

LICENSING SUB-COMMITTEE

Minutes of the meeting of the Licensing Sub-Committee held on Wednesday, 25 May 2022 at the Council Chamber - Council Offices at 10.00 am

Committee Members Present: Cllr J Rest (Chairman)
Cllr E Spagnola

Members also attending: Cllr H Blathwayt

Officers in Attendance: Legal Advisor (LA -CM)
Legal Advisor (LA – TT)
Senior Public Protection Officer (SPPO)
Licensing Enforcement Officer (LEO)
Democratic Services Officer - Regulatory

1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr N Pearce, with Cllr H Blathwayt present as a substitute.

2 ITEMS OF URGENT BUSINESS

None.

3 DECLARATIONS OF INTEREST

None.

4 APPLICATION FOR A NEW PREMISES LICENCE - NEW INN, 54 LOWER STREET, HORNING, NORFOLK, NR12 8PF

Present: Applicant & Applicants Legal representatives

The Chairman, Members of the Panel and Officers introduced themselves.

The LA-CM outlined the purpose of the hearing and explained the procedure for the meeting.

The SPPO introduced the Officers report, outlining that the Applicant sought to i) vary the layout of the premises in accordance with plans (drawing no 100 revision B), ii) add a condition to the premises licence regarding CCTV, iii) amend the opening hours for existing non-standard timings to provide 30 minutes drinking up time and iv) permit the provision of late night refreshment.

The SPPO stressed that any variation would be subject to mandatory conditions, and would need to accord with the promotion of the four licensing objectives.

It was noted that a consultation had been undertaken with representations included on page 14 of the report, and whilst there had been 22 initial complaints, following contact from the Applicants solicitors via NNDC on 9th May, 11 complaints had been withdrawn. The SPPO advised that all objections had been received before suggested amendments had been put forward. The two representations made by the responsible authorities (the Parish Council and the Broads Authority) had been withdrawn in the course of proceedings.

The SPPO provided a summary of the eleven objector's concerns which centred on concerns of parking arrangements, crime and disorder, the potential for more stag or hen parties, the need for additional cctv, light pollution, boater's safety, noise disturbance and protecting children from harm.

The SPPO highlighted Appendix D, page 99 of the report, and provided context to the application site and its surrounding area.

The Applicant presented their case and detailed the history of the site, with its strong links to the river, outlined their operating schedule and confirmed the provisions they will have in place to promote the four licensing objectives.

The Applicant's legal representative outlined that following consultation with local objectors and the relevant responsible authorities, they were minded to withdraw two out of the four proposed variations, namely the variations to i) permit the provision of Late Night Refreshment (indoors & outdoors) Mondays to Sundays 23:00 to 00:30 hours the following morning and ii) to amend the opening hours for existing non-standard timings to provide 30 minutes drinking up time. The Applicant's representatives stressed that the purpose of the variation application was to improve the efficiency of the public house and to further aid the patron's experience of public house.

There were no oral representations made from the Other Persons. However, the Panel noted all 11 written representations.

The Sub-Committee asked about the parking provision on site. The Applicant advised that parking was available for up to 16 spaces and staff were encouraged to park off site. Further, the business organised shift patterns to promote car sharing of its staff to minimise the number of staff vehicles.

The Chairman clarified if the Applicant was satisfied with the amendments put forward, noting that a change in operational hours may have financial implications. The Applicant affirmed that they were happy with the proposed changes.

The Chairman noted noise complaints references disturbances during the viewing of football and rugby matches and invited the Applicant to comment. The Applicant advised that these disturbances occurred the year prior and under the previous tenant. The disturbances arose due to the use of an external TV showing matches. Since, the Applicant had removed TV's from the pub and indicated that he had no intention to replace wither internally or externally on the premises commenting that the location was not suitably placed for this form of entertainment.

Cllr H Blathwayt asked the Applicant about the takeaway Fish and Chip facility. The Applicant advised that they did not consider this would have a negative impact on the business, rather it offered more choice to guests and residents. He advised that he had a good relationship with other businesses in the area and kept copies of other takeaway menus behind the bar.

Cllr E Spagnola asked if the establishment would accept hen or stag nights. The Applicant advised that this was not always something they could control as such groups may choose to hire a day boat on the broads.

In response to questions from the Sub-Committee the Applicant advised work undertaken on the site would be undertaken by vetted local tradespeople.

Cllr H Blathwayt asked if the Applicant had in place a Good Neighbour Policy. The Applicant assured the Sub-Committee that this was in place.

The LA- CM re-iterated their advice, and advised the applicant that a written notification would be supplied to them within 5 working days.

RESOLVED

That the Application be GRANTED subject to conditions.

The Meeting was suspended at 11.23am and resumed at 1.15pm

5 APPLICATION FOR A NEW PREMISES LICENCE - THE WOODYARD, WORSTEAD PARK, WORSTEAD, NORFOLK NR28 9RT

Present: Applicant, Venue Manager for the Application site, and 2 x Objecting speakers.

The Chairman, Members of the Panel and Officers introduced themselves.

The LA-TT outlined the purpose of the hearing and explained the procedure for the meeting.

The SPPO presented the Officers report outlining that the Applicant was seeking to be licenced in respect of various activities from Saturday to Sunday between the hours of 08:00 - 23:55. The SPPO advised that the Sub-Committee were asked to consider the promotion of the four licensing objectives, when making their determination.

The SPPO highlighted that the 'conditions consistent with the operating schedule' outlined at 3.2, on page 5 of his report being provisions (c) & (d), should be modified to refer to CCTV and CCTV tapes.

It was noted that there were no objections from responsible authorities, though there were suggested conditions submitted from Norfolk Constabulary (as set out in Section 5 of the report). The SPPO summarised the objections received which related to concerns of public nuisance, increased traffic, noise, the removal of trees which had provided a sound barrier, light pollution and issues according with planning conditions. Details of which were contained on pages 203 – 207 of the Officers report.

Cllr H Blathwayt asked if the application site was located in a designated dark skies area. The SPPO noted the working used by the one of the objectors, but advised he was uncertain of its designated status.

The Applicant presented his case and informed the Sub-Committee that the NNDC planning department had already placed several restrictions on the operation of the

premises including no amplified music outside of the premises and the installation of a permanent sound system indoors which limits noise.

The Applicant made reference to acoustic reports undertaken by himself and neighbours, in respect of noise level impact, and stated that they have complied fully with the recommendations contained within and these reports account for the removed forestry adjacent to the site. He advised that there were internal systems which limited noise and that this was managed by the Venue Manager who regularly checks the volume of amplified music and would act accordingly if this were an issue.

On the sale of alcohol on the premises, the Applicant stressed his staff's strong level of experience in event management and weddings in particular. He also cited their existing compliance with conditions such as 'Challenge 25', DPS holders on site and CCTV systems around the premises.

The Applicant acknowledged previous issues with signage and traffic at the site but confirmed recent improvements to signs had a positive impact on the issue with guests and operators being more observant about signage.

The Sub-Committee asked the Applicant about parking and signage on the site. The Applicant advised the venue offered 50-60 parking spaces and that the business abided by the planning conditions placed on the venue. The venue operated a one way system with signage recently installed to help inform and educate guests and service users.

The 'Other Persons' present presented their respective cases.

The two objectors present at the hearing expressed their concerns that if the premises were to be granted a licence as proposed, the noise and excess traffic would persist at unreasonably high levels for most of the week and intensify on weekends before during and after events.

The first objector considered that Chapel Road was ill-suited to a high volume of vehicles as it is a small rural road. She emphasized that the road is in regular use by service vehicles during the week, often transiting at high speeds to the venue which presents a risk to pedestrians and other users.

She continued, stating, that the felling of trees on the site had enabled noise emanating the premise to travel further and with greater penetration to neighbouring properties. She also warned of the effects of alcohol consumption on guests resulting in potential reckless and anti-social behaviour to a quiet rural area who don't expect that level of disruption.

She concluded by stating the signage had been ineffective in regulating guests entering and leaving the site.

The second objector stated that he has been living in the community for many years and moved to Worstead due to it being a quiet village. He continued, stating, that whilst the Premises has been operating he has heard noise late at night from the site which he tolerated because it was happening in occasional instances, but voiced opposition to the application as it would be permissible for events to take place every weekend until a time close to midnight without restriction.

He continued stating that the Applicant had provided no information on decibel levels

or the effectiveness of his sound system in limiting noise as he can still hear noise late at night when events are being held.

He confirmed that the forestry that was removed by the Applicant on the site had subsequently allowed more noise to be carried through with no barrier, negatively affecting his enjoyment of his property.

The Chairman asked the Applicant to clarify signage which had been desired as inadequate. The Applicant advised that the signs were in place but noted these were only viable when gates were open.

Cllr E Spagnola asked if there was any potential for more than one wedding to take place over the weekend. The Applicant confirmed that they had no intention of increasing their offering to more than one wedding per weekend, and advised that it had been conditioned that they could only host events on the weekend.

The Applicant advised that suppliers attend the venue during the week, and that glassware and alcohol were brought to the site, though the venue were looking to bring more operations in house. The Venues Manager advised that beer was currently transported to the site via a small van, and further clarified that the site had recently changed postcode for its western gate, which should help direct traffic to the appropriate entranceway.

The LA- TT re-iterated their advice, and advised the applicant that a written notification would be supplied to them within 5 working days.

RESOLVED

That the Application be GRANTED subject to conditions.

6 EXCLUSION OF PRESS AND PUBLIC

None.

The meeting ended at 2.10 pm.

Chairman