

From: [REDACTED]
Sent: Tuesday, March 19, 2024 9:55 AM
To: Licensing <licensing@sefton.gov.uk>
Subject: Representation to licensing application ref M044411

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We have received a letter from Mr Tony Jennings notifying us of the hearing date of 8 April in relation to our representation in respect of the licence application by Penelope's, Rotten Row, Southport. We have sent a reply to Mr Jennings advising him that we are unable to attend and setting out our concerns and questions. In case of delay/problems with postal delivery, the text of our letter is attached.

[REDACTED]
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18 March 2024

Mr Tony Jennings, Licensing
Sefton Council
Magdalen House
30 Trinity Road
Bootle
L20 3NJ

Dear Mr Jennings

**Re: Application for Grant of Premise Licence
Penelope's, Rotten Row, Southport PR8 2BZ
Ref: M044411**

Thank you for your letter of 15 March advising that a hearing is to be held on 8 April to consider the above application and inviting us to attend. We certainly would have wished to attend but unfortunately [REDACTED]. We hope our written representation and also this letter will be considered by the sub-committee in our absence.

We are pleased that a new restaurant is planned to be opened at the Rotten Row site and we hope the business will be a successful venture. Indeed, we might be customers in due course!

However, even though part of our original representation of 2 March is now irrelevant as a result of the administrative error, we continue to be concerned at the late hours of business being requested by the applicant. After sunset and when Victoria Park has closed, Rotten Row is a quiet neighbourhood with very little passing traffic or pedestrians. A restaurant open until 1am - and one which appears to be creating a sizeable covered area outside its main building - is likely to produce noise which would be carried across the still environment and disturb local residents, including ourselves. Furthermore, the restaurant's car park exits on to Rotten Row, which would add to the noise factor.

It would seem reasonable to us that a licence be granted for business hours up to 11pm and that, hopefully, the restaurant would endeavour to ensure that its customers did not disturb local residents. If a special event were to be planned which might involve late night opening (such as a weekend wedding celebration for example), then surely an application could be made at the appropriate time for a temporary extension to the licence. It would also be courteous in such circumstances to notify local residents beforehand of a one-off potential noise disturbance.

We understand the applicant already has a restaurant in Formby. Although we have not visited it, we have spoken to 2 separate customers who have given feedback: 'it's a good restaurant which attracts the younger clientele and is always buzzing'; and 'I wouldn't want to live nearby'. Obviously we do not know if the plans are for Penelope's to be a similar establishment, but the Formby location is in the central area rather than in a quiet neighbourhood like Rotten Row where there are no other such businesses.

If we had been able to attend the hearing we might have had the opportunity to ask the applicant to clarify:

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- what are the 'licensable activities' from 08.00 to 01.00 every day except Saturday (being 09.00 to 01.00)?
- why is there a separate application for 'the provision of late-night refreshment' from 23.00-01.00 Monday-Sun? What does this mean?
- now that the original application has been amended, does it definitely exclude music and 'regulated entertainment'?
- what steps would be taken to reassure local residents that their quiet neighbourhood will not be compromised?

This is not a curmudgeonly objection aiming to thwart the plans for what could be a welcome addition, but we would ask the sub-committee to grant a restricted licence to be fair both to the applicant and to local residents.

Yours sincerely

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[Redacted Signature]