



To be submitted to the Council at its meeting on 18th July 2024

LICENSING SUB-COMMITTEE

22nd May 2024 at 9.30am

Present:

Councillors Hasthorpe, Beasant and Silvester

Officers in attendance:

- Adrian Moody (Licensing and Environmental Protection Manager)
- Iain Peck (Senior Licensing Enforcement Officer)
- Sophie Pickerden (Committee Support Officer)
- Eve Richardson Smith (Service Manager - Consultancy)

Others in attendance:

- Martin Holland (Applicant)
- Robert Mays (Applicant)
- Karen Wilson (Representative)
- Graham Lewsey (Representative)
- Councillor Kaczmarek (Sidney Sussex Ward Councillor)

There were no members of public and no members of the press in attendance.

LSC.10 APPOINTMENT OF CHAIR

RESOLVED – That Councillor Hasthorpe be appointed as Chair for this meeting.

COUNCILLOR HASTHORPE IN THE CHAIR

LSC.11 DECLARATIONS OF INTEREST

There were no declarations of interest received in respect of any item on the agenda for this meeting.

LSC.12

APPLICATION FOR A NEW PREMISES LICENCE AT – THE WAREHOUSE, 219 NORTH PROMENADE, CLEETHORPES DN35 8SJ.

The sub-committee considered an application for a new premises licence for The Warehouse, 219 North Promenade, Cleethorpes DN35 8SJ.

Ms Richardson Smith outlined the preliminary legal issues in relation to the bundle of papers, additional evidence served and the process to follow for the hearing.

Mr Peck summarised the application. He explained that the application was for a new premises licence with the application included in the agenda papers on page 25. Mr Peck referred to section 1.4.2 in the officer's report within the agenda papers. He explained that the section outlined that the application had been amended in response to the representations received and that the applicant was now asking for all licensable activities to be allowed during the hours of 12.00pm – 11.30pm on a Sunday – Thursday and 12.00pm to Midnight on a Friday to Saturday. Mr Peck referred sub-committee members to section 1.5 in the officer's report which outlined that the applicant had agreed conditions with Humberside Police. Mr Peck said that a total of five representations were received in opposition to the application with the main concern being the prevention of public nuisance in terms of potential noise the venue would create. He said that a representation had also been received from a responsible authority, the Environmental Protection Team on the grounds of potential noise disturbance. Mr Peck stated that the representation from the Environmental Protection Team was received prior to a noise assessment being provided. Mr Peck stated that there had been previous noise issues at the site, but those issues were nothing to do with the applicant. Mr Peck said that the power of review existed for all licenced premises if there were breaches of a licence.

Mr Mays spoke as the applicant. He said that he had been in the industry for 40 years and had managed public houses, nightclubs and festivals. Mr Mays said that he also run the Humber Street Session and it was currently going into its eleventh year. Mr Mays stated that if he were not a responsible operator, the Humber Street Session would not be going into its eleventh year. He said that his company worked well with the local community. Mr Mays explained that he had had no involvement with how the premise was previously used. He clarified that his company had also not publicised any future events for the venue and would not do any publicity until the application was granted. Mr Mays said that he had agreed conditions with the licensing authority and would propose to have a system where bookings were agreed three months in advance so they could be considered thoroughly. Mr

Mays said that the venue would be tailored to more mature entertainment similar to the Grimsby Auditorium. Mr Mays stated that he felt that the premise would be a good addition to the Cleethorpes area. He said that he was also having discussions with Stagecoach in regard to people travelling to and from the premise.

Councillor Beasant asked how Mr Mays would make sure noise would not be an issue when people were leaving the venue.

Mr Mays responded that the smoking area was located in the exterior of the site near the parking area. He explained that this would be brought inside as part of a future planning application. Mr Mays said that there would be two checking systems and there would be an 18-metre hall between the venue and the checkers. He said that there would be an exit that would lead people out onto the North Promenade and away from the car parking area. Mr Mays said that there were ongoing discussions between his company and Stagecoach. He said that it might also be worth having a taxi rank at the site. Mr Mays said that there would be stewards/security present to manage egress. He stated that people leaving would be diverted away from the houses. Mr Mays said that the parking situation was also being considered.

Councillor Beasant asked how the noise would be limited when live bands were performing.

Mr Mays referred sub-committee members to the Nova Report. He said that the premise would have a specialised sound system, that did not have to be loud to cover the venue and testing would be done before opening.

Mr Moody spoke in his role as Responsible Authority Officer for Prevention of Public Nuisance. He said that he had submitted a representation as he had concerns about potential noise at the premise. Mr Moody stated that he had asked for a noise impact assessment from a consultant to be provided by the applicant. Mr Moody said that following the adjournment of the last meeting, he had scrutinised the noise impact assessment and had drafted conditions which had now been agreed with the applicant. Mr Moody said that the Environmental Protection Team were comfortable with how things currently stand and therefore happy for the application to be granted and to see how it goes. He said that the power of review existed if there were any breaches or issues with noise in the future.

Mr Mays informed the sub-committee that Nova would conduct a review of the noise assessment.

Councillor Kaczmarek spoke as the Ward Councillor for the Sidney Sussex Ward. He said that himself and Councillor Farren had

visited residents in the area and asked them if they had any concerns about the premise. Councillor Kaczmarek said that the survey was conducted prior to the noise assessment being provided. He said that the findings from the survey showed that most residents did not oppose the licence being granted and it was roughly a 50/50 split. Councillor Kaczmarek said that 50 percent of residents surveyed were very worried about noise and they wanted assurance that there would be adequate sound proofing in place. He said that concerns had also been raised in regard to concerns over noise in the smoking shelters area and concerns over parking. Councillor Kaczmarek stated that residents did not want their streets to be used for parking. He said that there were also some concerns raised about potential anti-social behaviour. Councillor Kaczmarek said that some residents were positive about the licence being granted as they did not want to see the building empty and run down. Councillor Kaczmarek said that residents also wanted to see job opportunities for the local area.

Ms Wilson spoke as a representative. She said that after hearing the applicant's statement, some of her fears had been allayed. Ms Wilson said that there had been some promotion regarding a rave at the venue posted online and she had been concerned about that. Ms Wilson stated that she was not opposed to commercial operators but what she had bought into was that the North Promenade would be family entertainment but it now seemed to be moving in another direction. Ms Wilson said that if all of the noise measures were put in place and followed, then she did not think she would be affected by noise at the premise. Ms Wilson said that she did question whether the modelling used regarding egress was correct as they had not taken into account the presence of the water tower and the fact that noise would bounce from that. Ms Wilson said that the noise monitor was also used from Neptune Street but other streets were closer. Ms Wilson said that she did not think the applicant's other enterprise Humber Street Session was located within a residential area and was in fact located in more of a commercial area. She said that she also did not think that Tennyson Road had been surveyed by the Ward Councillors. Ms Wilson said that some people were of the mind, that the Council would grant any application, but people would complain after the fact. Ms Wilson said that she assumed that no event could take place at the premise until planning permission was granted. She stated that she was concerned about people leaving the premise at 1.30am in the morning. Ms Wilson said that whilst the applicant had said the venue would not be for under 21's she had a gut feeling it would be for that particular age group. She said that there had been conversations about events for up to 1600 people, which was a huge amount of people to police and police presence on the street was minimal. Ms Wilson said that she was pleased that the applicant had addressed the spill out zone but would like the hours on Sunday to Thursday to be 12.00pm – 11.00pm. She concluded that the issue of events having already been promoted

online needed to be addressed as people think they were going to the event.

Councillor Kaczmarek clarified that Ward Councillors did survey Tennyson Road.

Mr Lewsey asked whether the applicant owned the premise.

Mr Mays responded that they were leasing the premise and were looking to purchase the premise in the future. He said that he was committed to looking at biodiversity at the site.

Mr Lewsey said that he thought it was a lot of money for the applicant to spend on the premise if he did not own it.

Mr Mays said that he thought it was worth it. Mr Mays said that he would be happy with an 800-person capacity. He said that he was also looking at the possibility of the site having a conference centre.

Mr Lewsey asked why three events were being asked for, for later hours.

Mr Mays said as part of his discussions with the Licensing Authority, he had asked for those and that they were just an option.

Ms Richardson Smith clarified that lots of premise licence holders ask for extended hours for several days a year. She explained that this was to cover them to open longer on New Years Eve and other special occasions. Ms Richardson Smith said that it did not necessarily mean they would be used.

The sub-committee withdrew to deliberate. After an interval the sub-committee returned to the meeting.

The Chair stated that the applicants were experienced operators and that a comprehensive set of conditions had been suggested. The Chair said that Humberside Police were happy with the application with the proposed conditions. The Chair stated that the sub-committee were happy to grant the application as applied for with the conditions agreed with Humberside Police and the Environmental Protection Team. He said that the conditions were appropriate for the promotion of the licensing objectives. The Chair said that the power of review existed should there be any breaches of the licence.

RESOLVED – That the application for a new premise licence be granted as applied for subject to the conditions agreed with Humberside Police and the Environmental Protection Team.

There being no further business, the Chair declared the meeting closed at 10.35am