

When telephoning, please ask for:
Direct dial
Email

Constitutional Services
0115 914 8482
constitutional.services@rushcliffe.gov.uk

Our reference:
Your reference:
Date:

23 May 2017



To all Members of the Alcohol & Entertainments Licensing Sub Committee

Dear Councillor

A meeting of the Alcohol & Entertainments Licensing Sub Committee will be held on Wednesday 31 May 2017 at **2.00 pm** in the Council Chamber, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

Yours sincerely

Service Manager Corporate Governance

AGENDA

1. Appointment of Chairman
2. Procedure

A copy of the procedure notes is attached (pages 1 – 5).

3. Hearing

The Old Wharf, Main Street, Hickling, Nottinghamshire, LE14 3AH

Application for a Premises Licence

- a) Report of the Senior Licensing Officer is attached (pages 6 - 13).
- b) Application is attached (pages 14 - 31).
- c) Objections are attached (pages 32 - 42).
- d) Notice of Hearing is attached (pages 43 - 46).

Membership

The Membership of the Sub Committee will be confirmed following the appointment of the Alcohol and Entertainments Licensing Committee at the Annual Council meeting on 25 May 2017.

Rushcliffe Community
Contact Centre

Rectory Road
West Bridgford
Nottingham
NG2 6BU

In person

Monday to Friday
8.30am - 5pm
First Saturday of
each month
9am - 1pm

By telephone

Monday to Friday
8.30am - 5pm

Telephone:

0115 981 9911

Email:

customerservices
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Postal address

Rushcliffe Borough
Council
Rushcliffe Arena
Rugby Road
West Bridgford
Nottingham
NG2 7YG



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|------------------------------|
| Meeting Room Guidance |
|------------------------------|

Fire Alarm Evacuation: in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

Toilets: are located to the rear of the building near the lift and stairs to the first floor.

Mobile Phones: For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

Microphones: When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

RUSHCLIFFE BOROUGH COUNCIL

**ALCOHOL AND ENTERTAINMENTS LICENSING
SUB-COMMITTEE**

**Procedure for hearing of application for a premises licence
(Licensing Act 2003, ss. 17 and 18)**

Definitions:

"the Act" means the Licensing Act 2003

"interested party" has the meaning given in section 13(3) of the Act

"the licensing objectives" are –

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

"party to the hearing" means those persons to whom notice of hearing is to be given in accordance with regulation 6 of the Regulations

"the Regulations" means the Licensing Act 2003 (Hearings) Regulations 2005

"relevant representations" has the meaning given in section 35(5) of the Act

"responsible authority" has the meaning given in section 13(4) of the Act

General:

The hearing will normally take place in public.

The hearing will be by way of a discussion led by the Chairman.

Cross-examination will not be permitted unless the sub-committee considers that cross-examination is required for it to consider the representations, application or notice as the case may require.

The sub-committee will determine the application by considering the relevant representations received.

Relevant representations in this case means representations which -

- are about the likely effect of the grant of the application on the promotion of the licensing objectives;
 - are made by responsible authorities or interested parties within the prescribed time periods;
 - have not been withdrawn; and
 - in the case of interested parties, are not representations which are, in the opinion of the licensing authority, frivolous or vexatious.
-

Introductions:

1. The Chairman (or Legal Adviser to the sub-committee) will explain the reason for the hearing.
2. The Chairman (or Legal Adviser to the sub-committee) will identify the parties to the hearing, their representatives/persons assisting them, any witnesses or other persons who wish to speak/appear.
3. The sub-committee will decide whether permission to appear should be given to any person present who is not a party to the hearing.
4. The Chairman (or Legal Adviser to the sub-committee) will enquire whether the parties have received, read and understand this procedure note and will answer any questions and give further guidance on the procedure to be followed as appropriate.
5. The Chairman (or Legal Adviser to the sub-committee) will check that the parties have received all relevant documentation.
6. The Chairman (or Legal Adviser to the sub-committee) will enquire of the parties (and those to whom the sub-committee has given permission to appear) how long they anticipate they will be in:-
 - (a) giving further information in support of their application, representations or notice in response to any notice given by the licensing authority under regulation 7(d) of the Regulations
 - (b) questioning another party
 - (c) addressing the sub-committee
7. The sub-committee will seek to agree with the parties a maximum period of time for the parties to exercise those rights.

Procedure:

Licensing Officer

8. The **Licensing Officer** will outline the relevant details of the application and relevant representations received in respect of it and give such

advice and assistance in relation to the authority's licensing policy, government guidance and the law as appropriate.

The Applicant's Case

9. The Chairman will then ask **the applicant** to
 - outline their application
 - give further information in response to any request for clarification on a point from the authority
 - address the relevant representations
 - call any witnesses/give evidence, as permitted by sub-committee
10. **After each speaker or witness** the Chairman will:-
 - enquire whether any of the **responsible authorities** have any **questions** for that speaker or witness and may then permit such questions as the sub-committee deem appropriate to be put
 - enquire whether any of the **interested parties** have any **questions** for that speaker or witness and may then permit such questions as the sub-committee deem appropriate to be put
 - enquire whether any member of the **sub-committee** or the Legal Adviser have any **questions** for that speaker or witness and may then permit such questions as the sub-committee deem appropriate to be put
11. The **applicant** will then be permitted to clear up any points arising from the questioning.

The Responsible Authorities

12. The Chairman will then ask each of **the responsible authorities** in turn to
 - outline their relevant representation
 - give further information in response to any request for clarification on a point from the authority
 - address the relevant part of the application or notice
 - call any witnesses/give evidence, as permitted by sub-committee
13. **After each speaker or witness** the Chairman will:-

- enquire whether any of the **other responsible authorities** appearing have any **questions** for that speaker or witness and may then permit such questions as the sub-committee deem appropriate to be put
 - enquire whether any of the **interested parties** have any **questions** for that speaker or witness and may then permit such questions as the sub-committee deem appropriate to be put
 - enquire whether the **applicant** have any **questions** for that speaker or witness and may then permit such questions as the sub-committee deem appropriate to be put
-
- enquire whether any member of the **sub-committee** or the Legal Adviser have any **questions** for that speaker or witness and may then permit such questions as the sub-committee deem appropriate to be put

14. The officer for the **relevant authority** will then be permitted to clear up any points arising from the questioning.

Interested Parties

15. The Chairman will then ask each of the **interest parties** in turn to
- outline their relevant representation
 - give further information in response to any request for clarification on a point from the authority
 - address the relevant part of the application or notice
 - call any witnesses/give evidence, as permitted by sub-committee
16. **After each speaker or witness the Chairman will:-**
- enquire whether any of the **responsible authorities** appearing have any **questions** for that speaker or witness and may then permit such questions as the sub-committee deem appropriate to be put
 - enquire whether any of the **other interested parties** have any **questions** for that speaker or witness and may then permit such questions as the sub-committee deem appropriate to be put
 - enquire whether the **applicant** have any **questions** for that speaker or witness and may then permit such questions as the sub-committee deem appropriate to be put

- enquire whether any member of the **sub-committee** or the Legal Adviser have any **questions** for that speaker or witness and may then permit such questions as the sub-committee deem appropriate to be put

17. The **interested party** will then be permitted to clear up any points arising from the questioning.

Closing Statements

18. The Chairman will invite closing statements from the parties in the following order:-

- interested parties;
- responsible authorities;
- applicant


Exclusion of Public

19. The sub-committee will then normally declare that there is an overriding public interest in excluding the public from their deliberations in determining the application, which outweighs the public interest in that part of the hearing taking place in public.

Decision

20. The sub-committee will then retire to consider its decision.
21. The sub-committee will then return to give its decision in public. The Chairman will inform those present that the reasons for the decision will be transmitted in writing to the parties in due course.

NB - The Chairman may vary the procedure as considered appropriate to promote the discussion.

| | | |
|--|---|-----------------|
|  <p>Rushcliffe Borough Council</p> | <p>Alcohol & Entertainment Licensing Sub Committee</p> <p>31 May 2017</p> <p>Application for a grant of a premises licence at The Old Wharf Hickling</p> | <p>3</p> |
|--|---|-----------------|

Report of the Executive Manager - Neighbourhoods

THE APPLICATION

Applicant

Christopher Grice, 8 Butlers Field, Langar, Nottinghamshire NG13 9HS

Premises

The Old Wharf, Main Street, Hickling, Nottinghamshire, LE14 3AH

History

This is the first application for a Premises Licence for this building.

Application

The current application is for a Premises Licence under Section 17 of the Licensing Act 2003. The applicant seeks permission for the sale of alcohol from 1200 to 2300 Monday to Saturday and 1200 to 2100 on Sundays. In addition regulated entertainment from 1200 until 2100 on Mondays, 1700 to 2300 on Fridays, 1200 to 2300 on Saturdays and 1200 to 2100 on Sundays. If certain functions require longer hours a Temporary Event Notice will be used.

The operating schedule shows

The applicant states the building is a recently refurbished Old Wharf building on the side of the Grantham Canal at Hickling Basin. Facilities will include seating inside and out, male and female toilets, disabled toilets with baby changing and off road parking. In addition outdoor live musical events during the summer months only, mainly only at weekends and Bank Holidays as well as indoor live music events all year.

Relevant licensable activities

Live Music, and the sale of alcohol 1200 to 2300 Monday to Saturday and 1200 to 2100 on Sundays. The premises will be open from 0800 to 2300 Monday to Saturday and 0800 to 2100 on Sundays.

RELEVANT REPRESENTATIONS:

The following is a summary of the representation made; the full representations are attached to the hearing papers.

Responsible authorities

The Environmental Health Service has agreed the following conditions with the applicant:

1. During the provision of regulated entertainment, all windows and doors to the premises shall be kept closed except for access and egress and in the event of an emergency.
2. Any noise from the licensable activities shall be monitored in order to prevent nuisance.
3. Signage shall be displayed advising customers to be respectful to residents and to leave the area in a quiet and orderly manner.

Nottinghamshire Police has agreed the following conditions with the applicant:

- 1) A CCTV system with recording equipment shall be installed and maintained at the premises. Cameras shall cover the entrance and exit to the premises and all areas where the sale/supply of alcohol takes place. Equipment shall be;
 - maintained in good working order and be of evidential quality and produce colour images in all lighting conditions;
 - Indicate the correct time and date;
 - retained for 31 days;
 - sufficient staff will be trained to use the system;
 - the original images will be made available for inspection upon reasonable request to Officers of responsible authorities.
 - copies of the recordings shall be provided in a format which can be viewed on readily available equipment without the need for specialist software.
- 2) A bound and sequentially paginated refusals book or electronic record shall be kept at the premises to record all instances where admission or service is refused. Such records shall show:
 - The basis for the refusal;
 - The person making the decision to refuse; and
 - The date and time of the refusal.

Such records shall be retained at the Premises for at least 12 months, and shall be made available for inspection and copying by the Police or any other authorised person upon request.

- 3) All members of staff involved in the retail sale of alcohol shall be fully trained. The training shall be on-going and each member of staff shall be reviewed every 6 months. All details of the level of training will be recorded in an electronic or paper record. This information shall be made available for inspection and copying by the Police or any other authorised person immediately upon request and all such records shall be retained at the premises for at least 12 months.
- 4.) Signage shall be displayed advising customers to be respectful to residents and to leave the area in a quiet and orderly manner.
- 5.) Challenge 21 notices will be displayed in prominent positions throughout the premises.
- 6.) A Challenge 21 or similar policy will be implemented and enforced at all times. Any person who appears to be under 21 years of age shall not be allowed to purchase alcohol unless they produce an acceptable form of photo identification. (E.g. a passport or driving licence, Military ID or PASS accredited card.)

Other persons

Bob and Helen Hedger

Object on the grounds of lack of parking, the noise and location of the venue in the centre of the village.

Martin Smith

Object on the grounds of parking, and noise nuisance, and public safety customers consuming alcohol near the canal.

Jo Cartmell – Hickling Parish Council

Object on the grounds of parking, and on the grounds of public safety as the applicant also intends to rent bicycles as well as supply alcohol. A further objection is on the grounds of protecting children from harm as there will be a table tennis table attracting children to the location.

Paul Frost

Objects on the grounds of noise nuisance.

Andrew and Victoria Baker

Object on the grounds of Prevention of public nuisance as the residents will be exposed to anti-social behaviour and noise.

Maureen Cockayne

Objects on the grounds of Public nuisance and safety as the premises will attract more cars, and pedestrians and cyclists.

Mary Faulks

Objects on the grounds of noise nuisance to local residents.

Jane Faulks

Objects on the grounds of Public Nuisance as the intended hours will cause a nuisance to local residents. Also object on the grounds of public safety due to alcohol being served in close proximity to the canal.

Tina Combella

Objects on the grounds of Public nuisance to local residents from music and late night drinking, as well as congestion. Also objects on the grounds of Public safety due to the consumption of alcohol in close proximity to the canal.

Local Policy Considerations

The Act provides that Rushcliffe Borough Council has a duty to carry out its functions under the Act with a view to promoting the prescribed licensing objectives:

- The prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

Human Rights

The Authority will have particular regard to the following relevant provisions of the European Convention on Human Rights when determining applications.

- Article 1 of the First Protocol - that every person is entitled to the peaceful enjoyment of his or her possessions, including for example the possession of a licence.
- Article 6 - that in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
- Article 8 - that everyone has the right to respect for his home and private life.

Representations

Where representations are received the characteristics of an area and the impact that the premises may have upon that area will be a fundamental consideration in determining whether a licence should be granted and if so what conditions should be attached to it. Conditions will be focussed on matters that are within the control of

individual licensees and others in possession of relevant authorisations. These matters will centre on the premises being used for licensable activities and the vicinity of those premises. What amounts to vicinity will be a question of fact to be determined in the light of the individual circumstances of the case. Consideration will primarily be given to the direct impact of the licensed activity on members of the public living, working or engaged in normal activity in the area concerned.

POLICY 1 (Section 6)

The Authority expects to see evidence of the effective and responsible management of the licensed premises, such as examples of instruction, training and supervision of staff and the adoption of best practice used in the leisure industry, being specifically addressed within the Operating Schedule.

REASON: To ensure the promotion of the licensing objectives.

POLICY 2 (Section 6)

When preparing or considering applications, applicants, interested parties, relevant bodies and the Licensing Authority should, where appropriate, take into account the following matters in assessing both the potential for the licensing objectives to be undermined and the necessity for, and proportionality of, any conditions which may be imposed on any resulting licence, certificate or permission: -

- (i) The nature of the area within which the premises are situated.
- (ii) The precise nature, type and frequency of the proposed activities.
- (iii) Any measures proposed by the applicant as outlined in the operating schedule.
- (iv) The nature (principally in terms of the age and orderliness) and number of any customers likely to attend the licensed premises.
- (v) Means of access to and exit from the premises.
- (vi) Transport provision in the area and the likely means of public or private transport that will be used by customers either arriving or leaving the premises.
- (vii) Parking provision in the area.
- (viii) The potential cumulative impact (not applicable at this time in Rushcliffe).
- (ix) Other means and resources available to mitigate any impact.
- (x) Such other matters as may be relevant to the application.

REASON: To ensure that all relevant matters are taken into consideration during the application process

Section 182 Guidance

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall”, and “will”, is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;

- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardized and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

1.17 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy. Conditions attached to licenses and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed, may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in any individual case.

9.12 In their role as a responsible authority, the police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The police have a key role in managing the night time economy and should have good working relationships with those operating in their local area. The police should be the licensing authority's main source of advice on matters relating to the crime and disorder licensing objective, but may also be able to make relevant representations with regard to the other licensing objectives if they have evidence to support such representations. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

9.37 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;

- Section 182 guidance;
- Councils licensing policy.

9.41 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.42 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

10.08 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it has been satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. This provision also applies to minor variations.

10.09 It is possible that in certain cases, no additional conditions will be appropriate to promote the licensing objectives.

Observations

The committee is obliged to determine this application with a view to promoting the licensing objectives in the overall interests of the local community, and must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- the guidance;
- the statement of licensing policy.

Of course the Committee must also have regard to all of the representations made and the evidence it hears.

The Committee must take such of the following steps as it considers necessary for the promotion of the, licensing objectives:

- (a) Grant the application as submitted;
- (b) Modify the conditions of the licence, by altering or omitting or adding to them;
- (c) Reject the whole or part of the application.

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

Section 35(5)(a) the Licensing Act 2003 “relevant representations” means representations which, are about the likely effect of the grant of the application on the promotion of the licensing objectives.

Other matters

It should be noted that a number of representations refer to the local public house the ‘Plough’ and the ‘need’ for further licensed premises. Need cannot be taken into account when determining an application, and the statement of Licensing Policy reproduced below makes this quite clear.

- 1.8 There are certain matters which the Authority is prevented from taking into account or from dealing with in a specified way. For example the Authority is not entitled to take the issue of the “need” for further licensed premises into account when determining licence applications.

It should also be noted that a number of representations make reference to the planning permissions. Planning and licensing are two separate regimes and must be determined as such, and the statement of Licensing Policy reproduced below makes this quite clear.

- 4.2 The granting of a licence, certificate or provisional statement will not override any requirement of the planning system or vice-versa. The licensing system will provide for the detailed control of operational matters, which are unlikely to be addressed through planning processes. However there will be overlapping issues of interest e.g. disturbance, which will remain material considerations for planning purposes as well as being relevant in terms of the licensing objectives. Applicants should also ensure that they have due regard to any planning restrictions on the use of premises when applying for licence/certification to avoid any possible enforcement action.

| | |
|--|--|
| For more information contact: | Tristan Robinson Licensing Officer 0115 914 8505 trobinson@rushcliffe.gov.uk |
| Background papers Available for Inspection: | None |
| List of appendices (if any): | None |

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐

Yes

☒

No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Christopher

* Family name

Grice

* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☐

Applying as a business or organisation, including as a sole trader

☐

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

☐ Yes

☒ No

Is your business registered outside the UK?

☐ Yes

☒ No

Note: completing the Applicant Business section is optional in this form.

Business name

The Old Wharf

If your business is registered, use its registered name.

VAT number

None

Put "none" if you are not registered for VAT.

Legal status

Sole Trader

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company
- ☐ A partnership
- ☐ An unincorporated association
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☒ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales
- ☐ Other (for example a statutory corporation)

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☒ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

| | |
|-------------------------------|--|
| Building number or name | <input type="text" value="8"/> |
| Street | <input type="text" value="Butlers Field"/> |
| District | <input type="text"/> |
| City or town | <input type="text" value="Langar"/> |
| County or administrative area | <input type="text" value="Nottinghamshire"/> |
| Postcode | <input type="text" value="NG13 9HS"/> |
| Country | <input type="text" value="United Kingdom"/> |

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

| | |
|------------------------|----------------------|
| E-mail | <input type="text"/> |
| Telephone number | <input type="text"/> |
| Other telephone number | <input type="text"/> |

Add another applicant

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start?

/ /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end

/ /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Recently refurbished Old Wharf building on the side of the Grantham Canal at Hickling Basin.
Facilities include seating inside and outside, toilets for men, ladies and disabled with baby changing.
Incorporating it's own secure off road private car parking for patrons.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

☐ Yes ☒ No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

☐ Yes ☒ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

☐ Indoors

☐ Outdoors

☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Outdoor live musical events during the summer months only and mainly only at weekends and Bank Holidays
Indoor live music events all year.
Both would be amplified but restricted to a sensible level.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Certain functions may require longer hours. Temporary event notices will be requested if required.

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Continued from previous page...

☐ Yes

☒ No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

☐ Yes

☒ No

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes

☒ No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- ☐ On the premises ☐ Off the premises ☒ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Winter hours will be considerably shorter opening hours.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Certain events may require longer hours. Will deal with these exceptions with an application for a TEN.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Continued from previous page...

Enter the contact's address

| | |
|---|--|
| Building number or name | <input type="text" value="8"/> |
| Street | <input type="text" value="Butlers Field"/> |
| District | <input type="text"/> |
| City or town | <input type="text" value="Langar"/> |
| County or administrative area | <input type="text" value="Nottinghamshire"/> |
| Postcode | <input type="text" value="NG13 9HS"/> |
| Country | <input type="text" value="United Kingdom"/> |
| Personal Licence number (if known) | <input type="text" value="PA1331"/> |
| Issuing licensing authority (if known) | <input type="text" value="Rushcliffe BC"/> |

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="08:00"/> | End | <input type="text" value="23:00"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

WEDNESDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="08:00"/> | End | <input type="text" value="23:00"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

THURSDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="08:00"/> | End | <input type="text" value="23:00"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

FRIDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="08:00"/> | End | <input type="text" value="23:00"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

SATURDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="08:00"/> | End | <input type="text" value="23:00"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

SUNDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="08:00"/> | End | <input type="text" value="21:00"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Winter hours will be considerably shorter.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Exceptions may occur and be dealt with by way of a TEN application

Section 18 of 19

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

Vigilant management policies and all staff will be trained accordingly to fully understand the licensing objectives and requirements. New staff will be inducted and monitored.

Challenge 21 adopted and used as preventive method of sale of alcohol to under age persons. Only passport, driving license or military ID accepted as prove of age determination. Log maintained of refused sales to under aged customers or ones with lack of acceptable ID. Use and sale/purchase of illegal substances will be reported to the authorities along with any CCTV evidence.

Public nuisance will not be tolerated with no drunk and disorderly behavior. Parents to supervise their children and ensure their well being.

Dogs to be kept under owners control and on leads at all times. All dog mess to be removed by the owners and disposed of in appropriate bins provided.

Male, female and disabled toilets are provided along with baby changing facilities.

b) The prevention of crime and disorder

CCTV system will be installed to monitor all areas of the building inside and outside with records retained if required.

Normal hours of premises license displayed along with licensed activities permitted.

Staff will be trained internally but also included in Personal License program where appropriate.

Intoxicated customers will be refused the purchase of alcohol. Disorderly customers will also be asked to leave the premises immediately.

c) Public safety

All relevant H&S objectives will be adhered to and included as part of staff training. The premises and all equipment will be inspected and maintained with on site logs kept. Defective equipment will be repaired or replaced as required. Hygiene levels to all parts of the premises will be maintained with regular schedules. Emergency procedures will be displayed with along with schedules of checks and training. Emergency contact details will be included.

d) The prevention of public nuisance

Prominent notices displayed requesting patrons leave the premises quietly and respectful of local residents. Deliveries to the premises will be conducted during daytime hours. Adequate waste bins for customers use will be emptied on a daily basis and all waste disposed of along with any business refuse. Bins will only be moved during daytime hours. Lighting will not cause disturbance of local residents and be reduced to minimum after closing hours.

e) The protection of children from harm

Challenge 21 protocol will be observed at all times for alcohol sales and enforced. Only valid photo ID will be accepted for alcohol purchases and refused if any doubt. All refusals logged for reference.

Obscene and foul language will not be encouraged upon the premises and persistent offenders requested to leave.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

| | |
|--------------------------|---------|
| Band A - No RV to £4300 | £100.00 |
| Band B - £4301 to £33000 | £190.00 |

Continued from previous page...

| | |
|---------------------------|----------|
| Band C - £33001 to £8700 | £315.00 |
| Band D - £87001 to £12500 | £450.00* |
| Band E - £125001 and over | £635.00* |

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

| | |
|---------------------------|-----------|
| Band D - £87001 to £12500 | £900.00 |
| Band E - £125001 and over | £1,905.00 |

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

| | |
|-------------------------|------------|
| Capacity 5000-9999 | £1,000.00 |
| Capacity 10000-14999 | £2,000.00 |
| Capacity 15000-19999 | £4,000.00 |
| Capacity 20000-29999 | £8,000.00 |
| Capacity 30000-39000 | £16,000.00 |
| Capacity 40000-49999 | £24,000.00 |
| Capacity 50000-59999 | £32,000.00 |
| Capacity 60000-69999 | £40,000.00 |
| Capacity 70000-79999 | £48,000.00 |
| Capacity 80000-89999 | £56,000.00 |
| Capacity 90000 and over | £64,000.00 |

* Fee amount (£)

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Continued from previous page...

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/rushcliffe/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

| | |
|----------------------------|--------------------------|
| Applicant reference number | <input type="text"/> |
| Fee paid | <input type="text"/> |
| Payment provider reference | <input type="text"/> |
| ELMS Payment Reference | <input type="text"/> |
| Payment status | <input type="text"/> |
| Payment authorisation code | <input type="text"/> |
| Payment authorisation date | <input type="text"/> |
| Date and time submitted | <input type="text"/> |
| Approval deadline | <input type="text"/> |
| Error message | <input type="text"/> |
| Is Digitally signed | <input type="checkbox"/> |

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Mr C A Grice



Rushcliffe Borough Council
Rushcliffe Arena
Rugby Road
West Bridgford
Nottingham
NG2 7YT

7th April 201

Designated Premises Supervisor (DPS)
The Old Wharf, Hickling

Dear Rushcliffe Borough Council,

Please accept this letter as authority to specify myself as the DPS for the attached Premises License application.
My personal license number is PA1331.

I trust this correspondence is all you require for the application.

Yours sincerely,

Chris Grice



018427



Rushcliffe
Borough Council

Rushcliffe Arena, Rugby Road, West Bridgford, Nottingham NG2 7YG

Consent of individual to being specified as premises supervisor

Mr Christopher Andrew Grice

[full name of prospective premises supervisor]

of

*[home address of
prospective premises
supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

[type of application]

Premises Licence

by

[name of applicant]

Christopher Andrew Grice

relating to a premises licence

[number of existing licence, if any]

for

*[name and address of
premises to which the
application relates]*

The Old Wharf, Main Street, Hickling, LE14 3AH

and any premises licence to be granted or varied in respect of this application made by

[name of applicant]

Christopher Andrew Grice

concerning the
supply of alcohol at

*[name and address of
premises to which
application relates]*

The Old Wharf, Main Street, Hickling, LE14 3AH

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[insert personal licence number, if any]

PA1331

Personal licence issuing authority

[insert name and address and telephone number of personal licence issuing authority, if any]

Rushcliffe Borough Council

Signed

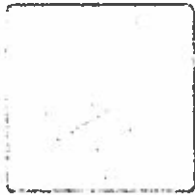


Name (please print)

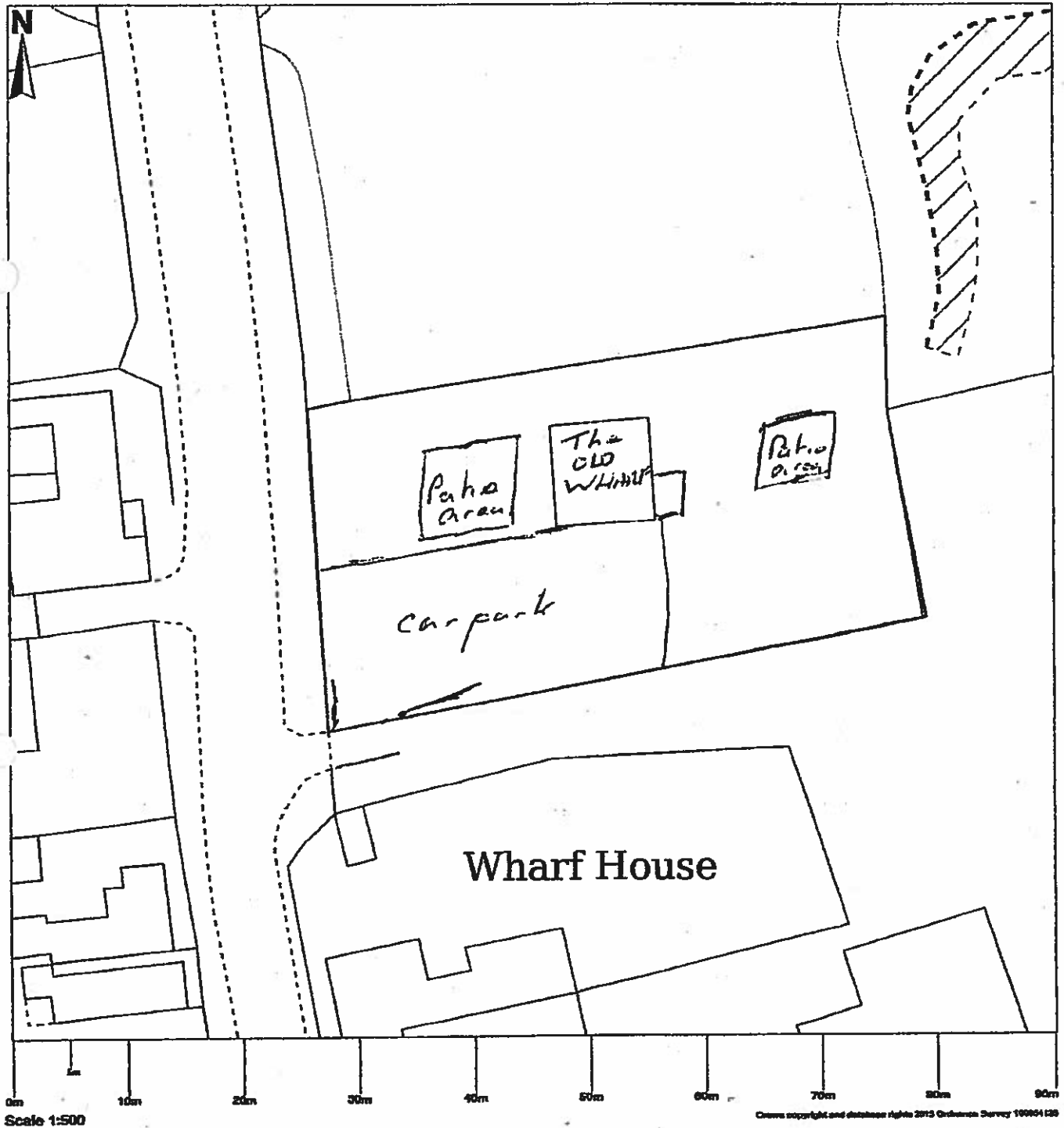
Christopher Andrew Grice

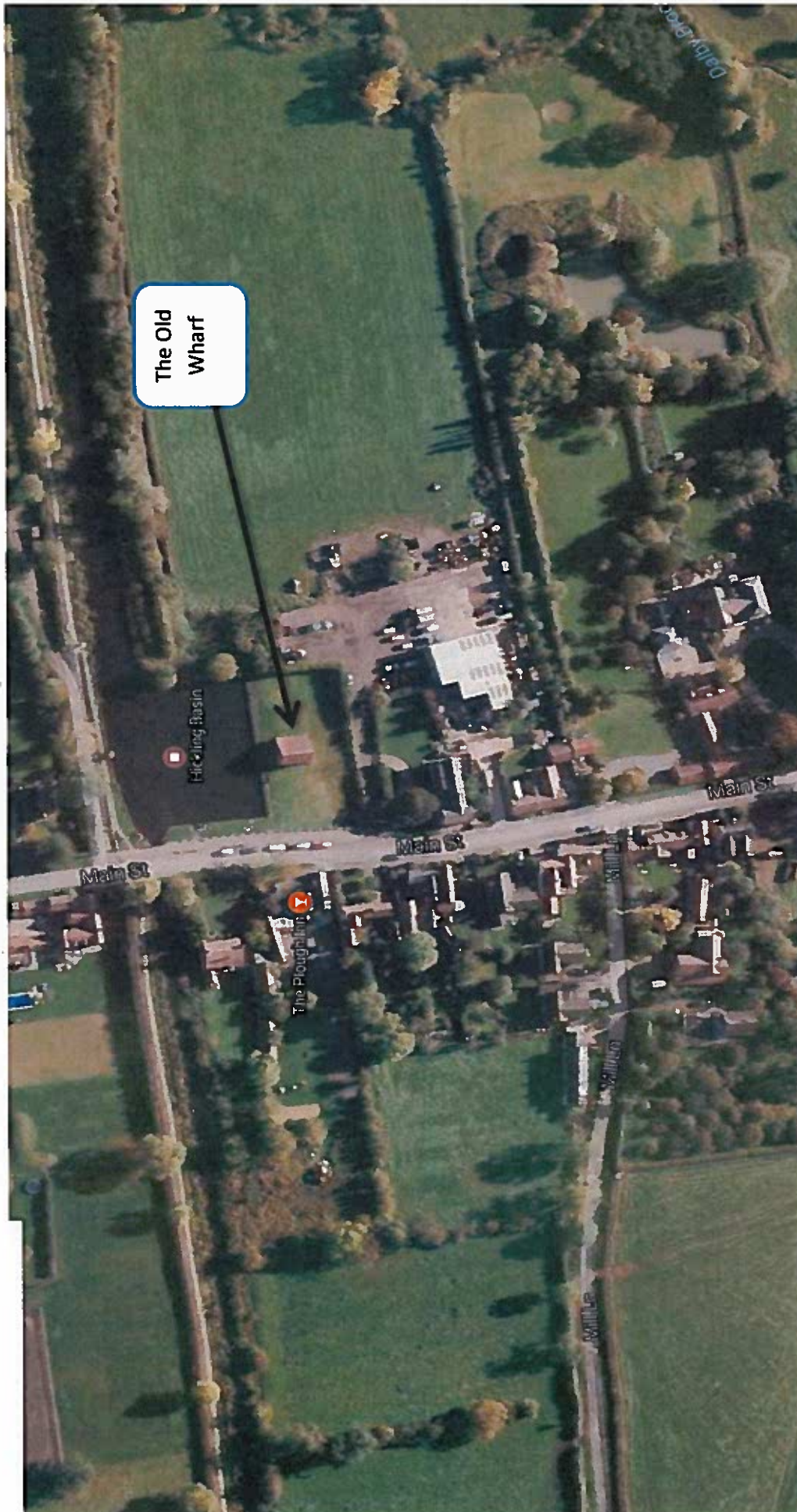
Date

13/04/2017



Old Wharf Building, Hickling





Location of The Old Wharf Hickling

The Old Wharf (Main St, Hickling)

Application for a Liquor Licence (and Regulated Entertainment)

Dear Tristan

Please consider our representation for an application related to the sale of alcohol and regulated entertainment at The Old Wharf, Main Street, Hickling. We oppose this for the following reasons (based on the limited information contained within the application itself), some of which align with one or more of the four licensing objectives.

Public Nuisance

Hickling is a small village, located in the Vale of Belvoir, with a population of around 500 parishioners. The village is serviced by a Village Hall (opposite end of village) and The Plough pub (one house along from our property). The Old Wharf is a listed building and is located in the Hickling Conservation area. With regards to the pub, public nuisance frequently arose in the past through on street parking along Main Street and outside our property. This particularly became an issue given the long opening times at The Plough which ran into the early morning hours (01.00-02.00 typically). At present, the situation is better given the recent change of landlords and/or the additional parking made available at the rear of the pub itself. However, approval of an application for liquor at The Old Wharf will simply reignite the issue of public nuisance given the very limited parking provision (10 spaces and one disabled space indicated on the approved plans) available at The Old Wharf (bearing in mind the original planning application is for a Tea Shop) and therefore on street parking in the vicinity will naturally result.

Noise Nuisance

Firstly thank you Tristan for highlighting the conditions for noise nuisance (from the Environmental Health Officer, *EHO*). The *EHO* will no doubt be aware of the previous issues with noise nuisance at The Plough through live music entertainment. In very brief summary, live music took place in the pub itself and then outside in a temporary marquee often going on into the early hours (00.01 and up to/beyond 02.00)! This caused considerable anxiety with various neighbours surrounding The Plough, including ourselves. In the case here regarding The Old Wharf application, regulated entertainment based on the agreed conditions will simply not work (again using The Plough as an example of an old building that is poorly noise insulated). In the event of warm weather, it will not be feasible to keep all windows and doors closed to the premises (it did not work at The Plough so is very unlikely to work with this application). Note also the external position of the toilets with respect to the main building and you will soon appreciate that doors will need to be opened every time someone wishes to use the toilet facilities notwithstanding those entering/leaving the premises itself. Regular monitoring of the noise levels (coupled with noise insulation/dampening) will be essential here if permission is granted. Signage will be helpful (I don't think it was ever

installed at The Plough but was aware of its presence at The Neville Arms in Kinoulton) although it will probably only have a minimal impact on any noise abatement.

Public Safety

The isolated surroundings of The Old Wharf (in other words access is fairly unrestricted) and outside seating provision will no doubt result in alcohol being consumed external to the building for which there would be a high risk to public safety because of the close proximity of the canal basin. Without any safety restrictions, that is erecting secure fencing around the green areas surrounding the building which depreciates its appearance in a conservation area, would therefore present a public danger (note – fencing poles have recently been staked alongside the waterside edge). It would be easy to take drinks around to the public benches on the pavement (as has been previously the case with The Plough and not uncommon to find beer glasses next to the benches)! Furthermore, the consumption of alcohol during the day when children are present, presumably through visiting the tea shop/bike hire, would also be dangerous and ultimately could put children at harm given the closeness to the water's edge. For information, overnight fishing is also currently permitted by the Applicant around the basin and this too could also be a public safety issue depending on the outcome of this application.

In summary, we oppose the application for the reasons identified above. The Grantham Canal is a tourist attraction and the approved planning application is for a tea shop/bike hire and, in our opinion, this is what The Old Wharf should be used for. It is also disappointing to note this application to sell alcohol and the close proximity of this business to The Plough. Hickling is only a small village and given the previous concerns of public and noise nuisance at The Plough, it is unreasonable to put residents (with families) through this unpleasant experience again. Two sites for selling alcohol will no doubt draw in visitors, predominantly not local to Hickling, and therefore will exacerbate the issues raised above.

Best wishes

Martin



Tristan Robinson

From: Bob Hedger -
Sent: 04 May 2017 16:16
To: Licensing Mailbox
Subject: application for alcohol and music licence at the Old Wharf Hickling

To whom it may concern, please accept this email as a objection against the above application for the following reasons,

We believe Chris Grice's intention is to host parties in a marquee at the Wharf building if he is granted an alcohol and music licence

We object to this application on the grounds of the lack of parking, the noise and the location of the venue being in a conservation area in the centre of the village

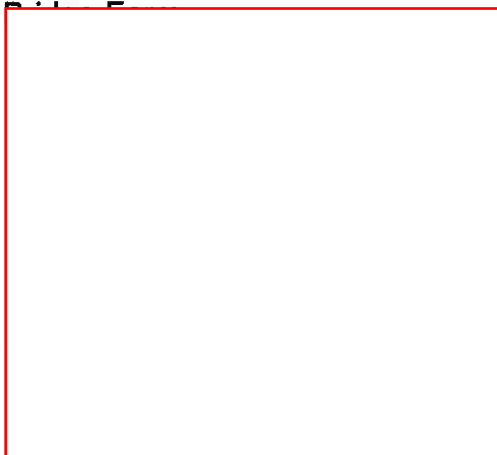
The Wharf is situated in the busiest part of the village with local residence reporting increased activity at the basin with walkers, cyclists and pub goers, Mr. Grice's tea room and cycle hire business is not open yet but the lack of parking is still great cause for concern as drivers speedup along the stretch of road to avoid being caught up in the single lane disruption that cars parked along a long stretch of road directly along side the Wharf cause. Party goers would require long term parking which is not available in the area .

We are very aware of the noise disruption that parties in marquees cause 'The Plough 'pub across the road from the Wharf held events in a marquee which resulted in local residence complaining about the very loud noise from music and revellers , the subsequent licence application made by 'The Plough to hold events was rejected on environmental grounds and parking issues.

Alcohol is served across from the Wharf at 'The Plough 'pub I strongly believe we should support existing local rural business not divide trade.

Helen Hedger

Bob Hedger



Tele

4th May 2017

Re: Liquor and Music License Application at the Wharf, Hickling, Melton Mowbray, Leics.

I am writing in response to the application for a liquor license at the above property by Mr. Chris Grice.

I would like to raise the following objections:

1. From a Public Nuisance and safety point of view, if Mr. Grice is granted a license and holds parties etc. this would have an impact on the parking situation at the wharf. At the moment the traffic is very heavy particularly at the weekends, and cars are parked all along the canal wharf and beyond. If more cars are in and out of the site the safety of pedestrians and cyclists would increase, of which there are many at weekends.
2. From an environmental point of view, this is a conservation village. People come to Hickling to enjoy the canal, walking and cycling along its cycle route. When Mr. Grice applied for planning permission to open a tea room, bicycle hire and repair shop residents were generally in favour of this. We had no idea that he would apply for a liquor license in the future. If we had, we might have objected to his application for a tea room.
3. There is a public house opposite Mr. Grice's and we feel that there is no need to have another venue selling alcohol. Will this impact on their business?

Mr. Grice is also applying for a music license. Does he intend to have parties and such like? We enjoy living in a quiet rural village so music would be a definite nuisance. Music carries a long way and I expect if there are parties they would be held at weekends and would cause both noise and congestion.

If the music was in the confines of the Wharf building, all well and good, but on a warm evening I suspect that party goers would spill outside.

Summing up, we would like Mr. Grice's business do well but we strenuously object to him being granted a liquor licence.

Yours faithfully,

Maureen Cockayne

Licensing application 018427

We **OBJECT** to this application for the following reasons -

The information available on the Rushcliffe website is vague and lacks clarity, as a result we can only surmise what the extent of the application is. However, I have spoken to the applicant, Mr Christopher Grice, who has described the intention to be offering customers alcohol to drink in/outside and to provide an events venue for Weddings etc. in a temporary marquee adjacent to the Wharf building.

Consequently, we believe that this application should be considered with reference to the application 15/02568/FUL – where objections were expressed by two Rushcliffe Borough Councils departments – Conservation & Design (Appendix 1) and Environmental Officer (Appendix 2).

The Prevention of Public nuisance - You will be aware from the Environmental Officers report that in this neighbourhood residents have been exposed to significant anti-social behaviour from alcohol and music license holders with respect to loud and late night noise.

Additionally, the provision of live music entertainment would present issues with sound containment as customers would need to access the external toilet block, thereby allowing contained music to be heard further afield (assuming this licence is for INDOOR music only).

We feel that any intention to play music out-doors would be an intrusion on our rights and contrary to the establishment of the Conservation area.

Public safety -We have safety concerns with respect to the proximity to the canal. In the event of excessive consumption there is potentially a public safety concern – whether it be through joviality of brawling, the canal is well placed for incidents under the influence (either the people involved or innocent customers who 'get in the way').

The Protection of Children from Harm – If the application is successful, alcohol sales should be limited to 'consumed on the premises' to protect an increasing teenage village community.

Appendix 1

Consultee Comments for Planning Application 15/02568/FUL

I note that the proposed (existing 'retrospective for retention) location of the Marquee is remote from the public house itself, located on rough ground 60 metres to the west of the most westerly outbuildings on the pub site. The site is within the Hickling Conservation area, to the rear of the grade II listed Bridge View House and on a site immediately bordering the towpath of the Grantham Canal. The Grantham Canal itself (although not a listed building in its own right) has a number of listed structures associated with it, and although none are in the immediate vicinity of the site such that their setting would be affected (The former Basin Wharf building located 130 metres to the east, shielded by intervening structures, is the closest listed structure associated with the canal) I do consider that the canal itself and all infrastructure historically associated with it (bridges, locks, sluices, towpaths signage etc) should be considered as a non-designated heritage asset in its own right.

It would be my view that, owing to distance and intervening landscaping and development there would be no likely impact upon the settings, insofar as those settings contribute to the special architectural and historic character of those buildings (Bridge View House and The Old Wharf) and as such there would be no harm caused to them as heritage assets, their settings and special interest being preserved by the proposal.

The marquee is not apparent in views from Main Street, owing to screening and its distance from the street frontage. It is, however, visible from the towpath of the Grantham Canal, affecting both that structure as a non-designated heritage asset and also views into the conservation area from along the canal stretching westward. The scale and material of the structure is such that, were it present only on the 15 occasions each year when it was required, such impact could be dismissed as de minimis, however the proposal is to retain the structure as a permanent erection and as such its impact upon the character of the area becomes continual and more significant.

I would not suggest that the impact upon the character of the conservation area would be substantial, indeed it is my professional opinion that the impact would be less than substantial by a significant degree. However the effect of a permanent lightweight structure in modern materials, deviating from the linear nature of the settlement at this position, being visible from the canal towpath and being visible within the conservation area would constitute harm, and wherever there is harm to a heritage asset, regardless of its scale or intensity, it cannot be said that the heritage asset has been 'preserved' as such the proposal fails to achieve the 'desirable' objective described in section 72 of the Planning (Listed Buildings and Conservation Areas) act 1990 of 'preserving or enhancing' the conservation area as an area of special architectural or historic interest. This gives rise to a strong and statutory presumption against granting planning permission. I do not believe that there is a similar failure in relation to the similar duty affecting listed buildings contained within section 66 of the same act, as the settings of the nearby listed buildings are not affected.

There is provision within paragraph 134 of the NPPF to allow wider public benefits of a scheme to be weighed against less than substantial harm in order that a proposal which causes some harm could be permitted should those benefits be considered to outweigh the harm caused. In carrying out this assessment the case officer must be fully aware of the relative weight of policy within the NPPF against the statutory nature of the 1990 Act, and the fact that the benefits would have to have significant weight to warrant departure from the statutory presumption arising under act.

James Bate
Conservation & Design Officer

Appendix 2

From:Nigel March Sent:Fri, 22 Jan 2016 09:47:47 +0000 To:Gareth Elliott Cc:Gary Pickering Subject:RE:

15/02568/FUL - 15/04993/PLANAP - Plough Inn, Main Street, Hickling, LE14 3AH

Hi Gareth,

Given that we have received recent complaints about loud music from the premises, we have concerns about the use of the marquee for events involving amplified music, particularly up to the proposed terminal hour of midnight. As such, we would recommend that the application, as it stands, is refused on the grounds of potential adverse noise effects on the amenity of neighbouring residents.

Tristan Robinson

From: Paul Frost [REDACTED]
Sent: 05 May 2017 15:57
To: Licensing Mailbox
Subject: PREMISES LICENCE OPEN APPLICATION 018427

Dear Sirs,

I would like to lodge my objection to the above application.

This premises was recently granted planning permission 15/02151/FUL and 16/01363/NMA for a change of use to a tea room and bike hire shop. The planning application stated 'a small friendly cafe/tea room with inside and outside seating encouraging and making use of the adjacent canal towpaths offers a attractive way of following nature throughout the seasons for young and old alike.' This application would effectively change the use of the premises to a licenced restaurant/bar and events premises. How is this in sympathy with reasoning and approval decision of the original planning application?

Although I am unable to see the details of the application on line, I am led to believe the application also includes for a events marque at the rear of the premises. This would effectively increase the buildings floor area making the current provision for car parking totally inadequate. Vehicle parking is very restricted in the area and this would cause a safety and congestion issue on the Main Street.

The granting of this application would also result in noise nuisance to local residents and would be in direct conflict to the conservation area beside the Grantham Canal.

There is already a licenced public house/restaurant literally across the road from this premises which is more than ample for this location.

Regards,
Paul Frost



Tristan Robinson

From: Mary Faulks <[REDACTED]>
Sent: 05 May 2017 23:20
To: Licensing Mailbox
Subject: PREMISES LICENCE OPEN APPLICATION 018427

Dear Sir or Madam

I would like to lodge my objection to the above application.

This premises was recently granted planning permission 15/02151/FUL and 16/01363/NMA for a change of use to a tea room and bike hire shop. The planning application stated 'a small friendly cafe/tea room with inside and outside seating encouraging and making use of the adjacent canal towpaths offers a attractive way of following nature throughout the seasons for young and old alike.'

This application would effectively change the use of the premises to a licenced restaurant/bar and events premises.

Can you please outline how is this in sympathy with reasoning and approval decision of the original planning application?

Although I am unable to see the details of the application on line, I am led to believe the application also includes for a events marquee at the rear of the premises. This would effectively increase the buildings floor area making the current provision for car parking totally inadequate. Vehicle parking is very restricted in the area and this would cause a safety and congestion issue again on the Main Street. Also how does the erection of a marquee sit with the conservation area restrictions ?

The granting of this application would result in increased noise nuisance to local residents and would be in direct conflict to the conservation area beside the Grantham Canal.

The licenced public house/restaurant literally across the road from this premises provides restaurant/bar facilities and this is more than ample for Hickling village.

Mary Faulks
Sent from my iPhone

Tristan Robinson

From:

28 April 2017 17:28

Sent:

To:

Tristan Robinson; Licensing Mailbox

Cc:

CLlr T Combellack

Subject:

Representation from Hickling Parish Council

Hickling Parish Council wish to object to the application for a licence to sell Liquor at the Old Wharf, Hickling based on the following reasons.

Firstly, when the parish council was asked as a consultee relating to the development of the Old Wharf, the parish council objected to the proposals as this area of the village is congested with parked cars using the canal and the pub and also large vehicles turning into Faulks Plant Hire. The parish council feels that considering there is already an establishment selling licenced products directly opposite the site, an additional venue in such close proximity to other businesses and as it is directly adjacent to the canal basin, there would be a significant increase in the risk to public safety. The premises has, as part of the application received permission to hire bikes and members feel that the combination of bikes and alcohol would not be desirable. Irrespective as to whether this part of the application is going to go ahead, the applicant still has permission for this and could decide to start the bike hire at any time.

The applicant has also given permission for a table tennis table to encourage children on to the site and as they are allowed to use the facility without adult supervision, the sale of alcohol would not be appropriate due to the risk of harm to children.

Also, the neighbours on the south side of the Plough have had a number of issues with noise and public disorder over the last few years, the parish council feels it would be inappropriate to add to this with a further possible source of noise, particularly in relation to live music, and disorder and ask that the appropriate level of consideration is given to those adjacent to the site who moved to the village for a quiet life and already have to tolerate noise from the local pub and the heavy vehicles from Faulks Plant Hire.

If you require any further information, please do not hesitate to contact me by return email or tel. 01664 822866.

Kind regards

Jo Cartmell

Parish Clerk

On behalf of Hickling Parish Council

Tristan Robinson

From: Cllr T Combellack
Sent: 03 May 2017 13:43
To: Tristan Robinson
Subject: RE: The Old Wharf

Regarding the application for a license at the Wharf I have concerns on several fronts which I appreciate need to fall into the the 4 objectives of the Licensing Act

1. Public Nuisance - I have grave concerns for the licensing of another establishment directly opposite the current public house. There have been a number of complaints from local residents with regard to nuisance caused by music and late night drinking. The original application at the Old Wharf was for a tea room and cycle hire which would not cause too much disturbance but a license brings with it other concerns. I understand it is proposed to hold events and possibly weddings at the premises which will not only cause noise nuisance but add to congestion on the already crowded village street outside the canal basin. It may be that the applicant would restrict drinking times and hours however we have to look at the application presented.

2. Public safety - The close proximity to the canal and the consumption of alcohol does not go well for safety and neither does cycling. I do appreciate cyclist are at liberty to drink at the pub opposite or elsewhere.

Cllr. Tina Combellack

From: Tristan Robinson
Sent: 11 April 2017 10:56
To: Cllr T Combellack
Cc: hicklingparishclerk@gmail.com
Subject: FW: The Old Wharf

Good morning,

There was a minor admin error in the notice sent to you yesterday, the applicant is Mr Christopher Grice, and not Wysall Parish council. I have attached the correct version.

Regards,

Tris Robinson

From: Tristan Robinson
Sent: 10 April 2017 15:55
To: Cllr T Combellack
Cc: 'hicklingparishclerk@gmail.com'
Subject: The Old Wharf

Good afternoon,

Please see attached new premises licence application.

Kind regards,

Tris Robinson
Licensing Officer
Neighbourhoods

Tristan Robinson

From: Jane Faulks
Sent: 05 May 2017 09:32
To: Licensing Mailbox
Subject: Application 018427 The Old Wharf, Main Street, Hickling

Dear Sirs,

I wish to register my objection to the application (number 018427) for an alcohol and music licence for the Old Wharf, Main Street, Hickling on the grounds of:

Public Nuisance

This property is in close proximity to residential houses allowing alcohol and music to be played Monday to Saturday until 2300hrs and Sunday until 2100hrs would cause a public nuisance.

In addition the venue is adjacent to the Grantham Canal basin which is used as a public amenity offering a quiet, tranquil area to sit, relax and walk. This would be destroyed by music playing during both the day and evening.

Public safety

As the venue is adjacent to the Grantham Canal basin and there appears to be no barrier between the public door to the venue and the water, there is an obvious hazard with the addition of alcohol being served on and off the premises this will increase the danger of falls into the water.

Regards

Jane Faulks

Procedure at the hearing:

Details of the procedure to be followed at the hearing are enclosed.

Advice to parties to the hearing:

Right of attendance, assistance and representation:

As a party to the hearing you may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information:

At the hearing a party shall be entitled to:

- (a) In response to a point upon which the authority has given notice to a party that it will want clarification, give further information in support of their application, representations or notice (as applicable),
- (b) If given permission by the licensing authority, question any other party; and
- (c) address the licensing authority.

Members of the licensing authority may ask any question of any party or other person appearing at the hearing.

In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

The Licensing Authority shall disregard any information given by a party or any person to whom permission to appear at the hearing is given by the authority which is not relevant to: -

- (a) their application, representations or notice (as applicable) or in the case of another person, the application representations or notice of the party requesting their appearance, and
- (b) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a chief officer of police, the crime prevention objective.

Failure of parties to attend the hearing:

If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence. If a party who has not so indicated fails to attend or be represented at a hearing the licensing authority may:-

- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
- (b) hold the hearing in the party's absence.

The Licensing authority will want to ensure that all relevant representations are properly considered and that those who wish to speak have the opportunity to do so. However where several people wish to say the same thing it may help if a spokesperson is appointed to avoid unnecessary repetition.

Where the licensing authority holds the hearing in the absence of a party, the licensing authority shall consider at the hearing the application, representations or notice made by that party.

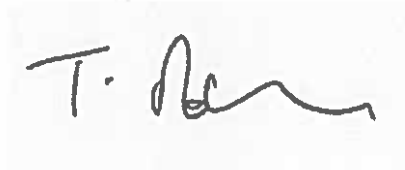
Where the licensing authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Withdrawal of representations:

A party who wishes to withdraw any representations they have made may do so:

- (a) by giving notice to the licensing authority no later than 24 hours before the day or the first day on which the hearing is to be held; or
- (b) Orally at the hearing.

Yours faithfully

A handwritten signature in black ink, appearing to read 'T. Robinson', with a stylized flourish at the end.

Tris Robinson
Licensing Officer