

Appendix D

Stone, Derek

From: ALASTAIR RITCHIE [REDACTED]
Sent: 23 November 2018 19:56
To: Robson, Debra
Cc: [REDACTED]
Subject: OBJECTION : LICENCE APPLICATION LAPREM/5537

Dear Debra,

Further to our recent correspondence please find below my OBJECTION to the application to vary the above trading licence

My residence is on the corner of Western Parade and Kent Road, we directly overlook the external terrace to the Brewhouse and Kitchen accessed from the Southsea Terrace road. We are directly affected not only by the visual appearance of the proposal but by external lighting and noise generated from this property.

My OBJECTION refers to the fact that the existing White Horse Licence is only to be amended and all objections are made accordingly

PREVENTION OF CRIME AND DISORDER

The application states the current licence applies, in principle yes but actually this is not the case. The applicant is installing EXTERNAL HEATERS near or above proposed seating this completely removes the natural control to external use of all external areas by the climate, no longer will wind, rain, snow and temperature force patrons indoors. The neighbourhood will be subject to rowdy behavior by patrons late into the night, the "letter" of this licence allows the consumption of alcohol for a period of 18 hours daily with 19 hours on Fridays and Saturdays not only indoors but externally. It requires little imagination to consider the physical state of patrons after such lengthy periods of alcohol consumption, there will be shouting, arguments, bad behavior and fighting/scuffling. It is known that disorder escalates under such conditions thus late night drinking externally must be controlled not only for those combatting crime and disorder but the neighbourhood potentially subject to continuous partying 7 days a week 52 weeks a year. If uncontrolled the terms of this licence will cause disorder leading to crime.

PUBLIC SAFETY

The above objection continues into this category due to patrons being unable to control themselves due to the over consumption of alcohol. There is the possibility of passersbys being accosted, similarly women let alone taxi drivers once drinking stops. It is well known the affect of drinking and subsequent behavior up to 11 to 12 pm; to allow drinking by a further 2 hours after this time is totally irresponsible. Licence hours must be restricted as this Applicant is making every effort to ensure patrons may drink regardless of the weather by providing sheltered and heated external seating. This would be setting a precedent if approved and if there is no other similar facility nearby it is not unreasonable to consider that other "non-desirable" persons may be encouraged to continue their debauchery here. The potential is there and if allowed this neighbourhood would change from a residential area with public houses, who respect their neighbours, to a drinking "DIVE" and all that represents.

PREVENTION OF PUBLIC NUISANCE

Under the terms of this application there is no control of public nuisance, this will be determined by the Applicant. The current conditions allow external drinking, the playing of recorded or live music and any other form of entertainment externally until 01.00 or 02.00 am starting again at 07.00 am each and every day, everyone is allowed a 5 or 6 hour period for sleep each and every night. The applicant has made no declaration as to SEASONAL hours, but would not, as his application provides facilities to combat the possibility of the weather preventing the non-use of outdoor spaces. The Licensing Department must impose controls and opening hours to avoid public nuisance. The White Horse whilst in existence respected its neighbours and managed its operations, under the same operating hours, and ensured late night opening was controlled and stopped at a reasonable hour, plus such events were occasional not every night. The Samphire operates similarly thus the Brewhouse and Kitchen must be caused to follow these good neighbourly practices if not there will be drunk, raucous people returning home in the middle of the night keeping all this neighbourhood awake. The level of complaints will increase, best to control now. Additionally there is an external kitchen proposed generating its own particular form of noise, lighting and SMELL and under the current conditions can operate until 01.00 or 02.00 am each and every night unless restricted by the Licensing Department. All these forms of nuisance are to be controlled if not refused, why can cooking not be carried

out indoors where all controls as to smell can be controlled? The smell generated to provide food for all external patrons will be horrendous especially in this Smokeless Zone.

The Parade Tearooms is an exemplar as to how this neighbourhood wishes those providing leisure facilities to do so and how we battled to ensure the wishes of the neighbourhood were respected. This neighbourhood is within a Conservation Area and its character must be retained not destroyed by greedy uncaring commercial enterprises. It is fair to state that if unrestricted hours are provided, as currently defined, then the Applicant is free to operate them without recourse. It is the responsibility of the Licensing Department to ensure that the risk of any Public Nuisance never arise.

PROTECTION OF CHILDREN FROM HARM

It is understood the Licensing Department will control the operation of this new facility in that the risk arising of any harm to children will be minimised and removed, however such risk is to be contained not only within the property but outwith it. The movement of patrons leaving the premises at 01.00 and 02.00 am in the morning will not be a quiet process, it will be loud and disruptive, children will be awakened, their sleeping habits will be disrupted affecting them for the next day, under the terms of the current licence and as described above this will occur 7 days each and every week, year in and year out. Children's health will be affected thus causing them HARM, this must not be allowed to happen.

In conclusion Portsmouth City Council must control this development which has commenced unlawfully and the Licensing Department must restrict the operation of this establishment to protect all within this neighbourhood. The most practical way to do this is remove the heaters and all cooking to be undertaken indoors.

By way of reiteration it is confirmed this is a Conservation Area, it is a Smokeless Zone and Barbeques within this Area are banned, Portsmouth City Council are required to protect the many and not the few commercial enterprises who by their practices will destroy the very character of the area they wish to profit from.

Yours sincerely

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