

Email – Saturday 29 March 2025 - MH

Dear Helen Tait

Thank you for your email.

As I explained in one of my email exchanges with your colleague, Sue Iceton, I am currently several thousand miles away and will be unable to return to attend the hearing. I do appreciate that hearings have to be convened within a time-frame dictated by law, and this was therefore inevitable.

However, I have a number of concerns - some previously raised with Ms Iceton, plus others concerning the content (or lack of content) in the papers you have sent me.

1. In your covering email, you mention that "some objections have been withdrawn". I presume that this has happened as a result of the message received from the Applicants' agent, previously circulated. This stated, as I understood it, that the application was to be significantly modified. There is nothing to indicate that this has, in fact, happened; Members have been asked to pass judgement on the original submission. It would therefore be wrong to imply to them in any way that local people had had second thoughts. If there were to be a debate on the merits of any amended proposal, that should be dealt with as a new matter, with fresh comments (including those I have submitted myself) being placed under consideration.

2. In the Agenda Reports pack, the list of Appendices includes 21 and 22. both entitled: "Proposed amendment to applicant's operating schedule". I do not know to what these might refer, but as far as I can see they do not exist. It is hard to follow, because the Appendix List does not include page numbers, and the appendices themselves are untitled; however, pp 35 - 72 contain the 18 Objections (each followed by a page marked "This page has been intentionally left blank"), while p 73 appears to be the start of Appendix 23. There is one other page (p 85) which is blank but not marked as being intentionally so. I am unclear whether these matters have any significance.

3. What I firmly believe to be of significance is the contents of paragraph 4.2 in the covering paper. This reads in part: "In accordance with Regulation 25 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005, applicants are required ... to display a brief summary of the application on an A4 size notice in a prominent position immediately on or outside the premises for at least 28 consecutive days." As I explained in detail to Ms Iceton, I believe this did not happen. After she had told me what to look for, I found a notice, printed in black on blue paper, attached to a fence 1m from the boundary wall of the car park and 1.5m back from the public pavement; the sign was 2m above the level of the pavement (the car park is up a steep ramp). This could not be considered as "prominent". It was something that I,

walking past on many occasions, never noticed and could not have read if I had; it would have been utterly impossible for a disabled person who was sight-impaired or a wheelchair-user. I submit that, if it is the responsibility of an applicant to put up such a notice, it must be their responsibility to make it legible. Otherwise, it is not a notice. It could have been displayed six inches off the ground or ten feet in the air.

Email – 31 March 2025 - PM

Re:- The Bay Horse, 1 Northside, TS15 0DA

Sorry to bother you. I tried calling earlier today but you were busy. I left a message with the customer service lady who couldn't get hold of anyone from the team.

My questions are:-

1. I have sent a representation pertaining to the licensing application so would like to know whether I (or indeed any interested party from the general public) may speak at the hearing.
2. In my opinion, currently, it is impossible for anyone to assess the potential for nuisance from the late night/early morning hours proposed eg. beer garden revelry, smoking break banter, cars/taxis for potentially 200+ guests, noise pollution from the entertainment PA system etc. Is it possible that the Council might defer granting the licence for a year, say, after the official opening of The Bay Horse during which time the owners of The Bay Horse may utilise the TEN system and residents are then able to judge whether or not there is any nuisance arising from the ad. aoc. variations to the regular licence? I presume it would be better all round if the licence were to be controlled by the Council on the basis of material evidence rather than the general public having to complain/appeal due to nuisance arising as a consequence of the granting of a year's license.

Email 24 March 2025 - AC

Good Afternoon Helen ,

I hope all is well .

I have had a call with my clients about this application in light of the objections received .

It seems the main concern is the hours of application giving rise to concerns over noise and type of operation .

What our client proposes is a fine dining country pub certainly not a nightclub .

The hours applied for reflect the hours on the existing licence which , if retained , would have given flexibility in the event the Premises wishes to stay open later .

Our client does however want to reassure local residents about their intentions and therefore propose to amend the application as follows

To amend the terminal hours for all licensable activities to

Sunday – Thursday 23.00 (Closing 23.30)

Friday – Saturday 24.00 (Closing 00.30)

As suggested by some residents on up to 20 occasion per year upon giving 96 hours notice to yourselves , to open for all licensable activities up to 02.00 (Closing 02.30) to cover the bank holiday/Christmas extensions you often see and the occasional one off if required

It is understood that the effect of this will be to remove the requirement for Live/Recorded music and Late Night Refreshment as a licensable activity on certain days .

Please feel free to communicate these amendments to the objectors .

Could you also please confirm the time of the hearing on 2/4 , is it 10 am or 2pm , both times are give in the papers .

Form LAR 1 attached .