

From: [Philip Day](#)
To: [Ellie King](#)
Cc: [REDACTED]; [Licensing Com](#); [Sarah Rogers - Licensing](#); [Councillor Oliver Walters](#)
Subject: RE: M215243 RE: Premier Penn Hill Licence application (ZE47/1)
Date: 28 February 2024 14:16:35
Attachments: [image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Dear Ellie (and others for information)

As you will know, it is my normal practice to attempt mediation with anyone who has made a representation regarding any licensing application that I make on behalf of a client but if mediation fails, I normally prepare a written submission whenever a licensing application goes to a hearing before the sub-committee.

In this case, I am afraid that my attempts to mediate and to persuade the sole objector (Cllr Walters) to withdraw the representation have failed but I do not propose to prepare a written submission as I consider that if this email (and the chain below) is included within the agenda papers, that will suffice (it includes what I consider to be all relevant emails) You will no doubt redact personal information but I have no objection if my email, contact details etc are included in the public papers.

Regards

Philip Day

From: Philip Day
Sent: Tuesday, February 20, 2024 5:25 PM
To: Councillor Oliver Walters <Oliver.Walters@bcpcouncil.gov.uk>
Cc: Ellie King <Ellie.King@bcpcouncil.gov.uk>; [REDACTED] Licensing Com <licensing@bcpcouncil.gov.uk>; Sarah Rogers - Licensing <sarah.rogers@bcpcouncil.gov.uk>
Subject: RE: M215243 RE: Premier Penn Hill Licence application (ZE47/1)

Dear Cllr Walters (and others for information)

I am sorry to hear of your recent incapacity and trust that you are now fully recovered.

I too work full time and have duties as a local Councillor and Chair of my Town Council's Planning, Town and Environment Committee – I well understand the pressures on our respective time.

I would have thought that a 5 minute telephone conversation would suffice to determine whether there is any ground for mediation/compromise here or whether we both need to prepare for and attend a hearing before BCP Council's Licensing sub-committee (provisionally arranged for 13th March). I am normally available by phone between 10 a.m. and 7 p.m. daily (other than at weekends).

Thank you for your kind offer regarding the surgery but I am afraid that I am not inclined to spend a large part of Saturday travelling to and from Ringwood for this purpose (and I have no doubt that my client would be extremely reluctant to pay for my time in doing so). My client may however choose to attend if we cannot speak before then.

If we do proceed to a hearing, I request this full exchange be included with the public agenda papers.

Kind regards

Philip Day

From: Councillor Oliver Walters <Oliver.Walters@bcpcouncil.gov.uk>
Sent: Tuesday, February 20, 2024 3:35 PM
To: Philip Day <P.Day@laceyssolicitors.co.uk>
Cc: Ellie King <Ellie.King@bcpcouncil.gov.uk>; [REDACTED] Licensing Com <licensing@bcpcouncil.gov.uk>; Sarah Rogers - Licensing <sarah.rogers@bcpcouncil.gov.uk>
Subject: RE: M215243 RE: Premier Penn Hill Licence application (ZE47/1)

Hi Philip,

Thanks for reaching out. I'm happy to discuss this.

Sorry for the delay, I spent a week out of office at a conference in the States and caught a viral infection whilst there that put me out of action.

I'm playing catch up at the moment trying have 2 weeks worth of missed meetings this week. Every day this week I am in meetings 9am to 9pm (11pm for some of the days) for a mixture of day job and councillor actions.

However, if you want to discuss further I'm having my surgery on Saturday morning this weekend between 11:30am and 12:30pm at Parkstone library. Feel free to come along.

Kind regards,

Cllr Oliver Walters
Penn Hill

From: Philip Day <P.Day@laceyssolicitors.co.uk>
Sent: Friday, February 16, 2024 11:19 AM
To: Councillor Oliver Walters <Oliver.Walters@bcpcouncil.gov.uk>
Cc: Ellie King <Ellie.King@bcpcouncil.gov.uk>; [REDACTED] Licensing Com <licensing@bcpcouncil.gov.uk>; Sarah Rogers - Licensing <sarah.rogers@bcpcouncil.gov.uk>
Subject: FW: M215243 RE: Premier Penn Hill Licence application (ZE47/1)

Dear Cllr Walters

I refer to the email that I sent you on 6th February which appears at the bottom of this

chain. For the sake of completion and transparency, I have included a response to me from Ms King and my reply to her.

I note that I have heard nothing further from you (although I understand you have been away).

The consultation period has now ended and I am advised that yours is the only representation that has been received.

I am more than happy to discuss this matter with you if I can assist in any way but I do invite you again to please consider withdrawing your representation to avoid the expense of a hearing and the delay that would ensue.

I look forward to hearing from you.

Regards

Philip Day

From: Philip Day
Sent: Wednesday, February 7, 2024 5:22 PM
To: Ellie King <Ellie.King@bcpcouncil.gov.uk>
Cc: veli bulbul [REDACTED]
Subject: RE: M215243 RE: Premier Penn Hill Licence application (ZE47/1)

Thanks Ellie

Thanks for this. I suspect that some of the Premises do not operate (or advertise that they operate) to the full extent of their permitted hours. Others (e.g. Tesco Express on Poole Road) may open until midnight but cease supplying alcohol at 11 p.m.

If Cllr Walters does not withdraw the representation, perhaps you would be good enough to ensure that this exchange is included within the agenda papers?

Many thanks

Philip

From: Ellie King <Ellie.King@bcpcouncil.gov.uk>
Sent: Wednesday, February 7, 2024 3:00 PM
To: Philip Day <P.Day@laceysolicitors.co.uk>
Subject: M215243 RE: Premier Penn Hill Licence application (ZE47/1)

Good Afternoon Philip,

For completeness, I've just done a quick run through of the premises shown in your email below in relation to the hours they are licensed to supply alcohol and can confirm the following:

21 Haven Road Centrals 06:00-23:00

Poole Road

Tesco - 24hrs

Westbourne convenience store - 08:00-01:00

Branksome food centre – 24hrs

Tesco express 06:00-23:00

-
Bournemouth Road

Tesco express - 06:00-00:00

EFE

- 06:00-23:00 Mon – Thurs
- 06:00-03:00 Fri/Sat
- 06:00-01:00 Sun

Star – 24hr

Kind Regards

Ellie

Ellie King
Licensing Officer
Communities

T. 01202 123971

Ellie.king@bcpcouncil.gov.uk

bcpcouncil.gov.uk

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From: Philip Day <P.Day@laceyssolicitors.co.uk>

Sent: Tuesday, February 6, 2024 6:08 PM

To: Councillor Oliver Walters <Oliver.Walters@bcpcouncil.gov.uk>

Cc: [REDACTED] Ellie King <Ellie.King@bcpcouncil.gov.uk>; Licensing Com
<licensing@bcpcouncil.gov.uk>; [REDACTED]

Subject: Premier Penn Hill Licence application (ZE47/1)

Dear Cllr Walters

Thank you for responding to the licence application for these premises – your representation has been forwarded to me to respond.

You request that “the alcohol license is limited to 22:30 Sun-Thur and 23:00 Fri & Sat in line with other off-sale licences in the ward”

My understanding is that other premises in the locality include the following:

21 Haven Road Centrals which has a licence to 23:00 every day

In Poole Road:

- Tesco until midnight
- Westbourne convenience store until 01:00
- Branksome food centre 24 hrs
- Tesco until midnight

On Bournemouth Road:

- Tesco express until midnight
- Efe convenience store 23:00 all days and 03:00 on Friday and Saturdays
- Star off licence midnight

None appear to be limited as you suggest?

None of the Responsible Authorities (from which the Licensing Authority will take their lead on matters relating to the licensing objectives) have indicated any opposition to the application and Government Guidance indicates that supermarkets and the like should be permitted to supply alcohol throughout their opening hours.

You will of course also be aware that should these premises cause issues in the future, the Licensing Authority can review the licence at any time.

I and my client (copied) would be more than happy to discuss your concerns with you if you so wish but I would, with respect, invite you to withdraw your representation in the hope that we can all avoid the cost and inconvenience that having to hold a hearing would entail for all concerned, not least my client and BCP council tax-payers.

Kind regards

Philip Day Partner

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