

Meeting of:	Licensing Sub-Committee
Date of Meeting:	Friday, 03 July 2020
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Grant of a Premises Licence
Purpose of Report:	To consider an application under the Licensing Act 2003 for a Premises Licence.
Report Owner:	Licensing Authority
Responsible Officer:	The Licensing Authority
Elected Member and Officer Consultation:	Statutory Consultation
Policy Framework:	This is a matter for decision by the Licensing Act 2003 Sub Committee
<p>Executive Summary:</p> <ul style="list-style-type: none"> To consider an application under the Licensing Act 2003 ("the Act") for the grant of a Premises Licence at Beachcliff Fish & Chips, The Esplanade, Penarth, CF64 3AS, submitted by Pen Trading Limited. 	

Recommendations

1. The Sub-Committee is required to determine the application having regard to the Council's Statement of Licensing Policy, the Guidance issued by the Home Office, the application and any representations submitted.

If minded to grant the application, the Sub-Committee is requested to confirm whether any additional conditions are to be imposed or only those which are consistent with and set out in the operating schedule. Section 10 of the Home Office Guidance relates to conditions attached to Premises Licences. Mandatory conditions apply to the licence in respect of a Designated Premises Supervisor, age verification policy and authorisation by personal licence.

Reasons for Recommendations

1. To advise the Members of the relevant options available to them under the Licensing Act 2003 in determining the matter.

1. Background

- 1.1 The Licensing Act 2003 centres around four licensing objectives. The objectives are:
 - The prevention of crime and disorder
 - Public Safety
 - The prevention of public nuisance
 - The protection of children from harm
- 1.2 On 28th January 2020 the Licensing Authority received an application for the grant of a Premises Licence for Beachcliff Fish & Chips, The Esplanade, Penarth, CF64 3AS, submitted by Pen Trading Limited. A copy of the relevant parts of the application form is attached at Appendix A to this Report.

2. Key Issues for Consideration

- 2.1 The period for making representations ended on 25th February 2020.
- 2.2 Under The Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005 a Responsible Authority or any other person may make relevant representations at any time during the 28 day consultation period.
- 2.3 Five representations were received from other persons during the consultation period. A copy of the representations is attached to the Report at Appendix B. The representations have been anonymised for the purposes of publication of this report.

- 2.4** The authority is only empowered to consider relevant representations as defined in Section 18 (6) of the Licensing Act 2003 that is, "representations which are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives" which are not deemed frivolous or vexatious.
- 2.5** Members must also have regard to the statutory guidance issued by the Home Office under Section 182 of the Licensing Act 2003. This further identifies the matters which a Licensing Authority may take into account under the individual licensing objectives.
- 2.6** A Premises Licence, once granted, will generally remain in force indefinitely. The circumstances in which it will not do so are when:
It is revoked; or
The applicant requests a licence for a limited time only; or
It is suspended; or
It lapses due to some incapacity on the part of the licence holder; or
It is surrendered.

This matter has been referred to a Sub-Committee for determination as officers do not have the delegated authority to determine applications where relevant representations have been received and not withdrawn.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** This report supports the well-being outcome of An Inclusive and Safe Vale

4. Resources and Legal Considerations

Financial

- 4.1** Fees associated with the issue of Licences are set in statute and support the administration and enforcement of the Licensing Act 2003 functions.

Employment

- 4.2** None

Legal (Including Equalities)

- 4.3** Section 18 of the Licensing Act 2003 provides as follows;
18 Determination of application for premises licence
(1) This section applies where the relevant licensing authority—
(a) receives an application for a premises licence made in accordance with section 17, and

(b) is satisfied that the applicant has complied with any requirement imposed on him under subsection (5) of that section.

(2) Subject to subsection (3), the authority must grant the licence in accordance with the application subject only to—

(a) such conditions as are consistent with the operating schedule accompanying the application, and

(b) any conditions which must under section 19, 20 or 21 be included in the licence.

(3) Where relevant representations are made, the authority must—

(a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and

(b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

(4) The steps are—

(a) to grant the licence subject to—

(i) the conditions mentioned in subsection (2)(a) modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and

(ii) any condition which must under section 19, 20 or 21 be included in the licence;

(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;

(c) to refuse to specify a person in the licence as the premises supervisor;

(d) to reject the application.

4.4 The Licensing Authority has therefore determined that the application meets the requirements of both the Licensing Act 2003 and its Guidance, and can be processed accordingly.

4.5 The Licensing Act 2003 Sub-Committee should have regard to the Vale of Glamorgan Council's Statement of Licensing Policy, and pay particular attention to Sections 3, 7, 8, 12 and 20. There are no specific policies relating to the area for this type of application.

5. Background Papers

The Licensing Act 2003; The Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003; Regulations to the 2003 Act; Vale of Glamorgan Council's Statement of Licensing Policy.

APPENDIX A

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Pen Trading Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Beachcliff Fish and Chips The Esplanade			
Post town	Penarth	Postcode	CF64 3AS

Telephone number at premises (if any)	n/a
Non-domestic rateable value of premises	£

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate

- Please tick as appropriate
- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)
Surname		First names		
Date of birth over		I am 18 years old or <input type="checkbox"/> Please tick yes		
Nationality				
Current residential address if different from premises address				
Post town			Postcode	
Daytime contact telephone number				
E-mail address (optional)				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Pen Trading Limited
Address 20-22 Wenlock Road London N1 7GU
Registered number (where applicable) 12394534
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) 020 7533 1111
E-mail address (optional) admin@thechurchillgroup.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1) Restaurant/takeaway
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If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

n/a

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Hot food and drink served after 11pm.		
Mon					
			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Tue					
			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Thur	23:00	00:00			
Fri	23:00	00:00			
Sat	23:00	00:00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	00:00			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Philip Carl James Ryan	
Date of birth	
Address Llanwrith Cardiff	
Postcode	CF
Personal licence number (if known) CCCI /00782	
Issuing licensing authority (if known) Cardiff Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
 None.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	23:30	
Tue	10:00	23:30	
Wed	10:00	23:30	
Thur	10:00		
Fri		00:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
	10:00		
Sat		00:30	
	10:00		

Sun		00:30	
	10:00	23:30	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Please see attached.

b) The prevention of crime and disorder

Please see attached.

c) Public safety

Please see attached.

d) The prevention of public nuisance

Please see attached.

e) The protection of children from harm

Please see attached.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand
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	<p>I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	K. Hachford, TLT
Date	27.01.2020
Capacity	SOLICITORS FOR THE APPLICANT

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Matthew Phipps TLT Solicitors One Redcliff Street			
Post town	Bristol	Postcode	BS1 6TP
Telephone number (if any)	03330 060201		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) matthew.phipps@TLTsolicitors.com			

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.

Beachcliff Fish and Chips, The Esplanade, Penarth CF64 3AS
Proposed Licensing Conditions

Hours

Sales of alcohol for on sales:

10:00 to 23:00 Sunday to Wednesday

10:00 to 00:00 Thursday to Saturday

Late night refreshment:

23:00 to 00:00 Thursday to Saturday

General – all four licensing objectives

1. Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
2. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.
3. A thirty minute drinking up time following the last permitted sale of alcohol shall be in place, to ensure a smooth and orderly cooling off period.

The Prevention of Crime and Disorder

4. A CCTV system shall be installed to a standard agreed with South Wales Police. It will be maintained and operated at all times the premises are open to the public. The system shall cover all areas to which the public have access (excluding toilets), including any outside area. Images shall be kept for a minimum of 31 days. The images shall be produced to a Police employee or authorised officer or Vale of Glamorgan Council Licensing, in a readily playable format immediately upon request when the premises are open and at all other times as soon as reasonably practical. There will be sufficient staff training to facilitate the above.
5. A notice will be displayed at the entrance to the premises advising that CCTV is in operation.
6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder

- e. all seizures of drugs or offensive weapons
 - f. any faults in the CCTV system, searching equipment or scanning equipment
 - g. any refusal of the sale of alcohol
 - h. any visit by a relevant authority or emergency service.
7. No super strength beer or lagers of 6.5% ABV (alcohol by volume) or above shall be sold (for on and off sales) at the premises, except for premium beers and ciders supplied in glass bottles.
8. There shall be no self-service of alcohol at the premises.

Public Safety

9. There will be no trip hazards within the premise.

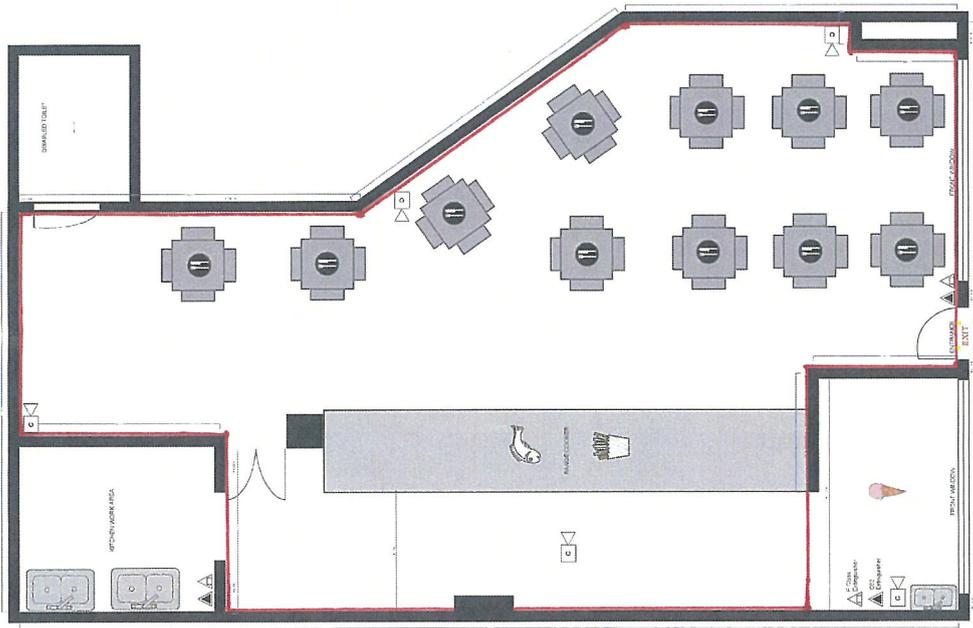
The Prevention of Public Nuisance

10. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
11. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
12. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
13. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 08:00 on the following day.
14. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 22:30 and 08:00 hours on the following day.
15. No deliveries to the premises shall take place between 22:00 and 08:00 on the following day.
16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. The premises licence holder will ensure that there are regular litter patrols within the immediate vicinity of the premises when they are open.

18. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

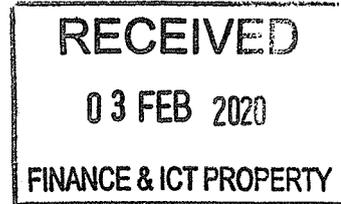
The Protection of Children from Harm

19. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
20. The Premises Licence Holder shall arrange staff training in relation to underage sales and refusal of service. This training shall include how to seek ID in accordance with the Challenge 21 proof of age scheme. All staff training shall be documented and made available to the Responsible Authorities on request.



— AREA FOR U CENSABLE ACTIVITIES

APPENDIX B



1st February 2020

The Vale of Glamorgan Council Licensing Authority

Civic Offices

Holton Road

Barry CF63 4RU

Dear Sirs

Re: Beachcliff Traditional Fish and Chips, The Esplanade, Penarth

I am writing to express grave concerns re the application to sell alcohol at the above premises.

I am particularly concerned about the late hours opening (until midnight) as these premises are next door to this apartment block. There are twenty apartments, mostly owned by pensioners. The increase in litter and noise and possible disruptive behaviour seems most inappropriate. We already endure bottle collections from a restaurant in this block as early as 5.30 am. We have complained to the owner of that restaurant but this early collection still persists. We do have noise – people calling out, taxis turning up late, music from cars, doors slamming etc. but we tolerate that. I feel however that an outlet selling alcohol as late as midnight every Thursday to Saturday is totally unacceptable and will only exacerbate the problem making it totally intolerable.

I know my fellow residents are also very concerned about this application.

Yours faithfully



Vale of Glamorgan Licensing Authority
Civic Offices
Holton Road
Barry
CF63 4RU

10 February 2020

Licensing Application for Beachcliff Traditional Fish and Chips
The Esplanade, Penarth, CF64 3AS

We wish to object to the above application advertised in the Penarth Times of Thursday, January 30th.

Although the proprietors describe themselves as a restaurant, a 'Traditional Fish and Chips' establishment is by nature a fast food outlet. To allow such a business to operate at the hours given in the licence application would be virtually certain to cause anti-social behaviour, noise late at night, to say nothing of the additional litter problems that would inevitably occur, on what is currently a shared residential, hotel, and other commercial area.

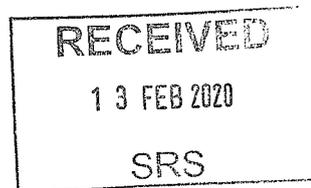
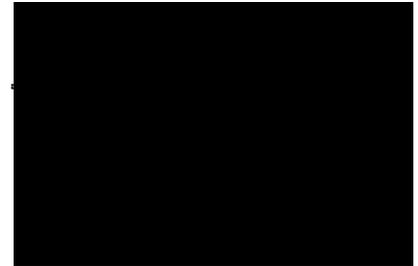
The late hours would be likely to see additional noise from customers parking, visiting the premises, purchasing alcohol, and then drinking and generally making a nuisance of themselves on the Esplanade.

We understand that proper restaurants may need to open in the evening, although even their hours should be subject to limitations. But to allow alcohol to be purchased for external use late at night at a fast food outlet such as a fish and chip shop would effectively be creating an off-licence, rather than a restaurant.

We would therefore ask that this licence application be rejected.

Yours sincerely

[Redacted signature]



Licensing

From: [REDACTED]
Sent: 10 February 2020 19:46
To: Licensing
Cc:
Subject: Application by Penarth Trading Limited for new premises alcohol license.

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

Re:- Public Notice in respect of Beachcliff Traditional Fish and Chips, The Esplanade, Penarth CF64 3AS

I write regarding the above application, as seen in the Penarth Times recently. I have lived at Windsor Court, next door to Beachcliff, for over seventeen years.

I would like to register my objection to the late alcohol license, and all the residents I have spoken to feel the same. I am concerned that the antisocial hours for the sale of alcohol would create noise and a public nuisance for people living in this vicinity. There are several dining establishments in the area, none of whom have a late alcohol license.

I respectfully urge you to deny this application so that the peaceful residential aspect of The Esplanade can be maintained.

Yours faithfully,

[REDACTED]

Licensing

From: [REDACTED]
Sent: 17 February 2020 17:11
To: Licensing
Subject: Application from Beachcliff Traditional Fish and Chip Restaurant and Takeaway

Follow Up Flag: Follow up
Flag Status: Completed

My husband and I are writing to object to certain aspects of the above Application for use of premises on the Esplanade, Penarth.

We reside on the North end of the Esplanade itself, just a couple of metres from the on road parking.

Whilst we welcome and actively support businesses on the Esplanade we do have reservations about this particular application.

Firstly the Esplanade is well served for takeaway outlets with two at the entrance to the Pier and one on the Pier, all council properties with private individuals working hard to make a living. The former are open all year round , summer and winter at suitable and reasonable hours of business. Another takeaway outlet is not necessary, or for existing businesses, desirable.

Secondly, we object to the serving of food and drink until midnight from Thursdays to Saturdays. It is not unreasonable to expect to retire before midnight and be undisturbed. The current times of opening for existing restaurants and food outlets which finish on or before 11 o'clock, (most recently the newly opened Pickfords) rarely cause problems. To ask for 7 day opening and additional hours is in our opinion excessive.

Takeaway customers in particular arrive and depart regularly creating frequent noise with car doors opening and shutting. Sound travels at night and this would be very disruptive of sleep for those of us a few metres away. In addition takeaway customers often eat their food in the car, listening to music, in the summer with the windows open and in the winter with the engine running for warmth. Both cause significant noise pollution; the latter also pollutes the air.

For these reasons we object strongly to the aspects of the application outlined above, ie. late night opening on certain days, the serving of takeaway food to the detriment of existing businesses and 7 day opening. A straight forward traditional Fish and Chip Restaurant would be a great use of empty premises.

We appeal to you to limit it to that use at reasonable times.

Sincerely

[REDACTED]

Sent from my iPad