

NORTH LINCOLNSHIRE COUNCIL

LICENSING (ACTIVITIES) SUB-COMMITTEE

**LICENSING ACT 2003
APPLICATION TO VARY A PREMISES LICENCE
MESSINGHAM FARM SHOP, NORTHFIELD ROAD, MESSINGHAM**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To request that the Sub-Committee determines the application to vary a Premises Licence for Messingham Farm Shop. A summary of the application is attached as Appendix A to this report and a copy of the application as Appendix B.
- 1.2 There have been 6 representations received, which have been deemed relevant. These are detailed in paragraph 4.2. Copies of the representations are attached to this report at Appendix C, D, E, F, G & H.

2. BACKGROUND INFORMATION

- 2.1 In accordance with the provisions of the Licensing Act 2003 and the council's scheme of delegation, all applications for a licence where a relevant representation has been made need to be determined by this Sub-Committee.
- 2.2 When determining the application the Sub-Committee should only consider issues which relate to the four licensing objectives. The licensing objectives are:
 - The prevention of Crime and Disorder
 - Public Safety
 - The prevention of a Public Nuisance
 - The protection of Children from Harm
- 2.3 Members of the Sub-Committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003, our Statement of Licensing Policy and our Cumulative Impact Policy if appropriate. Members of the Sub-Committee may deviate from the statutory guidance and licensing policies only if they deem that there is good reason to do so. Where Members do deviate from the statutory guidance or policies then full reasons must be provided.

- 2.4 Members of the Sub-Committee should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the licence and shall only determine the application having had an opportunity to consider all relevant facts. Members of the Sub-Committee should not hear or decide on any applications for premises licences in their own ward.
- 2.5 Members of the Sub-Committee shall remember that they are acting in a quasi-judicial role in determining the application and shall remain in the room so that they hear all the evidence before determining the application. The determination shall be based on the evidence provided, which is relevant to the licensing objectives.
- 2.6 The options available to the Sub-Committee having considered all the relevant information are as follows:
- To refuse to vary the licence
 - To vary the licence with additional conditions
 - To vary the licence without additional conditions
 - To vary the licence but restrict the licensable activities
 - To vary the licence with restricted times
- 2.7 When considering an application to vary a licence, only the additional elements contained within the application can be considered. The activities already licensed cannot be subject to any restriction or additional conditions.
- 2.8 Members of the Sub-Committee should be advised that the applicant, responsible authorities and other persons making relevant representations may appeal to the Magistrates Court within 21 days of the date on which they were notified of the decision

3. ISSUES FOR CONSIDERATION

- 3.1 The application to vary a premises licence for Messingham Farm Shop was received on 8 June 2017. A summary of the application is attached at Appendix A and a copy of the application is attached at Appendix B.
- 3.2 Messingham Parish Council has objected to the application on the grounds of the prevention of public nuisance. A copy of the representation is attached at Appendix C.
- 3.3 A local resident has objected to the application on the grounds of the prevention of public nuisance. A copy of the representation is attached at Appendix D.
- 3.4 There have been 4 representations from Responsible Authorities, which have been deemed relevant. The representations are detailed in paragraph 4.2 and are attached to this report as Appendix E, F, G & H.

3.5 The applicant has been made aware of the representations.

4. OUTCOMES OF CONSULTATION

4.1 A copy of an application to grant or vary a Premises Licence must be served on the responsible authorities within 48 hours of the Licensing Authority receiving its copy.

4.2 The table below provides details of any representations received from the responsible authorities.

Responsible Authority	Detail
Humberside Police	Appendix E – No objections
Humberside Fire & Rescue Service	Appendix H – No objections
Health & Safety	No comments received
Environmental Health	Appendix F – No objections
Trading Standards	No comments received
Child Protection	No comments received
Planning	No comments received
Licensing Authority	No comments received
Public Health	Appendix G – No objections
Other	Appendix C & D – objection received on the grounds of prevention of public nuisance

4.3 Ward councillors have been made aware of the application.

5. OUTCOMES OF MEDIATION

5.1 We have a duty to mediate in accordance with our policy. The results of the mediation will be reported at the meeting.

6. LICENSING OBJECTIVES & STATUTORY PROVISIONS

6.1 Prevention of Crime & Disorder

6.1.1 The applicant has described the steps they intend to take in order to promote this objective. These are detailed on page 15 of their application in Appendix B attached to this report.

6.1.2 Further information regarding this objective can be found in the Licensing Policy, pages 33-42.

6.2 Public Safety

6.2.1 The applicant has described the steps they intend to take in order to promote this objective. These are detailed on page 15 of their application in Appendix B attached to this report.

6.2.2 Further information regarding this objective can be found in the Licensing Policy, pages 43-49.

6.3 Prevention of Public Nuisance

6.3.1 The applicant has described the steps they intend to take in order to promote this objective. These are detailed on page 15 of their application in Appendix B attached to this report.

6.3.2 Further information regarding this objective can be found in the Licensing Policy, pages 50-55.

6.3.3 Representations have been received raising concerns with regard to this objective.

6.4 Protection of Children from Harm

6.4.1 The applicant has described the steps they intend to take in order to promote this objective. These are detailed on page 15 of their application in Appendix B attached to this report.

6.4.2 Further information regarding this objective can be found in the Licensing Policy, pages 56-62.

6.5 Other Licensing Policy Issues/Statutory Provisions

6.5.1 These are detailed in Appendix B, page 15, under the heading of General.

7. **FURTHER INFORMATION & CLARIFICATION**

7.1 A location plan is attached to the report as Appendix I.

8. **RECOMMENDATIONS**

8.1 That the Sub-Committee determines the application in accordance the Statutory Guidance issued under s182 of the Licensing Act 2003, Statement of Licensing Policy, the Cumulative Impact Policy if appropriate and the information contained within this report and having had due regard to the applicant and the responsible authorities making relevant representations.

8.2 That the Sub-Committee provides the reasons for its decision.

DIRECTOR OF OPERATIONS

Civic Centre
Ashby Road
Scunthorpe
North Lincolnshire

Author: Narelle Plowright
Date: 10 July 2017

Background Papers used in the preparation of this report Nil

APPENDIX A

Summary of Application (New)

Name of Premises	Messingham Farm Shop	Type of Application	Variation
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Point Number	Detail (Changes to Current Licence)		Action
	From	To	
1	Live Music Monday to Saturday 11:00 – 18:00 Sunday 11:00 – 16:00	Café area only Monday to Thursday 19:00 to 23:00 Friday to Saturday 11:00 – 23:00 Sunday 11:00 – 22:30	
2	Recorded Music Monday to Saturday 09:00 – 18:00 Sunday 10:00 – 16:00	Café area only Monday to Saturday 09:00 – 23:00 Sunday 10:00 – 22:30	
3	Sale of Alcohol (On & Off) Monday to Saturday 09:00 – 18:00 Sunday 10:00 – 16:00	Monday to Saturday 09:00 – 23:00 Sunday 10:00 – 22:30	
4	Opening Hours Monday to Saturday 09:00 – 18:00 Sunday 10:00 – 16:00	Monday to Saturday 09:00 – 23:00 Sunday 10:00 – 22:30	
5	Condition to be added: Notices shall be placed at the entrance/exit door reminding customers to leave quietly.		

Summary of Representations/Conditions Requested (Responsible Authorities)

Point Number	Detail	Action
3	Appendix E – Humberside Police Have no objections	
4	Appendix F – Environmental Health (Commercial) Have no objections	
5	Appendix G – Public Health Have no objections	
6	Appendix H – Humberside Fire & Rescue Have no objections.	

Summary of Representations/Conditions Requested (Other Persons)

Point Number	Detail	Action
1	<p>Appendix C – Messingham Parish Council Have objected and asked that consideration is given to the noise impact on local residents.</p> <p>Mediation has taken place but the Parish Council say they do not have the expertise to decide whether conditions should be attached and have asked the Committee to make the decision.</p>	
2	<p>Appendix D – Local resident Has objected and stated that customers leaving the premises could possibly be loud and unruly but have not offered any conditions.</p>	

Summary of Statutory Guidance Issued under s182 of The Licensing Act 2003

Point Number	Detail	Action
1	Pages 9-10, paragraphs 2.15 – 2.21 relates to public nuisance	

Summary of North Lincolnshire Council's Licensing Policy

Point Number	Detail	Action
1	Pages 50 – 55 relates to the prevention of public nuisance.	

Summary of Other Relevant Information

Point Number	Detail	Action
1	<p>There is a condition already attached to the premises licence:</p> <p>All external door and windows shall be kept closed when regulated entertainment is being provided except for access to and egress from the premises. All exterior windows and doors shall be maintained in a good state of repair and working order.</p>	

RECEIVED
23 MAY 2017



North Lincolnshire Council, Places Directorate, Licensing Department,
Church Square House, P O Box 42, Scunthorpe, DN15 6XQ
Tel (01724) 297750 / Fax: (01724) 297692/email: licensing@northlincs.gov.uk

Application to vary a premises licence under the Licensing Act 2003
PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We ^{SS.} MESSINGHAM ^{SS} FARM ^{SS} SHOP (JOHANNA BELTON)
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	PRM 31028
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	THE OLD SCHOOL 42A NORTHFIELD ROAD
--------------------------------------------------------------------------------------	---------------------------------------

Post town	MESSINGHAM, SCUNTHORPE	Postcode	DN17 3SA
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Telephone number at premises (if any)	07808708109
Non-domestic rateable value of premises	£

Part 2 – Applicant details

Daytime contact telephone number	07808708109		
E-mail address (optional)	johannabelton1@btinternet.com		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

INCREASE OF OPENING HOURS. CURRENT FINISH TIME OF 18.00 hrs TO BE CHANGED TO 23.00hrs MONDAY - SATURDAY AND 22-30 hrs ON SUNDAY.

IT IS NOT INTENDED TO OPEN EVERY DAY UNTIL 23.00hrs BUT TO HAVE THE OPTION TO OPEN FOR SPECIAL NIGHTS IN THE CAFE (ie STEAK NIGHT OR PIE NIGHT) OR TO HOST SPECIAL DEMONSTRATION EVENINGS (ie FLOWER ARRANGING), OR PRIVATE PARTIES/RECEPTIONS.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

—

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Tue					
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2) IN THE CAFE AREA	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	19-00	23.00			
Tue	19-00	23.00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) REQUIRED AS AND WHEN SPECIFIC MUSIC EVENINGS ARE ARRANGED THROUGHOUT THE YEAR.		
Wed	19-00	23.00			
Thur	19-00	23.00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	11-00	23.00			
Sat	11-00	23.00			
Sun	11-00	22.30			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2) IN THE CAFE AREA	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	9-00	23.00	BACKGROUND MUSIC IN CAFE AREA		
Tue	9-00	23.00			
Wed	9-00	23.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	9-00	23.00	EVERY DAY DURING OPENING HOURS		
Fri	9-00	23.00			
Sat	9-00	23.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	10-00	22.30			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2) IN CAFE AREA	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	18-00	23.00	SPECIAL ADVERTISED EVENINGS, STEAK NIGHT, PIE NIGHT ETC.		
Tue	18-00	23.00			
Wed	18-00	23.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	18-00	23.00	ANY TIME DURING YEAR AS AND WHEN SPECIAL EVENINGS ARRANGED		
Fri	18-00	23.00			
Sat	18-00	23.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sun	18-00	22.30			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)		On the premises <input checked="" type="checkbox"/>
					Off the premises <input checked="" type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	09-00	23.00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	09-00	23.00			
Wed	09-00	23.00			
Thur	09-00	23.00			
Fri	09-00	23.00			
Sat	09-00	23.00			
Sun	10-00	22.30			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	09.00	23.00	
Tue	09.00	23.00	
Wed	09.00	23.00	
Thur	09.00	23.00	
Fri	09.00	23.00	
Sat	09.00	23.00	
Sun	10.00	22.30	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

b) The prevention of crime and disorder

GENERALLY
ONLY THE CAFE AREA WILL BE OPEN IN THE
PROPOSED ADDITIONAL HOURS FROM 18-00hrs TO 23-00hrs.
THE DELI DOORS WILL BE CLOSED AND PUBLIC DIVERTED
DIRECTLY TO THE CAFE. THE FLORIST WILL ALSO BE LOCKED UP.
THERE MAY BE EXCEPTIONS WHEN COOKERY DEMONSTRATIONS OR
FLOWER ARRANGING DEMONSTRATIONS ARE HELD.

c) Public safety

d) The prevention of public nuisance

NOTICE AT ENTRANCE/EXIT DOOR REMINDING CUSTOMERS
TO LEAVE QUIETLY.

e) The protection of children from harm

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

GRANTED BUT NOT YET RECEIVED

Checklist:

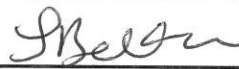
Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.


IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	19/5/17
Capacity	PREMISES LICENCE HOLDER

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	19/5/17
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

PRM31028

MESSPC <clerk@messinghamparishcouncil.co.uk>

Tue 13/06/2017 20:43

To:Licensing <Licensing@northlincs.gov.uk>;

FAO Kara Hall,

**Application for a Premises licence – variation
Messingham Farm Shop, 42a Northfield Road, Messingham**

Messingham Parish Council have considered the variation to licensing application PRM31028 and would ask that consideration is given to the noise impact on local residents, during the extended hours.

Regards,

TRACEY P BLACK

Clerk to Messingham Parish Council

Tel: 07397 571469 Email:clerk@messinghamparishcouncil.co.uk

This email expresses the opinion of the author and is not necessarily the view of the Council. Please be aware that anything included in an email may have to be disclosed under the Freedom of Information Act and cannot be regarded as confidential. This communication is intended for the addressee(s) only. Please notify the sender if received in error.

Re: Messingham Farm Shop - Variation

jb jb <johannabelton1@btinternet.com>

Thu 15/06/2017 16:24

To: Licensing <Licensing@northlincs.gov.uk>;

Hi Narelle

I'm referring to the parish council meeting on Wednesday evening this week in connection with noise , both Steve and I agree to keep the noise down to respect our neighbours .

Kind regards
Johanna

Sent from my iPhone

On 15 Jun 2017, at 16:12, Licensing <Licensing@northlincs.gov.uk> wrote:

Hi Johanna,

Are you referring to the existing conditions that were attached to the licence after the hearing?

Kind regards

Narelle

Licensing

North Lincolnshire Council

Waste & Public Protection

Operations

01724 297750

From: jb jb <johannabelton1@btinternet.com>

Sent: 15 June 2017 16:10

To: Licensing

Subject: Re: Messingham Farm Shop - Variation

Dear Narelle

Both Steve and I agree with those conditions

Kind regards
Johanna

Sent from my iPhone

On 15 Jun 2017, at 14:18, Licensing <Licensing@northlincs.gov.uk> wrote:

Good afternoon Johanna,

We have received a valid representation from Messingham Parish Council. I have attached it to this email. They haven't offered up any conditions so it's up to you whether you want to contact them to discuss any concerns they have.

Kind regards

Narelle Plowright

Licensing Officer

Licensing

North Lincolnshire Council

Waste & Public Protection

Operations

01724 297750

This e-mail expresses the opinion of the author and is not necessarily the view of the Council. Please be aware that anything included in an e-mail may have to be disclosed under the Freedom of Information Act and cannot be regarded as confidential. This communication is intended for the addressee(s) only. Please notify the sender if received in error. All Email is monitored and recorded. Please think before you print- North Lincolnshire Council greening the workplace.

<PRM31028 mess parish rep 13 06 17.pdf>

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Re: PRM31028

MESSPC <clerk@messinghamparishcouncil.co.uk>

Thu 06/07/2017 10:41

To:Licensing <Licensing@northlincs.gov.uk>;

Good morning Narelle,

This is an application to extend the hours of live music, recorded music, alcohol consumption and opening hours. Monday – Saturday 23:00 hrs and Sunday 22:30 hrs.

Messingham Parish Council have asked in our response that consideration be given to the noise impact on local residents.

Unfortunately, Messingham Parish Council do not have the expertise to decide if the conditions on the application will be sufficient to minimise the impact on neighbouring properties.

This is a matter for the NLC licensing committee to determine.

Regards,

TRACEY P BLACK

Clerk to Messingham Parish Council

Tel: 07397 571469 Email:clerk@messinghamparishcouncil.co.uk

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From: [Licensing](#)

Sent: Wednesday, July 05, 2017 12:51 PM

To: [MESSPC](#)

Subject: Re: PRM31028

Good afternoon Tracey,

This application is in relation to the Licensing act 2003. Planning and building control don't come into it from our point of view unfortunately.

The Parish Council have made a representation in relation to the noise aspect which is why I am in contact with you to try and resolve it.

The only way this can be resolved is if conditions are agreed within yourselves and the licence holder or that the representation is withdrawn.

The deadline for consultation is tomorrow and if this remains unresolved then I will have to arrange a hearing for the members to decide what is to happen with the application.

Kind regards

Narelle Plowright
Licensing Officer
Licensing
North Lincolnshire Council
Waste & Public Protection
Operations
01724 297750

From: MESSPC <clerk@messinghamparishcouncil.co.uk>
Sent: 05 July 2017 11:47
To: Licensing
Subject: Re: PRM31028

Hi Narelle,

Messingham Parish Council asked in our response that consideration be given to the noise impact on local residents.

The parish council are not in a position to confirm whether the points noted meet this criteria. This would require consideration by planning/building control.

Regards,

TRACEY P BLACK
Clerk to Messingham Parish Council
Tel: 07397 571469 Email:clerk@messinghamparishcouncil.co.uk

This email expresses the opinion of the author and is not necessarily the view of the Council. Please be aware that anything included in an email may have to be disclosed under the Freedom of Information Act and cannot be regarded as confidential. This communication is intended for the addressee(s) only. Please notify the sender if received in error.

From: Licensing
Sent: Wednesday, July 05, 2017 10:51 AM
To: clerk@messinghamparishcouncil.co.uk
Subject: Fw: PRM31028

Good morning,

Please see the response from the licence holder.

Kind regards

Narelle Plowright
Licensing Officer
Licensing
North Lincolnshire Council
Waste & Public Protection
Operations
01724 297750

From: jb jb <johannabelton1@btinternet.com>
Sent: 03 July 2017 14:50
To: Licensing
Subject: Re: PRM31028

Hi Narelle/Nicola. Following is our response to your email regarding Messingham Parish Council's query as to whether any sound proofing has been put in place in our Farmshop property.

1. During the renovation all building regulations were strictly adhered to and subsequently passed by Building Inspectors.
2. All outer walls have a total thickness of 500ml inclusive of 120ml Kingspan insulation, being above the building regulations requirement.
3. The sloping roof/ceiling apertures have 150ml Kingspan insulation and the flat ceiling 400 ml.
4. The average wall thickness is 350-400ml.
5. All building standards were met.
6. The property is surrounded by an outer perimeter 6ft wall.
7. We have a silent run hot air vent system for heating.
8. All windows are double glazed and non opening.
9. Should on rare occasions live music be played in accordance with our licensing regulations all doors will be closed.
10. POLITE notices are placed at the exits requesting people exiting the premises to be quiet and respectful of the residential area. Our immediate neighbours Martin and Sue Fisher on Northfield Road and Caroline at 1 Temperance Avenue and Sharon O'Neil at No 6 have no objections. Another adjacent neighbour is a daytime beauty business.
11. We live on site and are very respectful to the neighbours and have a good relationship with them.

I hope this clarifies the situation. We would welcome a site visit from anyone at North Lincolnshire Council or Messingham Parish Council to view the premises so that we may answer any further queries they may have and to enable them to see the completed project.

Johanna Belton

c.c. Tracey P. Black
Messingham Parish Council

Sent from my iPhone

On 23 Jun 2017, at 11:11, Licensing <Licensing@northlincs.gov.uk> wrote:

Hi Johanna,

We have had a query from Messingham Parish Council, they are not content with accepting the current public nuisance conditions.

Kind regards

Narelle Plowright
Licensing Officer
Licensing
North Lincolnshire Council
Waste & Public Protection
Operations
01724 297750

From: MESSPC <clerk@messinghamparishcouncil.co.uk>
Sent: 23 June 2017 09:38
To: Licensing
Subject: Re: PRM31028

Hi Narelle,

The imposed conditions do not confirm that any sound proofing has been put in place. Has the property been sound proofed to minimise the impact of amplified music on neighbouring properties?

Regards,

TRACEY P BLACK
Clerk to Messingham Parish Council
Tel: 07397 571469 Email: clerk@messinghamparishcouncil.co.uk

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From: [Licensing](#)
Sent: Friday, June 16, 2017 12:38 PM
To: [MESSPC](#)
Subject: Re: PRM31028

Hi Tracey,

The conditions are as follows;

Live and recorded music shall only be held indoors.

All external windows and doors shall be kept closed when regulated entertainment is being provided except for access and egress. All exterior windows and doors shall be maintained in a good state of repair and working order.

Kind regards

Narelle

Licensing
North Lincolnshire Council
Waste & Public Protection
Operations
01724 297750

From: [MESSPC <clerk@messinghamparishcouncil.co.uk>](mailto:clerk@messinghamparishcouncil.co.uk)
Sent: 16 June 2017 09:10
To: Licensing
Subject: Re: PRM31028

Hi Narelle,

Messingham Parish Council would require sight of the conditions that you refer to, in order to give consideration.

Regards,

TRACEY P BLACK
Clerk to Messingham Parish Council
Tel: 07397 571469 Email: clerk@messinghamparishcouncil.co.uk

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From: [Licensing](#)
Sent: Thursday, June 15, 2017 4:39 PM
To: [MESSPC](#)
Subject: Re: PRM31028

Good afternoon Tracey,

I have spoken to Miss Belton who agrees to attach the conditions that are already on her licence in relation to Public Nuisance.

Please can you confirm whether the Parish Council would accept this and whether they would now be willing to withdraw their representation.

Kind regards

Narelle Plowright
Licensing Officer
Licensing
North Lincolnshire Council
Waste & Public Protection
Operations
01724 297750

From: MESSPC <clerk@messinghamparishcouncil.co.uk>
Sent: 13 June 2017 20:43
To: Licensing
Subject: PRM31028

FAO Kara Hall,

Application for a Premises licence – variation
Messingham Farm Shop, 42a Northfield Road, Messingham

Messingham Parish Council have considered the variation to licensing application PRM31028 and would ask that consideration is given to the noise impact on local residents, during the extended hours.

Regards,

TRACEY P BLACK
Clerk to Messingham Parish Council
Tel: 07397 571469 Email: clerk@messinghamparishcouncil.co.uk

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Please think before you print- North Lincolnshire Council greening the workplace.

Untitled

APPENDIX D

Sheila Hansford <shehansford@hotmail.com>

Sat 17/06/2017 18:55

To:Licensing <Licensing@northlincs.gov.uk>;

Change of license - The Old School Messingham

I wish to object in the strongest terms the the requested change in licensing hours for the above.

1 This venue is entirely surrounded by residential properties and it would be inappropriate and unreasonable to have live music and serve alcohol in the evenings..

2 As a residential area we have a right not to be disturbed by cars and customers leaving late into the evening. My bedroom faces directly onto the car park and exit. I have a demanding job and sleep is vital to me.

3 There is insufficient parking on the site which will inevitably mean customers, possibly loud and unruly after a night out, will be causing disturbance walking to their vehicles.

4 I also believe that this will have a detrimental effect on property values, both to existing neighbouring properties and also to the new dwellings due to be built.

5 There are already sufficient hostelryes serving alcohol in Messingham, all situated in vastly more appropriate locations which do not interfere with residential properties. There is absolutely no need to effect residents lives and properties by estanding this license.

I object strongly to this amendment.

Sheila Hansford
4 Temperance Avenue
Messingham
DN17 3SF

Messingham Farm Shop

APPENDIX E

Parker, Gary 3157 <Gary.Parker@humberside.pnn.police.uk>

Thu 08/06/2017 12:32

To:Licensing <Licensing@northlincs.gov.uk>;

Cc:Sherer, Aina 8762 <Aina.Sherer@humberside.pnn.police.uk>;

Dear Sir

No police objection to the above application.


Regards

Gary Parker

Licensing Officer

Tel 01482 976759

Internet Email should not be treated as a secure means of communication. To ensure regulatory compliance Humberside Police monitors all Internet Email activity and content. This communication is intended for the addressee(s) only. Unauthorised use or disclosure of the content may be unlawful. If you are not a named addressee, you must not disclose, copy, print, or in any other way use or rely on the data contained in this transmission. If received in error you should notify the sender immediately and delete this Email Humberside Police routinely checks e-mails for computer viruses. However addressees are advised to conduct their own virus checks of all e-mails, & any attachments). Opinions expressed in this document may not be official policy. Thank you for your co-operation. Humberside Police

I N T E R	<h1>MEMO</h1>	 <p>NORTH LINCOLNSHIRE COUNCIL</p>
O F F I C E		

To: Licensing Department

From: Environmental Health (Commercial)

Subject: **Licensing Act 2003, Application for a Premise Licence**
Messingham Farm Shop. 42a Northfield Road. Messingham.

Date: 6 June 2017

Thank you for your consultation regarding the above application.

The applicant wishes to extend opening hours to 23:00 Mondays to Saturday and 22:30 on Sundays. This department has no comments to make.

PRM 31028

APPENDIX G

Sajda Bibi Shah

Fri 26/05/2017 14:18

To:Licensing <Licensing@northlincs.gov.uk>;

Dear Sir/Madam

On behalf of Public Health I would like to state that there is no objection to application PRM 31028.

Many Thanks

Sajda

Ms. Sajda Shah
Health Improvement Practitioner Advanced
Health Improvement Team
Places Directorate
07717586223 or 01724 297612

Our Ref: FS/PC/RM/RLA2/S2/000564 (474129)
Date: 05 June 2017

APPENDIX H



HUMBERSIDE
Fire & Rescue Service

Johanna Belton
Messingham Farm Shop
The Old School
42a Northfield Road
Messingham
DN17 3SA

Dear Madam

**REGULATORY REFORM (FIRE SAFETY) ORDER 2005
LICENSING ACT 2003 - TYPE OF LICENCE
VARIATION OF PREMISES LICENCE
PREMISES: MESSINGHAM FARM SHOP
42A NORTHFIELD ROAD
MESSINGHAM
DN17 3SA**



BUSINESS SAFETY SOUTH
Laneham Street
Scunthorpe
North Lincolnshire
DN15 6JP
www.humbersidefire.gov.uk
The person dealing with this matter is:
Patrick Connelly
Business Safety Inspector
Tel: 01724 295914
Fax: 01724 295908
E-Mail: pconnelly@humbersidefire.gov.uk

LICENSING ACT 2003

The Application and enclosures in relation to the above mentioned premises which were received in this office on the 13 May 2017 are acknowledged and the Fire Authority make the following comment.

From the information provided the proposals with regards to Public Safety are considered **acceptable** to the Fire Authority.

REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Fire Risk Assessment

It is a requirement that the responsible person must make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the general fire precautions which are necessary to comply with the requirements and prohibitions imposed on him by or under this order and record the prescribed information

The following should be considered as essential to any such fire risk assessment:

Means of Escape

All final exit doors should be quickly and easily openable in the event of a fire without the use of a key or code.

Means of Giving Warning of Fire

The fire alarm system should conform to British Standard 5839: Part 1: 2013.



Emergency Lighting

Where the normal lighting may be dimmed or turned off, a maintained or combined emergency escape lighting system should be installed. However it is not necessary for the full emergency lighting level to be provided when the normal lighting is functioning. In other premises used for recreation where there is no dimming it is necessary only for exit signs to be maintained or combined and internally illuminated.

Fire Fighting Equipment

All portable fire extinguishers should be tested and maintained in accordance with the current relevant British Standard Specification. The records of all the tests and maintenance should be available for inspection by a member of the Fire Authority.

Signage

All exits which are designated as emergency exits are to be distinctively and conspicuously marked by exit signs. The signs should comply with the current relevant British Standard or equivalent.

If you are not the responsible person for these premises, you should ensure that this letter and its contents are forwarded to that person.

If the above matters are not rectified to the satisfaction of the Fire Authority, the Fire Authority reserve the right to request a review of the Premises Licence.

If you require further advice or clarification of any of these matters, please contact the Fire Safety Inspector at the address overleaf.

Yours faithfully



FOR THE CHIEF FIRE OFFICER & CHIEF EXECUTIVE

Copy: Neighbourhood and Environmental Services
Licensing Division
Church Square House
PO Box 42
Scunthorpe
North Lincolnshire
DN15 6XQ

