



Licensing Sub-Committee

Minutes

Tuesday, 13 June 2023 at 10:00

PRESENT:

Councillor Annison (in the Chair), Councillors G Carpenter, Jeal and Lawn.

Also in attendance at the above meeting were:

Mrs E Hignett (Licensing Officer) and Miss R Downie (Democratic Services Officer)
Ms F Clement-Harry (Solicitor, Nplaw)

Mr Connor (Applicant Representative), Mr Utting (Applicant Representative) and Mr Bullion (Applicant Representative)
Mr Cutter (Objector)

01 APOLOGIES FOR ABSENCE

There were no Apologies for Absence received at the meeting.

02 DECLARATIONS OF INTEREST

There were no Declarations of Interest at the meeting.

03 APPLICATION FOR VARIATION OF A PREMISES THE WILLIAM ADAMS, 176-177 HIGH STREET, GORLESTON

The Licensing Officer presented the report for Members to receive and consider. They advised that this was an application by JD Wetherspoons plc to vary the premises licence of The William Adams, 176-177 High Street, Gorleston.

It was advised that the applicant had applied to amend the condition on the current licence that reads 'There shall be no use of the external customer area to the rear and side of the premises for the consumption of food and drink outside the hours of 08:00 to 21:00'. The Licensing Officer further advised that this application seeks to amend the condition so that the consumption of food and drink in the external customer area to the rear and side of the premises can take place between 08:00 and 23:00.

The Chair asked Members if they had any questions for the Licensing Officer. There were no questions asked.

Mr Nigel Connor, who spoke on behalf of the applicant, reiterated the aim of the variation application as outlined by the Licensing Officer. Mr Connor further explained that The William Adams opened in 2018 and is a popular food led establishment with 55% of trade being food and 45% being drinks. Furthermore, the external area in question is a garden style area to the rear and the side of the premises that is slightly sunken with a 12ft tall perimeter fence. This area hosts 22 tables with 1/5 of these being covered by a gazebo structure. Mr Connor explained that the current condition stating that the outside area must be closed at 21:00 was originally agreed as it matched the condition in the planning permission, however this planning restriction was removed via application earlier this year. Furthermore, the approval of this application would allow the establishment to accommodate customers for longer, assisting in the management of the premises as the outdoor space is popular in the summer months with many customers still present at 21:00 when they must move to the interior of the premises. Mr Connor explained that it is difficult to accommodate the customers brought in from the outside area during the summer months which often leads to a mass dispersal onto the High Street. It was suggested that, if approved, the closing time of 23:00 of the outside area would allow for a more staggered leaving of customers which may reduce potential anti-social behaviour outside of the premises. Mr Connor further stated that the garden area can be monitored by management due to large glass doors that can be seen from the bar and constant supervision of staff who are serving food and drink. In addition, door supervisors are present at the premises from 08:00 to close on a Friday and Saturday that can step in should any customers exhibit anti-social behaviour. It was proposed that additional signage can be introduced in the external area asking customers to be respectful and to keep noise down. Mr Connor also added that there were no representations from EHO or the Police regarding the external area as there have been no noise complaints and the management at the premises liaise with the police regularly.

The Chair asked members if they had any questions for Mr Connor.

Councillor Jeal requested clarification around how many tables were in the external and internal areas of the premises. Mr Connor explained, after confirmation from Mr Utting and Mr Bullion, that there are 22 tables in the external area and approximately 70 tables in the internal area.

There were no further questions from Members.

Mr Vaughn Cutter addressed the committee with his concerns about the proposed variation. Mr Cutter explained that his objection was based solely on noise which travels directly from the area to his home which is located to the left of the premises. He advised that he does not have an issue with the 21:00 closing of the external area which the premises always abides by. He suggested that if Wetherspoons are willing to install noise reducing equipment in the external area then he would consider withdrawing his objection. Mr Cutter explained that noise reducing equipment such as

specialised Perspex on the fence would cause the sound to travel upwards instead of sideways, thus reducing the impact on residential neighbours.

The Chair asked members if they had any questions for Mr Cutter. There were no questions asked.

Mr Connor delivered his closing statement and explained that there were acoustic requirements in the original planning permission which asked for an acoustic wall to the South only. However, this is not to say that acoustic consultants could not be brought in to assess what acoustic work could be done on the fence. Mr Connor further suggested that there could be some compromise with a potential interim period to see if the extended closing time had a detrimental impact on the residential neighbours. In addition, it was stated that the licence holder does not wish to have a negative impact on the residents in the area and there have been no issues in the past five years as the external seating area is well controlled. Mr Connor concluded by saying that he hoped the Committee come to a decision which allows a later opening in the external area, though he respects the valid concerns from neighbours.

Mr Cutter delivered his closing statement and explained that he would have no issue with a 22:00 closing time if the process of noise reducing is taken into consideration and if the premises were to go down the noise reduction route, then he would potentially be open to a 23:00 closing time later down the line if this equipment was working in reducing the noise.

Councillor Jeal asked for clarification as to whether Mr Cutter was stating that he would be happy with a 22:00 closing time providing the premises guarantees that noise reduction would be put in place.

Mr Cutter confirmed that this would be a reasonable compromise.

Members retired to consider their decision in private at 10:14.

The Committee resumed to give their decision in public at 10:33.

The Chair invited Solicitor Clement Harry to confirm the decision. Solicitor Clement Harry confirmed that the application has been considered based on the applicant's proposed amendments to increase the time that the premises can use their external area to the rear and side. It was also confirmed that this variation would be granted on the exception that the premises licence holder installs noise reducing equipment in the external area and that noise levels are assessed by an Environmental Protection Officer. The variation to the licence will only come into effect once the equipment is in place and an Environmental Protection Officer has deemed that the noise levels are acceptable.

It was therefore **RESOLVED:-**

That the application to vary the premises licence for The William Adams, 176-177 High Street Gorleston be approved, though the changes will only come into effect after noise reducing equipment has been installed and noise levels are confirmed to be at an acceptable level by an Environmental Health Officer.

04 ANY OTHER BUSINESS

There was no other business discussed at the meeting.

The meeting ended at: 11:00