

Section 4 – Representation grounds

The representation is relevant to one or more of the following licensing objectives:

Please tick relevant box(es)

Prevention of crime and disorder

Prevention of public nuisance

Protection of children from harm

Public safety

Please select :

I object to the application being granted at all

I object to the application being granted in its current form*

*If you choose this option remember to tell us in the next section what changes you would prefer to see.

The grounds of the representation is based on the following:

While we would have preferred this site to continue in its previous use of A2 Financial Services, the general state nationwide of retail and associated primary and secondary town centre rentings in the country as a whole has not favoured the continuation of this use here. While Cross Gates as a whole has weathered the storm well compared with other regional centres, A2 and D1 uses have alas migrated to Station Road, and several premises have reverted to their original pre-1939 use of residential. Over the next ten years, both nationally, regionally and locally this trend is likely to continue, but for the moment it seems the owner is prepared to try (in planning terms) an A3 café/restaurant land use before going in this direction.

We have had our worries about what might replace the previous use here as it is Immediately adjacent to residential units, above, in front, sideways and behind, and the potential for adverse impacts on amenity from an unsympathetic tenant is real. However, we have met with the license applicant who is not only local, but has interesting ideas based on overseas experience for a bistro style premises here with a family orientation. While we are prepared to go along with the general idea of the development, we have various comments on what is proposed which may be taken account of in the grant of a license, and will try to group them under the four headings relevant to licensing applications, namely:

1. the prevention of crime and disorder
2. public safety
3. the prevention of public nuisance
4. the protection of children from harm

Some of our remarks may not strictly come under the aegis of licensing, and may more properly be considered to be planning matters, but we may mention them here, and if they are not relevant, transfer them to our comments on the parallel planning application which is inviting comments up to 30 Nov 2018.

1. In terms of crime and disorder, we would not normally expect a development like this of limited size with a family orientation to present issues of this nature. HOWEVER, A LONGTERM PROBLEM IN THE AREA, AND IN SEVERAL SURROUNDING AREAS FOR MANY YEARS HAS BEEN DRUG DEALING. Given the other developments expected in the area in the coming months, we expect this problem to increase in the area. How this may affect this establishment, and how it may inadvertently encourage it is hard to say: security on the doors may not be practical generally given the limited scale of the establishment, but could be relevant at certain times. The openness of the site could possibly ease the infiltration of dealers among customers. Our later remarks on perimeter fencing may be relevant here.
2. In terms of public safety, the mixing of parking with outside seating may present problems. This may be a planning issue, but we mention it here. Also, the open nature of the site means that it is vulnerable to crowds washing over it if there are disturbances or a rush of people for some reason (the projected nearby Wetherspoon pub has a seating capacity of 550). Also, the level of traffic on Austhorpe Road and Church Lane presents safety problems of noise and air pollution. A peripheral fence of some sort to create enclosure, prevent sudden rushes of people, and filter noise and air pollution seems advisable.
3. PREVENTION OF PUBLIC NUISANCE IS OF COURSE THE MAJOR FACTOR TO CONSIDER, WITH THE CLOSENESS TO RESIDENCES. There are flats above, a care home at 57 AR, and residential premises further along Austhorpe Road on both sides, and along Church Lane. Residences in The Drive are to the rear. The terms of the license should normally mean that all noise generated within the premises will be contained there. However, outside seating may create problems. While this is located to the Church Lane side and should not affect the care home, there is the issue that it may impinge on the upstairs flats. Hence we feel a 1030pm closing time might be advisable. We appreciate other establishments have later hours but they are not so close to residences. Another issue may be the air extraction. This is a relatively unobtrusive chimney to the side of the AR frontage, but we wonder if it is tall enough, as the prevailing winds could blow fumes into the upstairs side flat, or across the care home. Equally, a 1030pm closing time will reduce noise from parking of patrons, both on site and in the surrounding streets.
4. We would not expect there to be substantial issues with protecting children from harm, as all children on site will be with parents/guardians, and there is presumably some regulation setting a cutoff time for children to be vacated when alcohol is being consumed.