

From:Tia Menecier

Sent:10 Jul 2017 14:37:57 +0100

Cc:piers.warne@TLTsolicitors.com;Laurence Foord

Bcc:

Subject:FW: 17/00717/LAPRE (LI)(P) - Proposed amendments to application - - Boston Tea Party, Chichester

Attachments:Resident pack BTP Chichester.pdf

Dear Sir or Madam,

Licensing Act 2003

The Boston Tea Party Group Limited

**Ground Floor South Suite The Corn Exchange Baffins Lane Chichester West Sussex
PO19 1BF**

Case Reference Number: 17/00717/LAPRE

It has been a week since the email below was sent to all parties who made a representation against the above application. Within the previous email a 'pack' was included which detailed the amendments to the application proposed by the applicants in light of the representations that had been submitted. The applicant is hopeful that their proposed amendments to the application addresses the various concerns of local residents and that perhaps this matter can be resolved to the satisfaction of all parties.

At the current time, this Licensing Authority has not received any formal written responses from those who submitted a representation confirming whether or not they wish to withdraw their representation given the relaxation in hours, additional condition and removal entirely of 'off sales' from the application. Where representations subsist, the Licensing Authority must hold a hearing at which our Alcohol and Entertainment Sub-committee will hear evidence from all parties and will ultimately make a determination.

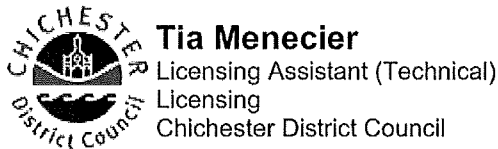
I have spoken by way of telephone conversations to two residents and have explained that if the proposed amendments are accepted by all those who have made a representation, that a Premises Licence consistent with the current planning permission in terms of hours would result. I would stress that it is a requirement that there is a clear separation of the planning and

licensing regimes. A Licensing Authority must ensure that when considering/granting an application for a Premises Licence, that it only attaches conditions appropriate to the application and the carrying on of licensable activities. The Licensing Authority must not duplicate other statutory requirements.

Given the time that has passed and the need for this Licensing Authority to potentially convene a hearing, I would ask that as a matter of urgency you please confirm by no later than midday on the Wednesday 12th July 2017, whether or not you wish to withdraw your representation given the proposed changes offered by the applicant.

I hope that the above is of help and I look forward to hearing from you.

Regards,



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<http://www.chichester.gov.uk>



From: Tia Menecier
Sent: 03 July 2017 11:47
Cc: piers.warne@TLTsolicitors.com; Laurence Foord
Subject: 17/00717/LAPRE (LI)(P) - Proposed amendments to application - - Boston Tea Party, Chichester

Dear Sir or Madam

Licensing Act 2003

The Boston Tea Party Group Limited

**Ground Floor South Suite The Corn Exchange Baffins Lane Chichester West Sussex
PO19 1BF**

Case Reference Number: 17/00717/LAPRE

Proposed Amendments to Premises Licence Application

I write to you as a person who has made representation against the above application seeking a premises licence for the sale of alcohol only every day 1100-1930 for consumption on and off the premises.

In the hope of engaging in positive mediation before a new date is arranged for a Hearing, the applicant has reviewed the representations made, taken in to consideration the concerns raised and have proposed to make the following amendments to their application. Although planning matters are not considered in the granting of a licence, and will not be accepted as discussion during a licensing hearing, the applicant has considered comments and chosen to reduce trading hours to match that granted under planning.

I have also attached to this email a 'pack' which details the business, their business ethos, menu but also their proposed changes to take positive steps in mediation with you.

Proposed amendments to the Premises Licence Application

1. Reduce the hours for the Sale of Alcohol to 1100 – 1900.
2. Remove the permission for off sales, meaning alcohol can only be consumed on the premises which as per the plan takes place internally only.
3. Add condition *'no deliveries shall be taken to or dispatched from the premises outside the hours of 0700 – 0800 and 0900-1930 Monday to Saturday nor at any time on Sundays, Bank or Public Holidays. All loading and deliveries to the site shall take place from the loading bay on Baffins Lane, in accordance with the Service Management Plan'*.

The applicant hopes that these changes meet and ease the concerns raised by all representors with the hope of removing the need for a hearing to determine the application.

If you believe that the reduction in hours, change to on sales only and the added condition relating to deliveries eases your concerns and you would be happy to withdraw your representation based on this, then please can you confirm by email that you withdraw your representation.

If however, you still believe there is clear reason that the applicant will undermine the Licensing Objectives and a hearing is required, then please also confirm you wish for a hearing to continue.

I would like to make you aware that where a licence is granted, it is done so on the belief by all Responsible Authorities that the applicant will positively promote the objectives. There has been no objection from any Responsible Authority for this application, that includes Sussex Police, Environmental Management and West Sussex Fire & Rescue Service.

When a licence is granted, it is not done so freely and there is always the ability for a granted licence to be reviewed with the request being made by an authority or a member of the public. At a review hearing our Committee Members have the power to reduce/remove licensable activities, add conditions to a licence or revoke the licence totally. To assist I have added a link to this page on our site - <http://www.chichester.gov.uk/article/27510/How-to-see-a-review-of-a-licence-or-certificate> .

As always, if you wish to discuss the above with me then please do not hesitate to contact me.

I look forward to hearing from you regarding your representation and the need for a hearing.

Regards

Tia Menecier

Licensing Assistant

(Technical)

Licensing

Chichester District Council

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