



NOTICE OF MEETING

LICENSING SUB-COMMITTEE

TUESDAY, 6 JULY 2021 AT 10.00 AM

COUNCIL CHAMBER - THE GUILDHALL

Telephone enquiries to Democratic Services Tel 023 9283 4870

Email: Democratic@Portsmouthcc.gov.uk

Information with regard to public access due to Covid precautions:

- Attendees will be requested to undertake an asymptomatic/ lateral flow test within 48 hours of the meeting.
- If symptomatic you must not attend and self-isolate following the stay at home guidance issued by Public Health England.
- All attendees are required to wear a face covering while moving around within the Guildhall. Face coverings may be removed once seated if 2m apart from other attendees.
- Attendees will be subject to a temperature check on arrival.
- Please only use seats marked with a green circle. These seats have been allocated to ensure 2m social distancing.
- Please use the hand sanitizer provided on entering the Guildhall, maintain 2m social distancing within the Guildhall and follow the one way system in place.
- Attendees will need to book in to the venue (QR code). An NHS test and trace log will be retained and maintained for 21 days for those that cannot or have not downloaded the app.
- Spaces will be limited and priority will be given to committee members and any applicants and /or deputies. Those not participating in the meeting and wish to view proceedings are encouraged to do so remotely via the livestream link.

Committee Members Councillors Claire Udy (Chair), Scott Payter-Harris (Vice Chair), Dave Ashmore, Kimberly Barrett, Stuart Brown, Tom Coles, Jason Fazackarley, Charlotte Gerada, Hannah Hockaday, Ian Holder, George Madgwick, Lee Mason, Robert New, Benedict Swann and Daniel Wemyss.

The panel today consists of: Councillors Ian Holder, George Madgwick and Lee Mason. The reserve member is to be confirmed.

(NB This agenda should be retained for future reference with the minutes of this meeting).

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

AGENDA

Meeting information: Risk assessment for Council Chamber

This has been published on the meeting page on the website.

- 1 Appointment of Chair**
- 2 Declaration of interests**
- 3 Licensing Act 2003 - Application for grant of a premises licence - By The Beach Southsea Café, 27 St George's Road, Southsea, PO4 9QS (Pages 3 - 218)**

The purpose of this report is for the committee to consider an application for the grant of a new premises licence pursuant to section 18 of the Licensing Act 2003 ("the Act").

The matter has been referred to the committee for determination following receipt of relevant representations from other persons both in support and against the application.

The committee is requested to determine the application.

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

Agenda Item 3

REPORT TO: LICENSING SUB-COMMITTEE 6th July 2021

REPORT BY: LICENSING MANAGER

REPORT AUTHOR: DEREK STONE

Licensing Act 2003 - Application for grant of a premises licence - By The Beach Southsea Cafe, 27 St Georges Road, Southsea, PO4 9QS

1. PURPOSE OF REPORT

The purpose of this report is for the committee to consider an application for the grant of a new premises licence pursuant to section 18 of the Licensing Act 2003 ("the Act").

The matter has been referred to the committee for determination following receipt of relevant representations from other persons both in support and against the application. Further detail about the representations received is shown at paragraph 4 below.

2. THE APPLICATION AND PROPOSED OPERATING SCHEDULE

The premises licence application has been submitted on behalf of By The Beach Southsea Limited and relates to premises known as By The Beach Southsea Cafe and situated at 27 St Georges Road, Southsea, PO4 9QS.

The following licensable activities have been requested:

Proposed Licensable Activity	Days and Times of Operation
Sale by retail of alcohol (Both On & Off sales)	Monday to Sunday 10:00 until 23:00

With the hours of opening and closing being:

Days of the Week	Open	Close
Monday to Sunday	07:00	24:00

Plus extended hours Christmas Eve and New Year's Eve

The applicant has detailed in the operating schedule the steps intended to support and promote the licensing objectives. These can be found in the redacted application form attached as **appendix A**.

A plan of the premises is attached as **appendix B** with an additional fire exit escape plan.

The updated statutory guidance¹ gives general advice about the steps to promote the licensing objectives as follows:

¹ Revised Statutory Guidance issued by the Home Office

Paragraph 8.42 "Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks."

Paragraph 8.43 "Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy."

Paragraph 8.44 "It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application."

Paragraph 8.47 "Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises."

3. BACKGROUND INFORMATION

The provisions relating to the grant of a premises licence are contained within part 3 of the Licensing Act 2003 and associated statutory regulations.

Public notice has been given by way of press notice, a premises notice and local ward councillors have been notified of the application. There are no germane grounds for the committee to reject the application for non-compliance with the prescribed advertising requirements.

In December 2020, the applicants Lee and Lindsay, purchased 27 St Georges Road which consists of the existing retail premises on the ground floor and a 4 bedroom maisonette (private accommodation) covering the first and second floor. To the North side of the retail unit is a covered car port allowing private access from the front to a private enclosed walled garden area at the rear. The rear garden is not intended to be used as part of this business by the applicant.

Whilst the premises are in a residential area, it must be stressed that this is not a new commercial business. The ground floor was used as a Café trading from 1945 to 1996. Carl, the son of the owners, worked in this café helping his parents. This led onto Carl attending Highbury College and obtaining a City & Guilds qualification in hotel and catering. In 1996 the café closed but Carl opened Carl Christian cakes in January 1997 which traded until December 2020.

The café will only allow for up to 30 covers comfortably with toilets and a food preparation area to the rear of the building.

The Designated Premises Supervisor (DPS) has 25 years experience in the licence trade. The applicant Lee is in the process of securing his personal licence. Once he has applied for his personal licence through Portsmouth City Council, Lee will assume the role of DPS for the business so will not only be the holder of the Premises Licence but the resident in occupation of the premises.

4. REPRESENTATIONS BY RESPONSIBLE AUTHORITIES AND OTHER PERSONS

There are no representations from any of the responsible authorities.

Members you will know that Paragraph 9.12 of the revised Guidance issued under section 182 of the Licensing Act 2003 states 'Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective.'

Relevant representations have been received, both in support and against this application. There are 9 representations in support with a further support letter received after the closing date for representations (not included). Two representations have been completely withdrawn following an explanation by the applicants (not included). There are 42 objections, citing various concerns regarding noise, crime and anti- social behaviour. Many of these representations have been generated as a result of two unsigned 'flyers' that were posted through residents letter boxes which has resulted in raising the fears and concerns of residents living nearby.

All representations are attached at **appendix C**

One representation has helpfully guided you to the guidance around public nuisance paragraphs 2.15 to 2.18 but for completeness, I have added paragraphs 2.19 and 2.21 below.

2.19 Where application have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods eg unreasonably loud music at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour, is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.

On receipt of representations, the applicant was informed in order to address the concerns being raised. The applicant produced a letter of explanation and conducted a letter drop in the immediate vicinity in an attempt to allay people's fears. One of the main concerns was noise in the rear garden that might affect houses that back on to premises, however this garden, as previously stated, is the private garden of the applicants and will not be used as part of this business.

Attached at **appendix D** is the letter of explanation to residents.

Attached at **appendix E** are the two unsigned anonymous 'flyers' posted around the neighbourhood

Attached at **appendix F** are a number of photographs showing the external and internal areas of the premises and an aerial view

Officer note: The CCTV fitted at the front of the building does not give any view of neighbouring premises

5. POLICY AND STATUTORY CONSIDERATIONS

When determining the application, the committee must have regard to:

- Promotion of the licensing objectives which are;
 - Prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm
- The Licensing Act 2003;
- The adopted Statement of Licensing Policy;
- Judgments of the High Court, (your legal adviser will give you guidance should this become necessary);
- The current statutory guidance² issued by the Home Secretary in accordance with section 182 of the Act;
- The representations, including supporting information, presented by all the parties; and

² Revised statutory guidance issued by the Home Office

- The human rights of all the parties concerned to ensure both a fair and balanced hearing and to consider any public sector equality duty requiring public bodies to have due regard to the need to:
- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- Advance equality of opportunity between people who share protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are as follows:
- I) age, ii) disability, iii) gender reassignment, iv) pregnancy and maternity v) race - this includes ethnic or national origins, colour or nationality, vi) religion or belief - this includes lack of belief, vii) sex and viii) sexual orientation.

Statement of Licensing Policy

The Statement of Licensing Policy lays down a general approach to the determination of licensing applications and any such application will be considered on its individual merits. Equally, any person permitted by the Act to make relevant representations to the Committee will have those representations considered on their individual merit.

The Committee should consider the fundamental principles set out in its policy, particularly paragraphs 4.7 and 4.8 which are reproduced below:

- 4.7** *Whether or not incidents can be regarded as being “in the vicinity” of licensed premises is a question of fact and will depend on the particular circumstances of the case. In cases of dispute, the question will ultimately be decided by the courts. In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.*
- 4.8** *Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of the overall approach to the management of the evening and night-time economy in town and city centres.*

The Committee should also have regard to paragraphs 7.1 to 7.5 in relation to such circumstances where it may be appropriate to consider the imposition of conditions on a premises licence.

Statutory Guidance

The updated statutory guidance issued by the Home Secretary in accordance with section

182 of the Act refers to the consideration of applications for the grant or variation of premises licences in Chapter 9.

Members may wish to consider the following extracts from the statutory guidance when determining this application:

Paragraph 9.37 "As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits".

Paragraph 9.42 "Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be."

Paragraph 9.43 "The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve."

Paragraph 9.44 "Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination."

Paragraph 10.8 "The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In

order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises. This provision also applies to minor variations."

Paragraph 10.9 *"It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives."*

Members are reminded about the review provisions contained in chapter 11 of the guidance and, in particular:

Paragraph 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."*

Paragraph 11.2 *"At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any 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."*

Determination of an application

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.

In discharging its duty in accordance with the above, the Committee may grant a premises licence so that it has effect subject to different conditions in respect of:

- different parts of the premises concerned;
- different licensable activities.

Members are reminded of their obligation to give reasons for any decision(s) reached by further reference from the statutory guidance as follows:

Paragraph 13.10 *"It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal. It is particularly important that reasons should also address the extent to which the decision has been made with regard to the licensing authority's statement of policy and this Guidance. Reasons should be promulgated to all the parties of any process which might give rise to an appeal under the terms of the 2003 Act."*

A copy of the Statement of Licensing Policy, current statutory guidance and the Act has been supplied to each of the Members' Rooms and further copies will be available for reference at the hearing.

6. APPEALS

Schedule 5, part 1, of the Act sets out the appeal provisions in relation to the determination of an application to grant a premises licence.

Where the Licensing Authority rejects (in whole or in part) an application, the applicant may appeal against the decision to the Magistrates' Court.

Should the committee grant (in whole or in part) an application, the applicant may appeal against any decision to modify the conditions of the licence. Equally appeal provisions apply against the exclusion of licensable activities and/or refusal to specify a person as a premises supervisor.

Where a person who made relevant representations in relation to the application contends that:

- a) that the licence ought not to have been granted, or
- b) that, on granting the licence, the Licensing Authority ought to have imposed different or additional conditions or excluded activities and/or the premises supervisor,

He may appeal against the decision.

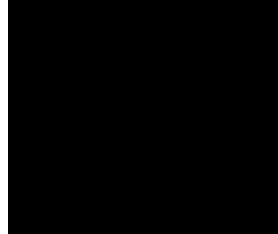
7. APPENDICES

- A.** Copy of the redacted application for the grant of a premises licence together with any supporting document(s)
- B.** Plan of premises x 2 including emergency evacuation route
- C.** Copies of the redacted relevant representations received
- D.** Letter of explanation from applicants

E. Unsigned anonymous Flyers posted around neighbourhood

F. Photographs of interior and exterior

THE COMMITTEE IS REQUESTED TO DETERMINE THE APPLICATION



For Licensing Manager
And on behalf of Head of Service

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APPENDIX A

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

We By The Beach Southsea Ltd
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
27 St Georges Road Southsea			
Post town	Portsmouth	Postcode	PO4 9QS
Telephone number at premises (if any)	[REDACTED]		
Non-domestic rateable value of premises	£ [REDACTED]		

Part 2 - Applicant details

Please state whether you are applying for a premises licence as
Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual
*
 - i as a limited company/limited
please complete section (B liability
partnership
 - ii as a partnership (other than
limited liability)) please
complete section (B)

iii as an unincorporated association or please complete section (B) iv other (for example a statutory corporation) please complete section (B) c) a recognised club please complete section (B)

- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an hospital in Wales please complete section (B) independent
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in please complete section (B) England and Wales

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or a function discharged by virtue of Her Majesty's
 prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	

Daytime contact telephone number	
E-mail address (optional)	

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	By
The Beach Southsea Ltd	
Address 27 St Georges Road, Southsea Hants, PO4 9QS	
Registered number (where applicable) 12799305	

Description of applicant (for example, partnership, company, unincorporated association etc.) Ltd Company
Telephone number (if any)
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

0	5	0	7	2	0	2	1
---	---	---	---	---	---	---	---

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD MM YYYY

--	--	--	--	--	--	--	--

Please give a general description of the premises (please read guidance note 1)

Small Cafe in Southsea on a main road approx. 250m from the beach. The area is mainly residential with the beach approx. 250m away to the south. A corner shop selling alcohol and local public house are on the same road as you head north approx. 250m- 500m away. The rear of the property is residential area comprising mainly of houses which are beyond the garden and outbuilding of the café and separated by an alley way with garages. The property itself is three floors. Ground floor- Cafe, Kitchen, 2 sets of Toilets, indoor seating area and outdoor seating in front of the café which is patioed; First floor and Second floor is the living accommodation for the owners. The Café will cater for local residents, outside diners, takeaway and functions such as themed evenings, meetings/ conference/ private hire facilities etc on occasions. The Café will serve snacks, lunch and dinners on occasions. The serving of alcohol will be for consumption on and off the premises. Normal operating hours will be 8-5pm approximately and themed evening 7-11pm up to seven days per week.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please apply tick all that

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) **Provision of late night refreshment** (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur								
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)					
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat								
Sun								
			Christmas Eve from 23:00 until 24.00 New Year’s Eve from 23:00 until 01.00					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) Christmas Eve from 23:00 until 24.00 New Year’s Eve from 23:00 until 01.00		
Sat								
Sun								

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat								
Sun								

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat			Christmas Eve from 23:00 until 24.00 New Year’s Eve from 23:00 until 02.00		
Sun			Christmas Eve from 23:00 until 24.00 New Year’s Eve from 23:00 until 02.00		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10.00	23.00			
Tue	10.00	23.00			
Wed	10.00	23.00			
Thur	10.00	23.00			
Fri	10.00	23.00			
Sat	10.00	23.00			
Sun	10.00	23.00			

Christmas Eve 24.00
New Year's Eve 01.00

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Grace Lowden Sturrock	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 18/03453/LAPERS	

Issuing licensing authority (if known)
Portsmouth City Council

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	07.00	24.00	
Tue	07.00	24.00	
Wed	07.00	24.00	
Thur	07.00	24.00	
Fri	07.00	24.00	
Sat	07.00	24.00	
Sun	07.00	24.00	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)			
Christmas Eve 01.00 New Year's Eve 02.00			

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

All staff will be provided with training in relation to the licensing objectives that are commensurate with their duties. This will include the individual's responsibilities, age verification and licensing offences, as appropriate. Details of the training will be recorded in a personnel file or log book and will be refreshed at regular intervals

b) The prevention of crime and disorder

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

1. The CCTV system must be fully operational whilst the venue is open to the public.

The recording equipment shall be stored and operated in a secure environment with limited access.

The system shall be regularly maintained and serviced.

The system clock shall be checked regularly for accuracy taking account of GMT and BST.

Digital systems shall have sufficient storage capacity for 31 days good quality pictures.

The images produced will be date and time stamped.

Access

It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made for someone to have access to the secure area and also be able to operate the equipment.

Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of staff.

Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems).

CCTV shall cover the full licensable area.

2. All staff must receive comprehensive training in relation to the sale of alcohol. No member of staff shall be permitted to sell alcohol until such time as they have successfully completed this training. Training shall cover:

Sale of alcohol to persons under 18

Challenge 25 and acceptable forms of Identification

Signs of Drunkenness

Refusal register and when/how to use

The Licensing Objectives

All training relating to the sale of alcohol shall be documented and records kept either in hard copy at the premises or electronically via head office. Police and the Licensing Authority shall have access to an individual's training records upon reasonable request. Training shall be refreshed every six months.

3. Any person appearing to those engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol will be required to produce satisfactory photographic identification as proof of age. Acceptable ID shall be as per the latest Home Office guidance.

4. A refusals register in paper or digital format shall be kept and maintained at the premises. The register shall be made available for inspection upon request by an authorised officer of the Police or Local authority.

5. The premises shall operate a challenge 25 policy.

c) Public safety

Prevent overcrowding (leading to an increased risk of violence or to the safety of people in the premises)

fire issues (follow EAP and consistent review of the Fire risk assessment)

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

Adequate access is provided for emergency vehicles.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary accommodation, washing facilities and other installations, will be maintained at all times and in good order and in a safe condition.

d) The prevention of public nuisance

Prominent, clear and legible notices will be displayed at all exits requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

Deliveries of materials necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

The Licensee will ensure that staff who arrive early morning or depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Customers will be asked not to stand around talking in the street outside the premises; and asked to leave the vicinity quickly and quietly.

The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

Bright lights on and outside the premises (street light) so as to not cause a disturbance to nearby residents.

Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

Ensure no children are allowed in after a certain time, or no unaccompanied children after a certain time.

A Challenge 25 scheme will be adopted in compliance with the age verification condition: Customers who appear to be under 25 years of age will be required to prove their age when purchasing alcohol. Suitable forms of identification will be a passport, 'Pass' card or other identification recognized by the licensing authority in its statement of licensing policy.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. I have enclosed the plan of the premises.
 - I where have applicable. sent copies of this application and the plan to responsible
 - authorities and others

 -
 - I premises have enclosed supervisor, the consent if applicable. form completed by the
 - individual I wish to be designated

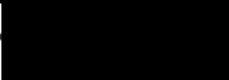
 -
 - I understand that I must now advertise my application.
 - I understand that if I do not comply with the above requirements my application will be
- rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom
- (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

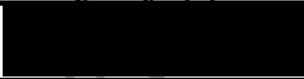
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	9/5/2021
Capacity	Director

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	9/5/2021
Capacity	Director

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination**

with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank, (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

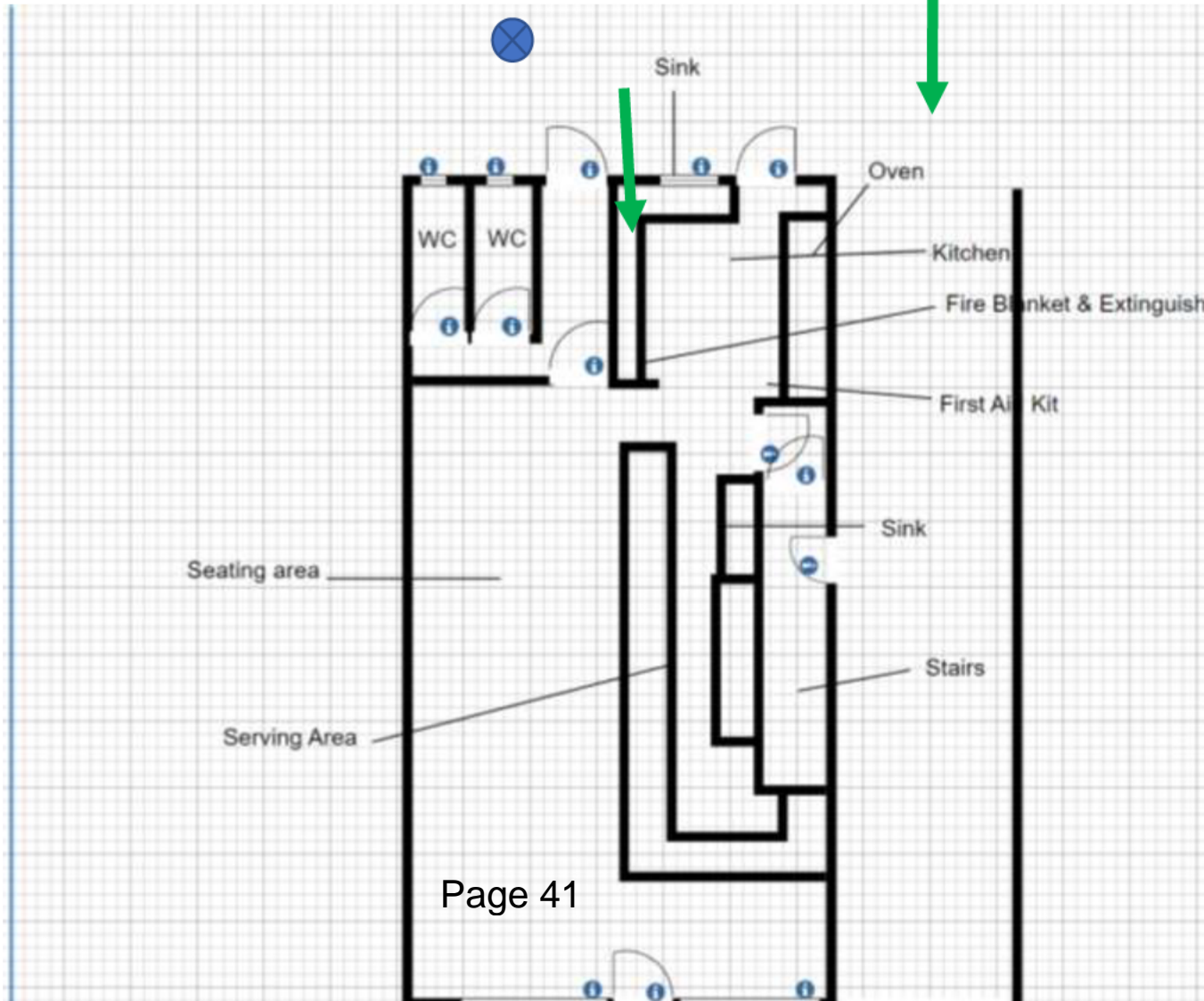
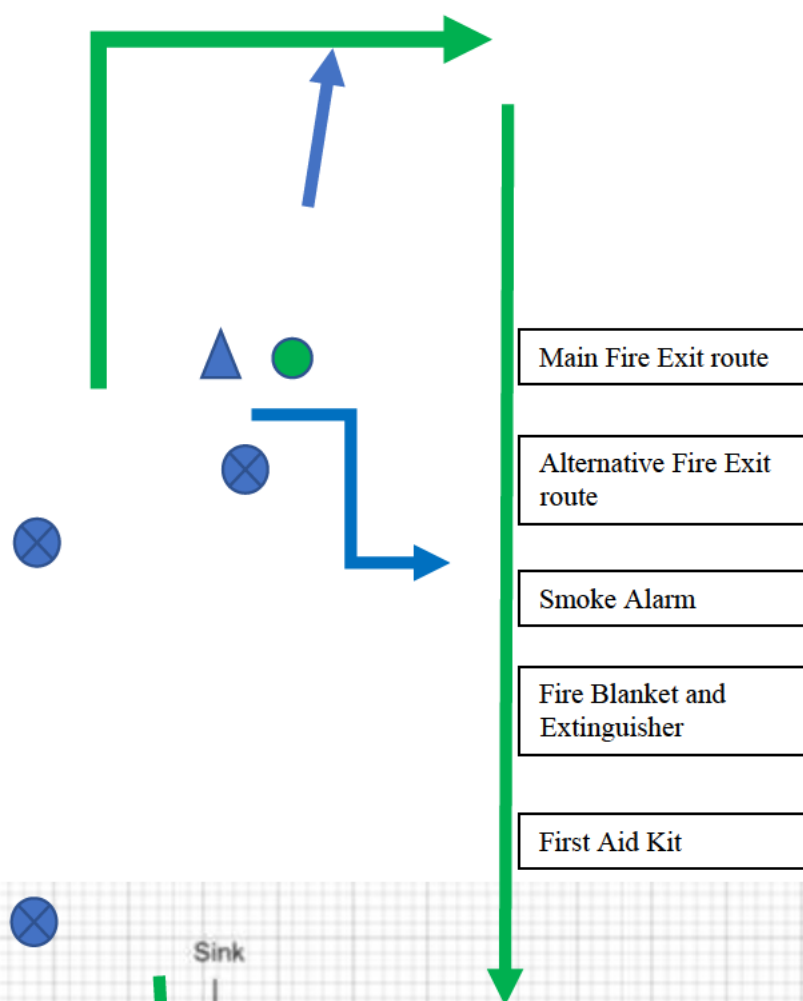
Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

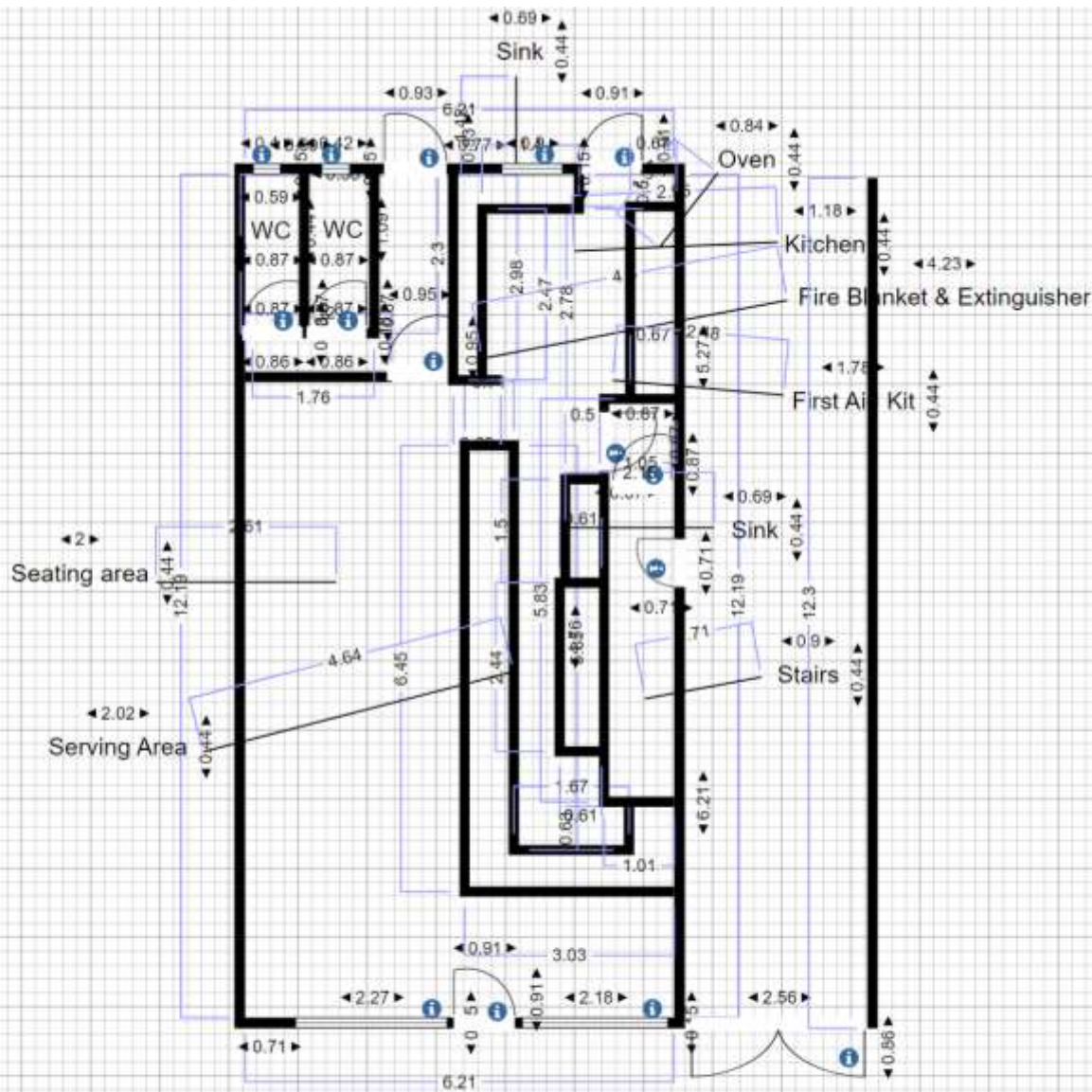
Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature; (iv) any page containing the date of expiry;
- and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

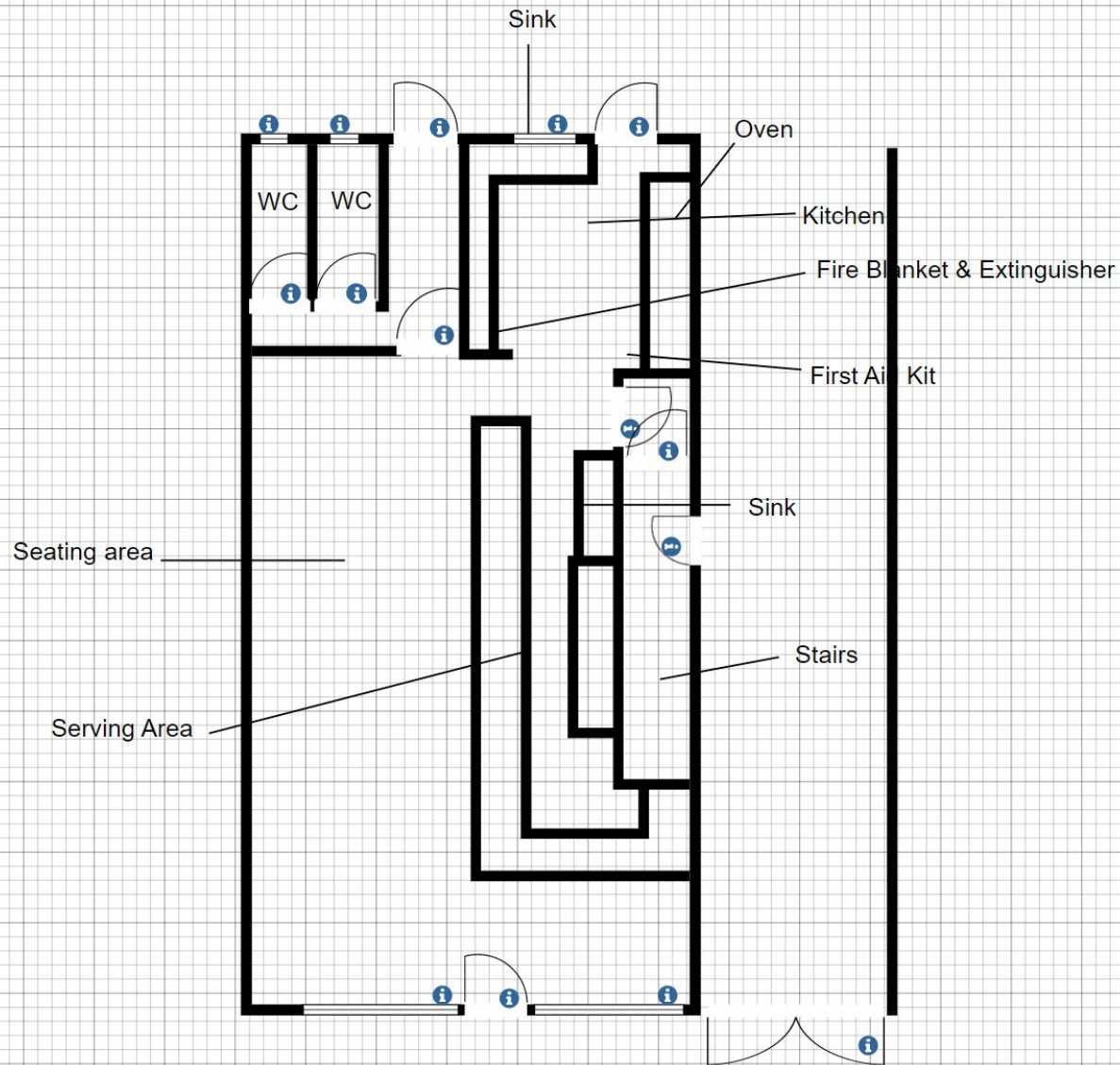




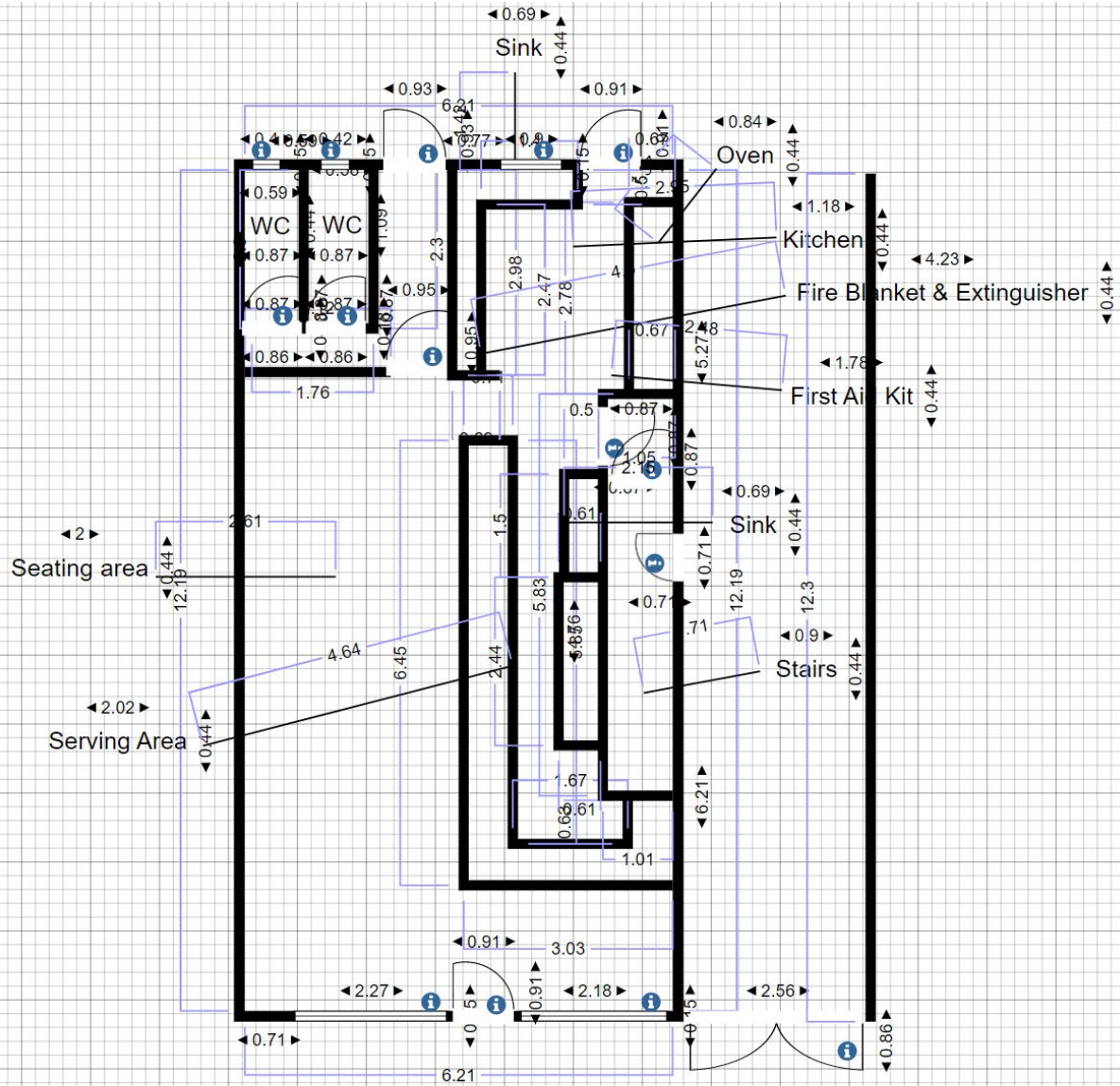
Site:	27 St Georges Rd	Drawing:	1	Project:	1	Drawn:	L Tindal	Notes
Title:	Premises layout	Scale:	=1:100	Date:	27/4/2021	Rev:	A	

APPENDIX B

Page 43



Site: 27 St Georges Rd	Drawing: 1	Project: 1	Drawn: L Tindal	Notes:	By The Beach Southsea
Title: Premises layout	Scale: =1:100	Date: 27/4/2021	Rev: A		

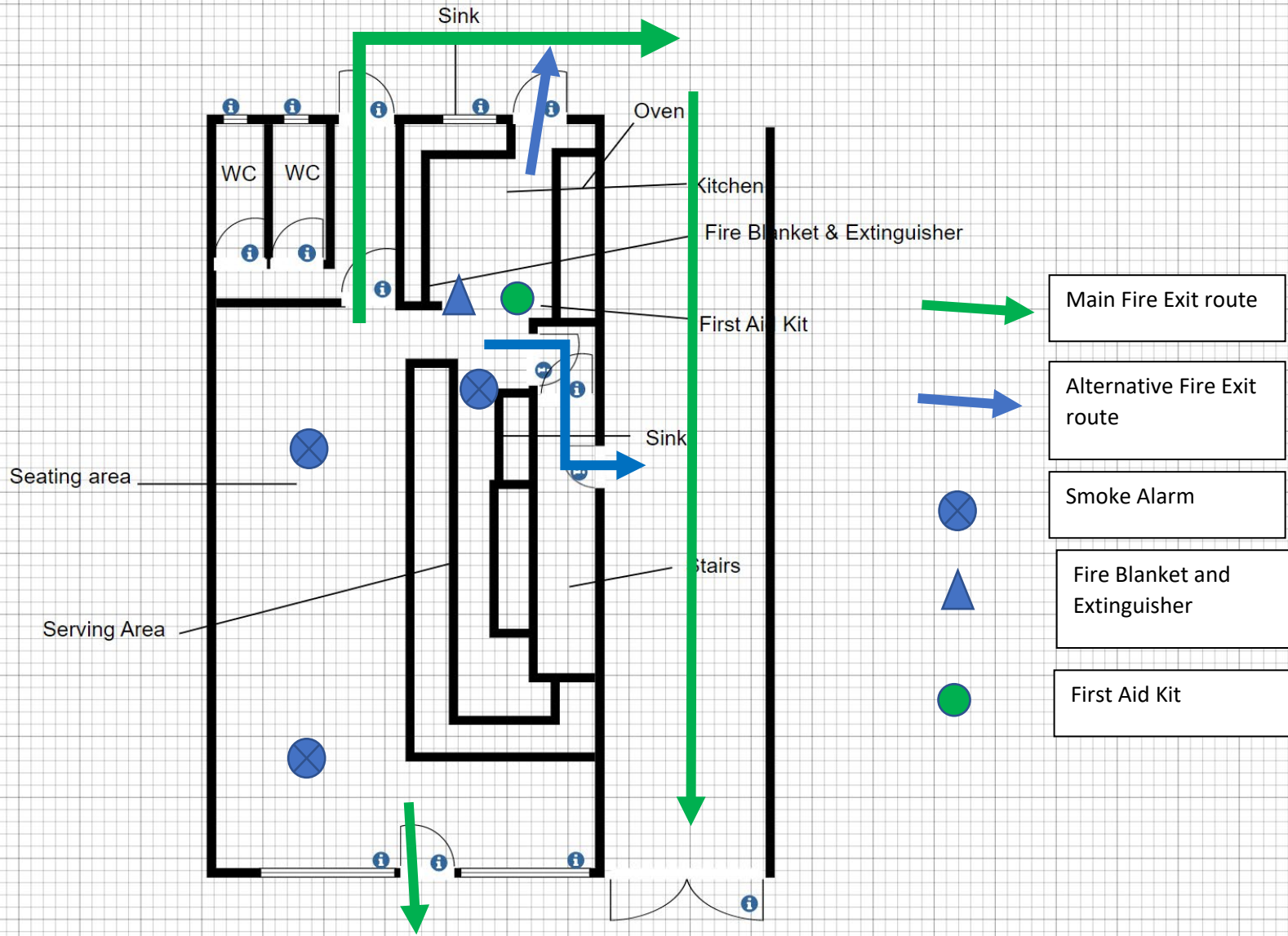


Site: 27 St Georges Rd	Drawing: 1	Project: 1	Drawn: L Tindal	Notes:	By The Beach Southsea
Title: Premises layout	Scale: =1:100	Date: 27/4/2021	Rev: A		

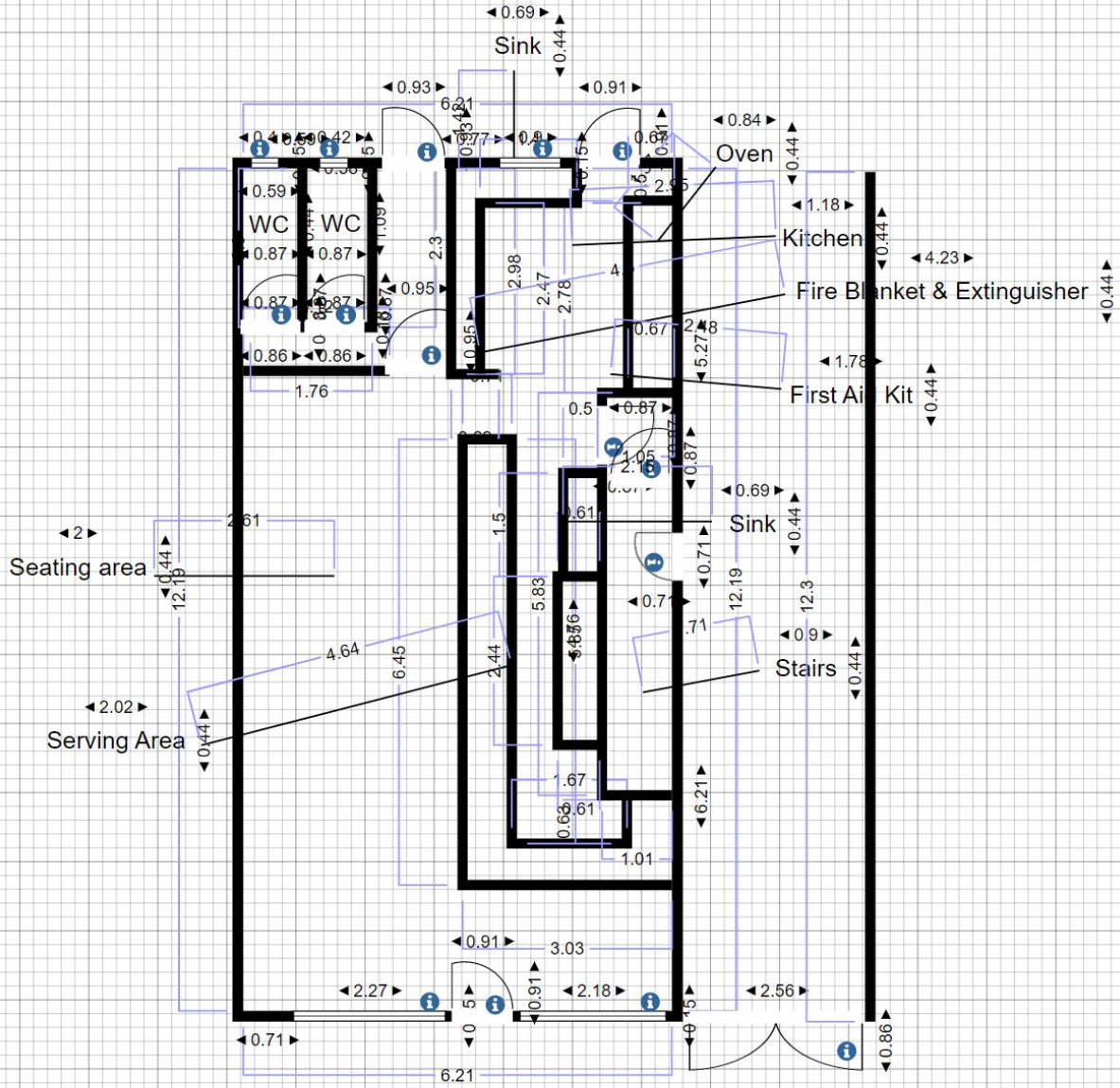
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APPENDIX B

Page 47



Site: 27 St Georges Rd	Drawing: 1	Project: 1	Drawn: L Tindal	Notes:	By The Beach Southsea
Title: Premises layout	Scale: =1:100	Date: 27/4/2021	Rev: A		



Site: 27 St Georges Rd	Drawing: 1	Project: 1	Drawn: L Tindal	Notes:	By The Beach Southsea
Title: Premises layout	Scale: =1:100	Date: 27/4/2021	Rev: A		

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APPENDIX C

Stone, Derek

From: Robson, Debra
Sent: 02 June 2021 10:51
To: Stone, Derek
Subject: FW: Application for premises licence at 27 St George's Road, Southsea

From: Christopher Allen [REDACTED]
Sent: 01 June 2021 20:56
To: Licensing Shared Email [REDACTED]
Cc: Anna Leimeter [REDACTED]
Subject: Application for premises licence at 27 St George's Road, Southsea

Good evening,

I have learned of the application for a Premises Licence for the sale of alcohol at 27 St George's Road, Southsea. I understand the premises are being converted into a cafe, with an application submitted that would enable the sale of alcohol for consumption both on and off the property, including the rear garden area, 7 days per week from 10am-11pm.

My wife Anna and I, and our two children, are residents of 2 Culver Road, which runs parallel right behind the premises in question. We wish to very strongly object to the application, particularly the consumption of alcohol outdoors. This is a quiet neighbourhood, within which our road is a cul de sac and very much a "noise trap". In addition to our own children, there are many other young children living in our road, and in Selsey Avenue which runs off St George's Road. The noise that would be generated, even from regular chatting (which inevitably would get louder with alcohol consumption), will cause great disturbance. Our children's bedroom is at the back of our house, almost opposite the rear garden area of 27 St George's Road. The chances of us getting them to sleep when there will be noise coming directly up from a few meters opposite, particularly on warmer days when we need to open the windows, will be remote.

There are plenty of other premises in the vicinity, such as the Eastney Tavern very close by in St George's Road plus cafes along the beach, which are licensed to serve alcohol; and so I do not see any need to add another option in a specific location which would be totally unsuitable for the reasons noted above.

We kindly ask for our views, and those that I'm sure our fellow residents will also provide, to be taken into consideration and hope to see the application rejected. Many thanks.

Kind regards,

Chris Allen
Mobile: [REDACTED]
[REDACTED]

[REDACTED]

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 09 June 2021 08:06
To: Robson, Debra
Cc: Stone, Derek
Subject: FW: Application for premises licence at 27 St George's Road, Southsea - updated -

From: Christopher Allen [REDACTED]
Sent: 08 June 2021 22:27
To: Licensing Shared Email [REDACTED]
Subject: Re: Application for premises licence at 27 St George's Road, Southsea - updated

Hello

Further to my email below, we have received a communication from the proprietor of 27 St George's Road, advising:

- The garden at the rear of the premises will not be used at all by cafe customers
- The "themed evenings" will take place only twice per month
-

Subject to the above being correct and a stipulation of any approval, and if those themed evenings will not allow drinking outside the premises (even at the front), I would not oppose the application provided the situation is closely monitored to ensure no unruly behaviour by customers when drinking outside during the daytime, or leaving the cafe in the evenings.

Kind regards,

Chris Allen
2 Culver Road

[REDACTED]

Good evening,

I have learned of the application for a Premises Licence for the sale of alcohol at 27 St George's Road, Southsea. I understand the premises are being converted into a cafe, with an application submitted that would enable the sale of alcohol for consumption both on and off the property, including the rear garden area, 7 days per week from 10am-11pm.

My wife Anna and I, and our two children, are residents of 2 Culver Road, which runs parallel right behind the premises in question. We wish to very strongly object to the application, particularly the consumption of alcohol outdoors. This is a quiet neighbourhood, within which our road is a cul de sac and very much a "noise trap". In addition to our own children, there are many other young children living in our road, and in Selsey Avenue which runs off St George's Road. The noise that would be generated, even from regular chatting (which inevitably would get louder with alcohol consumption), will cause great disturbance. Our children's bedroom is at the back of our

house, almost opposite the rear garden area of 27 St George's Road. The chances of us getting them to sleep when there will be noise coming directly up from a few meters opposite, particularly on warmer days when we need to open the windows, will be remote.

There are plenty of other premises in the vicinity, such as the Eastney Tavern very close by in St George's Road plus cafes along the beach, which are licensed to serve alcohol; and so I do not see any need to add another option in a specific location which would be totally unsuitable for the reasons noted above.

We kindly ask for our views, and those that I'm sure our fellow residents will also provide, to be taken into consideration and hope to see the application rejected. Many thanks.

Kind regards,

Chris Allen
Mobile.
E-mail:

Unless stated otherwise above:

IBM United Kingdom Limited - Registered in England and Wales with number 741598.
Registered office: PO Box 41, North Harbour, Portsmouth, Hampshire PO6 3AU

Unless stated otherwise above:

IBM United Kingdom Limited - Registered in England and Wales with number 741598.
Registered office: PO Box 41, North Harbour, Portsmouth, Hampshire PO6 3AU

APPENDIX C

Stone, Derek

From: Bot Botteril [REDACTED]
Sent: 30 May 2021 19:57
To: Licensing Shared Email
Subject: By the beach, Southsea.

Dear sir/Madam,

I am writing to you because we have serious concerns about permission to serve alcohol at the café, By the Beach, 27, St Georges Road, Southsea, PO4 9QS

. (previously Carl Christian cakes) I have spoken to most people in Culver Road, Without exception they are against them having an alcohol licence.

I was really pleased at the prospect of having a cafe again in St Georges Rd.

Our gardens are very close in this residential area, back to back. Festing, Culver, St Georges Road and Marine Court are all very close. Our back gardens are like an echo chamber. Please come and have a look/listen. The noise would disrupt our lives. Our council tax in this area is huge. It would affect 50 homes at least.

Please take notice of our objections.

Yours sincerely

Mr and Mrs Botterill..

6,culver Road. PO4 9QP

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 07 June 2021 08:45
To: Stone, Derek
Cc: Robson, Debra
Subject: FW: "By the beach" Cafe.

From: Bot Botteril [REDACTED]
Sent: 06 June 2021 12:08
To: Licensing Shared Email [REDACTED]
Subject: "By the beach" Cafe.

Dear sir /madam,

27, St George 's Road cafe have circulated a reassuring letter. As long as permission is granted only for the front outside seating and a limited alcohol licence, we withdraw our first email. We look forward to a cafe back in St George's Road as there was in 1984 when I arrived in the area.

Yours sincerely

Mr and Mrs Botterill.

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 09 June 2021 08:07
To: Robson, Debra
Cc: Stone, Derek
Subject: FW: On The Beach, St George's Road, Southsea licensing application. - SUPPORT!

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

From: John Reddy [REDACTED]
Sent: 08 June 2021 16:21
To: Licensing Shared Email [REDACTED]
Subject: On The Beach, St George's Road, Southsea licensing application.

We write in support of the a applicants - we have received letters from unnamed 'neighbours' setting out their objection, following which we received what we perceived to be a perfectly reasonable explanation from the applicants. Based upon that, even though our house is close to the subject building, we are in support of them.

DJH & C Reddy

Sent from my iPhone

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 14 June 2021 08:27
To: Stone, Derek
Cc: Robson, Debra
Subject: FW: By the Beach Cafe

From: Catherine Reddy [REDACTED]
Sent: 13 June 2021 18:47
To: jsmith [REDACTED]
Cc: Licensing Shared Email [REDACTED]
Subject: By the Beach Cafe

Dear Mr Smith

Re By the Beach Cafe licensing application

Thanks for your recent circular about this licensing application. I live in Marine Court and my property backs on to St George's Road almost opposite the By the Beach Cafe premises. In the last few weeks, I have received two anonymous letters laying out various reasons why I should oppose this application and one from the owners explaining very clearly and in detail what they hope to do should they be granted a licence.

The two anonymous letters were full of rather far-reaching claims, and clearly penned by people who don't want any changes on their doorsteps. I have to say I nearly threw your circular in the bin when I saw the title as it read as anti with no rationale, and insinuated that we were about to of have some den of vice open up.

Please, and in particular, as I am aware you are vice chair of the licensing committee can we have some reasoned decision made. I think that NIMBYism should be put aside and a long cool look at this application must be made.

This is a young couple who will be investing a great deal of money and hard work into starting a business from scratch. Portsmouth is in desperate need of entrepreneurs to take the risks involved in creating attractive venues. We are also a seaside town, and this type of business should be part of the fabric of to make visiting the seafront attractive to locals and tourists alike. Locally we have the Eastney Tavern and also the Coffee Cup which both appear to be thriving businesses and as far as I am aware there are no outstanding issues in the running of either - we are used to them being there. Thirdly, should a licence be granted I am sure that this couple are unlikely to shoot themselves in both feet by allowing unruly behaviour as it will be the demise of their business and their investment as the licence can be revoked.

I whole heartedly support this application based on what I have read in the letter from the owners of By The Beach Cafe and hope the Council take a measured view and decision in their favour.

Regards Kate Reddy

This page is intentionally left blank

APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 07 June 2021 08:39
To: Stone, Derek
Cc: Robson, Debra
Subject: FW: Licensing application for "By The Beach"

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

From: Peter Youngs [REDACTED]
Sent: 07 June 2021 08:38
To: Licensing Shared Email [REDACTED]
Subject: Licensing application for "By The Beach"

Sir / Madam

Please accept this email as confirmation of our support for the application for a license of "By The Beach",
27 St George's Rd, Southsea.

Yours, Peter & Heather Youngs.
10 Marine Court, Southsea.

Sent from my iPad

This page is intentionally left blank

Dear Lee and Lindsay

Many thanks for your
excellent letter, it's good

to be able to form an
opinion based on fact

rather than rumor or fear!

I wish you much

success in your venture

and are looking

forward to

By The Beach opens

very soon - especia

lly the deli.

Good luck

10, Marine Court

Young

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Appendix C

Stone, Derek

From: Peter Youngs [REDACTED]
Sent: 22 June 2021 15:43
To: Stone, Derek
Cc: Robson, Debra; jsmith [REDACTED]
Subject: Notice of Hearing By the Beach

Derek.

Thank you for the Notice of Hearing. We do not propose to attend.

We would however like to support the application (we live close to the site in question) and would like the following points to be noted:

- We believe that licensed premises as proposed will add to the quality of life locally, providing a new food shop and somewhere inviting to sit and eat, with the attractive option of a glass of wine.
- We feel private enterprise should be supported and encouraged, and a license is likely to be an integral part of making this proposal a commercial success. We believe that a young couple, who will live on the premises, should be given the opportunity to build a business.
- In the (unlikely) event that the granting of a license adversely impacts the area, the license can be revoked.
- Two leaflets opposing the proposal have been delivered to houses in the area. These (anonymous) leaflets used some emotive and misleading language, which we suspect prompted a number of objections. The subsequent leaflet from the couple applying for the license corrected the first two leaflets.

Yours,

Peter and Heather Youngs, 10 Marine Court.

cc John Smith, Councilor.

On 17 June 2021 at 13:03 "Stone, Derek" [REDACTED] wrote:

Please see attached the 'Notice of Hearing' in relation to the Premises Licence application for By the Beach Southsea.

The hearing will take place on Tuesday 6th July 2021 and will be held in the Council Chambers at the Guildhall Portsmouth.

Due to Covid-19 restrictions **we must limit** the number of people attending and put other control measures in place to make it safe for those who have to attend.

ALL representations are presented to the panel members (plus the reserve) 5 working days in advance of the hearing so that they can familiarise themselves with the application, plus letters of support and letters against the application.

Please can you complete and return part 3 of the attached notice and send to licensing@portsmouthcc.gov.uk indicating whether you wish to attend this hearing or not.

I am aware two local ward Councillors Cllr Symes and Cllr Smith have been asked to attend to speak off behalf of some residents at this hearing.

I can assure you that the panel will treat all written representations in the same way that they would a verbal representation, and no adverse influence would be placed on a persons non-attendance at this hearing during these difficult times.

Kind regards

Derek Stone

Principal Licensing Officer

Culture, Leisure and Regulatory Services

Licensing Service

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth

Hants

PO1 2AL

APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 07 June 2021 08:41
To: Stone, Derek
Cc: Robson, Debra
Subject: FW: By The Beach, St George's Rd PO4

From: Gaz [REDACTED]
Sent: 04 June 2021 17:04
To: Licensing Shared Email [REDACTED]
Subject: By The Beach, St George's Rd PO4

Dear Sir/Madam

This email address was posted to a local neighbourhood forum in order to generate objection emails. Unfortunately, I could not find the relevant planning department site toncopy in; hopefully this email won't be disregarded.

However, I would like to state that I am fully in favour of the licence requested to offer on and off sales of alcohol from this new cafe to the times they have requested. I don't feel that this would cause disturbances to the local area or produce pollution over and above the risk that the existing amenities in the area, including the Eastney Tavern, 10th Hole and Coffee Cup, do.

I believe such a venue would make a welcome addition to the local area which is sorely lacking in providing adequate amenities/concessions for both locals and visitors to Eastney.

Yours faithfully

Gary Alton
96 Cromwell Rd, Eastney PO4 9PN

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APPENDIX C

Comments for Licensing Application 21/01865/LAPREM

Application Summary

Application Number: 21/01865/LAPREM

Address: 27 St Georges Road Southsea PO4 9QS

Proposal: Premises Licence

Case Officer: Ms Debra Robson

Customer Details

Name: Mr Derek Boulter

Address: 100 Festing Grove, Southsea PO4 9QF

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Comment Reasons:

Comment:6:19 PM on 07 Jun 2021 We were in favour of the cafe before we received a letter from Lee and Lindsay, but following this we feel even more strongly that all their plans ,as outlined, be an asset to the area. We look forward to their Licensing application being favourably approved.

This page is intentionally left blank

APPENDIX C

Stone, Derek

From: steve fowler [REDACTED]
Sent: 28 May 2021 13:16
To: Robson, Debra
Subject: Re: Alcohol Licence - 27 St George's Road, Southsea

Hi Debbie,

120 Festing Grove
Southsea
PO 4 9QF

Steve

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From: Robson, Debra [REDACTED]
Sent: Friday, May 28, 2021 1:04:37 PM
To: 'steve.f [REDACTED]
Subject: RE: Alcohol Licence - 27 St George's Road, Southsea

Dear Stephen

In order for your representation to be accepted as valid can I have your full postal address.

Thank you

Regards

Debbie Robson

Senior Licensing Officer

Directorate of Culture, Leisure and Regulatory Services

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth

PO1 2AL



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From: steve fowler [REDACTED]
Sent: 28 May 2021 09:27
To: Licensing Shared Email [REDACTED]
Subject: Alcohol Licence - 27 St George's Road, Southsea

Dear Sir / Madam,

I write with reference to the above application.

I write to object to the above proposals in the middle of a densely populated residential area. The proposed alcohol licence and the opening hours would give us great concerns around noise and anti-social behaviour, increased footfall and vehicle movements late at night.

From my personal perspective, the sale and consumption of alcohol in the front / rear spaces would cause a noise nuisance to an area that presently has a private residential feel and is very quiet of an evening. The noise created by patrons drinking in the rear garden would be very disruptive, not to mention the further disruption of the patrons leaving the venue late at night either on foot or via vehicle.

I trust you will take into consideration our concerns and I look forward to hearing from you.

Regards

Stephen Fowler

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APPENDIX C

Stone, Derek

From: Stone, Derek
Sent: 17 June 2021 16:52
To: 'steve [REDACTED]'
Cc: Robson, Debra
Subject: FW: Alcohol Licence - 27 St George's Road, Southsea

Dear Steve

Thank you for the update.

The best way to deal with this would be for your original representation to stand but the below update added to the committee papers so that they can consider this as part of their deliberations.

I will make sure that your e mail is added to the papers

Kind regards

Derek

From: steve fowler [REDACTED]
Sent: 17 June 2021 16:43
To: Robson, Debra [REDACTED]
Subject: Re: Alcohol Licence - 27 St George's Road, Southsea

Hi Debra,

Further to my recent communication I have since had a letter from the present owners outlining their plans for the property.

The letter allayed some of my fears with regards the rear terrace / garden area not being used by patrons of the venue. In addition assurances about the number of evenings where events would take place was useful.

Whilst it is encouraging that the present owners don't have plans to utilise the venue as a drinking venue, I would still be concerned if the present owners moved on and the licence did not restrict the use of the rear garden / terrace.

I would there like to confirm that if the licence were to stipulate these as restrictions I would be happy to remove my objection.

Lastly, the proposed use as a cafe / deli selling alcohol during daytime hours is in my opinion a viable use if the licence is restricted as mentioned in the owners communication.

Regards

Steve

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From: steve fowler [REDACTED]
Sent: Friday, May 28, 2021 1:15:30 PM

To: Robson, Debra [REDACTED]
Subject: Re: Alcohol Licence - 27 St George's Road, Southsea

Hi Debbie,

120 Festing Grove
Southsea
PO 4 9QF

Steve

Get [Outlook for iOS](#)

From: Robson, Debra [REDACTED]
Sent: Friday, May 28, 2021 1:04:37 PM
To: 'steve [REDACTED]' <[REDACTED]>
Subject: RE: Alcohol Licence - 27 St George's Road, Southsea

Dear Stephen

In order for your representation to be accepted as valid can I have your full postal address.

Thank you

Regards

Debbie Robson
Senior Licensing Officer
Directorate of Culture, Leisure and Regulatory Services
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL



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From: steve fowler [REDACTED]
Sent: 28 May 2021 09:27
To: Licensing Shared Email [REDACTED]
Subject: Alcohol Licence - 27 St George's Road, Southsea

Dear Sir / Madam,

I write with reference to the above application.

I write to object to the above proposals in the middle of a densely populated residential area. The proposed alcohol licence and the opening hours would give us great concerns around noise and anti-social behaviour, increased footfall and vehicle movements late at night.

From my personal perspective, the sale and consumption of alcohol in the front / rear spaces would cause a noise nuisance to an area that presently has a private residential feel and is very quiet of an evening. The noise created by patrons drinking in the rear garden would be very disruptive, not to mention the further disruption of the patrons leaving the venue late at night either on foot or via vehicle.

I trust you will take into consideration our concerns and I look forward to hearing from you.

Regards

Stephen Fowler

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APPENDIX C

Dr. Marie Gault
Seaside
Box 9011

Dear Dr. Hendray,

I am writing to you as I don't have a computer, to give you full support for your venture I remember the walk, as I lived in Milton at that time and I walked with my boys to Seaside beach. We had once seen at the end of the beach now that the museum cafe has closed, and only have one choice. Also it will be nice to have an evening event that can be reached on foot. Good luck, I hope that all goes well for you.

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APPENDIX C

Stone, Derek

From: Catherine Teeling [REDACTED]
Sent: 28 May 2021 19:54
To: Licensing Shared Email
Subject: Re: Premises at 27 Georges Terrace licencing request

Hello Debbie,

Yes
No 3 Culver Road
PO4 9QP

Best,
Catherine

On Fri, 28 May 2021 at 19:51, Licensing Shared Email [REDACTED] wrote:

Good evening Catherine

Thank you for your email in support of the application, can I have your full postal address.

Thank you.

Regards

Debbie Robson

Senior Licensing Officer

Directorate of Culture, Leisure and Regulatory Services

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth

PO1 2AL

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[Report a business that is operating unsafely](#)



From: Catherine Teeling [REDACTED]
Sent: 28 May 2021 16:17
To: Licensing Shared Email [REDACTED]
Subject: Premises at 27 Georges Terrace licencing request

Dear PCC,

As a resident in this area, I have **no problem** with the previous commercial venture being turned into a cafe and having licencing for the sale of alcohol, we are in need of more ventures like this in this area.

Best,

Catherine

--

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 07 June 2021 08:46
To: Stone, Derek
Cc: Robson, Debra
Subject: FW: Comments for Licensing Application 21/01865/LAPREM

From: NoReply@portsmouthcc.gov.uk [REDACTED]
Sent: 04 June 2021 17:07
To: Licensing Shared Email [REDACTED]
Subject: Comments for Licensing Application 21/01865/LAPREM

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 5:04 PM on 04 Jun 2021 from Miss Kerry Whiteford.

Application Summary

Address: 27 St Georges Road Southsea PO4 9QS

Proposal: Premises Licence

Case Officer: Ms Debra Robson

[Click for further information](#)

Customer Details

Name: Miss Kerry Whiteford

Email: [REDACTED]

Address: 18 Heyshott Road, Southsea PO4 8AX

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 5:04 PM on 04 Jun 2021 Support local businesses. Encourage competition & new ideas.

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 07 June 2021 08:45
To: Stone, Derek
Cc: Robson, Debra
Subject: FW: 27 St George's Road

From: Dick ABRAM [REDACTED]
Sent: 05 June 2021 09:44
To: Licensing Shared Email [REDACTED]
Subject: 27 St George's Road

Dear Licensing Officer,

I live at 14 Marine Court and wish to object against the issue of a license to serve alcohol at the above property.

This is for the following reasons:

- 1 This is a residential area where granting a license is inappropriate.
- 2 St George's Road is a very busy thoroughfare where crossing on foot needs great care and attention which is not always associated with alcohol.
- 3 Vehicles are always accelerating and braking in the area because of the junctions and quite sharp bends thus anyone delaying in the area will suffer significant pollution and the longer they stay the worse it will be.

Yours sincerely, Mr T R ABRAM

This page is intentionally left blank

APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 04 June 2021 12:00
To: Robson, Debra
Cc: Stone, Derek
Subject: FW: Objecting to licence to sell alcohol at former CARL CHRISTAIN CAKE Shop,

From: David Bonnie [REDACTED]
Sent: 04 June 2021 11:58
To: Licensing Shared Email [REDACTED]
Subject: Objecting to licence to sell alcohol at former CARL CHRISTAIN CAKE Shop,

Dear Sir and Madam,

It has come to my knowledge that the new owners of a cafe named `By The Beach` Eastern Terrace, Saint Georges Road, Southsea have requested a license to sell alcohol seven days a week between the hours of 10-00 to 23-00 seven days a week has taken place.

The reviewing and the granting of a license to sell alcohol between the hours of 10-00 to 23-00 Monday to Sunday are strongly objected to. The address of the application is in the middle of a row of peaceful residential family homes that are very unsuitable for the selling of alcohol.

The address, the former Carl Christain Cakeshop, was once a small cafe back in the 60s and 70s for the selling of soft drinks and snacks but the address has never been a seller of alcohol.

The application to sell alcohol between 10-00 to 23-00 Monday to Sunday in the middle of a residential row of family homes is strongly objected to. Simply because the address is extremely unsuitable.

Trust this will not happen as it would only add to alcohol-related crime and offending antisocial within the area.

There is already a residential long-standing public house selling alcohol within a distance of 150 yards. But the public house is on a main road corner and NOT in the middle of a row of residential family homes.

Yours sincerely

Mr David Bonnie, 5 Eastern Terrace , Saint Georges Rd, Southsea. PO4 9QR.

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APPENDIX C

From: Miss P.M. Booth

119 Festing Grove

Southsea, PO4 9QE



Licensing Manager

Licensing Services, Civic Offices,

Guildhall Square PO1 2AL

Licence Application for By The Beach, 27 St Georges Road, Southsea, PO4 9QS

I write with regard to the above application, which is to serve alcohol 7 days a week on and off site premises from 1000 to 2300, which we are led to understand will be inside and outside at the front and back of the property, a prospect which is totally unsuitable for this residential area.

We were given to understand that the premises would become a cafe, I accept that this might include serving drinks with meals, but this application appears to be for a bar which is a completely different matter. I object to this application because:

- a. The south side of Festing Grove, the north side of Selsey Avenue and the east side of Culver Road in addition to Eastern Terrace will all be impacted by outside dining at the back of the premises, and in addition, Marine Court will also be affected from the front. Noise carries a long way particularly after customers have been drinking.
- b. All day drinking and off licence sales gives the prospect of noise, parking problems, damage to cars and rowdy behaviour. The front outside space is quite small and the possibility of people sitting there drinking, from 1000 to 2300 would cause disturbance.

In conclusion, I have no objection to a cafe, or to drink being served with lunch, but certainly not from 1000 to 2300.

Yours sincerely



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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 04 June 2021 09:28
To: Robson, Debra
Cc: Stone, Derek
Subject: FW: Application to sell alcohol AT 27 St. Georges Road Southsea PO49QS

From: WILLIAM BREWER [REDACTED]
Sent: 03 June 2021 17:47
To: Licensing Shared Email [REDACTED]
Subject: Application to sell alcohol AT 27 St. Georges Road Southsea PO49QS

I have been informed that the new owners of the above address have applied to be able sell alcohol between the hours of 10am to 11pm 7days a week.

I only live 2doors away at number 3 ST. Georges Terrace post code PO49QS.

I WISH TO LODGE MY COMPLAINT

AS I BELIEVE IF THE LICENSE TO SELL ALCOHOL IS GRANTED IT WILL CAUSE A PUBLIC NUISANCE.

I AM PARTICUALLY CONCERNED ABOUT THE NOISE IT WILL GENERATE IN THE EVENINGS AND AT THE WEEKENDS.

I THEREFORE OBJECT TO THE ALCOHOL LICENCSE BEING GRANTED

Yours Sincerely

WILLIAM BREWER

Sent from [Mail](#) for Windows 10

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 07 June 2021 08:43
To: Stone, Derek
Cc: Robson, Debra
Subject: FW: By the Beach license application - OBJECTION

From: Lauren Broughton [REDACTED]
Sent: 05 June 2021 13:39
To: Licensing Shared Email [REDACTED]
Subject: By the Beach license application - OBJECTION

To the Licensing Manager,

Good afternoon,

I am writing to express my concern and disbelief at the licencing application being considered for By the Beach (previously Carl Christian Cakes), Eastern Terrace, Southsea PO4 and to register my objection.

My family and I live in Festing Grove and consider this part of Southsea to be a residential area. The idea of a late licence drinking establishment nestled between residential homes gives me a lot of cause for concern, in particular these are:

Noise: It will be near impossible to sleep with a window open. The proposed café backs on to a square of gardens, many of which belong to families, and the noise and disruption created by a venue in the middle I feel is completely inappropriate and not in keeping with a quiet residential area.

Parking: Though the site has some allocated (I believe 2) parking spaces, if these are not taken by staff as a parking permitted area, cars visiting will encroach upon the already too few spaces servicing the houses. Particularly in the evening, it is near impossible to park once having been out say to a child's club, returning after 9pm already means parking a few streets away.

Footfall: It was my understanding that the late night clubs, Time, Envy, BarBue etc. were all moved from the sea front as they were seen as disruptive to local residents at kick out time in the early hours of the morning. Why then would it be any different for a smaller venue? Smaller crowds are no less exuberant after spending an evening drinking. In what direction would the exuberant café customers head... not south to exit via the sea but along the residential streets.

Off Licence: Permitting the café to be an off licence will encourage congregations of people heading up from the beach. Along with the groups hanging out on the street, I am deeply concerned around poor decision making made around alcohol and water.

Litter: There is already a litter problem in Southsea, people heading to/from the beach and purchasing alcohol en route will in no doubt leave a 'breadcrumb' trail of empty bottles and cans in their wake – their resting place of choice, normally an unsuspecting front garden wall.

Live Music: Attracting large groups of people all with an end time of 11pm will encourage congregating outside. This in my opinion will greatly increase the chances of becoming a public nuisance, I refer back to noise and in addition the choice of language used amongst crowds.

Thank you for taking the time to read this objection submitted on behalf of myself and my family.

With kind regards,

Lauren and Charlie Broughton
68, Festing Grove, Southsea PO4 9QD

APPENDIX C

Stone, Derek

From: Helen Carroll [REDACTED]
Sent: 08 June 2021 07:55
To: Stone, Derek
Subject: Re: FW: By the Beach - licensing application

Dear Derek

My address is

4 Culver Road, PO4 9QP.

Regarding the rear outside space - I understand that they may currently state that they are not going to use this. However, intentions can change and, as I understand it, the license application would allow them to do this. If this area was to be used it would be a significant change to our residential area.

Many thanks

Helen

On Tue, 8 Jun 2021 at 07:42, Stone, Derek <[REDACTED]> wrote:

Dear Helen

For this Representation to be valid I will need your full postal address and postcode please.

The applicant does not intend to use the rear of the property as part of the business and they no doubt will contact you in due course to explain how they propose to run their business which hopefully will allay your concerns

Kind regards

Derek

Derek Stone

Principal Licensing Officer

From: Helen Carroll [REDACTED]
Sent: 07 June 2021 23:00

To: Licensing Shared Email [REDACTED]
Subject: By the Beach - licensing application

Dear Sirs / Madams

I am emailing to object to the above licensing application.

My house backs onto the proposed cafe / restaurant. I have the following concerns:

- there will be significant noise pollution from any outside use of the property - particularly at the rear of the property . This is a peaceful, residential area, with a number of families with children, and there will be significant disruption if the rear outside area is used. If customers are able to drink alcohol we will suddenly have a beer garden next to our houses, with potentially noisy drinking late into the night. Given that this is a peaceful area, this would be a very significant change and will significantly impact the enjoyment of our properties

- if alcohol is available to be taken away / outside, this risks alcohol being acquired to be drunk outside in our local community. This can present a risk to children - and as commented above, this is very much a family area.

- In addition, alcohol can already be purchased at the nearby Eastney Tavern; there is no requirement for additional locations to buy alcohol. This is an area close to the beach, with limited police presence - increased sales of alcohol so close to, again, this family area, seems an unnecessary risk to public safety.

I would be grateful if you could take these concerns into consideration.

Nb this is sent in confidence; I do not wish for my personal details to be disclosed.

Many thanks

Helen

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 04 June 2021 11:28
To: Robson, Debra
Cc: Stone, Derek
Subject: FW: Planning Application By The Beach, 27 St Georges Road Southsea PO4 9QS

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

From: Michael comben [REDACTED]
Sent: 04 June 2021 11:27
To: Licensing Shared Email [REDACTED]
Subject: Planning Application By The Beach, 27 St Georges Road [REDACTED] Southsea PO4 9QS

I wish to object to the above planning application - Please take the following comments into account.
Thank you

Michael Comben

- 1) A residential area of character - This is a residential area with many houses opposite the site, behind it and closely at the sides. It will completely change the character of the area which has just been improved by the introduction of the residential parking scheme. PCC gets a good deal of funding vis council tax from this area and the residents tolerate that as we love the area we live in as it is now
- 2) Parking - The new parking scheme will be useless to help control the volume of parking that will be required in Eastern Parade, and particularly Selsey Road and Culver Road and Nettlestone Road and Festing Grove. Where will residents now be able to park and make use of their paid for permits?
- 3)The prevention of crime and disorder - antisocial behaviour will increase. The noise will not be tolerable in this residential area
- 4) The prevention of public nuisance - this is a residential area - the smells that will come from a restaurant are not wanted
- 5) Public safety - St Georges Road is already one of the main, fast moving arteries, from the beach and out of the city. The residents believe that a number of safety issues will arise from the increase in taxi stops, cars stopping to pick up and drop off customers of a restaurant, people walking out into the road etc etc.

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APPENDIX C

2, Marine Court.
St Georges Road.
Southsea, PO4 9QU.
30/05/2021.

Dear Sir or Madam,

Re the Application for an Alcohol Licence
at "By the Beach", 27 St Georges Road,
Southsea, PO4 9QU.

I wish to object to the application
above on four issues.

1. The site is on a residential street,
and is in a semi-terraced group of houses.

2. Most of the Southsea cafes are either
on a shopping street, such as Albert Road,
or are on the seafront, or, as in the case of
Cande Lake and the Common, are well away
from residents.

3. The road is in a parking zone. In the
evenings and at busy weekends the road parking
is full. Where will potential customers be
parking where they are not affecting neighbours
especially for any evening events?

4. Local people might welcome a
reasonable closing time, especially in relation
to late night noise and drinking.

Yours sincerely

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 04 June 2021 12:46
To: Stone, Derek
Cc: Robson, Debra
Subject: FW: representation 21/01865/LAPREM

From: Ben Di Marco [REDACTED]
Sent: 04 June 2021 12:35
To: Licensing Shared Email [REDACTED]
Subject: representation 21/01865/LAPREM

The premises at 27 St George's Road known as Carl Christian Cakes was sold earlier this year after 15 + years as a supplier of cakes for formal events.

The new owners are converting the use of the premises to operate as a café and have applied for a licence to serve alcohol both inside and outside of the premises plus also to act as an off-licence.

This change of use from a shop to a cafe selling alcohol for consumption both on and off the premises will have a significant negative impact on the area as well as the well-being of the local residents for the following reasons,

1. **Public nuisance** – with the exception of this premises, St George's Road is densely packed residential area. The location of the premises is embedded within terraced housing either side which offers no separation between the properties. The premises also has residential dwellings to the front and rear. The noise emanating from the premises if granted a licence to serve alcohol will cause significant disruption to the local residents. Not only will there be loud noise generated by people drinking from within the premises, the application also describes using the outdoor spaces to the front and rear for consumption. Many local residences have bedrooms and other relaxation spaces within immediate vicinity of the premises and this will comprise the well-being of many. In addition there will be noise from the moving of tables, chairs, clearing of glasses/bottles, taxis etc at the end of each day which will cause further increased levels of disturbance to the local residents. It also needs to be considered the impact of customers of the premises smoking cigarettes outside of the property and the effects on the local residents health.

The application also requests authority to operate the premises as an off-licence. Not only will this add more disruption to the local residents with congregations of people from the beach area looking to purchase alcohol it will cause impact to the wider community through issues relating to public nuisance.

2. **Crime and disorder.** Premises which sell alcohol increase the likelihood of issues relating to crime and disorder to the area they are located within. Anti-social behaviour is often seen and experienced in other areas where these type of premises are located. It is not uncommon to see damage to local property and vehicles in the immediate area caused directly by persons who have been using the premises. This is also includes urination and breakage of glassware in the local area.

Our local area is also subjected to number of issues with groups drinking alcohol which cause anti-social behaviour or crime in the local area and with the premises operating as an off-licence this will contribute to anti-social issues in the area.

3. **Protection of children from harm.** Many of the local residents have children whom live within the immediate vicinity of the premises – some with bedrooms only metres away from outdoor areas the premises wishes to serve alcohol in. The disturbances caused approving this application to sell alcohol will affect a child’s common right to feels safe and be able to live in an environment which they have the ability concentrate on school work and sleep in a quiet area.

It must also be considered whether venues which promote a drinking culture in highly dense residential areas where children live is ethically the right thing to do for a community.

4. **Public Safety.** The consumption of alcohol will increase the likelihood of alcohol related accidents occurring and the severity of their outcome. Alcohol lowers peoples inhibitions and innocent passers-by will be potentially be affected through verbal and physical abuse.

In summary despite its proximity to the sea, for most of the day and particularly in the evening, St George’s Road is peaceful and quiet. When many of the local residents moved here we understood and accepted the operation of a shop which sold cakes. The conversion to a café is a change however the impact of allowing alcohol to be sold at the premises will significantly affect the local residents existing quality of life. St George’s Road is fully residential and is not like Highland Road, Winter Road, Castle Street etc where there are existing similar type commercial properties and the granting of a licence has a marginal impact to residents. The selling of alcohol between the hours of 10am until 11pm is wholly unacceptable and the response of local residents demonstrates the strong objection to this application.

B Di Marco

3 Eastern Terrace

St George’s Road

PO4 9QR

[REDACTED]

[REDACTED]

APPENDIX C

Stone, Derek

From: Eileen Douglas [REDACTED]
Sent: 26 May 2021 11
To: Robson, Debra
Subject: Re: By The Beach, 27 St Georges Rd. PO4 9QS

Hi Debra,

I am ground floor flat, 4a Eastern Terrace, St. Georges Rd. PO4 9QR.

If you require more info please say.

Regards,

Eileen

On Wed, 26 May 2021, 08:07 Robson, Debra, [REDACTED] wrote:

Morning Eileen

In order to accept your representation as valid I need the house number as well.

Thank you

Debbie

From: Licensing Shared Email [REDACTED]
Sent: 26 May 2021 07:36
To: Robson, Debra [REDACTED]
Subject: FW: By The Beach, 27 St Georges Rd. PO4 9QS

From: Eileen Douglas [REDACTED]
Sent: 25 May 2021 22:36
To: Licensing Shared Email [REDACTED]
Subject: Re: By The Beach, 27 St Georges Rd. PO4 9QS

Hi Debbie,

My post code is PO4 9QR.

Regards,

Eileen.

On Tue, 25 May 2021, 17:13 Licensing Shared Email, [REDACTED] wrote:

Dear Eileen

Can I have your full postal address.

Thank you

Regards

Debbie Robson

Senior Licensing Officer

Directorate of Culture, Leisure and Regulatory Services

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth

PO1 2AL

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[Report a business that is operating unsafely](#)

From: Eileen Douglas [REDACTED]
Sent: 25 May 2021 17:06
To: Licensing Shared Email [REDACTED]
Subject: By The Beach, 27 St Georges Rd. PO4 9QS

To whom ever it concerns,

I would like to register my objection to the above premises being allowed an alcohol licence.

These premises are only 2 doors away from me and I do not relish the idea of having people drinking outside disturbing the general peacefulness. I have resided here over 20 years and do not feel a licenced premises is suited to these surroundings. It is a direct route to the beach with many passers by including young families all heading to enjoy the seafront.

I hope my objections will be given strong consideration when you come to make a decision on this application for alcohol licence.

Yours sincerely,

Eileen Douglas.

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APPENDIX C

Stone, Derek

From: Robson, Debra
Sent: 03 June 2021 10:47
To: Stone, Derek
Subject: FW: Licensing Application Ref. 21 01865/LAPREM Dated 11 May 2021 - By The Beach Southsea Limited T/A By The Beach Southsea Cafe

From: Licensing Shared Email [REDACTED]
Sent: 03 June 2021 10:09
To: Robson, Debra [REDACTED]
Subject: FW: Licensing Application Ref. 21 01865/LAPREM Dated 11 May 2021 - By The Beach Southsea Limited T/A By The Beach Southsea Cafe

From: Nigel Durham [REDACTED]
Sent: 03 June 2021 09:53
To: Licensing Shared Email [REDACTED]
Subject: Licensing Application Ref. 21 01865/LAPREM Dated 11 May 2021 - By The Beach Southsea Limited T/A By The Beach Southsea Cafe

REPRESENTATION RELATING TO NEW PREMISES LICENCE REFERENCE 21 01865/LAPREM - DATED 11 MAY 2021

PCC Reference 21/01865/LAPREM

Applicant:- By The Beach Southsea Limited
Trading Name:- By The Beach Southsea Cafe
Address:- 27 St Georges Road, Southsea, Hampshire PO4 9QS

Representation By:- Nigel Durham

Residential Address:- 4 St Georges Terrace
St Georges Road
Southsea
Hampshire
PO4 9QS

I am living as a private resident in my only home which is my one and only permanent residence at 4 St Georges Terrace St Georges Road Southsea and have resided at this address since April 2015.

I make these Representations **OBJECTING** to the granting of a Premises Licence under the Licensing Act 2003 to By The Beach Southsea Limited Trading As By The Beach Cafe at 27 St Georges Road Southsea Hampshire PO4 9QS.

REASONS

1. Real risk of crime and disorder,
2. Public Nuisance,
3. The Applicant for the Alcohol Premises Licence is not someone who operates the business.

Crime and Disorder

1. By it's nature residents expect to carry on a normal and peaceful home life with their family. By granting a Premises Licence to sell alcohol the Applicants this will cause disturbances and conflict between residents and customers particularly late at night when children's sleep is disturbed in close-by properties for 7 nights every week of the year.
2. Parking is limited and is already difficult for residence to park and so customers of By The Beach Southsea Cafe ("BTBSC") are unlikely to park legally. Recent parking restrictions have eased local parking issues but not solved the problem for residents and consequently illegal parking is very likely to occur and which will obstruct residents exiting their property from their own off-road parking. Currently the residents at 27 St Georges Terrace have 2 vehicles which are parked off-road in front of the shop and the residents have visitors who park on the road in front of 27 St Georges Terrace then the visitor vehicle causes restricted view and limited view for a driver pulling out of St Georges Terrace. Clearly customers will park immediately outside 27 St Georges Road throughout the opening hours which will be unsafe by obstructing view and vehicle manoeuvrability.
3. Litter by way of smoked cigarettes are also likely to occur and cause problems due to the wind coming off the sea down St Georges Road. Currently residents pick up the litter from their premises, but BTBSC will generate an increase in litter from outside customers who will not always be able to stop the wind causing paper and cigarette ends blowing away.

Public Nuisance

1. The granting of a Premises Licence to BTBSC will cause and substantially effect the immediate neighbours of 27 St Georges Road at Eastern Terrace and at St Georges Terrace with unacceptable levels of noise by reason of outside dining, playing of music smoking and vaping.
2. In the Application BTBSC states at Part 3 in the Operating Schedule that bit is intended to have a wide range of activities between the hours of 8.00 a.m and 5.00 p.m. PLUS themed evenings, private events, meetings and conferences where alcohol will be served inside and/or outside the premises until 11.00 p.m. for 7 days a week. These opening hours when alcohol will be served are

unreasonable and will cause a Public Nuisance to at least 30 local residents in the immediate vicinity.

Please look at Google Earth and see that 27 St Georges Road is surrounded on every side by no less than 30 residential properties.

3. Part 3 of the Operating schedule of the Application incorrectly states that there is a shop and public house selling alcohol in St Georges Road. Both the Premier shop and The Eastney Tavern are on Cromwell Road. The Premier shop is only for off-sales not consumption on the premises.
4. Public nuisance will also be suffered by neighbours and the local community with the playing both inside and outside of live and recorded music up to 11.00 p.m.. 27 St Georges Road was not and is not designed to restrict or defuse noise from customers drinking alcohol, it is designed as a shop where noise is minimal. Noise from 27 St Georges Road will be heard by neighbours and residents in the locality who are entitled to quiet enjoyment of their own space.

My property will without doubt be subject to intrusive and excessive noise because there is a shared internal wall between 27 St Georges Terrace and the lounge area in my property, Currently this dividing wall does not block voices or noise from our neighbours and if evening customers are in BTBSC noise will be amplified many times more because the inside customers seating area with tables and toilets are next to our shared wall. This will disturb us on a nightly basis potentially every night of the week - it will be like next door holding a party every night of the week which is unreasonable. The Applicants have not made any mention or provision in their application whatsoever to reduce noise levels to their immediate neighbours or the local community.

5. A public nuisance will also be caused to neighbours and the community caused by the cooking odours for events and themed evenings. Themed evenings will no doubt cooking with spices, herbs and garlic which will be noxious and interfere with residents, neighbours, and the community's enjoyment of being in their gardens.
6. As an example of the standard of noise insulation at 27 St Georges Road the previous owner, Karl Christian Cakes, rented part of the residential accommodation of 27 St. Georges Road to a tenant and this tenant possessed and often played his piano. When the piano was being played it was clearly audible in my property both when inside with the windows shut and outside when we were sitting in our garden. Very considerably the tenant only played during the day and never in the evening.
7. The noise and odours generated at 27 St Georges Road if a Premises Licence is granted will have a detrimental impact on the densely populated neighbourhood where households will suffer totally unreasonable and disproportionately. All residents in the area surrounding 27 St Georges Road are

entitled to the rights of quiet enjoyment and free from strong odour so normal family activity can continue.

8. Residents in the immediate vicinity of 27 St Georges Road will suffer from unacceptable noise when their windows are open. Additionally, when windows are open neighbouring properties will suffer air pollution from customers standing and sitting outside smoking and vaping. Personally, when residents from Eastern Terrace to the immediate right of 27 St. Georges Road and St Georges Terrace to the immediate left of 27 St Georges Road will undoubtedly walk into clouds of cigarette smoke and scented VAPE smoke. This could be a risk to health causing harm to individuals over a period of time, personally I am an asthma sufferer and avoid any environment with cigarette smoke and VAPESmoke.
9. After closing time at 11.00 p.m. noise suffered by Neighbours living in the vicinity of 27 St Georges Road will increase until midnight because if last drinks are served at 11.00 p.m. customers will not be leaving the premises until 11.20 p.m. It is more than likely customers will then continue their conversation and talking and this noise will directly impact on all immediate neighbours.
10. Noise will continue after 11.00 p.m. when the staff clean the kichen which from experience will have the door open during this operation as well as putting out bottles and rubbish which will cause unacceptably loud noise to all neighbours.

The Home Office Documents

Revised Guidance issued under Section 182 of the Licencing Act 2003

I respectfully refer to the Committee to the above-captioned document which I rely on generally and specifically the following,

Sections

1.17 the ability to impose conditions in the event a licence is granted and which for avoidance of doubt I oppose.

1.19 consideration of the provisions of The Noise Act 1990 and The Clean Neighbourhoods Environmental Act 2005.

2 Crime and Disorder by virtue of potential bad and or aggressive behaviour by customers, illegal and inconsiderate parking and litter.

I respectfully refer to the following sections.

"Public nuisance

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working

(including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate. "

These sections give wide powers to you and which I respectfully suggest is relevant and sufficient grounds to **reject** BTBSC application for a Premises Licence to serve alcohol between the hours of 10.00 a.m. to 11.00 p.m. every day of the week and every day of the year.

THE APPLICANT IS NOT SOMEONE WHO OPERATES THE BUSINESS

The Portsmouth City Council website page "Premises Licence" clearly states,
"... Any of the following people or establishments may apply for a premises licence:

- someone who operates a business **in the premises** to which the application relates.."

Companies House search of By The Beach Southsea Limited (Registration number 12799305) on 2 June 2021 states there are 2 directors who are,

Lindsay Katherine Martin - Director

of [REDACTED]

Lee Matthew Tindal - Director

of [REDACTED]

The Applicant for the alcohol premises licence have stated at page 15 of the Application that Grace Lowden Sturrock of [REDACTED] is the designated individual at the premises.

Ms. Sturrock is not a director or an officer of By The Beach Southsea Limited and so is clearly not "someone who operates a business in the premises to which the application relates".

GENERALLY

I have set out my objections but if the Licencing Committee or anyone involved in considering the application for a Premises Licence for 27 St Georges Road then please contact me. Further, if I can answer any points not raised above or to be discussed when considering the Application for an Alcohol Premises Licence then please contact me and I shall reply in person or writing as directed.

I would also point out that there are a substantial number of Representations by neighbours and residents in the immediate area of 27 St Georges Road, all of whom object to the granting of a Premises Licence and so far as I am aware **no Representation in support has been made whatsoever**. Clearly the granting of a Alcohol Premises Licence is not wanted either by the neighbours of 27 St Georges Road or local community.

I am also willing to assist with a site visit by any PCC Councillor or Council Officer to view the surrounding area and detrimental impact the granting of an Alcohol Premises Licence will have on it.

Regards

Nigel Durham
4 St Georges Terrace
St Georges Road
Southsea
Hampshire
PO4 9QS

APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 07 June 2021 12:43
To: Stone, Derek
Cc: Robson, Debra
Subject: FW: REFERENCE 21/01865/LAPREM - PREMISES LICENCE BY THE BEACH SOUTHSEA LIMITED T/A BY THE BEACH SOUTHSEA CAFE 27 ST GEORGES TERRACE SOUTHSEA PO4 9QS

[REDACTED]

From: Nigel Durham [REDACTED]
Sent: 07 June 2021 11:49
To: Licensing Shared Email [REDACTED]
Subject: REFERENCE 21/01865/LAPREM - PREMISES LICENCE BY THE BEACH SOUTHSEA LIMITED T/A BY THE BEACH SOUTHSEA CAFE 27 ST GEORGES TERRACE SOUTHSEA PO4 9QS

SECOND REPRESENTATION RELATING TO NEW PREMISES ALCOHOL LICENCE REFERENCE 21 01865/LAPREM - DATED 11 MAY 2021

PCC Reference 21/01865/LAPREM

Applicant:- By The Beach Southsea Limited
Trading Name:- By The Beach Southsea Cafe
Address:- 27 St Georges Road, Southsea, Hampshire PO4 9QS

Second Representation By:- Nigel Durham

Residential Address:- 4 St Georges Terrace
St Georges Road
Southsea
Hampshire
PO4 9QS

I refer to my Representation dated 3 June 2021 **objecting** to the granting of an alcohol Premises Licence.

All of the points made in my Representation sent on 3 June 2021 remain and the points made in this my Second Representation are additional.

4 St Georges Terrace is in the terrace of St Georges Terrace attached to 27 St Georges Road.

My wife Paula Durham and I have owned and used at 4 St Georges Terrace as our residential home since April 2015.

On the afternoon of Saturday, 5 June 2021 I received through my front door letterbox a letter dated 4 June 2021 from my next door neighbours who are the Applicants to Portsmouth City Council ("PCC") for a Premises Licence for the on premises and off premises sale of alcohol between the hours of 10.00a.m. and 11.00 p.m. 7 days a week 52 weeks of the year.

The Applicants letter has been addressed to and delivered to their neighbours which seeks to address the Representations made by neighbours of 27 St Georges Road objecting to the application for a Premises Licence. The Applicants state this letter dated 4 June 2021 has already been sent to PCC .

Sadly, this letter dated 4 June 2021 misrepresents the pending application and also is factually incorrect. Nowhere does the Applicants letter address the Public Nuisance caused by noise expressly and validly raised as a concern in Representations made in opposition.

I set out below my representation by way of response to the Applicants letter to their neighbours dated 4 June 2021.

Page 1

1st Paragraph

The Applicants state they moved "We moved into the area of Eastney in December 2020 , having lived in the Portsmouth area all of our lives" which is clearly not the case when on the company file at Companies House on 3 June the address shown for one of the directors is,

Lee Matthew Tindal - Director

██████████, Waterlooville, Hants ██████████

Denmead and/or Waterlooville has a Portsmouth postcode but is not in the Portsmouth it is the Portsmouth are to be accurate.

Carl Christian the former occupant of 27 St Georges Road is said to be "overjoyed" that the premises would become a cafe again as his parents owned a cafe on this site. This statement is misleading because the reference to cafe was before the adjoining terrace of residential houses were built and the cafe was open early morning until early afternoon on part of the site of what was a petrol station catering for drivers of vehicles when parking was not a problem as it is today. 27 St Georges Road was not at that time part of and attached to the residential terrace of houses of St Georges Terrace as it is today where every one of my rooms in my home shares a party wall with 27 St Georges Terrace. Additionally, this statement is hearsay and historically irrelevant.

" We have been greatly encouraged by our local neighbours and passers-by and have openly welcomed feedback over the past 3 months whilst starting work on the cafe." This statement is ambiguous and unreliable. Equally, from my personal experience I do not accept feedback by local neighbours and passers-by have given any comfort or expression of welcome alcohol being served until 11.00 p.m. I have had at least 10 people either knock on my front door or stopping me when outside the front of my house objecting to the granting of the alcohol Premise Licence and telling my they oppose it outright. The Applicant statement comments equally relate to a cafe opening not the sale of alcohol, I think neighbours and passers-by do not object to a cafe being open early morning to late afternoon. This statement if accurate will be supported by indicative of the number of Representation to PCC made by neighbours in the immediate area and locally in support of the alcohol Premises Licence.

Last Paragraph

I have not at any stage been aware from the information set out in either the Application for a Premises Licence or the letter that tables may or may not be used in the back garden so make no comment except to say that obviously loud noise will be heard at the rear of 27 St Georges Road both from the kitchen and undeniably after the cafe has closed and bottles are being tipped into rubbish bins and food waste and rubbish is tipped into commercial rubbish bins.

Page 2

Paragraph 1

"It has and never will be part of the plans to utilise these spaces for customers to eat or drink."

With respect this statement contradicts the Application since the Application is not made to serve alcohol on the ground floor only but the whole of the premises at 27 St. Georges Road.

Nowhere does the Application or any document filed in support state the Premises Licence is to sell alcohol only on the ground floor.

Paragraph 2

"We are not anticipating having any live or loud music as part of our set up, or any private hire events."
(Applicants emphasis)

This statement is NOT correct.

I refer to page 10 at letter E of the Application which clearly states that live music will be played indoors.

Paragraph 3

Opening Times

The Applicants state in their letter that evening opening will be "7pm-11pm average twice per month" and "please note we expect to open only at weekends and in school holidays initially"

I note with concern the word "initially" and clearly at a later date evening opening will be more than twice per month and /or in school holidays.

The Application is for 7 nights per week every week of the year which probably explains the ambiguous use of the word "initially".

Page 14 at letter I states late night refreshments will be served which again begs the question that this will be after 11.00 p.m.

Paragraph 5

Alcohol sales

This is simply repeating the legal requirements for the granting of a Premises Licence.

The Applicants throughout their letter dated 4 June 2021 refer to "we" and "we will" and "we are" but the Application also clearly states a different/third person (Grace Lowden Sturrock) as the "designated premises supervisor" in the licence so consequently the Applicants will not be in attendance or responsible for running all themed and service of alcoholic drinks during their intended opening hours.

Paragraph 6

CCTV

The Applicants state they have installed a CCTV system which will be recording at all times covering when licensed activity is taking place at 27 St Georges Road. This system will be recording either in whole or in part the front of my property which is an unacceptable invasion of my wife and my privacy. Our home is so close because we are joined in the terrace with 27 St Georges Road that this cannot be avoided. It is not right or fair that we and our visitors will be recorded in our own home.

Page 3

Paragraphs 1 and 2

These paragraphs simple repeats of an Applicants legal duty and do nothing to allay the 4 statutory obligations. It is no further help addressing the genuine concern of neighbours and residents in the immediate area of the occurrence of a Public Nuisance caused by noise emanating from premises selling alcohol in an exclusive residential area.

Final Paragraph

This invitation clearly demonstrates the Applicants sincerity by stating in their Application the Cafe will be open from 8.00 a.m.- 5.00 p.m. and evenings 7.00 p.m. - 11.00 p.m. BUT their letter of 4 June 2021 is an invitation from 5.00 p.m. Again this invitation causes concern as an indication to all neighbours and residents demonstrating that any event timing is flexible.

GENERALLY

I wish the Applicants well in their first business venture and although oppose granting of a Premises Licence to permit serving alcohol until no later than 8.00 p.m. only. If the Cafe becomes successful I fear with the noise of customers consuming alcohol I shall be living next door to what will sound like a party every day and this will be true for all residents of St Georges Terrace and Eastern Terrace. This is unreasonable and will cause social problems to the local residents, their children and

I also invite representatives of the Committee and/or PCC to visit 27 St Georges Road, St Georges Terrace and Eastern Terrace and the immediate area to verify that 27 St Georges Road is not an appropriate place to be allowed to serve alcohol until 11.00 p.m. for 365 days of the year.

In all the circumstances and for the reasons set out in my email sent on 3 June 2021 and in this email I respectfully ask that the Application for a Premises Licence be refused.

Regards

Nigel Durham

4 St Georges Terrace
St Georges Road
Southsea
Hants
PO4 9QS

APPENDIX C

Stone, Derek

From: Robson, Debra
Sent: 14 June 2021 12:37
To: Stone, Derek
Subject: FW: Objection to Planning Application

Will index and add to reps

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

From: Diane Edler [REDACTED]
Sent: 03 June 2021 19:06
To: Licensing Shared Email [REDACTED]
Subject: Re: Objection to Planning Application

Hello

7 Culver Road
Southsea
PO4 9QP

I am Comben on the council's records - not yet changed everything else!

Thanks

Di

Sent from my iPhone

> On 3 Jun 2021, at 17:27, Licensing Shared Email [REDACTED] wrote:
>
> Dear Diane
>
> In order for your representation to be accepted as valid can I have your full postal address.
>
> If you could get back to me this evening I would be grateful as I am on leave from tomorrow. If not can you email the licensing shared email.
>
> Thank you.
>
> Regards
>
>
> Debbie Robson
> Senior Licensing Officer
> Directorate of Culture, Leisure and Regulatory Services Portsmouth
> City Council Civic Offices Guildhall Square Portsmouth
> PO1 2AL
>

> [Redacted]

> Report a business that is operating unsafely

>
>
>
>
>
>
>
>

> -----Original Message-----

> From: Diane Edler [Redacted]

> Sent: 03 June 2021 16:58

> To: Licensing Shared Email [Redacted]

> Subject: Objection to Planning Application

>

> By the Beach

>

> I wish to Object to this very far-reaching application which I believe will have a detrimental impact on this quiet residential area.

>

> One of the main reasons we moved here in December last year was because of the 'edginess' at the Kings end of Albert Road where we lived previously. Constantly having to remove glass bottles from gardens, pavements and roads and washing away vomit was not how we wished to spend our time.

>

> I can see no reason why alcohol needs to be sold from 10am, or why it needs to be sold until 11pm - this latter will inevitably be used to 'top up' when the pubs finish serving. I object to the off premises element of this in particular as I believe this could easily cause more problems.

>

> I can accept alcohol being sold with food, and themed evenings at the weekend but this license request is currently far too broad for this location and is a clear signal of the intentions of the owners.

>

> Anti-social behaviour and the inability of residents to park near their homes potentially every day of every week need to be considered. The Bank Holiday weekend just past has already seen the need for special Police powers elsewhere along the seafront and we don't need to add to this problem.

>

> Sadly people have proven time and time again that too much sun on the beach and a long day of drinking do not mix - drinking inside with food is entirely different.

>

> Yours faithfully

>

> Diane Edler

> Local Resident

>

> Sent from my iPhone

>

> _____

>

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>

> _____

>

> Portsmouth City Council have made changes to better protect our data and that of our residents, customers, and partners. As a result of this, you will no longer see 'secure' as part of council email addresses when we send sensitive personal information.

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 07 June 2021 08:45
To: Stone, Derek
Cc: Robson, Debra
Subject: FW:

From: Dave Ellam [REDACTED]
Sent: 04 June 2021 21:41
To: Licensing Shared Email [REDACTED]
Subject:

sue ellam
Fri 04/06/2021 14:14

To:

• [REDACTED]

Dear Sir/Madam,

I am writing to you today to inform you of our objection to this application for a premises licence at 27 St Georges Road for the sale of onsite and offsite alcohol. Previously this had been an an establishment which made celebration cakes so this is a significant change of usage.

This is a QUIET residential area . It is very likely that there would be significant noise both on the forecourt and in the rear garden. (the garden at the rear of our house at 114 Festing Grove, is less than 100metres as the crow flies from the rear garden of the proposed premises)

The off licence sale of alcohol would inevitably attract anti social behaviour both on the forecourt and in the small park area nearby behind the Beach Huts with the attendant littering

Both a cafe and an off licence would put considerable pressure on the parking in and around the streets in the area.

Yours faithfully,

David and Susan Ellam

114 Festing Grove
Southsea
PO49QF

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APPENDIX C

Stone, Derek

From: Annika Ghose [REDACTED]
Sent: 28 May 2021 13:20
To: Robson, Debra
Subject: Re: Objection to Alcohol License 27 St Georges Road

123 Festing Grove
PO4 9QE

Annika Ghose

> On 28 May 2021, at 13:15, Robson, Debra [REDACTED] wrote:

>
> Dear Annika
>
> In order for your representation to be accepted can I have your full postal address.
>
> Thank you
>
> Regards
>
> Debbie Robson
> Senior Licensing Officer
> Directorate of Culture, Leisure and Regulatory Services Portsmouth
> City Council Civic Offices Guildhall Square Portsmouth
> PO1 2AL

>
> [REDACTED]
> [REDACTED]
> [REDACTED]

>
>
> -----Original Message-----
> From: Annika Ghose [REDACTED]
> Sent: 27 May 2021 21:09
> To: Licensing Shared Email [REDACTED]
> Subject: Objection to Alcohol License 27 St Georges Road

> Dear Licensing Department,

> My partner and I wish to object to the application for an alcohol license at 27 St George's Road, as we have the following concerns:

> - Crime and disorder: the streets and beach surrounding this area would experience an increase in antisocial behaviour following the consumption of alcohol. In the past when we have lived near bars, we have experienced theft, fighting in the streets, graffiti, damage to parked vehicles, litter, public urination,

etc. There has already been a series of garden break ins and car thefts in our area recently, so we are worried this would increase.

>

> - Public nuisance: we are concerned about the behaviour of people leaving the establishment under the heavy influence of alcohol. During lockdown our area and the surrounding commons experienced many examples of public nuisance and we are concerned this would increase.

>

> - Noise: our neighbourhood is well respected for its peace and quiet and houses many elderly people as well as young children. The noise coming from an outdoor area serving alcohol would disturb our street. We have twin toddlers who may be woken in the evening from people leaving the establishment in the late hours.

>

> - House prices: the value of our property may be impacted negatively.

>

> We hope that you take our concerns seriously and do not grant the alcohol license.

>

> Annika and Jon

> Festing Grove

>

> _____

>

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>

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>

> _____

APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 04 June 2021 09:27
To: Robson, Debra
Cc: Stone, Derek
Subject: FW: OBJECTION - ALCOHOL LICENCE CAFE-BY THE BEACH

From: Collette Goddard [REDACTED]
Sent: 03 June 2021 18:36
To: Licensing Shared Email [REDACTED]
Subject: OBJECTION - ALCOHOL LICENCE CAFE-BY THE BEACH

Dear Sir/Madam,

I wish to object to the Alcohol Licence application from the owners of a "Cafe" named "By The Beach" For the sale and Supply of Alcohol from 10.00 - 23.00. Along with normal operating hours to be 08.00 - 17:00 along with themed evenings from 19:00 - 23:00.

My objection is based on my concern that this new licence will increase the possibility of public nuisance for the many dwellings nearby, including my own. This area is predominately a residential area and has been for many years.

I am particularly concerned about noise nuisance, additionally, depending on the nature of such themed events, I would be concerned about the possibility of an increase in low level disorder when guests are leaving the "Cafe". Alcohol related crime/offending, along with antisocial behaviour. The possibility of smell from smoking infringing on my own relaxation and enjoyment in my own garden, the possibility of hygiene from urination in Gardens, upon leaving the premises.

Parking. - would also be increased in this area - we have recently been subjected to permit parking in the area which would also be impacted with the additional visitors to the "Cafe" granting an alcohol license would exacerbate the situation.

I would be grateful if the Licensing team would consider my objection.

Miss C D Goddard
27 Selsey Avenue
Southsea
Portsmouth
PO4 9QL

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APPENDIX C

Stone, Derek

From: gray [REDACTED]
Sent: 01 June 2021 12:57
To: Licensing Shared Email
Subject: Application: By The Beach, 27 St George's Road

Dear Sir

I object to the proposed above licensing application for the following reasons:

Portsmouth still has too many licensed premises although many have closed in Eastney over the last few years so we definitely do not need a new one.

A license should not be given to a new premises in a residential area, particularly a terrace. I cannot understand the off sales application which I also object to.

Due to the closeness of nearby properties any noise produced by people in the garden, especially towards the end of the evening, will be a particular nuisance to neighbours with small children. This noise will continue until well after 11pm while people finish their drinks and make their departures.

yours sincerely

Peter Gray

25 Selsey Avenue
PO4 9QL

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APPENDIX C

Stone, Derek

From: [REDACTED]
Sent: 04 June 2021 00:13
To: Robson, Debra [REDACTED]
Subject: RE: Application: 27 St George's Road - By the Beach

My full postal address is:-

Sabrina Gray
25 Selsey Ave
Southsea
PO49QL

Sent from my Galaxy

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

From: "Robson, Debra" [REDACTED]
Date: 02/06/2021 09:21 (GMT+00:00)
To: [REDACTED]
Subject: RE: Application: 27 St George's Road - By the Beach

Dear Sabrina

In order for your representation to be accepted as valid can I have your full postal address.

Thank you

Regards

Debbie Robson

Senior Licensing Officer

Directorate of Culture, Leisure and Regulatory Services

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth

PO1 2AL

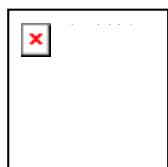
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[Report a business that is operating unsafely](#)



From: [REDACTED]
Sent: 01 June 2021 18:03
To: Licensing Shared Email [REDACTED]
Subject: Application: 27 St George's Road - By the Beach

Dear Sir/Madam,

I object to the proposed licensing application for By the Beach.

Portsmouth has too many licensed premises and although many have closed in Eastney over the last few years so we definitely do not need a new one.

A license should not be given to a new premises in a residential area, particularly a terrace. I cannot understand the off sales application which I also object to.

Due to the closeness of nearby properties any noise produced by people in the garden, especially towards the end of the evening, will be a particular nuisance to neighbours with small children. This noise will continue until well after 11pm while people finish their drinks and make their departures.

Yours sincerely,

Sabrina Gray

Sent from my Galaxy

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 04 June 2021 15:36
To: Stone, Derek
Cc: Robson, Debra
Subject: FW: Ref By The Beach 27 St George's Road PO49QU

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

From: Phil Hammond [REDACTED]
Sent: 04 June 2021 15:09
To: Licensing Shared Email [REDACTED]
Subject: Ref By The Beach 27 St George's Road PO49QU

Dear Sir

I wish to register my objection to the proposed application to grant a licence to serve alcohol at the above premises for consumption both in and outside 7 days a week between the hours 10 am to 23 pm. I live opposite this property at 15 Marine Court and believe it would impact on the peaceful enjoyment of my home and garden and also feel that such a development is not suitable in such a totally residential area.

Yours Sincerely
P Hammond

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APPENDIX C

Stone, Derek

From: Robson, Debra
Sent: 03 June 2021 07:53
To: Stone, Derek
Subject: FW: Comments for Licensing Application 21/01865/LAPREM

On line rep

From: NoReply@[REDACTED]
Sent: 02 June 2021 20:38
To: Licensing Shared Email [REDACTED]
Subject: Comments for Licensing Application 21/01865/LAPREM

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 8:35 PM on 02 Jun 2021 from Mr Laurence Higgins.

Application Summary

Address: 27 St Georges Road Southsea PO4 9QS
Proposal: Premises Licence
Case Officer: No case officer assigned
[Click for further information](#)

Customer Details

Name: Mr Laurence Higgins
Email: [REDACTED]
Address: 8 Selsey Avenue, Southsea, Portsmouth City Council PO4 9QL

Comments Details

Commenter Type: Neighbour
Stance: Customer objects to the Licensing Application
Reasons for comment:
Comments: 8:35 PM on 02 Jun 2021

I am unaware of the actual type of business By the Beach is trying to create, whether it is a small Public House, with or without Off-licence facility, a bistro style eatery, or just a restaurant.

I would therefore like to make an objection to the above application.

I accept By the Beach may be a well run organisation and one which would attempt to keep any disruption to the minimum. However the granting of an alcohol licence could move to any new owner, if the business was sold, and they may not be so socially minded.

The location of a cafe/public house which also acts as an off-licence could cause many problems.

These include :-

Alcohol being taken to the beach with all the associated problems of litter, broken bottles, drunken behaviour of rowdiness increased noise and lack of respect to other beach users .

If intoxicated individuals congregated on the beach the lack of respect to the unique flora of Southsea's shingle beach would soon become apparent by the destruction of this distinctive habitat.

Increased alcohol tends to lead to the reduction of inhibitions and Selsey Avenue and other nearby streets, where many customers would park, could easily become the target of increased burglaries and vandalism.

The recent car parking restrictions which the Council have implemented would in the evenings become less effective as visitors staying for evening drink/meal would occupy many parking places.

Primarily this area is residential, the previous business was Christian Carls Cakes, which attracted a specialist customer base and had little affect to the neighbourhood.

I do feel people have a right to enjoy a peaceful environment and the neighbourhood would be adversely affected if an alcohol licence was to be issued.

If however the committee is mindful to grant an alcohol licence may I request that any off-licence sales should be prohibited. I do dread to think that a quiet part of Southsea's beach should be compromised.

APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 04 June 2021 09:26
To: Robson, Debra
Cc: Stone, Derek
Subject: FW: Premises By The Beach

From: Licensing Shared Email [REDACTED]
Sent: 03 June 2021 20:48
To: Robson, Debra [REDACTED]
Subject: FW: Premises By The Beach

From: Chris Hornsey [REDACTED]
Sent: 03 June 2021 18:57
To: Licensing Shared Email [REDACTED] >
Subject: Premises By The Beach

I have received notification that "By the Beach" is requesting a licence to sell alcohol at its present premises Cake shop Carl Christian Cake.

As a local resident, I am extremely concerned about this in our neighbourhood. We already have what seems to be a very successful Public House that provides eating and alcohol on the corner of St Georges Road, just a stones throw from this "By the Beach "and therefore I honestly believe that another in such close proximity entirely unnecessary. Also the fact that alcohol can be bought to take away to our nearby beach does not seem a good idea. Alcohol does not seem to bring out the best in the younger population and I can only imagine with dread the outcome to our local neighbourhood with parties etc.

I am not being narrow-minded but I would hope that this application is turned down especially as I can only assume that the people who live alongside these premises will make objections. Very difficult to sell a property next door to a "Cake Shop" that now wants to be a public house.

Mavis Hornsey

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 07 June 2021 08:42
To: Stone, Derek
Cc: Robson, Debra
Subject: FW: By the Beach

From: Pat Huxtable [REDACTED]
Sent: 06 June 2021 20:14
To: Licensing Shared Email [REDACTED]
Subject: By the Beach

I object to the granting of a Licence to By the Beach at 27 St Georges Road Southsea P04 9QS

An alcohol licence has been requested to sell alcohol from 10-00hrs - 23-00hrs, Monday to Sunday.

The premises have requested that they can also sell alcohol from the premises, much like an 'Off licence'.

I note that operating hours will be from 08-00hrs - 17-00hrs, with the possibility of themed evenings from 19-00hrs til 23-00hrs, up to seven nights a week.

I note that there will be outside seating space.

My objections are as follows:

- 1 This is classed as a 'Residential area' on a major road too and from the sea front.
- 2 What impact might this have on what is a fairly new parking permit area?
- 3 The opening hours, as listed above, would cause unacceptable noise in this 'Residential area'
- 4 The smell of cooking would be a nuisance to the immediate neighbours.
- 5 What provisions will be in place to cope with 'dry' waste and 'drain' waste in an area not designed to cope with non domestic use?

There are specific areas in Southsea, 'awash' with all forms of eateries with licenses. I cannot understand how anyone would think that this 'Residential area' would be the place to put an establishment such as this.

I hope that our Ward Councillors and other Councillors on the Licensing Committee will look at this application and carefully consider the impact that this could have on this quiet corner of Southsea.

Pat Huxtable Mrs

9 Nettlestone Road

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 09 June 2021 08:07
To: Robson, Debra
Cc: Stone, Derek
Subject: FW: BY THE BEACH, 27 ST GEORGE'S ROAD, SOUTHSEA PO4 9QS

From: MASON G [REDACTED]
Sent: 08 June 2021 16:37
To: Licensing Shared Email [REDACTED]
Subject: BY THE BEACH, 27 ST GEORGE'S ROAD, SOUTHSEA PO4 9QS

I would like to express my concern reference the Application for the Grant of a Premises Licence for the above mentioned Cafe.

My primary concerns are:

The sale of alcohol from 10.00 - 23.00 hrs is an excessive amount of time for a Cafe to be selling alcohol. I do not know of any similar situation locally where a licence has been granted in such close proximity to residential property. Living in Marine Court I personally will be affected by noise (slamming of car doors and loud behaviour etc late at night) both at the bottom of my garden and the front of the house with customers parking.

Also the sale of alcohol for consumption off the premises during during this time span is bound to attract a certain element of people who have drinking problems, also encourage unsociable behaviour, unpleasantness, rubbish and the potential for general disorder and crime.

Clair Mason

6 Marine Court

Southsea, PO4 9QU

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APPENDIX C

Stone, Derek

From: Lorna Mein [REDACTED]
Sent: 28 May 2021 16:42
To: Licensing Shared Email
Subject: By the Beach license application - objection

To the Licensing Manager,

I'm writing in reference to the alcohol license application for By the Beach (previously Carl Christian Cakes), and to register my objection.

I moved into this area two years ago from a much livelier part of town – specifically because this is a quiet, residential area. I'm really upset at the prospect of having a late-night venue a couple of doors away, with all the possible noise and disruption that people drinking alcohol until late in the evening brings. A licensed venue, attached to houses, feels incredibly out of keeping with the area, and is not a beneficial addition to the neighbourhood. The proposed café backs onto a square of gardens, many of which belong to families, so having a licensed venue in the middle of that is entirely inappropriate.

Specifically, I'm concerned about:

- Noise from customers consuming alcohol in the back garden, front courtyard, and balcony areas. Although late-night noise is obviously the real dread (particularly as I have school-age children) I would like to avoid any additional alcohol-related noise in this residential neighbourhood. One of my children has anxiety and a background noise of shouting and swearing (as is often the case in places that serve alcohol) would be detrimental to his mental wellbeing in particular.
- The possibility of live music adding to the noise and encouraging a different demographic of customer which would be more likely to create a public nuisance.
- People coming off the beach looking for takeaway alcohol, noisily congregating around the front of the café and creating a public nuisance.
- People on the beach having increased access to alcohol and potentially making poor decisions around water safety.
- The public nuisance of drunk people leaving the café at any time, but particularly late at night.

I look forward to hearing more about this in due course.

Best wishes,

Lorna Mein

2 Eastern Terrace, PO4 9QR

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APPENDIX C

Comments for Licensing Application 21/01865/LAPREM

Application Summary

Application Number: 21/01865/LAPREM

Address: 27 St Georges Road Southsea PO4 9QS

Proposal: Premises Licence

Case Officer: null

Customer Details

Name: Mr Alexander Michou

Address: 12, Selsey Avenue, Southsea P04 9QL

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 12:53 PM on 30 May 2021 I would like to object to the application for an alcohol licence from By The Beach, 27 St Georges Road, Southsea, on the basis that it is likely to attract crime and disorder in the form of alcohol related anti-social behaviour in a residential area and their business activity is likely to contribute to public nuisance.

The premises, 27 St Georges Road, is surrounded by residential properties and as such the council has a duty to protect residents, and their children, from alcohol related antisocial behaviour/offending and/or excessive noise (public nuisance) that alcohol fuelled themed events until 2300, Mon - Sun, is likely to attract.

Additionally, the application uses the description of the business as a café, however the request to allow the business to sell alcohol on and off the property from 1000 to 2300, Mon - Sun, is effectively the equivalent of a Public House and Off Licence. Both of which I would strongly object to.

In light of the above, I must strongly object to granting of an alcohol licence.

I would support the council granting an alcohol licence were it limited to alcohol only being served with a food, akin to a café/restaurant (which is what the applicant claims the business is) and that alcohol may only be consumed on the premises. Along with this I would request the council limit the hours that alcohol may be served in order that noise generated from their business activities does not affect residents' right to "peaceful enjoyment of their property", which in most cases are family homes.

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APPENDIX C

22 Marine Ct.
Southsea
PO4 9QU

Dear Sir,

We would like to object to granting of a licence to sell alcohol at 'By the Beach' Cafe, 27 St. Georges Rd. Southsea.

We do not think it would be desirable the consumption of alcohol on the forecourt cafe, which would inevitably spill onto the pavement, where they would in conflict with the large footfall on pavement en route to the beach.

Also with the extra noise and need for car parking, would not be desirable with the residential area to the cafe is situated.

Yours Sincerely



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APPENDIX C

Stone, Derek

From: Enwezor Nzegwu [REDACTED]
Sent: 28 May 2021 21:14
To: Licensing Shared Email
Subject: Re: By the beach cafe/bar

Hello
My postal address is 59 Festing Grove, Southsea, Po4 9qb

Thanks

Sent from my iPhone

On 28 May 2021, at 19:50, Licensing Shared Email [REDACTED] wrote:

Good evening

In order for your representation to be accepted as valid can I have your full postal address.

Thank you

Regards

Debbie Robson

Senior Licensing Officer

Directorate of Culture, Leisure and Regulatory Services

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth

PO1 2AL



<image002.png>

From: Enwezor Nzegwu [REDACTED]
Sent: 28 May 2021 17:20
To: Licensing Shared Email [REDACTED]
Subject: By the beach cafe/bar

Hi

As a nearby resident, I would like to register my opposition to the granting of this licensing application.

The area is very residential with many families who will not want to be disturbed by evening revellers. I have no issue with late night openings for bars but not in residential areas. There is already the Eastern Tavern round the corner so no need to add another.

Regards

Enwezor Nzegwu

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APPENDIX C

Stone, Derek

From: Chris [REDACTED]
Sent: 01 June 2021 10:56
To: Robson, Debra
Subject: Re: Ref 21/01865/LAPREM

Certainly

18 marine court
Southsea
Po4 9qu

On Tue, 1 Jun 2021 at 10:21, Robson, Debra [REDACTED] wrote:

Hi Chris

In order for your representation to be accepted as valid can I have your full postal address.

Thanks

Debbie Robson

Senior Licensing Officer

From: Chris [REDACTED]
Sent: 01 June 2021 09:55
To: Licensing Shared Email [REDACTED]
Subject: Ref 21/01865/LAPREM

Good morning,

I understand an application has been made by the future proprietors of 'By the Beach' at 27 St George Road, PO4 9QS.

As a nearby resident I am writing to contest the licensing application. This is a heavily residential area which already has almost a pub or off-licences on most corners of the nearby terraced roads (a few hundred metres away).

My principal concern is for the noise such a premises would generate, particularly up to 2300 at night 7 days a week, as per its application. That fuelled by licensing alcohol on and off the premise is not fitting with the highly residential area. I would contest that the addition on another licences premise in the area, and its adjacency to the seafront is contrary to the welcoming, family vibe the seafront at this end of the esplanade has.

Finally, judging by the litter we see daily along the seafront and beach, particular empty alcohol cans and bottles, this would compound that issue for the council and locals to clean up.

I am not against the cafe, I am only against the licensing of alcohol on (due to the long opening times into the evening) and off (due to anti-social behaviour including litter) the premise. This is a highly residential area where we elected to live in relative peace and quiet away from late night bars/'cafes'.

Kind regards

Chris O

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APPENDIX C

Stone, Derek

From: JANET RAFIQ [REDACTED]
Sent: 31 May 2021 14:24
To: Licensing Shared Email
Subject: Application to sell alcohol- at 27 St.George's Road, Southsea

Dear Sir/ Madam,

Having been informed of this application by our neighbours, and the sign in the premises window, we would like to object to this application. We feel that the selling and/ or consuming of alcohol at this location is completely inappropriate, and not in keeping with this quiet residential area. It would inevitably lead to increased noise disturbance and anti-social behaviour associated with people consuming alcohol.

Yours sincerely,

Mrs. J.Rafiq
125 Festing Grove
Southsea

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 09 June 2021 08:05
To: Robson, Debra
Cc: Stone, Derek
Subject: FW: Licensing Application: By The Beach

From: Dave Russell [REDACTED]
Sent: 08 June 2021 21:51
To: Licensing Shared Email [REDACTED]
Subject: Licensing Application: By The Beach

Dear Licensing Officer

We live at 19 Marine Court, Southsea, PO4 9QU and wish to object to the application which has been made for an all-day and evening alcoholic premises licence for this business.

We are especially concerned by the prospect of these premises becoming a drinking establishment which could be open to 11pm every day of the week. In particular, we are fearful of noise coming from inside and outside the proposed cafe bar. The threat of noise coming from customers drinking outside the premises is most worrying and could well constitute a significant nuisance for residents living close to and around the proposed establishment. We are aware the applicants have indicated that evening opening will be quite limited in frequency but it is difficult to accept this assurance when the licence applicant is seeking such extensive, daily late night opening hours. Our fear is that over a period of time, evening drinking, both inside and outside the premises, will inevitably increase along with the nuisance factor.

In our view, the location of these premises is highly unsuitable for a cafe bar serving drinks in the evening. This is clearly a residential area, where the proposed premises would closely adjoin a significant number of private houses with many other houses located very nearby. Granting a licence for the hours requested would be, in our view, totally inappropriate in such a residential setting.

Yours sincerely

Dave Russell & Jane Reed

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 04 June 2021 09:26
To: Robson, Debra
Cc: Stone, Derek
Subject: FW: Application by: By the Beach, 27 St George's Road, Southsea, PO4 9QS

From: Licensing Shared Email [REDACTED]
Sent: 03 June 2021 20:49
To: Robson, Debra [REDACTED]
Subject: FW: Application by: By the Beach, 27 St George's Road, Southsea, PO4 9QS

From: smithpatrick [REDACTED]
Sent: 03 June 2021 18:17
To: Licensing Shared Email <[REDACTED]>
Subject: Application by: By the Beach, 27 St George's Road, Southsea, PO4 9QS

I am unable to enter comments using the website, having tried from mutiple devices so I am emailing instead.

I am concerned that the licensing request for 27 St George's Road will lead to late night noise and disturbance in this quiet, family area.

The rear of the premises are entirely surrounded by residential gardens where problems of noise and disturbance are very rare; any noise from a bar will be very penetrating and would be a nuisance to local families. I am particularly concerned that there will be late night noise from the rear and front gardens of the property.

Regards,

Patrick Smith
[REDACTED]

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APPENDIX C

Stone, Derek

From: Susan Smith [REDACTED]
Sent: 08 June 2021 09:23
To: Stone, Derek
Subject: Re: Licensing application - By The Beach, 27 St. George's Road, Southsea, PO4 9QS

Derek,

Thank you for your note. Please find below:

29 Selsey Avenue
Southsea
Hampshire
PO49QL

Regards,

Susan Smith

> On 8 Jun 2021, at 07:39, Stone, Derek [REDACTED] wrote:
>
> Dear Susan
>
> For your representation to be valid I require your full postal address and postcode please.
>
> Kind regards
>
> Derek
> Derek Stone
> Principal Licensing Officer
>
>

> -----Original Message-----

> From: Susan Smith [REDACTED]
> Sent: 07 June 2021 22:51
> To: Licensing Shared Email [REDACTED]
> Subject: Licensing application - By The Beach, 27 St. George's Road, Southsea, PO4 9QS
>

> Dear sirs,

>
> I am writing with reference to the above license application and would like to object for the following reasons:

>
> - The area surrounding the premises is highly residential and mainly occupied by families or the elderly, both of which would be negatively impacted by a cafe bar selling alcohol late into the evenings.

>
> - The noise disturbance by people both on the premises and whilst arriving/leaving would cause a public nuisance. The area in and around the premises is so quiet and peaceful, to risk losing this is very disappointing.

>
> - The risk of alcohol related crime and disorder would be raised which we all know is something Southsea and Portsmouth has had its fair share of recently.
>
> I would appreciate it if you could take my concerns into account when considering your decision. You would be more than welcome to come and visit my property and sit in the garden to understand how peaceful and quiet it is around here for everyone.
>
> Kind regards,
>
> Susan Smith
>
> Sent from my iPad
>
> _____
>
> 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.
>
> _____
>
> Portsmouth City Council have made changes to better protect our data and that of our residents, customers, and partners. As a result of this, you will no longer see 'secure' as part of council email addresses when we send sensitive personal information.
>
> _____

APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 04 June 2021 11:21
To: Robson, Debra
Cc: Stone, Derek
Subject: FW: License Application for "By The Beach", St George's Road, Southsea

From: john [REDACTED]
Sent: 04 June 2021 11:18
To: Licensing Shared Email [REDACTED]
Subject: License Application for "By The Beach", St George's Road, Southsea

Dear Sir/Madam,

I would like to object to the proposed license for a new café at premises formerly occupied by Carl Christian Cakes in St George's Road, Southsea.

This is a very quiet residential area and I am particularly concerned by the proposal that alcohol may be sold at the proposed café for consumption on the premises and taken away for consumption elsewhere. If approved, I believe this will increase the prospect of alcohol-fuelled, raucous behaviour in the vicinity, causing public nuisance in neighbouring streets in the form of noise, beer cans being thrown into gardens, urination in the street and damage to property. We all know that gratuitous damage, vandalism and violence is now part of every-day life and I would encourage the licensing authority to avoid creating circumstances likely to foster such behaviour.

John Stainer
20 Selsey Avenue
Southsea
PO49QL

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[REDACTED]

Stone, Derek

From: Robson, Debra
Sent: 02 June 2021 08:51
To: Robson, Debra
Subject: FW: Representations against Application st georges road

From: Sophie Stevens [REDACTED]
Sent: 28 May 2021 15:05
To: Licensing Shared Email [REDACTED]
Subject: Representations against Application

Dear Sirs

I refer to the application for grant of a premises licence under the Licensing Act made by "By the Beach, Southsea" in respect of the premises at 27, St George's Road.

Please lodge this email as strong representation that the application should not be granted. There are a number of reasons for this objection as follows:

1. This is a residential area with many family homes. If this application is granted it will be the nearest venue to the beach where alcohol can be bought and consumed. The hours proposed are all day every day of the week. As family homes there are young children who will wish to be asleep early and inevitably the noise from a venue selling alcohol will impinge on this. 11pm every night is unacceptably late for children and workers alike.
2. The rear and front of the premises directly back on to residential property. We bought this property 7 years ago. We have a south facing garden and it is extremely quiet and peaceful. The rear of St George's Road backs onto our side of gardens. The noise emanating from the property would have a detrimental effect on our wellbeing and enjoyment not to mention the impact it would have on the price and value of our property.
3. It is highly likely that if this premises sold alcohol the street itself and the surrounding area would experience an increase in antisocial behaviour. This inevitably follows with an increase in thefts, fighting, noise nuisance, criminal damage and litter and public nuisance.
4. There is a well-established licenced premises nearby at the Eastney Tavern. Another venue is not required.

I trust that all the above is taken into careful consideration when considering this application. I would be happy to discuss further if required. My mobile number is [REDACTED]

Many thanks

Sophie Stevens

Sophie Stevens
116 Festing Grove
Portsmouth
PO4 9QF

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APPENDIX C

Stone, Derek

From: Robson, Debra
Sent: 02 June 2021 12:26
To: Stone, Derek
Subject: FW: Application for sale of Alchohol at 27 St George's Rd , Southsea.

From: Licensing Shared Email [REDACTED]
Sent: 02 June 2021 11:33
To: Robson, Debra [REDACTED]
Subject: FW: Application for sale of Alchohol at 27 St George's Rd , Southsea.

From: [john](#) [REDACTED]
Sent: 02 June 2021 11:20
To: Licensing Shared Email [REDACTED]
Subject: Application for sale of Alchohol at 27 St George's Rd , Southsea.

Dear Sir /Madam,

I wish to object to the granting of an Alchohol License to the proposed Cafe at 27 St George's Rd

I have no objection to the sale of food however this is a residential area and obviously drinking in and outside the premises would have an adverse effect in regards to noise and behavior.

There are plenty of areas close by that depend on the hospitality sector that are suffering due to the current situation and are struggling to survive.

To grant an Alchohol license would possibly take trade and cause the demise of existing established businesses.

Kind regards

John Sumpner
9 Marine Court
Southsea

[REDACTED]

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 07 June 2021 08:39
To: Stone, Derek
Cc: Robson, Debra
Subject: FW: On the beach license applixation

From: Andrew Wharton [REDACTED]
Sent: 06 June 2021 17:31
To: Licensing Shared Email [REDACTED]
Subject: On the beach license applixation

Hi.

I would like to object to the application for an alcohol license for this premises. This will create issues if approved, especially with the late night hours proposed. Why is this needed ? This will cause issues for all local residents and create unwanted noise. There are plenty of other shops/pubs nearby selling alcohol away from homes.

Thanks
Andrew wharton
[34 Nettlecombe avenue](#). Po40qw.

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APPENDIX C

Stone, Derek

From: Robson, Debra
Sent: 02 June 2021 12:23
To: Stone, Derek
Subject: FW: Application for "By the beach", Southsea

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

From: zoe white [REDACTED]
Sent: 01 June 2021 18:52
To: Licensing Shared Email [REDACTED]
Subject: Application for "By the beach", Southsea

Good evening,

I am writing with regard to the planned transformation of Carl Christians Cakes shop on St George's Road, into an all day cafe with alcohol licence.

I object strongly to this application on many grounds.

Firstly the area the shop is located in is in a busy residential area, in close proximity to houses and gardens. The potential noise generated from such a cafe could be tremendous, especially as the planned licence is to sell alcohol on and off the premises. In a residential area with many families with young children and elderly retired people, this could potentially cause anti social behaviour, increased noise levels at all times of the day 7 days a week and an increase in traffic. The road is quiet busy most of the day and extra cars and road traffic would cause even more chaos to this area, with a necessary increase to the work load of the traffic wardens to ensure that parking rules and regulations are not being violated.

Secondly the potential for rubbish being generated from the cafe as people leave with their alcohol will increase. We already have litter and smashed bottles along our seafront and more will not only cause harm to people and animals but will also increase the work load of the council who will need to clean this up, generating more work and more expenditure for the council.

Thirdly, the concern we have as residents that the increase in people leaving the cafe at all times of the day having been drinking and with extra drink in hand could cause all sorts of extra noise, antisocial behaviour and crime. There are countless places to buy alcohol , food and many cafes in the surrounding area already. We understand that the new owners are probably wanting to do some something different by making it a cafe with alcohol on and off the premises, but this is absolutely not the right area for it and it would cause a lot of undue stress to both residents and the already stretched emergency services.

I have no objection to a cafe being created, selling food and drinks, but not to an all day cafe selling alcohol and being used as a cash and carry.

I chose to live in this area as we felt it was a safe and welcoming environment to bring up our young child and to welcome our new baby later this year. I would be shocked and angered if this licence was to be permitted and feel that the council should come and investigate the area and the impact it will have before granting it.

I hope to hear from you soon,
Zoe White

18 Marine Court, Southsea, PO4 9QU

Sent from my iPad

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APPENDIX C

Stone, Derek

From: Licensing Shared Email
Sent: 08 June 2021 09:40
To: Robson, Debra
Cc: Stone, Derek
Subject: FW: Application for Premises Licence AT THE BEACH, 27 ST GEORGE'S ROAD, SOUTHSEA

From: jillywhitehead [REDACTED]
Sent: 08 June 2021 09:21
To: Licensing Shared Email [REDACTED]
Subject: Application for Premises Licence AT THE BEACH, 27 ST GEORGE'S ROAD, SOUTHSEA

Dear Sirs

Re: AT THE BEACH - 27 St George's Road, Southsea PO4 9QS

We wish to register our representations to this application on the grounds that, as proposed, it undermines the licensing objectives of the Licensing Act 2003.

1. Public Nuisance

If granted, this proposal introduces a public nuisance in the form of noise in an exclusively residential area. The premises is permitted as a cafe. the true nature of the intended business is evidently considerably wider than this, as is revealed by this application for an alcohol licence with late operating hours to 23:00

Change of Use

Use of the outside area for the consumption of alcohol is a very significant and inappropriate change of use in this exclusively residential area. Two such other premises in this beach environment (10th Hole and Coffee Cup) do NOT have a premises licence. The 10th Hole's application was challenged and refused on essentially similar grounds.

2. Prevention of Crime and Disorder

The late night sale of alcohol for consumption off the premises, so close to the beach, will promote noise and a public nuisance in the form of anti-social behaviour and the potential for crime and disorder, environmental health issues, demands on the police, well beyond the proposed closing time of 23:00. For these reasons the proposed 'Off Licence' sales are an inappropriate use of the premises in this location. This element of the application is socially unacceptable and likely to give rise to further objection and action by residents against any future public disturbance.

3. Public Safety

St George's Road is a very busy road with dangerous corners and many junctions from neighbouring streets - a main artery in and out of the city, to the seafront and predominantly residential area of East Southsea. Use of the outside forecourt for the consumption of alcohol presents an increased risk to public safety from associated alcohol related incidents.

Objection:

To the granting of an alcohol licence for this premises.

The serving of any alcohol for consumption on or off the premises. 'Off Licence' sales

Yours faithfully

Jilly Whitehead

3 Marine Court, Southsea, PO4 9QU



APPENDIX C

I, Culver Rd.

Southsea, PO4 9QP

Dear Sir,

It has been brought to my attention that the owners of a cafe to be opened at 27, St. Georges Rd., Southsea PO4 9QS, have applied for an Alcohol Licence.

They intend to serve alcohol both on and off the property. The Application is for 7 days a week between the hours of 10a.m. and 11p.m.

The property is closely surrounded by houses and will cause noise and anti social behaviour for local residents.

There is a Public House on the corner of St. George's Rd. where those seeking alcohol are able to dine and drink.

I therefore strongly oppose the granting of an Alcohol Licence for the proposed cafe at 27 St. George's Rd.

Yours faithfully.

Mrs A. Wilson



29th May, 2021

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APPENDIX C

LICENSING MANAGER
MANAGING SERVICE
CIVIC OFFICES
GUILDHALL SQUARE
PORTSMOUTH
PO1 2AL
29-5-20-21.

Dear Sir,

Thank you for the opportunity to write my concern over the turning of 27, St Georges Road into a off-licence.

My first thought would be the word "Intolerable" to turn such a fine area of Peace loved by residents into a place of noise and anti social behaviour.

We pay high rates to reside so please let us do so in Peace in our home.

What about parking - ??? all ready a huge problem.

Thank you once again for the opportunity to write to you and for your consideration in reading and action

Yours Sincerely



MR & MRS A. WRIGHT
1 EASTERN TERRACE
ST GEORGES ROAD
SOUTHSEA
PO4 9AR,



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APPENDIX C

Stone, Derek

From: Young, Leona [REDACTED]
Sent: 09 June 2021 08:51
To: Stone, Derek
Subject: RE: 20210608 - By The Beach, Southsea, Application for a Licence

Derek

Thank you for your swift response, my details are as follows:

Mrs Leona Young
Top Floor Flat
4 Eastern Terrace
Saint Georges Road
Southsea
PORTSMOUTH
PO4 9QR

Thanks again.

Regards

Leona Young
[REDACTED]

From: Stone, Derek [REDACTED]
Sent: 09 June 2021 08:23
To: Young, Leona [REDACTED]
Subject: FW: 20210608 - By The Beach, Southsea, Application for a Licence

Dear Leona

Thank you for this representation.

In order for it to be valid can I please have your full address and Postcode.

Kind regards

Derek
Derek Stone
Principal Licensing Officer

From: Young, Leona [REDACTED]
Sent: 08 June 2021 19:51
To: Licensing Shared Email [REDACTED]
Subject: 20210608 - By The Beach, Southsea, Application for a Licence

Dear PCC

I am emailing you direct in respect to the recent application for a licence for 'By The Beach' 27 St Georges Road, Southsea, PO4 9QS. Along with many other residents I oppose this application, we have a beautiful neighbourhood which, if this application is approved will have a detrimental affect on us all. The persistent noise and possible anti-social behaviour will impact our everyday, the road is already exceptionally busy with people transporting to and from the beach which I have no issue with but 'By The Beach' has the potential to become exceptionally busy due to its unique location – there is already so much to offer on the seafront and it would be a shame to burden us a residence with a 7 day a week license. Please consider all options prior to agreeing to this request and please take into consideration this beautiful place that we we call home, we will be forever grateful.

Many thanks

Leona Young



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Portsmouth City Council have made changes to better protect our data and that of our residents, customers, and partners. As a result of this, you will no longer see 'secure' as part of council email addresses when we send sensitive personal information.

APPENDIX D

Re: By The Beach, 27 St. George's Road, Southsea

June 4th, 2021

Dear Neighbours,

Following on from reading the representations made by many of you to Portsmouth City Council regarding our application for a Premises License for our new business venture 'By The Beach' we want to take some time to introduce ourselves and our plans for the premises.

We moved into the lovely area of Eastney in December 2020, having lived in Portsmouth all of our lives.

We understand the area well, and we are now very proud residents of St. George's Road having bought our first house together, including the shop (previously Carl Christian Cakes) to embark on a new adventure together of owning our own business.

As residents ourselves, we are heavily invested in the area and have nothing but the utmost respect for our neighbours. The fact that we live above the café ensures we will be responsible operators as we have our neighbours interests firmly at heart.

The business is very much in its fledgling stages and currently we do not anticipate opening until the Summer of 2021. When Carl sold it to us he was overjoyed that this would become a café again as his parents owned the café on this site, creating what stands now, prior to him making his cakes from the shop. We have been greatly encouraged by our local neighbours and passers-by and have openly welcomed feedback over the past 3 months whilst starting work on the café.

We both work full time in other jobs (locally, in Teaching and the NHS) and this is very much our dream of opening a quiet, respectable licensed café where people can enjoy anything from a takeaway coffee or a light meal to an afternoon tea and enjoy with it a glass of wine or refreshing beer. Within the café we will also have a 'Deli' area where we want to sell local and other products and produce.

Our ambition for evening opening is on one or two evenings per month, to offer a Bistro style evening which would be, for example, an Italian themed dinner, or a cheese and wine tasting.

When applying for this premises license, we were advised by the Local Authority to apply for opening times until 11pm, 7 days per week, as this would save having to apply for Temporary Event Notices every time we wanted to open after 5pm for one of these evenings. Rest assured, it is not our intention to run events until 11pm every night, 7 days per week.

Also, due to being the owners of both the house and business only we have the authority regarding the license, it is not something that could be inherited by any other business, and indeed we have no intention of selling the business on which is under our home.

We hope that by explaining our intentions it may allay some of your valid and understandable concerns, and the only way in which we can do this is by writing this letter to you.

We have had many local passers-by who have spoken with us whilst we have been renovating and decorating, without exception all have been very supportive and enthusiastic about our plans. But we do understand that reading a notice in a window and, or reading the application, or hearing it by word of mouth from other residents may not explain fully enough what our hopes are for 'By The Beach' and therefore many of you have legitimate concerns.

In this note we will aim to address the main themes of the concerns expressed by you as local residents to the best of our ability.

Firstly, it is important for us to ensure you know that some of the concerns we are reading seem to have been borne from a gross misinterpretation of our premises application, so we would really appreciate the opportunity for you to hear it directly from ourselves, if you are not any of the neighbours we have had the fortune to meet so far.

We refer below to your main concerns:

- ***Use of the back of the premises - alluding to use of the garden and upstairs balcony which backs onto the houses of the roads surrounding: Selsey Avenue, Culver Road and Festing Grove.***

There are many representations from residents that state they have been 'informed', or 'have been told', that the garden at the back of the café and the balcony at the back of house on the first floor will be used as part of the café.

It has, and never will be part of the plans to utilise these spaces for customers to eat or drink. This is our home, and these areas will remain entirely for our use and are protected from all business activities.

The garden door and our own front door are marked on plans as additional emergency/fire exits only.

The hardstanding area at the front of the café will be used after so many local residents asked if we could consider utilising it as part of the café, as it was appealing to them to enjoy some outdoor seating in good weather.

We can confirm that these tables will only be used during the daytime opening hours, which will be from opening until 5pm at the latest.

- ***Indoor and outdoor music***

Throughout the day there will be background music played indoors via radio or iPod/similar.

On any evening events there will be similar background music played indoors via iPod/similar.

We are not anticipating having any live or loud music as part of our set up, or for any private hire events.

There has never been any intention of having outdoor music or entertainment.

- **Opening times**

Daytime opening: 8am (approx.) until 5pm (approx.)

Evening opening: 7pm - 11pm average twice per month

**please note we expect to open only at weekends and in school holidays initially*

- **Themed events**

As mentioned before, these are going to be few and far between.

1-2 times per month and will be, for example: Organised themed dinners such as Italian or Mexican, Gin or Wine tasting, Christmas events, Cheese and Wine evenings, Guest Chef, Customer participation evenings.

They will be well planned, well run and with an end time of 11pm and all guest numbers will be known and booked in advance of the event.

We may open to private hire such as small celebrations or meeting groups which will follow the same rules as themed events.

Risk Assessments will be in place for all public and private 'events or functions' to include the date, times and nature of the event, the assessment of risk and the measures put in place to address any identified risks will be recorded.

It goes without saying that at all times, day or night, customers will be asked, and reminded with signage, to leave quickly and quietly and showing respect to the surrounding neighbourhood.

- **Alcohol sales**

On site sales will be for customers to enjoy a drink in, or on the outdoor seating at the front of the café either with or without a purchase of food. We will offer varied drinks options, but we are by no means opening under the guise of an all-night bar.

As far as off sales are concerned we will be a responsible retailer and the type of sales intended are to customers who are local and wish to buy a bottle for a gift or for their evening from our 'Deli' area, or those who have purchased wine with their meal and wish to take home the unfinished bottle or to buy to take as part of a picnic to the beach. We will not be serving to groups of people that won't drink responsibly and it certainly will not be used as an off license or cash and carry.

In order to comply fully with the licensing agreement and with the support we have gained from the Hampshire Constabulary we have in place the following:

ID - challenge 25

As premises licence holders we shall ensure that a system is in place to ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises, shall produce acceptable means of identification and age confirmation to confirm they are 18 or over. Acceptable identification shall be a passport, photo driving licence, PASS accredited photo ID or Military ID. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

CCTV -

This system has been installed and recording at all times covering when licensable activity is taking place on the premises. This is of a standard acceptable to the local Police Licensing Dept. There are sufficient cameras to cover the primary customer areas which include the entrance and exit as well as the outdoor area. There will always be a staff member on duty that is able to competently operate the CCTV system and be able to provide footage when required by the Police or other responsible authorities.

Training and Policies -

We will ensure that a training package is in place for all staff involved with the sale or supply of alcohol, they will be sufficiently trained in licensing matters proportionate to their role and responsibilities. Particular attention will be paid to underage sales / ID verification and the refusal of alcohol sales to drunk persons.

To reassure you furthermore, there is guidance under the licensing act that states if at any stage following the grant of a premises licence we are not acting in accordance of the terms of the four licensing objectives, then any responsible authority, or any person, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with these objectives. We will also be sending copies of this letter to both the PCC and other authorities so we remain accountable for our proposed plans.

If, after reading this explanation you feel more reassured regarding our proposals for By The Beach and wish to withdraw your representation, then please contact licensing@portsmouthcc.gov.uk and the representation can be removed from the records before June 8th, 2021.

If, after reading this you feel you would like to register a **representation in support or concern** of our application please email to licensing@portsmouthcc.gov.uk before June 8th, 2021.

We would very much like to take the opportunity to invite you, as members of our local community, to join our first special event at the café!

We will host an 'NHS BIG TEA' to support NHS charities on the 'birthday' of the NHS

We hope to see you there from 5pm on July 5th

Many thanks for your time,

Lee and Lindsay

By The Beach, Southsea

By The Beach

Normal operating hours 0800 - 1700 and Themed Evenings from 1900 - 2300, up to 7 days a week

Dear Neighbour,

It is possible you have already received a leaflet on this matter already but on reviewing the licence request I felt it important to share my findings.

The former cake shop Carl Christian Cake is going to become, according to the owners, a 'cafe' named By The Beach.

The owners have requested a licence to sell alcohol on the premises from Portsmouth City Council (PCC). Part 3 of the request, The Operating Schedule, shows very clearly the intent of the owners.

Key facts:

1. An alcohol licence has been requested to sell alcohol from 1000-2300, Monday to Sunday.
2. It has been requested that alcohol may be sold and consumed on the premises and sold and taken away from the premises to be consumed elsewhere.
3. Normal operating hours 0800-1:00 approximately, and themed evenings from 1900-2300, up to 7 days a week.
4. Outside seating space has also been detailed as part of the business plan.

Would such a business impact on the peaceful enjoyment of your family homes?

I respectfully ask you to consider whether this is something you want in our community and to take a few minutes to respond to the application.

Any response should be clear as to whether you Object or Support the application and all responses must be received by PCC prior to 8 Jun 21.

Objections or Support can be made either online, through the PCC website, or by emailing licensing@portsmouthcc.gov.uk

The GOV.UK Website explains if you wish to comment it should be serious (ie not trivial) and relate to either:

- the prevention of crime and disorder. (Such as alcohol related crime/offending and antisocial behaviour)
- the prevention of public nuisance. (This can be noise and smells as well as any act or omission which endangers life, health, property of the public and exercise enjoyment of common rights)
- the protection of children from harm.
- public safety.

It is also possible to object to part of an application and ask PCC to consider restrictions.

Address: By The Beach, 27 St Georges Road, Southsea, P04 9OS

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LICENSING ACT 2003

NOTICE OF APPLICATION FOR THE GRANT/VARIATION* OF A PREMISES LICENCE

IT IS HEREBY GIVEN that an application has been made to the licensing authority of Portsmouth for the grant/~~variation~~* of a premises licence under the Licensing Act 2003. Details of the application are as follows:

of Applicant: BY THE BEACH, SOUTHSEA

Address of premises (or if no postal address, description of location and extent of the premises):

27, ST GEORGE'S ROAD
SOUTHSEA
PO4 9QS

Describe briefly below either the licensable activities that will be carried on or from the above premises or the nature of the proposed variation to those current activities:

(Note: please also include details of days and times of proposed licensable activities)

MONDAY - SUNDAY 10 00 - 23 00

SALE OF ALCOHOL FOR CONSUMPTION ON AND OFF SITE PREMISES

A copy of the statutory register may be inspected during normal office hours at the address shown below or online at www.portsmouth.gov.uk.

Any responsible authority, or any other person wishing to make representations on this matter must submit those representations in writing to the Licensing Manager, Licensing Service, Civic Offices, Guildhall Square, Portsmouth, PO1 2AL by no later than JUNE 30, 2021.

*Written representations may also be made by email to: Licensing@portsmouthcc.gov.uk

Please note that it is an offence knowingly or recklessly to make a false statement in connection with an application and, on summary conviction for the offence, a person is liable to a fine of any amount.

Signed: [REDACTED]

Dated: 12 05 2021

THE APPLICANT OR LICENCE HOLDER WILL BE NOTIFIED OF ANY REPRESENTATIONS MADE TO THE LICENSING AUTHORITY IN RESPECT OF A LICENSING APPLICATION. NAMES AND ADDRESSES OF REPRESENTEES WILL BE DISCLOSED AND MADE PUBLIC EXCEPT IN EXCEPTIONAL CIRCUMSTANCES.

BY VIRTUE OF THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985, ALL LETTERS OF REPRESENTATION ARE AVAILABLE FOR PUBLIC INSPECTION. THEY WILL ALSO BE DISPLAYED ON THE COUNCIL'S WEBSITE.

*Delete as appropriate

Dear Neighbour,

You may have seen that the premises where Carl Christian cakes was has/is in the process of being transformed into a cafe. The new owners have applied for an alcohol licence for consumption both on and off the property. The application is for 7 days a week between the hours of 10 am and 11pm. This will cause a major change to us as residents.

The persistent noise and anti-social behaviour from people drinking within the premises and on the forecourt/rear garden area until 11pm will have a significant impact on us all.

Operating as an 'off-licence' will attract congregations of people which will be unpleasant and increases the potential for crime and disorder in our area.

If you wish to object to this application then email or write to the Licensing Manager at PCC no later than 8th June with your reasons why.

Kind regards

Residents of Eastern Terrace.

APPENDIX F Front of premises and side fire exit



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APPENDIX F

**CCTV facing
North across
front of
premises**

Page 191



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APPENDIX F *Interior*



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APPENDIX F *Interior*

Page 195



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APPENDIX F

*Rear fire exit door
between Kitchen and
toilets*



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APPENDIX F *Kitchen /
Food Prep area*

Page 199



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APPENDIX F
*Rear fire door and Kitchen
door*

Page 201



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APPENDIX F

Rear fire exit door into garden

Page 203



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APPENDIX F *Extraction system*



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APPENDIX F

Car port secondary fire escape route

Page 207



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APPENDIX F Balcony view showing private rear garden area.

Page 209



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APPENDIX F Rear view facing North to Festing Grove



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APPENDIX F Rear view from balcony facing West to Culver Road

Page 213



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APPENDIX F Rear view from balcony South to Selsey Avenue

Page 215



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Search Google Maps

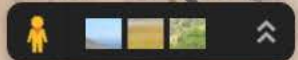


See travel times, traffic and nearby places

Sign in



Page 217



Brading Ave
Selsey Ave
Eastern Parade
A288

Nett

ubitricity
Charging Station

Selsey Ave

Culver Rd

Selsey Ave

Eastern Parade

Google

Festing Grove

St George's Rd

St George's Rd

Marine Ct

Marine Ct

Marine Ct

Southsea Beach Huts

Eastney Esplanade

Coffee Cup Eastney
Takeaway

St George's Rd

SIP Projects

Crinoline Gardens

The Eastney Tavern

Crompton

Clocktower Dr

Eastney Esplanade

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