

From: Email  
Sent: 23 Jun 2021 21:18:22 +0100  
To: David Knowles-Ley  
Subject: Re: 21/00301/LAPRE - The Community Hall, Donegall Avenue - Mediation for Outstanding Representations

Dear David,

Thank you for your time on the telephone this morning.

I do not accept the assurances given by the CCDT. Since 2016 my experience with this organisation is that they promise to do things but unfortunately their rhetoric does not translate into action.

The final point in their revised submission is simply not the case, their lease contains no reference to the sale of alcohol.

I am unwilling to withdraw my representation and I am content to attend a committee meeting on the issue. Beforehand I would be willing to meet with the CCDT in respect of mediation should they wish.

Yours sincerely,

Graham Parr

Sent from my iPad

On 18 Jun 2021, at 15:00, David Knowles-Ley <Dknowles-Ley@chichester.gov.uk> wrote:

Dear Mr Parr,

**Licensing Act 2003 – Section 17**

**Chichester Community Development Trust**

**The Community Hall Donegall Avenue Chichester West Sussex PO19 6DF**

**Case Reference Number: 21/00301/LAPRE**

**Premises Licence Application - Mediation**

Thank you for your email of the 28<sup>th</sup> May 2021 in response to the email from my colleague, Miss Helena Giudici, Licensing Assistant (Technical). The contents of your email have been duly noted.

I would respectfully stress that your email simply comments upon the additional information provided at the request of the applicant. Unfortunately you do not appear to have responded to us as to whether you are in agreement to a Premises Licence now being granted on the basis of the additional conditions that have been proposed by the applicant in order to promote the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm).

In addition to your representation, we received two others, the first from Sussex Police and the other from Mr Kenneth Jones. I can confirm that both Sussex Police and Mr Jones are in principle prepared to withdraw their representations on the basis of the additional conditions proposed by the applicant which were summarised by Miss Giudici in her email of the 25<sup>th</sup> May 2021.

It might also be helpful to know that under the Licensing Act 2003, there is the ability for any person to request a formal review of a Premises Licence by the Licensing Authority. This is where it is believed and supported by evidence, that a licensed premises is being operated in such a manner that the four licensing objectives are not being promoted. Upon reviewing a Premises Licence, the Licensing Authority may take whatever action it deems appropriate which can include removing a form of licensable activity, adding conditions, reducing licensed hours and even the complete revocation of an Premises Licence.

I am hopeful that perhaps your original concerns may have been alleviated by the additional conditions now being offered. With this in mind, I would ask that you please confirm whether you would be prepared to withdraw your representation in light of the additional conditions which have in principle been agreed with the other representors.

Please be aware that should you not be willing to withdraw your representation, then a meeting of the Alcohol and Entertainment Licensing Sub-committee will need to be convened at which the application will be considered and determined.

Naturally you would be a party to the hearing and would be able to address the sub-committee in order to assist them in determining the application.

It would be extremely helpful if you could please reply to this email as soon as possible and of course should you have any questions in relation to the above, please do not hesitate to contact me.

I look forward to hearing from you.

Yours sincerely,

**David Knowles-Ley**

<image001.gif> Licensing Manager  
Licensing Team  
Chichester District Council

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From: Email [REDACTED]

Sent: 28 May 2021 11:56

To: Helena Giudici

Subject: Re: 21/00301/LAPRE - The Community Hall, Donegall Avenue - Mediation for Outstanding Representations

Dear Helena Giudici,

Point 1

I view this as just the usual form of excuse from the CCDT which emanates from what I perceive to be a lack of concern for any possible sensitivities of local residents. They did not communicate let alone try to reassure. This is part of a pattern of not giving any thought to the concerns of local people.

Point 2

As above

Point 3

This statement is economical with the actuality. On many occasions we have been given assurances which have not been acted upon. We believe that the CCDT has breached our trust.

The sound proofing of the community hall is a long-standing problem which has not been solved despite a local architect giving his advice and guidance for free.

Additionally, even following a very strident letter from the chairman of the shadow Manco no action has been taken on safety bollards outside the hall.

Please note in point 3 the final sentence should read - "To other locations"

Point 6

Boxgrove and Lavant Halls are not situated in a block of flats. Indeed Lavant Hall is in no way close to residential properties.

Point 7

Once again we believe this point to be economical with the actuality.

The words - "Demonstrated continued restraint" - appears to imply a threat that things could have been much more of a problem and that we should be grateful for the CCDT restraining themselves.

The reference to freelance bar companies is extremely alarming and again as local residents something we were completely unaware of. The use of the words - "entitled to secure" - rather suggests that any complaints about inappropriate use of the local community hall by a commercial bar company would be fruitless.

Point 8

This has no bearing on the process of mediation but simply relates to the CCDT's commercial viability. It is worthy of note that the hall is leased at a peppercorn rent.

Point 9

Nowhere in the lease is there a reference to an entitlement to sell and serve alcohol. I believe that this statement could be open to legal challenge. (I could forward a copy of the lease to the committee if required)

Yours sincerely,

Graham Parr

Sent from my iPad

On 25 May 2021, at 15:37, Helena Giudici <hgiudici@chichester.gov.uk> wrote:

Dear Sir or Madam,

**Licensing Act 2003**

**Chichester Community Development Trust**

**The Community Hall Donegall Avenue Chichester West Sussex**

**PO19 6DF**

**Case Reference Number: 21/00301/LAPRE**

**Mediation**

Thank you for your recent correspondence in relation to the above new Premises Licence application.

Having carefully considered the representations that have been submitted in connection with their application, the applicant has consequently decided by way of mediation to offer amend the application, and has agreed a number of conditions with Sussex Police Licensing, as a statutory Responsible Authority under the Licensing Act 2003.

I have attached the representation from Sussex Police Licensing that the applicant has agreed to for all five applications made (including The Community Hall), and therefore if granted the Premises Licence would be subject to the conditions shown in blue on the attached document. However, since this time the applicant has offered additional measures for the Community Hall that go beyond some of the conditions initially agreed with Sussex Police, which I have outlined below:

- *No outside area is now being applied for/ alcohol will not be served on the terrace – all alcohol sales and consumption will take place indoors only.*
- *The applicant is applying for the retail sale of alcohol for consumption on the premises only.*
- *The license will not be extended to hirers of the Community Hall, but is solely for the use of CCDT at their own events held in the Hall, such as Fish & Chip quiz nights, Sunday lunch clubs and heritage talks, at which they may wish to serve alcohol.*

Therefore, the conditions agreed with Sussex Police regarding third party hirers and off sales will not be placed on any granted licence, and instead would include a condition prohibiting third parties from undertaking licensable activities at the premises and the licence would not permit off sales. All other conditions remain as agreed.

Having read and considered the contents of the representations, the applicant wished to confirm a number of additional points that I understand were raised at a meeting with the Roussillon Park Residents Association, which indeed you may have attended. I have provided below the information directly from the applicant. Please note that whilst a number of the points made below are not directly related to Licensing, the applicant wanted to ensure that all concerns are addressed.

- The reason the application was not more widely communicated to the RPRA and wider influencers was due to the fact that there will be no change of use, no increase in activity and the fact that this is simply formalising the paperwork on a long term basis to ensure the complete safeguarding and legality of all activities CCDT provide within the Community Hall and our other venues.
- The application is purely procedural, and does not reflect a planned change of use, or an intent to develop the scale or range of activities held in the hall.
- The wellbeing of local residents and those who live above the Hall have been; are; and will remain our key priority in the planning of classes and activities held in the Community Hall, always mindful of noise issues. Events that are anticipated to generate substantial noise will always be scheduled to other events.
- The act of applying for a permanent license is a matter of good housekeeping and good management, creating a greater sense of ownership of CCDT events and the license arrangements assigned to them.
- CCDT is able to apply for multiple TENS licenses (Temporary Events Licenses), and has done so to enable past events. This application for a permanent license allows us to provide a greater degree of safeguarding regarding the provision of alcohol at CCDT events, and is considered best practise by the relevant authorities. It encompasses the training of three staff members in the management of a license and as such will bring further skills to the team as to how to ensure the safe and lawful use of alcohol on the premises.

- We have consulted with other venues, such as Lavant and Boxgrove village Halls, with similar demographics and venues regarding their best practise and they have each secured permanent alcohol licenses in accordance with their relevant authorities recommendation.
- We have held the lease at the Community Hall for seven years and throughout that time have demonstrated continued restraint as to what events and activities are held within the venue, and will continue to do so. Where hirers choose to hire the Hall for their own events they are entitled to secure the services of freelance bar companies such as Bars4U, enabling them to serve alcohol under the bar's own personal license.
- For us to continue to manage the Community Hall we must be able to do so in a viable manner - it must be financially sustainable. That means for us to continue to provide services such as the locally requested Sunday Lunch Club we must be able to offer diners the opportunity to enjoy a drink with lunch, including a glass of wine, as it is otherwise not financially viable due to the loss of hiring income the event takes, with approximately 8 hours usage including set up, cooking, serving and clearing away.
- CCDT is entitled to sell alcohol and to serve it as part of our lease. The serving of alcohol at CCDT events is in no way in breach of our lease agreement.

We are encouraged that the applicant has considered all concerns raised, and has come up with proposals that they believe will result in the licensing objectives being adequately promoted. I would ask that having considered the three points above in red and agreed conditions with Sussex Police along with the contents of the original application, that you please confirm in writing by no later than Tuesday 1<sup>st</sup> June 2021, although an earlier response would be greatly appreciated, whether you are prepared to withdraw your representation. Please be aware that should it not be possible to resolve the matter by way of mediation, it will be necessary for the Licensing Authority to convene a hearing to which all parties would be invited. Please don't hesitate to contact me should you have any questions regarding the above.

Yours faithfully,

**Helena Giudici**

<image001.gif> Licensing Assistant (Technical)  
Licensing  
Chichester District Council

Ext: 34745 | Tel: 01243534745 | hgiudici@chichester.gov.uk | Fax: 01243776766  
<http://www.chichester.gov.uk>

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