

From: Sarah Balmain [REDACTED]
Sent: 18 September 2023 20:58
To: Caroline James
Cc: [REDACTED]
Subject: Re: Additional Licence Conditions proposal - The Pans, 38 Beresford Road, Seaton Sluice

Good Evening,

I do not accept the proposed additional conditions and I will respond to the below in due course.

Regards,

Sarah Balmain and Marco Charters-Barron

On Mon, 18 Sep 2023 at 10:09, Caroline James <Caroline.James@northumberland.gov.uk> wrote:

Good Morning

Further to your representation in respect of the above premises licence application.

Please see below a list of additional Licence conditions offered by Lisa Bagnall together with photos of the proposed outside set up. Please direct all comments to Lisa Bagnall. Please also copy the Licensing Section into any correspondence and to advise if you accept the proposed additional conditions by the **27th September 2023**.

Admission:

- No person under the age of 18 will permitted to enter the premises without supervision of an adult.
- Between 9am-10pm no customer will be permitted to enter or leave the premises by means of the back door; Only the front door will be accessible to customers.
- No more than 50 customers will be permitted on the premises at any one time.

Designated smoking area

- Customers permitted to temporarily leave and re-enter the premises to smoke must be restricted to a designated smoking area defined as On the plan. No more than 8 customers will be permitted to remain in the designated smoking area at any one time.

Alcohol

- Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic) in open containers.

Caroline James

From: Emma Agar [REDACTED]
Sent: 18 September 2023 20:17
To: Caroline James
Cc: [REDACTED]
Subject: Re: Additional Licence Conditions proposal - The Pans, 38 Beresford Road, Seaton Sluice

Dear Caroline

Thank you for your email.

I do not accept the additional conditions as stated below and I will reply in full in due course.

There remains a number of concerns and many of the points I highlighted in my letter dated 09/09/2023 have failed to be addressed.

Regards
Miss Agar

[REDACTED]

On Mon, 18 Sep 2023 at 10:09, Caroline James <Caroline.James@northumberland.gov.uk> wrote:

Good Morning

Further to your representation in respect of the above premises licence application.

Please see below a list of additional Licence conditions offered by Lisa Bagnall together with photos of the proposed outside set up. Please direct all comments to Lisa Bagnall. Please also copy the Licensing Section into any correspondence and to advise if you accept the proposed additional conditions by the **27th September 2023.**

Admission:

- No person under the age of 18 will permitted to enter the premises without supervision of an adult.
- Between 9am-10pm no customer will be permitted to enter or leave the premises by means of the back door; Only the front door will be accessible to customers.
- No more than 50 customers will be permitted on the premises at any one time.

Designated smoking area

Caroline James

From: The Churchills [REDACTED]
Sent: 19 September 2023 20:50
To: [REDACTED]
Cc: Licensing Mailbox; Caroline James
Subject: RE - Additional Licence Conditions Proposal - 38 Beresford Road, Seaton Sluice

Dear Ms Bagnall,

We have both submitted notices of representation with regard to your licensing application for 38 Beresford Road, Seaton Sluice, however have only received one e-mail between us from Caroline James of Northumberland County Council with your additional licence conditions proposal, so we are sending you a joint reply. In any case we believe yours is a general response to a number of people, who have submitted notices of representation, rather than a personal response identifying individual concerns.

Can we say from the outset that, rather than allaying our concerns regarding your plans for the premises, the conditions you have offered to place upon the use as a bistro/cafe/bar have merely confirmed our fears that the intention is for this too be much more than the 'small premises possibly up to 20 seats to potentially convert into a cafe bistro' as you indicated on the licensing application or what you have described elsewhere as 'a family run Bistro serving small plates on a weekend evening perfect for a family get together, date night or even just a friendly meal, alongside breakfasts in the morning..... so people can enjoy a glass of wine with a meal or just to enjoy while catching up with friends'

Below we address some of your points to explain why we do not accept the application even with the additional conditions and why we will continue to oppose your application.

Admission:

- No person under the age of 18 will be permitted to enter the premises without supervision of an adult.
- Between 9am-10pm no customer will be permitted to enter or leave the premises by means of the back door; Only the front door will be accessible to customers.
- No more than 50 customers will be permitted on the premises at any one time.

So from 'up to 20 seats' at application, to no more than 50 customers?

Designated smoking area

- Customers permitted to temporarily leave and re-enter the premises to smoke must be restricted to a designated smoking area defined as On the plan. No more than 8 customers will be permitted to remain in the designated smoking area at any one time.

We believe the outside seating area as shown on the plans is 'substantially enclosed' so smoking would be prohibited. Even if final plans show it is not substantially enclosed, it puts smokers too close to non smokers, putting non smokers at risk from passive smoking. We believe that a condition of no smoking on of the premises will have to be imposed, this will then push smokers out onto the footpath and close to a bus shelter, exposing members of the public and children to tobacco smoke. Smokers will congregate around the exterior of neighbouring homes allowing smoke to drift into the homes and the pavement in this area will be covered in discarded cigarette butts.

Alcohol

- Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic) in open containers.

It is hard to see how this will be enforced in the outside seating area by staff inside the premises, it is likely people will walk off with glasses depositing them on nearby garden walls or breaking them, as already occurs outside and on the routes from other licensed premises in the area.

- No beer, lager, cider, ale or spirit mixers with an alcohol by volume content above 40% will be sold or offered for sale.

We are not sure if this reference to 40% is a standard condition set in a licensing context but clearly we are looking at more than a glass of wine with a meal, the intention is to serve liquor in all its guises, beer, cider, spirits with mixers and cocktails.

- The premises licence holder must submit to the relevant police officer (Neil Kirkpatrick - [REDACTED]) A completed risk assessment form as prescribed at least 14 days before any event that is:

- o Promoted/advertised to the public at any time before the event; and
- o Features DJs, MCs or equivalent performing to a recorded backing track; and
- o Runs anytime between the hours of ...

So rather than being a "family run bistro serving small plates", the intention is create a music venue serving alcohol and to stage 'events' with DJs and MCs. Clearly more than simply recorded music to create a pleasant ambience for a family friendly or date night meal.

CCTV

- The premises licence holder must ensure that:
 - a) CCTV cameras are located within the premises to cover all public areas including all entrances and exits.
 - b) The system records clear images permitting the identification of individuals.
 - c) The CCTV system is able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
 - d) The CCTV system operates at all times while the premises are open for licensable activities. All equipment must have a constant and accurate time and date generation.
 - e) The CCTV system is fitted with security functions to prevent recordings being tampered with i.e. password protected.
 - f) There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

It is interesting such attention is paid to CCTV, again this may be a standard detail required for licensing but it is concerning that it in effect acknowledges that there is potential for issues with customers that will require comprehensive CCTV coverage.

Deliveries

- No deliveries or collection relating to licensable activities at the premises will take place between the hours of 6pm and 9am.

Dispersals

- The dispersal of customers from the premises must be managed in accordance with the following:
 - o Clear and legible notices must be prominently displayed at all exits requesting customer to respect local residents and leave area quietly.
 - o Public announcements requesting customers to leave quietly to minimise disturbance to nearby residents.
 - o A 30 minute period where (music volume is reduced/lighting increased/alcohol sales cease).

Large Events

- The Premises Licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the prior written consent to the Licensing Authority.

It is extremely concerning that the term 'large events' is used at all in the context of what is described in the original application as 'small premises possibly up to 20 seats to potentially convert into a cafe bistro' with a stated intention to cater for family get togethers, date nights and friendly meals. Why do large events even have to be mentioned unless it is to cover the possibility that such will be considered in the future?

Noise

- The location and orientation of loudspeakers must be as specified on the attached premises plan.
- All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter.

Clearly the plan is for multiple loud speakers, this associated with DJs and MCs playing recorded music does not suggest background music for diners but actually a music venue of some sort. It appears that entertainment involving music, played by DJs, through loudspeakers is what is actually intended for these premises. Is it really also being suggested that at the height of summer all windows and doors will be kept shut 'at all times' to regulate noise with up to 50 persons squeezed into the premises? Presumably windows and doors will be kept shut until people start collapsing with heat stroke? Or will air conditioning units be installed subjecting neighbours to the constant drone of such units, to compound the noise that will already exist from the kitchen extractors that will be running when food is being served?

Outdoor Areas

- No more than 16 customers will be permitted to enter or remain in the outdoor area of the premises at any one time between the house of (9am-8pm Friday, Saturday, Sunday) and (9am – 6pm Sunday – Wednesday).

- Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.

The issue of smoking is already addressed above but we cannot see how the outdoor space will accommodate 16 people, 8 of whom will be smoking, without exposing the other 8 non smokers to tobacco smoke, with all the now well known dangers of lung cancer caused by passive smoking

Records

- A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customers, the name of the staff member who refused the sale and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.

Staff

- A personal Licence Holder must be present at the premises to supervise all sales of alcohol.

Waste

- Between the house of 8pm – 9am no waste/glass bottles will be moved or deposited outside.
- Throughout the day until 8pm outside the premises, including inside and outside the premises must be swept and/or washed, and litter and sweepings collected and stored in the refuge area.

Additional Notes:

- The architect I have working on the plans is currently on holiday, when she returns she will update the plans to identify the location of CCTV and speakers within the premises.

- I am currently waiting for a sound assessment to be carried out at the premises, when this is returned to me from Apex Acoustics I will inform you of the sound levels I will meet at the premises.

Will this assessment include the fact all windows and doors will be kept closed even in the middle of summer or will the assessment be carried out with windows and doors open (which will be the reality) and measure those potential sound levels?

- Could we add these proposed changes to the outdoor area; we have raised the wall with fencing between the premises and 40 Beresford Road to provide more privacy while people are dining. We have included some clear Perspex above that fencing and on the top of the pergola in the hope that we can reduce the flow of noise to neighbouring properties.

These changes will we believe make this area substantially enclosed and mean smoking will not be permitted.

Additionally - Parking

Although we are informed parking is not an issue that is considered in a licensing application, it is still going to be an issue for residents in the immediate vicinity. Yes there are two FREE car parks (that the council derives no revenue from) relatively close by, but when was the last time any driver passed up the chance to park outside a premises, in consideration of residents, and park several hundred metres away? When the premises was a hairdressers it was necessary on occasion to go in and ask customers to move a car blocking our drive, it is one thing to walk in to a hairdressers with two or three ladies in to do this, quite another to walk into a crowded bar. Accepted there are no parking restrictions outside our house but it is still an offence to unnecessarily block our access to the highway and whilst ultimately there is the option to call the police this doesn't help if you are attending a time sensitive appointment.

We hope to be able to put our points forward at any licensing hearing.

Yours sincerely,
Don and Sue Churchill

32 Beresford Road | Seaton Sluice | Northumberland | U.K. | NE26 4RQ [REDACTED]

Caroline James

From: Licensing01
Sent: 22 September 2023 09:10
To: Caroline James
Subject: Fw: Letter Ref CJ/LP/Prem/New

FYI

Mandy

Licensing Team
Business Compliance & Public Safety Unit
Public Protection Service
Northumberland County Council
West Hartford Fire Station & HQ
Fire Station West Hartford Business Park
Cramlington
NE23 3JP

E: licensing01@northumberland.gov.uk

Licensing Hunt Group: 01670 620443

From: David Ferguson [REDACTED]
Sent: 21 September 2023 10:20 PM
To: Licensing01 <licensing01@northumberland.gov.uk>
Subject: Letter Ref CJ/LP/Prem/New

Dear Caroline James,

Thank you for your letter with the above reference dated 18th September 2023 with regards to the new premises license for The Pans, 38 Beresford Road, Seaton Sluice, Northumberland, NE26 4RQ. In your letter you request that I direct my response to Lisa Bagnall, the applicant, and copy in this email address. Unfortunately I do not have any direct contact details for Lisa and hope that you are able to share this with her.

Dear Lisa,

Thank you for your response. Unfortunately there are still many issues that have not been addressed. Can I begin by highlighting the number of the proposed additional conditions included in the letter. The number of additional conditions only further highlights that the location you wish to open your business at is not the right location for the type of business you are wanting to operate. Whilst I support your endeavor in wanting to open a business in the village, I do not believe it can operate at this location and in the way you want without it impacting negatively both on residents and on your businesses prospects.

I am concerned as to how a number of the conditions will be enforced and worry that some will be conveniently forgotten in 6 months time. Is it fair for staff and customers to have to keep doors and windows closed when music is played via speakers, especially during hot summer months? Can safe working conditions be maintained? Who will be counting the number of customers in the outdoor seating area and the premises as a whole to make sure the numbers do not exceed those in the conditions? How will you deal with a situation where numbers exceed those in the conditions? How will staff and neighbours be protected if numbers are exceeding the conditions and people refuse to leave and become aggressive?

How will smoking be limited to 8 seats out of the 16 outdoor seats proposed? I expect this will be very difficult because of how close the seats are together. Vaping has become increasingly popular and the vapour and smell from these devices is also problematic. The nearest seat is within 1m of my window. How will vaping be controlled on the premises?

How will customers using the outdoor space be prevented from taking drinks on to the front pavement if staff are busy inside?

Waste will not be put out between the hours of 8pm – 9am. In a small premises, how can safety be maintained if waste has built up inside and can not be taken out because it is 8.15pm but the venue is busy on a Saturday night? Most likely staff will take the waste out and hope the residents don't notice.

Beyond the concerns above around the enforcement of the proposed conditions I also have some further concerns regarding the premises and the safety of patrons, public & residents as well as the prevention of public nuisance which have not been addressed.

There is no designated parking for deliveries. The parking around the property is limited and usually taken up by residents. Where will any delivery vans/ wagons park and what will they do if they cant get parked? I assume find a way to pull on to the pavement. This will pose a significant risk to cyclists using the cycle path as well as children walking and cycling to and from school? If the delivery vans / wagons do find space on the off street parking, they will still need to unload over the cycle path and footpath. Again this will pose a risk to the public. How can deliveries be made to the premises whilst maintaining public safety?

Customers only being allowed to use the front door – I expect in the event of a fire this would be not be maintained and rightly so. However, the side door goes in to dark, narrow alley way. This is not a safe fire escape.

With regards to the proposed pergola and fencing in the outdoor area. I believe this would need planning permission which you do not currently have. Using this to mitigate noise concerns when there is no guarantee of receiving planning permission does not work. You also refer to raising the height of the wall between the premises and 40 Beresford Road. It is my understanding that the wall is part of my property and that I am responsible for its maintenance and upkeep. Any construction added to the wall would also become my responsibility, something I am not willing to accept. Any legal agreement to take responsibility for the wall and any additional construction would need to be agreed between the landlord of 38 Beresford Road and myself. This is not something I can agree with you as a tenant of 38 Beresford Road. Any construction to provide a screen between the properties would need to be constructed wholly upon the land of 38

Beresford Road and not as an addition to my property. Again this will need planning permission and even with the Perspex section, a 6ft fence and the roof of the pergola would still block the majority of light in to my sitting room. I do not believe there is a way to provide privacy between the 2 properties when the forecourt is used for seating without it having a negative impact on me within my property.

Finally I wish to encourage you to look at how close to my bay window the proposed construction will be, to go inside the shop and consider what can be heard through the wall of my sitting room. Think about how much you hear from your neighbours when sharing a separating wall. Look at all that and ask yourself, would I want to live there next to this?

Kind regards,
David Ferguson
40 Beresford Road
Seaton Sluice

Miss Agar
44 Beresford Road
Seaton Sluice
NE26 4RQ
23/09/2023.

Dear Ms. Bagnall,

RE: Application for premises license – The Pans, 38 Beresford Road, Seaton Sluice, NE26 4RQ

I write further to your letter sent on 19th September 2023 where you set out additional conditions and measures you plan to implement at The Pans.

I am fully aware of what your plans and vision is for The Pans, you have on several occasions set this out. Reiteration of this point does not in any way alleviate my concerns.

Other licensed premises

The village already has a large number of establishments that offer a food service as well as alcohol.

Currently Seaton sluice has:

- The Astley Arms
- The Melton Constable
- The Harbour View
- The Kings Arms
- The Waterford Arms
- The Deval Arms
- Castaways

All of the above serve food and are licensed to sell alcohol. Whilst I acknowledge they are mainly pubs, they are not all solely drinking establishments, in fact most of their custom is drawn in by their food offer. There is a wide range of food options for a village of approximately 3000 people all within a half mile radius of The Pans

There are 3 remaining licensed premises in Seaton Sluice: The Co-op, The Premier store and The Social Club. With such a high proportion of licensed premises in a small vicinity it is inevitable that antisocial behavior will occur, your establishment if licensed could increase this risk.

Anti-Social Behaviour

The village experiences an increase in antisocial behavior in the summer months, and this has been an issue for a number of years. The location of the pans is on a busy foot and cycle path with large groups passing by, should a customer who is under the influence of alcohol eating outside take action, it could lead to an altercation placing not only themselves at risk, but your other customers and members of staff. CCTV does not deter antisocial behaviour.

Fire Safety

I note your confirmation of the response from the Fire service is for that of your license application – the application currently on public view states:

“Small premises possibly up to 20 seats to potentially convert into café bistro currently hairdressers”

However, your subsequent communication is indicating much higher numbers, ranging from 36 to 50. I would therefore suggest that the Fire services understanding of the plans are incorrect, as their response is dated 5th September 2023, this is before your increased indication of numbers.

You state that customers will not be able to use the side exit and are only able to exit via the front door. In the event of a fire this places a significant risk to you customers. Should you use the side exit as a fire escape, your customers will be entering a dark, narrow alley, with a step down, should they be under the influence of alcohol this increase the risk of slips, trips and falls. The alley way is also the only exit for the resident of the flat above, should your customers exit this way in an emergency situation it may place her at increased risk of not being safely able to exit her home.

Noise

In communication sent to me on 18th September 2023 from the Licensing team you are seeking a noise assessment. I would like to highlight that this assessment will only give you a base line for the current noise levels at the property. The results of the assessment will not indicate if the noise reduction measures you plan would be adequate to compensate for the noise created by operating The pans, such as playing of music, noise generated by professional kitchen equipment and that made by customers. The sound proofing will not address the outside space as it is not enclosed.

The extractor fan itself would generate its own noise, this cannot be avoided and would be of a nuisance to neighbours wanting to enjoy the peace and quite they currently have in their gardens. The extractors would still emit odours that we do not currently experience in such close range.

Smoking

In terms of limiting smoking tables, the plans indicate 4 tables outside, how can you state that two tables will be designated areas, as people will move ashtrays or smoke at the tables outside regardless. The space is not big enough to have a defined segregated area for smoking and non-smoking. You have also not addressed the use of electronic vapes. You state you will only allow 8 customers to smoke at any one time, how will you enforce this, as If your staff will have to deal with the situation and if customers are under the influence of drink, you may be placing them at risk of verbal or physical abuse.

Cycle storage

whilst your suggestion of allowing cycles to be brought in to the outside area is acknowledged, the space is limited and if you were to do this, it would potentially prevent safe access for members of the public. Other premises on the cycle path, whilst they do not have designated cycle storage do have external space that is not obstructed by seating, this means cycle users can safely park their bike without causing disruption to other path users or members of the public. This risk of trips increased when customers are under the influence of alcohol. This would further increase in the event of an emergency if people need to exit quickly.

Waste

You state "between the hours of 8pm and 9am no waste/glass bottles will be deposited outside" however if you have an exceptionally busy day and your bins inside are overflowing, this creates a safety risk for your staff and members of public. If food waste is left to accumulate there is a chance of cross contamination, large volumes of glass bottles will create clutter and it is not clear on your plans where these could safely be stored without causing an obstruction to an exit.

Parking

My photos were actually taken at 1540hrs on 09/09/2023 - Whilst I acknowledge it was a hot sunny day, it is also the type of day where people would be more likely to travel and visit The Pans. Therefore, the photos are reflective of the issues that would be experienced. Whilst it has always been a commercial property, the volume of customers visiting at any one time has been limited and certainly nowhere near as many as 36 people in one go.

In my experience of residing at 44 Beresford Road for 15 years, I can assure you that drivers do not use common courtesy when parking. Our driveway is blocked on a daily basis by customers to the chemist and shop. The pans would exacerbate this problem causing a public nuisance.

Light pollution

The Premier shop light does not impact on the properties directly neighbouring The Pans. The illuminated sign does not currently have planning permission and a previous application was declined. The light emitted by the fairy lights could pose a risk to passing traffic. Unfortunately, I cannot support you in your venture to open The pans.

Regards

Miss Agar.

Caroline James

From: Sarah Balmain [REDACTED]
Sent: 25 September 2023 21:28
To: Caroline James; Licensing01; lisambagnall
Subject: Re: The Pans

Dear Lisa,

We have read your response to our objections and we do not accept.

Unfortunately, no matter how many measures are put in place to try and avoid noise, anti social behaviour and safety for our child there are always going to be problems for neighbours in the area, due to the establishment having very late hours.

In an ideal world people would listen to staff and respect residents nearby, however this is not guaranteed. Once friends, couples and family get together this will cause noise, and once they have had alcohol this noise only gets worse. If we are sitting in our home we will be able to hear people shouting and talking loudly. It is not something anyone would like right next to their home.

You have mentioned you will try and limit noise, however this will not completely be blocked out, especially when people are leaving the building after having a few drinks with their friends.

No matter what the establishment would like customers to be like, no one can control what people do, and we don't believe they will listen. Northumbria Police can be contacted, but we do not want to have to call the police at all. We would like there to be no need to call them, therefore we do not think the Pans is suitable for this area.

Regards

Sarah Balmain and Marco Charters-Barron

On Tue, 19 Sep 2023 at 13:25, lisambagnall [REDACTED] wrote:

Dear Ms Balmain,

I am writing to you in response of your recent objection to license the premises of [38 Beresford Road, Seaton Sluice, NE26 4RQ](#). I have read through your objections, I appreciate the concerns you have raised and I hope I can provide some reassurances to those below.

Firstly, I want to introduce you to The Pans and the vision I have for the Bistro. The Bistro would bring something new and refreshing to the village giving a relaxed and modern environment which differs from a traditional pub. I want to provide a space where local people and other customers can come to enjoy a relaxing meal with a glass of wine. We are not looking to attract a crowd of drinkers as a pub would but somewhere for couples, friends and families looking to go out for a meal whether that be for a breakfast catchup or an evening meal at the weekend with an alcoholic drink. I will now take your objections in turn below.

I will start with the issues to have raised in regards to your baby. I understand your concerns as I have four children myself and will do everything I can to prevent any disturbance. Firstly, I have designated an area for smoking to ensure that the smoking at the premises is controlled. Those wishing to have a cigarette must do so only on tables designated for smoking which are located at the furthest end from your property. The reason for allowing customers to smoke is to prevent people moving further out onto the street/cycle paths to have a smoke who will likely leave tab dumps on the ground. If there are ashtrays provided this will limit mess laying on the floor and any people gathering further away from the premises. I have attached the proposed opening hours for The Pans below, we will be closing the outdoor area no later than 8pm, I believe this is a reasonable time and customers sitting outside will be asked to be respectful to our neighbours.

This establishment is not targeted at those looking to come for a big drink, there are plenty of pubs in the village for that, we are looking to provide somewhere to come and relax therefore I do not believe that it would cause a risk to children nor increase anti-social behaviour in our village. We have added a number of provisions to tackle the risk of any anti-social behaviour by operating a Challenge 25 policy which all staff will be trained on. I have been a licensee for many years and have never had any issues enforcing this. A refusal book will be kept at the establishment to keep a record of those who have been asked for ID and could not provide it. Any person under the age of 18 must be accompanied by an adult when visiting The Pans and we will request that those under the age of 18 must vacate the premises by 9pm. We will not accept any anti-social behaviour inside or outside of the premises and any individuals who wish to act inappropriately will be dealt with by Northumbria Police.

As mentioned above the audience we are looking to attract to the bistro they would not be coming to The Pans for a big drink or a night out, therefore, any bad language is unlikely but will not be tolerated. If anyone in the outside area is shouting or swearing they will be asked to be respectful to neighbours, if they cannot be they will be directed indoors or asked to leave. This is not the type of customer we would wish to have dine with us at The Pans. We will not be serving anyone who arrives at The Pans who is too drunk and will stop serving alcohol to any customer who appears drunk. Also, if we are full anyone wishing to dine will be told we are full and directed to other food establishments in the community to prevent gathering inside or outside of the business.

Noise is something we are working hard to limit and prevent any disturbance to neighbouring properties. My building team have worked hard with an architect to ensure the walls and ceilings will be soundproofed to stop any travelling noise disrupting our neighbours. I am also working with Apex Acoustics who are assessing the premises for sound and creating ways to limit any noise.

In the plans I have outlined that there will be a sufficient extractor in the kitchen which will filter any odours coming from the premises. Any waste will be disposed of correctly in bins located at the back of the premises. This waste will be stored properly and collected regularly to prevent odour arising. Waste will be collected between the hours of 8am and 7pm to prevent disturbance

I hope I have addressed your concerns and provided some reassurance for these. The pans will be modern, relaxing and a pleasant establishment to visit and I hope you can offer your support in the future.

The proposed opening hours for the Bistro are as follows:

- Monday: Closed
- Tuesday: 9am - 4pm ; outdoor seating 10am - 4pm
- Wednesday: 9am - 4pm; outdoor seating 10am - 4pm
- Thursday: 9am - 10pm; outdoor seating 10am - 8pm
- Friday: 9am - 10pm; outdoor seating 10am - 8pm
- Saturday: 9am - 10pm; outdoor seating 10am - 8pm
- Sunday: 12pm - 6pm; outdoor seating 12pm - 6pm

Yours Sincerely,
Lisa Bagnall
The Pans

Sent from my iPhone

On 19 Sep 2023, at 12:48, Sarah Balmain [REDACTED] wrote:

Hi Lisa

I am unable to open the document can you please resend as an attachment

Thanks,

Sarah Balmain

On Tue, 19 Sep 2023 at 12:39, [REDACTED] wrote:

Hi Sarah,

Please find attached my response to your objections,

Kind regards,

Lisa Bagnall

Miss Agar
44 Beresford Road
Seaton Sluice
NE26 4RQ
23/09/2023.

Dear Ms. Bagnall,

RE: Application for premises license – The Pans, 38 Beresford Road, Seaton Sluice, NE26 4RQ

I write further to your letter sent on 19th September 2023 where you set out additional conditions and measures you plan to implement at The Pans.

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There are 3 remaining licensed premises in Seaton Sluice: The Co-op, The Premier store and The Social Club. With such a high proportion of licensed premises in a small vicinity it is inevitable that antisocial behavior will occur, your establishment if licensed could increase this risk.

Anti-Social Behaviour

The village experiences an increase in antisocial behavior in the summer months, and this has been an issue for a number of years. The location of the pans is on a busy foot and cycle path with large groups passing by, should a customer who is under the influence of alcohol eating outside take action, it could lead to an altercation placing not only themselves at risk, but your other customers and members of staff. CCTV does not deter antisocial behaviour.

Fire Safety

I note your confirmation of the response from the Fire service is for that of your license application – the application currently on public view states:

“Small premises possibly up to 20 seats to potentially convert into café bistro currently hairdressers”

However, your subsequent communication is indicating much higher numbers, ranging from 36 to 50. I would therefore suggest that the Fire services understanding of the plans are incorrect, as their response is dated 5th September 2023, this is before your increased indication of numbers.

You state that customers will not be able to use the side exit and are only able to exit via the front door. In the event of a fire this places a significant risk to you customers. Should you use the side exit as a fire escape, your customers will be entering a dark, narrow alley, with a step down, should they be under the influence of alcohol this increase the risk of slips, trips and falls. The alley way is also the only exit for the resident of the flat above, should your customers exit this way in an emergency situation it may place her at increased risk of not being safely able to exit her home.

Noise

In communication sent to me on 18th September 2023 from the Licensing team you are seeking a noise assessment. I would like to highlight that this assessment will only give you a base line for the current noise levels at the property. The results of the assessment will not indicate if the noise reduction measures you plan would be adequate to compensate for the noise created by operating The pans, such as playing of music, noise generated by professional kitchen equipment and that made by customers. The sound proofing will not address the outside space as it is not enclosed.

The extractor fan itself would generate its own noise, this cannot be avoided and would be of a nuisance to neighbours wanting to enjoy the peace and quite they currently have in their gardens. The extractors would still emit odours that we do not currently experience in such close range.

Smoking

In terms of limiting smoking tables, the plans indicate 4 tables outside, how can you state that two tables will be designated areas, as people will move ashtrays or smoke at the tables outside regardless. The space is not big enough to have a defined segregated area for smoking and non-smoking. You have also not addressed the use of electronic vapes. You state you will only allow 8 customers to smoke at any one time, how will you enforce this, as If your staff will have to deal with the situation and if customers are under the influence of drink, you may be placing them at risk of verbal or physical abuse.

Cycle storage

whilst your suggestion of allowing cycles to be brought in to the outside area is acknowledged, the space is limited and if you were to do this, it would potentially prevent safe access for members of the public. Other premises on the cycle path, whilst they do not have designated cycle storage do have external space that is not obstructed by seating, this means cycle users can safely park their bike without causing disruption to other path users or members of the public. This risk of trips increased when customers are under the influence of alcohol. This would further increase in the event of an emergency if people need to exit quickly.

Waste

You state "between the hours of 8pm and 9am no waste/glass bottles will be deposited outside" however if you have an exceptionally busy day and your bins inside are overflowing, this creates a safety risk for your staff and members of public. If food waste is left to accumulate there is a chance of cross contamination, large volumes of glass bottles will create clutter and it is not clear on your plans where these could safely be stored without causing an obstruction to an exit.

Parking

My photos were actually taken at 1540hrs on 09/09/2023 - Whilst I acknowledge it was a hot sunny day, it is also the type of day where people would be more likely to travel and visit The Pans. Therefore, the photos are reflective of the issues that would be experienced. Whilst it has always been a commercial property, the volume of customers visiting at any one time has been limited and certainly nowhere near as many as 36 people in one go.

In my experience of residing at 44 Beresford Road for 15 years, I can assure you that drivers do not use common courtesy when parking. Our driveway is blocked on a daily basis by customers to the chemist and shop. The pans would exacerbate this problem causing a public nuisance.

Light pollution

The Premier shop light does not impact on the properties directly neighbouring The Pans. The illuminated sign does not currently have planning permission and a previous application was declined. The light emitted by the fairy lights could pose a risk to passing traffic. Unfortunately, I cannot support you in your venture to open The pans.

Regards

Miss Agar.