

Customer details

Contact information:

Name: Ronald Nutting

Address: 27 CAMBRIDGE STREET, CLEETHORPES, DN35 8HB

Do you agree to your contact details being made public?: Yes

Do you intend to attend or be represented at any hearing?: Yes

If you are being represented, please state by whom: myself

I make my representation as: An individual

I would like to receive the notice of hearing by email: No

Name of applicant: Folk

Address of premises: 30 CAMBRIDGE STREET, CLEETHORPES, DN35 8HD

Application details: Application for a new premises licence

Last date for representation (if known): 2025-02-17

Which of the licensing objectives does your representation refer to? (Select all that apply):

Prevention of Public Nuisance

Prevention of public nuisance: The first point I would like to raise is that according to NELC Licensing policy 'Applications for premises licences for permanent commercial properties should normally be from businesses with planning consent for the development concerned' The premises does not have planning permission for this application. This procedure is advised from central government and also according to legal advice, therefore perhaps the application should be postponed until Planning permission is obtained. Having viewed the application form there appears to be several omissions and inaccurate entries, therefore, again, perhaps the application should be postponed. The premises has been operating since 2016 as a bar. It originally opened under the guise of being a restaurant under the name of Society Sports BAR. In October 2017, because of noise and nuisance being an issue for neighbours, a Formal Warning was issued and after a meeting with NELC Licensing and noise a new operational business plan was presented by the applicant. The proposal submitted was a plan to operate a 'Deli' more focused on 'Food not Drink' (The business was supposedly a restaurant) The applicant said that the emphasis of the operation has changed from 'Drinking' to one of 'Eating', in a bid to reduce noise and nuisance to residential neighbours. Food will take precedent over any alcohol. There will be alcohol available to accompaniment a meal. Unfortunately, with the applicant applying for the opening hours to be increased to midnight and already having the rear courtyard open an extra hour, until 10.00pm, it has, and will, only increase the noise and nuisance to residential neighbours. When the original Licensing application was heard by the Licensing Sub-committee the chairman said 'his committee had concerns in relation to the proximity of residential properties and the effect that noise could have on local residents and their personal amenities'. He said 'concerns remained' that the conditions agreed between the owner and police 'may not alleviate all concerns relating to the proposed establishment' and we have concerns around the Licensing objectives being met - included in these Licensing objectives is 'only background music is allowed'. With reference to 'only background music being allowed', I live 70 meters away from the premises but during the warmer months I am unable to open the windows in my property because of the loudness of the music, singing etc from the premises. I can only try to imagine what it must be like for residents living closer, indeed some next door. It results in their rear gardens and the rear of their properties being out of bounds at weekends. On the application form at Part 3 Operating Schedule it asks for a general description of the premises - the applicant's answer is (only) Restaurant /Bar. It is not possible to to be both as they require

different considerations, both in Licensing and especially for Planning permission (one of the reasons why it is normal practice to obtain Planning permission prior to applying for a premises licence. On the application form, also under Operating Schedule (L) 'Hours are open to the public' -Proposal to open until midnight every night. - The business is presently open until 11.00pm, except Sundays and Bank Holidays (10.00pm) but even when closing on time there have been noise problems associated with the premises which is exaggerated because the doors are open, clientele congregating on the street drinking and at closing time. On the application form, also under Operating Schedule (M) Describe the steps you intend to take to promote the four licensing objectives - At all times the premises are open for business there must be a minimum of '24 SEATS' available (indoors). - Originally when the premises opened there had to be '32 COVERS' available at all times the business was open. This was reduced, through a minor variation, to 24 covers. The applicant states 'There must be a minimum number of SEATS not COVERS, which raises the question, again, as to the business model. The condition regarding the number of covers has previously been breached by the business, which was witnessed by Licensing. On a previous application, when referring to the condition regarding the minimum number of covers, the applicant stated 'It is a condition in place to stop the premises from being a vertical drinking establishment' - their promotional video for the first weekend this business venture opened shows this not to be the case. (M) cont'd - The applicant states - Whilst the premises are open for business, food shall be available until at least one hour before the end of alcohol sales - With the premises having no kitchen, food prep area or food storage area, what food will be available? Regarding the trading model of the premises, and the noise problems, as ex Cllr Colquhoun said, when deliberating another application for a restaurant, the type of clientele that frequent a restaurant are different to that visit a bar/pub. Further to the noise issue, with all doors now being open until 10.00pm it means the music, singing, noise etc faces very little, if any, noise suppression, indeed none whatsoever from the rear courtyard - fortunately for the local residents it appears from the application form that the 'beer garden' is not part of this application. There are presently two businesses registered at Companies House for 30 Cambridge Street these being 'Ted Oliver' and 'the antipasti caterer' Ted Oliver's nature of business (SIC) 56302 - Public houses and bars, the antipasti caterer's nature of business (SIC) 56103 - Take-away food shops and mobile food stands, 56210 - Event catering activities. With these businesses being registered at the same address as the application, will they be entitled to sell alcohol, should the licence be granted. The address given on Folk's own website is 30-32 Cambridge Street - there is no mention of 32 Cambridge Street on the application.

If possible please suggest alterations to the application that would resolve the problem mentioned above, again paying attention to the licensing objectives: Unfortunately, with the historic problems with the premises concerning the noise for many local residents, and the business seemingly not being overly concerned about it, (loud music, doors open, rear courtyard open an extra hour, applying to remain open for an extra hour) I feel that although conditions have been previously placed on the premises/business and a formal warning issued it has made no difference to the reduction of the living amenity for the local residents, therefore, I do not feel that any alterations suggested would either be adhered to or resolve the problems hence I am objecting to this application.