

Notification to Licensing Authority of Representation under Licensing Act 2003

Name of 'Other Person' making representation:

Mrs Jenny Hubbard of Wellow Hall Cottage, Wellow, Newark. NG22 0EA

Contact details c/o Kurnia Licensing Consultants Limited

Agent acting for 'Other Person':

Mr Michael Kheng, Kurnia Licensing Consultants Limited, 1 Beck Hill, Reepham. LN3 4EN

Email: mkheng@kurnia.co.uk

Telephone: 07971 841273

All correspondence in this matter to be via Kurnia Licensing Consultants Limited.

Application subject to representation:

Application for a new premises licence by Forrest Events Limited in respect of The 616, Wellow, Newark. NG22 0EJ

Details of the representation:

On behalf of Mrs Jenny Hubbard, we wish to make a representation against an application for a new premises licence submitted by Forrest Events Limited in respect of The 616, Wellow, Newark. NG22 0EJ as we believe the granting of the application will undermine all four licensing objectives.

The application seeks to enable the premises to have live and/or recorded music until 0200hrs Monday to Saturday and until 0000hrs on Sunday, late night refreshment until 0200hrs seven days a week and the sale of alcohol for consumption both on and off the premises from 0700hrs to 0200hrs seven days a week.

The plans attached to the licence show an area on the ground floor shaded pink as the bar area which appears to be approximately 5m x 12m and a cellar area shaded darker pink marked as a music area.

There appears to be no means of escape from the cellar in the event of a fire so we question how can the licensing authority grant a premises licence for an area that could potentially be a fire trap? If there is a mean of escape then the plans should reflect this as per the Licensing Act Regulations.

In the application under 'Public Safety' the applicant states 300 people could attend the venue. We understand that the venue has been granted planning permission for holiday accommodation only, to accommodate 26, and for no other purpose.

As the ground floor bar cannot possibly accommodate 300 people it will be that visitors, they will be visitors and not guests staying, as the premises can only accommodate 26 people in their bedrooms.

The potential to have 274 people outside until 0200hrs drinking will result in a noise nuisance being created. As this is a remote site there is also a potential for over 100 vehicles at the start and finish of each event moving in and out of the venue, over common land, along a narrow farm track. This would result in a noise nuisance being created and a danger to others, especially in the early hours of the morning along a farm access track, that does not have a tarmac or a bound surface, and is made up of loose material with potholes. The farm access track is not bound by any Highway Code restrictions and does not have any street lighting.

Nottinghamshire County Council Highways made the following comment in respect of a recent planning application for the 13 bed accommodation:

"There are two access points shown to the site. The access road at the rear of the site opposite Rufford Lane is unsuitable for an intensification of use, as it is located on a busy 'A' road (A616) at an already busy junction in a derestricted zone. This is an awkward 4-leg staggered junction with the access effectively providing a 5th leg on a bend. There are already existing traffic movements associated with the site access for the fishing pond and existing uses. There have been 3 injury accidents at this junction location in the last 3 years; one of which was classified as 'serious'.

The second access, located to the east of Eakring Road, is an existing farm access where visibility for emerging vehicles is substandard to the right (in a westerly direction) due to the boundary wall of the adjacent dwelling, Highfield House. It is considered that an intensification of use of this access will result in an increase in vehicular conflict."

We feel the comments from the highways must be taken on board.

The premises have planning permission for 30 vehicles only, therefore traffic on the farm access track would be significantly increased due to the use of taxis by the visitors. Large movements of vehicles will result in noise nuisance, disturbance, and danger.

Further, Condition 13 of the Inspector's Planning Appeal decision notice states that the premises shall be used for holiday accommodation and for no other purpose.

Alcohol has been applied for consumption on and off the premises. We strongly object to consumption off the premises. This could lead to people attending the venue wandering around the village consuming alcohol in an uncontrolled environment which in turn could lead to anti-social behaviour and a noise nuisance being created.

The sound level test report submitted with the application is supplied by Cosmic Sound. The Cosmic Sound website <http://cosmicsound.co.uk/> describes them as 'an East Midlands PA sound hire company'. They are not acoustic sound engineers or consultants, and the report is not a noise impact report. Their gallery shows images of their work which appears to be that of large-scale rock concerts. This gives some concern about the intended use of the site as it appears the premises licence could be a steppingstone to something much larger.

The applicant states the use of Challenge 21/25. This should be one or the other and suggest that Challenge 25 be used.

We feel the application should be refused but should the licensing subcommittee be minded to grant the application we request the following restrictions and conditions be applied.

Suggested Additional Conditions

All licensable activities to cease at 2300hrs.

The supply of alcohol is to be for the consumption on the premises only.

The cellar area may not be used for licensable activities until such time that there is a suitable means of escape that has been approved in writing by Nottinghamshire Fire and Rescue Service.

The maximum numbers that may attend the premises is limited to 75 at any one time.

The supply of alcohol be limited to the consumption within area marked on the plan as 'bar area' attached to the application.

A noise assessment report be produced by a qualified acoustic sound engineer and agreed with the EHO and any measures recommended by the report be completed before any licensable activities can take place. A copy of the report to be deposited with the licensing authority.

A noise limiter be fitted and to be used at the source of any live and/or recorded music with the level being agreed by the EHO and the sound limiter sealed by the EHO.

Noise from amplified and non-amplified music and singing arising from live and/or recorded music, as well as speech, at the premises shall not be audible inside habitable rooms of noise sensitive properties in the vicinity.

Notices be displayed near exits requesting that customers respect neighbours by leaving quietly.

The licence holder or his representative shall conduct regular assessments of the noise coming from the premises during regulated entertainment and shall take steps to control the level of noise to a reasonable level such that it does not cause nuisance to local residents.

A CCTV system shall be installed and maintained in working order and operated at the premises to the satisfaction of Nottinghamshire Police, specifically:

- a. There shall be a minimum of one high resolution camera fitted in a weatherproof housing, for external coverage of the entrance.
- b. There shall be a minimum of one high-resolution colour camera fitted to the public entrance/exit to provide a quality head and shoulder image for facial recognition/identification purposes of all persons entering the premises.
- c. There shall be sufficient cameras able to cope with the normal operating illumination to cover all licensed public areas.
- d. Recordings must be kept for a minimum of 31 days and endorsed with the accurate, correct time/date (BST/GMT adjusted).
- e. The frame rate should be maintained to an optimum of 25 frames per second (real time) where practicable and should in any case not fall below 6 fps.
- f. Police and/or Licensing Officers shall be able on attendance to view playback of any incident without the necessity for download.
- g. Recordings of incidents at the premises must be provided to the police following lawful request.
- h. A member of staff shall be on the premises at all times they are open to the public who is capable of operating the CCTV system and providing recordings on request.
- i. Recording equipment shall be housed in a secure room/cabinet where access and operation is strictly limited to authorised persons.

The premises licence holder shall ensure that there is an adequate written risk assessment of the need for door supervision at the premises and shall provide door supervision in accordance with that risk assessment. Such an assessment shall be written down and kept at the premises, for a minimum period of 6 months, and be available for production on demand by a person under the direction and control of the Chief Constable or an authorised officer of Newark and Sherwood District Council.

A record/logbook shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor. The record shall be retained for a period of 12 months from date of completion and contain the following details:

- a. The door supervisor's name;
- b. His/Her Security Industry Authority licence number;
- c. The time and date he/she commenced and concluded their duty;
- d. The door supervisors shall sign each entry; and
- e. The Designated Premises Supervisor or other authorised person shall also endorse each entry as having checked the authenticity of the individual door supervisor.

An incident book shall be kept at the premise in which details of crime and/or disorder relating to the premises shall be recorded. The incident book shall contain the following details;

- a. Time, date and location of incident.
- b. Nature of the incident
- c. Names, addresses and contact details of persons involved.
- d. The result of the incident.
- e. Action taken to prevent further such incidents.
- f. Each entry signed by the DPS or other responsible person employed at the premises and so authorised by the DPS.

The incident book shall be made available to police upon request. Each entry shall be retained for a period of 12 months from date of completion.

There shall be in place the following policies:

- a. Drugs Policy
- b. Door Supervisor Policy
- c. Search Policy
- d. Dispersal Policy

These policies shall be made available for inspection by a police licensing officer or any person authorised by the licensing authority.

Challenge 25 shall be implemented, and a proof of age policy is to be applied with the accepted means of proof of age being:

- a. Passport
- b. Photo Driving Licence
- c. A recognised valid photo-id card bearing the PASS hologram

Challenge 25 notices shall be displayed in prominent positions throughout the premises.

A refusals book, or electronic record, shall be kept recording all instances where service of alcohol is refused. Records to be retained for at least 12 months and shall be made available for inspection to the Police, or other officers of a Responsible Authority, upon request.

Michael Kheng – Kurnia Licensing Consultants Limited – duly authorised agent for Mrs Jenny Hubbard

02 December 2020