

APPENDIX E

**APPLICANT POSITION FOLLOWING MEDIATION MEETING (HELD 3<sup>RD</sup> AUGUST 2021)**

**From:** Ewen Macgregor  
**Sent:** 04 August 2021 10:28  
**To:** Fear, Brad  
**Subject:** THE WINDMILL - APLICATION FOR VARIATION AND MEDIATION

Good morning Brad

Firstly, can I thank you for setting up the mediation meeting on Tuesday which we all felt was a worthwhile exercise. It was helpful to hear, at first hand, and understand the concerns expressed by the local residents.

Whilst there were a number of issues raised that you correctly identified as not being within the remit of the licensing committee, my clients have now had an opportunity to reflect on what was said.

Secondly, whilst the provision of regulated entertainment is not the subject of the current application (although a topic of discussion yesterday) I do not know the historic reasons as to why the hours for the provision of certain licensable activities relating to entertainment are as late as they are. My clients are, as you will be aware, also able to take advantage of an exemption provide by the Live Music Act. However, that having been said, to honour the commitment and comments made on the call yesterday, my client is willing to amend the licence so that the terminal hours for the provision of any regulated entertainment fall in line with the proposed hours for the sale of alcohol as follows (with the existing permitted hours in red by way of comparison)

- Mondays to Fridays      1100 to 0000      (1100 to 0100)
- Saturday                      1100 to 0000      (1100 to 0000)
- Sunday                        1200 to 0000      (currently 24 hours a day)

In so far as the suggestion, made by Wendy Phillipson (as I recall – I hope I have got that right, apologies if not) is concerned, to limit the number of times a year when the premises can sell alcohol to midnight is concerned (the figure she suggested was, I think, 9), this is, I am afraid, unacceptable to my client. As Craig explained when we mention the call, whilst he does not intend to use this extension (if granted) on every day of the week (in the same way that he does not use the current permissions in so far as they relate to regulated entertainment), as was explained on the call yesterday he would like the flexibility to be use this extension without such a limit being set. The position will be explained to the Committee on the 13 August.

Please be assured that my client will continue to work with the local residents (the mediation call and the earlier discussions that Craig had with the residents is a very helpful start) to ensure that they can both co-exist in a way that is consistent with the licensing objectives and does not impact upon the amenity of the local community.

Finally, I can confirm that I will be representing the applicants at the hearing on Friday 13 August when Craig and Chris Faulkner will also be in attendance.

If there is anything else you need from me in advance of the hearing please let me know

I look forward to hearing from you.

With best wishes

Ewen Macgregor  
Partner  
For TLT LLP