South West London, London overall, England, 2011-12.

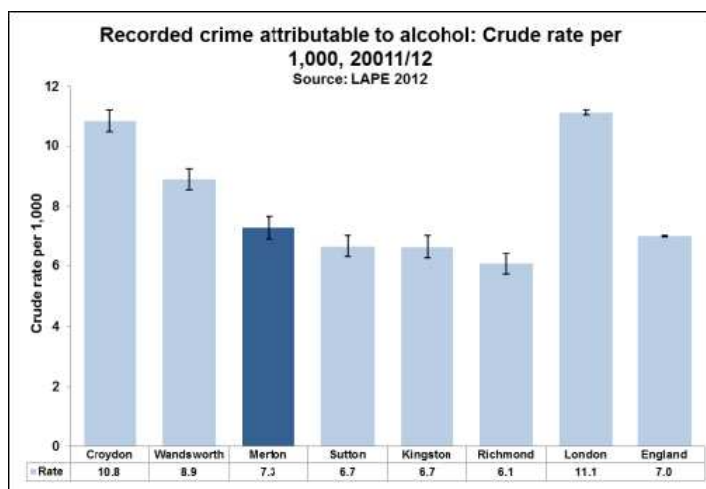
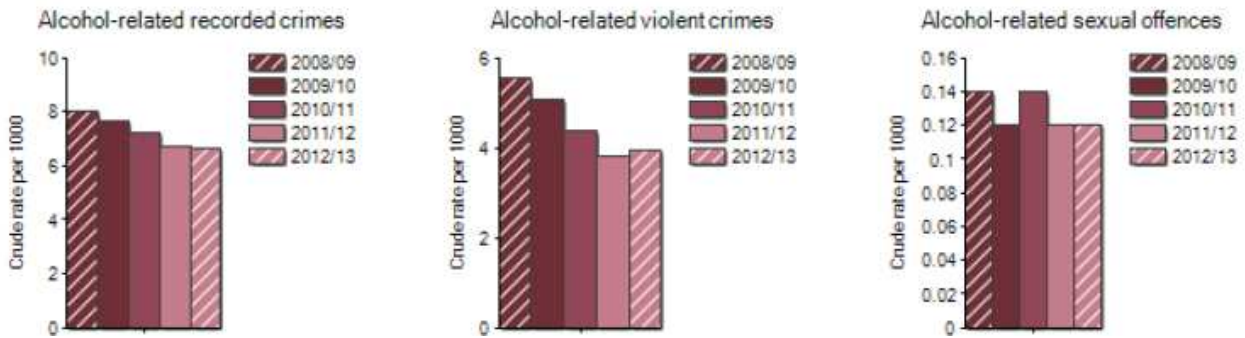
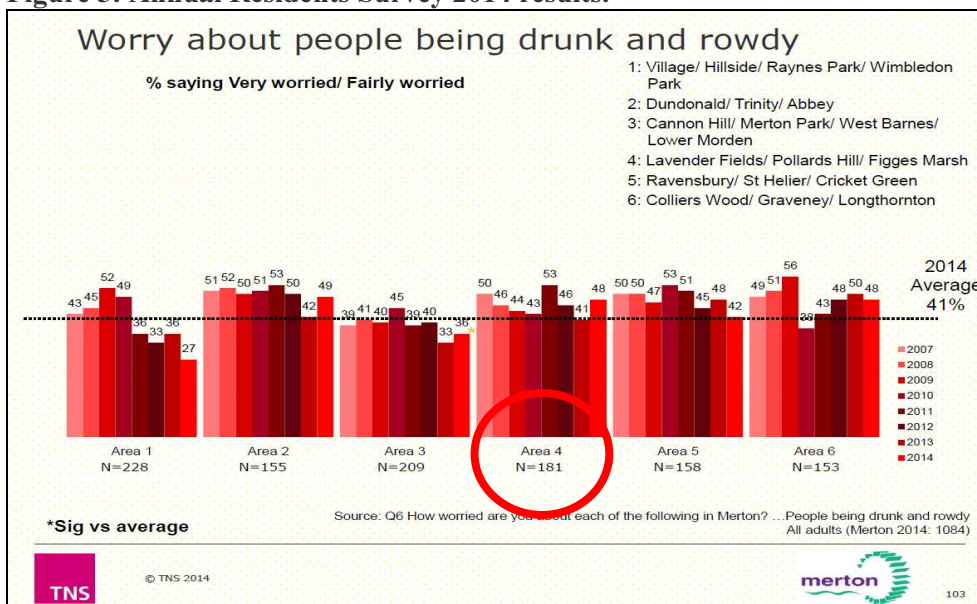


Figure 4: Alcohol-related crimes in Merton, 2008-09 to 2012-13.



However, the 2014 Annual Residents Survey highlighted that residents are still concerned about crime, anti-social behaviour and people being drunk and rowdy – see Figure 4:

Figure 5: Annual Residents Survey 2014 results.



Area which includes Figge's Marsh Ward is highlighted: in 2014 an above average number (48%) of local residents are very worried or fairly worried about people being drunk and rowdy, and this is an increase on 2013.

For more information see the Merton Joint Strategic Needs Assessment (JSNA) chapter on alcohol: <http://www.merton.gov.uk/health-social-care/publichealth/jsna/lifestyle-risk-factors/adults-substance-misuse/alcohol-jsna.htm>

The Licensing Department
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Your ref:

Our ref:

12th November 2015

Dear Sir

**Re:- Application to vary a Premises Licence under the Licensing Act 2003 -
Morrisons, 11 Majestic Way, CR4 2JS**

On 28th October 2015 an application was received from Gosschalks Solicitors on behalf of Morrisons for a variation to the premises licence under Licensing Act 2003.

The application can be summarised as follows:-

Supply of Alcohol Monday to Sunday 0600-0000 (currently 0700-2200)

Opening Hours Monday to Sunday 0600-0000 (currently 0700-2200)

Police wish to make representations to this application on two of the four licensing objectives namely:-

**The Prevention of Crime and Disorder
Public Nuisance**

This premises is situated on a busy high street in close proximity to other residential accommodation in the local area. It already benefits from a premises licence which permits alcohol sales from 0700 - 2200 each day and 1000-1600 on Sunday.

Although it does not come into effect until January 2016, Morrisons will be situated within the Cumulative Impact Zone. As such the application does not need to explain what measures will be taken to mitigate the extra hours of alcohol sales in an area already experiencing a high rate of alcohol related crime and anti social behaviour but I feel it should certainly be considered.

The Local Policing Team (LPT) covering this ward have been consulted on this application and make the observation that there are issues in relation to street drinking in this area, alcohol related crime and anti social behaviour as well as problems with local youths.

A search of crime indices has been carried out which revealed that in the year from 18th November 2014 to 18th November 2015 there were thirty-one (31) crimes associated with the Morrisons at 11 Majestic Way. The majority of these offences are theft related but there also five (5) assaults, two (2) drugs, one (1) arson, one (1) offensive weapon, one (1) fraud, one (1) robbery and three (3) public order offences.

There have also been one hundred and twenty-four (124) alcohol seizures in Mitcham Town Centre in the last 12 months.

It is felt that an increase in licensed hours will add to these figures.

Conclusion

Morrisons can be deemed to be a responsible operator, however it is still felt that additional issues will arise from the extended hours requested. A number of options are therefore suggested as follows:-

1. Refuse the application

If the licence is granted a number of conditions are suggested:-

2. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.

3. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premise is open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.

4. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.

5. A proof of age scheme, such as Challenge (21/25), shall be operated at the premises where the only acceptable forms of identification are (recognised photographic identification cards, such as a driving licence or passport / Holographically marked PASS scheme identification cards).

6. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premise is open.

7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) any faults in the CCTV system or searching equipment or scanning equipment
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service.

Yours faithfully,

Tristan Paoli

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