

**From:** Elizabeth Macdonald <Elizabeth.Macdonald@merton.gov.uk>

**Sent:** 02 August 2019 07:49

**To:**

**Cc:** Amy Dumitrescu <Amy.Dumitrescu@merton.gov.uk>

**Subject:** FW: Application for a New Premises Licence for Elys, 16 St Georges Road, SW19 4DP - wk/201902702

Dear Ms MCGowan

## LICENSING ACT 2003

I refer to the emails below regarding the grant of a new premises licence for the above premises.

There has been agreement that the representation will be withdrawn if a condition is placed on the licence that prevents the licence from being transferred to another holder.

I must advise you that this condition will not be put on the licence as it is unenforceable. You cannot stop a licence from being transferred, no matter what a condition may state. It is their property. Even if the licence was surrendered, the Licensing Act allows for a surrendered licence to be transferred.

This therefore leaves me to assume that the representation from WHERA stands and there will unfortunately have to be a Sub-committee hearing arranged to decide the grant of this licence.

Yours sincerely

**Elizabeth Macdonald**

**Licensing Officer**

**Regulatory Services Partnership**

Serving the London Boroughs of Merton, Richmond upon Thames and Wandsworth  
Civic Centre, London Road, Morden SM4 5DX

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Email: [elizabeth.macdonald@merton.gov.uk](mailto:elizabeth.macdonald@merton.gov.uk)



**From:** Leigh's iphone

**Sent:** 31 July 2019 15:51

**To:** Amy Dumitrescu <[Amy.Dumitrescu@merton.gov.uk](mailto:Amy.Dumitrescu@merton.gov.uk)>

**Cc:** I

**Subject:** Application for a New Premises Licence for Elys, 16 St Georges Road, SW19 4DP - DRAFT EMAIL

Any,

Thank you for forwarding the email. I did not receive it from them as yet.

Nevertheless, I am pleased they will add the second condition, and I accept their view on the first condition requested.

On behalf of WEHRA we will withdraw our representation, provided the second condition is attached to their licence.

Thank you again for your speedy help. I hope you are now able to cancel the meeting and let everyone attend to other things.

Yours sincerely,

Mrs Leigh Terrafranca, on behalf of WEHRA

Sent from my iPhone

On 31 Jul 2019, at 14:24, Amy Dumitrescu <[Amy.Dumitrescu@merton.gov.uk](mailto:Amy.Dumitrescu@merton.gov.uk)> wrote:

Hi Leigh,

Elys sent the following email this morning – I've forwarded again to you in case you didn't receive it.

Amy

**From:** Sarah Payne

**Sent:** 31 July 2019 09:57

**To:**

**Cc:** Licensing <[Licensing.Licensing@merton.gov.uk](mailto:Licensing.Licensing@merton.gov.uk)>; Elizabeth Macdonald

<[Elizabeth.Macdonald@merton.gov.uk](mailto:Elizabeth.Macdonald@merton.gov.uk)>; Amy Dumitrescu <[Amy.Dumitrescu@merton.gov.uk](mailto:Amy.Dumitrescu@merton.gov.uk)>

**Subject:** FW: Application for a New Premises Licence for Elys, 16 St Georges Road, SW19 4DP - DRAFT EMAIL

Dear Mr Terrafranca

We are in receipt of your email dated the 21<sup>st</sup> July 2019 to the Licensing Team at the London Borough of Merton regarding our application for a new premises licence at our Elys of Wimbledon department store.

I would like to address the conditions you set out individually;

**Condition 1**

We cannot accept Condition 1.

Whilst we pride ourselves on being a very responsible retailer and also a good neighbour within the local community in so far that we endeavour to keep our doors and frontage clean and tidy at all times, unfortunately we do feel it is unreasonable to be held responsible for the cleanliness of the outside and surrounding area of the store outside of our opening hours and we cannot control the actions of neighbouring retailers/businesses.

We would like to assure you that we only intend to sell luxury gifts which contain alcohol and that these items when purchased will not be consumed on the premises. Furthermore, we would like to think of the Elys patron as respectful and upstanding members of the community who would not display any nefarious behaviour.

We hope our assurances will satisfy your concerns and all the members of WEHRA and you feel that you can withdraw Condition 1.

**Condition 2**

We are happy to accept this condition.

I hope that this settles your concerns regarding our application and we would love for you and your members to visit us in store next time you are in the area.

Kind Regards

Liz McGowan

Retail and HR Director Liz McGowan  
Morleys Stores Limited

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