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Licensing Service  
City of Westminster  
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17 September 2019

Dear Sirs

**Licensing Act 2003**

**Date of Hearing: Thursday 19 September 2019**

**Opium, 21 Rupert Street, W1**

**Application ref: 19/09071/LIPN – Shadow Licence**

We refer further to your email timed at 1408 today.

Because of the timing of your reply (and of course the reasons leading up to it), we have been unable to take sufficient instructions to make further detailed legal submissions by your 5.00 pm deadline. This is because the writer and our Counsel have both been in meetings all day. It is, with respect, unreasonable and unfair to expect the Applicant to make such detailed submissions in the time available but we will do prior to or at the hearing on Thursday.

We do say that the Regulations are clear: appropriate notice has been given of Thursday's hearing and attendance has been confirmed. The matter was rightly scheduled for hearing two weeks ago within the time permitted in the Regulations and no notice or indication to adjourn had been received until now at this very late stage.

Neither have the Police have not provided any evidence against the application. If there was sufficient evidence to request an adjournment then why has this not been provided in relation to the application itself?

Whilst we have now received a copy of the Metropolitan Police's e mail of 1230 today, we have not received the original e mail, upon which the Licensing Authority would have made their decision. Please can this be provided?

Our client repeats their view that their application should be heard on Thursday. Only if the Committee believes having heard from the parties that it is not in the interests of justice to do so, then (and only then) should both the shadow licence and the Review be considered and determined together at the hearing scheduled for Monday.

Without prejudice to our client's contention that the application should be considered on Thursday, it would be a further injustice for the application to be adjourned beyond Monday as assuming the Licence is revoked, then there would be no licence to shadow, thus defeating the purpose of the application.

Yours faithfully,

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