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# Merton Council

## Licensing Sub-Committee

### Membership

#### Councillors:

Jil Hall

Martin Whelton

James Williscroft

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

**Date: 5 August 2022**

**Time: 11.30 am**

**Venue: These are virtual meetings and therefore not held in a physical location**

### Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 Review of Premises Licence - The Sultan, 78 Norman Road, SW19 1BT 1 - 86

### 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. For further advice please speak with the Managing Director, South London Legal Partnership.

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda and the licensing decision making process contact [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) or telephone 020 8545 3357.

Press enquiries: [communications@merton.gov.uk](mailto:communications@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feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.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 Applicants will present their case. Questions can then be asked of the Applicants by the Premises License Holder, Responsible Authorities, the interested parties and members of the Sub-Committee.
7. The Premises License Holder will present their case. Questions can then be asked of the Premises License Holder by the Applicants, Responsible Authorities, the interested parties, and members of the Sub-Committee.
8. Presentation by the Responsible Authorities. Questions can be asked of the Responsible Authorities by the Applicants, Premises License Holder, the interested parties, and members of the Sub-Committee
8. Presentation by any interested parties. Questions can then be asked of the interested parties by the Applicants, the Premises License Holder, 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 Licensee
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. 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

## **Public Information**

### **Attendance at meetings**

The public are welcome to attend meetings of the Council.

### **Audio/Visual recording of meetings**

The Council will film meetings held in the Council Chamber for publication on the website. If you would like to film or record any meeting of the Council held in public, please read the Council's policy [here](#) or contact [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) for more information.

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Copies of agendas, reports and minutes for council meetings can also be found on our website. To access this, click <https://www.merton.gov.uk/council-and-local-democracy> and search for the relevant committee and meeting date.

Agendas can also be viewed online in the Borough's libraries and on the Mod.gov paperless app for iPads, Android and Windows devices.

**CORPORATE SERVICES DEPARTMENT**  
Caroline Holland - Director



Democratic Services  
London Borough of Merton  
Merton Civic Centre  
Morden, Surrey SM4 5DX  
Direct Line: 020 8545 3616  
Email: [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)

Date: 21 July 2022

## **NOTICE OF LICENSING SUB-COMMITTEE HEARING**

- 1. DATE OF HEARING: 5 August 2022 at 11.30am**
- 2. SUBJECT OF HEARING: The Sultan, 78 Norman Road, SW19 1BT**
- 3. WHAT IS INCLUDED IN THIS NOTICE PACK:**

The enclosed papers are being sent to you as you are a party to the licensing hearing due to be held to consider this application. They contain all the hearing documents; a guide to Rights of the Parties to a Hearing and the Procedure to be followed at Licensing Hearing. The agenda pack which includes the application, and related representations will be sent under separate cover, next week.
- 4. WHAT YOU NEED TO DO NOW:**

Please respond to the questions set out on the reverse of this letter and return to the email/ phone/ address given above as soon as possible.
- 5. IF YOU HAVE ADDITIONAL DOCUMENTS FOR CONSIDERATION BY THE SUB-COMMITTEE**

If you have any additional documents which you wish the sub-committee to consider at the hearing, please send them to the above email /address to arrive at least 24 hours before the hearing. If any additional information is received by the Authority this will be sent on all parties, (via email where possible) and additional copies will be available at hearing.

Yours

Richard Seedhouse  
Democratic Services Officer

# London Borough of Merton



**Your Name:**

**Your Email address (where possible):**

If you wish to withdraw any representations you have made please notify us as soon as possible.

You are required to give the following information to us by the date specified in the letter:

- 1) Do you intend to attend the hearing? **Yes/No**
- 2) Do you intend to be represented or assisted at the hearing? **Yes/No**
- 3) Do you consider a hearing to be unnecessary? (If all parties agree that a hearing is unnecessary the sub-committee may dispense with the hearing and determine the matter on the basis of the written application, notices and representations)  
**Yes/No**
- 4) Do you wish to request that any other person(s) be given permission to attend the hearing to assist the sub-committee in relation to the matter under consideration?  
**Yes/No**

Please give the name(s) of any such person(s) and brief details of the points on which you feel they may be able to assist the sub-committee in relation to the matter under consideration.

Please return this form to Democratic Services, Civic Centre, London Road, Morden SM4 5DX or telephone 020 8545 3357 or email the information to [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)

## Rights of the Parties to a 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; and give further information in support of their application, representations or notice
- b) if given permission by the sub-committee, 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. Post or send an email with the relevant information to:

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

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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 Licensee, the interested parties and members of the Sub-Committee.
7. The Licensee will present their case. Questions can then be asked of the Licensee 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 Licensee 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 Licensee
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. 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 Objectives**

Decisions will be made with respect to the four licensing objectives:

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

### **Responsible Authorities**

These statutory bodies are called “Responsible Authorities” and are given responsibility to make representations if the licensing objectives are under threat.

- 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



## **Privacy Notice for Parties to a Licensing Sub-Committee Hearing**

The London Borough of Merton is a Data Controller in line with Data Protection law, as we collect and process personal information about you in order to accept and process your representation/application.

We are committed to protecting and respecting your privacy. Your personal information given as part of your Licensing Representation or Application (Contact details including your address and email address) is not published. Although your representation will remain published online, your personal data will be kept for 3 months and then destroyed.

Your data will not be shared with other third parties (with the exception of representations made being sent to the licence applicant as you will have already been advised).

Your data will be kept secure as it will be processed using the council's secure IT and email systems.

You have the right to access your data and to rectify mistakes, erase, restrict, object or move your data in certain circumstances.

If you have any questions regarding our privacy practices please contact the Data Protection Officer at [data.protection@merton.gov.uk](mailto:data.protection@merton.gov.uk)

For further details please see the Council's [full Privacy Notice](#).

# Licensing Sub-Committee Report

Subject of hearing: **The Sultan, 78 Norman Road, SW19 1BT**

Date **5 August 2022**

Time: **11.30am**

Venue: **Virtual Meeting**

## **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:

Under Section 52, determine the application by taking such of the steps as set out below as it considers appropriate for the promotion of the licensing objectives.

2.2 In making their determination the sub-committee must have regard to the Licensing Act 2003, the licensing objectives, guidance issued by the Secretary of State and Merton's Licensing Policy.

2.3 Review of Premises Licence: Section 52

i) To modify the conditions of the licence

ii) To exclude a licensable activity from the scope of the licence

iii) To remove the designated premises supervisor

iv) To suspend the licence for a period not exceeding three months

v) To revoke the licence.

2.4 The sub-committee may also decide to take no action

## **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 The application for a review of this premises licence has been brought by Fiona Read, Father Graham Piper and Sally McCutcheon. It was received by the Licensing Authority on the 14 June 2022.

- 5.2 The review application relates to one of the Licensing Objectives, namely, The Prevention of Public Nuisance.
- 5.3 The grounds being that noise from the outside area that is now being used for customers can be heard loudly inside residents' homes for up to 9 ½ hours a day, up to 7 days a week, reducing the use of some areas of residents' homes due to noise disruption. The seating capacity of this area, which is where cars used to be parked, is described as for up to 36 people.
- 5.4 Notices advertising the review were placed by officers near the premises, at Merton Civic Centre and on the council's website.
- 5.5 On the 8 July 2022 a statement and sound recordings was received from Sally McCutcheon one of the applicants.
- 5.6 On the 9 July 2022 a statement was received from another of the applicants, Fiona Read, in an email that also included a pdf summary of a conversation with a person who is stated as the former landlady of The Sultan, and two further pdf documents, one showing as a copy of the HM Land Registry register relating to 78 Norman Road and the other showing as a copy of an HM Land Registry plan indicating 78 Norman Road.
- 5.7 Also on the 11 July 2022 we received a statement from Graham Piper the third applicant.
- 5.8 During the consultation period 32 relevant representations were received by the Licensing Authority including one from the Premises Licence Holder. 30 of these representations are against the review (in support of the Premises Licence), one in support of the review and one from the Environmental Health Noise Team with information regarding complaints received.
- 5.9 The current Premises Licence showing the permitted licensable activities and the plan of the premises is attached with the papers before the Sub-Committee.
- 5.10 This venue has had a Premises Licence issued by the council since November 2005.
- 5.11 Any determination the Sub-Committee makes under Section 52 of the Act will not have effect until after the end of the appeal period, or if an appeal is made, until that appeal is disposed of.

**For enquiries about this hearing please contact**

Democratic Services  
Civic Centre  
London Road  
Morden  
SM4 5DX

**Telephone:** 020 8545 3616

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

# Parties to the hearing

This document forms part of the notice of hearing.

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

<b>Applicant</b>	
Fiona Read, Father Graham Piper, Sally McCutcheon	
<b>Statutory Authorities</b>	
Environmental Health	
<b>Interested Parties</b>	
Chris Barnes	
John Boyd	
CAMRA – SW London Branch	
Gail Cobley	
Andy Coles	
Lawrence Davies	
Paul Davieson	
Pamela Donovan	
Peter Duncan	
Bernard Fanthom	
Peter Gay	
Anthony Hedger	
Daniel Lloyd	
Elliot Loomes	
Dr Pippa Maslin	
Robert McCann	
Claire Mitchell	
Gwen Nightingale	
Daniel Peck	
Ed Rayfield	
Rev Mark Eminson	
Geoff Strawbridge	
Gareth Syms	
Jessica Syms	
Richard Verrall	
David Wait	
Rex Ward	
Andy Wood	
Gillian Wood	
Hopback Brewery plc	
Sarah Busby	

# MERTON LICENCE AUTHORITY

[Insert name and address of relevant licensing authority and its reference number (optional)]

## Application for the review of a premises licence or club premises certificate 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 FIONA READ - GRAHAM PIPER - SALLY MCCUTCHION

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

#### Part 1 - Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description THE SULTAN PUB 78 NORMAN ROAD LONDON SW19 1BT	
Post town	Post code (if known)

Name of premises licence holder or club holding club premises certificate (if known) HOPBACK BREWERY PLC - 23 BATTEN ROAD INDUSTRIAL ESTATE, DOWNTON, SALISBURY, WILTSHIRE SP5 3HH
--

Number of premises licence or club premises certificate (if known) [REDACTED]
--

#### Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)**

Please tick ✓ yes

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

Surname

First names

READ

FIONA

I am 18 years old or over

Please tick ✓ yes



Current postal  
address if  
different from  
premises  
address

[Redacted]

Post town

[Redacted]

Post Code

[Redacted]

Daytime contact telephone number

[Redacted]

E-mail address  
(optional)

[Redacted]

**(B) DETAILS OF OTHER APPLICANT S**

Name and address

GRAHAM PIPER

SAUW MCCUTCHION

[Redacted]

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address	N/A
Telephone number (if any)	N/A
E-mail address (optional)	N/A

**This application to review relates to the following licensing objective(s)**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

Please state the ground(s) for review (please read guidance note 2)

PLEASE FIND ENCLOSED:

- GROUNDS FOR REVIEW
- DIARY OF NOISE
- DIARY OF ACTIONS AND COMMUNICATION
- LETTER FROM RESIDENTS TO THE SULTAN
- LETTER FROM BREWERY TO RESIDENTS
- EMAIL FROM RESIDENTS TO BREWERY DIRECTORS



**Please provide as much information as possible to support the application (please read guidance note 3)**

Please tick ✓ yes

Have you made an application for review relating to the premises before

NO

If yes please state the date of that application

N/A

Day Month Year

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

If you have made representations before relating to the premises please state what they were and when you made them

N/A

Please tick ✓

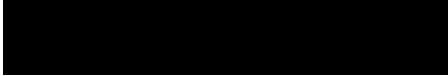
yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature  (Fiona Read)

Date THURSDAY 9<sup>TH</sup> JUNE 2022

Capacity

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



## **Grounds for review of licence at The Sultan Pub, South Wimbledon:**

The manager of The Sultan Pub installed 6 large picnic tables and 8 large planters on what had previously been used as the car park of the pub during the week beginning Monday 25<sup>th</sup> April 2022.

There was no consultation with local residents prior to the installation.

No planning application was made to the council for the intensification and change of land use.

The new seating area was first used on Saturday 30<sup>th</sup> April when it was filled with approximately 25 patrons from 2pm until 8pm.

The new area is now used regularly and there are no barriers to protect privacy or noise.

Noise from the conversations of patrons can be heard loudly inside the homes of local residents for up to 9.5 hours per day, up to 7 days per week.

The capacity of the new seating area is approx. 36 people seated plus the potential for additional people standing.

The pub has an existing beer garden that is walled to protect noise and privacy. The existing beer garden is often not used when patrons are using the new, unprotected, unsheltered seating area.

Parking for the pub has been reduced by at least 3 spaces.

Residents have contacted the pub and the brewery to raise multiple concerns.

The pub is located in a very quiet, residential area.

### Local resident concerns:

- The atmosphere and environment of the whole area is changed when the new seating area is in use.
- We are unable to use certain areas of our homes when the seating area is in use due to noise disruption.
- We are concerned that the noise and privacy issues have caused a reduction of the value of our homes.
- The presence of up to 36 people sat drinking, directly outside our homes is intense and overwhelming.
- Many residents would not have chosen to live adjacent to an open drinking area had it been in use prior to moving here.
- Parking has become more difficult on the street during evenings and weekends.
- The disruption causes a great deal of stress and has impacted our physical and emotional wellbeing in some cases.



## **Diary of noise disturbance from The Sultan Pub:**

~ Average decibel readings inside a property at Norman Road when there are no patrons using the new outdoor seating area are 27-31dB.

~ Average decibel readings inside a property when patrons are using the new outdoor seating area are 34-53dB.

~ Ten decibel increase is considered to be double the noise level. Fifteen decibel increase is considered to be three times the noise level.

### Saturday 30<sup>th</sup> April

Twenty two people used the seating area from 2pm. The last patron left at 8.30pm.

The noise was very loud. Patrons were mostly male football fans who had come directly from the local Don's game. They talked loudly and the noise could be heard inside our homes. Residents did not want to go outside because it was overwhelming to have so many people sitting directly outside with no barriers for privacy.

### Sunday 1<sup>st</sup> May

Residents lost sleep the previous night due to concern and stress about potential noise 7 days a week.

### Thursday 5<sup>th</sup> May

Eight people used the new seating from approx. 6pm. Mr Gary Robinson came out to record the noise at 6.30pm. There were up to 12 people sat in the new area until 9pm. The noise got progressively worse as people lost some of their inhibitions through the evening. A digital recording of the noise was taken at 8.45pm.

### Sunday 8<sup>th</sup> May

At 4pm, there were 14 people using the seating. The noise could be heard inside our homes making our living rooms sound like a pub and preventing us from relaxing or focussing on work/writing/reading etc. Drinkers were there until roughly 7.30pm.

### Friday 13<sup>th</sup> May

Two drinkers sat in the new seating at 4.30pm. Their conversation can be heard from inside our homes. Up to 16 people drinking in the new seating area until 8pm.

### Saturday 14<sup>th</sup> May

Four patrons using the new seating area from midday. Ten patrons from 5.30pm. Conversations can be heard inside our houses. We constantly feel like we are sat in a pub inside our homes. All patrons gone by 8.15pm.

### Monday 16<sup>th</sup> May

Seven patrons were using the seating area by 6pm. Their conversations can be heard inside our homes. One of the tables was a table of 5 people who were talking and laughing loudly. Digital recording of the noise taken at 7.10pm. The last patron left at 7.30pm.

#### Tuesday 17<sup>th</sup> May

Seven patrons were using the new seating area by 6pm. Eleven patrons using the area by 6.20pm. The noise from their conversations can be heard from inside our homes making it impossible to relax anywhere in the front of our houses. All patrons gone by 7.30pm.

#### Thursday 19<sup>th</sup> May

Five patrons using the seating by 4.30pm. Constant talking and noise can be heard inside our houses from up to 10 patrons until 8pm. Digital recording taken at 7.27pm.

#### Saturday 21<sup>st</sup> May

Patrons using the new area between midday and 9.30pm. Constant noise disturbance and overwhelm from people sat outside our homes. The environment of the whole street is changed.

#### Sunday 22<sup>nd</sup> May

Patrons using the new area in the afternoon and evening. From 6pm, the noise was really bad with 2 of the tables talking and laughing loudly. Noise persisted until 9.35pm. Digital recording taken at 7.12pm.

#### Thursday 26<sup>th</sup> May

The pub was really noisy all evening. Four males stood adjacent to the seating area outside from 10.30pm - 11pm. The noise disturbance was really loud. Digital recording taken at 10.51pm.

#### Friday 27<sup>th</sup> May

Noise from people sitting in the new outdoor area from 3.30pm until 9pm.

#### Saturday 28<sup>th</sup> May

Patrons using the new outside seating area from 1pm until 8pm.

#### Wednesday 1st June

Patrons using the new seating area from 5pm until 9.30pm. Their conversations can be heard inside our flats and houses causing disturbance and meaning we are unable to use certain areas of our homes.

#### Thursday 2nd June

Twelve patrons using the new seating area at 7pm. Conversations can be heard and there are no barriers to protect privacy. Two digital recordings taken at 7.49pm and 7.54pm. We cannot use areas of our homes due to the disruption.

#### Friday 3rd June

Patrons using the new area from 3pm until 7.30pm.



## **Diary of actions taken by residents and communication with The Hopback Brewery:**

### Week of Monday 25<sup>th</sup> April

Mr Gary Robinson (Manager of The Sultan) installed 6 large picnic tables and 8 large planters on land that was previously used as the car park of the pub. Local residents were not consulted before the installation.

### Saturday 14<sup>th</sup> May

Eleven local residents wrote a letter to Mr Robinson explaining our joint concerns and asking for the new seating and planters to be removed to restore the street's peace and quiet. Mr Robinson asked for the letter to be emailed to him and forwarded the letter by email to the Hopback Brewery.

### Monday 16<sup>th</sup> May

Residents received an email from Alison Freezer, Company Secretary of Hopback Brewery explaining that the decision to install the new seating was taken by the brewery and all communication should be directed to them.

### Wednesday 18<sup>th</sup> May

An investigation was opened by Merton Planning Enforcement into the potential intensification of use/change of use outdoors at The Sultan Pub.

Mr Robinson put up a sign outside the pub asking patrons to respect neighbours and keep noise to a minimum at all times.

### Friday 20<sup>th</sup> May

Residents received the enclosed letter from Alison Freezer, Company Secretary of Hopback Brewery in response to our letter of 14<sup>th</sup> May.

### Monday 23<sup>rd</sup> May

Eleven local residents wrote an email to Mr Steve Wright and Mr Ian Jeffs who are listed Directors of Hopback Brewery on Companies House. Email enclosed.

### Tuesday 24<sup>th</sup> May

Local residents received the following email from Mr Steve Wright:

Dear Local Residents,

I assume you have written to me because I am a director of the Hop Back Brewery, but my responsibilities do not extend to the retail side of our business. I oversee production and distribution and have no dealings with our pub operations. I have looked at your complaints and the response from our Company Secretary and have nothing to add.

Yours sincerely,  
Steve Wright.  
Brewery director.

~ There have been no further correspondence from Mr Robinson or the Hopback Brewery.



Dear Mr Gary Robinson,

A few of us have already contacted you by phone, letter and face to face in the last two weeks. We have a number of concerns about the new seating area that was recently installed on the car park of The Sultan pub, South Wimbledon. This letter is co-signed by residents and property owners of Deburgh Road and Norman Road.

Noise:

- There was no consultation with local residents prior to the new seating area being installed.
- There are no barriers to reduce the noise.
- This area is predominantly residential and is ordinarily very quiet and peaceful.
- The new seating area is open 7 days a week.
- There has already been noise and privacy disturbance on April 30<sup>th</sup>, May 2<sup>nd</sup>, May 5<sup>th</sup>, May 8<sup>th</sup> and May 13<sup>th</sup> 2022. On these dates, up to 25 people have used the new seating between the hours of 2pm and 9pm.
- The noise disturbance is not only outside on the street, it can be heard substantially inside our homes.

Parking:

- Parking for the pub has been reduced by at least 3 spaces.
- Local residents have found parking during evenings and weekends more problematic since the new seating was installed on the pub car park.

Privacy:

- There are no barriers to protect the privacy of residents from the large numbers of patrons who are able to use the new seating area.
- Patrons can see directly into our homes from where they are sat.
- The large numbers of people sat directly outside our homes is intense and overwhelming.

Increased Capacity:

- The increased capacity of the pub has increased the possibility of anti-social behaviour and litter (including broken glass) in this residential area.
- The open-plan seating on the side of the street also encourages young people who aren't patrons of the pub and don't live in the immediate area to gather there.

Physical and Emotional Wellbeing:

- Local residents have already experienced a decline in both physical and emotional wellbeing as a direct result of the stress of the disturbance.

Breach of Licence and Title Deeds:

- We believe the new seating may be a breach of the licensing responsibility of the pub to keep noise to a minimum.
- The seating also appears to be a breach of the title deeds of the pub that state nothing can be erected on the land within 10 feet of the road.
- The new seating area is a substantial change of land use, increases the capacity of the pub and causes considerable disturbance within a residential area.

Previous Application:

- We understand there was an application for seating on the car park by a previous Landlord.
- The application was denied and it was stated that the car park must remain in use as a car park only.

Existing Outdoor Space:

- The pub already has a functioning beer garden that is walled and tree lined to protect privacy and noise for local residents.



Noise Tolerance:

- In general, we support the pub and want it to be a successful local business.
- We tolerate low level noises from the pub for this reason including beer barrel deliveries, emptying and collection of bottle bins and intermittent footfall when patrons leave the pub after closing.
- The recent disturbance is above and beyond what we consider to be reasonable for this very quiet, residential area.

Existing Interventions:

- We understand that the new seating area will close at 9.30pm daily but this does not address any of the noise disturbance we have experienced since April 30<sup>th</sup> 2022.
- We also understand that signs will be put up asking patrons to respect local residents and keep noise to a minimum but none of the behaviour of patrons so far has been rowdy.
- The noise from up to 25 people chatting and socialising with alcohol is a huge disturbance and will not be eliminated by signage.

We are concerned that none of the issues we have raised so far have been addressed. Given the possibility of a breach of licensing and title deeds and the negative impact on the area, we are asking that you stop using the new seating area and remove the tables and planters to return the area to its original use of a car park as soon as possible.

For ease of communication with all of us, you can use the e-mail address [REDACTED] and copy in [REDACTED]

We are grateful for your attention to this matter and look forward to getting the issues resolved.

Your sincerely,

James Adams  
Jonathan Ashton  
Sarah Busby  
Jack Cariss  
Rachel Maher  
Charlotte Mason  
Sally McCutcheon  
Graham Piper  
Fiona Read  
Michael Smit  
Mrs S Sultana  
Alyx Wilde

CC:

Councillor Eleanor Stringer, Merton Council  
Councillor Kirsten Galea, Merton Council  
Stephen Hammond MP  
Merton Council Noise & Nuisance  
Merton Council Alcohol & Entertainment Licensing





May 20th 2022

Dear Local Residents

RE: Allegation of noise and other nuisance

Thank you for your written document which was unsigned and was without a full address. I have been given a care of address at a firm of solicitors but would not use that unless it was confirmed to me that the firm was acting for you which I believe it is not.

Firstly, can I say that it is the company's policy for our pubs to be of benefit to the community in which they are located and I have to say that I consider our Manager, Gary, to be exemplary in that regard. As can be seen from the pub's Facebook page, the Mayor of London recently visited him to congratulate him on the work being done to raise funds to buy and distribute defibrillators for key locations within the local community. At the top of the page is a picture showing customers, sitting outside the pub, near the road and not in the garden area. This picture predates the installation of seating which you claim gives rise to intolerable noise and threatens an increase in anti-social behaviour in the area.

There have therefore always been occasions when people were sitting outside the pub, without any sound barrier, but this has not previously given rise to complaints. I also note that you state that our customers are not rowdy and do not suggest that they are there late in the evening.

I would therefore be at a loss to understand why you object so vehemently to our putting a few seats outside of the pub, which is something far from uncommon, were it not for your demand that we reinstate the car park by removing the seating and the planters. The planters are not responsible for any noise and, I would have thought, enhance the area. I am also very well aware that some local residents, whose identity we do not know, have regularly used the site as a free car park, and have left cars there for weeks at a time, causing us a great deal of inconvenience and annoyance. If there is an increase in parking on the roads nearby, I would suggest that is the reason as our customers normally come on foot or on public transport.

If that is not the true reason for your objection, then I apologise but it is the only one that makes any sense to me. After all, no one can seriously expect to live in a house on the public highway, with neighbours and near a pub and expect absolute silence day and night.

Yours sincerely

Alison Freezer

Company Secretary





Residents of Norman and Deburgh Road  
Care of Fiona Read  
Russell-Cooke

Monday 23rd May 2022

Dear Mr Steven Wright,

Please find attached two letters, the first being from a number of local residents of Norman and Deburgh Road addressed to Mr Gary Robinson, manager of The Sultan. The second letter attached is a response we received from your Company Secretary. We understand that Mr Robinson forwarded our letter to the brewery by email.

We are now contacting you directly because we find the response from the Hopback Brewery to be inadequate as it does not address the large number of concerns we listed in our letter of 14<sup>th</sup> May 2022.

Since writing our original letter to Mr Robinson, we'd like to highlight the following:

- We have recorded increases of up to 15dB of noise inside our homes that is directly caused by patrons using seating installed on the car park of the pub. Please note that 5dB is considered a noticeable increase of noise and 10dB is considered to be double the noise levels.
- Since 14<sup>th</sup> May 2022, we have experienced up to 9.5 hours of this increased noise inside our homes almost every day. The noise disturbance is worsening considerably on account of the light evenings and warm weather.
- We note there was no planning application made to Merton Council prior to the new seating being installed despite considerable intensification of use and change of land use. There is now an open investigation into this matter by Merton Planning Enforcement.
- We note that there is a requirement of the pub's licence to keep noise to a minimum, especially given the pub is located on a quiet residential street. Since 30<sup>th</sup> April 2022, we do not feel the pub has met its licence requirements and will request a formal review of the licence by Merton Alcohol and Entertainment Licence Department if our concerns are not swiftly addressed.

Given the possibility of a breach of licensing, the enormous negative impact on the area and the lack of planning consent from Merton Council we repeat our request for The Sultan to stop using the new seating area and remove the tables and planters to return the area to its original use as soon as possible.

Your Company Secretary has noted concerns about corresponding with us at the postal address we have given you, which is the office location of one of the co-signatories of this letter. If this is of ongoing concern, you can use the postal address for Graham Piper at [REDACTED]

We can also be contacted using the email address [REDACTED] and we would be grateful if you can copy in [REDACTED] so that we can co-ordinate communication with all residents listed in this letter.

We are grateful for your attention to this matter and look forward to a more complete response to the information we have attached.

Your sincerely,

James Adams

Jonathan Ashton

Sarah Busby

Jack Cariss

Rachel Maher

Charlotte Mason

Sally McCutcheon

Graham Piper

Fiona Read

Michael Smit

Mrs S Sultana

Alyx Wilde



**Submission in support of the review of the licence for  
The Sultan Pub, 78 Norman Road, London, SW19 1BT**

**Statement from Fiona Read of** [REDACTED]

I am making this submission in my personal capacity. This follows the joint application I made with local residents for a review of The Sultan pub's licence by reason of recent activities of the pub which are causing a nuisance.

I live opposite The Sultan pub and have lived here for the last 24 years. The pub is situated at the corner of Norman Road and Deburgh Road. The pub has a good reputation for selling real ales and its clientele attract residents who live locally and come from further afield. It is often busy in the evenings, evidenced by the many parked cars along Norman and Deburgh Road. Despite this there has been relatively little noise emanating from the pub except for the occasional special event like the Morris dancers who come out into the road. Until recently I have barely noticed any noise coming from the pub or the pub garden which is an enclosed space at the back of the building on Deburgh Road. This all changed however in April with the installation of six large tables and benches positioned in a square formation in the car park of the pub along Norman Road. The area now takes up a good part of the frontage of the pub along Norman Road (more than half of it) and Deburgh Road and is pushed right up to the pavement. Since this has been installed, pubgoers appear to be using this area in preference to any other outside area that the pub previously used. This has had a negative impact on me and the enjoyment of my home as follows:-

**1. Privacy**

From the position of my house the tables and benches are almost in line of the property's front window which is my sitting room. Anyone sitting in that area, can look into my sitting room. This is very intrusive and I am now in the habit of closing my curtains when there are people sitting in this area. I feel constantly watched whenever I do any activity coming in and out of the house whether that is to put rubbish away, water plants or go to my car. It can be quite intimidating packing and unpacking my car when there are lots of people around particularly if they are excitable or animated in their drinking. I have at times felt unsafe to be in the street on my own particularly later in the day when people have been drinking for a while.

**2. Noise & Character**

The six benches and tables can sit up to 36 people at a time and although it is not always full, there are a lot more people sitting in this area next to the road outside the pub. This makes a significant difference to the noise in the area and the character of the street. Norman Road was a very quiet residential street that felt safe and pleasant. This has been eradicated by the positioning of these tables and benches. Now it is noisy when the table and benches are being used and it no longer feels like living a residential area and is incongruous.

Even having only a few people sitting in this area does make a significant difference to the level of noise in the street. The road is relatively narrow and voices travel especially when they are sometimes raised after drinking. The difficulty now is that if I open any window in the house I hear lots of conversations. It is almost as if I am

sitting in the pub in my front room. I recognise that some restrictions have been put in place to stop people drinking in this area from 9.30pm in the evening but this does not solve the issue earlier in the day. The pub is open from 3 pm weekdays and from midday until late in the evening on weekends. This is a long period of time.

I now do agile working and spend 40% of my time working from home. I am a solicitor and mediator and I have to conduct client meetings and occasionally court hearings online. My modem is in my sitting room and I therefore have to work here. It is difficult at times to hear conversations if my window is open and there are people sitting in the area opposite my house. The background noise is disturbing and causing stress. It is interfering with my work and ability to function efficiently. This is in addition to the restrictions I now experience in relaxing quietly in my home.

### **3. Parking**

Prior to the installation of the benches and tables, the area was used as a car park. This is needed as the pub is popular and frequented by many people from outside the area. The reduction in car space (four parking spaces have gone) means there is even more pressure for parking space in the road. I now find that I am having to park my car some distance from my house because the area is full. Again, this adds to my anxiety carrying valuable equipment such as computers and client files to and from my house.

I am aware that there is an assertion that the parking area was used primarily by residents in Norman Road. I do not accept that this is correct. A lot of different cars used to park in the area where the tables and benches now are when the pub was open. It should also be noted that every resident in Norman Road is obliged to have their own parking permit in order to park their cars on the street during the daytime (not evenings). There is therefore no reason for residents to use the pub's parking space.

### **4. Safety**

The area in which the benches and tables are situated is now at the crossroads between Norman and Deburgh Road which is next to the pavement and road. The area is unprotected by any screening. There are a lot of cars going along Deburgh Road especially towards the school at the end of it and Norman Road where there is also a church. With more people moving about in the area, there is my view greater risk of accidents to people or vehicles. I note that there are some plant boxes next to the tables and chairs but the plants in them are not mature enough to provide any barrier or protection. This is causing me some apprehension.

### **Summary**

Since the installation of the outside benches and tables my privacy has been affected. This is substantially interfering with my use and enjoyment of my home especially with the noise. It is harder to park my car than before and I am worried about my own safety as well as of others. None of the residents were consulted about the installation of these tables and benches before they were installed and the complaints we have made about the nuisance this has caused has not been acknowledged or accepted by Hop Back Brewery (the land owners). This is very

disappointing. Those of us that live in the immediate area surrounding the pub have co-existed very well with the pub, their clientele and their activities until this event. The brewery says that we should expect there to be some noise because we are living by a pub. This fails to take into account that neither I or other residents in Norman Road or Deburgh Road (many of us who have lived here for a long time) have experienced any problems until now.

The installation of the tables and benches along Norman Road and Deburgh Road is undoubtedly a change of use of the area. There is attached a note of my conversation with a former landlady of the pub. She was a previous neighbour of mine at no [REDACTED] but moved in 2020. She lived and worked in the area for over 60 years and knew it well. It is clear from her comments that this area has never been utilised as a sitting area for publicans. It has always been used as a car park. I also refer to paragraph 2 of the Charges Register of the title deed to the pub. This stipulates "nothing is to be erected within ten feet of any road except fences and those not more than six feet high". The tables and benches are fixed to the ground and I submit are in contravention of the terms under which the pub is entitled to occupy its property.

Whilst I have no wish to stop the pub from being successful, I do not accept that they require this new area in which to carry out their trade. It is causing a nuisance to all of us who live in the immediate area around the pub. There are other outside areas where publicans can go which have been used for a long time. This is both in the pub garden and the two benches along Deburgh Road which do not overlook any property and are single table and benches on their own.

I invite the Council to curtail the use of this area as an outside place to drink.

Signed : Fiona Read

Dated 9<sup>th</sup> July 2022.

**In reference to the prevention of public nuisance at The Sultan Pub, 78 Norman Road, London SW19 1BT**

**Statement from Sally McCutcheon,** [REDACTED]

I have lived in my property for 10 years and have never had cause to make a complaint about The Sultan Pub. However, the level of disruption since 30th April 2022 has been unreasonable and the lack of planning application, lack of consultation with residents and general response from the pub and brewery are really concerning.

When patrons are using the new seating area, I am unable to use the front room of my home due to the level of noise disruption as it feels like I am sat inside a pub in my own house. Norman Road is ordinarily a quiet, residential street and I would never choose to live on a busy main road with loud noise. I would never have bought this property if the seating area on the former car park had been in use prior to my purchase.

In addition to the noise, there are no barriers to protect the privacy of local residents. Patrons can see directly into our homes from the new seating area and I feel watched whenever I leave or enter my house. Patrons naturally look around and 'people watch', which is imposing and negatively impacts my daily life both inside and outside my home.

Since the new tables were installed on the car park, patrons are choosing to sit in the open space on the Norman Road side of the pub instead of the existing beer garden. In addition, the new seating area seems to have encouraged patrons to stand outside late in the evening, talking loudly and causing disruption. This has not been a problem in the previous 10 years that I have lived here but has happened at least 4 times in the last 6 weeks as shown in the digital recordings listed below.

The brewery did not apply for planning permission prior to changing the land use from a car park to a drinking area. I have sought advice from a legal professional on this matter and I understand that any material change of use requires planning permission. The change of purpose from a car park to a drinking area therefore appears to be a breach of planning regulations.

A previous manager of The Sultan informed local residents that seating was historically never allowed outside the pub on the Norman Road side. Two tables were allowed on the Deburgh Road side of the pub because that side doesn't directly overlook people's homes. Despite this, the pub has installed an additional 6 tables that can comfortably seat 36 patrons, directly outside our homes on Norman Road without consultation or council application.

The reduction of parking spaces is an additional concern in this matter. I often see patrons of the pub parking their cars on Norman Road and walking into the pub or getting back into their cars after leaving the pub. Residents pay for parking permits to park on Norman Road during the weekdays. If we return home after 6.30pm when patrons can park for free on Norman Road, there are regularly no spaces for residents.

There is also a potential concern about public safety. In February 2021, a car parked outside [REDACTED] directly adjacent to the pub's car park, was written off by another car that was speeding around the corner from Deburgh Road. Whilst this is a rare occurrence, it seems irresponsible not to have had relevant health and safety reviews prior to the change of land use.

The response from the pub and brewery about the experience of local residents since the new seating was installed is really concerning. The brewery quickly informed us that the pub was not able to reverse the decision about the new seating and that residents should not contact the pub about the matter. The brewery itself did not engage in any conversation about how to lessen the daily negative impact for residents, which shows a lack of regard. In my view, the situation warrants a very clear restriction on the pub's licence regarding external seating to restore the right for local residents to relax in their homes, prevent the worsening of the situation over time and return the car park to its intended use.

## Decibel Readings

Thirteen decibel readings were taken from inside [REDACTED] when there were no patrons using the new outdoor seating area of the pub. **The average readings are 27-31dB.** Here are three screenshots from the dB Meter App.

25th May 11.42am

24th May 9.08pm

7th July 9.29am



Twelve decibel readings were taken from inside [REDACTED] when patrons were using the new outdoor seating area of the pub. **The average readings are 34-53dB.**

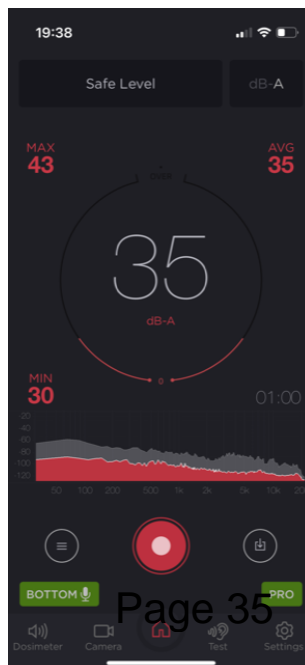
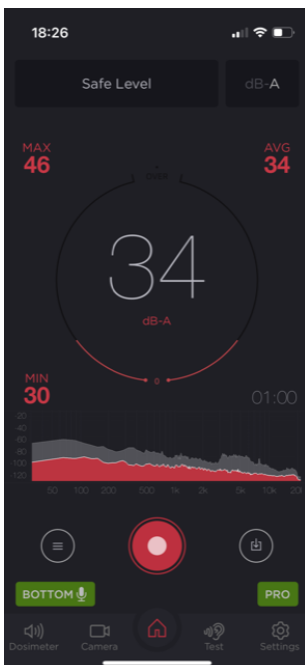
**Ten decibel average increase is considered to be double the level of noise. Fifteen decibel average increase is considered to be triple the level of noise.**

Here are 9 screenshots from the dB Meter App.

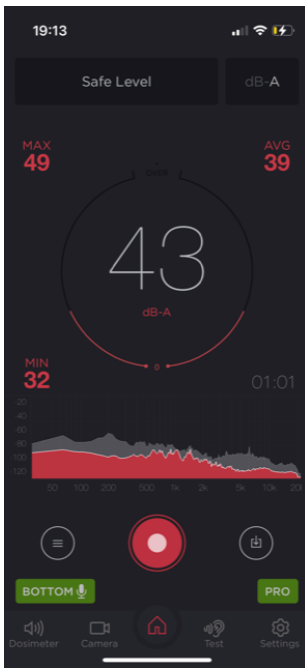
14th May 6.26pm

14th May 7.38pm

19th May 7.55pm



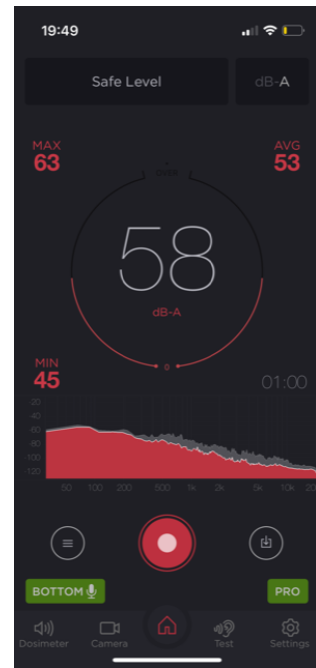
22nd May 7.13pm



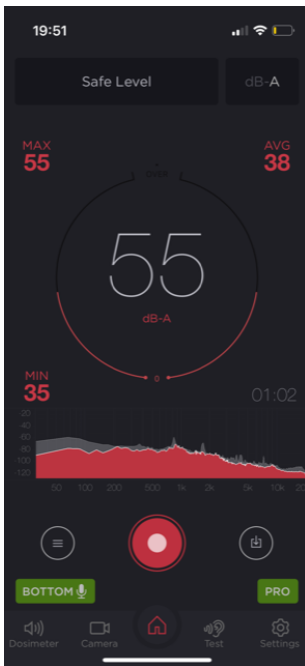
23rd June 8.37pm



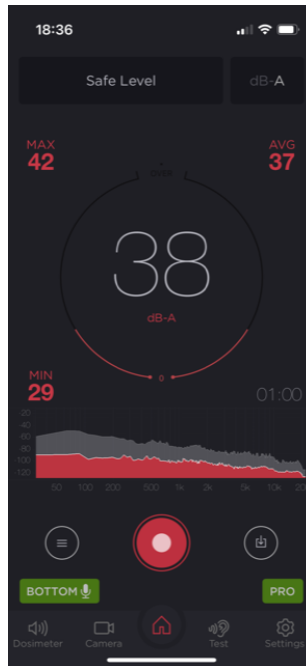
2nd June 7.49pm



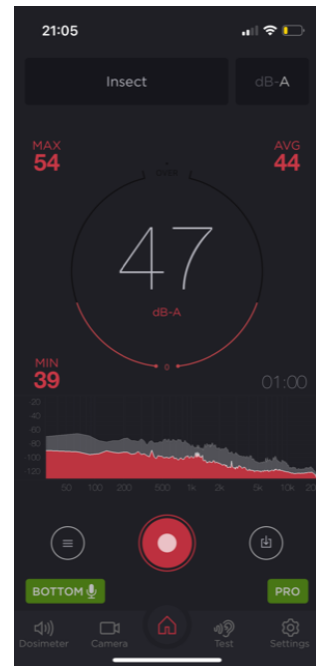
2nd June 7.51pm



16th May 6.36pm



2nd July 9.04pm





### **Digital recordings submitted by email**

The following digital recordings of noise have been submitted by email.

All recordings were taken from inside [REDACTED]

Noise persisted on each of these occasions for approx. 30 mins up to 7 hours and was directly caused by patrons sat in the new seating area of the pub (apart from 26th May and 20th June as listed below).

Thursday 5th May 8.45pm

Monday 16th May 7.10pm

Sunday 22nd May 7.12pm

Thursday 26th May 10.51pm

These patrons were stood at the front of the pub, adjacent to the new seating area.

Monday 20th June 10.41pm

These patrons were stood at the front of the pub, adjacent to the new seating area.

Thursday 2nd June 7.49pm

Tuesday 21st June 8.04pm

Thursday 23rd June 8.33pm and 8.37pm

Monday 27th June 7.30pm

Saturday 2nd July 8.58pm

### **Relevant notes from Planning Officers in 2014:**

There is a planning application by The Sultan Pub in 2014 when the conservatory was built. The application is under reference 14/P1152.

I would like to flag the following points of interest:

- The planning application notes the pub as having four parking spaces and the planning officers report notes that the building of the conservatory has no impact on parking.
- The current arrangement of tables has reduced that to one parking space.
- In considering the impact of the proposed conservatory on a residential amenity, the planning officer noted positively that the conservatory would act as acoustic screening reducing the noise from the main bar that would be heard by neighbours and furthermore that it reduced the size of the beer garden, thus reducing the number of patrons outside.
- The current situation of seating on the car park is a displacement of the beer garden to an area which is larger than the area lost to the conservatory, not screened by the conservatory, and not bound by the walls which enclose and provide both an acoustic and a visual screen for the existing beer garden.
- The impact of the pub on residential amenity, and in particular noise, privacy and the numbers of outside drinkers, were relevant to allowing the past changes to the use of land.

Links to relevant PDFs:

[https://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000084000/1000084053/14P1152\\_Application%20Form%20part%2001%20NoPersonalData.pdf](https://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000084000/1000084053/14P1152_Application%20Form%20part%2001%20NoPersonalData.pdf)

[https://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000084000/1000084053/14P1152\\_Delegated%20Report.PDF](https://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000084000/1000084053/14P1152_Delegated%20Report.PDF)

**The Sultan Public House, 78 Norman Road, London SW19 1BT  
Licensing Review**

**Statement from Father Graham Piper,** [REDACTED]

The Sultan Public House is well known in this quiet residential area. The particular beers on offer appeal to a more discerning customer and, I know of several people who travel to frequent the Pub. As far as I know it is well managed and due consideration has been given to the sensitive setting of the establishment during the time I have lived here.

It must be noted that The Sultan stands alone and is the only business establishment in this densely populated area. The roads around are small residential streets with limited traffic movement. Two sets of bollards are fitted to the South side of Norman Road. There are also traffic bollards erected on Hotham Road, Grove Road, Laburnum Road and Layton Road. These bollards were fitted years ago to prevent through traffic to the very busy Merton High Street and Haydon's Road. No doubt the decision was made by the Council and Highways Department to protect the residential area and prevent constant disturbance to residents. In addition there is now limited traffic use of Deburgh Road during the 'drop-off' and 'pick-up' of children attending All Saints School. The above mentioned traffic restrictions add to the quiet nature and ambience of this very peaceful and pleasant area.

The Sultan is ideally placed to enhance the area by maintaining good relations with residents and promoting its particular brand. However, I do feel that since April 2022 the nature of Deburgh Road and Norman Road has changed by the intrusive erection of external seating for customers on the former parking area, on the corner of Norman Road and alongside Deburgh Road. I understand that the land belongs to The Sultan and we are informed that there has been no contravention of licensing, we still await a response from planning. However, this does seem to be inconsistent with previous considerations, when permission was applied for in the past in regard to the erection of a conservatory.

I am not a person who would normally complain, and the last thing I want is to be part of a campaign against the rather unique nature of The Sultan. I enjoy the idea that a friendly and sedate Public House is only three doors away. Therefore, I am rather disappointed that no consultation has taken place regarding the possible and already experienced impact on residents around the establishment.

The noise level from the seating area does not have a great deal of impact on me personally, however, I can hear people talking and laughing when I am in my bedroom at the front of the house and it has been particularly noticeable at times. I appreciate the effort made on behalf of the management to restrict the use of the seating and implementing a cut-off point of 9.30pm. All the same, I do feel sorry for residents with homes directly facing the Sultan. The noise is unbearably disturbing

for them, even when very few people are sat outside, let alone the impact on privacy. The 9.30pm restriction will not help parents trying to settle young children at bedtime, nor those aiming for an early night, nor anyone ill in bed.

The letter received by residents from the Brewery regarding the seating was inarticulate, unprofessional and inconsiderate, let alone inaccurate about local residents. The response from the Brewery tried to personalise matters. I have no doubt that the Landlord of the Sultan is very community minded. So are many of the people who have concerns regarding the impact of the seating outside the Pub. We too could list the way in which we contribute to our local communities.

I have to say that I am also disappointed with the local Council response. There has been no suggestion of trying to facilitate any conciliatory meeting between the Brewery and local residents. It looks like we are overlooked and misunderstood. There is a difference between frequenting the Sultan and living next to it. This is not a Public House on the High Street or on a busy road. Most people here want the Sultan to survive and continue. It is a unique place, it offers a very distinctive quality, but this move is not in character with the Public House we have known in the past. We would love the Sultan to survive, it's a great place, for residents, visitors and a wonderful resting place for Councilors and Campaigners to reflect and refresh themselves.

Please maintain the equilibrium.

Yours faithfully,

Father Graham Piper

### **Attendance Note - Summary of conversation with Pamela re Sultan Pub**

Pamela confirmed that she had been the landlady of the Sultan Pub (pub) for about 30 years from 1953 to 1993. She then lived next to the pub at number 84 Norman Road until 2020.

She confirmed the pub has been around a long time. It was bombed in 1944 during the Second World War. It was rebuilt and opened again in 1955. It is an unusual pub in that it is located in the heart of the residential area off the main street. It was designed to be used by local residents.

When she was running it, the pub was owned by LI Breweries. She was their tenant. She sold their beer and always referred to them for any matters relating to the property. The Brewery were very strict on how she operated the licence. She always had to consult them and the Local Authority to obtain relevant licensing permission if there was any activity outside the pub that had to be done. This included obtaining late licences for parties, weddings etc.

The area in front of the pub along Norman Road was always used as a parking space. In fact the pavement was lowered specifically to enable cars to be parked there. Although the pub was used by local residents it was popular and a lot of people frequented it from outside the area with their cars. The carpark was constantly being used.

Apart from the inside area of the pub, it had an enclosed beer garden which had at least two large benches where people could sit at. The beer garden was larger than it is now and in fact had a pond. This has now been partially taken up by the conservatory. There were two other benches outside the pub along Deburgh Road (away from the pavement). She thought that these had been allowed because they did not overlook anyone's property.

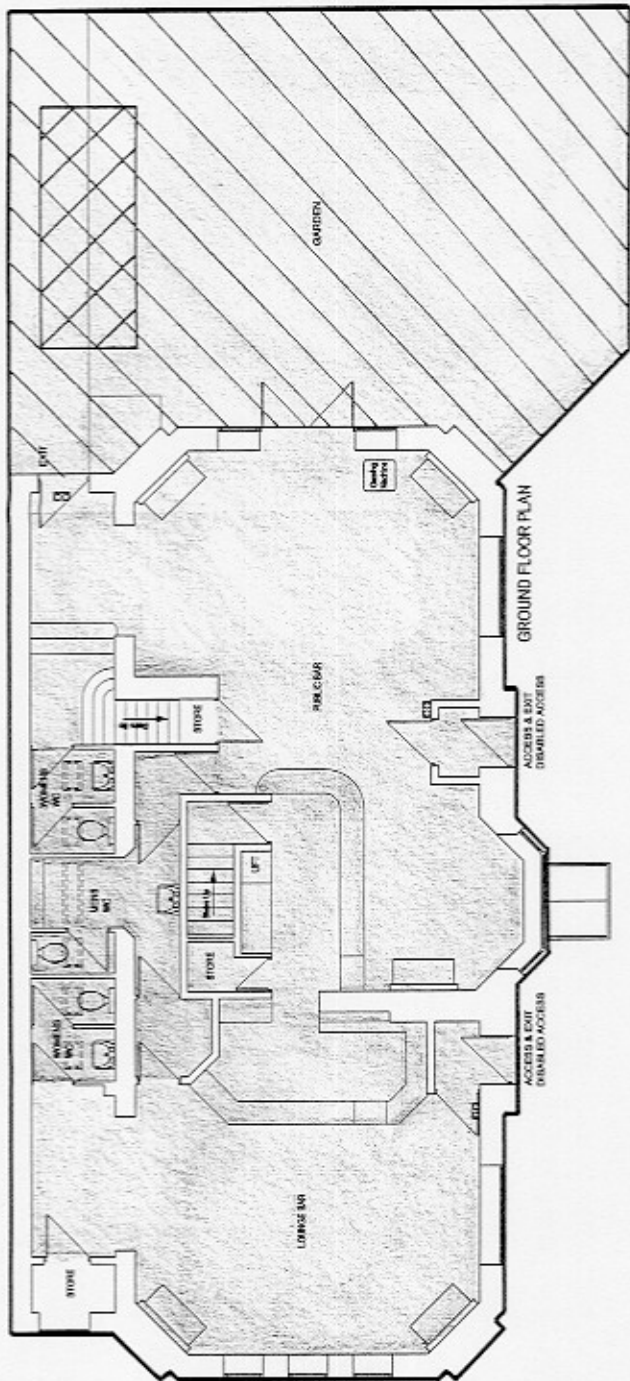
The pub was very popular when she was running it. It was very much a pub that served the community. They had a lot of clubs meet there such as the pigeon and fishing clubs, the pool and dart club and they also ran a savings scheme for some of the locals for Christmas. They always got on with all the residents and the local

church. They never had any complaints or arguments from residents whether or not they came to the pub.

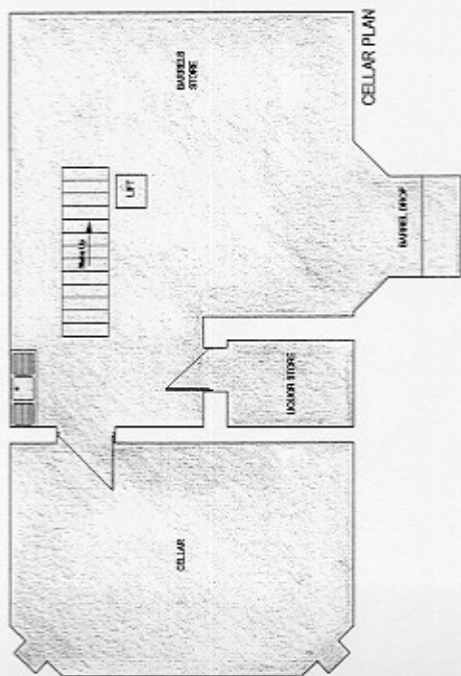
After she finished working at the pub she had no difficulties as a local resident with the pub for noise or anything else. The area right next to her house continued to be used as a carpark all the time she was living at 84 Norman Road

Dated: 25<sup>th</sup> June 2022

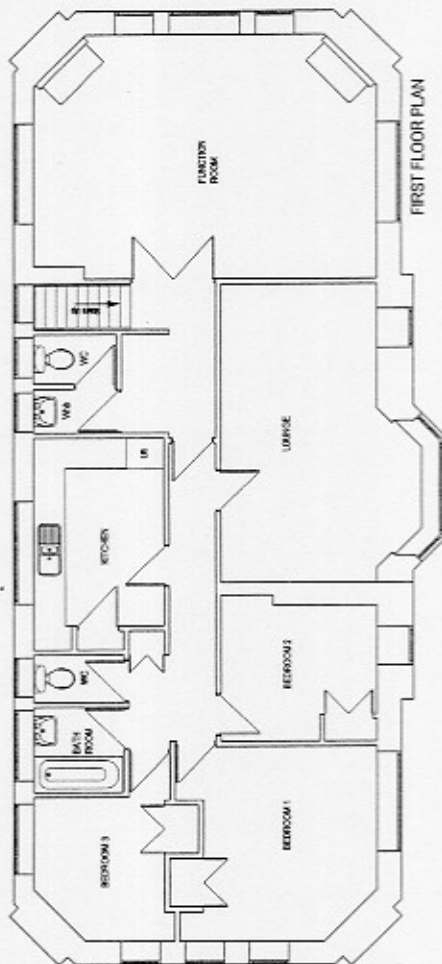
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GROUND FLOOR PLAN



CELLAR PLAN



FIRST FLOOR PLAN



P.O. BOX 57 · DIMERSLEY  
WINDYESTERSHIRE · W99 0Y9  
Tel 01905 821650 · Fax 01905 821414  
Email [design@tandf.co.uk](mailto:design@tandf.co.uk)  
Web [www.tandfarchitects.co.uk](http://www.tandfarchitects.co.uk)

RIBA

Design:  
The Hop Back Brewery

Arch:  
The Sultan PH, Wimbledon

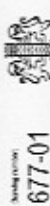
Drawn by:  
Floor Plans 01 Eng

Scale:  
1:100

Date:  
Nov 2004

Project:  
AM

Drawing number:  
677-01





THE BOUNDARY OF THE BUILDING.  
SEE LOCATION PLAN FOR THE PERIMETER OF THE PREMISES.



AREAS TO BE USED FOR THE CONSUMPTION OF ALCOHOL.



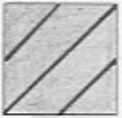
TOILET ACCOMODATION.



AREAS TO BE USED FOR THE STORAGE OF ALCOHOL AND BAR SERVICES.



KITCHEN AND STAFF ONLY AREAS.



AREAS WHERE CHILDREN TO BE PERMITTED.



AREAS OCCASIONALLY USED AS A BAR SERVERY DURING BEER FESTIVALS.



AREAS OCCASIONALLY USED AS A DANCE FLOOR.

---

Client  
The Hop Back Brewery

---

Description  
Legend of coloured areas.

---





## LICENSING ACT 2003

### Part A Premises licence

Premises licence number

LN/00000771

#### Part 1 - Premises details

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

**The Sultan  
78 Norman Road  
Colliers Wood  
London**

**020 8544 9323**

Where the licence is time limited, the dates

**Not applicable**

The opening hours of the premises

<b>Monday</b>	<b>08:00</b>	<b>-</b>	<b>00:30</b>
<b>Tuesday</b>	<b>08:00</b>	<b>-</b>	<b>00:30</b>
<b>Wednesday</b>	<b>08:00</b>	<b>-</b>	<b>00:30</b>
<b>Thursday</b>	<b>08:00</b>	<b>-</b>	<b>02:30</b>
<b>Friday</b>	<b>08:00</b>	<b>-</b>	<b>02:30</b>
<b>Saturday</b>	<b>08:00</b>	<b>-</b>	<b>02:30</b>
<b>Sunday</b>	<b>08:00</b>	<b>-</b>	<b>00:30</b>

**Extra 2 hours Christmas Eve, Boxing Day, New Year's Eve if they do not fall on a Thursday, Friday or Saturday. Extra 2 hours on Bank Holiday Sunday and Easter Sunday.**



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**

<b>Monday</b>	<b>10:00</b>	<b>-</b>	<b>00:00</b>
<b>Tuesday</b>	<b>10:00</b>	<b>-</b>	<b>00:00</b>
<b>Wednesday</b>	<b>10:00</b>	<b>-</b>	<b>00:00</b>
<b>Thursday</b>	<b>10:00</b>	<b>-</b>	<b>02:00</b>
<b>Friday</b>	<b>10:00</b>	<b>-</b>	<b>02:00</b>
<b>Saturday</b>	<b>10:00</b>	<b>-</b>	<b>02:00</b>
<b>Sunday</b>	<b>10:00</b>	<b>-</b>	<b>00:00</b>

**Extra 2 hours Christmas Eve, Boxing Day, New Year's Eve if they do not fall on a Thursday, Friday or Saturday.**

**Extra 2 hours on Bank Holiday Sunday and Easter Sunday.**

**Exhibition of a Film**

**Indoors**

<b>Monday</b>	<b>16:00</b>	<b>-</b>	<b>00:00</b>
<b>Tuesday</b>	<b>16:00</b>	<b>-</b>	<b>00:00</b>
<b>Wednesday</b>	<b>16:00</b>	<b>-</b>	<b>00:00</b>
<b>Thursday</b>	<b>16:00</b>	<b>-</b>	<b>00:00</b>
<b>Friday</b>	<b>14:00</b>	<b>-</b>	<b>00:00</b>
<b>Saturday</b>	<b>14:00</b>	<b>-</b>	<b>00:00</b>
<b>Sunday</b>	<b>14:00</b>	<b>-</b>	<b>00:00</b>



## Indoor Sporting Events

### Indoors

Monday	10:00	-	00:00
Tuesday	10:00	-	00:00
Wednesday	10:00	-	00:00
Thursday	10:00	-	02:00
Friday	10:00	-	02:00
Saturday	10:00	-	02:00
Sunday	10:00	-	00:00

## Live Music

### Indoors

Monday	10:00	-	00:00
Tuesday	10:00	-	00:00
Wednesday	10:00	-	00:00
Thursday	10:00	-	02:00
Friday	10:00	-	02:00
Saturday	10:00	-	02:00
Sunday	10:00	-	00:00

Extra 2 hours Christmas Eve, Boxing Day, New Year's Eve if they do not fall on a Thursday, Friday or Saturday.

Extra 2 hours on Bank Holiday Sunday and Easter Sunday.

## Recorded Music

### Indoors

Monday	10:00	-	00:00
Tuesday	10:00	-	00:00
Wednesday	10:00	-	00:00
Thursday	10:00	-	02:00
Friday	10:00	-	02:00
Saturday	10:00	-	02:00
Sunday	10:00	-	00:00



**Extra 2 hours Christmas Eve, Boxing Day, New Year's Eve if they do not fall on a Thursday, Friday or Saturday.**

**Extra 2 hours on Bank Holiday Sunday and Easter Sunday.**

**Background only - e.g. TV and Radio etc. 24 Hours.**

### **Late Night Refreshment**

#### **Indoors and Outdoors**

<b>Monday</b>	<b>23:00</b>	<b>-</b>	<b>00:00</b>
<b>Tuesday</b>	<b>23:00</b>	<b>-</b>	<b>00:00</b>
<b>Wednesday</b>	<b>23:00</b>	<b>-</b>	<b>00:00</b>
<b>Thursday</b>	<b>23:00</b>	<b>-</b>	<b>02:00</b>
<b>Friday</b>	<b>23:00</b>	<b>-</b>	<b>02:00</b>
<b>Saturday</b>	<b>23:00</b>	<b>-</b>	<b>02:00</b>
<b>Sunday</b>	<b>23:00</b>	<b>-</b>	<b>00:00</b>

**Extra 2 hours Christmas Eve, Boxing Day, New Year's Eve if they do not fall on a Thursday, Friday or Saturday.**

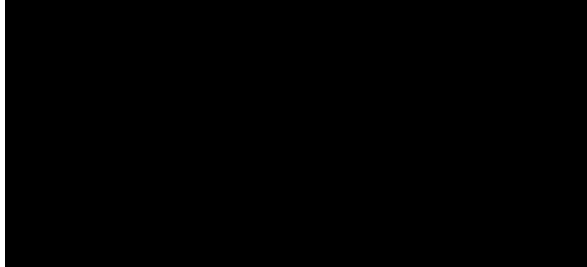
**Extra 2 hours on Bank Holiday Sunday and Easter Sunday.**

**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

**Hop Back Brewery Plc**



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



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

**Gary Robinson  
The Sultan Public House  
The Sultan  
78 Norman Road  
Colliers Wood  
London**

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

**Royal Borough of Kingston-upon-Thames** 



## **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 responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) 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 –
  - (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
    - i. drink as much alcohol as possible (whether within a time limit or otherwise);
  - (a) 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 in a manner which carries a significant risk of undermining a licensing objective;
  - (b) 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 in a manner which carries a significant risk of undermining a licensing objective;
  - (c) 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;
  - (d) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).



**5.** The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

**6.** (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.

**7.** The responsible person must 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: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**8.** 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.

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.

**9.** The admission of children to the exhibition of any film is to be restricted in accordance with any recommendation made by the relevant film classification body or relevant licensing authority.



ENVIRONMENT AND REGENERATION DEPARTMENT  
Licensing Team  
London Borough of Merton  
14<sup>th</sup> Floor, Merton Civic Centre  
London Road  
Morden, Surrey  
SM4 5DX  
  
Tel: 020 8274 4901  
[www.merton.gov.uk/licensing](http://www.merton.gov.uk/licensing)



Annex 2  
Conditions consistent with the Operating Schedule

NONE

Annex 3  
Conditions attached after a hearing by the licensing authority

NOT APPLICABLE

Annex 4

Premises Plan: Drawing number '677-01' of 12/07/2005.

IN THE MATTER OF THE APPLICATION FOR A REVIEW OF THE LICENCE OF THE SULTAN, WIMBLEDON  
REPRESENTATIONS BY THE PREMISES LICENCE HOLDER, THE HOP BACK BREWERY plc

The Applicant has made an application for a Review of the Premises Licence of the Sultan Public House in response to the installation of 6 benches on its land in an area adjacent, not to the applicant's house but to the public highway. This in itself, I would contend is relevant as anyone living on a public highway must expect some element of noise and indeed lack of privacy given that anyone is entitled to walk or drive adjacent to their dwellings.

Moreover, prior to the installation of these benches there was not only an outside area behind a fairly low wall but bench seating outside of the public house, adjacent to the highway and with no barriers to protect privacy and noise. To my knowledge, the use of this outside seating has not given rise to any complaints. The installation of six benches at the side of the pub has however given rise to what appears to me to be a concerted campaign, not just to remove the seating but to reinstate the parking spaces that were previously being regularly used by persons unknown as a free car park. Had the customers of The Sultan wished to use these parking spaces they would not therefore be available. I was unable to park at the Sultan when I last was there in a car and two of the obstructing vehicles were still there a week later. This may seem irrelevant to the essence of the complaint but does provide a possible motive for what we believe is a complaint not being made in good faith, containing gross exaggeration, combined with attempts at intimidation for a manifestly ulterior motive.

The business justification for installing the benches is that because, following the pandemic, in common with most similar businesses, trade was about 20% down and, understandably, we were aware that many former pub goers were concerned about the health risks of drinking in enclosed premises. Seating outside of a pub is by no means uncommon and, indeed, almost a year ago, it was the only environment in which alcohol could legally be served. Nonetheless, to discourage any late noise or anti-social behaviour, the decision was made that the seating would only be available to users of the pub until 9.30 in the evening. The seating is therefore available from 3.00pm to 9.30 Monday to Friday and from 12 noon until 9.30 on Saturday and Sunday. The Environmental Health Department of Merton Borough Council is aware of this issue and has been in touch with the manager of the pub and has not requested that we alter any of these times.

I note that even the applicant's own diary only records one event after that time when it is alleged that four males stood adjacent to the pub from 10.30 – 11.00 pm. I have no idea whether or not these males were customers of the pub but they were not using the seating and could have made such a noise before the changes of which the applicant complains. I also note that although it is stated that the noise nuisance from the users of the seating renders parts of their homes unusable, which if true would be a very great concern to me and my colleagues, the only specific allegation of a noise level is of between 34-53 db which may be an increase but which is far from loud and does not, I submit, constitute a public nuisance. I do not however accept that, given the position of the seating, that significant noise can be heard in the applicant's home.

I know that the area is regularly monitored and is covered by CCTV so if there were any instances of anti-social behaviour, the malefactors could easily be identified. There is no lighting or heating so its use is unlikely to be outside of daylight hours or in cold weather.

It is very difficult to address a complaint which seems to have no substance in reality. I submit that if the applicant and her supporters really were suffering from unbearable noise nuisance rather than from the loss of some convenient free parking spaces, they would have approached this differently, made some suggestions by way of a compromise (ie reducing times, reducing number of benches) and would not have insisted on the reinstatement of the car parking spaces and the removal of the blameless planters. Most people would prefer a view of plants and, indeed tables, than motor vehicles after all. Rather than engage (and I understand that the applicant is a practising mediator), she has attempted to intimidate by giving a solicitor's email address, making some very odd allegations of illegality and, instead of responding to me in reply to my letter, writing to two directors of the company. Incidentally, the complainants have not denied my suggestion that their real concern is the loss of the car parking spaces at the Sultan (they do not, as far as I am aware, use the pub so could have no legitimate interest in the preservation of these car parking spaces). Moreover, and I do not know if any of those involved in this complaint is responsible but the manager has received anonymous phone calls, with the number withheld, complaining about the noise coming from the tables when either there were very few, well-behaved customers there or no one at all. His suspicion is that the calls were coming from someone without a clear view of the seating area, hoping that the seats were full. The Principal Environmental Health Officer of Merton Council contacted us about an allegation of noise at 22.50 on the 2<sup>nd</sup> June and the manager sent to him CCTV evidence showing that the site was not in use at that time. It is of course possible that there is some noise in the area for which we are not responsible and for which we are being balmed.

To sum up, I do not consider that, even on the face of the application, a case for public nuisance is made out. The matter has been reported to the Environmental Health Department of Merton Council and we have not been asked to alter any of our business practices as a result. I therefore request that this matter be dismissed without the need for a formal hearing.

Alison Freezer

Company Secretary

Hop Back Brewery plc

**From:** Chris Barnes  
**Sent:** 12 July 2022 20:45  
**Subject:** Re: Sultan Review

Hi  
Please find my resubmitted comments

And on behalf of my 6yr old son of the same address;  
Henry Barnes

I have been a patron of the Sultan for over 10 years as a thirty something couple and as a young family. The pub should be regarded and treated as a jewel in the crown for South Wimbledon. It brings people and communities together from WW2 veterans to week old babies. This was best shown by the recent Jubilee street party. And other similar events.

All pubs are struggling post covid and in the cost of living crisis. The new outside tables chairs provide a small increase in revenue to help the pub stay alive as a community asset. They are predominately used by middle aged groups of no more than four people chatting over a quiet drink. No music, no Tv and no shouting. At most times only a couple of tables are in use so the noise can't be 9hrs a day for 7 days a week. That's just a plain falsehood. They have not brought a different crowd or noise level to the pub which already had a pub garden and tables at the front of the pub. The noise level is no different from a neighbours garden.

South Wimbledon has already lost the Trafalgar. It can't afford to lose another community asset pub which must be one of the most inoffensive, trouble free pubs in London.

The landlord is particularly sensitive and conscientious of following the rules, guidelines and being a good community neighbour. This was examples by his covid rules which were tougher than many pubs in the area but designed to protect the community and his customers.

To sum up I would go further and say a big thanks to Gary and his Team for running a great community pub - on behalf of me, my family and all the people who enjoy the community activities there. He should be treated and respected as a pillar of the community - not having to defend himself from these types of complaints not based on facts.

Best regards  
Chris Barnes

Dear Ms Macdonald,

Re Premices Licence Review, The Sultan, 78 Norman Road, SW19 1BT

Thank you for your email of 01 July 2022. It was very helpful and I am now writing again in support of the changes at the Sultan and I hope this letter will be accepted as valid.

The changes to which this letter refers are the provision of picnic tables together with several large planters outside the Sultan in a space which was formally used for parking two cars/vans and motorcycles or bicycles. The planters are positioned so as to provide a boundary with the pavement. The overall appearance is a friendly one and to date the area is kept clean and tidy.

I have considered how these changes will affect the prevention of crime and disorder, Public safety, the prevention of public nuisance and the prevention of children from harm.

1. Prevention of crime and disorder.

In the five years I have regularly been visiting the Sultan I have never witnessed violence or disorder. The Sultan is very much a local pub with loyal customers who abide by the law.

2. Public safety.

As in my previous response I have never felt threatened or witnessed threats or intimidation.

3. Public nuisance.

The new arrangements do allow for public nuisance in a way which has not been possible previously . Particularly there is a risk of noise reaching annoying volumes. I do not see how this can be judged until the changes have been present for a significant time – at least six months. There is also the option of limiting the time available in the evenings.

As I have said earlier the regular customers are not in my experience loud and raucous individuals.

4. Protection of children from harm.

There are many families with young children in this neighbourhood and the presence of this busy pub is well known and accepted. Outside tables do allow for closer contact between customers and children but they are well separated by the planters and the area is exposed and public. Outside tables are increasingly common for pubs and restaurants and I would be surprised if these changes at the Sultan present a significant risk to children who have easy alternative options to avoid walking past the Sultan.

In summary my impression is that these changes have been undertaken in a thoughtful manner and represent an improvement. The outside areas previously tended to appear somewhat untidy and overlooked.

The possibility of nuisance can only really be judged by a period of use and the provision for bicycles to be locked securely must continue.

Yours faithfully

John Boyd

**From:** Mark Bravery

**Sent:** 25 June 2022 21:55

**To:** Licensing

**Subject:** Premises licence review: Sultan Public House

To whom it may concern

It has been brought to my attention that there is a review of the premises licence for the Sultan PH, 78 Norman Road SW19 1BT.

I am making representations as Chair of the SW London branch of the Campaign for Real Ale (CAMRA).

The Sultan is a former CAMRA branch Pub of the Year, and is a an excellent, well run, community pub. Like other pubs, it is relying on regular trade to recover from the loss of business during the pandemic-related lockdowns and restrictions imposed during 2020 and 2021.

I understand that the review has been prompted by a complaint about noise from the outside drinking area adjacent to the junction of Norman Road and Deburgh Road.

This area is part of the premises and , as far as I am aware, drinking has always been permitted here.

I visited the Sultan earlier today, Saturday 25 June. At 5.30pm there were three customers sitting in this area. At 7pm there were none. I could not detect any noise level that would constitute a public nuisance.

This area is likely to be heavily used only on warm days.

There is a notice on the wall beside this area specifying that drinking there is not permitted after 9.30pm. This clearly addresses the issue of potential public nuisance in the latter part of the evening.

I contend that there are insufficient grounds for any change to the terms of the premises licence.

Mark Bravery

-----Original Message-----

From: gail cobley

Sent: 28 June 2022 23:34

To: Licensing

Subject: Ref Sultan Public House

Dear Sir/Madam

I have been a patron of this pub for many years, mainly as a competitor in its very popular pub quiz. This pub is a huge asset to the local community, raising funds for Trinity Hospice and for the defibrillator fund as well as providing an invaluable service with its events and facilities. The quiz, beer festivals and music events are very well attended and raise much needed money for charity. The community library and large stock of free board games give a friendly and family feel to the pub. The idea that this is under threat due to unfounded noise complaints is distressing to its many patrons. I therefore wish to voice my support for the pub and feel it should not have its licence threatened.

Kind regards

Gail Cobley

**From:** Andy Coles  
**Sent:** 12 July 2022 18:10  
**To:** Licensing  
**Subject:** Re: Review of Premises Licence for the Sultan Public House 78 Norman Road SW19 1BT

My name, address and postcode are

Mr Andrew Coles

Dear Sir/ Madam,

I am amazed that this review is necessary given that this is an extremely well run and a Community Pub which has always without exception been respectful to all it's Neighbours.

I have been a regular user of this Pub, most days of the week, since it opened as a Hopback Pub in 1994 and there has never been problems with regard to the 4 main public objectives necessary for the orderly running of such an establishment. Namely prevention of Crime and disorder, public safety, prevention of public nuisance and the protection of Children from harm. The pub is renowned for supporting many local Community Groups by providing hall space for all groups all ages without exception.

The recent addition of external pub benches along the Norman Road side of the Pub which seem to be the area of contention has been extremely well managed with appropriate signage requesting users to be mindful of the immediate neighbours by keeping as quiet as possible with further signage stating the area must be vacated by 9.30pm. This area is robustly managed by the Pub Management in order to make sure these instructions are adhered to.

The allegation that some residents are impacted all day every day is totally absurd as in my experience the additional seating area in question simply does not get used to anything like the hours mentioned. Have the allegations as to possible noise been independently measured?

Best regards,

Andy Coles.

**From:** Lawrence Davies  
**Sent:** 12 July 2022 15:20  
**To:** Licensing  
**Subject:** The Sultan Public House, Norman Road licensing review

Dear Sir,

I was very surprised to hear that a complaint has been made about the Sultan public house. I visit regularly on Wednesdays and find it a quiet and well run pub. Many pubs are very noisy and it is difficult to hold a conversation with friends, not so with the Sultan where it is easy to hold a conversation with friends. I would strongly recommend that you maintain the pub's licence. If there are issues that I am unaware of I am sure that they could be resolved by negotiation, perhaps with the help of council officers.

Yours faithfully

Lawrence Davies

**From:** Paul Davieson  
**Sent:** 29 June 2022 17:56  
**To:** Licensing  
**Subject:** The Sultan pub - License Review

It is my understanding that The Sultan Public House at 78 Norman Rd, London, SW19 1BT is currently having its Premises License reviewed after some complaints from local residents.

I am a local from the area and wish to write in support of the Sultan.

I have lived in the area since 2007 and have never found the Sultan to be anything but a pleasant and friendly environment to have a few drinks in. The pub is; wheelchair, child and dog friendly and draws its customers from a diverse selection of the local community. Its long running and popular quiz night on alternate Tuesdays has consistently raised money for the Trinity Hospice and at the moment the pub is currently raising money for defibrillators to be placed in the local area that is currently sadly lacking in them. This is truly a community pub.

It has won awards both from the Campaign for Real Ale (CAMRA) and the Time Out magazine. Indeed in 2018 the pub won Time Out's 'Most Loved Local Bar or Pub' across all of London. It consistently features in books recommending pubs across the country and has upon occasion been visited by tourists travelling many thousands of miles after seeing these recommendations.

Being reasonably close to the ground of the AFC Wimbledon Football club it attracts fans of both home and away supporters who have happily mingled with each other both before and after games during the recent season.

The pub has no record for underage drinking, violence or drugs.

In my opinion, it would be a very sad loss to the majority of local residents should its license be revoked.

Regards,

Paul Davieson

**From:** Pam Donovan  
**Sent:** 01 July 2022 09:42  
**To:** Licensing  
**Subject:** Licence review: The Sultan 78 Norman Road SW19

Dear Madam/Sir

I understand that somebody has made an application to Merton Council for a review the licence of the Sultan public house at 78 Norman Road SW19. I have been told that the grounds for the application relate to the recent installation of a small amount of outside seating on the premises and it is being alleged that this is creating a public nuisance of some kind.

I visit the Sultan about once every 6 to 8 weeks, sometimes for a quiet drink with friends and sometimes to watch the local morris dancers perform. In my opinion the Sultan is a very well-run neighbourhood pub with a welcoming atmosphere and I have never seen any sign of disruption or antisocial behaviour either inside or outside the pub during any of my visits. The landlord keeps very



good order and the people who use the pub appreciate this. I am 65 years old and a single woman and I am very happy to say that I can walk into the Sultan on my own at any time of the day or evening and have never felt intimidated, which is by no means the case for all pubs and licensed premises in Merton.

Most pubs, cafes and restaurants nowadays try to provide some outside seating for patrons who wish to smoke. In my opinion it is reasonable for the Sultan to have installed a couple of outside tables for smokers to use. These are not used after 9.30pm and I have seen the landlord enforcing this.

I do not believe that there are any substantial grounds for reviewing the licence of this premises.

Yours faithfully,

Pamela Donovan

**From:** PETER DUNCAN

**Sent:** 08 July 2022 14:42

**To:** Licensing

**Subject:** Licensing Review for The Sultan Public House, 78 Norman Road, London SW19 1BT

To whom it may concern

I am the Director of [REDACTED] Residents Limited which consists of six flats [REDACTED] directly opposite the Sultan Public House. I have lived in [REDACTED] or over 30 years and have never experienced any noise problems from the pub in all that time, particularly with the recent addition of a few extra tables and benches on its forecourt. Indeed, there have been tables and benches outside the pub for over 20 years. I have enjoyed thousands of visits to this Award winning, quiet back street pub over the years.

As the Director of the freehold Company I have approached the current tenants in this matter and like me, they have experienced none of these so-called noise problems. I have also spoken to Dr Souad Khalaf at [REDACTED], again directly opposite the pub, and she has told me that she has never experienced any noise problems.

I think the Sultan Public House should be commended for all the charitable work it does and for being a focal point for the local community. Incidentally, I wonder if any of the complainants partook in the recent street party in Deburgh Road outside the Sultan Public House to celebrate our Queen's recent 70th Jubilee.

Yours sincerely

Peter Duncan

**From:** Bernard Fanthom  
**Sent:** 12 July 2022 09:53  
**To:** Licensing  
**Subject:** The Sultan Public House

Sir/Madam,

I wish to correspond regarding the recent challenge to the license of the Sultan.

As a regular drinker at this pub, I believe no such challenge should exist.

There is no excessive noise around this establishment.

The Sultan is a well run pub and asset of the community.

Gary Robinson and his team do an excellent job there. Gary excelled in running the pub during covid times and adhering to the strict guidelines for which he should be commended.

In short, no challenge should exist to the Sultans license.

Regards,

Bernard Fanthom.

**From:** Peter Gay  
**Sent:** 12 July 2022 17:57  
**To:** Licensing  
**Subject:** The Sultan, 78 Norman Road, London SW19 1BT - Premises Licence Review response

Dear Licensing Officer,

I am giving my views on the new seating area outside The Sultan pub.

I believe this new arrangement will be very positive and support this development.

It supports public safety as it increases the capacity for people to sit outside, thus minimising their risk of Covid and other airborne viruses. There are still many people who are very nervous about being in enclosed spaces due to being at high risk from Covid - it is so important to adapt spaces wherever possible to enable their inclusion in community spaces.

The area is rightly closed at 9.30pm which prevents a public nuisance to neighbours.

I have always found the Sultan pub to be well managed, safe and welcoming.

Kind regards,

Peter Gay

**From:** Tony Hedger  
**Sent:** 21 June 2022 16:44  
**To:** Licensing  
**Subject:** The Sultan public house, 78 Norman Road SW19 1BT

Application Reference WK/202228622

I am writing in respect of the application for the review of the premises licence for the above public house.

I am a regular customer and I have never witnessed any such behaviour as described in the notice.

I consider the Sultan to be a very well managed establishment. It is an asset to the local community and should be valued as such.

The application for the review should be dismissed.

Declaration of interest: I am a minor shareholder in Hop Back Brewery PLC, the pub's owners.

Anthony Hedger

**From:** Daniel Lloyd  
**Sent:** 28 June 2022 15:05  
**To:** Licensing  
**Subject:** Representation for Review of Premises Licence

Good afternoon,

I would like to submit the below representation with regards to a 'Review of the Premises Licence' for The Sultan Public House on Norman Road, SW19 1BT.

As a regular patron of the business, visiting multiple times per week, I have not encountered an instance of prolonged noise in the outdoor section. If loud noise from patrons has been emitted in that area, for how long precisely has it occurred? I strongly believe that the claim of excessive noise occurring for up to 9.5 hours per day, 7 days per week is, while technically feasible, simply unrepresentative. Based on first-hand experience, I consider noise emissions from patrons to be minimal and largely kept inside. And any excessive noise would no doubt be recognised and addressed by the manager, Gary, who is extremely attentive to all aspects of his establishment.

It is also important to consider the overwhelmingly positive impact that The Sultan has on its surrounding community.

The Sultan has been a cornerstone establishment in this part of Wimbledon for decades. It brings together people from different generations, facilitating conversations that would otherwise not occur. For example, I (a 25-year-old) have learnt a lot about the local area from older patrons whom I would simply not have encountered if The Sultan did not exist. Valuable lessons have been passed from one generation to another, and between people of different backgrounds. This is a precious link that can easily be broken by the closure of an establishment such as this one.

Furthermore, The Sultan is an extremely valuable community space. It is able to responsibly host a multitude of events and initiatives that encourage participation, such as quizzes and raffles. And it provides a wonderful space for groups such as music clubs and sports teams to meet. All of these foster engagement and conversation; in my experience, there has never been loudness or abrasive, noisy behaviour because all patrons of The Sultan understand and respect its importance and value.

In conclusion, I believe that a review of the premises licence should take into consideration the great benefits that this establishment brings to the local area. Having lived in and extensively visited other parts of London, this particular community should consider itself extremely fortunate to have such an establishment available. I also believe that the noise complaint should be made more specific because, from anecdotal experience, it is potentially inaccurate to say that patrons are emitting excessive noise for so many hours every day.

Thank you for taking my representation into account. My contact details can be found below this email.

Kind regards,

**Daniel Lloyd**

**From:** Elliot Loomes

**Sent:** 05 July 2022 14:33

**To:** Licensing

**Subject:** Premises License Review: The Sultan Public House

Good Afternoon,

I wish to make a representation to the against the licence review of The Sultan - specifically 'The prevention of public nuisance'.

I live on All Saints Road (full address below), very close to the Sultan and visit regularly. I have never heard anything more than quiet talking outside the front of the public house on the benches and find it difficult to believe any of the surrounding houses experience any kind of disturbance whatsoever from the seating at the front of the venue.

The Sultan is a focal point on the local community and crucial for so many people as a meeting place and an escape, particularly for those without outside space in their properties - it is a crucial lifeline for positive mental health, to be able to spend time outside in fresh air - this was very much the case during the pandemic and to have this additional seating is a great way for more people to access this public service The Sultan provides.

Therefore not only is the area outside the front of the pub **not** a public nuisance, but actually the opposite in fact, a public service.

Kind Regards,  
Elliot Loomes

**From:** Philippa Maslin  
**Sent:** 24 June 2022 15:38  
**To:** Licensing  
**Subject:** The Sultan pub

Dear Licensing,

I have been informed that you are seeking opinions on the new seating area outside The Sultan pub.

As a regular, I am delighted by the new arrangement. With little motor traffic passing, it is lovely to be able to enjoy a drink outside without being subjected to significant air pollution. Furthermore, the design is tasteful, especially with the planters, and the area is very sensibly closed at 9.30pm in order to avoid any disturbance to neighbours.

I hope that The Sultan is able to gain a permanent licence for the development. Gary is an extremely responsible manager who can be trusted to ensure that his customers respect the neighbourhood.

Kind regards,

Dr Pippa Maslin

**From:** Rina McCann  
**Sent:** 30 June 2022 10:29  
**To:** Elizabeth Macdonald  
**Subject:** Re: The Sultan

Dear Sir/Madam,

I was shocked to see the council notice, displayed on a lamppost regarding the proposal to review the licence of The Sultan public house in 78 Norman Road.

I have been a customer at The Sultan for over forty years and in all that time I have always seen the pub as a community asset as have many other people, both local and not so local.

Over the period of time that I have been a customer, every manager of The Sultan has made great efforts to involve and support the local community. Some with greater effect than others.

The previous managers, Steve and Helen did a wonderful job of developing the community aspect of the pub, which had been somewhat lacking under the management prior to their tenure.

Gary, the present manager, has carried on this tradition. He has developed themed days/nights, run quizzes (including on-line quizzes during the pandemic closures), opened the pub early to allow Learning Difficulties members of All Saints Resources Centre to come, partake of soft drinks, bar snacks and feel that they have access to the 'adult world' in a secure and safe environment. Gary has also done sterling work in raising funds to buy several defibrillators for use by the local community. Gary is clearly a community focussed manager and has been very hurt by the rhetoric of some of his neighbours. I don't blame him!

I really don't understand what these complaints are about. If you purchase/rent a house near a pub you expect some noise. The Sultan was there long before many of the present neighbours.

I know that the enlarged outdoor seating area is a new feature of the pub, but Gary takes great care to ensure that customers using the outside area respect the neighbours, keep noise to a minimum and clear the area by 9.30 pm.

He should be lauded for his efforts to increase the facilities of the pub, rather than pillared for it.

It would be a great shame to see the outside seating area removed, especially as it has become such a hit with customers in the warmer weather. Clearly a compromise is needed here, which will satisfy both the neighbours and The Sultan customers.

I know this council, rightly, supports community focused efforts by local people, especially in a period where we have all suffered during the pandemic, I trust the council will show understanding to community focused business as well as the concerns of a small section of the community.

Public Houses, as well as other service industries have suffered badly during the pandemic and need support not chastisement for their efforts.

**Robert McCann**

**From:** claire driver

**Sent:** 28 June 2022 18:17

**Subject:** Re: Licensing review Sultan pub

I am emailing to express my disappointment that the licence is being reviewed for the additional use of the outdoor space.

The reasons cited seem unfair. I live 3 doors down from the pub, on Norman Road, and have not heard any additional noise. Generally the pub is very quiet and I am never bothered by the noise. I have sat out the front in the new seated area a couple of times now and each time Gary has made it clear that we have to move by 9.30, which seems more than fair.

I think it is a positive thing that the area has been visually improved, with plants and seating and it was a pleasure to sit out there for the jubilee street party and get to know new neighbours.

I feel it would be a great shame if the licence were to be removed. I sincerely hope this will not be the case.

Claire Mitchell

**From:** G N

**Sent:** 26 June 2022 11:24

**To:** Licensing

**Cc:** Councillor Eleanor Stringer ; Councillor Kirsten Galea

**Subject:** Representation: Sultan Pub, Norman Road license review

Dear Sir/Madam,

I would like to make representation regarding the Sultan Pub licensing review. I have lived here with my family for 6 years. Put simply, I do not recognise the complaint that has been made.

**Outside area now being used by customers**

The outside area has always been used by customers, with tables in front of the pub and tables in the beer garden (which is adjacent to our house and garden).

**Noise for up to 9.5 hours a day, up to 7 days a week**

The Sultan is a quiet, community pub. Customers are respectful of the community area. I have lived in Deburgh Road for over 6 years and during this time the pub has had two different managers and has never attracted a large, noisy crowd. Since the additional tables have been in operation, I haven't observed any significant noise. In fact, the new tables haven't been in regular, constant use: on most week days I walk past the benches between 3pm and 4.30pm to collect my children from school and I haven't seen them in use at this time. Yesterday evening, a Saturday, following a warm day, I didn't see anyone sitting at the tables at 7pm, 8pm and 9pm (I recorded this).

7pm - <https://youtu.be/215cAdHGkZw>

8pm - <https://youtu.be/CtNs5Cq1xDM>

9pm - <https://youtu.be/5HT-lj7gFmw>

**Noise inside my home**

On the busiest evenings at the pub in the height of summer, with all the windows open we can hear a murmur from the beer garden. This noise is not intrusive and my children (who have a bedroom on the front of the house) have never complained about any noise as they have gone to sleep. We do

not hear any pub noise with the windows closed.

**Unintended benefit of the additional benches**

I feel that the benches have improved the aesthetics of the area, in comparison with the previous car park. In addition, removing the parking has made my walk to school with my children safer. Before the tables were installed, we would be met by cars carelessly racing across the pavement to park on the pub ground. This would happen in the morning as parents rushed to get their children to All Saints School, trying to avoid the school streets area.

The Sultan is extremely well run. The pub manager adopts a friendly but firm approach and I am completely confident that were a situation to arise that would upset patrons or residents, that Gary would intervene. In addition, the pub manager has taken steps to enhance the Sultan's role in the community, supporting recent streets party events and raising funds for a local defibrillator. He also lets community groups (like my school's PTA) use the upstairs room for free.

I understand that there may be concerns about the potential for the additional tables to lead to problems, but I have not seen any evidence that this has, or will, happen.

Yours sincerely,

Gwen Nightingale

**From:** Daniel Peck

**Sent:** 06 July 2022 16:37

**To:** Licensing

**Cc:** Elizabeth Macdonald

**Subject:** Licensing Act 2003 – Premises Licence Review - Generic representation response The Sultan, 78 Norman Road, London SW19 1BT

Hello,

I would like to make a contribution to the process being undertaken on the above license review as a local resident and user of the premises.

my details:

Daniel Peck

Please note that I live within ~50 yards of the pub in question.

my points are as follows:

The Sultan is a brilliantly run establishment that makes huge contributions to the local community - not only is it a pub that serves all walks of life, but it acts as a meeting place for several local societies and non-profit groups - including several political parties (quite a few councillors count it as their local!). I'm not sure how this point relates to your evaluation points (The prevention of crime and disorder, Public safety, The prevention of public nuisance and The protection of children from harm) but this surely must be a factor you take into account? in a world where merton council is putting 'civic pride' at the centre of its



strategy for 2022 onwards, places like the Sultan are vital contributors to cohesion, pride, sense of belonging and community and must surely be nurtured? (NB, the council cabinet member for civic pride lives on my terrace and also frequents the pub . . . ).

Turning more specifically to your criteria:

1. **prevention of crime:** the pub has, as far as i know in 13 years living locally, not once been a cause of crime or disorder. it is managed very well, very responsibly and with full understanding of its obligations
2. **Public Safety:** I would argue that the pub makes a significant contribution to public safety and wellbeing through its contribution to the mental health and wellbeing of local people. I know of many people, particularly older people, who's trips to the sultan are some of their main social activities. I've heard from many people that the Sultan is a 'lifesaver'. The pub also takes its account
3. **prevention of public nuisance:** I have never once heard noise from the sultan despite living within 50 yards of the pub. The new outdoor space is a welcome addition, and will help the business be sustainable. I note that the application for the review is on these grounds - and quotes noise 'up to 7 days a week and 9+ hours a day'. realistically, even were there large amounts of noise which, as I say, I have *never* heard, is not the case, the pub is rarely busy during the week and opens at 4 monday to friday. I would therefore suggest that your review applicant may be exaggerating the grounds for their review request. Also, comparing the sultan to other local pubs that retain full licenses (for example the Garden Shed and the Charles Holden) is chalk and cheese - these other pubs have definitely had issues with public nuisance when they changed hands (i lived behind the garden shed when this happened) and retain their licenses.
4. **Protection of children from harm:** children are very welcome in the sultan and so learn how to act in an environment with people form all walks of life. these are vital life-lessons. the pub manages how children access the environment and i've never once seen someone of possible under-age be served alcohol.

Summing-up, any result to this review other than a retention of the sultan's license would be a travesty and, i believe, a terrible mistake on behalf of the council.

I would be very happy to clarify any of my points further and to make further representations if required,

Dan

**From:** ed rayfield  
**Sent:** 09 July 2022 21:51  
**To:** Licensing  
**Subject:** Sultan Public House Licence Review

Dear Officer,

The Sultan is one of my local pubs, where I have been going on a regular basis since I moved to the area in 2012.

Throughout the last 10 years it has been a focal point of the local community to meet. This has not just been for a drink, but a whole host of other activities for different interest groups from the local area.

Although popular, the atmosphere in the pub has always been pleasant, subdued and courteous. As a local pub, off the beaten track, frequented by locals it does not attract rowdy crowds – in fact I would say it is the most subdued pub I have ever regularly attended – even when the world cup was on!

As such I find it strange that there have been complaints about the noise. The pub has been there for well over 100 years serving the community, and I can certainly say in the last 10 there has been no noisy issues as I have outlined above.

Further, throughout the last 10 years there has always been drinking outside the pub and in the garden on the benches. Again this has always been friendly and subdued and befitting of a local pub.

The pub needs to retain its licence otherwise a pillar of the local community will be lost.

Kind regards  
Ed

Ed Rayfield

**From:** Mark Eminson  
**Sent:** 11 July 2022 11:40  
**To:** Licensing  
**Subject:** the Sultan pub South Wimbledon

Dear Sir/Madam,  
It has been brought to my attention that there may be a challenge to the Sultan's license for their outdoor seating?

This would seem to me to be a great pity.

The Sultan is an excellent, welcoming and community-minded public house.

Such places are rare and need to be nurtured as we emerge from COVID and its concomitant social isolation.

In fact, the outside seating is all the more topical given health concerns for some.

I was also pleased to see the Jubilee celebration hosted by the Sultan as further evidence of their community spirit and how their endeavours ought to be blessed and supported and not hindered.

Yours faithfully,

Reverend Mark Eminson

Team Rector Merton Priory Team Ministry

**From:** Geoff Strawbridge  
**Sent:** 30 June 2022 18:16

**To:** Licensing

**Subject:** The Sultan: licence review

Dear Sirs,

With regard to the review of the licence at the Sultan, 78 Norman Road, SW19 1BT, I am making this representation from two standpoints;

- in my capacity as an active volunteer within the Campaign for Real Ale (CAMRA), for which I have been Greater London Regional Director for the last eight years and SW London Branch Pubs & Clubs Officer for longer than that; and
- as a regular customer at the Sultan since 1994 when the Hop Back Brewery bought and refurbished the pub - their only one in London. Nowadays I visit the Sultan at least weekly, after shopping (by bicycle) at the big Sainsbury's, after Thursday evening bell ringing practices at Christ Church, Colliers Wood or St John the Divine, Merton, and at other times to play bridge and/or meet friends.

Under the current management, the Sultan continues to be a most civilised and welcoming place for customers of all ages and backgrounds to socialise responsibly and contribute to community endeavours. Gary and his team seem to me admirably to be fulfilling the four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm. It therefore surprises and concerns me that a review of his licence has been requested.

I understand that the issue is the provision for the summer of more outside bench seating, segregated by planters, within the curtilage of the pub. These benches have not been busy on my recent visits. They may be used only until 9.30pm and, given that the area was previously used as a car park, local residents no longer have the noise and pollution of cars leaving the premises late in the evening. More customers may also now be encouraged to walk, cycle or take public transport instead of driving, a trend that I hope the Council would support.

In summary I do not believe there are grounds for amending the terms of Gary's licence. Thank you for your attention and understanding.

Yours faithfully

Geoff Strawbridge

**From:** Gareth Syms

**Sent:** 07 July 2022 13:24

**To:** Licensing

**Subject:** Sultan Public house licensing

Dear Sir / Madam

I am a 15 year resident of Deburgh Road, living within 25 metres from the Sultan Pub. I was very surprised and disappointed to see the Pub is to have a license review as a result of noise disturbance.

The welfare of neighbouring residences is obviously important but I do feel the substance of the complaint made is wholly without merit for these reasons:

1. The complaint states the outside area is active for 9.5 hours 7 days a week. This seems very disingenuous. As parents of a young family, we are sensitive to noise at nap times and for bedtime in the evening. We have never felt noise from the pub to be an issue. Indeed the outside area is normally empty until the evening.
2. When the outside area is used, it is never rowdy. The Sultan is just not that sort of pub. Conversational chatter is something to be embraced in what has been a socially difficult few years.
3. The management are sensitive about noise in the neighbourhood and move people indoors later in the evening in line with licensing guidelines.

The outside area represents a sensible approach to hospitality in these Covid uncertain times with the possibility of further lockdowns not a distant fantasy. Pubs need to evolve to survive.

On a personal level, the Sultan is a tremendous social institution bringing great joy and spirit to a close knit neighbourhood.

I do hope a sensible approach is taken to the comments made as it would be a shame to harm this valuable community asset.

Yours Faithfully  
Gareth Syms

**From:** Jessica Syms

**Sent:** 07 July 2022 13:20

**To:** Elizabeth Macdonald

**Subject:** Re: The Sultan Public House - review of premises license

To whom it may concern,

I am a resident of Deburgh Road; I live close to the Sultan pub. I was very surprised to learn that complaints have been made about noise from the pub, as I have resided in the area since 2015 and never noticed any excessive noise from the establishment.

I work from home most of the time, normally with my street facing window open and I certainly don't hear any noise from the pub during the day. In the evening, when street facing windows are open, I can hear some chatter and laughter but definitely not at excessive or disruptive levels. With the windows closed I hear nothing.

I have two small children and have never noticed noise when putting them down for daytime naps or early evening bedtimes, even when sleeping in the street facing bedroom closest to the pub.

I am not a regular customer of the Sultan, however I consider it a community asset. It is a place where people meet for a quiet drink. It is not a rowdy establishment, no music blaring, no drunken brawls. The only "noise" is that of conversations and laughter between friends. I fail to understand how this could prevent people using some areas of their houses.

The outside area is a great addition, allowing social meetings in a ventilated area, minimising risk of transmission of covid or similar airborne viruses.

Thank you for your consideration of my representation.

Kind regards,

Jessica Syms

**From:** Richard Verrall  
**Sent:** 28 June 2022 18:37  
**To:** Licensing  
**Subject:** The Sultan Public House, Norman Road

I am writing to make a representation in response to the review of the license. I use the Sultan once a week on a Wednesday evening and I appreciate very much it's calmness, quietness and lack of loud music. It is very much a community pub and supports many local organisations and charities. I can appreciate the concerns of local residents but I would urge the council to find a solution by working with the pub and the local residents. Clearly, some noise is to be expected from a community pub and it would be a great shame if Merton was to close down a great and longstanding local business.

Richard Verrall

**From:** David Wait  
**Sent:** 08 July 2022 18:49  
**To:** Licensing  
**Subject:** Premises license review - The Sultan

Hello,

I am commenting on the review because I do not believe the pub, or its customers, are causing a public nuisance.

I would like to comment on the review of the premises license for The Sultan Public House, 78 Norman Road, London SW19 1BT.

The Sultan pub is my local, I live on Grove Road. I have been living here and attending the pub regularly for over nine years. In that time I have never witnessed any problems or anti-social behaviour from clientele in the pub, nor have I heard a high level of noise from those sat outside during any part of the day or evening. Patrons who sit outside are respectful of the neighbours, and the landlord Gary is extremely conscientious. I have no doubt that were customers making unreasonable noise Gary would immediately ask them to be quiet, ask them to move or ask them to leave should they continue.

I also regularly walk past the pub, and never hear loud noise, including from customers sat in the new section, be that during the day or night. Our garden is under 100m from the pub and again we never hear any ambient noise coming from the pub.

Beyond there being no problems caused by the Sultan, I also believe the pub to be a genuine community asset. It caters for a wide range of people, from young families to elderly individuals. I have always felt very comfortable taking my daughter, now 8, to the pub. It has also acted as a hub for various community events to take place around, such as the recent Jubilee street party on Deburgh Road.

Whenever I've taken friends from other parts of London or the UK to the Sultan they have commented that we are lucky to live near such an excellent pub.

Please let me know if you need anything else.

Thanks,

David Wait

**From:** REX WARD

**Sent:** 29 June 2022 15:55

**To:** Licensing

**Subject:** SULTAN PUBLIC HOUSE - PREMISES LICENSING REVIEW

To Whom it May Concern,

I have learned that there is to be a Premises Licence Review regarding The Sultan public house, 78 Norman Road, Colliers Wood, London. Judging by the Current Premises and Club Licensing Applications document on the Merton Council website, it appears that this review is the result of someone complaining about noise from the "Outside area now being used for customers." The wording suggests that the problem is caused by use of an area only recently adopted for outside use, thus it must be the hitherto car parking area on the Norman Road side of the pub.

I do not think that there are sufficient grounds to alter the licence permissions to prevent customers' use of this area. This area is very small, perhaps with room for two or three cars at most; it will realistically only be used during warm weather; and most importantly outside use of the area is only permitted until 9.30 PM. I do not see how use on this scale, and with the stated time restriction, could have a serious detrimental impact on residents' use of their homes.

To put it mildly, publicans have had very difficult time over the past two years or so, and use of outside drinking space with sensible time restrictions in place, will be a valuable aid to their profitability and viability.

Rex Ward

**From:** Andy Wood  
**Sent:** 12 July 2022 17:30  
**To:** Elizabeth Macdonald  
**Subject:** Re: The Sultan Licensing

Dear Sirs

I was very disappointed to see that a review of the premises was being carried out.

The Sultan is a credit to our local community. Incredibly well run. Working with all sorts of local groups and raising funds for charity.

I have never witnessed or heard of any displeasure in regards to the outside space. I walk past many times a day and it has never been noisy.

I hope this review is dismissed as soon as possible.

Best  
Andy

Andy Wood

**From:** Gillian Wood  
**Sent:** 30 June 2022 10:53  
**To:** Licensing  
**Cc:** Councillor Eleanor Stringer Councillor Kirsten Galea  
**Subject:** The Sultan Pub, Norman Road License Review

Dear Sir/ madam,

I am writing in relation to the review of the premises license for the Sultan Pub regarding the 'Prevention of public nuisance' and the idea put forward that currently 'noise from the outside area can be heard loudly inside residents' homes for up to 9 1/2 hours per day, up to 7 days a week' and causing noise disruption.

I live on Deburgh Road and have been a resident for 10 years. The Sultan has never been and nor currently is a noisy pub.

I do not recognise the above complaint in relation to The Sultan Pub as being factual and moreover I would say that it is, vexatious and untrue.

Like many businesses have been encouraged and allowed to do by the council over lockdown, Gary the landlord has added a small number of outdoor wooden tables. These tables are contained behind some planters and it has been tastefully done.

I walk past the pub several times a day and there is no noise - in fact the tables during the week are largely empty except for some couples enjoying a quiet drink or I have seen cyclists using as an outdoor pit-stop whilst minding their bikes or families with buggies. I take a walk in the evenings past the pub and again it is not busy, hardly ever full and not noisy. I used to live in Brixton and Clapham and I certainly know the difference between what is a quiet community pub versus a noisy bustling pub that is a nuisance. This pub is the former.

I urge you not to take my word for it and strongly suggest you do some visits across a 2 week period at many different times on different days and at weekends to see for yourselves how this space is used and that Gary & his team operates in a respectful manner.

Gary also provides a hub for the local community - we have had Safer Streets play days and our recent Jubilee Event (which all street residents were invited to) outside the pub with the permission of the council. They have been huge successes and I really hope the voice of one or 2 people who are making this false representation do not outweigh the genuine benefit this pub brings to the area and that we support this local business by allowing this outdoor trade to continue. The pub, by the way, has always had an outdoor beer garden with no noise issues.

If I can provide more detail or be of any help, please let me know,

Kind regards  
Gillian Wood

**From:** Sarah Busby

**Sent:** 11 July 2022 17:01

**To:** Licensing

**Subject:** Licence Review: The Sultan Public House, 78 Norman Road, London SW19 1BT

Dear Merton Council,

I am the owner of a property in Norman Road which is currently rented to tenants. I retain a strong vested interest in ensuring that Norman Road remains a peaceful, and inviting location to live and for the neighbourhood in general. I have spoken to residents, and it seems that the pub did not make any effort to engage with local residents in advance of changes, and are not acting proactively on feedback regarding a significant increase in noise in a constructive way. No sound reduction barriers



have been provided. In my view the recent change to usage currently constitutes a public nuisance issue due to increased noise on days and times when residents should have peaceful usage of their own homes.

I don't know if the current walled garden is fully utilised leading to the recent extension of outside space into what was previously a car park for 3 cars directly on the street front. The existing high walled garden provides sound protection for noise, but no effective sound barriers have been provided in the new ex car park area. I mention the removal of the car park as a holistic part of the nuisance factor creating extra stress on already limited street parking for residents which could lead to potential additional issues of crime (car theft/damage).

I have no issue with The Sultan using previously utilised outside space for customers and making the neighbourhood a friendly and welcoming place to be, but I would prefer the car park area to be turned back into the pub car park to prevent additional noise, car issues and disruption to the peaceful lives of residents.

Yours sincerely,

Sarah Busby



**LICENSING ACT 2003  
REPRESENTATION FORM**

<b>Responsible Authority</b>	RSP Environmental Health Section (Noise and Nuisance) Team.																								
Your Name:  Andrew Pickup	Your Address: Regulatory Services Partnership Serving the London Boroughs of Merton, Richmond upon Thames, and Wandsworth. Civic Centre, London Road, Morden SM4 5DX																								
Please indicate which Responsible Authority you are presenting	<table border="0"> <tr> <td>Metropolitan Police</td> <td><input type="checkbox"/></td> <td>Planning</td> <td><input type="checkbox"/></td> </tr> <tr> <td>London Fire Brigade</td> <td><input type="checkbox"/></td> <td>Trading Standards</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Children Services</td> <td><input type="checkbox"/></td> <td>Licensing Authority</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Public Health Authority</td> <td><input type="checkbox"/></td> <td>Home Office (Immigration)</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Environmental Health (Noise)</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> <tr> <td>Environmental Health (Health and Safety)</td> <td></td> <td></td> <td><input type="checkbox"/></td> </tr> </table>	Metropolitan Police	<input type="checkbox"/>	Planning	<input type="checkbox"/>	London Fire Brigade	<input type="checkbox"/>	Trading Standards	<input type="checkbox"/>	Children Services	<input type="checkbox"/>	Licensing Authority	<input type="checkbox"/>	Public Health Authority	<input type="checkbox"/>	Home Office (Immigration)	<input type="checkbox"/>	Environmental Health (Noise)	<input checked="" type="checkbox"/>			Environmental Health (Health and Safety)			<input type="checkbox"/>
Metropolitan Police	<input type="checkbox"/>	Planning	<input type="checkbox"/>																						
London Fire Brigade	<input type="checkbox"/>	Trading Standards	<input type="checkbox"/>																						
Children Services	<input type="checkbox"/>	Licensing Authority	<input type="checkbox"/>																						
Public Health Authority	<input type="checkbox"/>	Home Office (Immigration)	<input type="checkbox"/>																						
Environmental Health (Noise)	<input checked="" type="checkbox"/>																								
Environmental Health (Health and Safety)			<input type="checkbox"/>																						
Contact E-mail	<a href="mailto:andrew.pickup@merton.gov.uk">andrew.pickup@merton.gov.uk</a>																								
Type of Application	License Review																								
Name & Address of premises you are making a representation about	The Sultan, 78 Norman Road																								

**Your representation may be in opposition to, or in support of the application. Your representation must be about the likely effect, if the application is granted (subject to review), on the promotion of the one or more of the four licensing objectives (See A to D below) with evidence if you have any available. Use separate sheets if necessary.**

<b>(A) The prevention of Crime and Disorder</b>	
<b>(B) Public Safety</b>	
<b>(C) The Prevention of Public Nuisance</b>	<p>I refer to the residents' review of the premises licence of The Sultan Public House, 78 Norman Road, Colliers Wood. Whilst I do not have any evidence to support the review I would advise that the Environmental Health (Noise &amp; Nuisance) Service has, since May 2022, received complaints from the occupiers at 4 separate residential properties regarding noise nuisance. Those who have complained live in close proximity to the premises. The complaints relate to the use of the newly installed outside seating area at the premises and the noise generated from the patrons using this area. Following the complaints received we have contacted the manager of The Sultan who had already restricted the use of the area until 21:30 hours.</p> <p>At present we do not have any additional evidence to the extent of the problem and the levels of noise generated but are continuing to investigate those complaints received.</p>

<b>(D) The Protection of Children from Ham</b>	
<b>Suggestions/conditions you would like the Licensing Authority or Licensing Sub Committee to consider adding to the licence if the application is granted</b>	
<b>If your representation is accepted, you will be invited to attend the Licensing Sub Committee hearing (and any subsequent appeal court hearing) to amplify your representation should you wish to do so.</b>	

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The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



# Official copy of register of title

Title number TGL114829

Edition date 16.01.2014

- This official copy shows the entries on the register of title on 09 MAY 2022 at 12:36:08.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 09 May 2022.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Croydon Office.

## A: Property Register

This register describes the land and estate comprised in the title.

MERTON

- 1 (24.11.1995) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 78 Norman Road, South Wimbledon.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title possessory

- 1 (24.11.1995) PROPRIETOR: HOP BACK BREWERY PLC (Co. Regn. No. 2688155) of The Wyndham Arms, 27 Escourt Road, Salisbury, Wilts., SP1 3AS.
- 2 (24.11.1995) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.
- 3 (31.07.1996) RESTRICTION: Except under an order of the registrar no disposition by the proprietor of the land is to be registered without the consent of the proprietor of the Charge dated 8 July 1996 in favour of Lloyds Bank PLC referred to in the Charges Register.
- 4 (31.07.1996) RESTRICTION: Except under an order of the registrar no disposition by the proprietor of the land is to be registered without the consent of the proprietor of the Charge dated 8 July 1996 in favour of Lloyds Bank PLC referred to in the Charges Register.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (24.11.1995) A Conveyance of the land in this title dated 29 July 1865 made between (1) The British Land Company Limited (Vendors) and (2) Benjamin Thorne and John Mills Thorne the younger (Purchasers) contains the following covenants:-

## C: Charges Register continued

"The Purchasers (as to the land hereby conveyed) for themselves and their heirs executors administrators and assigns do hereby respectively covenant ..... with and to the owners or owner of any part of the land constituting the said lots comprised in the said lithographed plan and their his or her respective successors heirs and assigns jointly and severally that the Covenantors respectively will and their respective successors heirs and assigns shall henceforth observe and comply with the said stipulations

.....  
..

STIPULATIONS - 1. Each Purchaser is forthwith to make and afterwards to maintain the boundary fences on the sides of his lot marked T within the boundary

2. Nothing is to be erected within ten feet of any Road except fences and those not more than six feet high - No dwellinghouse or portion of any dwellinghouse is to be erected of less value than £150. The value of a house is the amount of its net first cost in materials and labour of construction only estimated at the lowest current prices - 3. The trade of an Innkeeper Victualler or Retailer of Wine Spirits or Beer is not to be carried on upon any lot except Lot 176 - 4. No building shall be erected as a factory and no manufacture or noxious or offensive trade or business shall be carried on upon any lot.

NOTE 1: The T mark referred to affects the northern boundary of the land in this title

NOTE 2: Lot 176 referred to comprised the whole of the land in this title.

2 (31.07.1996) REGISTERED CHARGE contained in a Debenture dated 8 July 1996 affecting also title BK298198 to secure the moneys including the further advances therein mentioned.

NOTE: Original charge issued in a separate cover and should be lodged at the Land Registry on any dealing with the charge.

3 (31.07.1996) Proprietor: LLOYDS BANK PLC (Co. Regn. No. 2065) of Pendeford Securities Centre, Pendeford Business Park, Wobaston Road, Wolverhampton WV9 5HZ.

4 (31.07.1996) REGISTERED CHARGE dated 8 July 1996 to secure the moneys including the further advances therein mentioned.

5 (31.07.1996) Proprietor: LLOYDS BANK PLC (Co. Regn. No. 2065) of Pendeford Securities Centre, Pendeford Business Park, Wobaston Road, Wolverhampton WV9 5HZ.

End of register

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**These are the notes referred to on the following official copy**

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

This official copy is issued on 09 May 2022 shows the state of this title plan on 09 May 2022 at 12:36:08. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. This title is dealt with by the HM Land Registry, Croydon Office .

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# H.M. LAND REGISTRY

TITLE NUMBER

## TGL 114829

ORDNANCE SURVEY  
PLAN REFERENCE

COUNTY SHEET  
GREATER LONDON ©

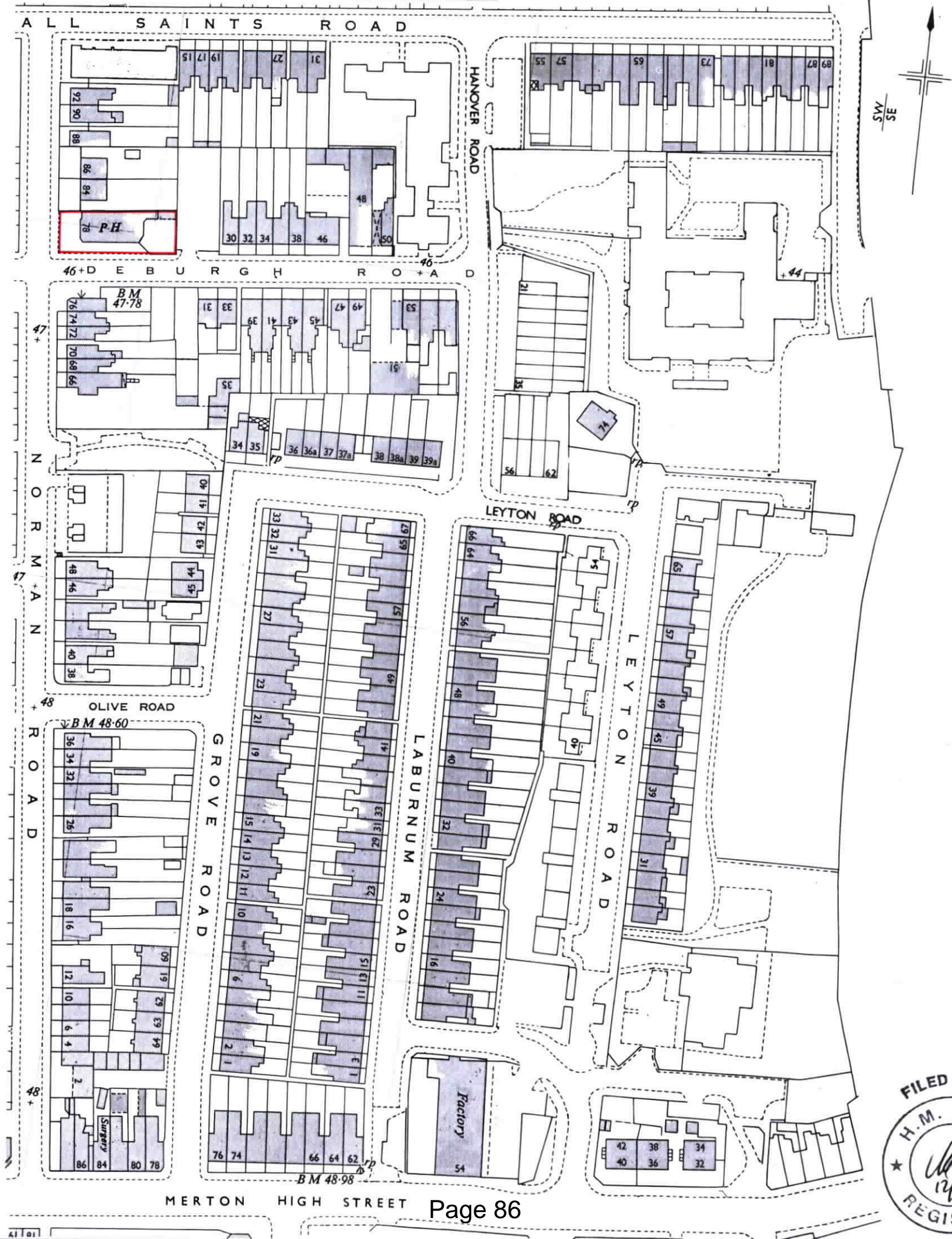
NATIONAL GRID  
TQ 2670

SECTION  
R

Scale: 1/1250

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BOROUGH OF MERTON



This official copy is incomplete without the preceding notes page.