

Further Information Requested by Local Authority Responses

The applicant and all representors were asked the following questions:

Additional Details Required from Applicant listed below.

Applicant	Additional Details
Plumb Right Limited	<p>Having considered the controls offered to promote the licensing objectives in the operating schedule, provide specific details about the effect of the licence being granted on the promotion licensing objectives, which are:</p> <ul style="list-style-type: none"> • The prevention of crime and disorder, • Public safety, • Prevention of public nuisance, and • The protection of children from harm <p>• If the Council is minded to grant the licence, are there any conditions that you wish to propose to support the licensing objectives?</p>

Additional Details Required from all Representors listed below.

Representor	Additional Details
All Representors	<p>Having considered the controls offered to promote the licensing objectives in the operating schedule, please can you provide specific details about the effect of the licence being granted on the licensing objectives, which are:</p> <ul style="list-style-type: none"> • The prevention of crime and disorder, • Public safety, • Prevention of public nuisance, and • The protection of children from harm <p>Please detail any conditions that you would like the Licensing Panel to consider attaching to the license if they are minded to grant it.</p>

To date the Licensing Authority has received one response to the questions they were asked at Schedule 1 of the Notice of Hearing.

Response to controls proposed in Licensing Application for The Lion by Olivers, Brinsley

Although the license specifically requests late-night opening until 2 am, in conjunction with being able to provide live music indoors and outdoors, there are no specific provisions in reducing the impact of these in the proposed controls within the application – especially regarding public nuisance and noise.

I believe the controls proposed are suitable for current opening hours (11:30 weeknights, 12am Friday and Saturday according to Google) and providing live music indoors only but would be wholly inadequate to prevent potential public nuisance for late night opening until 2am, or especially outdoor music late into the evening. For example, closing the external doors does not help with this.

I also recognise through their response via their solicitor the applicants wish to indicate that they don't intend to exercise the full extent of the license hours or entertainment regularly, but would like to retain the flexibility to do so as required – without needing special measures in place.

As has been detailed in my previous response, the location of the pub means any noise created at the pub easily carries around this solely residential neighbourhood. For rare one-off events such as New Year's Eve etc this might be tolerable but not regularly. As suggested by the applicant's solicitor, there is a route to support these "rare" events through what I think is called a temporary events notice. But otherwise, I can't see how they could put sufficient measures in place to minimise the impact on local residents if the full extent of the application hours and outdoor entertainment provision were exercised – which was noted as a problem in the past by Cllr Williamson's response regarding the previous owners of the pub, and also why we local residents understand the impact of operating in this way.

I can perhaps appreciate the frustration that the applicants might be feeling through what was probably expected to be a simple "rubber stamp" exercise but has instead generated an opportunity for the community and the pub to have constructive dialogue on the best outcome for all in the long term.

In conclusion, I would accept these controls as listed below for a licensing application that matches their current operating hours and for indoor live music (regulated entertainment); and for any other operating cases, they should apply for temporary event notices as required, which shouldn't be a huge burden to the business if it is indeed only going to be occasionally.

This seems to be a fair and equitable solution without any detriment to the ongoing business of the pub or the enjoyment of its patrons and supporters.

Best regards,
Dr Martyn Jeffries
Hall Lane, Brinsley

The Lion
28 Hall Lane Brinsley

Notwithstanding the controls offered by the applicant to promote the licensing objectives, it is unlikely that these will address the serious concerns raised by local residents about the impact of late night noise and disturbance on their quality of life. If the licence is granted as currently requested the potential remains for the licensee to develop the business with regular late night events.

Having considered carefully all representations put forward by local residents, the key issue for the Licensing Panel is the significant concerns expressed about late night operating hours and the potential impact on licensing objectives. A reasonable solution would be for the Panel to restrict licensing hours to 11pm Sunday to Thursday and Midnight on Friday and Saturday.

Late night (ie after midnight) music events should be limited to special licence applications and appropriate notice given to local residents.

Mr Andrew and Sheila Marshall

24.07.24

I have read all of the attached submissions in regard to the application and I have of course read the letter sent from Flint Bishop in regard to the application.

Although I am unable to attend the hearing, I would still like my views to be taken into consideration in regard to any decision making.

In respect of the submissions in support of the application, these all seem to suggest that opposition to the application would mean the closure of the pub and complete revocation of the licence which is absolutely not the case.

I have lived in the village for over 30 years and the pub is an integral part of the community and I'm sure no one wishes to see it close.

The only opposition to the application is in relation to the weekend opening till 2am and the live and recorded music outside the pub.

The letter from Flint Bishop says that the extension till 2am has always been in place but never used and that there is a requirement to have doors and windows closed when live or recorded music is played.

The latter is irrelevant when the music is outside in the garden, which is often the case and causes a disturbance to all properties in the vicinity. The pub has recently installed extra lighting and heaters in the garden, which seem to suggest that even more event are likely to take place outside the premises and cause even more noise and light pollution to the area.

Although the pub might not have used their ability to open till 2 am in the past, when new licencees take over, this situation could change overnight with no warning to local residents.

As this is a quiet residential village with limited public transport access, I see no reason or need for the excessive/extended hours. If there are odd occasions when an extension is required then surely this could be applied for when necessary and this will give local residents ample warning to prepare themselves or make alternative arrangements if possible.

The longer nights and warm weather are now here. Residents will need to have their windows open and will wish to spend more time in their gardens and surely have a right to do this in peace.

In summary, I have no wish for the pub's licence to be revoked altogether but object to the opening till 2am at weekends and live and recorded music in the garden area. This is acceptable on an occasional basis but not past 10pm and not excessively loud.

I hope this email is adequate for your purposes and apologies that I couldn't attach or complete the required form.

Kind regards

Linda Robertson,