

From: Jon Wallsgrove <[REDACTED]>
Sent: 30 May 2023 10:29
To: Paul Jones <[REDACTED]>
Subject: FW: M&S Romford - add on sales - representation

Dear Mr Jones,

Thank you for your email. I don't propose to address your comments in detail at this stage, save to say that the Local Authority's licensing policy was considered and the conditions offered were those my client considered appropriate and proportionate to address that policy.

I note you have confirmed you do not have an objection to alcohol be sold for consumption in the café and would ask therefore if there are any conditions which you would like my client to agree to which would lead to you withdrawing your representation and the matter being determined by a Committee.

I look forward to hearing from you.

Kind Regards,

Jon

Jon Wallsgrove
Partner

From: Paul Jones <[REDACTED]>
Sent: Wednesday, May 31, 2023 2:30 PM
To: Jon Wallsgrove <[REDACTED]>
Subject: RE: M&S premises licence variation application - representation

Dear Mr Wallsgrove

Thank you for your email.

My understanding of the application process is that an applicant provides to the Licensing Authority the steps he intends to take to promote the licensing objectives. It might therefore appear inappropriate for a Licensing Authority to tell an applicant what steps he should take to this end.

Perhaps I might refer you to my email dated 02/05/23 in which I hope my concerns were made clear. Any additional steps the licence holder may choose to propose should seek to address the matters contained in my email.

Many thanks

Kind regards

Paul Jones

Paul Jones | Public Protection Officer

From: Jon Wallsgrove <[REDACTED]>
Sent: 31 May 2023 15:47
To: Paul Jones <[REDACTED]>
Subject: RE: M&S premises licence variation application - representation

Dear Mr Jones

Thank you for your email.

Would you please confirm whether there were any other representations made against the application?

It is entirely appropriate for any responsible authority to propose conditions to an applicant, to meet the evidence backed concerns they have that without them the licensing objectives would not be promoted. That is how every other Local Authority in England and Wales have dealt with the thousands of licensing applications we have submitted over the last 18 years.

As I have made very clear my client does not consider any conditions are appropriate to promote the licensing objectives, other than those proposed, as selling a very limited range of alcohol in their café presents no risks whatsoever. They have several hundred licensed cafes none of which have caused any issues, including those in cumulative impact areas. The fact that the premises licence is a converted licence and does not have what one might consider to be the "usual" conditions on it (the "conditions" you identify in your email) does not mean they should then be added as a matter of course when an application to vary the licence is submitted. I accept however, that appears to have become a fairly standard practice over the years in all areas of the UK. Indeed on other variations for M&S licences to licence the café responsible authorities have requested "standard" conditions, which M&S have agreed to.

I have made it abundantly clear that my client is willing to consider agreeing conditions you feel are appropriate to meet your concerns, as it would be in their interest to do so to avoid the delay and expense of appearing before a Licensing sub-committee. That would be the only reason they would agree to conditions not because they accept there is any necessity for them to be placed on the licence to promote the licensing objectives.

You have said there is no objection to the café being licensed in your representation and I am giving you one more opportunity to propose conditions which meet your specific concerns which will lead to you withdrawing your representation, in the hope this matter can be resolved. I would implore you to take that opportunity and perhaps seek the counsel of others before simply sending me another email asking me to send you a list of "standard" conditions.

I look forward to hearing from you,

Kind Regards,

Jon

Jon Wallsgrove

Partner