

## ADDITIONAL INFORMATION FROM APPLICANT'S AGENT

### Impeccable Pig – Sedgefield

#### Applicant's Summary

Mr John Adamson has made an application for a licence for the Impeccable pig which was formerly the Hope Inn Sedgefield.

One of the inherent difficulties in the standardisation of application for a licence is that what interested parties (particularly the public) are told is the general nature of the application but little of the nature and intent behind it.

Our experience is that statutory bodies such as the Police etc approach Applicant's upon application to try to resolve any issues they have without having to make formal representations. Indeed, in this particular case the Environment Agency did not wish to agree to Music etc. "outside the premises" and the applicant forthwith withdrew his application.

It is regrettable therefore that the Town Council had not seen fit to contact us as the time he had to try to resolve this is very limited indeed.

In addition, when it was pointed out that the potential for a 2 a.m. closing would be outside the general policy hours the applicant again amended his application to 1 a.m. on two nights that are essential to success as a business venture. The applicant does not want the Committee to think that he has been unable to listen to and act upon genuine representations.

It is important to note that this is not an application for a traditional pub it is aimed at a high-end clientele who want to eat in a convivial atmosphere where drink is not the prime purpose of their visit i.e. a restaurant without the restrictions previously imposed under the 1964 Act. It is intended that music will be conducive to those enjoying a meal but for the premises to have enough authority to have an occasional celebration which might mean live music in line with the function itself.

It is not in Mr Adamson's' interests to fall out with neighbours and this clearly provides a substantial incentive to see patrons leave quietly and with respect for those who live in the immediate area. It is noted that there are many houses

near other pubs in Sedgefield and we are unaware of any particular problems and the nature and tenor of the Impeccable Pig makes it even less likely.

It is clear that many customers are wishing to eat later and what maybe 10 or 20 years ago would seem a very odd hour to eat is now becoming more European in nature with people not looking to go out before 10 p.m. or going on to have a nice meal from the theatre or other local activity.

There is in our view a robust operating Schedule, but the Applicant would be happy to accede to any reasonable amendments but must look for the hours requested not least as he has already compromised and to compromise further would not see his vision realised (or particularly viable) on the back of a spend of no less than £1 Million Pound (and rising) on this project.

### Ancillary Points

These premises in the main are effectively a Brassiere and can clearly be distinguished from the other licenced premises in Sedgefield.

It is important to note that there are 10 quality rooms on the site and again certainly more akin to a hotel than a public House. We also note it is generally accepted under Durham's policy document that a Hotel is less likely to have problems associated with it. It is clearly in the Applicants interests to keep noise, disturbance and inappropriate behaviour to a minimum as overnight guests will expect to have a peaceful night's sleep.

The area in which someone might drink is extremely limited with the vast proportion of the property being given over to seating in the restaurant area.

No function room exists (as before) and there is no intention to build one.

The Hope Inns closing time was 00.20 save on a Sunday

The majority of "standard" public Houses in Sedgefield advertise a closing time of 11 p.m. so it does make sense for the later closing of this premises.

During normal opening hours there will always be a member of staff in the premises who holds a personal Licence not simply one on call.

There will be a member of staff “at all times” on the premises including a night porter who could immediately deal with any issues of noise or disturbance even outside “normal hours”.

### Representation

There are no representations from any statutory body save the Town Council

There are, however, 3 representations (objections) copies of which are no doubt available to the committee members but in essence

#### Mrs E Williams - Disturbance

Mrs Williams has concerns about disturbance from noise directly from the premises as she has an adjoining property. It is believed that after discussion with Mrs Williams that the issues have been substantially ameliorated.

#### Mr M Carr - wishes to limit hours

Mr. Carr erroneously suggests there are no hours attached to the premises. He Points out that customers and music from the premises has caused many problems in the past. Whilst this very well might be true, the steps taken by the Applicant, and the manner in which it is to be run will, in our view, eradicate this as an issue.

Whilst some late dinners will leave after midnight this will in all likelihood be piecemeal. In addition, there will be residents who will not leave at all.

It seems likely that Mr Carr has misunderstood the nature and intent behind this application – we have asked Mr. Carr to speak with us so we can clarify and look to satisfy his concerns. Mr Carr is still encouraged to contact us as this matter would, in our view, be better negotiated than aired before the Committee which is not always comfortable for the parties.

#### Sedgefield Town Council - wishes to limit the hours

It is concerning that as a Statutory body the Town Council have not followed the general steps taken by other bodies including the police, fire and other authorities by contacting the applicant before making formal objection to the hours.

It would seem to the applicant that as there was a Committee meeting on the 19<sup>th</sup> March a sensible and propitiate step would have been to invite the applicant to attend so any misunderstanding can be clarified.

The Applicant has attempted to contact the Council to discuss this through the good offices of the Council Licensing section but at the moment no response has been received. A Town Council representative is still encouraged to contact the applicant in the hope that the issued raised can be discussed.

It is somewhat fanciful to suggest that there is a real prospect of 236 people "exiting the building" at once – further if the suggested hours are reduced to say 11 p.m. then this is in line with the vast majority of the other licenced premises "closing time" thus exacerbating the problem not solving it.

Issues relating to planning have been fully explored at the "planning stage" introducing a form of back door redress is not a matter for the licensing committee.

It is not accepted that a number of the matters raised by the 3 objectors are relevant to any of the licensing objectives.

Mrs E A Williams

Our Ref: TPH/ALD/RAM6/70  
Your Ref: 09 April 2018  
Date:  
Direct Dial:  
E-mail:  
We do not accept service by e-mail

Dear Mrs Williams

**Premises Licence Application**  
**Our Client: Ramside Estates Limited**  
**The Impeccable Pig, Front Street, Sedgfield**

We act on behalf of the applicant for the new licence at the above-premises.

We acknowledge receipt of your letter of objection on the above application and do not by any means take it lightly. We are able to advise that there are in total 3 objectors with the other 2 asking for the hours to be limited whereas if we have read your objection correctly you are more worried about the potential for nuisance and disturbance from our client's property?

When we deal with the statutory authorities i.e. the Police, Environment Agency and Fire Authority etc. they tend to raise their concerns within the consultation period and we try our best to resolve them without going to a formal hearing. In these circumstances we think it would be extremely useful if we could arrange a meeting with you in a similar manner as we would with the Police or Fire Authority and see if we can try to settle your worries and ameliorate your concerns if at all possible.

We are obviously reluctant about just "knocking on your door" and have therefore asked the Licensing Authority to pass this letter on to you with our contact details.

The fee earner in this case is Mr Terry Hamer who can be contacted on \_\_\_\_\_ or his PA, Alison Dunn on \_\_\_\_\_

We very much hope that we can speak, even if "ultimately we cannot agree a way forward".

Yours faithfully,

Terry Hamer  
Consultant  
Swinburne Maddison LLP

Mr M M Carr

Our Ref: TPH/ALD/RAM6/70  
Your Ref:  
Date: 12 April 2018  
Direct Dial:  
E-mail:  
We do not accept service by e-mail

Dear Mr Carr

**Premises Licence Application**  
**Our Client: Ramside Estates Limited**  
**The Impeccable Pig, Front Street, Sedgefield**

We act on behalf of the applicant for the new licence at the above-premises.

We have received your representation from the Licensing Authority and would welcome the opportunity to discuss your correspondence and see if we can try and find a sensible way forward. Unfortunately, our client is out of the UK until the 16 April 2018 but if you would be kind enough to ring the writer, Mr T P Hamer on or his PA, Alison Dunn on I am sure we can sort a good time to talk.

Thanking you in anticipation of your help in this matter.

Yours faithfully

Terry Hamer  
Consultant  
Swinburne Maddison LLP

Dr Jane Ayre  
Town Clerk  
Sedgefield Town Council  
Council Offices  
Sedgefield  
Co Durham  
TS21 3AT

Our Ref: TPH/ALD/RAM6/70  
Your Ref:  
Date: 12 April 2018  
Direct Dial:  
E-mail:  
We do not accept service by e-mail

Dear Dr Ayre

**Premises Licence Application**  
**Our Client: Ramside Estates Limited**  
**The Impeccable Pig, Front Street, Sedgefield**

We act on behalf of the applicant for the new licence at the above-premises.

We have received your representation from the Licensing Authority and would welcome the opportunity to discuss your correspondence and see if we can try and find a sensible way forward. Unfortunately, our client is out of the UK until the 16 April 2018 but if you would be kind enough to ring the writer, Mr T P Hamer on or his PA, Alison Dunn on I am sure we can sort a good time to talk.

Thanking you in anticipation of your help in this matter.

Yours faithfully

Terry Hamer  
Consultant  
Swinburne Maddison LLP