

b) The prevention of crime and disorder.

The applicant has not shown that any of the measures in place will prevent crime or disorder. They have shown that it may be possible to record crime and disorder and that there may be some deterrent but there are no measures to prevent crime or disorder.

There is no mention of a door entry policy, the employment of security staff or for the checking of the identity of those entering.

c) Public Safety.

There is no mention of fire risk assessment or the policy for the access to premises and evacuation of disabled people and those with other difficulties. There is no mention of appointed fire or safety wardens and no mention of safety training for staff.

d) The prevention of public nuisance.

Whilst there are a number of commercial units in the area the vast majority of the area is residential.

Any extension of trading hours is likely to create public nuisance, particularly as the applicants are unable to control the behaviour of customers once they have left their premises.

Any public nuisance as a result of licensed activity or stemming from licensed premises is simply not acceptable.

The applicant states that they "seek to ensure that we don't cause unreasonable disturbance"

The stand point that some disturbance is acceptable is not a reasonable one and it is insulting that the license application is promoted in this way.

There is no mention of physical control over noise, the closing of windows, sound deadening measures or automatic noise limiters.

There is no mention that the smoking area is at the front of the premises with smokers possibly spilling onto the pavement or for control measures over this area and the seating areas to Bellevue Terrace.

Parking of vehicles not mentioned and is an issue in the area. The only setting down and pick up area generally available is the bus stop outside the premises which is likely to cause traffic problems.

It should be noted that waste containers are stored at the rear of the property on the public highway.

e). The protection of children from harm.

Children are defined as under the age of eighteen. There is no mention of the safeguarding of children, checking that staff are suitable for their roles with respect to children and no mention of any training or monitoring ongoing or otherwise.

The applicant states that the premises are not geared towards children. What this really means is unclear but the statement itself raises concerns that the premises are not a safe place for them.

Particular emphasis should be placed on ensuring that children brought on to the premises by adults are not the subject of any kind of abuse.

Licensees should be able to prove that they have adopted measures and protocols to ensure that the safety of children is maintained.

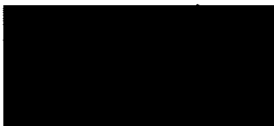
A specific risk assessment relating to children and young persons should be carried out and reviewed as necessary with a staff checking and training matrix used to ensure compliance.

The application is dismissive of the need to ensure the safety of children and does not demonstrate that any of the standard points relating to safeguarding have been noted or acted upon.

I would also like to draw your attention to the poor way in which the application was displayed. Photograph attached.

In conclusion we would like the application to be rejected on the grounds that the information supplied in the application is incorrect and may mislead and that the applicant has failed to demonstrate that any of the four licensing objectives have been met.

Yours sincerely,



John Hughes



Claire Waterfield



Eleanor Waterfield



Caroline Rowe

~~Signature of [Redacted]~~

4 Bellevue Terrace, Southsea, Hants, PO5 3AT

Stone, Derek

From:
Sent:
To:
Subject:
Attachments:

From: John Hughes [REDACTED]
Sent: 27 March 2017 08:10
To: Robson, Debra
Subject: Wedding at Becketts

Dear Debra,

Although the time limit for public representation concerning the license application for Becketts has passed I thought it would be of use if you had the attached photos of a wedding party that took place on Saturday 25th March 2017.

Although the group were good natured there was no control of them off the premises. A large area of the pavement became an extension of Becketts.

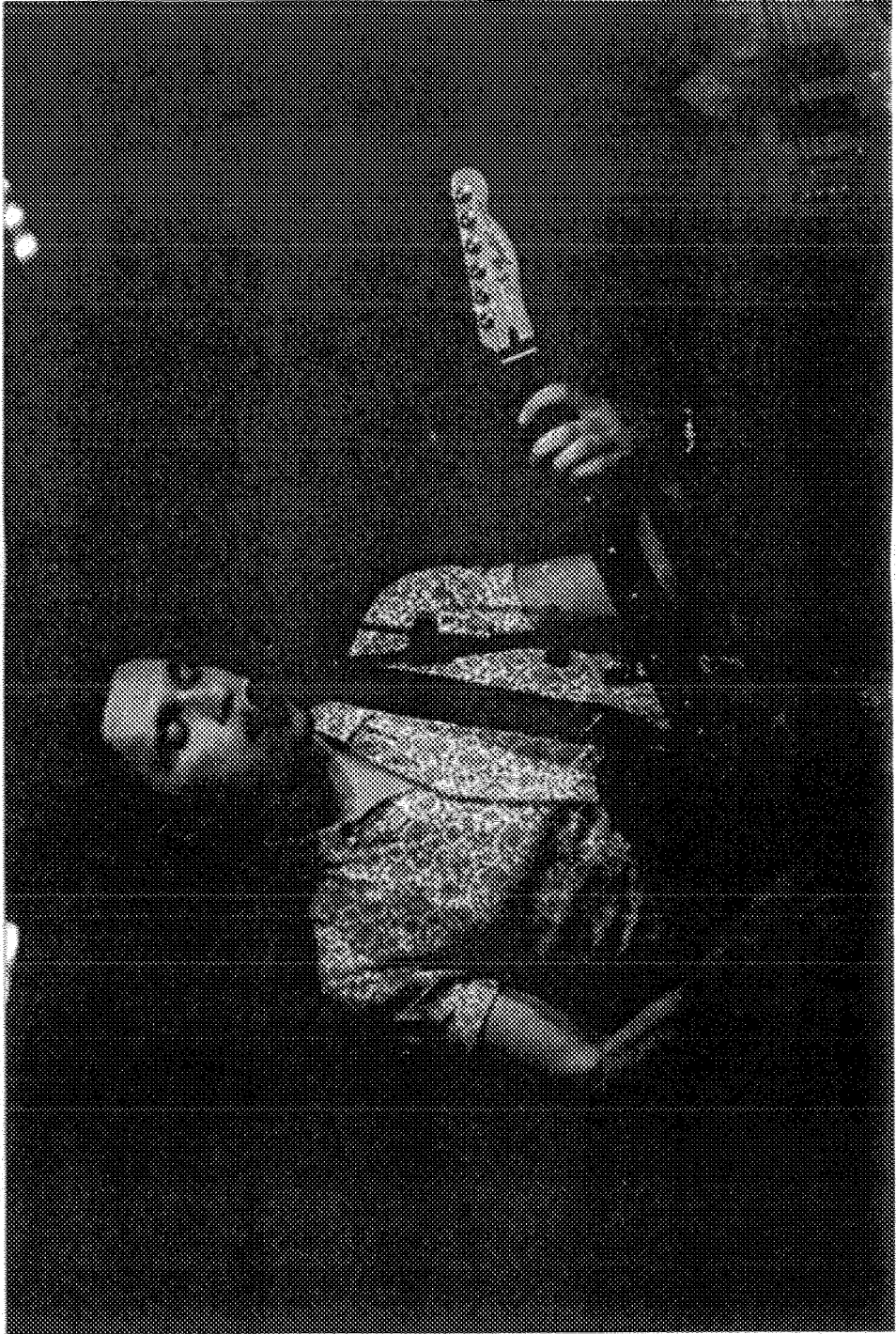
Vehicles were parked in the bus stop causing difficulty for buses.

On the face of it I would think that it was more appropriate to ensure that the current license is adhered to and operated correctly before issue of a new one.

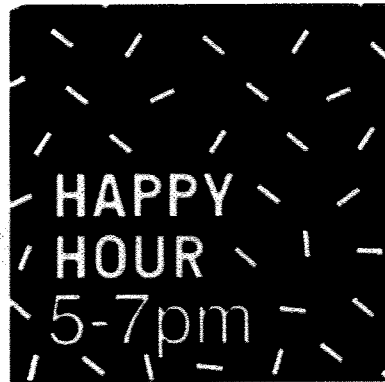
More photos to follow in another e-mail.

Kind Regards,

John Hughes
4 Bellevue Terrace
Southsea
Hants
PO5 3AT









X-FACTOR

auditions on

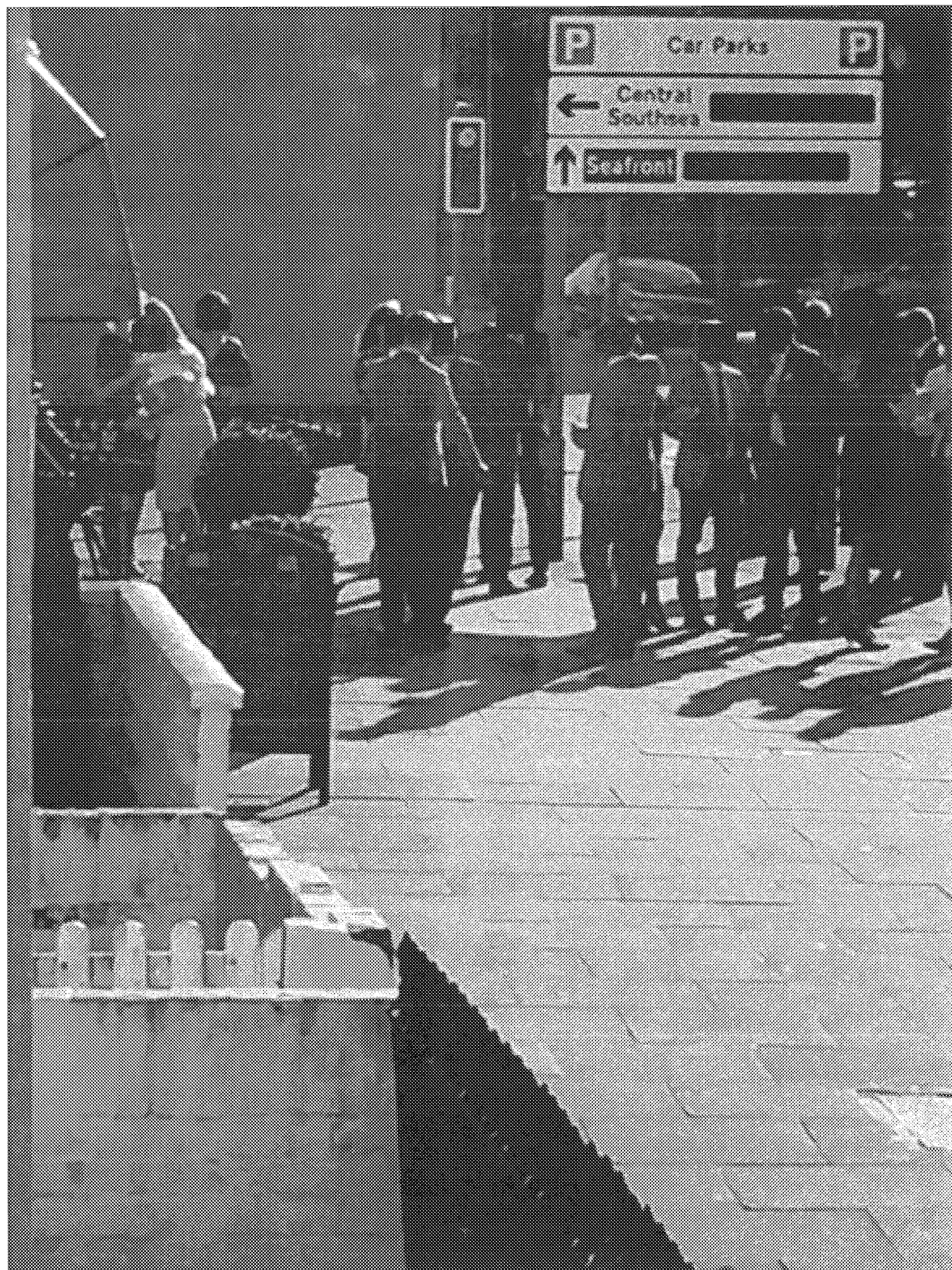
Tuesday 7th March

8-10pm

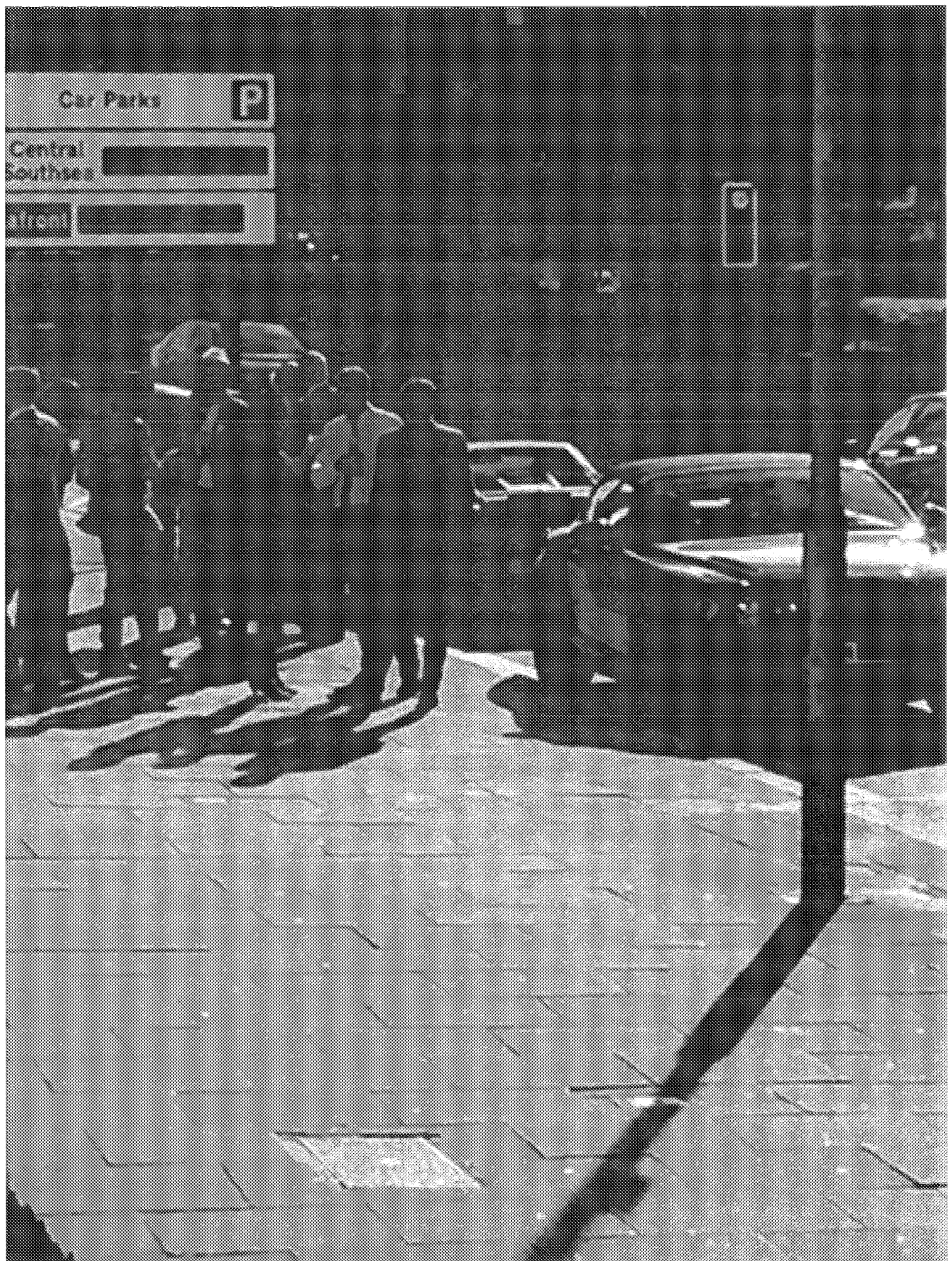
















Comments for Licensing Application 17/02138/LAPREM

Application Summary

Application Number: 17/02138/LAPREM

Address: 10-11 Bellevue Terrace Southsea PO5 3AT

Proposal: Premises Licence

Case Officer: Ms Debra Robson

Customer Details

Name: Mr Luke James

Address: The Coach House, Dartmouth Mews, Southsea PO5 3DA

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application


Comment Reasons:

Comment: 10:47 PM on 16 Mar 2017 Looking at the plans, and having seen the transformation of Becketts, I'm in full support of this development and what it will do for the area.

Mrs Olive Lindsay
Flat 35
Lingfield Court
Blount Road
PORTSMOUTH
PO1 2TB



I would like to object to the application, by Becketts of Belle Vue Terrace, for a license to extend their permission for music & the sale of alcohol. This is primarily a residential street and such activity will have a detrimental effect upon nearby residents ie the music, rowdy behaviour of people leaving the premises very late at night, car doors slamming. Car parking is also very restricted in the area



From: Robson, Debra
Sent: 09 March 2017 11:50
To: Robson, Debra
Subject: FW: Application for a music license by Beckett's restaurant: Objections

From: Licensing Shared Email
Sent: 08 March 2017 10:14
To: Robson, Debra
Subject: FW: Application for a music license by Beckett's restaurant: Objections

From: chrismustc@[REDACTED]
Sent: 07 March 2017 19:16
To: debra@[REDACTED]
Cc: Licensing Shared Email
Subject: Application for a music license by Beckett's restaurant: Objections

Dear Ms Melanin,

I am writing in support of my father, Mr Thomas Denis Cole, who has signed a petition and will be writing to you, objecting to the application of a music license by Beckett's Wine Bar and Bistro at 11 Bellevue Terrace, Portsmouth..

My father is 93 years old with reduced mobility and lives in Lingfield Court, Blount Road and is one of many elderly residents in the block. His flat is directly opposite Beckett's restaurant and will be subject to noise pollution if the license is granted. There are three points of objection.

1. Live Music. Live music produces high levels of noise which travel beyond the confines of the venue in which it is performed unless there is a good level of sound-proofing. This would adversely affect all residential properties in the vicinity of which there are a considerable number, including my father's.

2. Alcohol. The wording of the application indicates that alcohol is not just to be served in the restaurant setting, but in a bar setting. This is similar to public houses whose opening hours are restricted and avoid unsocial hours. Beckett's license application is for unsocial hours. The consumption of alcohol in this setting will create noise as people come and go. It will also add to current parking difficulties.

3. Hours. a) The sale of alcohol during unsocial hours will be disruptive because of noise levels during unsocial hours, see 2 above.

b) The playing of live music from 12 noon to 2am on Friday and Saturday, and 12 noon to midnight Sunday to Thursday is unreasonable given the situation of Beckett's near residential accommodation, including my father's, see 3 above.

As a retired GP, I am concerned about the health effects of people living in the vicinity of Beckett's if this license application is granted. Sleep deprivation is recognised as a health hazard and noise from music or other disturbance is recognised as an important cause. In the case of an elderly person this can be seriously detrimental but it applies also to those who work and study.

I sincerely hope the Portsmouth City Council will take into consideration these objections.

Yours sincerely,

Dr Christine Mustchin

☞

From: chris [REDACTED]
Sent: 20 March 2017 11:30
To: Stone, Derek
Subject: Re: Premises Licence Application is respect of Becketts Southsea Ltd, 10-11 Bellevue Terrace, Southsea PO5 3AT

Dear Derek,

Thank you very much for the information which is indeed helpful.

I shall pass on the information to Mr Cole.

Kind regards,

Christine

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

From: Stone, Derek

To: 'chris [REDACTED]'

CC: Robson, Debra

Sent: Mon, 20 Mar 2017 10:25

Subject: RE: Premises Licence Application is respect of Becketts Southsea Ltd, 10-11 Bellevue Terrace, Southsea PO5 3AT

Dear Christine.

Debbie has forwarded your e mail to me as I am the case officer for this application.

I note your concerns and as they stand they will be treated as a full representation against the application and the matter will now need to be determined by the licensing sub-committee at a date to be arranged after the closing reps date which is the 24th March.

Please see below some information regarding this process.

Where an application to grant a premises licence has been made in accordance with section 17 of the Act and where relevant representations have been made, the licensing authority must hold a hearing to consider them, unless the applicant, each person who has made representations and the licensing authority agree that a hearing is unnecessary.

After having regard to the representations, the Committee may take such steps, if any, as it considers appropriate for the promotion of the licensing objectives which are:

- grant the licence subject to such conditions as are consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives and any mandatory conditions.
- exclude from the licence any of the licensable activities applied for.
- refuse to specify a person in the licence as the premises supervisor (if the application relates to the sale of alcohol).
- reject the application

If granted the licensing act sets out the following should problems occur after the grant of a licence and the committee will take this into account whilst considering the application.

Para 11.1

"The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate".

Para 11.2

At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

I hope this assists
Kind regards
Derek

From: chris [REDACTED]
Sent: 17 March 2017 10:56
To: Robson, Debra
Subject: Re: Premises Licence Application in respect of Becketts Southsea Ltd, 10-11 Bellevue Terrace, Southsea PO5 3AT

Dear Debbie,

I have now had a chance to show the letter from Jason and Soraya Parker to my father and together we have written the response below. In addition my father has also posted today by royal mail, an individual objection to Beckett's licence application.

Kind regards

Christine Mustchin

Dear Ms Robson,

With reference to Jason and Soraya Parker's letter regarding a music licence for Beckett's Southsea Ltd., we note that they have offered to reduce the hours of the original application. This suggests a willingness to compromise, which is encouraging. We should, however, like to make the following points.

- 1) The vicissitudes of Beckett's business plan and its ability to turn in a profit are not issues upon which we are competent to comment. The matter of the environmental effects of its application for a music licence is what is at stake.
- 2) The fact of living in an urban environment, with its attendant noise levels, does not exclude responsible individuals and firms from taking others into consideration. Avoiding any escalation in noise levels is especially important during night hours when people are liable to be sleeping.
- 3) Bellevue Terrace is indeed a busy road during the day but after midnight there is currently very little traffic. This is relevant with respect to the proposed opening hours.
- 4) We accept that recorded music can be kept at a reasonable level but the same may not be true for live music. If the live music is as proposed, one acoustic guitar playing, then this too could be kept to a reasonable noise level. It is encouraging that the owners' intention is not to introduce 'numerous loud bands'. It is not clear, however, if this means an occasional 'loud band' will be engaged. Also, there is no guarantee that 'numerous loud bands' may not be introduced at a later date, should the premises be sold in the future.
- 5) If the council grants the requested music licence could this be for a trial period in the first instance?

With many thanks for your kind attention.

Yours sincerely,

Mr T.D.Cole

22 Lingfield Court, Blount Road, Portsmouth, PO1 2TB

Dr C.A. Mustchin (daughter)

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

From: Robson, Debra <[REDACTED]>
To: Christine Anne Mustchin <[REDACTED]>
Sent: Fri, 17 Mar 2017 10:53
Subject: RE: Premises Licence Application in respect of Becketts Southsea Ltd, 10-11 Bellevue Terrace, Southsea PO5 3AT

Dear Dr Mustchin

Yes a response would be good.

Thank you

Debbie

From: Christine Anne Mustchin [REDACTED]

Sent: 16 March 2017 16:57

To: Robson, Debra

Subject: Re: Premises Licence Application in respect of Becketts Southsea Ltd, 10-11 Bellevue Terrace, Southsea PO5 3AT

Dear Ms Robson,

Thank you for forwarding the letter from Beckett's re their music application. I shall let my father see this. Do you wish for a response to the new proposals?

Regards

Christine Mustchin

Sent from my iPad

On 16 Mar 2017, at 13:37, Robson, Debra <[REDACTED]> wrote:

Dear Dr Mustchin

Please see email letter below from the owners of Becketts in conjunction with their application.

Regards.

Debbie Robson

Dear Mr Stone

Many thanks for taking the time to visit our premises today and for your constructive comments regarding our new Premises Licence application.

My wife Soraya and I originally took on Becketts as it was a well-respected longstanding business located in a delightful old building. As we peeled back layer upon layer of "sticking plasters" during the early stages of the refurbishment, we realised that the disrepair was far from skin deep aesthetics. Nonetheless, we continued to redevelop first no.11 and subsequently no.10 Bellevue Terrace in a sympathetic and respectful manner with the burgeoning process very much becoming a labour of love. We sincerely hope that this fact is clear to see by anybody that visits our venue. We have literally poured blood, sweat, tears and a significant level of financial investment into these 2 Grade II listed properties with the clear aim of creating a high quality venue that fills a gap in the marketplace for the more mature, well informed and discerning customer.

The age of these historic properties means that they will always require significant ongoing investment to safeguard their future. As with any older property, the safety of their future rests squarely on the viability of their occupation. No's 10 and 11 Bellevue Terrace both desperately needed to be put to a use that could generate sufficient ongoing revenues that could cover both the everyday costs of running any business that they might house as well as the meeting the ongoing costs of maintenance and repairs that are far less onerous in modern buildings. We strongly believe that our timely investment saved both of these properties that were otherwise simply being allowed to rot. To avoid this occurring ever again, we are continuing to invest in the future of a viable business that will safeguard these important local buildings for the foreseeable future.

Since reopening in July 2016 we have received considerable support and praise from customers old and new who recognise that we have created something that really is quite different from the popular, generic style of offerings. Part of our aspirations for the venue are to become known as a place where our customers can come and enjoy acoustic music primarily delivered by solo singer/songwriters who also play their own instruments such as the acoustic guitar. We have introduced this on Thursdays and Sundays to an enthusiastic welcome from our customers. Not once have we received a complaint of any kind.

We have found that there is demand from our well behaved, largely mature customers for extended hours beyond that currently permitted by the existing licence, the terms of which were agreed in an application that long pre-dated our ownership and our extensive refurbishment. We are not seeking to become a late night music venue hosting numerous

loud bands that would have the potential to disrupt the lives of our neighbours. We simply want to provide a high quality venue that is safe, secure and well managed for an audience that is otherwise hard pushed to enjoy a night out in Portsmouth.

The majority of the representations received thus far have come from residents living in Pembroke Park. Many of these same residents have stopped by in the past and offered us their very best wishes as they have been afforded a daily view of our restoration efforts. A significant number are actually regular customers of ours. Some residents of Lingfield Court have eloquently explained their concerns within their representations and we have considered these very carefully. Putting this block's location into context, we would mention that Lingfield Court is situated some 100 metres diagonally to the southwest across 2 different roads, 3 deep pavements and a shallow, hedged frontage. The nearest road to us is Bellevue Terrace which is a very busy primary vehicular access route into Southsea, Old Portsmouth and the seafront generally. Directly opposite us is the garage parking area for Lingfield Court. Our buildings adjoin Rees Hall to the south, a large student Halls of Residence managed by Portsmouth University. This fact is mentioned within representations by residents of Pembroke Park but we know of no issues with our existing use or our proposals from the actual occupiers of Rees Hall with whom we have an excellent neighbourly relationship or from their landlord, Portsmouth University. To the north of our premises is Shorties, a longstanding restaurant business with whom we also have an excellent relationship.

We all live and work in a densely populated city where eternal peace and quiet are simply not a luxury that can be afforded nor should be expected. Nonetheless, we have considered the issues raised and whilst we are disappointed that some residents share a belief that we would permit unacceptable behaviour to become the norm, we do understand their fears. We are therefore willing to curtail our proposed operating times as follows:-

Opening Hours

Sunday – Thursday 09:00 – 00:30 (previously 01:30)

Friday - Saturday 09:00 – 01:30 (previously 02:30)

Supply of Alcohol

Sunday – Thursday 09:00 – 00:00 (previously 01:00)

Friday - Saturday 09:00 – 01:00 (previously 02:00)

Late Night refreshment

Sunday – Thursday 23:00 – 00:00 (previously 01:00)

Friday - Saturday 23:00 – 01:00 (previously 02:00)

Recorded Music

Sunday – Thursday 09:00 – 00:30 (previously 01:00)

Friday - Saturday 09:00 – 01:30 (previously 02:00)

Live Music

Sunday 10:00 – 23:00 (previously 23:59)

Monday – Thursday 10:00 – 00:00 (previously 23:59)

Friday - Saturday 10:00 – 00:00 (previously 02:00)

Times in () refer to those that were previously being sought within our original application.

We sincerely hope that those concerned local residents will recognise our efforts to allay their fears.

Mr Stone – we understand that you will distribute this email accordingly.

Councillor Woods – we understand that you have been in correspondence with local residents and we respectfully ask that you distribute a copy of this email to them. Our hope would be that representations might now be withdrawn.

Yours sincerely

Jason & Soraya Parker

Directors

Becketts Southsea

Appendix D

From: chris [REDACTED]
Sent: 06 April 2017 17:17
To: Robson, Debra
Subject: Re: Application for a music license by Beckett's restaurant: Objections

Dear Ms Robson,
I should be happy for you to include my representation if allowable.
My postal address is:
28 Craigweil Lane
Bognor Regis
PO21 4AN

Regards
Christine Mustchin

Sent from AOL Mobile Mail

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

From: Robson, Debra <[REDACTED]>
To: chrismustc <[REDACTED]>
Sent: Thu, Apr 6, 2017 09:02 AM
Subject: RE: Application for a music license by Beckett's restaurant: Objections

Dear Dr Mustchin

Further to your email and I also confirm receipt of the representation from your father do you want me to accept your email as a representation as well. If so can I have your full postal address.

Regards.

Debbie Robson
Licensing

From: Robson, Debra
Sent: 09 March 2017 11:50
To: Robson, Debra
Subject: FW: Application for a music license by Beckett's restaurant: Objections

From: Licensing Shared Email
Sent: 08 March 2017 10:14
To: Robson, Debra
Subject: FW: Application for a music license by Beckett's restaurant: Objections

From: chris [REDACTED]
Sent: 07 March 2017 19:16
To: deb [REDACTED]

Cc: Licensing Shared Email

Subject: Application for a music license by Beckett's restaurant: Objections

Dear Ms Melanin,

I am writing in support of my father, Mr Thomas Denis Cole, who has signed a petition and will be writing to you, objecting to the application of a music license by Beckett's Wine Bar and Bistro at 11 Bellevue Terrace, Portsmouth..

My father is 93 years old with reduced mobility and lives in Lingfield Court, Blount Road and is one of many elderly residents in the block. His flat is directly opposite Beckett's restaurant and will be subject to noise pollution if the license is granted. There are three points of objection.

1. Live Music. Live music produces high levels of noise which travel beyond the confines of the venue in which it is performed unless there is a good level of sound-proofing. This would adversely affect all residential properties in the vicinity of which there are a considerable number, including my father's.

2. Alcohol. The wording of the application indicates that alcohol is not just to be served in the restaurant setting, but in a bar setting. This is similar to public houses whose opening hours are restricted and avoid unsocial hours. Beckett's license application is for unsocial hours. The consumption of alcohol in this setting will create noise as people come and go. It will also add to current parking difficulties.

3. Hours. a) The sale of alcohol during unsocial hours will be disruptive because of noise levels during unsocial hours, see 2 above.

b) The playing of live music from 12 noon to 2am on Friday and Saturday, and 12 noon to midnight Sunday to Thursday is unreasonable given the situation of Beckett's near residential accommodation, including my father's, see 3 above.

As a retired GP, I am concerned about the health effects of people living in the vicinity of Beckett's if this license application is granted. Sleep deprivation is recognised as a health hazard and noise from music or other disturbance is recognised as an important cause. In the case of an elderly person this can be seriously detrimental but it applies also to those who work and study.

I sincerely hope the Portsmouth City Council will take into consideration these objections.

Yours sincerely,

Dr Christine Mustchin

This email is for the intended recipient(s) only.

If you have received this email due to an error in addressing, transmission or for any other reason, please reply to it and let the author know. If you are not the intended recipient, you must not use, disclose, distribute, copy or print it.

This email may be monitored, read, recorded and/or kept by Portsmouth

From: jill norman [REDACTED]
Sent: 28 February 2017 14:05
To: Wood, Rob (Cllr)
Cc: Robson, Debra
Subject: Re: Fwd: Application for premises licence - Becketts

Dear Rob,

Yes happy to support the application for Becketts to have a premises licence , as it is a natural progression to extend the premises, and they have spent a lot of money on it, so they need to get a return on their investment. By the way it looks lovely.

[REDACTED]

Kind Regards

Jill Norman

From: "Wood, Rob (Cllr)" [REDACTED]
To:
Sent: Tuesday, 28 February 2017, 13:09
Subject: Fwd: Application for premises licence - Becketts

I don't know if Pembroke Park residents would be interested in this as it is across the way. Please feel free to pass on

Cllr Rob Wood
St. Thomas Ward LibDem
Spokesperson Children Services
Portsmouth City Council

----- Original message -----

From: "Robson, Debra" <Debra.Robson@portsmouth.gov.uk>
Date: 28/02/2017 12:57 (GMT+00:00)
To: "Brent, Ryan (Cllr)" <Ryan.Brent@portsmouth.gov.uk>, "Wood, Rob (Cllr)" <Rob.Wood@portsmouth.gov.uk>, "Wood, Tom (Cllr)" <Tom.Wood@portsmouth.gov.uk>
Subject: Application for premises licence - Becketts

Dear Ward Councillors

I am writing to advise you that I have received an application for a premises licence for Becketts, Bellevue Terrace. Becketts has a premises licence for 11 Bellevue Terrace but the licence holder has now purchased next door and he therefore has to apply for a new licence for both premises.

The application consists of live music, Sunday to Thursday from 12:00 until 00:00, Friday and Saturday from 12:00 until 02:00, recorded music, Sunday to Thursday 09:00 until 01:00, Friday and Saturday 09:00 until 02:00. Late night refreshment and sale of alcohol Sunday to Thursday from 09:00 until 01:00, Friday and Saturday from 09:00 until 02:00.

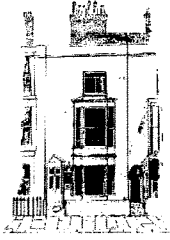
Regards.

Debbie Robson
Senior Licensing Officer
Directorate of Culture and City Development
Licensing Service
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

Play the Portsmouth Lottery, 60p from every £1 ticket goes to good causes and there's a £25k prize jackpot. It's a win win.
First draw 5 November www.portsmouthlottery.co.uk

This email is for the intended recipient(s) only.

Appendix D



**Victory House
7 Bellevue Terrace
Portsmouth
Hampshire PO5 3AT**

**Ms Debra Robson
Senior Licensing Officer
Directorate of Culture & City Development
Licensing Service
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth PO1 2AL**

**Friday 24 March 2017
Urgent**

Dear Ms Robson,

**RE: Application for Premises Licence (as amended)
REF: 17/02138/LAPREM
LOCATION: Becketts Wine Bar, 10 & 11 Bellevue Terrace, Southsea PO5 3AT
APPLICANT: Becketts Southsea Ltd (Mr Jason Aaron Parker & Mrs Soraya Parker)
DESIGNATED PREMISES SUPERVISOR: Jaime Riand**

Introduction

With reference to this Application, having only recently found out about it a few days ago, I wish to urgently make two representations objecting to it.

Representation 1

The Applicant has failed to properly advertise the Application so it should not be considered unless and until the Applicant has properly re- advertised it and/or the time for representations has been extended.

As just mentioned, I have only just been informed about this Application, which I note is dated 24 February 2017 and signed by Mr Parker, which appears to have been very recently effectively amended by a letter from Mr and Mrs Parker to Principal Licensing Officer Mr Derek Stone dated 15 March 2017.

I fear there are two reasons why I and other neighbours have only just found out about the Application:

- 1) On a personal note, Mr Parker (director of the Applicant) failed to tell me about it, despite him previously promising me to my face that he would from now on keep me informed about his plans for Becketts and be a good neighbour.

To put such personal promises into context, Mr Parker made them to me in the context of recent applications made by him and his wife and co-director Mrs Parker via another company they own/control for planning and listed building consent concerning Becketts, which they failed to tell me about, to which I objected and Mr Parker then persuaded me to withdraw, pleading potential financial ruin for him and his wife if I did not, promising me he would in the future keep me informed about his plans for Becketts and be a good neighbour. I am therefore very disappointed that Mr Parker has broken his personal promise made to me and that he and his wife have yet again failed to be good neighbours.

- 2) Setting aside Mr Parker having made and broken such personal promises to me, far more seriously Mr and Mrs Parker have now caused the Applicant to fail to properly advertise the Application in accordance with **regulation 25 of the Licensing Act 2003 (Premises licences and club premises certificates) regulations 2003**.

Regulation 25 states:

“Advertisement of applications

25. In the case of an application for a premises licence under section 17, for a provisional statement under section 29, to vary a premises licence under section 34, for a club premises certificate under section 71 or to vary a club premises certificate under section 84, the person making the application shall advertise the application, in both cases containing the appropriate information set out in regulation 26 —

(a) for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority, by displaying a notice

(i) which is—

(aa) of a size equal or larger than A4,

(bb) of a pale blue colour,

(cc) printed legibly in black ink or typed in black in a font of a size equal to or larger than 16;

(ii) in all cases, prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises and in the case of a premises covering an area of more than 50 metres square, a further notice in the same form and subject to the same requirements every fifty metres along the external perimeter of the premises abutting any highway; and

(b) by publishing a notice—

(i) in a local newspaper or, if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises;

(ii) on at least one occasion during the period of 10 working days starting on the day after the day on which the application was given to the relevant licensing authority.”

At such short notice I have not yet been able to determine whether, (or if so when), the Applicant published any notice in a local newspaper. In the short time available, my brief urgent enquiries reveal however that:

- The Applicant initially placed a notice in the window of 11 Bellevue Terrace but it could not be conveniently read because Mr and Mrs Parker have for months now had workmen at the property and safety barriers have been in place obstructing access to the window.
- The Applicant (I assume on advice) then moved the notice to display it on the front door of 11 Bellevue Terrace but yet again it could not be conveniently read because of the safety barriers.
- The Applicant (I still assume on advice) recently moved the notice to display it wrapped around a wrought iron lamppost at 11 Bellevue Terrace, but yet again it cannot be conveniently read because the post is narrow and the notice is wrapped round its girth. It requires almost 360 degree vision to read it.

Such failure to properly advertise is not the fault of the City Council. It is the fault of the Applicant (Mr and Mrs Parker).

Such failure to properly advertise the Application is serious because:

- 1) It means the Applicant has failed to comply with the mandatory legal requirement to properly advertise the Application under the **2003 Regulations**.
- 2) It also means many persons potentially interested in the Application still do not know about it and they have been deprived of the chance to make representations, causing the whole process to be unfair.

A cynical person might be forgiven for thinking that Mr and Mrs Parker have deliberately avoided properly advertising the Application to neighbours hoping that it would "slip through" un-noticed.

Despite the lack of proper advertisement I gather there are already many objections to the Application, including from neighbours in Pembroke Park, especially neighbours living in Lingfield Court

I also now know the Portsmouth University only recently knew about the Application and it has objected to it.

Over the last three days I have urgently spoken to many neighbours in Bellevue Terrace, Kings Terrace and Dartmouth Mews. Only a few neighbours recently knew about the Application but most did not know about it at all.

Without exception, all of the neighbours to whom I have so far managed to speak object to any extension of Becketts' existing licensing hours.

In just 3 days we have put together a Petition to object to the Application, a copy of which accompanies this letter.

You will note that there are 51 signatures to the Petition.

If the Application had been properly advertised I am sure there would be many more.

At this early stage, the key point to note however is that the Applicant's failure to properly advertise the Application means the whole application process is flawed and unfair.

Suggested remedies

To remedy this unfortunate situation it is suggested that:

- 1) The Application should not be considered by the Council unless and until the Applicant has properly re-advertised it.
- 2) At very least the Council should decide to extend the deadline for representations.
- 3) The best remedy, if Mr and Mrs Parker wish to be truly neighbourly, is for them to apologise to all neighbours for not consulting them about the Application and withdraw it.

Representation 2

The Applicant has failed to show that the four key licensing objectives are met.

Even if the Application had been properly advertised, (which it was not), it fails even its recently amended form to satisfy the four key licensing objectives so it should be rejected.

These four key "licensing objectives" are often mentioned but rarely set out in full in any representations made in licensing matters, save in advice from . They are set out in section 4 of the Licensing Act 2003 which states:

"4. General duties of licensing authorities

(1) A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives.

(2) The licensing objectives are—

- (a) the prevention of crime and disorder;***
- (b) public safety;***
- (c) the prevention of public nuisance; and***
- (d) the protection of children from harm.***

(3) In carrying out its licensing functions, a licensing authority must also have regard to—

- (a) its licensing statement published under section 5, and***
- (b) any guidance issued by the Secretary of State under section 182."***

These four licensing objectives are of equal importance.

As mentioned by way of introduction, the original Application dated 24 February 2017 completed by Mr Parker has apparently effectively been very recently been amended by a letter that he and Mrs Parker sent to Principal Planning Officer Mr Derek Stone dated 15 March 2017.

It may assist to compare three things:

- 1) The existing operating times under the Applicant's current premises licence.
- 2) The operating times proposed in the Application dated 24 February 2017.
- 3) The amended operating times now proposed in Mr and Mrs Parker's letter dated 15 March 2017.

Item	A. Existing	B. As originally proposed by the Applicant in the Application dated 24 February 2017	C. As apparently recently amended in Mr and Mrs Parker's letter dated 15 March 2017
Opening hours	Sunday 12.00 to 23.59. Monday to Saturday 10.00 to 00.30.	Sunday to Thursday 09.00 to 01.30. Friday & Saturday 09.00 to 02.30.	Sunday to Thursday 09.00 to 00.30. Friday & Saturday 09.00 to 01.30 .
Supply of Alcohol	Sunday 12.00 to 22.30 Monday to Saturday 10.00 to 23.00.	Sunday to Thursday 09.00 to 01.00. Friday & Saturday 09.00 to 02.00.	Sunday to Thursday 09.00 to 00.00 . Friday & Saturday 09.00 to 01.00 .
Late night refreshment	Sunday 23.00 to 23.59. Monday to Saturday 23.00 to 00.30.	Sunday to Thursday 23.00 to 01.00. Friday & Saturday 23.00 to 02.00.	Sunday to Thursday 23.00 to 00.00 . Friday & Saturday 23.00 to 01.00 .
Playing of recorded music	Monday to Saturday 00.00 to 23.59	Sunday to Thursday 09.00 to 01.00. Friday & Saturday 09.00 to 02.00.	Sunday to Thursday 09.00 to 00.30 . Friday & Saturday 09.00 to 01.30 .
Live music	Not permitted under existing licence.	Sunday 10.00 to 23.59 Monday to Thursday 10.00 to 23.59 Friday and Saturday 10.00 to 02.00	Sunday 10.00 to 23..00 Monday to Thursday 10.00 to 0.00 Friday and Saturday 10.00 to 0.00

Although the late amendments to the Application are welcome, they still fall way short of meeting the four licensing objectives.

To fully appreciate why this is so, it is necessary to be aware of some relevant background facts.

These relevant background facts are known to me because for almost 30 years I have owned, occupied and run my professional practice as a barrister, mediator and arbitrator from 7 Bellevue Terrace.

Relevant background facts

The geography and nature of the area

Bellevue Terrace lies within designated **Conservation Area No.6**.

Most of the properties in Bellevue Terrace, (including 10 and 11 Bellevue Terrace, from which the Applicant / Mr and Mrs Parker now trade), are Grade II listed buildings. By their nature they have relatively thin dividing walls and cannot have double glazing, so sound travels further than in modern, more insulated, properties.

Immediately adjacent to the south of 10 and 11 Bellevue Terrace is Rees Hall, a Portsmouth University hall of residence occupied by students, including disabled students, their carers and children, as well as parties of schoolchildren visiting during the summer.

Immediately to the north of 10 and 11 Bellevue Terrace at 8 and 9 Bellevue Terrace is a well-established restaurant named Shorties with residential flats above. The owners of the property Mr Gerald and Sally Chen have now retired but the business is still being run.

My offices at 7 Bellevue Terrace are next-door but one to 10 and 11 Bellevue Terrace.

6, 5, 4 and 3 Bellevue Terrace are residential properties, some of which have children living in them.

2 Bellevue Terrace is an up-market "boutique" guest house called "The Pier".

1 Bellevue Terrace is also a guest house called "The Continental".

Further up from Bellevue Terrace are residential properties in Kings Terrace occupied by a mix of residents, including pensioners and families with young children.

Opposite 10 and 11 Bellevue Terrace is the Pembroke Park private residential estate including Woodville Drive and a block of residential flats known as Lingfield Court, occupied by a mix of private residents including pensioners and families with young children.

Immediately behind 10 and 11 Bellevue Terrace is a development of residential flats in Dartmouth Mews, which are also occupied by a mix of private residents including pensioners and families with young children.

The history of "Becketts"

For many years Becketts Wine Bar was a family owned and run wine bar and restaurant based at 11 Bellevue Terrace only, run by Mr Miguel Pereguin and his wife Kathy.

As far as I am aware, during the almost 30 years they ran that business no-one ever made any complaint. They ran their wine bar and restaurant in a decent and neighbourly way.

Last year things changed dramatically.

Mr and Mrs Parker using a different company bought the business of Becketts and the property 11 Bellevue Terrace, at about the same time separately buying 10 Bellevue Terrace from the executors of the deceased owner. They have proceeded to re-develop both properties and enlarge them, more than doubling the size of the wine bar and restaurant, planning to create residential flats above.

It is partly due to me withdrawing my objections to their plans to demolish the rear of 10 Bellevue Terrace and build a new larger extension, relying on promises Mr Parker made to me, that they are now able to develop that property.

Relevant events since Mr and Mrs Parker arrived on the scene and the failure of the Application to meet the four key licensing objectives

Even when purporting to operate under the terms of the existing premises licence, (as summarised in **column A of the Table above**), since Mr and Mrs Parker arrived on the scene I and other neighbours have noticed a significant increase in noise coming from 10 and 11 Bellevue Terrace, for example caused by:

- 1) Music being played loudly late at night.
- 2) Groups of people standing late at night outside on the pavement smoking, drinking, talking loudly and sometimes shouting.
- 3) Multiple car doors slamming and car horns hooting late at night.

Any extension of the operating times would inevitably increase the duration as well as the volume of such noise, causing significant distress, upset and harm to neighbours, including pensioners, children and disabled people.

We have also noticed a significant increase in parking problems, which were already serious before Mr and Mrs Parker arrived on the scene. Several neighbours who work as "key" workers have told me that when they have arrived home from shift in the evening they have had to park several streets away.

It is concerning that when expressly attempting to address the four licensing objectives in the second sentence of **section M, paragraph a) of the Application** Mr Parker states on behalf of the Applicant:

"WE DO NOT PROMOTE ANY FORM OF DRINKING TO EXCESS BE THAT BY WAY OF DISCOUNTS, MARKETING PROMOTIONS, GAMES, REWARDS, ETC"

Unfortunately, that is a false statement.

I and many neighbours know it is a false statement because we know that Mr and Mrs Parker have on-line as well as by means of physical chalk boards placed on the pavement offered discounts and special offers on alcoholic beverages, including regularly advertising "2 for 1" drinks during a "happy hour" between 17.00 and 19.00 hours.

Without wishing to state the obvious, consumption of alcohol, especially consumption of alcohol at licensed premises late at night and in the early hours of the morning, brings with it an inevitable risk of crime and disorder.

Nowhere in the Application or in their recent letter have Mr or Mrs Parker mentioned how they propose to prevent crime and disorder. In **section M, paragraph b) of the Application** there is a brief mention of the premises having CCTV as a “deterrent” but that by definition is not a positive preventative measure.

Regarding the prevention of public nuisance, in **section M, paragraph d) of the Application** Mr Parker states:

“NOISE CONTROL – THROUGH DESIGN CHARACTERISTICS OF OUR BUILDING COMBINED WITH STAFF TRAINING, WE SEEK TO ENSURE THAT WE DON’T CAUSE UNREASONABLE DISTURBANCE TO THE PUBLIC OR OUR NEIGHBOURS”.

This is a meaningless statement that fails to address adequately, or at all, the clear and obvious risk of public nuisance caused by any extension to the existing “operating times”, i.e. licensing hours.

Regarding noise nuisance, a revealing sentence can be found in the recent letter Mr and Mrs Parker sent to Principal Licensing Officer Mr Derek Stone dated 15 March 2017, which reads:

“We all live and work in a densely populated city where eternal peace and quiet are simply not a luxury that can be afforded or expected”.

This one sentence is important.

Quite apart from being arrogant and dismissive, it shows that Mr and Mrs Parker simply do not understand why so many neighbours are upset by their behaviour and object to the Application.

As a long-term resident of this City I do not expect to live “eternal peace and quiet”, nor do any of the neighbours who object to the Application. What we do expect however is to have a decent quality of life, free from noise nuisance, drunkenness, crime and disorder.

Relevant general policy consideration

For those of us with a long enough memory, there used to be a significant licensing and public order problems caused by the late-night licensed premises on Southsea seafront, which included nightclubs such as “Joannas”.

To eliminate such problems, with all-party support the City Council unanimously decided as a matter of general policy to try to concentrate the night-time economy to the Guildhall Walk area, which explains why that area is now a ***“special policy for cumulative impact area”*** mentioned in the **paragraph 11 of the Licensing Policy**.

Granting this Application would be contrary to that long-standing general policy.

It would also risk re-introducing an unwelcome and undesirable close to the seafront night-time economy in what is essentially a residential area because:

- 1) The Application is for a premises licence, not a personal licence, which means it could be sold by Mr and Mrs Parker at any time, including to a company or persons who are less scrupulous.
- 2) Granting the Application would set a precedent, potentially paving the way for other similar applications.

Recognition that Mr and Mrs Parker could if they wished make a valuable contribution

I have run a business in this City for almost 30 years and I am by instinct someone who likes to see others succeed in business.

Potentially Mr and Mrs Parker could make a valuable contribution to the neighbourhood and the local economy by developing and running their business, if only they recognised that they need to do so in a more neighbourly and considerate way.

As mentioned in the accompanying Petition, neither I nor any of the neighbours object to Becketts continuing to be run by Mr and Mrs Parker as a wine bar and restaurant as it has been for many years within its existing licensing hours, which we assume they new about when they bought the business.

Generally

I hope these representations are clear and that they make sense.

As I made clear by way of introduction, I only found out about this Application a few days ago, so I have had to prepare them urgently.

At some stage I hope Mr and Mrs Parker will on reflection decide to withdraw the Application.

Yours sincerely,

Andrew Parsons

From:
Sent:
To:
Subject:

From: Andrew Parsons [REDACTED]
Sent: 24 March 2017 15:57
To: Robson, Debra
Cc: Stone, Derek
Subject: RE: Becketts - Urgent

Dear Debbie,

Thank you for acknowledging receipt.

What has really struck me, having now urgently spoken with so many neighbours over the past 3 days is that almost none of them knew about this application by Becketts (Mr and Mrs Parker) and the few who already knew about it like me only recently found out about it. Without exception, all neighbours object.

In the circumstances, I hope Mr and Mrs Parker will on reflection decide to be neighbourly and withdraw the Application.

If they really wanted to be neighbourly and mend some bridges they might say sorry for not consulting any of their neighbours but that is of course not a licensing issue.

Kind regards,

Andrew Parsons

7 Bellevue Terrace
Portsmouth PO5 3AT
Telephone: (REDACTED)
Mob: (REDACTED)

From: Robson, Debra [REDACTED] [uk](#)
Sent: 24 March 2017 15:44
To: Andrew Parsons
Subject: RE: Becketts - Urgent

Dear Andrew

I acknowledge receipt of your representation and petition.

Regards.

Debbie Robson
Licensing

From: Andrew Parsons [REDACTED]
Sent: 24 March 2017 14:58

To: Robson, Debra
Cc: Stone, Derek
Subject: Becketts - Urgent

Debra Robson
Senior Licensing Officer
Directorate of Culture & City Development
Licensing Service
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth PO1 2AL

Email: [REDACTED]

CC:

Derek Stone
Principal Licensing Officer

Email: [REDACTED]

Friday 24 March 2017

Urgent

Dear Ms Robson,

RE: Application for Premises Licence (as amended)
REF: 17/02138/LAPREM
LOCATION: Becketts Wine Bar, 10 & 11 Bellevue Terrace, Southsea PO5 3AT
APPLICANT: Becketts Southsea Ltd (Mr Jason Aaron Parker & Mrs Soraya Parker)

With reference to this Application, please find attached copies of:

- 1) My letter making written representations objecting to the Application.
- 2) A petition containing 51 signatures objecting to the Application.

I should be most grateful if you would please acknowledge safe receipt.

Kind regards,

Andrew Parsons

7 Bellevue Terrace
Portsmouth PO5 3AT
Telephone: [REDACTED]

This email is for the intended recipient(s) only.

If you have received this email due to an error in addressing, transmission or for any other reason, please reply to it and let the author know. If you are not the intended recipient, you must not use, disclose, distribute, copy or print it.

This email may be monitored, read, recorded and/or kept by Portsmouth City Council. Email monitoring and blocking software may be used.

Play the Portsmouth Lottery, 60p from every £1 ticket goes to good causes and there's a £25k prize jackpot. It's a win win.
First draw 5 November www.portsmouthlottery.co.uk

Robson, Debra

From: Kevin Phillips [REDACTED]
Sent: 20 March 2017 17:06
To: Robson, Debra
Subject: Application for licence - Becketts

Dear Debra Robson,

We are concerned to learn that Becketts has applied for a music licence that will run through the evenings Mondays to Thursdays and Fridays, Saturdays and Sundays. We live opposite Becketts Wine Bar/Restaurant in Lingfield Court and this means that we will suffer all the music, loud conversations, increased traffic noise; possible people disturbances, customers sitting outside outside the restaurant at tables and chairs; and waiting for taxis. All this in late into the night and early morning. In the circumstances, we request that the licence should not be granted.

KJ & Mrs TA Phillips
18 Lingfield Court
Portsmouth
PO1 2TB

Appendix D

Tel: [REDACTED]

Flat 26 Lingfield Court
Blount Road
Pembroke Park
PORTSMOUTH
PO1 2TB



2nd March, 2017.

Debbie Robson - Senior Licensing Officer
Licensing Service
Civic Offices
Guildhall Square
PORTSMOUTH
PO1 2AL

Dear Debbie Robson,

Thank you for the details of the revised application for extended opening hours by Becketts of Bellevue Terrace.

We consider the extension until 1a.m. from Sunday to Thursday and 2a.m. for Friday and Saturday far too intrusive, bearing in mind this is mainly a residential area and we in Lingfield Court are less than 100 yards from their front door - in front of which they set out tables and chairs for their customers as they have done since their opening last July. This means we will have to put up with not only the music but the noisy departures and slamming of car doors at 2a.m. in the morning.

Naturally we do not wish to affect their business but we would suggest the latest hour agreed should be midnight - a reasonable hour that should, we hope, satisfy both clients and residents.

Yours sincerely, [REDACTED]

Martin Pickett
& Nick Nicholson.

Appendix D

Tel: [REDACTED]



Flat 26 Lingfield Court
Blount Road
Pembroke Park
PORTSMOUTH
PO1 2TB

19th March, 2017.

Mr. Derek Stone
Principal Licencing Officer
Civic Offices
Guildhall Square
PORTSMOUTH
PO1 2AL

Dear Derek Stone,

Reference 17/02138/LAPREM - New Licence for Becketts.

Thank you for your letter and kindly enclosing a copy of the excellent presentation made by the new owners of Becketts in Bellevue Terrace. Living exactly opposite we were made keenly aware of the enormous effort they had made to bring both properties back to life.

As regards our original letter we were pleased to note they have made efforts to change the cloing hours nearer to midnight as we suggested i.e. Sunday to Thursday from 1.30a.m. to 12.30a.m. and Friday and Saturday from 2.30a.m. to 1.30a.m. but this could have been better.

However there still remains the important matter of drinking at the tables and chairs placed on the pavement in front of both properties. It is an established fact that in this modern age the more drink consumed quickly leads to coversation becoming much louder i.e. folk shouting at each other especially in the open air.

For this reason we ask they seriously consider banning all drinking outside both properties from 11.30p.m. onwards throught the entire week. This will enable the staff to quieten things down well before the witching hour!

We look forward to receiving your final decision in this matter and would ask you to pass on our good wishes to Becketts in their efforts to "Balance the books".

Your sincerely,

[REDACTED]

Martin Pickett
& Nick Nicholson.

Appendix D

Robson, Debra

From: Stone [REDACTED]
Sent: 21 March 2017 19:01
To: Stone, Derek
Cc: Wood, Rob (Cllr); Robson, Debra
Subject: Becketts Resaurant License Application.
Attachments: Response to Becketts letter.docx

Dear Mr Stone,

Further to my objection to this application, submitted on the 17th of March 2017.

Attached is my response to the recent letter from the Applicant. My original objection still stands.

I understand from Ms Robson that if any original objectors do not respond either way to this letter, their objections still stand and are not lost.

Yours faithfully.

M. Stone.

M. Stone.

41, Lingfield Court,

Blount Road,

Pembroke Park,

Old Portsmouth,

Hants.

PO1 2TB.

21st of March 2017.

Application for New Licence for Becketts Restaurant.

Dear Mr Stone.

Further to my objection to the above application submitted on the 17th of March 2017 and with reference to the recent letter received from the Applicant.

1

The contents of the Letter.

(a). To infer that Residents expect "Eternal Peace and quiet", is specious. The only place "eternal peace and quiet" can be found, is in a Cemetery! This pleasant Residential area does however have a good standard of peace and quiet at the moment and has had this for some considerable time. This allows Residents to get a good night's sleep without the disturbance caused by Late Night Drinkers and Late Night Music. It appears to be arrogant to the point of impertinence to infer that Residents in a Peaceful Location should be willing to accept Late Night/Early Morning noise and disturbance in order that an unwanted Speculative Commercial undertaking can obtain Maximum Profit and not to accept this would be unreasonable in "a Densely Populated City.

(b). The Applicant states that "Lingfield Court is situated some 100 metres diagonally to the southwest", (Presumably he means from Becketts Restaurant). I have paced the distance from the boundary of the nearest Flats in Lingfield Court to Becketts, which is directly opposite in a straight line. From this Boundary to the steps of Becketts took 46 of my strides.

Page 3.

(g). I assume that the Applicant does not intend to reside over the Premises.

2.

The New suggested Permitted Hours.

(a). The new slightly varied suggested Permitted Hours do not deal in any way with the undesirable impact on this Quiet Residential Area of Late Night/Early Morning Drinking, Music and Refreshments.

(b). Why would a Restaurant want Permitted Hours to start at 9am? Will they serve Beer with Breakfast? Why would they want Recorded Music from 9am? Do they intend to inaugurate a Sing Along with your Cereal session?

3.

Conclusion.

(a). Unfortunately this whole letter appears to be a cleverly crafted appeal for what is essentially a speculative commercial undertaking that is completely inappropriate in a quiet residential area. My original objection stands and I commend my previously suggested conditions for the granting of a new licence for these premises, to you.

Yours faithfully.

M. Stone.

Derek Stone.

Principal Licensing Officer.

Portsmouth City Council.

M. Stone.

41, Lingfield Court,

Blount Road,

Pembroke Park,

Old Portsmouth,

Hants.

PO1 2TB.

14th of March 2017.

Objection to the Application for a New Licence.

Under the Licensing Act 2003.

In respect of Becketts, 11, Belleview Terrace, Southsea. PO5 3AT.

Application Reference : 17/02138/LAPREM.

1.

Dear Sir,

(a). I wish to object to the above application on the grounds of;

The prevention of public nuisance.

The prevention of Crime and Disorder.

(b). The change from the current Restaurant Licence to the proposed very late finish of permitted hours, Late Night Refreshments, Late night music and the establishment of a Drinking Bar without the consumption of a substantial meal, in considerably extended premises, is likely to increase the noise and general Disorder in the vicinity of the premises late at night and in the early hours of the morning, to a completely unacceptable level in a Residential Location. The corollary of this is usually an increase in Low Level Crime.

2.

History.

Page 2.

(a). Becketts Restaurant has been in existence for 30 years, according to its web site. As far as is known, it has generally been well run.

(b). The building is I believe, Listed and is part of the Conservation Area of “The Terraces”.

(c). Apart from another well established Restaurant adjoining it, Becketts is set in a Residential Area. A main road and bus route runs past the premises to the sea. This road however, is generally fairly quiet at night and in the early hours of the morning.

(d). The premises abut to Rees Hall, a large establishment of Student Accommodation. (Residential). There are two Guest Houses in the same Terrace.(Residential). Opposite is the Residential area of Pembroke Park. The nearest property is Lingfield Court with 40 Flats, (Residential). A short distance away is the Holiday Inn. (Residential).

(e). The Residents in this area are a cross section of the Community. They range from families with young children to retired people, from working people to students. All value a good night’s sleep and a reasonable quality of life.

3.

Recent Developments.

(a). The premises were taken over by New Owners in January 2016.

(b). From the 3rd of March 2016 until the 6th of October 2016, a number of Planning Applications were made to the Council in respect of Alterations to the Building. At least one for Retrospective Permission. Numbers: 16/01661/FUL, 16/01662/LBC, 16/00517/LBC and 16/00545/PLAREG refer.

(c). The last application was received by the Council on the 6th of October 2016. Among other things was an application for a change of use of part of the ground floor of the adjoining building to form part of the Restaurant at 11, Bellevue Terrace. This together with other alterations, increases the size of the Restaurant considerably and the potential number of Customers.

Page 3.

(d). In no Planning Application does there appear any mention of Live or Sound System Music. No Application appears to have been made to the Building Planning Officer for proper Sound Proofing of the premises.

4.

Likely Effect of the increased capacity of the premises

If the current application is granted.

(a). If this Application is allowed to stand as it is, it is likely to have the effect of turning the current Restaurant into a Late Night, Early Hours of the Morning Drinking Establishment.

(b). The increased capacity of the premises is likely to attract a much larger number of Customers, many of them Drinkers not wanting a Meal.

(c). Noisy Customers, influenced by Alcohol do not quickly disperse. A proportion of the Drinkers, particularly in the Holiday Season will not be known to the Licensee or his staff and the prevention of Under Age drinking and other Offences is unlikely to be effective. Noise and general Antisocial behaviour is likely to follow after the premises close in the Early Hours of the Morning.

(d). The end of Permitted Hours at such premises is rarely if ever supervised by the Police. With limited resources and an understandable culture of "Prioritisation", close supervision by the Police and therefore the quick dispersal of Drinkers at closing time, cannot be realistically expected.

(e). There are very likely to be problems with the Parking of Motor Vehicles and the noise generated by their leaving in the early hours of the morning. These Premises have no Customer Car Park.

5.

Suggested Conditions for the granting of a New Licence.

(a). In order for Becketts to remain an asset to the local community, I suggest that the following Conditions would be reasonable when granting a New Licence.

(b). The Permitted Hours to remain the same as at present. For the reasons previously given, Drinking to a later hour would be totally inappropriate in a residential area.

(b). No Alcohol to be served unless in conjunction with a Substantial Meal.

(c). The serving of Late Night Refreshments is not justified in a Residential Area and should not be permitted. There are no Factories, Markets or other establishments with night workers in the area, who would have need of such facilities.

(d). The Bar in the premises should not be allowed to become a Drinking Bar but only be used to serve Customers who are having a Substantial Meal. This Bar is not screened from the Restaurant and Children and Young Persons who are having a meal. If the Bar were Allowed to be used as a Drinking Bar with no Barrier between it and the Restaurant, this would allow Children and Young Persons to mingle with Drinkers with all the dangers inherent in such a situation.

(e). No purely Alcohol Promotions such as “Happy Hour” or “Two for the price of One” should be permitted. (A sign to this effect is currently displayed outside the premises together with “Bar open 5pm”)

(f). A table and two chairs are situated outside the Premises beside the pavement. If this is part of the Licensed Premises then alcohol should only be served here with a Substantial Meal. No Alcohol should be served outside the Building after 10.30pm.

(g). No Live Music should be permitted. Permission for Music from a Sound System should depend on the applicant installing Noise Limiting Features and Sound Proofing in the Premises to the satisfaction of the Council’s Environmental Health Officer. As a rule of thumb, to prevent Noise Pollution, no Music broadcast from these Premises should be audible further away than the Centre of the Carriageway outside the Licensed Premises.

(h). All Music and Broadcasts from a Sound System should cease by 10.30pm. This will enable Residents in the area to get a reasonable nights sleep.

Page5.

(i). The only late variation by One Hour of Permitted Hours should be Christmas Eve, New Year's Eve, Easter Saturday and any Exceptional Day of National Celebration. This is reasonable in a predominately Residential Area.

(j). Should the current Permitted Hours be allowed to be extended, then CCTV should be installed outside the Premises to record the behaviour of customers leaving the Premises late at night. The recordings should be retained for at least 28 days for the benefit of the Police.

6.

Conclusion.

(a). For the reasons previously stated this application for the type of Licensed Premises proposed is totally inappropriate for this Residential Area. If allowed it could make life intolerable for Residents.

(b). If the peaceful enjoyment of a Residents home is being affected by changes to a Licence which were sanctioned by a Licensing Authority, then the provisions of Article 8(1)&(2) of the European Convention on Human Rights (as incorporated by the Human Rights Act 1998), may well be relevant. Fortunately, Local Authorities invariably take this into consideration in order to protect their Citizens, when dealing with an application for serious changes to a liquor licence.

Yours faithfully.

M. Stone.

Principle Licensing Officer.

Portsmouth City Council.



23, Lingfield Court,
Portsmouth,
PO1 2TB
4th March 2017

Ms Debbie Robson,
Directorate of Culture & City Development,
Civic Offices,
Guildhall Square,
Portsmouth, PO1 2AL

Dear Ms Robson,

Application for licence - Becketts, Bellevue Terrace

Councillor Rob Wood has drawn our attention to this application. We have lived in harmony with both Becketts and their neighbour, Shorties for some sixteen years. It happens that the buildings of Bellevue Terrace and Rees Hall form an acoustic parabola such that on the fifth floor of Lingfield Court we are at its focus and can hear every word of conversation from people waiting at the Southsea bound bus stop outside Becketts' premises.

The re-opening of Becketts was marked by a party whose noise made life in our flat intolerable. Even with our windows closed it was impossible to hear our television sound. Fortunately the party concluded shortly after 10.00 pm and as a "one off" event we saw no reason to complain. You will understand that a music licence beyond that time has severe implications for our sleep.

We have no objection to the sale of alcohol during the hours indicated. However we must object to the application for either live or recorded music after 10.00 pm on every day of the week. We understand that it would not be unreasonable to grant a licence to the enlarged premises on the same conditions that have applied until now.

In their application they claim that the constitution of their clientele will not change - but it must if they expect twice as many customers. Similarly, clients using a wine bar and restaurant, as before, are unlikely to need an establishment open until the early hours of the morning.

This is wholly a residential area, including two small hotels and the Rees Hall student accommodation. It would be totally inappropriate to permit these premises to operate on the scale of, for example, the Wedgewood Rooms in Albert Road.

I should be glad if you would consider this objection and ignore my previous letter of 2nd March.

Yours sincerely,

A black rectangular box redacting the signature of Rashaad Thirlway.

Rashaad Thirlway

Copy Cllr Rob Wood



23, Lingfield Court,
Portsmouth,
PO1 2TB
19th March 2017

Derek Stone Esq,
Principal Licensing Officer,
Directorate of Culture & City Development,
Civic Offices,
Guildhall Square,
Portsmouth, PO1 2AL

Dear Mr Stone,

Application for licence - Becketts, Bellevue Terrace

Thank you for your email copying Becketts' further comments and revised operating times.

I understand the present licence is only for recorded music and thus far has caused us no problems. I would not object to the renewal of the licence in respect of recorded music for whatever hours are permitted at present. I note that in the Guidance Notes to the Licensing Act 2003 as amended by the Live Music Act 2012, 15.14, no licence is required for live unamplified music prior to 23.00 hrs.

I would however draw attention to 2.20 of the Guidance Notes which, inter alia, reads: "Beyond the immediate area surrounding the premises..... it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to respect the rights of people living nearby to a peaceful night.

It is therefore necessary for me to comment on Becketts' letter of 16th March in which they describe our surroundings. The distance from their premises to the nearest corner of Lingfield Court is approximately 52 metres - half their estimate. They imply that our garage block and hedge may form a sound barrier. This may be true in respect of our flats' ground floor and possibly our first floor, but the upper eight floors have no such protection and I would contend that our building lies within the "immediate area" as described in para 2.20 of the Guidance Notes.

I would therefore confirm that our objection as explained in my letter of 4th March still applies.

Yours sincerely,

A black rectangular box redacting the signature of Rashaad Thirlway.

Rashaad Thirlway

Cc Cllr Rob Wood

Appendix D

Adrian Parry MSc (Econ) MBA MEd FRSA FCMJ
Director of Corporate Governance

Direct line: [REDACTED]
Email: [REDACTED]



Our ref: AP/jrr/23

21 March 2017

Ms Debbie Robson
Senior Licensing Officer
Directorate of Culture and City Development
Licensing Service
Portsmouth City Council
Guildhall Square
Portsmouth
PO1 2AL

University House
Winston Churchill Avenue
Portsmouth PO1 2UP
United Kingdom

T: +44 (0)23 9284 8484
W: [REDACTED]

Dear Ms Robson

Re: Licensing Application 17/02138/LAPREM – Becketts Wine Bar, 10-11 Bellevue Terrace, Southsea PO6 3AT

I write in connection with the recent application to vary the premises licence of the above property to significantly extend the hours during which Becketts Wine Bar is able to play live music and serve food and alcoholic beverages.

The University of Portsmouth owns Rees Hall (Southsea Terrace PO5 3AP), a building used for student halls of residence, which is adjacent to the wine bar. The proposed licence amendment raises a number of concerns for the University which are set out below:

- As Becketts Wine Bar is attached to Rees Hall, it is likely that there will be noise issues for the rooms at the back of Rees Hall. A number of rooms at the back of Rees Hall are specially adapted rooms for disabled students and their carers.
- There will also be the possibility of noise issues for all of the lower floor rooms of Rees Hall which face out over Bellevue Terrace, with the increase in people standing outside the bar smoking and talking (there are also tables outside the front where people will gather), as well as taxi pickups and parking issues. The ground floor rooms in Rees Hall which overlook Bellevue Terrace are also usually reserved for people who have disabilities and the extra noise may have implications.
- There will, inevitably, be an increase in litter along Bellevue Terrace.
- The University runs a number of summer schools at Rees Hall where children of various ages will occupy Rees Hall. We feel late night noise and activity so close to their rooms may pose problems.

We do not feel that the proposed steps to be taken by the applicant in section M of the Operating Schedule of the application demonstrate that sufficient has been done to ensure that the licensing objectives set down in the Licensing Act 2003 have been fully considered and satisfied, in particular:

2

21 March 2017

Ms Debbie Robson

- Prevention of public nuisance – the arguments set out in the application form to prevent the occurrence of public nuisance from the extended opening hours do not make sense and offer very little assurance with regard to noise control. The building is a Victorian property in very close proximity to Rees Hall. We are unable to see how the 'design characteristics' of the building will at all help with noise control or other issues as set out above. We also do not understand how staff training can materially impact on noise control issues.
- Protection of children from harm – the applicant refers only to children entering its premises and not to the possible impact on children in the local environment.

We would therefore like to formally lodge an objection to the proposed licence amendment on the grounds set out above.

Yours sincerely



Mr Adrian Parry
Director of Corporate Governance

From:
Sent:
To:
Subject:

From: Robson, Debra
Sent: 29 March 2017 10:25
To: Robson, Debra
Subject: FW: Objection to the license of Becketts wine bar Southsea 17/02138

From: Licensing Shared Email
Sent: 27 March 2017 08:30
To: Robson, Debra
Subject: FW: Objection to the license of Becketts wine bar Southsea 17/02138

From: Gillian Webb [REDACTED]
Sent: 24 March 2017 16:28
To: Licensing Shared Email
Subject: Fwd: Objection to the license of Becketts wine bar Southsea 17/02138

Please find amendment to price of a bottle of Prosecco to £23.50 not £23.500!! Paragraph No. 4.

Regards Gill Webb

Begin forwarded message:

From: Pier <[REDACTED]>
Subject: Objection to the license of Becketts wine bar Southsea 17/02138
Date: 24 March 2017 at 16:21:44 GMT
To: licensing@portsmouthcc.gov.uk

Dear Sirs,

I am aware of the application for a licence by Jason and Soraya Parker for 10-11 Bellevue Terrace and I have received a copy of their email addressed to Mr. Stone of 15 March apparently amending that application.

Whilst welcoming the investment that Mr. and Mrs. Parker have made in their properties, I too have made a significant investment in extensive refurbishment of No 2 Bellevue Terrace (The Pier B&B) over the last 5

years and have developed an asset to the community and giving me a modest return on my investment of time and money and I would hope that the development of Becketts would not impact my business. My principle concerns of the licence application on the grounds of public nuisance are listed below:

1. Upon reading the earlier closure times mentioned in the letter to Mr Stone of 15 March, I remain concerned about effects of *amplified* live music beyond midnight disturbing my guests' sleep – especially in summer when my customers bedroom windows are likely to be open). I am encouraged by the proposed closure time in this letter to conclude their music at midnight (23:00 Sunday). However, although their application refers to “acoustic” music, I am especially concerned by amplified bands, such as those expected in a nightclub that would cause a nuisance *at any time*, but especially past midnight. For example, the recent “X-factor open mike” event could be a public nuisance unless wholly contained within Becketts' buildings, with doors and windows remaining closed, as the premises has air conditioning throughout this should not cause a problem

2. I am concerned by the impact on my guests' sleep of late night (or early morning) unintentionally noisy dispersal of their customers in the early hours on Friday and Saturday and I should prefer that Becketts opening hours should be no later than midnight on *every* day.

3. I note the application includes the supply of alcohol for consumption *off* the premises (as well as on premises). I suggest that the applicant should state an intention not to supply alcohol for consumption off the premises in the evening after 21:00, when the outside seating is to be removed in accordance with their amenity licence, although the licence at present is only for number 11, there is an 11 meter run of cobbles where tables and chairs are placed at present.

4. I am also concerned on grounds encouraging excess drinking leading to public nuisance by the discounted offers of “Happy Hour” from 5.00 till 7.00pm and “Prosecco at £10.00 a bottle (normally £23.50 on a Wednesday” promotions and previously ‘beer and burger @ £10.00’ It is surprising to see such offers in a business, which postures in the Licence application. Quote “we do not promote any form of drinking to excess be that by way of discounts, marketing promotions, games, rewards, etc” it seems that they clearly do.

Yours sincerely

Gillian D Webb - Proprietor 'The Pier' 2 Bellevue Terrace PO53AT

From: Licensing Shared Email
Sent: 15 March 2017 13:45
To: Robson, Debra
Subject: FW: Objection to 17/02138/LA PREM - Becketts

From: Planning Reps Shared Email
Sent: 15 March 2017 13:23
To: Licensing Shared Email
Subject: FW: Objection to 17/02138/LA PREM - Becketts

Hello,

We have received the below comments for your consideration.

Regards,

Danielle Salmon
Business Administration Apprentice
Directorate of Culture and City Development
City Development - Development Management
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth PO1 2AU

From: V WVV [REDACTED]
Sent: 15 March 2017 12:28
To: Planning Reps Shared Email
Subject: Objection to 17/02138/LA PREM - Becketts

To : Head of Planning Services

Dear Sir

Re : Becketts, 10-11 Bellevue Terrace, PO5 3AT
Ref : 17/02138/LA PREM

We wish to object to the above Licensing Application on the following grounds :

- This is a densely populated residential area and it is totally inappropriate to have late night music and drinking until 2AM.
- Residents' sleep will be disturbed not only by the music up to 2AM but considerably later by the (doubtless well lubricated) revellers subsequently dispersing, banging car doors, taxis waiting outside etc.
- In the summer it will be impossible to sleep with a window open.

- Lunch time music at weekends will disturb families having a quiet BBQ or simply trying to relax in their own gardens
- Other businesses within the area will doubtless try and follow suit if this application is granted. This is a densely populated Residential and Conservation area, not a nightclub district.
- A restaurant serving good quality food is an amenity to the area, a nightclub is detrimental.

Your Faithfully

Kevin and Vania Webb

6 Slingsby Close
Pembroke Park
Portsmouth
PO1 2PD

Appendix D

39 Lingfield Court

Blount Road

Portsmouth

PO1 2B

Tel [REDACTED]



Dear Ms Robson

The attached is a copy of an email undelivered by the delivery service.

I hope it can be taking into account when the application regarding 10/11 Bellvue Terrace is being considered.

Yours sincerely

[REDACTED]

Debbie Robson Senior Licensing Officer
Directorate of Culture and City Development
Licensing Service
Portsmouth City Council
Guildhall Square
Portsmouth PO1 2AL

17 March 2017

From Arthur Wigglesworth
39 Lingfield Court
Blount Road
Portsmouth
PO1 2TB



11/13 BELLVUE TERRACE PORTSMOUTH

Dear Debra Robson

My notice has been drawn to an application that has been made for a new licence for the above premises and I write to strongly oppose the granting of such a licence on the following grounds.

1. It is most likely to alter the present character of Becketts, which is just acceptable, to a noisy party alcohol consuming establishment, if not immediately as it becomes popular with undesirable customers. This is exactly what happened a few years ago when a nearby Hotel opened a purpose built building in front with a similar licence application. The result ended after a few years and many complaints in tears and no doubt your department has a record of this
- 2 I have lived in my present top floor apartment for over 20 years and the closely overlooked establishments include Becketts, Shorties and Rees Hall. Bell Vue Terrace is a busy main road. All three attract traffic and parking problems to the detriment of the inhabitants of what should be a quiet peaceful area,
- 3 Rees Hall provides accommodation for Portsmouth University students. Some will be undoubtedly keen to join in a rave. To keep this short my other objections are summarised as follows

disturbance of the peace at night
parking problems
urinating customers inebriated
talking loud and shouting late at night
other drunken behaviour
too late licences should be refused in any case
- 4 If objections are ignored council tax associated with affected properties should be reduced and compensation for inevitable loss of value should be paid by the Council.
- 5 As a contribution to the house shortage a better national use for the available house in Bellevue Terrace should be conversion to flats for allocation to people on the waiting list,
Yours sincerely

Arthur Wigglesworth (age 97 +)

Appendix D

Subject: licence application Becketts Belleview Terrace

From: Arthur Wigglesworth

Date: 19/03/2017 22:35

To: debra [REDACTED]



Debbie Robson

Further to my letter dated 17 March 2017 posted locally for me with a 1st class stamp on the same day, i have since received by unstated hand a copy of a communication to you from a Derek Stone dated 16 March 2017. He attached a copy of a letter purported to have been written by two Directors of Beckett Southsea Jason & Soraya Parker. I feel I must comment on this. Obviously although I live in an apartment on the 9th floor in Lingfield Court directly facing 11 Bellvue Terrace two road widths away I have come late to the project. (In passing am I right in thinking I should by law have been notified at the same time the application was lodged)?

1 If the pattern set of peace and quiet by the present Becketts is an example to be followed why is a new licence with several disturbing extra requirements necessary. The answer is perhaps to be found in the Directors letter. The past is no guide to the future and is referred to only to mislead

2 The proposed curtailed operating times only serve to emphasize the change proposed for no 10 and the use of no 11. The suggestion of up market musical evenings does not fit well with the the proposed closing times. They are more appropriate to the younger generation sadly too often guilty of unacceptable behaviour.

3. The attitude of the new Directors of Becketts is disclosed in the following quotation from their letter "eternal peace and quiet are simply not a luxury that can be afforded nor should be expected." This loudly suggests to me as does much of their letter that they have committed to a large expenditure and are now desperate to recoup as quickly as possible and they will lower their standards as soon as possible to achieve this, the peace and quiet of others being of no consequence.

4 Brief comments on the Parker letter

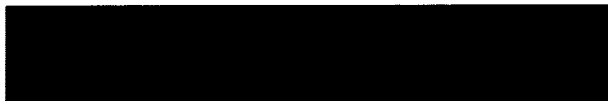
para2 - The Parkers are to be congratulated for their modernisation work to bring Nos 10 /11 in line with the other terraced properties in which they are in line. No 11 is attached to Rees Hall No 10 to Shorties Restaurant which closes between 7 and 11 p.m. All (which includes 2 hotels) APPEAR TO BE IN GOOD ORDER with a long life. The alternative as I have previously suggested would have been to return the two houses to their original purpose.

Para3- What action will the Parkers guarantee if the project fails as presented in their letter and they are forced by events to lower their standard as at present presented which past experience suggests is likely.

Finally I am 74+ years old Handicapped and only able to walk short distances with

a walking aid. I am never able to sleep undisturbed all night and I am particularly sensitive to strange noises from outside. I have composed this message and typed it with difficulty which is an indication of the strength of feeling and determination I have to protest particularly about the insensitivity shown by the Parkers in their letter which does not bode well for future relationships if their application is approved.

Yours sincerely
Arthur Wrigglesworth



20/3/17

Comments for Licensing Application 17/02138/LAPREM

Application Summary

Application Number: 17/02138/LAPREM

Address: 10-11 Bellevue Terrace Southsea PO5 3AT

Proposal: Premises Licence

Case Officer: Ms Debra Robson

Customer Details

Name: Mrs Winifred Oliver

Address: 33 Lingfield Court, Blount Road, Portsmouth PO1 2TB

Comment Details

Commenter Type: Contributor (Other)

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 9:50 PM on 06 Mar 2017 I and my husband Mr Norman Oliver wish to object to this application because =

1. Inadequate parking
2. The late opening into early hours with alcohol and music and subsequent noise will cause disruption to our and other residents sleep .
3. Health and safety of juveniles there is a students hall of residence next door .
4. Extra traffic late at night with car doors slamming etc .
5. Possible public nuisance and public safety .
6. In the summer the long daily music would make it impossible to have windows open .

Appendix D

To: fred [REDACTED]
Subject:

Dear Mrs Oliver

Thank you for your reply and duly noted

Kind regards

Derek

From: fred [REDACTED]
Sent: 20 March 2017 22:56
To: Stone, Derek
Subject: license application Becketts

Dear Mr stone ,you sent a letter to Mr Oliver and Mrs Oliver (myself) asking if we wished to continue the objection /representation with regards Becketts license application ,our answer is yes we WOULD like to continue reasons as stated in our earlier letter.

Yours sincerely Mr & Mrs Oliver
Sent from Mail for Windows 10