

**Our Ref: NB/SR/CHAHIL**

**Your Ref:**

**Date: 10 July 2019**

**Mr Will Hayes  
Licensing Team  
Harlow District Council  
Civic Centre  
The Water Gardens  
Harlow  
Essex CM20 1WG**

**DAVIS SOLICITORS LLP**

34-36 High Street  
Barkingside  
Ilford, Essex IG6 2DQ  
DX: 99325 Barkingside

Email: [info@davis-solicitors.co.uk](mailto:info@davis-solicitors.co.uk)  
Tel No: 0208 551 4228  
Fax No: 0208 550 6698  
Answering  
Machine 0208 551 9137

Service of documents not accepted by e-mail  
Website: [www.davis-solicitors.co.uk](http://www.davis-solicitors.co.uk)

**Representation against Alcohol License Application**

Dear Sirs,

Opening hours, Monday to Friday  
09:30 – 17:00  
Closed between 1.00pm-2.00pm

**RE: Our client: Sandy Chahil of Chahil's Supermarket  
Applicant for Licence : Martin McColl Ltd**

We represent the above client in this matter and are writing to make Representations in respect of the Application for an Alcohol Licence by Martin MCColl Ltd at its premises of address 1-2 Prentice Place, Potter Street, Harlow Essex CM17 9BG.

Our client is the proprietor of Chahil's Supermarket 7-9 Prentice Place, Potter Street, Harlow, a unit he has rented from the landlord Harlow District Council since 1989. The original requirements surrounding the lease were that the tenants should not operate in an aggressively competitive manner, a policy remarkably apt in the current dilemma that the high street and other retail units have experienced in recent times.

Our client in this spirit has resisted the temptation to add magazines, newspapers, the lottery and children's confectionary to add to his portfolio, in order to preserve the "entente cordiale". Additionally he has not stocked hot snacks or a full range of medicines to try not to disadvantage the take-aways and chemist also on the parade.

However what might be business good practice comes under pressure at difficult times, however the sale of Alcohol is a special case as regulated by the Licensing Act 2003 with subsequent amendments.

Section 2) of the Act sets out The licensing objectives as:

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- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

Whereas Section 3) In carrying out its licensing functions, a licensing authority must also have regard to—

- (a) its licensing statement published under section 5, and
- (b) any guidance issued by the Secretary of State under section 182.

In your Harlow Council Statement of Licensing Policy (Final Version 2) page 6 Section 1.34 -1.38 deals with Cumulative Impact of Concentration of Licensed Premises, here it is admitted that having regard to evidence currently available ... there is no particular part of the district where a concentration of premises is causing a cumulative impact. We believe that this objective should be dealt with on the precautionary principle.

With Section 1.38 going on to say that "at a future time, on representation from residents or businesses or a responsible authority, trigger the consideration of whether any additional licences... lead to unacceptable concentration.

Additionally the convenience hours operated by the Applicant opening at 6am makes operation of the licence more difficult to monitor, and the much publicised practice of "pre-loading" more likely with subsequent dangers to (a) and (c) of the Licensing Act.

With both the Police and other Licence holder, the publican, expressing worries we feel that the application for a licence should be rejected, as the additional licence would jeopardise grounds (a) (c) & (d) of the 2003 Act.

Please acknowledge receipt of this letter.

Yours faithfully,

**Davis Solicitors LLP**