

Dear Sir Madam

We wish to record that we are opposed to the Licensing application recently submitted by lawyers for Hotel du Vin for a **'Takeaway Van selling food, hot and cold drinks and alcohol for consumption off the premises. The Van will be sited at the side of the Orangery, as shown on the attached plan.'** (Part3 Operating Schedule), from midday until 20:30 Monday through Sunday.

The Takeaway Van is currently sited on the Orangery terrace and already sells food, and hot and cold drinks from 9:30-18:00. The existing licence LN/00003035 allows for the supply of alcohol on & off premises from 10:00-23:00. This is being served from the Orangery a few feet from the Van. Pizzas are also made & served from the Orangery as there are no cooking facilities in the van.

As these operations can be done under the existing licence, it is difficult to comprehend the need for an additional licence with no conditions relating to the patrons served by Hotel du Vin.

The proposed extended hours for the Van are likely to be a **public nuisance**, as the toilets are being closed 2½ hours earlier at 18:00. Late night sales may also create security issues as no-one will ensure any drunken laggards will have left the park before the gates are locked by Merton Council & there will be no exit via the hotel for these patrons. The hotel will no longer be responsible for the anti-social & loutish behaviour of its patrons off premises, potentially leading to **crime & disorder** like the recent vandalism of the renovated toilets. Fences in Chester road are already being scaled & urinated on.

We do not believe that granting a separate on-terrace licence with early closing times is necessary. Even a limited licence, requiring the van to remain on the Orangery Terrace & closing at 18:00, could easily be amended in a few months to make the Licensed TakeAway Van mobile with extended operating hours and without the need for further consultation with local residents. Unlike planning, there is no requirement to notify neighbours of any proposed changes to the licence.

There have been 5 general managers at HDV Wimbledon in as many years, Phil Lewis, Beccy Gunn, Emma Barton, Lauren Cronje & now Ian Fletcher. Each new manager arrives at Cannizaro House thinking they are operating a country hotel & appear unaware of their neighbours, 50 or so residential properties adjacent to Cannizaro Park.

At the time of the current licence application WK/202102239, the new manager Ian Gordon Fletcher was listed on the Premises Licensing Register 24 March 2021 as the designated premises supervisor from 19 February 2021. On the most recent register dated 28 April 2021, Lauren Kirsty Cronje is the named supervisor, she is no longer employed by HDV since March 2021.

At a meeting on 7 May 2021 with Ian Fletcher, he explained that existing HDV licence LN/00003035 is bounded within the hotel building with accompanying operational safeguards for local residents. We discussed our concern that if the van is moved off terrace, the entire park will become the new operational area for the Hotel du Vin with no constraints.

The application misleadingly states the address of the Takeaway Van, as Grounds of Hotel Du Vin, Cannizaro House. The Hotel du Vin does not have grounds, the Takeaway Van is on the Hotel Terrace. HDV operations take place within Cannizaro House which is sited in the Grade 2 listed Cannizaro Park, owned and managed by Merton Council.

Ian also mentioned that in future the van may be used to provide refreshments for Merton Council events. Merton Council do hire out open spaces & these events are uncontrolled and unregulated. Together with a licensed mobile van, this is a real worry.

<http://www.merton.gov.uk/environment/openspaces/parkhire.htm>

This site contains a link to Hotel du Vin-website for events including corporate team building, weddings & other activities. The client/bridal couple makes a personal reservation with Merton Council Open Spaces, the client books an entertainer and HDV supplies refreshments including alcohol. Several similar events took place soon after HDV started operations at Cannizaro House in 2015. Openspaces/Greenspaces set terms & conditions when the reservation is made but do not enforce these. During the events, neither the entertainer nor HDV have any responsibility or interest in prevention of public nuisance, specifically amplified sound and late night drunken & rowdy behaviour.

At a wedding held in Italian Garden on 1 August 2015, the bouncer falsely claimed amplified noise was not a problem as the bridal couple had a licence from the Council until 00:30. On Monday following, Caspar Bates from Merton Licensing confirmed no licence had been granted. Charlotte Simm from Open Spaces explained no licence was required as this was considered a private event, confirmed by Stephen Beedell Merton Licensing. On another occasion the Entertainer (Sharky & George) hosted a children's party with amplified sound & loud megaphones next to the aviary, no-one had been granted approval from Green Spaces for this event. See attached email exchange with Openspaces/Greenspaces & Street Scene Reports AF1217232 & AF1204968.

Following complaints by many local residents after these events, the application for a new licence WK/201504538 submitted by HDV on 4 August 2015, was discontinued on 13 August 2015 'for administrative reasons.' Another licence application was submitted 20 November 2015, and the new Licence LN/00003035 was posted 4 February 2016. This contains conditions which have enabled local residents & immediate neighbours to live harmoniously alongside the hotel's numerous & diverse operations.

In contrast to Open Spaces Events, Cannizaro Festival is well controlled to minimise disruption to neighbours, wrt sound, toilets, alcohol, access & parking. Licence LN/000001059 is granted annually to London Borough of Merton.

Cannizaro Park is a Grade2 listed park, it is densely planted with very limited green space, compared with other Merton Parks. It is used by young families for picnics & play, older citizens to relax on park benches & others to enjoy the tranquillity & unwind. Cannizaro Park has been a respite for many during the lockdown & the pandemic has made these open spaces increasingly important for everyone. During 'Open Spaces' events, large areas of the park are off limits to regular visitors not just during the event but sometimes for days while marquee goes up & down or other preparations are made. In our view, Cannizaro Park is not suitable for the type of activity being promoted by Hotel du Vin together with Open Spaces.

Local residents want to live in peace & quiet alongside the commercial operation of the hotel. This additional alcohol licence application is not necessary and would undermine the lifestyle of many neighbours of the hotel. Please therefore reject this application in its entirety.

Yours sincerely
Patty & Struan Robertson



Patty

From: Charlotte Simm <Charlotte.Simm@merton.gov.uk>
Sent: 06 August 2015 15:23
To: Patty
Cc: Doug Napier
Subject: RE: nuisance noise from wedding celebration in Italian garden August 1st

Dear Patty,

I'm extremely sorry to hear that you were disturbed by the wedding event taking place in the Italian Garden this past Saturday.

The event did not require a licence (there was no provision of regulated entertainment for a public audience and no sale of liquor), but it was a booking sanctioned by us and there were set terms and conditions that the organisers should have complied with, with regards to use of the site; a full list of these can be found at the following link:

<http://www.merton.gov.uk/environment/openspaces/parkhire.htm#toc>

I do apologise if it seems that some of these conditions were flaunted on the day/night and I'll certainly note the noise nuisance for future reference.

The Licence: Cannizaro Park (LN/000001059) is specific to the 'Cannizaro Festival' and is not applicable to any other event taking place, or wanting to take place at that site. It is automatically renewed every year, but as you probably know, the Festival has not taken place for at least the last two years now.

We usually play host to at least one wedding event in the Garden per annum and thankfully the vast majority of these have been delivered responsibly and have passed without incident.

Applications to hire the Garden are made to us, the Greenspaces Department, usually well in advance of the requested event date; the application form and further event hire information can be found on our web page:

<http://www.merton.gov.uk/environment/openspaces/parkhire.htm>

There are no set hire charges - the fee is determined by a number of factors, to include:

- Type of event
- Number of days the venue is required (including set up and break down days either side)
- Number of people in attendance
- Infrastructure and impact on site

The event organiser would arrange and manage the supply of any alcohol for their event.

We are very aware that Cannizaro Park is one of the Borough's flagship sites and we endeavour to preserve the tranquility there as much as we possibly can. It is unfortunate that this is not always achievable, due to the unexpected and inconsiderate actions and antics of a minority of site users - including the organisers of the Children's Party that you have mentioned, whose activity was certainly not approved by us.

For your information, there are no more events scheduled to take place within the Italian Garden this year. I don't expect this to change, but if it does, I will keep you posted.

If you have any further questions, please don't hesitate to get in touch.

Best wishes,

Charlie.

Charlotte Simm
Parks Community Manager
Greenspaces
Environment & Regeneration
Tel: 020 8545 3956
charlotte.simm@merton.gov.uk

Patty

From: noreply@merton.gov.uk
Sent: 03 August 2015 13:14
To: [REDACTED]
Subject: Street Scene Enquiry AF1217232

REF Number: AF1217232

The London Borough of Merton thanks you for completing the online Street Scene Enquiry form.

The data you entered was:

Your Contact Details:

Title: Mrs
Forename(s): P
Surname: Robertson

[REDACTED]

Your Address:

[REDACTED]

Type of Enquiry:

Service: Noise - Environmental Health
Subject: Noise - Commercial

Location:

Street/Location: Italian Garden Cannizaro Park
Your Comments: On Saturday night, 1st August, we were disturbed by noise from the wedding celebrations taking place in the Italian Garden, from 21:30-01:00. We were trying to sleep and had to endure the best man regaling 'embarrassing situations' & then the amplified dance music started. Our house is not that close to the Italian garden but we could hear the sound very clearly. It is possible to contain the sound within the Park

We contacted the Party Patrol after 23:00 but were told they were very busy. Just before midnight my husband walked to the Italian garden & was told the bridal couple had obtained a license from the Council until 00:30 and that the event had nothing to do with Cannizaro House. Licensing do not have any details of this license or temporary event taking place in Cannizaro Park on August 1st.

From 00:30, a buggy (similar to those used in airports to transport disabled travellers), was driven up and down from the pond to the main gates of Cannizaro Park, dropping some guests off at the hotel to very loud cheers.

The last noisy drunken stragglers departed at 01:00, clearly no-one had reminded the guests that the celebrations were taking place in a residential neighbourhood.

Equal Opportunities Monitoring Information:

Ethnic Origin:

Gender:

Age Group:

Do you consider yourself to have a disability?

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

Patty

From: noreply@merton.gov.uk
Sent: 16 June 2015 11:55
To: [REDACTED]
Subject: Street Scene Enquiry AF1204968

REF Number: AF1204968

The London Borough of Merton thanks you for completing the online Street Scene Enquiry form.

The data you entered was:

Your Contact Details:

Title: Mrs
Forename(s): Patty
Surname: Robertson

[REDACTED]

Your Address:

[REDACTED]

Type of Enquiry:

Service: Noise - Environmental Health
Subject: Noise - Commercial

Location:

Street/Location: Cannizaro Park

Your Comments: On Saturday 13th June 2015 around 14:30 as my husband was trying to rest, we were disturbed by loud noise coming from Cannizaro Park. (He is 66 and recently underwent emergency heart surgery at St George's Hospital so needs to rest most days)

I walked over to the Park and saw 4 Sharky & George reps, cheerleading a group of approximately 20 children, while parents and other hotel guests congregated in the sunken garden (adjacent to the hotel on the Southside).

Sharky & George specialise in Children's Party Entertainment. It was not clear if this entertainment had been arranged by the hotel, or if one of the hotel guests had contracted with the company or if they were hired by a third party. However shortly after the hotel guests moved indoors, the noise from the children's activities stopped. It is not the length of time of the activity (less than 2 hours) that is the problem, it is the anti-social noise.

Activities had started close to the aviary (why we had been disturbed in our bedroom) and they later moved to the lawns in front of the hotel. We could still hear the noise with the windows closed as there were big cheers & whoops (reminiscent of a Magaluf stag-do) every time a child moved or something happened.

Activities included kids lying down on the grass & using a catapult to throw bean bags & water bombs. Each one was cheered. There were also games of musical bumps, with children trying to hide under a parachute. Music was provided using a mobile phone & an amplifier.

As a one-off event, this children's party was intrusive and a noise nuisance. As a regular event it would be intolerable. We were affected by the noise inside our home. Visitors to the Park on Saturday afternoon also found that the usual peace & tranquillity was disrupted by the noise.

Presumably anyone who undertakes a commercial operation of this kind in Cannizaro Park is required to have a permit or license to do so & as such, any future noise and public nuisance can be controlled or a permit refused. Personally, I do not believe that this kind of activity is suitable for a Grade 2 listed park, such as Cannizaro.

Equal Opportunities Monitoring Information:

Ethnic Origin:

Gender:

Age Group:

Do you consider yourself to have a disability?

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