

**Licensing Sub-Committee**

**Wednesday, 26 May 2021**

**10.00 am at the**

**Virtual Meeting**



**SECOND DISPATCH**

To all members of Licensing Sub-Committee:-

*The following papers, which were not available for dispatch with the agenda, are attached. Please bring them with you to the meeting:-*

**6. LICENCE APPLICATION (Pages 1 - 4)**

An application relating to Cheam Park Cafe Limited, Cheam Park, Tudor Close, Cheam, SM3 8QS.

The application seeks a new premises licence to permit Supply of Alcohol - retail (on the premises) during the following hours, everyday 11:00am till 19:00pm.

Helen Bailey  
Chief Executive  
Date: 18 May 2021

Enquiries to: Cathy Hayward, Committee Services Officer Tel: 020 8770 4990 | Email: [committee.services@sutton.gov.uk](mailto:committee.services@sutton.gov.uk)

Copies of reports are available in large print on request

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<b>Report to:</b>	Licensing Sub-Committee	<b>Date:</b>	26 May 2021
<b>Report title:</b>	Application for a New Premises Licence under the Licensing Act 2003.		
<b>Report from:</b>	Alex Constantinides, Interim Assistant Director, Highways, Transport & Regulatory Services		
<b>Premises Name and Address</b>	Cheam Park Cafe Limited, Cheam Park, Tudor Close, Cheam, SM3 8QS		
<b>Ward/Areas affected:</b>	Cheam		
<b>Chair of Committee/Lead Member:</b>	Councillor Jake Short		
<b>Author(s)/Contact Number(s):</b>	Hannah Smith, Environmental Protection Officer - Licensing 020 8770 4016 Nick Cloke, Licensing Lead Officer 020 8770 5622		
<b>Open/Exempt:</b>	Open		

## 1. Introduction

- 1.1 This application relating to Cheam Park Cafe Limited, Cheam Park, Tudor Close, Cheam, SM3 8QS was made on 31 March 2021 by Cheam Park Cafe Limited.
- 1.2 The application seeks a new premises licence to permit Supply of Alcohol - retail (on the premises) during the following hours, everyday 11:00am till 19:00pm.
- 1.3 Relevant pages of the application form are attached at **Appendix 1**.
- 1.4 The proposed hours of operation are laid out in **Appendix 2**.

## 2. Consultation

- 2.1 I confirm that the applicant has advertised the application by way of public notice displayed at the premises, and in a local newspaper. The application has also been made available on the Council's website.
- 2.2 I confirm that all Responsible Authorities received a copy of the application. Trading Standards as the Responsible Authority initially raised concerns regarding the application. Following further consultation the applicant has addressed the concerns by making amendments to their operating schedule. These amendments are reflected in the conditions shown in **Appendix 3**. In light of these amendments the representation made by the Trading Standards Officer has been satisfied.

- 2.3 Two valid representations were received from Other Parties. The representations make reference to matters that relate to the prevention of public nuisance, licensing objectives. Copies of the representations are attached at **Appendix 4**.

### 3. Location

- 3.1 A map showing the approximate location of the premises is attached as **Appendix 5**, with photographs attached as **Appendix 6**.

### 4. Licensing Objectives

- 4.1 In considering this report the Sub-Committee is required to take into account the Secretary of State's Guidance issued under section 182 of the Licensing Act 2003, and our Licensing Policy (relevant paragraphs are produced at **Appendix 7**) and the licensing objectives of:
- The prevention of crime and disorder.
  - Public safety.
  - The prevention of public nuisance.
  - The protection of children from harm

### 5. Determination

- 5.1 In making their decision in respect of the application, the Sub-Committee must have regard to Statutory Guidance and the Councils' own Statement of Licensing Policy as well as to the representations made and the evidence heard. However, the Sub-Committee must disregard any representations that do not relate to the promotion of the licensing objectives.
- 5.2 The licensing sub-committee is asked to determine the application, having regard to the representations received and any evidence heard at the hearing, in accordance with the following options:
- Grant the application as requested.
  - Grant the application subject to such conditions as the authority considers appropriate for the promotion of the licensing objectives.
  - Exclude from the scope of the licence any of the licensable activities to which the application relates.
  - Reject the application.

### 6. Conditions

- 6.1 **Mandatory Conditions.** If granted, the licence would be subject to the mandatory conditions laid down in the Licensing Act 2003 (this information will be available to the Sub-Committee meeting).
- 6.2 **Conditions arising from applicant's' Operating Schedule.** In applying for a licence, the applicant is required to complete an operating schedule. This describes the steps the

applicant proposes to take in order to promote the licensing objectives if the application is granted. These steps which are appropriate for the promotion of the licensing objectives will become conditions if the application is granted and are shown in **Appendix 3**. However, the Sub-Committee must, having regard to the representations made, modify these conditions, if it considers that such a step is appropriate for the promotion of the licensing objectives.

## 7. Appendices and Background Documents

<b>Appendix letter</b>	<b>Title</b>
Appendix 1	Application form
Appendix 2	Proposed hours of operation
Appendix 3	Conditions arising from applicant's Operating Schedule
Appendix 4	Representation from Other Parties
Appendix 5	Location Plan
Appendix 6	Photographs of Location
Appendix 7	Excerpts from Secretary of State's Guidance and Sutton's Statement of Licensing Policy

<b>Background documents</b>
BACKGROUND papers are held by Hannah Smith, Environmental Protection Officer - 020 8770 4016, hannah.smith@sutton.gov.uk

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