



John Gaunt
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Licensing Solicitors

Our Ref: CG/CG/GEN2/NOR355/1

Licensing Section
Northumberland County Council
Stakeford Dept
East View
Stakeford
NE62 5TR

12 July 2021

Dear Sirs,

Application by Suna Miah for a premises licence in respect of Rialto Restaurant, 1 Main Street, Ponteland NE20 9NH and land adjacent thereto

We are instructed by Northumberland Pub Co. Ltd the Operators of the Blackbird Inn, North Road, Ponteland, NE20 9UH located approximately 150m from Rialto. The courts have recognised that trade objections can and do place valuable material before decision makers that they would not otherwise see.

The Blackbird is in a direct line of site from the front door of Rialto and its adjacent car park entrance.

Our client wishes to oppose the grant on a new licence to Mr. Miah in the terms currently outlined in his application.

Our client has no objection to the current operation of Rialto. They object to those elements of the application which seeks to extend licensable activities to an area of open land at the rear of Rialto ('rear area').

Lack of transparency

The lack of transparency in the Application is of particular concern. The Application is devoid of any meaningful description of the type of venue proposed to be operated.

So far as our client is aware the land in question has not been subject to any planning application associated with licensable activities therefore there are no indications or limitations on the type of venue proposed in this instance.

This apparent decision by the Applicant to withhold clarity on their proposals is a conscious choice and is the cause of some alarm for many residents and other businesses in the locality with whom our client has spoken.

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The licence does not, for example, propose that the sale of alcohol would be ancillary to food or that food would be available at any particular hour of operation.

Capacity of the venue.

The permission sought would in effect create one of the largest drinking venues in the village, all in the open air. Due to the digital nature of the application the size of the area is difficult to calculate. A conservative estimate (50m x 30m) would equate to an area 1,250m².

Although the plans show seating for over 280 persons the Applicant has not proposed any condition requiring persons to be sat while consuming alcohol or food in the rear area. It would appear the capacity could therefore exceed 1000 persons, dependent upon conditions imposed and operating style.

Sanitary Provision

As stated above, the Applicant has not indicated any capacity for the premises. The operation of Rialto and the rear area are clearly distinct operations the plans describe distinct food and beverage services.

From the plans, which are indistinct in their digital format, Rialto appears to have the following sanitary provisions:

- two male WC, two urinals, and two hand wash basins
- four female WC, and four hand wash basins
- one universal access WC with hand basin.

This is to service 178 covers within the restaurant operation along with staff.

For the external area, appears to be an alcohol led/bar operation and is therefore more intensive demand on sanitary facilities. In respect of the rear area, the Applicant proposes an identical provision, save for one addition urinal.

As stated above the seated capacity for the rear areas is described on plans as over 280 persons.

Our client is very concerned that sanitary provision proposed is completely inadequate and will lead to customers relieving themselves in other areas including the river Pont and village more widely and place pressure on other venue operating in the area such as the Blackbird.

Live and Recorded Music (unregulated)

The Applicant has sought permission to provide live and recorded music between hours of 11am and midnight daily.

The provision of live and recorded music before 11pm does not require to be a specified licensed activity unless the audience sizes exceed 500 persons for amplified live music or recorded musical entertainment.

Live and/or recorded music events catering for more than 500 persons in the rear area, as being sought by this application, is extremely concerning to our client and will clearly be the

source of a noise nuisance to the locality which includes both residential and commercial premises. The closest residential property to the boundary of the site is less than 50m away. The ambient sound levels in the village are very low and any external activity involving significant numbers of customers will be the cause of a public nuisance.

Our client would equally be concerned about live and/or recorded music event (for less than 500 persons) being conducted in the rear area of the premises as no attenuation of the noise is possible in such an environment. Such events could last up to twelve hours per day, seven days per week.

Dispersal

The Applicant has not outlined any proposal for the dispersal of customers from the site at the conclusion of the trading hours. The potential capacity of the rear area is significant. The exit for the site lead directly onto the main street at a roundabout converging several different flows of traffic.

We are instructed that certain elements of the licence plan, such as the one-way access road and 'Taxi Rank', do not presently exist. Our client is concerned that the Committee may be influenced by the representation of such features on the plan. The Applicant has not and cannot offer tangible guarantee to the Committee that these features will ever be created. Our client is concerned how the development/grant of a licence can be linked unconditionally to the creation of these features.

Our client is not convinced by the practicality or effectiveness of these features, even if they would exist.

The village has limited parking capacity and public transport links become less frequent in the late evening.

The Blackbird provides on-site parking for customers. Our client notes that the Applicants proposals will result in a reduction of available parking space at his venue by the creation of the new road.

There is insufficient capacity to transport significant numbers of customers the rear area (along with the Rialto diners) from this area.

Summary

For the reasons set out above, our client believes that the Applicant's proposed operation will be the cause of crime and disorder and public nuisance in Ponteland and demonstrate a risk to public safety.

Our client is concerned by the detrimental effect this will have on both the community as a whole and his business also. As part of the hospitality sector our client is concerned that their reputation will be tarnished by any increase in crime or anti-social behaviour which may arise from this proposal.

The Application is plainly contrary to the Licensing Objectives and the Applicant has not made any meaningful attempt to address the demonstrable impact of the proposed operation on the community,

Our client believes that this application is manifestly ill-conceived and should be refused on numerous grounds.

We reserve the right to expand upon this representation at the or before the hearing.

Yours sincerely

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