

Merton Council

Licensing Sub-Committee

Membership

Councillors:

Stan Anderson

Tobin Byers

David Simpson CBE

A meeting of the Licensing Sub-Committee will be held on:

Date: 3 June 2015

Time: 7.15 pm

The Meeting will start at 7.15pm or at the conclusion of the previous hearing whichever is the latter

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

Agenda for this meeting

- 1 Appointment of Chair
- 2 Declarations of Interest
- 3 Cannizaro House, 20 West Side Common, Wimbledon, SW19 1 - 162
4UE

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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www.merton.gov.uk/council/committee.htm?view=emailer

For more information about Merton Council visit www.merton.gov.uk

Summary of procedure

1. Declarations of Interest
2. Welcome by Chair – remind parties that the hearing is being recorded
3. Chair asks parties if they accept the accuracy of the Notice of Hearing and that all relevant Notices, Applications and representations have been included.
4. Chair asks the parties if they have, since the issue of the notice, resolved any of the issues and if so to outline their proposed solution. If all issues are covered by this solution then go to stage 10, otherwise use the following procedure to address the remaining points.
5. Chair outlines procedure as follows:
6. Applicant
 - Applicant's brief statement clarifying their application and addressing any points of clarification raised in the Notice of Hearing
 - Applicants witnesses (if any) to speak on points of clarification raised in the Notice of Hearing.
 - Questioning of the applicant by other parties
 - ⁽¹⁾ Questioning of the applicant by members
7. Other parties (It is suggested that responsible authorities are taken first and then public representations)
 - Party's brief statement clarifying their representation and addressing any points of clarification raised in the Notice of Hearing.
 - Party's witnesses (if any) to speak on points of clarification raised in the Notice of Hearing
 - Questioning of the party by the applicant
 - If the party is a responsible authority then questioning of the party by other parties may be appropriate.
 - ⁽¹⁾ Questioning of the party by members
8. Other parties summarise their points
9. Applicant summarises their points
10. ⁽²⁾ Legal Officer asked for any comments
11. ⁽²⁾ Licensing Officer asked for any comments
12. Chair advises parties that the sub-committee will retire to consider the issues and take legal advice after which the public session will be resumed.
13. Sub-committee retires to consider the issues and take legal advice
14. Sub-committee reconvenes
15. Legal advice given in private session repeated in public by legal officer
16. Decision of sub-committee given – parties advised that a Notice of Determination will be sent to them – **OR** – parties advised of the date when a determination will be made.
17. Close of hearing

⁽¹⁾ Members can ask any question of any party at any time but should normally try to do so at these points.

⁽²⁾ Legal and Licensing Officers should be involved at any stage where members feel they can be of assistance but a particular point should be made of asking for their comments at this stage

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Licensing sub-committee Report and Notice of Hearing

Subject of hearing: **Cannizaro House, 20 West Side Common, Wimbledon,
SW19 4UE**

Date: **Wednesday 3 June 2015**

Time: **19.15**

**The meeting will start at 19.15 or at the conclusion of the previous hearing,
whichever is the latter.**

Venue: **Council Chamber**

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

Date of issue of this notice: **15 May 2015**

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 (if any) 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 Application to vary a premises licence.

3. Hearing papers

3.1 The applications, notices and representations for determination by the sub-committee are contained in the hearing bundle (attached) 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 and forms part of this report.

4. Legal advice to the sub-committee

4.1 A legal officer appointed by the Head of Civic and Legal Services will attend the hearing to advise the sub-committee on statutory provision and legal matters.

5. Licensing Officer Comments

5.1 This is an application to vary an existing premises licence.

5.2 The variation is to alter the layout of the premises, to extend the hours of licensable existing activities, to remove embedded restrictions and to add regulated entertainment and late night refreshment to the licence.

5.3 The changes in hours of existing and proposed licensable activities requested are as follows:

The Sale by Retail of Alcohol – Monday to Sunday: 10:00 to 02:00

Regulated Entertainment – Monday to Sunday 10:00 to 00:00

Late Night Refreshment – Monday to Sunday 23:00 to 00:00

5.4 The opening hours requested are as follows:

Monday to Sunday: 00:00 to 00:00

5.5 Thirty-five representations have been received.

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:	
Hotel Du Vin Trading Limited, Cannizaro House, 20 West Side Common, Wimbledon, SW19 4UE	
Statutory Authorities	
LBM Environmental Health	
Interested Parties	
Councillor John Bowcott	Ward Councillor
Paul Basilio	
Florence Berry	
Karen Browne	
Phil & Jenny Deane	
Tim & Felicity Dolby	
Gareth Evans & Joanna Bright	
Andrew Fursman	
Thierry Gorge & Therese Weech	
Kate Greenhalgh	
Des Harrison	
J.A.Hendra	
Mark Hessel & Julie Reynolds	
Clive Hilton (on behalf of The Wimbledon Common West Residents Association)	
Mr Marc Kavanagh 15 Hanford Row West Side Common SW19 4UT	
Clare Kershaw	
Britta MacCarthy,	
Tony & Jane Matthews	
Christopher & Shona Moth	
Margaret Murray	

Dr Scott Page	
Anne Peacock	
Alan Pedder CBE	
Anthea Pemberton	
Jennifer Rae and James Hoadley	
Hugh & Gabrielle Rance.	
D.D.S. Robertson	
Mrs P Robertson	
Gabriele Schneider	
Mrs Kate Straus	
Zoë Taylor	
Emma Tooze	
Rebecca & Richard Waldron	

Rights of parties to the hearing

This document forms part of the Notice of Hearing.

The hearing will be conducted by a three member sub-committee of Merton's Licensing Committee.

You have the right to attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified. You should notify us if you wish to be represented or assisted in this way on the accompanying response form.

You may also request that other persons be permitted to appear at the hearing to assist the sub-committee on particular points relating to the matter under consideration. You should notify us of any persons you wish to attend on the accompanying response form.

At the hearing you are entitled to:

- a) respond to any points of clarification detailed in the Notice of Hearing;
- b) if given permission by the sub-committee hearing this matter, ask questions of other parties; and
- c) address the sub-committee.

If you do not attend the hearing the sub-committee may proceed in your absence or it may adjourn to another specified date and time. If the hearing proceeds in your absence any application, notice or representation you have made will be considered by the sub-committee. It would be helpful if you could notify us as soon as possible if you are not going to attend the hearing.

Please complete and return the accompanying response form by the response date shown on the Notice of Hearing. Alternatively you can send an email to democratic.services@merton.gov.uk with the relevant information.

A copy of the procedure to be followed at the hearing is attached.

A guide to licensing hearings in Merton is attached

Procedure to be followed at the hearing

This document forms part of the notice of hearing

Regulations referred to in this procedure are reproduced under Note ⁽³⁾ at the end of the procedure

1. Declarations of interest.
2. Welcome by Chair of the licensing sub-committee and outline of the order of proceedings.
3. The Chair will advise parties⁽¹⁾ that the proceedings are being recorded.
4. The papers before the sub-committee comprise this Notice of Hearing and any applications, notices or representations and include:
 - The application
 - Representations and notices
 - List of parties to the hearing.
5. Points which the authority has raised in the Notice of Hearing as points on which it will be seeking clarification
6. Comments of Licensing officers on any factual or technical aspects of the application, notices or representations
7. Any other relevant matters and requirements
8. The Chair will ask parties if they are satisfied with the accuracy of the papers issued and the sub-committee will resolve any issues on this point.
9. The Chair will ask officers and parties if there are any other procedural points to deal with and these will be resolved before proceeding.
10. The Licensing officer will advise the hearing if any representations or notices have been withdrawn since the issue of the Notice of Hearing.
11. The Chair will advise parties that if they introduce new documentary or other information in support of their application, notice or representation the consent of other parties to the consideration by the sub-committee of such information will be sought.
12. The sub-committee will consider, under regulation 22, requests from parties made under Regulation 8(2) for other persons to be permitted to appear before the hearing.
13. The sub-committee will determine the order in which parties (other than the applicant) will be heard and so advise those present.
14. The Chair will advise the parties that they have no rights to question persons appearing under the provisions of regulations 8(2) and 22 and that their right to question other parties can only be exercised with the permission of the sub-committee. The Chair will also advise the parties that under regulation 23 cross-examination is not allowed unless the sub-committee feels that this is required for it to consider the matters before it. If parties wish to put questions to other parties or persons appearing under the provisions of regulations 8(2) or 22 they should seek the permission of the sub-committee and direct such questioning via the chair.

15. Applicant
 - i) The applicant will be asked if there is anything they wish to add to or clarify about their application
 - ii) The applicant will address the points for clarification raised by the authority in the Notice of Hearing
 - iii) Persons appearing under regulations 8(2) and 22 as notified by the applicant will address the hearing
 - iv) If the sub-committee considers it necessary it may allow other parties to put questions to the applicant and persons appearing under the provisions of regulations 8(2) and 22 notified by the applicant who have addressed the hearing
 - v) The sub-committee members will put any questions to the applicant and persons appearing under the provisions of regulations 8(2) and 22 notified by the applicant who have addressed the hearing
 - vi) The applicant will be asked if they have any further points arising from points raised in questioning
16. Other parties⁽²⁾
 - i) The party (party A) will be asked if there is anything they wish to add to or clarify about their representation or notice
 - ii) Party A will address the points for clarification raised by the authority in the Notice of Hearing
 - iii) Persons appearing under regulations 8(2) and 22 as notified by the Party A to address the hearing
 - iv) If the sub-committee considers it necessary it may allow the applicant to put questions to Party A and persons appearing under the provisions of regulations 8(2) and 22 notified by Party A who have addressed the hearing
 - v) If the sub-committee considers it necessary it may allow other parties to put questions to Party A and persons appearing under the provisions of regulations 8(2) and 22 notified by Party A who have addressed the hearing
 - vi) The sub-committee members will put any questions to Party A and persons appearing under the provisions of regulations 8(2) and 22 notified by Party A who have addressed the hearing
 - vii) Party A will be asked if they have any further points arising from points raised in questioning
17. Repeat above stage for each subsequent party.
18. Licensing officer to be asked if they have any comments
19. Other parties close by summarising their points.
20. Applicant closes by summarising their points.
21. The Chair will then ask the sub-committee's licensing and legal adviser if there are any further matters to be considered prior to a determination being made. If there are such other matters they will then be disposed of as appropriate.

22. If the sub-committee is not going to determine the application at the conclusion of the hearing it will so advise those present and inform them of the date and time that their determination will be made in public. Determinations must be made in accordance with the provisions of regulation 26.
23. If the sub-committee feels that it needs to go into private session to discuss any issues with its legal adviser it will advise those present that it will resume in public session at the conclusion of any such discussion when the advice it has received from its legal adviser will be read into the public record of the meeting.
24. At the conclusion of any private session the sub-committee will return to public session and the legal adviser will inform the hearing of any advice given in private session.
25. In cases where the sub-committee is not going to make its determination at the conclusion of the hearing it will then adjourn the meeting to a specified date and time. In all other cases it will discuss and determine the matter before it.
26. The Chair will advise parties to the hearing that they will be notified in writing of the determination, thank the parties for their attendance and close the meeting.

Where this procedure is silent the sub-committee may make such arrangements as necessary to ensure the rights of parties to hearings and for the proper discharge of its duties under the Licensing Act 2003 and any guidance or regulations issued by the Secretary of State.

Notes

¹ Regulation 15 allows parties to be represented or assisted at the hearing by any person whether or not that person is legally qualified. Any reference to a party in this order of procedure should be taken to include a reference to a person assisting or representing a party.

² Similar objections will be grouped together as far as possible and a common spokesperson sought. The regulations treat each objector as a party in their own right. If they do not agree to being grouped they will be treated as an individual party.

³Extracts from the regulations:

- 8.(1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating:
 - (a) whether he intends to attend or be represented at the hearing;
 - (b) whether he considers a hearing to be unnecessary.
8. (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.

23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.

26.(1) In the case of a hearing under:

(c) section 105(2)(a) (counter notice following police objection to temporary event notice),

(d) section 167(5)(a) (review of premises licence following closure order),
the authority must make its determination at the conclusion of the hearing.

26.(2) In any other case the authority must make its determination within the period of five working days beginning with the day or the last day on which the hearing was held.

London Borough of Merton



**LICENSING COMMITTEE HEARINGS
A BRIEF GUIDE**

Merton Civic & Legal Services
October 2005

Introduction

The following pages of this booklet contain guidance on hearings of Licensing Applications by the Council's Licensing Sub-Committee. It is a guide only and not a statement of the law.

The law is to be found in:

- 1 Licensing Act 2003
- 2 The Licensing Act 2003 (Hearings) Regulations 2005
- 3 Guidance issued under Section 182 of the Licensing Act 2003.

Notice of Hearing

This booklet normally accompanies a "Notice of Hearing" as we are required by law to give you certain information with the Notice of Hearing.

Timing of Hearing

On arrival you may find that you may have to wait until the committee can deal with the application you are interested in. This is because the committee may have to deal with other applications on the same day. The committee is called to sit at the published time. There are different applications or items on the committee agenda. The committee may take the items in the order that is most efficient for managing that day's applications. You should therefore ensure that you are there in time for the beginning of the committee meeting as published.

The committee meeting is a public meeting. You are therefore entitled to remain in the committee room when other applications are being dealt with. If you remain you will see other parties participating in the hearing. Unless it is a hearing that you are interested in, you may not participate although you may feel that you can contribute in that application as well. You can only participate in the hearing if you are a "party".

The Licensing Sub-Committee

Licensing Hearings take place before a licensing sub-committee of the Council. There are three members of the sub-committee, a chairperson and two others. Also sitting with the Committee (but not part of the committee) will be the committee clerk and a Legal officer who advises the committee on legal issues. Only these two and any trainees are allowed to adjourn with the committee.

Various persons may also be in the committee room in an official capacity. Where the police have submitted representations they will be in the room as a party. They are not part of the committee. Where the Council's Environmental Health service have submitted representations they will be in the room but as a party not as part of the committee. The Director of Public Health or a Public Health officer may be present, especially if they have submitted a representation. They will be in the room, but not as part of the committee. Finally an officer from the Council's Children, Schools and Families Department may be present. They will not be part of the committee either.

A Licensing officer is usually present. The Licensing officer would have received the application and processed it to ensure that fees have been paid and that it was properly advertised. The Licensing officer is also the officer that receives representations and decides if they are in order. The Licensing officer may be asked to speak at the committee. The Licensing officer is not part of the committee and will not retire with the committee.

Attending a Licensing Hearing

Your Rights as a “Party”

You have the right:

- To attend the hearing
- To be assisted or represented by any person (whether or not the person is legally qualified)
- To address the sub-committee
- To question any party to the hearing (with the permission of the sub-committee)
- To give clarification of any issue on which advance notice of the need for clarification has been given
- To bring a witness or witnesses.

Attending the Hearing (Parties)

You do not have to attend the hearing. Where in response to the Notice of Hearing you have informed us that you do not intend to attend the hearing, then the hearing may proceed in your absence.

Where in response to the notice of hearing you say nothing about attending and you do not attend or are not represented the committee may do one of the following:

- hold the hearing in your absence
- adjourn the hearing to a specified date but only where the committee consider it to be in the public interest.

Procedure to be followed at the Hearing

The hearing will take place in public. This means that anyone whether or not they are parties to the hearing are entitled to be at the meeting and to hear all the information. The committee is allowed to exclude the public from all or part of a hearing. This will be where the committee considers that the public interest in excluding the public outweighs the public interest in the hearing taking part in public. If you believe that this exception to public hearing applies to you, you may ask the committee to consider exercising this power.

The committee will explain the procedure but a written version is included with the Notice of Hearing. Unless required by law to do it differently the committee is allowed to devise its own procedures.

The Hearing as a Discussion

The hearing is intended to be a discussion between the committee and all the parties. In order to make it an orderly discussion some element of formality exists. Consequently there will be an order in which the hearing will follow. The committee Chair will explain the order.

During the hearing the procedure is controlled by the Chair. Whilst the Chair will ensure that parties observe the procedure he or she may have to be firm in moving the hearing on to ensure that it proceeds at a pace that enables it to be dealt with within the

time allocated. In particular the Chair may have to be strict in respect of ensuring that questions to witnesses keep to the issues. The committee may also put reasonable time limits on submissions.

When an application is received by us a number of persons are allowed to make “representations”. This includes residents, the police, the Environmental Health service, Public Health, Licensing Authority and the Local Safeguarding Children Board. Those who have made representations are called “parties”.

The Law allows the applicant (the person applying for the licence) to have discussions with any of these parties before the hearing – this can lead to an agreed way of dealing with concerns relevant to the parties. (For instance, if Environmental Health is concerned about noise the applicant may offer to fit a noise limiter).

When you attend the hearing you may therefore find that some representations have been withdrawn. Where representations are withdrawn this will usually be because the person making the representations has been given satisfaction about how their concerns will be dealt with. For instance the Local Safeguarding Children Board may have concerns about the welfare of children. The applicant may then agree to accept a condition to the licence dealing with this concern and this may lead to a withdrawal of that representation.

The first thing that the committee will do is to find out what representations have been withdrawn so that the committee only concentrates on outstanding issues.

You must remember that as far as the law is concerned the applicant is entitled to do what they want with their business from a licensing point of view unless their business will offend against the four “licensing objectives” of:

- Prevention of Public Nuisance
- Prevention of Crime and Disorder
- Protection of Children from Harm
- Promotion of Public Safety

Although these objectives are intended for the benefits of residents and businesses, various statutory bodies are given responsibility for those objectives and it is expected that they will make representations if those objectives are under threat. These statutory bodies are called “Responsible Authorities”.

The Responsible Authorities are as follows:

- The Chief Officer of Police
- The Local Fire Authority
- The Local Enforcement Agency for Health & Safety At Work Act 1974
- The Local Authority with Responsibility for Environmental Health
- The Local Planning Authority
- Local Licensing Authority or any Licensing Authorities
- A body representing those interested in the protection of children and recognised by the council (Local Safeguarding Children Board).
- The Local Public Health Authority

The guidance issued by central government advises that as a matter of practice the committee should seek to focus the hearing on the steps needed to promote the licensing objective which gave rise to the hearing. If your representations or application does not show how these four licensing objectives are affected, promoted or effected, then it is not likely to persuade the committee.

The hearing will probably be in two distinct parts. The first part is where the application and representations are made. The first part ends when the committee retires to consider the evidence.

The second part of the hearing is when the committee returns. The main purpose of the second part is to allow the parties to be told what legal advice (if any) has been received during the deliberations in private. The committee will then announce their decision.

This is then the end of the hearing. The decision will be communicated to the parties in writing.

The committee will then move on to consider the next application (if any).

Appeal

There is a right of appeal to the Magistrates Court. You need to take legal advice on which Magistrates Court to go to. The appeal has to be lodged with the Magistrates Court within a period of 21 days beginning on the day you were notified by the Council of the decision appealed against.

Conclusion

This is necessarily a brief guide. It is not a Statement of Law. For this you will need to take legal advice.

Contacts

- (i) Licensing team:
 - email: licensing@merton.gov.uk
 - Tel: 020 8545 3025
- (ii) Meeting arrangements - Democratic Services:
 - email: democratic.services@merton.gov.uk
 - Tel: 020 8545 3616
- (iii) All press contacts - Merton's Press office:
 - email: press@merton.gov.uk
 - Tel: 020 8545 3181
- (iv) London Borough of Merton:
 - Address: Civic Centre, London Road, Morden, SM4 5DX
 - Tel: 020 8274 4901

Useful links

- Merton Council's Web site: <http://www.merton.gov.uk>
- Licensing Act 2003
<http://www.hmso.gov.uk/acts/acts2003/20030017.htm>
- Guidance issued by the secretary of State for Culture Media and Sport
http://www.culture.gov.uk/Reference_library/Publications/archive_2004/guidance_issued_under_section_182_of_the_licensing_act_2003.htm
- Regulations issued by the Secretary of State for Culture, Media and Sport
http://www.culture.gov.uk/what_we_do/Alcohol_entertainment/lic_act_reg.htm
- Merton's Statement of Licensing policy
<http://www.merton.gov.uk/licensing/>
- Readers should note the terms of the legal information (disclaimer) regarding information on Merton Council's and third party linked websites.
- <http://www.merton.gov.uk/legal.htm>
- This disclaimer also applies to any links provided here.

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Licensing Act 2003 Notice of Extension of Time Limits

Date of issue of this notice: 18 May 2015

Subject of hearing: Cannizaro House, 20 West Side Common, Wimbledon SW19 4UE

The Licensing authority has decided to extend the time limits applying to this matter as follows:

Date by which a hearing would normally be required to be held: 26 May 2015

Period of extension to time limits applying to holding a hearing: 10 Working Days

Reasons for extending the time limits: To allow the authority to make proper arrangements for the application to be considered by a licensing sub-committee.

For enquiries about this matter please contact

Democratic Services
Civic Centre
London Road
Morden
Surrey
SM4 5DX

Telephone: 020 8545 3616

Fax: 020 8545 3226 (**Please telephone 020 8545 3616 to notify faxes sent**)

Email: democratic.services@merton.gov.uk

Useful documents:

Licensing Act 2003

<http://www.hms0.gov.uk/acts/acts2003/20030017.htm>

Guidance issued by the secretary of State for Culture Media and Sport

http://www.culture.gov.uk/alcohol_and_entertainment/licensing_act_guidance+.htm

Regulations issued by the Secretary of State for Culture, Media and Sport

http://www.culture.gov.uk/alcohol_and_entertainment/lic_act_reg.htm

Merton's Statement of Licensing policy

<http://www.merton.gov.uk/licensing>

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We Hotel Du Vin Trading Limited

.....
(Insert name(s) of applicant)

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

Premises licence number LN/000001197
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Cannizaro House 20 West Side Common			
Post town	Wimbledon	Post code	SW19 4UE

Telephone number at premises (if any)	020 8879 1464
Non-domestic rateable value of premises	£635

Part 2 – Applicant details

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

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--	--	--

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

Ground Floor :

Move wall back into back office area to create a larger space for reception desks;

To include the Orangerie within the Licensed area;

To include the external areas to be used for consumption of alcohol only;

To include a marquee erected from time to time on the front lawn to include sales of alcohol and regulated entertainment.

First Floor :

Oak Room: re-model as bedroom and create an ensuite bathroom in place of existing storage area.

Blue Room : re-model as bedroom, change partition wall to include the existing storage space and create an ensuite bathroom.

To vary the licensable hours and include the provision of regulated entertainment, entertainment facilities and Late Night Refreshment;

Remove Embedded restrictions, in particular those restrictions relating to Christmas Day, Good Friday or New Year's Eve.

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 yes

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

Provision of entertainment facilities:

- | | |
|--|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)	
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Outdoor no later than 23:00. The Applicant may require an outdoor screen for example, but not exclusively, during Wimbledon		
Mon	10:00	00:00			
Tue	10:00	00:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) There shall be no interruption to the operation of the premises between the usual opening hour on 31st December until the usual close of business on the evening of the 1st of January		
Wed	10:00				
Thur	10:00	00:00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	00:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
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 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Outdoor no later than 23:00.		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	00:00			
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) There shall be no interruption to the operation of the premises between the usual opening hour on 31st December until the usual close of business on the evening of the 1st of January		
			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
			There shall be no interruption to the operation of the premises between the usual opening hour on 31st December until the usual close of business on the evening of the 1st of January		
Thur	10:00	00:00			
			<u>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</u> (please read guidance note 5)		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	00:00	<u>Please give further details here</u> (please read guidance note 3) Outdoor no later than 23:00.	Both	<input checked="" type="checkbox"/>
Tue	10:00	00:00			
Wed	10:00	00:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) There shall be no interruption to the operation of the premises between the usual opening hour on 31st December until the usual close of business on the evening of the 1st of January		
Thur	10:00	00:00			
Fri	10:00	00:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	10:00	00:00			
Sun	10:00	00:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	10:00	00:00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	10:00	00:00	<u>Please give further details here</u> (please read guidance note 3) Outdoor no later than 23:00.		
Wed	10:00	00:00			
Thur	10:00	00:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri	10:00	00:00			
Sat	10:00	00:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	10:00	00:00			

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> 		
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Outdoor no later than 23:00.		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	00:00			
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) There shall be no interruption to the operation of the premises between the usual opening hour on 31st December until the usual close of business on the evening of the 1st of January		
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input checked="" type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
			Please give a description of the facilities for dancing you will be providing		
Day	Start	Finish			
Mon	10:00	00:00	Please give further details here (please read guidance note 3) Outdoor no later than 23:00.		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for providing dancing facilities (please read guidance note 4) There shall be no interruption to the operation of the premises between the usual opening hour on 31st December until the usual close of business on the evening of the 1st of January		
Thur	10:00	00:00			
Fri	10:00	00:00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10:00	00:00			
Sun	10:00	00:00			

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	10:00	00:00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	10:00	00:00	Please give further details here (please read guidance note 3) Outdoor no later than 23:00.		
Wed	10:00	00:00			
Thur	10:00	00:00	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)		
Fri	10:00	00:00			
Sat	10:00	00:00	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	10:00	00:00			

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	23:00	00:00			
Tue	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) There shall be no interruption to the operation of the premises between the usual opening hour on 31st December until the usual close of business on the evening of the 1st of January		
Wed	23:00	00:00			
Thur	23:00	00:00	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 5) The supply of food will be available to Residents and guests of Residents 24 hours a day		
Fri	23:00	00:00			
Sat	23:00	00:00			
Sun	23:00	00:00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<p><u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) There shall be no interruption to the operation of the premises between the usual opening hour on 31st December until the usual close of business on the evening of the 1st of January</p> <p><u>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</u> (please read guidance note 5) The supply of alcohol will be available to residents and guests of residents 24 hours every day.</p>		
Mon	10:00	02:00			
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	02:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	02:00			

N

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 8)

None

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4) There shall be no interruption to the operation of the premises between the usual opening hour on 31st December until the usual close of business on the evening of the 1st of January
Day	Start	Finish	
Mon	00:00	00:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) The Premise is an Hotel and as such are open to the public 24 hours a day every day
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

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

Embedded restrictions, in particular relating to Good Friday, Christmas Day and New Year's Eve.

Please tick yes

- 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 failed to enclose the premises licence or relevant part of premises licence

P 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,e) (please read guidance note 9)

The Hotel which occupies the premises is part of a National chain of high quality Hotels and is carried on to the highest standard. The premises are compliant with Fire Regulations, Health and Safety Regulations and operate a proof of age scheme. The premises will continue to operate to the same high standard. The Hotels are select. A Hotel du Vin has been deemed an asset to the area.

b) The prevention of crime and disorder

Hotel du Vin Group employ able and experienced management staff. All staff are fully trained in customer relations. At least one first aider will be on the premises at all times. There is a security night porter on duty each night. Members of the public may book into the Hotel after 23:00 via the security night porter.

c) Public safety

All staff are trained in emergency planning. There are clear fire safety signage and means of escape in case of fire notices throughout the building, together with fire fighting equipment, emergency lighting and an appropriate means of raising the alarm in the event of fire. Fire Risk Assessment documentation is held at the premises at all times, which is available for inspection upon request, together with Health and Safety Risk Assessments which are carried out for each department within the Hotel.

A Health & Safety Audit is carried out internally twice annually, unannounced, to check that the premise is compliant with all up to date Health and Safety and Fire Assessment procedures.

d) The prevention of public nuisance

Hotel du Vin Trading Limited pride themselves in their consideration to the surrounding neighbourhood and to members of the public. At the request of patrons, free of charge, taxis will be called to the Hotel. Noise levels will be kept at acceptable levels so as to cause minimum disturbance to the neighbourhood.

e) The protection of children from harm

All children must be accompanied by an adult within the premises where licensable activities are taking place. Staff are trained in the licensing objectives and operate the Challenge 25 proof of age scheme.

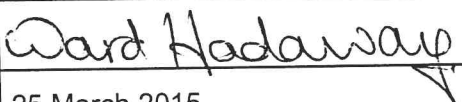
Please tick yes

- I have made or enclosed payment of the fee
- 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 CONVICTION TO A FINE UP TO 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 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	25 March 2015
Capacity	Solicitors for the Applicant

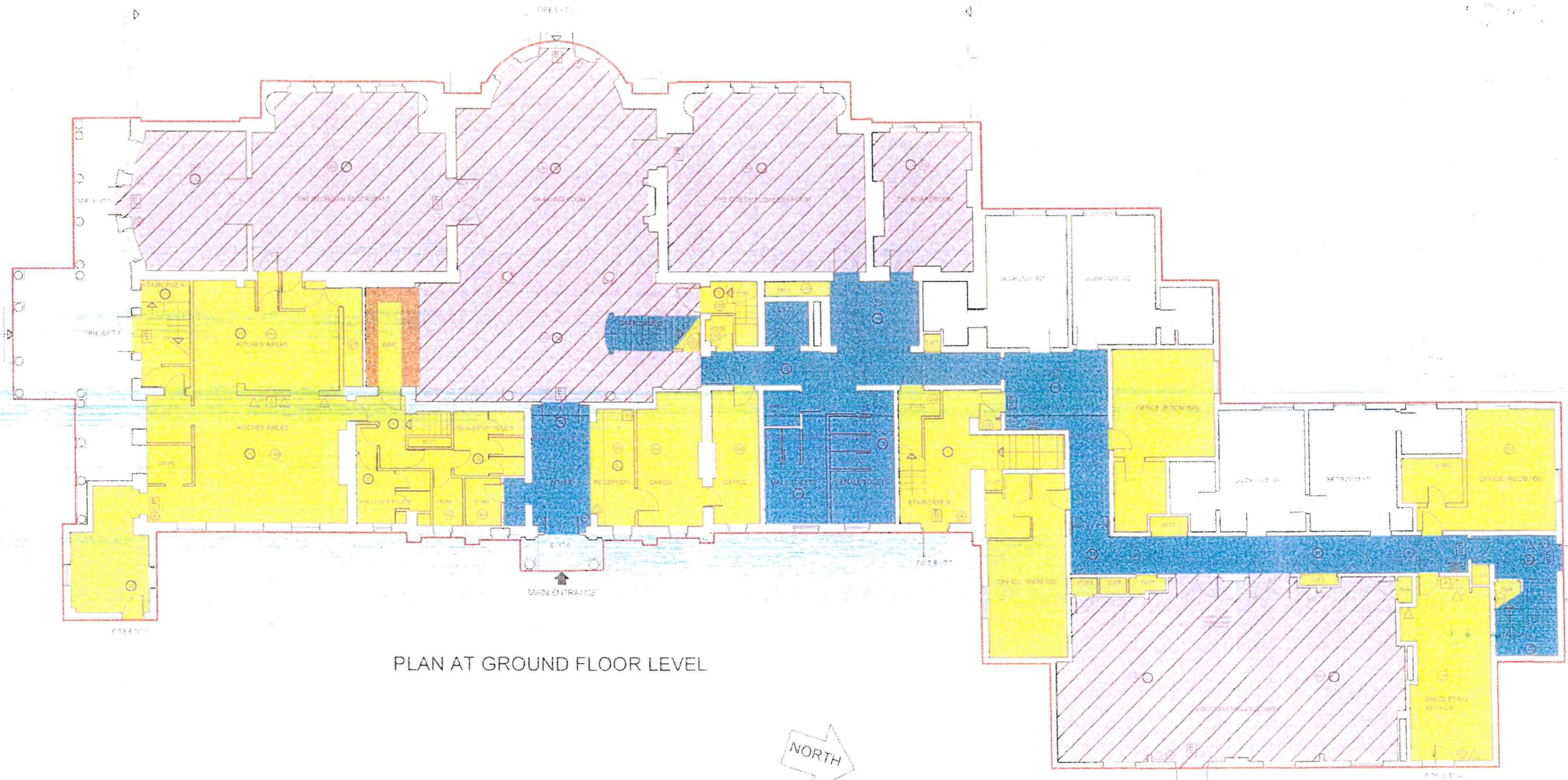
Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

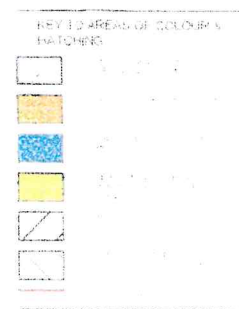
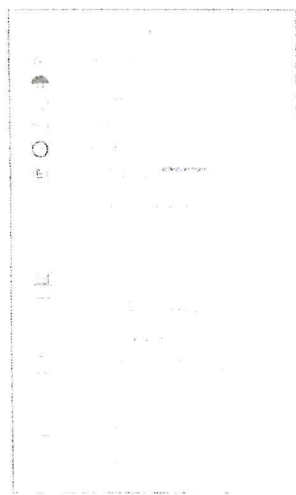
Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Mrs Cheryl Scott
 Ward Hadaway
 Sandgate House
 102 Quayside

Post town	Newcastle upon Tyne	Post code	NE1 3DX
Telephone number (if any)	0191 204 4365		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
Cheryl.scott@wardhadaway.com			



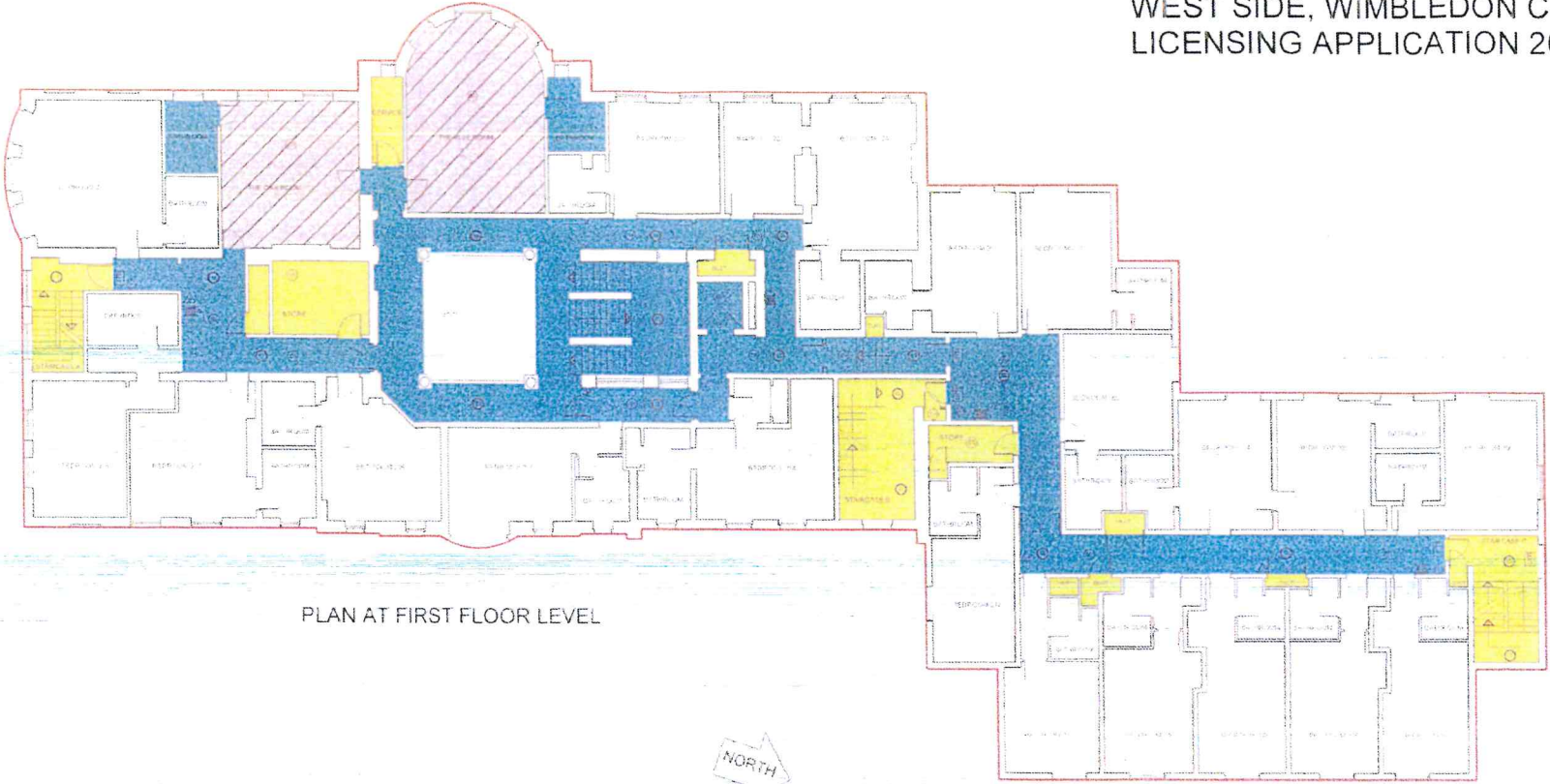
PLAN AT GROUND FLOOR LEVEL



THE 'AS FITTED' FIRE PRECAUTIONS DETAILS ARE IN ACCORDANCE WITH THE INFORMATION SHOWN ON THE PLANS WHICH FORM PART OF THE HOTEL FIRE CERTIFICATE. FILE REF. SW/FPM/22/10607 AMENDMENT 1 5 FEBRUARY 1993

CANNIZARO HOUSE HOTEL, WEST SIDE, WIMBLEDON COMMON, LONDON SW19 4UE
 LICENSING APPLICATION 2005: SHEET ONE

CANNIZARO HOUSE HOTEL
WEST SIDE, WIMBLEDON COMMON, LONDON SW19 4UE
LICENSING APPLICATION 2005: SHEET TWO



PLAN AT FIRST FLOOR LEVEL



KEY TO SYMBOLS OF SPECIAL WATCHING

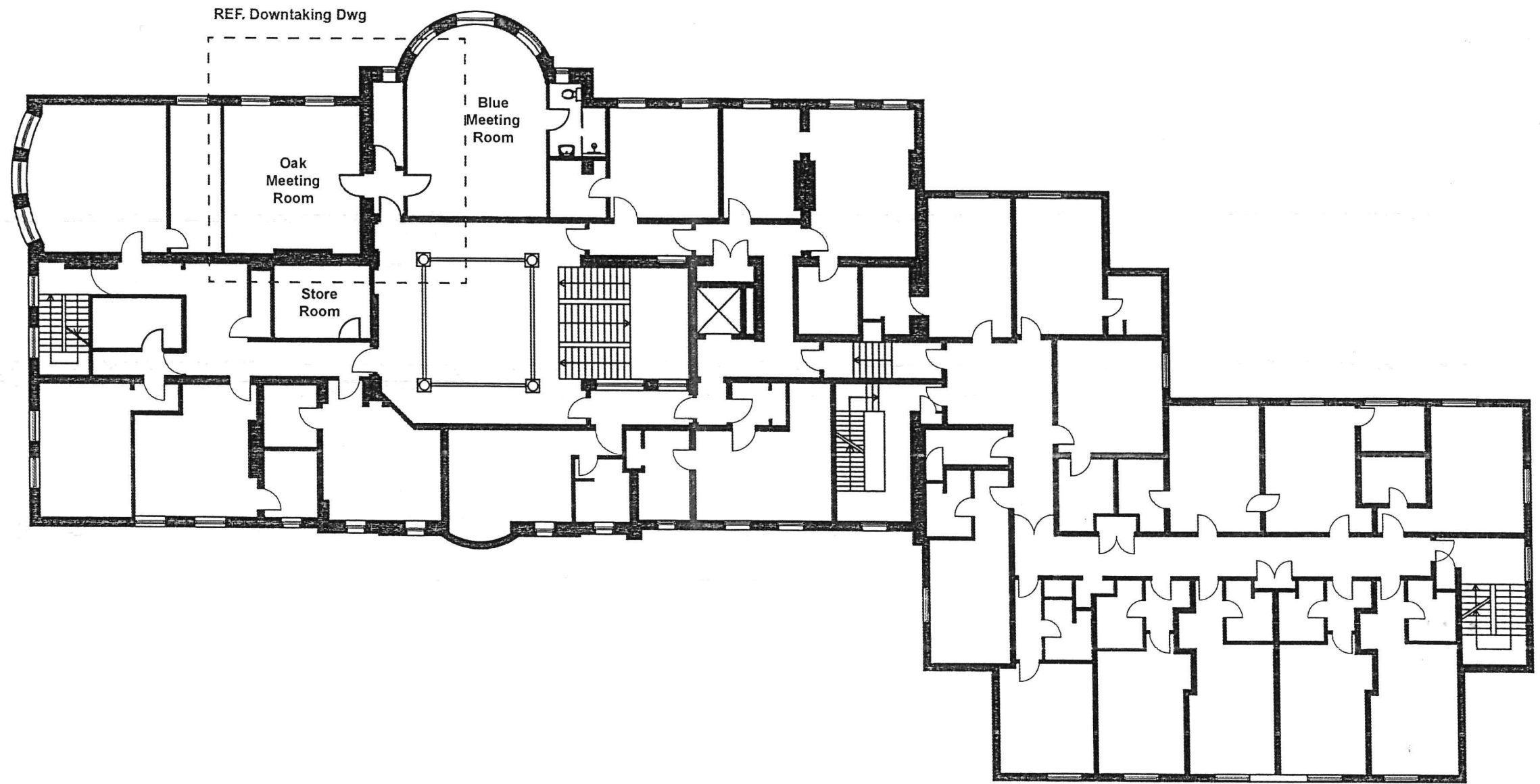
[Pink hatched box]	Special watching area
[Blue box]	Special watching area
[Yellow box]	Special watching area
[White box]	Special watching area
[Red box]	Special watching area



PLAN AT BASEMENT LEVEL

THE AS FITTED FIRE PRECAUTIONS DETAILS ARE IN ACCORDANCE WITH THE INFORMATION TAKEN ON THE PLANS SWORN FOR PART OF THE HOTEL FIRE CERTIFICATE FILE REF: SW/2005/002A AMENDMENT 1, 5 FEBRUARY 1992

Scale: 1:100



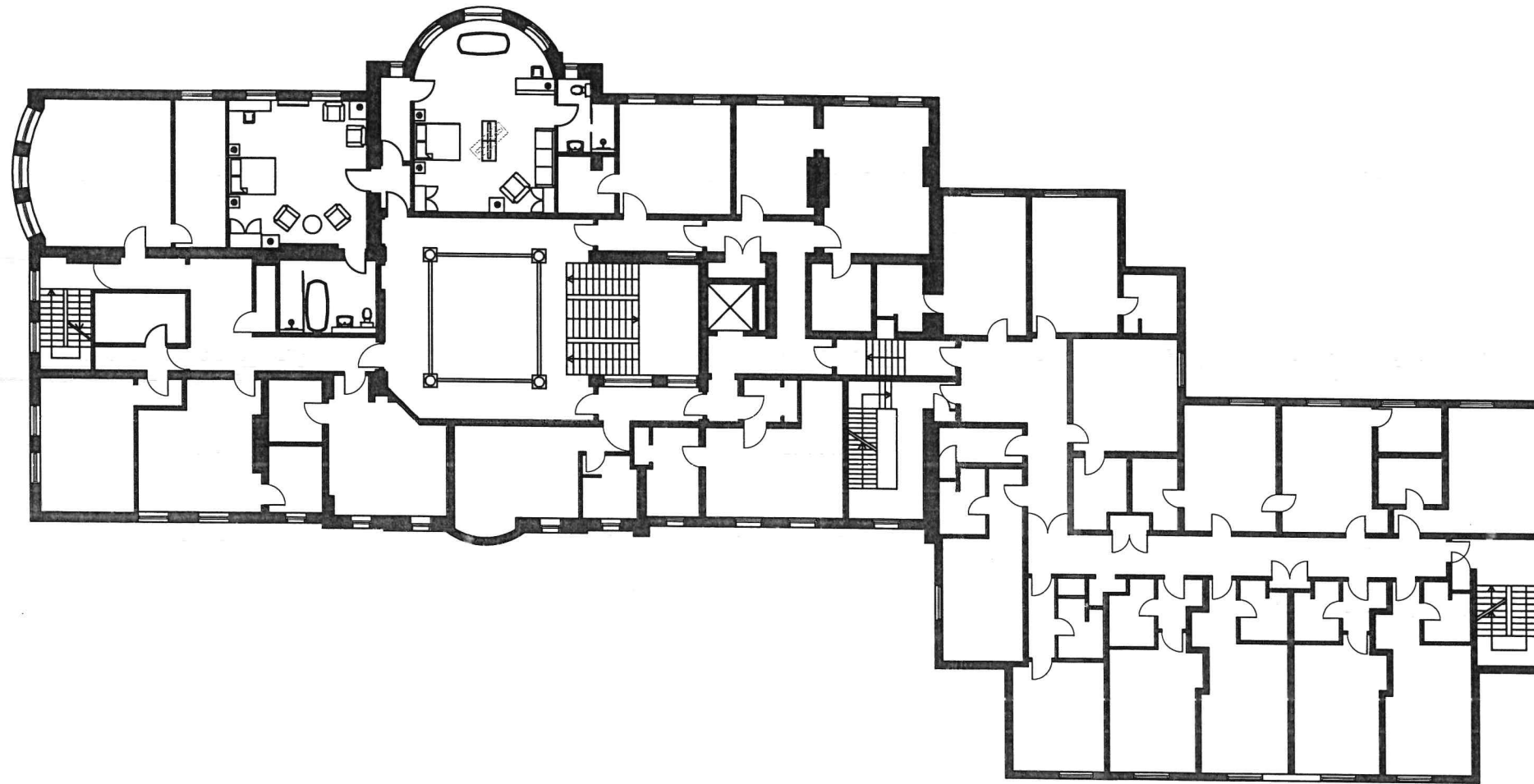
EXISTING PLAN
First Floor



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Notes



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rev:	date:	description:	dm:	chk:	app:
PURPOSE					

Curious
it all begins with the idea ●

client:

project:
Proposed First Floor Plan
Wimbledon
Cannizaro House Hotel

title:

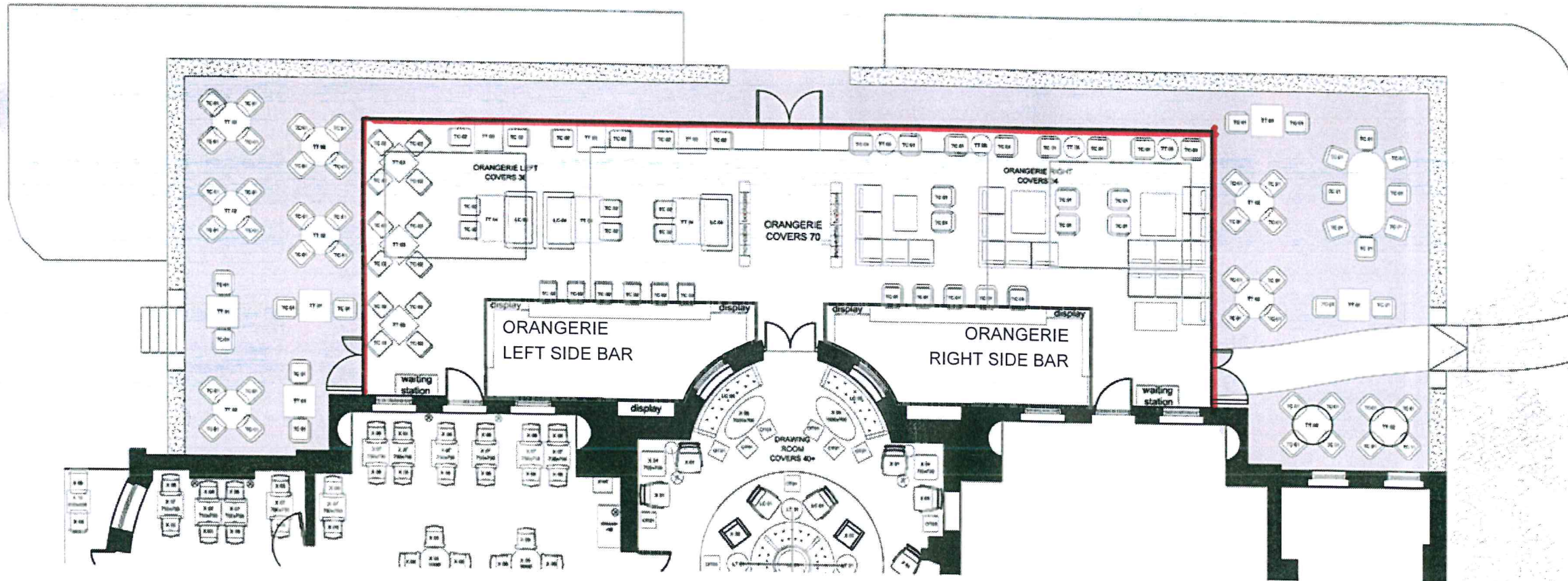
scale @ size: NTS@A3	date: 15.12.14	classification:
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drawn: CB	checked:	approved:
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drawing stage:

project no: 21036	work stage:	drawing no: AL(0)211	rev:
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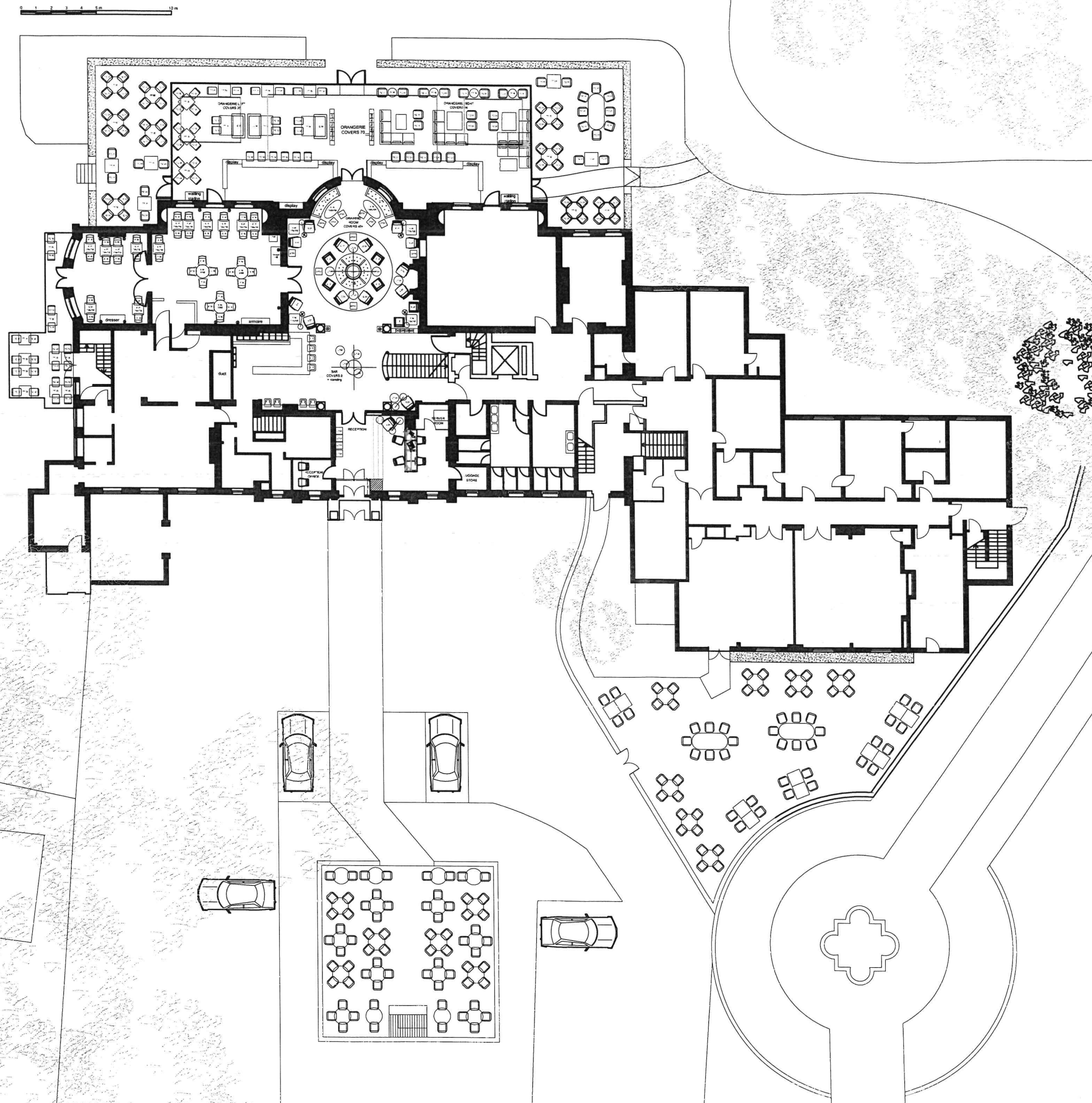


REVISED PATIO 11.03.2015

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Notes



Page 44

rev:	date:	description:	dm:	chk:	apd:
		PURPOSE			

Curious
it all begins with the idea

client:
HOTEL DU VIN

project:
CANNIZARO HOUSE HOTEL WIMBLEDON

title:
REVISED TERRACES PLAN

scale @ size: NTS@A3	date: 12.03.15	classification:
drawn: CB	checked: SKB	approved:

drawing stage:
INFO

project no: work stage: drawing no: rev:
SKETCH 150204_SB2

Curious
Architects
4 Fitzhardinge street,
London, W1H 6EG
020 3176 5555
www.thinkcurious.com



LICENSING ACT 2003

Part A Premises licence

Premises licence number

LN/000001197

Part 1 - Premises details

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

**Cannizaro House
20 West Side Common
Wimbledon
SW19 4UE**

020 8946 7349

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	10:00	-	23:00
Tuesday	10:00	-	23:00
Wednesday	10:00	-	23:00
Thursday	10:00	-	23:00
Friday	10:00	-	23:00
Saturday	10:00	-	23:00
Sunday	12:00	-	22:30

Monday to Saturday: 10:00 until 23:00 hours and until 12 midnight when alcohol is served ancillary to a substantial meal.

Sunday: 12.00 until 22.30 and until 23.30 hours when alcohol is served ancillary to a substantial meal.



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

On and Off the premises

Licensable activities and permitted times authorised by the licence

Alcohol Sales

On and Off the premises

Monday	10:00	-	23:00
Tuesday	10:00	-	23:00
Wednesday	10:00	-	23:00
Thursday	10:00	-	23:00
Friday	10:00	-	23:00
Saturday	10:00	-	23:00
Sunday	12:00	-	22:30

On weekdays, other than Christmas Day, Good Friday or New Year's Eve, between 10.00 and 23.00 hours.

On Sundays, other than Christmas Day or New Year's Eve, between 12.00 and 22.30 hours.

On Good Friday, between 12.00 and 22.30 hours.

On Christmas Day, from 12.00 to 15.00 and 19.00 to 22.30 hours.

When New Year's Eve is on a weekday, from 10.00 on New Year's Eve until 23.00 hours on New Year's Day, except when New Year's Day is on a Sunday, then the sale of alcohol shall cease at 22.30.

When New Year's Eve is on a Sunday, from 12.00 on New Year's Eve until 23.00 hours on New Year's Day.

On Christmas Day, alcohol may be sold between 15.00 and 19.00 hours when ancillary to a table meal.

On days, other than Christmas Day, alcohol may be sold for one hour after the hours stated above when ancillary to a table meal.

Residents and their bona fide guests are permitted to purchase and consume food and alcohol at any time.

Late night refreshments may be provided until 30 minutes after the authorised terminal hour for the sale of alcohol.

The premises may also provide private entertainment for the purposes of gain at any time.



Part 2

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

Hotel Du Vin Trading Limited
One Fleet Place
London
EC4M 7WS

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

08960779

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

[REDACTED]

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

[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 responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (ii) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:-
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
4.
 - (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.

5. The responsible person shall ensure that -
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
 - (iii) still wine in a glass: 125ml; and
 - (b) customers are made aware of the availability of these measures.

Mandatory Licensing Conditions 2014

1. 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.

2. 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(a);
- (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(a).

3. 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.

4.—(1) 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.

(2) 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.

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

Tel: 020 8274 4901
www.merton.gov.uk/licensing



Annex 2 - Conditions consistent with the Operating Schedule

NONE

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/000001197

Part 1 - Premises details

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

**Cannizaro House
20 West Side Common
Wimbledon
SW19 4UE**

020 8946 7349

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	10:00	-	23:00
Tuesday	10:00	-	23:00
Wednesday	10:00	-	23:00
Thursday	10:00	-	23:00
Friday	10:00	-	23:00
Saturday	10:00	-	23:00
Sunday	12:00	-	22:30

Monday to Saturday: 10:00 until 23:00 hours and until 12 midnight when alcohol is served ancillary to a substantial meal.

Sunday: 12.00 until 22.30 and until 23.30 hours when alcohol is served ancillary to a substantial meal.



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

On and Off the premises

Licensable activities and permitted times authorised by the licence

Alcohol Sales

On and Off the premises

Monday	10:00	-	23:00
Tuesday	10:00	-	23:00
Wednesday	10:00	-	23:00
Thursday	10:00	-	23:00
Friday	10:00	-	23:00
Saturday	10:00	-	23:00
Sunday	12:00	-	22:30

On weekdays, other than Christmas Day, Good Friday or New Year's Eve, between 10.00 and 23.00 hours.

On Sundays, other than Christmas Day or New Year's Eve, between 12.00 and 22.30 hours.

On Good Friday, between 12.00 and 22.30 hours.

On Christmas Day, from 12.00 to 15.00 and 19.00 to 22.30 hours.

When New Year's Eve is on a weekday, from 10.00 on New Year's Eve until 23.00 hours on New Year's Day, except when New Year's Day is on a Sunday, then the sale of alcohol shall cease at 22.30.

When New Year's Eve is on a Sunday, from 12.00 on New Year's Eve until 23.00 hours on New Year's Day.

On Christmas Day, alcohol may be sold between 15.00 and 19.00 hours when ancillary to a table meal.

On days, other than Christmas Day, alcohol may be sold for one hour after the hours stated above when ancillary to a table meal.

Residents and their bona fide guests are permitted to purchase and consume food and alcohol at any time.

Late night refreshments may be provided until 30 minutes after the authorised terminal hour for the sale of alcohol.

The premises may also provide private entertainment for the purposes of gain at any time.



Part 2

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

Hotel Du Vin Trading Limited
One Fleet Place
London
EC4M 7WS

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

08960779

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

William Adam Harper

Environment and Regeneration
Chris Lee - Director



The Licensing Department
London Borough of Merton
Merton Civic Centre
14th Floor
SM4 5DX

Housing and Pollution Section
London Borough of Merton
Merton Civic Centre
Morden, Surrey SM4 5DX

Direct Line: 020 8545 3036
Email: Andrew.small@merton.gov.uk
Fax: 020 8545 4025

My Ref : ASM/ WK/201411748
Please Ask For: Andrew Small
Your Ref:

Date: 7th April 2015

Dear Sir/ Madam

**Re: Application for variation of premises licence under the Licensing Act 2003
Cannizaro House, Cannizaro House, 20 West Side Common, Wimbledon, SW19 4UE**

The Environmental Health Department has received a copy of the above application and wish to make the following representations.

The above premises wish to provide regulated entertainment including recorded and/or live amplified music outside the premises in ***a marquee to be erected from time to time on the front lawn.***

The Environmental Health Department considers that the proposed variation is inadequate in the promotion of the licensing objective concerned with the prevention of public nuisance and therefore object to the proposed variation.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Andrew Small", written over a circular stamp.

Andrew Small
Environmental Health Officer

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From: Councillor John Bowcott [<mailto:John.Bowcott@merton.gov.uk>]

Sent: 19 April 2015 19:34

To: Caspar Bates; Jason Andrews; Barry Croft (Merton)

Subject: Objection to variation of Licence at Cannizaro House

Application ref WK/201411710 by Hotel du Vin Trading is for a list of variations to its operating hours. The hotel is situated in the Ward that I represent and I believe that it is in conflict with the Licensing Objective – Prevention of Public Nuisance.

Of particular concern are the outdoor activities but of course even public functions until 2.00am do represent the near certainty of noisy late departures.

Outdoor film shows, music and dance on a regular basis will be a clear nuisance to local residents. If things are less frequent would not Temporary Event Notices be more appropriate?

Somewhat surprisingly I see that they seek an 'off premises licence'. It is not a good plan to facilitate more drinking on the common.

Regards

Cllr John Bowcott

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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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