

From: Helena Giudici
Sent: 29 Sep 2020 08:07:30 +0000
To: Emma Burle
Subject: FW: Woodies 20/01201/LAPRE

From: Robert Harris [REDACTED]
Sent: 28 September 2020 17:11
To: Helena Giudici
Cc: [REDACTED] m.bell@chichester.gov.uk; a.scicluna@chichester.gov.uk;
r.plowman@chichester.gov.uk
Subject: Woodies 20/01201/LAPRE

Dear Helena Giudici

I have referred to Chichester District Council's (hereafter CDC) web pages under the above reference.

I object to this application.

The applicant company is seeking a licence, unlimited by time, to permit activities of a nature and at a time and place which can have a serious detrimental effect on the standard of living of nearby residents. There should be no lack of transparency about who will be making and be accountable for the decisions determining the circumstances in which those activities take place.

The applicant is identified as Woodies Chichester Limited company number 11685286. Companies do not make decisions and, in the present circumstances, have almost no accountability. Company owners make operating decisions but, acting through a limited liability company, have no personal accountability. Woodies Chichester Limited is constituted by a single £1.00 share ownership of which was on 30th June 2020 transferred to Mr. Timothy Kelly who therefore has had from that date total control over what his company may lawfully do. Mr. Kelly's residential address has not been disclosed. The only means of communicating with Woodies Chichester Limited is by post to its registered office at PO Box 9349 Royal Mail Group Bloomsbury Bar and Grill Verwood Dorset BH24 9GF.

Bloomsbury Bar and Grill London Limited company number 11555232 has the same registered office address as Woodies Chichester Limited. Since 5th September 2019 Mr. Timothy Kelly has had significant control of this company by virtue of being its only active director and owning more than 75% of its shares. On 26th November 2019 the Registrar of Companies published in the Gazette notice that unless cause is shown to the contrary the company would be struck off the register and dissolved. Such action was discontinued for cause shown on 3rd December 2019. First accounts for this company made up to 30th September 2019 were due to be filed by 6th June 2020. As at 28th September 2020 the Companies House file is marked in red that these accounts are overdue.

None of the "Activities" listed should ever be permitted to continue later than 11.00 pm anywhere on the licensed premises. This restriction would bring the proposed premises licence

more into line with that operated by the nearby Nags Head public house thus reducing the prospect of the Nags Head applying to have their hours extended if the present application were granted as asked.

If “Opening Hours” means, firstly, the hour after which the public are permitted to enter the premises, and, secondly, the hour before which the public must have left the premises then the latter should be no later than 11.15 pm which allows ample time for any alcohol supplied before 11.00 pm to be consumed.

As currently with the Nags Head and previous iterations of Woodies premises licence conditions are often not complied with in practice. This includes the present applicant Timothy Kelly and his Designated Premises Supervisor as well as their predecessors in title. It is widely not understood how, in the real world, licensing conditions are enforced. Staff on duty at the premises are intimidating and rudely reject complaints. The Police will allocate a reference number but actually do nothing. CDC do not want to know and, of course, there is no one on duty at the times when breaches of conditions are taking place.

Licensing Act 2003

Section 4(2)(a) the prevention of crime and disorder

This objective is not likely to be achieved by facilitating the immoderate consumption of alcohol at all let alone extending into the early hours of the morning the time when it may be purchased.

Section 4(2)(b) public safety

Public safety is obviously at risk from the conduct of persons under the influence of alcohol due to their impaired judgement, disinhibition, aggression and belligerence.

Section 4(2)(c) the prevention of public nuisance

Historically activities at Woodies have given rise to noise nuisance in the form of (i) amplified live and recorded music being unconfined within the premises (ii) uninhibited shouting and singing by customers in the rear open air patio area and arriving and leaving (iii) slamming of car doors and valedictory sounding of car horns in the early hours of the morning in complete disregard for the nearby residents trying to get to and remain asleep. Deprivation or interruption of sleep is prejudicial to mental and physical health and wellbeing.

Nuisance is also created by Woodies customers depositing bottles and glasses on the ground beside their cars before driving off oblivious of the likelihood that this glassware will probably be smashed either accidentally or deliberately before CDC get round to clearing it away.

Further, the rear outside patio area attracts smokers who throw their cigarette ends into the CDC car park creating nuisance for the many pedestrians who walk along that part of the car park to access Church Square and the City beyond from its Eastern suburbs. Quite apart from which it is littering which CDC want to discourage.

Section 4(2)(d) the protection of children from harm

No child should be allowed into Woodies premises under any circumstances as they will be harmed by observing what adult customers are doing and, being highly impressionable they will think that becoming addicted to alcohol and other drugs is something expected of them because that is what “grown ups” do. Children are programmed to aspire to copy what they see their elders doing.

Section 5A cumulative impact assessments

Within 130 metres there are seven licensed premises viz. 1) India Gate 2) Woodies 3) Masala City 4) Lemongrass 5) Nags Head 6) Brasserie Blanc 7) Carluccios. In a residential area such a cumulative impact is detrimental to the rights and amenities of residents. The opportunity of refusing to issue any further licence to Woodies should not be missed. In this context it should be noted that of the seven licensed premises enumerated above only Woodies and Nags Head generate nuisance, disorder and anti-social behaviour affecting the quiet enjoyment by local residents of their properties.

Generally

The CDC Statement of Licensing Policy 2016-2021 emphasises that those industries promoting, tourism, leisure, entertainment and culture are crucial to the thriving of its district. There is nothing about Woodies application which is likely to attract anybody considering Chichester City as a destination they may wish to explore for any such purposes. Nor is it likely that with a difficult business to run in the London Borough of Camden and a Designated Premises Supervisor licensed in the London Borough of Southwark the applicant will be able to devote much priority to ensuring the unimpaired quality of life and wellbeing of the residents living in the CDC ordained Eastgate residential development.

Finally, it is assumed that CDC when engaged as a statutory Licensing Authority will, of its own motion, test any application for a licence against its own Statement of Licensing Policy and it is not necessary in representations to draw attention to the several relevant pieces of legislation which are set out in the policy statement affecting the conduct of licensees.

Yours faithfully

Robert Harris

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