

23 August 2020

Dear Sir/Madam

**Premises Licence application by Matthew Lee Parsons for Eden Tearoom & Galleries, Course Lane, Newburgh**

I object to the granting of the licence, in particular for the period after 6pm.

As a nearby neighbour of the above business I wish to make representations on the application for a premises licence.

First and foremost I would like to point out that the current building use licence for Eden Tearooms is A3 which is for restaurants and cafes where hot food is consumed on the premises. It is not A4 (drinking establishments). The applicant is therefore asking to use the building for a purpose which he cannot legally conduct.

Secondly and in a similar vein, under current planning conditions, the building must close at 6pm every day. Again, it seems fundamentally wrong that the applicant is asking for a licence to serve alcohol until late at night when to do so, would be an immediate breach of planning law.

My representation is relevant to the following Licensing Objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public Safety

**The prevention of crime and disorder**

As a retired police inspector of over 30 years operational and exemplary police service, I have some considerable knowledge in this field.

The proposal of evening and late night drinking will most certainly see an increase in anti-social behaviour and public order offences in the village.

Newburgh has very low levels recorded of crime and disorder, therefore any increases will be significant and detract from the peaceful and rural nature of this quiet village.

The conditions set by the authority and accepted by the applicant do nothing to reassure residents that if the application is successful then the prevention of crime and disorder will be harmed.

**The prevention of public nuisance**

**Noise**

A late night drinking establishment will without doubt, lead to an increase in noise both from within the building and outside.

In essence, the building is a metal box which is of agricultural construction and not designed for holding late night parties and events. From experience, we all know that parties such as weddings etc, generate an increased amount of noise from both human sources and from sound systems etc. This will be audible from outside the building and I have no doubt will disturb local residents who live close by. Sound carries, particularly on

still nights or if the wind is blowing in the 'wrong' direction. It is intolerable to think that local residents will be disturbed in this way.

There is only 'one door in and one door out' of the building, with no 'sound lock' system in operation. Every time the door is opened, the sound will be blasted outside. It is impossible to regulate this when people have the right to 'come and go' as they feel.

People leaving the premises for whatever purpose will also generate noise, whether it be chatting whilst having a cigarette or 'saying their drink-laden goodbyes' when leaving for home. This sound carries and would cause disturbance to local residents. Vehicle noise, whether it be engines or car doors slamming etc., will also cause a disturbance.

## **Light**

The building currently has no way of containing light generated from within.

Local residents are already living with the light pollution generated from inside which has been subject to numerous complaints to WLBC Planning. Imagine how much worse it will be if late night events are being held, particularly if strobe or flashing party lights are being used.

It is important to stress that Eden Tea Rooms is located VERY close to local houses and the disturbance caused by both noise and light would be considerable to these local residents.

## **Public Safety**

There is currently no pedestrian access to the site, with foot traffic having to share the same space as vehicles.

This is a clear 'safety issue' at all times but particularly when it is dark. Add on the effect of alcohol and it is an 'accident waiting to happen'. Imagine the scene when late-night party goers are leaving the premises, many under the influence of alcohol and walking along the access roads being used by cars, mini-buses, taxis etc. This is not safe.

There is no outside lighting to illuminate the area, increasing the safety risk. (NB I am not arguing for outside lighting which would increase light pollution but illustrating how unsuitable the site is for this type of use).

All activities inside the building are visible from outside, particularly at night when the inside is illuminated. This would be a distraction to passing drivers and increase the potential for road traffic collisions.

## **Additional Points**

- The applicant has made no attempt to consult with local residents about their plans, leading to a climate of complete mistrust and suspicion.
- The applicant has already flouted licensing regulations when the first application was submitted, leading to it being cancelled and the process restarted. I understand this was summarized as because of 'technicalities' but I would suggest more an attempt to mislead and get the application passed under the cover of the Coronavirus pandemic. Amongst several 'technicalities', I believe the applicant displayed his statutory notice in the first floor window of the premises where it would

be impossible for anyone to view it! Hardly and open and transparent attitude to the licensing process!

- The applicant and his wife have pursued an antagonistic approach to many local residents leading to a complete breakdown of trust. Furthermore, the applicant's wife (and proprietor of the Tearooms) has made a vexatious allegation against my wife, claiming she was on their site during their August 'Farmer's Market' taking photographs of young children! This is total fabrication, no evidence has been produced to support this malicious lie and my wife was not even there. This is outrageous behaviour and has caused great upset and distress. This has now been reported to the police as an allegation of harassment and 'wasting police time' and is under investigation. This must surely raise some serious doubts as to the suitability of such a person to manage a late-night drinking establishment?
- The applicant and Eden Tearoom management have already breached numerous planning conditions and continue to do so in spite of having been spoken to by WLBC officials. How can they be trusted to stick to any licensing conditions?
- The area shown in blue on the plan, marking the extent of the 'licensed area' around the tearooms is totally disproportionate and needs to be reduced considerably. Failure to do this could see the potential loss of neighbour amenity and issues of public nuisance and indeed increases the likelihood of crime and disorder.

### **Demand**

There is no demand within Newburgh or the immediate vicinity, for another venue serving alcohol during the evening and late at night. There is a pub and a social club, which can be hired for celebratory events within the village, and there are a further three pubs/restaurants within one mile of the venue serving the needs of residents and visitors to the area.

**I would ask you to consider all of the above and request that you do not grant the premises licence to the applicant beyond the current opening times of 8am-6pm, in line with the current planning permission.**

Yours faithfully



Course Lane

Newburgh