

Merton Council

Licensing sub-committee

3 June 2015

Supplementary agenda - Additional Information

3 Cannizaro House, 20 West Side Common, Wimbledon, SW19 1 - 10
4UE

This page is intentionally left blank

Agenda Item 3

From: Anna Smith [mailto:Anna.Smith@wardhadaway.com] **On Behalf Of** Stephen Graham
Sent: 29 May 2015 14:18
To: Lisa Jewell
Cc: Cheryl Scott
Subject: Licensing Hearing - 3 June 2015 - Cannizaro House
Importance: High

Dear Lisa,

Thank you so much for taking the time to speak with me regarding the application in respect of Cannizaro House.

I confirm that I will be attending the hearing and that I will be representing the Applicant Hotel du Vin Trading Limited. I confirm that I have had the opportunity of reviewing the written representations which have been received in response to my clients' application. I have also had the opportunity of discussing the matters raised within those representations with my clients' Chief Operating Officer and the hotel's General Manager. As a result of those discussions I am authorised to confirm that I will be asking the Panel to amend the current application. We believe that the proposed amendments are a proportionate and reasonable response to the issues which have been raised within the written representations:

E. Live Music

The current application confirms that regulated entertainment in the form of live music will not be permitted beyond 2300 hrs outdoors. Our clients would propose to impose a restriction in respect of the performance of live music indoors to midnight.

F. Recorded Music

Our clients seek to impose a restriction on the playing of recorded music outdoors. The provision of that regulated entertainment will be ceased at 2300 hrs. Our clients would propose to impose a restriction in respect of the recorded music indoors to midnight.

G. Performances of Dance

Ditto above.

H. Anything of a similar description ...

Ditto above.

I. Provision of Facilities for Making Music

Ditto above.

J. Provision of Facilities for Dancing

Ditto. See above.

M. Supply of Alcohol

The current application seeks authority to supply alcohol for consumption both on and off the premises from 10:00 hrs to 02:00 hrs. Our clients would propose that those times should be altered to 10:00 hrs to 00:00 hrs.

We should be grateful if this information could be brought to the attention of the Panel in advance of the hearing scheduled for 3 June.

I confirm that I have had the opportunity of reviewing the London Borough of Merton's Statement of Licensing Policy adopted in April 2011. My understanding is that that policy has not been amended to reflect the de-regulating of entertainment licensing in accordance with the Live Music 2012 and the Government's regulating proposals which became effective in April 2015. I should be grateful if you would confirm that appropriate advice will be given to both the Panel and those representors who appear before it on 3 June in regard to the content of the provisions so far as they relate to the provision of both live and recorded music. My clients' proposals with regard to the provision of music should therefore no longer be regarded as regulated entertainment.

On a more practical note, I am concerned that a good deal of time has been spent by residents within their written representations raising with the Panel issues which they had with the previous owners. I will be submitting that those are not valid representations in the context of the current application. It would in my respectful submission be unjust to seek to criticise the Applicants and to influence their application based upon the actions of others.

As I indicated to you earlier this afternoon, if there are any matters that are raised within this email that you would wish to discuss with me directly then you should not hesitate to contact my office by telephone at your earliest convenience.

Regards,

Stephen

Stephen Graham
Partner | Licensing & Regulatory Unit

Direct: +44 (0) 191 204 4374
Mobile: +44 (0) 797 985 6446



Newcastle | Leeds | Manchester

This email is from Ward Hadaway. It may contain confidential and privileged information. It is for the intended recipient(s) only: if you have received it in error, please reply and delete all copies. A list of partners' names may be inspected at our principal places of business at Sandgate House, 102 Quayside, Newcastle upon Tyne, NE1 3DX and at 1A Tower Square, Wellington Street, Leeds, LS1 4DL and at 7th Floor, The Observatory, Chapel Walks, Manchester, M2 1HL. We are authorised and regulated by the Solicitors Regulation Authority (registration no. 204387). Please read our full email disclaimer at <http://www.wardhadaway.com/email-disclaimer/>.

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>

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

Document is Restricted

This page is intentionally left blank