

APPENDIX D

From: [Jon Wallsgrove](#)
To: [Stone, Derek](#)
Subject: RE: 373 London Road Application.
Date: 30 August 2022 12:30:51

Derek,

I would be grateful if you would send on the below email to the two objectors as I do not have their contact details. Thank you.

Dear Ms Smith and Councillor Simpson,

I am representing Aranan who has applied for a premises licence for his new shop in London Road. There have been no other objections to this application other than yours. The matter will now be listed before a licensing sub-committee for a hearing, unless you decide to withdraw your representation. My purpose in writing is to set out some of the key points I will be submitting to the Committee in the hope that on hearing those you may be persuaded to withdraw your objection and remove the necessity for that hearing; thus saving considerable time and cost for the Council. May I say at the outset if you would like to meet with myself and Aranan to discuss this more fully we would be happy to do so?

Aranan operates numerous convenience stores throughout the Portsmouth area all of which are licensed to sell alcohol, the majority until at least midnight. He has had shops in the area for more than a decade. He has an excellent working relationship with the police and he would like to reassure you that in selling alcohol until midnight at this location, it will not lead to any increase of issues of anti-social behaviour. That is a view which is supported by the police, as they have not objected to this application. Had there been a genuine risk of this occurring the police would, I am sure, have raised concerns. Aranan would like to reassure you that from his experience of owning other shops in similar residential areas across Portsmouth, that there will not be crowds of people gathering outside his shop. It is of course detrimental to his business if he allowed this as it would deter a number of people from visiting those premises to shop. There are other off licences in the vicinity and we do not believe they are experiencing issues of disorder, groups gathering outside, or being a nuisance in the local community. Had there been such issues I am sure you would have raised those in your letters.

The application as you know is for a licence to sell alcohol until midnight and that is the only matter on which the council will need to make a decision. The Committee cannot regulate whether this premises becomes a convenience store and neither can they regulate the opening hours of the store. Accordingly even if the licence is refused the premises will be a convenience store opening until midnight, or similarly if the Committee granted a licence to sell alcohol until 11pm it would still be open until midnight. Under section 182 of the Licensing Act the Secretary of State can issue guidance to Local Authorities which they must take into account. That guidance at paragraph 10.15 states that shops should normally be free to provide sales of alcohol for all the hours they open unless there is good reason based on the licensing objectives for restricting those hours. The guidance at Paragraph 9.12 also makes it clear that the Committee must give weight to the views given by responsible authorities who are considered "experts" in their respective fields. Given neither the police (crime and disorder) nor environmental health (Public nuisance, public safety) have objected the Committee in my respectful view should only be persuaded to depart from their views on the basis of substantial and credible evidence that the concerns you raise would actually arise.

I appreciate that sounds like a particularly daunting mountain to climb for you and that is exactly why the legislation provides for a review of the premises licence being sought by anybody at any time. This allows a light touch to be applied on the grant of a licence when it may not be certain given the evidence, what might happen as a result of a licence being granted. If the fears expressed in representations actually become a reality it is a very quick and simple process for the licence to be reconsidered, where various sanctions are available including reducing the hours and indeed revocation.

As I have said however, Aranan is a successful convenience store owner with decades of experience

of operating in the Portsmouth area. His staff we well trained and he works closely with the police to ensure his shops are an asset to the community.

I would be grateful if you would confirm whether on the basis of the above and knowing you could review the licence at any time you would be willing to withdraw your representation. Please reply to both Derek Stone and myself. Thank you for taking the time to read this email.

Kind Regards,

Jon

Jon Wallsgrove

Partner

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