

Minutes

Alcohol, Entertainment & Late Night Refreshment Licensing Committee

Tuesday, 10 June 2025



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee members present

Councillor Paul Fellows (Chairman)
Councillor Robert Leadenham (Vice-Chairman)
Councillor Harrish Bisnauthsing
Councillor Pam Bosworth
Councillor Helen Crawford
Councillor Philip Knowles
Councillor Rhea Rayside
Councillor Susan Sandall
Councillor Elvis Stooke

Officers

Licensing Officers, Elizabeth reeve, Chris Clarke
Licensing Manager, Heather Green
Legal Advisor (LSL), Kim Robertson
Democratic Officer, Lucy Bonshor

The Chairman placed on record his thanks to the previous Chairman of the Licensing Committee, Councillor Pam Bosworth who had chaired Licensing Committee meetings for a considerable number of years. Thanks were also placed on record for Councillor Elvis Stooke who had been the Vice-Chairman of the Committee for the previous year.

26. Apologies for absence

Apologies for absence were received from Councillor Patsy Ellis and Councillor Jane Kingman.

27. Disclosures of interests

Councillor Robert Leadenham, the Vice-Chairman of the Committee declared an interest in agenda items 5 as the Ward Councillor for the area where the Premises Licence was being considered and also as he was reading out a

statement on behalf of an interested party. He took no part in the deliberations or decision making and left the meeting during this part of the meeting.

28. Minutes of the meeting held on 20 May 2025

The minutes of the meeting held on 20 May 2025 were proposed, seconded and **AGREED**.

29. Licensing Act 2003: Application for a New Premise Licence - The Riverside, Wharf Road, Stamford, Lincolnshire, PE9 2DU

Decision

That the Premise Licence for the Riverside, Wharf Road, Stamford be granted as applied for subject to an additional condition being added in respect of not playing any type of music on the outside platform.

The Chairman introduced those present and confirmed who would be speaking in respect of the application before the Committee. In respect of the Premises Licence for The Riverside, Paul Warren-Cox spoke on behalf of Inga Blumina and her partner Dmitrij who were the applicants. Interested parties were Carly Guppy and Aaron Mildren.

One Member questioned whether the application should be deferred due to the Planning Permission to be determined and it was confirmed that the Premises Licence was completely separate to a Planning application and there was no reason for the Committee not to determine the Premise licence application before them.

The Licensing Officer presented report ENV906 which concerned an application for a new premises licence for The Riverside, Wharf Road, Stamford. The application was for the following:

- Live Music Indoors; Monday to Sunday 10:00 to 00:00
- Recorded Music Indoors; Monday to Sunday 10:00 to 00:00 and outdoors; Monday to Sunday 10:00 to 22:00
- Provision of Late Night Refreshment Indoors; Monday to Sunday 23:00 to 23:59
- Supply of alcohol on the Premise only; Monday to Sunday 10:00 to 00:00
- Opening hours; Monday to Sunday 10:00 to 00:30
- Extension of hours for activities for New Years Eve into New Years Day

The premises had previously been licensed as a nightclub and although had been the subject of a review instigated by Lincolnshire Police, this had been in respect of a failed test purchase taking place and not down to noise disturbance.

During the consultation period the authority received a number of representations and comments on behalf of members of the public and these were appended at Appendix 2. The reasons for the representations included concerns regarding noise disturbance travelling from across the river to the residential houses or nearby residents and the potential use of the balcony area and safety concerns for the sale and consumption of alcohol located by the river. No representations had been received from any of the responsible authorities.

A location plan and correspondence between the applicant's representative and the residents was appended to the report at Appendix 3. A further representation had been made but was not accepted, as it was outside of the timeframe for making representations.

Licensing Officers have delegated authority to decide whether a representation is relevant, vexatious, or frivolous however, Section 9 of the Revised Guidance issued under section 182 of the Licensing Act 2003 states:

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The Subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

It was felt that the representations at Appendix 2 did not fall within the delegation to Licensing Officers and that the application was referred to Committee. The Licensing Officer then read out paragraph 3.7 and 4.2 of the report. The statutory consultation period had taken place between 17 April – 16 May 2025.

A comment was made by Mr Aaron Mildren, one of the interested parties, in respect of confusion of the timings stated on different documents that he had seen and it was felt that the consultation period had not been sufficient for the general public to make representation. The Licensing Officer made reference to an initial premises licence application which had since been amended with revised timings. Information had been sent in an email to Carly Guppy which had inadvertently not contained the revised timings. Further discussion followed on how incorrect information had been circulated to residents. The Legal Advisor asked for clarity from the Licensing Officer in respect of the statutory notice published and the timings shown. The Licensing Officer confirmed that the statutory notice had shown the correct timings as per the premise licence before the Committee.

The Applicants representative Mr Warren-Cox then spoke in support of the application and referred to how he had been involved with the licence and the restrictions in respect of the planning permission issued in 2017 in respect of the building which was a Grade II listed building. The premises had previously been a nightclub and it was reiterated that no representations had been made from the responsible authorities in respect of noise pollution. The premise licence was for a restaurant and the applicants wished to work with residents not against them.

Questions were asked of Mr Warren-Cox in respect of the building layout and also the playing of outside amplified music on the platform and the Planning Permission issued in 2017. The Licensing Officer responded in respect of what was classed as amplified music which required a licence and what was classed as background music.

Further comments were made about communication between Mr Warren-Cox and the residents in the area following which Mr Warren-Cox stated that the applicants were happy to include an additional condition which excluded any music being played on the platform.

More comments were made by Members in respect of the premises location and the doors of the premise to which Mr Warren-Cox responded.

Mr Aaron Mildren, an interested party then made his representation and stated that they were disappointed that no consultation had taken place with the residents by the applicants. He expressed concern about the platform and although he had no issues with the premise being run as a restaurant he did have concerns in relation to the number of diners that would be on the platform and the noise that would be generated by having 36 diners which due to the location would travel over the water and be amplified. Why would 36 covers be necessary. Mr Mildren also referred to the 2017 Planning Permission in respect of the platform and felt that further control was required in respect of the noise pollution that would be generated.

Carly Guppy then made representation on behalf of Jane Parry who could not be present at the meeting. Reference was made to the timings applied for when the restaurant would be open and the noise that would be generated, the impact on the wildlife on the river due to noise pollution from the restaurant which the river amplified and the potential noise from speakers being put on the platform.

Mr Mildren referred to the use of the platform with concern being expressed that it would be used for drinking, smoking, and wanted assurance that it would only be used for dining and he felt that alcohol should be ancillary to the food being bought. He referred to the Pizza Express restaurant which only had two people per table and was close to his residence and that this generated less noise and felt 36 diners were too many and should be reduced to two per table and that any type of music should not be allowed to be played on the platform.

Mr Warren-Cox made reference to noise pollution and reverse transmission of noise and although his clients would like to place barriers to help with noise, no permanent structures were allowed due to the building being listed.

A Member of the Committee asked if the interested parties present would be happy if no music was played on the platform. The interested parties felt that the number of people and the noise generated from them would cause noise pollution and felt that tables of two would be more relevant.

The Licensing Officer gave their closing statement. Each application was to be determined on its own merits. Having regard to the representations made the Committee take such steps that are appropriate to promote the four licensing objectives. The options available to the Committee were:

- Grant the application subject to conditions that are consistent with the operating schedule modified to the extent that the committee considered appropriate for the promotion of the licensing objectives and any mandatory conditions that must be included under the Licensing Act 2003
- Exclude from the scope of the licence a licensable activity to which the application relates.
- Refuse to specify a person in the licence as a Premises Supervisor (DPS)
- Reject the whole or part of the application.

Mr Warren-Cox then gave their closing statement and stated that they were happy to work with the residents in the area but reducing the covers per table to two would be prohibitive and would stop families attending the premise. Also as it was a Grade II listed building, this did limit what could be done in respect of any acoustic work. Mr Warren-Cox also stated that no smoking or drinking would take place on the platform it would only be used by those dining.

Mr Mildren, one of the interested parties, stated that they were not against the Premises Licence but were concerned about the noise generated by the number of diners on the platform which would be amplified by the water and asked that tables on the platform be reduce to two diners rather than four.

(11:00am the Licensing Officers, applicants and interested parties left the meeting)

The Committee considered the new premise licence for The Riverside having regard to all relevant guidance under the Licensing Act 2003 and policies including the Council's Statement of Licensing Policy together with the representations made. The Committee noted the concerns of the interested parties in respect of noise but felt the offered additional condition by the applicants in respect of not playing music outside on the platform would help mitigate noise and it was noted that no responsible authority had submitted any representation in respect of the premise. Members felt that reducing the number of covers to two per table was not reasonable as it would exclude families from dinning at the premise. Further discussion followed in respect of the location of the premise and dining out on the platform and it was stated that the Planning Permission issued in June 2017 had a condition which stopped the platform being used after 10pm at night and this overrode anything within a premise licence. It was proposed, seconded and agreed to grant the premise licence subject to the additional condition being added in respect of not playing any type of music on the platform.

(11:15 the Licensing Officers, applicant and interested parties returned to the meeting)

The Legal Advisor ready out the Committee's decision.

The Committee had taken into consideration the report made by the Licensing Officer, the appendices and the representations made by the objectors and applicant together with the Licensing Act 2003 and Regulations made under it, the Guidance issued under Section 182 of the Licensing Act 2003 and the Councils Statement of Licensing Policy.

The applicant presented their application and during the presentation agreed to the total exclusion of music on the balcony. The applicant advised that the building was listed and there were restrictions on what could be done with the building. The balcony would not be used for smoking or drinking and you could only be out there if you were dining out there. In respect of tables the applicants wished to retain tables of 4 to allow families to dine. The applicants also advised that the windows were fixed and did not open with the only access being through a door.

The Committee heard from the objectors who expressed concerns regarding noise from the premises, such noise being amplified over water. Further concerns were raised that the balcony/platform would be used as a smoking area or drinking area causing noise nuisance, and that the suggestion of 36 diners on tables of 4 on the balcony would cause noise nuisance. The objectors advised that they currently could hear people across the water

The Committee considered all options available to them. The Committee decided to grant the licence with the inclusion of a condition to exclude all music from the outside balcony. The Committee were of the view that the conditions would alleviate any potential issues regarding noise nuisance and they were satisfied that the licence, considering the conditions offered, promoted the licensing objectives.

There was a right of appeal to the Magistrates' Court within 21 days of the licence decision being received.

30. Licensing Act 2003: Application for a New Premise Licence - Ramroot Festival, Arena UK, Allington Lane, Allington, Lincolnshire, NG32 2EF

Decision

That the Premise Licence for the Ramroot Festival, Arena UK, Allington Lane, Allington be rejected.

The Chairman introduced those present and asked who was speaking in respect of the Premise Licence. Mr Niall Walker on behalf of Lovis Media Ltd stated that he was speaking in respect of the application before the Committee.

Councillor Robert Leadenham was speaking on behalf of a resident and therefore removed himself from the Vice-Chairman role during consideration of the item and took no part in the deliberations and decision making in respect of the licence.

The Licensing Officer presented the report which concerned an application for a new premises licence for the Ramroot Festival to be held at the Arena UK, Allington Lane, Allington. The application was received on 15 April 2025. At the time a management plan had yet to be finalised and during the consultation period, Lincolnshire Police liaised with the applicant and revised Premise Licence conditions were agreed and a different Designated Premises Supervisor was named. The application was also changed to a time limited premise licence to cover the event for the period 4 – 7 July 2025 only. Any future events would require a new premise licence to be submitted.

Environmental Health had also liaised with the applicant regarding the hours requested for live and recorded music and that a separate detailed noise management plan be produced and agreed with them. It was agreed by the applicant that the timings for live and recorded music would be scaled back to the following and this was confirmed in Appendix 3 to the report:

- Outdoor stages – Performance of live and recorded music
Friday and Saturday 09:00 to 00:00 Sunday 10:00 to 00:00
- Indoor stages – Performance of live and recorded music
Friday and Saturday 09:00 to 02:00 Sunday 10:00 to 02:00

The event management, noise management and site plan were still being revised and finalised, however a copy of the latest documents and site map at the time of writing the report were enclosed at Appendix 4. The Applicant had confirmed that the hours for the sale of alcohol on the premise would be scaled back until two hours after the provision of live and recorded music had ended and was attached to the report within Appendix 4.

During the consultation period the authority had received one representation from a member of the public which the applicant offered mitigation for and was at Appendix 5 of the report. A further representation was made but subsequently withdrawn after further information was provided by the applicant and Environmental Health. A third resident representation was received but this was not accepted as it was outside the representation period.

Licensing Officers had delegated authority to decide whether a representation was relevant, vexatious, or frivolous however, Section 9 of the Revised Guidance issued under Section 182 of the Licensing Act 2003 states:

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The Subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

9.37 of the guidance stated that;

“As a matter of practice, Licensing Authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation.

They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practical time limits.”

A question was asked for clarity in respect of timings to which the Licensing Officer responded. A further question was asked about the Designated Premises Supervisor (DPS) and it was confirmed that the applicant, Niall Walker would be the DPS as he had recently got his personal licence. More clarity was sought in relation to the venue and what would be on site to which the Applicant, Mr Walker responded.

A comment was made about the distances within the documents and it was stressed by the Ward Councillor for the area that the venue was less than a mile from the village.

The Applicant, Mr Walker then made his representation and stated that some of the main concerns had been alleviated due to the reduction in timings of playing music and the supply of the alcohol. He made reference to the current representation that had been submitted which concerned traffic through the village and noise from the event. It was revealed that Allington village were also having a music event over the same weekend. Mr Walker then spoke about the event and made reference to when the majority of those attending were due to arrive, car park management, that a free shuttle bus was being put on every hour from Grantham station to the event. Reference was made to how the venue would be set up where it was in relation to the surrounding villages and the distances involved. The front of staff being used were very experienced in relation to the type of event and noise management on site. He spoke in relation to the direction of speakers and also that free earplugs would be available. Capacity was 3,000 but they were expecting in the region of 1,000. There was an extensive security policy in place which would deal with searches for weapons, drugs etc on entry. Security would be available 24 hours on site with flexibility to employ more depending on numbers who attended the event and Mr Walker detailed where the security would be situated within the venue.

Following his representation Members asked various questions about security, the DPS and their experience, how bar staff would be trained and had the organisation been involved with any events of similar size to which Mr Walker replied.

Councillor Leadenham then asked various questions in relation to the fencing of the venue, CCTV, security and noise from the event. The Member was reminded that he was there in relation to the representation he was giving not as a Committee Member.

A further comment was made in relation to the issuing of wristbands to children and how this would be undertaken, was ID being asked for to which Mr Walker stated that no ID for children would be required but Challenge 25 would be undertaken in the bar area.

Councillor Leadenham then made the representation on behalf of Martin Carton a resident of Allington. The representation covered noise from the event, that no public transport was available to the village, the numbers involved and the ensuing traffic this would cause, security and fencing of the site and the risk of drink driving from those attending the event and the narrow roads around the venue and asked the Committee to consider not allowing the event to take place.

The Licensing Officer gave their closing statement. Each application should be determined on its own merits taking into account all relevant guidance and the representations made. The Committee should give appropriate weight to:

- The steps that are appropriate to promote the licensing objectives.
- The representation presented including any supporting information
- The guidance issued under Section 182 of the Licensing Act 2003
- South Kesteven District Council's Licensing Policy

Mr Walker then gave his closing statement and referred to at least three over festivals that had taken place in Allington. That the security that had been proposed was in line with guidelines and was flexible and could be increased at short notice. There would be an accurate number of how many people would be on site at any one time. Policies would be in place in relation to drink driving and that alcohol being brought on site would be closely monitored with no glass containers being allowed. Times that music was being played had been scaled back together with the supply of alcohol and at the present time it was difficult to predict numbers attending.

Councillor Leadenham did not wish to give a closing statement.

(12:33 the Licensing Officers, Councillor Leadenham and Mr Walker left the meeting)

The Committee considered the new Premise Licence having regard to all relevant guidance under the Licensing Act 2003 and policies including the Council's Statement of Licensing Policy together with the representations made. In discussing the application before them the Committee felt that there was not adequate security in place, that alcohol entering the premises would not be controlled, the DPS appeared to be inexperienced as they had only recently

received their personal licence. The location of the First Aid section was inadequate and did not appear to allow for access by emergency services. That the use of straw bales was a potential safety risk and the proposed training of staff did not appear to be sufficient or adequate. Further concerns were expressed by the Committee in respect of access to the site and what was felt as a lack of organisation in relation to the event with management plans and other plans still yet to be finalised. It was proposed and seconded that the Premise Licence application be rejected and on being put to the vote this was unanimously agreed.

(12:55 the Licensing Officers, Councillor Leadenham and Mr Walker returned to the meeting)

The Legal Advisor read out the Committees decision. The Committee considered the new premise licence having regard to all relevant guidance under the Licensing Act 2003 and policies including the Council's Statement of Licensing Policy together with the representations made.

Mr Walker had presented the application to the Committee. In addressing the representations regarding traffic and noise. Mr Walker noted that during the same time there was another music event in Allington during the weekend. Parking tickets that had been sold to date gave an indication of how many vehicles would be travelling to the site and the event was offering a free shuttle bus between the site and Grantham station. The speakers used were directional, and a noise management company would be joining them on site and assisting them with the setting up of the festival. There would also be a residential hotline.

Security on site set was as set out in the event plans. ID would not be required to enter the site and there would be wristbands for children to wear. Challenge 25 would be in operation at the bar area. Depending upon the numbers attending, the number of security staff was flexible and could be called on to increase security as required. People would be clicked in on site so the organisers would be aware of the number of people on site.

People would be limited to what alcohol they could bring to the site with no glass being allowed. The DPS at the site is Niall Walker who had only recently gotten his personal licence and had no experience as a DPS. In terms of access to the site, the site would not be fenced in but controlled via CCTV towers and smaller fencing at access gates.

Councillor Robert Leadenham represented an objector who could not attend the meeting and advised the Committee that the village was closer to the site than indicated by the Applicant and there was a likelihood of impact at the village from noise from the event. Serious issues were raised in respect of traffic, noise and security and not knowing the figure of attendance.

The Committee considered all options available to them. They had very serious concerns regarding the level of security for the site - the access to the site which

given the lack of fencing could be accessed by others without checks and would potentially lead to unknown numbers. They also had concerns regarding the provision of straw bales and potential concerns relating to them. There were concerns about the level of alcohol being brought onto site and checks determining the amount of people on site and the subsequent provision to ensure public safety. The Committee did not consider that the applicant had provided a level of detail which would adequately promote all four of the licensing objectives. The Committee also had concerns about the experience of the DPS. They did not consider there were further conditions which could be imposed that would adequately address their concerns. The Committee did not consider whether to exclude a licensable activity as that would not adequately address their concerns or promote the licensing objectives. The Committee therefore decided to reject the Premise Licence application.

There was a right of appeal to the Magistrates' Court within 21 days of the licence decision being received.

31. Ask Angela

It was agreed that due to time constraints the item would be deferred to the next meeting of the Alcohol, Entertainment and Late Night Refreshment Licensing Committee.

32. Any other business which the Chairman, by reason of special circumstances, decides is urgent.

None.

33. Close of meeting

The meeting closed at 1pm.