

# Notice of Representation

Members of the public can submit representations in objection to or in support of the premises licence applications, within the 28 day consultation period.

Please be aware that for any objections to be considered relevant, they should be submitted before the end of the consultation period and they should address the four licensing objectives in relation to the licensing activity.

The licensing objectives are the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm.

Please be aware that where representations are considered relevant copies of the representation will be provided to the applicant and the Licensing Sub Committee.

**Please note: Objections will only be considered where a name and address are supplied.**

**Name:**.....Norvil McClurg.....**Address:** .....8 Larchlea, Ponteland, NE20 9LG.....

.....**Licensing Objective:** Food, Alcohol & Entertainment Application.....

**Premises:** .....Rear of Rialto's Restaurant, 1 Main Street, Ponteland, NE20 9NH.....

## **Reason for Representation:**

*(continue on separate sheet if necessary)*

To raise concern and object to the granting of the application on the bases of:-

1. Prevention of Public Nuisance
2. Public Safety

### **1. Prevention of Public Nuisance**

Ponteland is a delightful quiet semi-rural town with a village atmosphere and strong community spirit. It is renown as a desirable residential area and attracts those who prize the provision of good quality amenities– schools, sport & leisure, community facilities, shopping , restaurants etc. along with peace and quiet in a rural setting, while having easy access to the more dynamic and exciting delights of Newcastle City, if and when favoured. Development of residential and commercial units has been controlled in a planned and balanced way resulting from strong and timely community representation and popular intervention. Established hospitality businesses in the village are now struggling to recover post Covid restrictions on movement and commercial opportunities and must be allowed to do so in a well-balanced competitive environment.

This licence application foresees the introduction of a very different type of hospitality provision and one that has the potential, through its scope and scale, to radically upset the balance referred to in residential, community and commercial spheres. Almost uniquely, Ponteland has retained its resident population through generations and this has meant the creation of many retirement units in or very close to the village centre with access to essential public amenities and where this licence application will apply – literally within a very few yards of the homes of hundreds of elderly residents. It is certainly

within easy earshot of Atholl House, Fairney Drive, Mayfair Gardens, Hemmingway Court, Henderson Court and Cecil Court, creating **Public Nuisance** for hundreds of elderly and many disabled elderly residents. The fact that this application envisages a combination of the service of food, alcoholic beverages and amplified live and pre-recorded music and entertainment with late provision till midnight every day of the week, is in itself demonstrably inappropriate in such proximity to dwellings for the elderly. Judging by similar provision elsewhere, the music will be loud to create atmosphere and the staging very brightly lit to highlight the acts and performers – musicians, singers, DJs and the like. The fact that it is planned for an entirely outdoor setting with no natural hedges, trees or vegetation to screen or baffle the emitting cacophony of music and hubbub of conversation and laughter means that the sound will travel easily, far and wide to the **Public Nuisance** of those living adjacent. Added to this is the intended scale of the venture for which the licence is applied. With seating on the plans lodged for an estimated hundred and sixty souls, standing and free movement area for hundreds more and dozens of staff to provide the food, beverage and associated services. Of course, this is in addition to the hundred plus patrons that can already be accommodated inside the adjacent restaurant/bar at Rialto's.

This is clearly not a facility intended to draw a viable patronage from the village itself. The scale and the demographic are patently insufficient and just wrong. No, this is designed to offer a similar attraction to those available already in Newcastle City, Quayside, Pilgrim Street, etc and to draw a sizable slice of the same target audience to a lively, bustling venue in an out of town but nearby, up-market destination.

This large number of patrons and staff must arrive and depart, potentially, daily & nightly, and consideration must be given to the means by which this is to be achieved. Public transport to and within the village is already inadequate, especially after business hours and could not accommodate the routes and numbers demanded. If at capacity, the use of taxis would put a severe strain on local taxi services, parking, stopping, starting, turning, identification & collection of patrons late at night. These factors put at risk the safety of patrons and residents alike and add to the **Noise Nuisance to the Public**, inconvenience of dog walkers and blockage of progress through the main street. If patrons arrive by car (with designated driver), there is certainly not sufficient car parking facility nearby to adequately meet this scale of demand. The natural consequence of this is that vehicles will be inconsiderately parked in areas and in ways that will constitute **Public Nuisance**. The **Public Nuisance** may not arise every day – on the other hand it may – if this licence is granted. It does not matter – it is the duty of the Licencing Committee to prevent **Public Nuisance**.

This scenario is predictable in a directly linear way and will undoubtedly result in very **significant Public Nuisance** to the town's most valued and respected residents who have served to build and protect our community in the past as we must now protect theirs. This **Public Nuisance** can be foreseen and can be Prevented, which is the purpose of this application process. Moreover, it is the duty of members of our community to identify the nature and scale of the **Public Nuisance** to those in authority and the OBLIGATION of these public servants to heed and act on these concerns to protect those who must and deserve to be protected from **Public Nuisance**.

## 2. **Public Safety**

As it is intended that a Licence for Entertainment be granted for this sizeable outdoor space, year-round, across the week and throughout the day, it is likely to include the provision of large outdoor screens to display entertainments and popular sporting events, which attract large partisan crowds for football and rugby matches involving National and Newcastle teams. As we have seen in the recent Euro Championship Tournament these can last long into the evening to 10:30 or 11:00pm and involve the consumption of large quantities of alcohol from early in the day with the concomitant and escalating loss of control of individual behaviour. This presents **Public Safety** as well as **Nuisance** problems which we have not seen previously in Ponteland: Matters might be controlled more readily in an indoor venue, noise subdued and trouble averted..... but in an outdoor setting involving hundreds, this presents an altogether more serious **Public Safety** risk – one it must be said that can be easily foreseen

and can be just as easily prevented by the exercise of public duty by public servants – Council Officials & elected members.

It could be argued that there is a place for large gatherings of sports fans enjoying drinking and lending loud and raucous support to their favoured team - I argue that, given its character, a rural village like Ponteland is not that place.

Given the modest vehicle facilities in Ponteland (roads, parking, turning, manoeuvring etc), the aforementioned traffic issues of the large numbers of drop off and pick up of patrons envisaged by this application and the scale of vehicles needed to transport them throughout the evening, clearly constitute a **Public Safety** risk as well as a **Nuisance**. The siting of a large number of outdoor catering units in 'temporary' housing (kiosks, booths, shipping containers and the like) in an open site and using a variety of cooking appliances, gas cylinders, naked flame BBQs and pressurised beer casks, indicates a significant risk of fire or explosion. While the site sketch indicates a paltry scattering of 'fire extinguishers and a solitary 'fire blanket', what consideration has been given to access to the site, behind a Main Street Terrace, by emergency vehicles and operatives. Two sides are blocked by the River Pont (South & West), the front (East) by buildings with the only vehicle access being via a very narrow lane between two buildings on the North side, followed by a tight left turn into a tiny staff car park space offering limited access to the site.

By the same token, how is it planned for patrons to escape? This is NOT a Planning Issue. The River Pont is an immovable object, not a Planning Contingency – a dangerous one at that. This is a **Public Safety** risk. How do patrons exit in an emergency situation? The only escape routes appear to be through the restaurant building & adjacent covered archway onto the Main Street or alternatively across a narrow footbridge to the west, over the said River Pont and onto Callerton Lane. Take a look at the bridge, take a look at its size, its strength, its capacity, , how well-lit it is, the fact that it has steps to access it ..... and imagine the number of patrons (possibly well fuelled patrons), trying to cross it simultaneously.... in an emergency. The scale of this proposal and application constitutes a significant portion of the **Public Safety** risk when applied to the location and layout of this particular site,

In summary the inherent aspects of this application which render it unfit for granting are:-

- 1 The Licence Application for FOOD
2. The Licence Application for ALCOHOL
3. The Licence Application for ENTERTAINMENT

.....all of which breach required conditions of **Public Nuisance** and **Public Safety** and I urge the **Council to refuse grant of all aspects of this application.**

Signed ..... Date ..... 13<sup>th</sup> July 2021.....

**Please send this notice to the address below:**

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