



Civic Centre,  
Arnot Hill Park,  
Arnold,  
Nottinghamshire,  
NG5 6LU

# Agenda

## Licensing Act Panel

Date: **Tuesday 9 December 2014**

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Time: **10.30 am**

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Place: **Council Chamber**

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For any further information please contact:

**Lyndsey Parnell**

Members' Services Officer

0115 901 3910

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# Licensing Act Panel

## Membership

Councillor Marje Paling  
Councillor Meredith Lawrence  
Councillor Sandra Barnes

# AGENDA

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**1 Election of Chair**

To elect a Chair for the hearing.

**2 Apologies for absence**

**3 Declarations of Interest**

**4 Application for a Review of the Premises License in respect of the 'Willowbrook Public House, 13 Main Road, Gedling' - Licensing Act 2003** 1 - 38

To consider an application for a review of the premises licence in respect of the 'Willowbrook Public House, 13 Main Road, Gedling.'

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ON THE APPLICATION OF JANE COOK FOR A REVIEW OF THE PREMISES LICENCE  
UNDER LICENSING ACT 2003 FOR THE PREMISES AT THE WILLOWBROOK PUBLIC  
HOUSE 13 MAIN ROAD GEDLING

**LICENSING ACT PANEL**  
**HEARING: TUESDAY 9 DECEMBER 2014**  
**AT 10:30am**

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## LICENSING PANEL & COMMITTEE HEARING PROCEDURE

1. Upon notification that a matter is to be put before a Licensing Panel or the Committee, the applicant, interested parties and the responsible authorities shall within the time period provided for in the relevant regulations give notice to the Licensing Office stating
  - i. Whether they intend to be represented at the hearing
  - ii. The names and addresses of any witnesses that they intend to call
  - iii. The time estimate for their presentation/representations to the Committee
  - iv. Whether they consider a hearing to be unnecessary
2. Where a large number of interested parties are involved they will be encouraged to appoint a spokesperson or spokespersons so as to avoid duplication of evidence in so far as is possible.
3. Anyone invited to attend before a Panel or the Committee may bring legal or other professional representatives with them if they so wish. Advocates are, however, reminded that these are civil proceedings and inquisitorial rather than adversarial in nature. Aggressive advocacy is not encouraged and will not be tolerated.
4. Copies of the application and representations made by the parties will have been circulated to members prior to the hearing. However in appropriate cases, where a matter is to proceed to a hearing the applicant will be expected to supply a further 6 copies of the plan accompanying the application for use at the hearing. The hearing will concentrate solely on those areas of the application which are in dispute. The Authority is under an obligation to disregard information which is not relevant to the application, representation, or notice or to the licensing objectives. Advocates are therefore asked to be as succinct as possible and should be aware that the Chair may impose a time limit within which parties are to present their case.
5. Whilst additional material in support of the application, representation or notice may be taken into account by the Authority, such material should be provided and circulated by the producer to all parties concerned (including the Authority) as soon as possible before the hearing. Material produced at the hearing can only be admitted with the consent of all the other parties. The late production of material may lead to a hearing having to be adjourned and is discouraged. Additional material which reveals a new ground of representation or which is not relevant to the application, representation or notice lodged will be disregarded
6. Any party who intends to put additional written material before the Panel or the

Committee should provide 18 copies of that material to the licensing Office if the application is to go to the full Committee and 6 copies if the matter is to go before the Panel. Applicants should note that changes to application plans during the application process should be notified to the licensing Office as soon as possible and are likely to result in a new application having to be submitted. All relevant documentation received by the Authority will be sent to Members of the Panel/Committee and interested parties before the hearing if at all possible. Any failure to adhere to the requirements listed above may result in a case having to be adjourned and therefore delay the decision.

7. Where a party does not attend the hearing and is not represented the Authority may either adjourn the hearing if it is in the public interest to do so, or may continue with the hearing in the party's absence. If the latter option is followed the Committee/Panel will still consider any application, representation, or notice submitted by the absent party in so far as it is relevant.
8. The following procedure will ordinarily be followed at the Panel/Committee hearing:
  - i. The Chair will introduce themselves, other members and relevant officers. The Chair will also ask the applicant, interested parties and the responsible authorities to introduce themselves and any witnesses they wish to call. The Chair will then outline the procedure to be followed by the Panel/Committee and any time limits to be imposed on the presentation of cases.
  - ii. The applicant will be asked to present their case. Where a general presentation is made interested parties and the responsible authorities may ask questions at the end of that presentation. However, where witnesses are called, it is expected that each witness will give their evidence and then be open for questioning once their evidence has finished. The next witness will then give evidence. The order for asking questions will be:
    - Responsible Authorities
    - Interested parties
    - Panel/Committee Members
    - Legal advisor to the Panel/Committee (where appropriate)
  - iii. Responsible authorities, and interested parties will then be given an opportunity to present their representations. Once the representation has been presented and any evidence given, there will be an opportunity for questions to be asked firstly, by the applicant and then by other responsible authorities and interested parties, members and the legal advisor to the Panel/Committee. Where there is more than one body making representations to an application the order for the hearing of representations will normally be the responsible authorities followed by interested parties



- iv. Once all the evidence has been given responsible authorities, and interested parties will be given an opportunity to sum up their representations in the same order as they presented their case. The applicant will then be given an opportunity to sum up their case and have the final word.
  - v. Whilst Hearings will normally be conducted in Public the Panel/Committee does have powers of exclusion (which cover the public, the press, and even applicants, parties and their representatives) in appropriate circumstances. The Panel/Committee will however always discuss and make its decision on the application in private.
  - vi. The decision will normally be announced in public and transmitted in writing in accordance with the relevant rules and guidance. The decision may however be notified where applicable to the parties in writing at a subsequent date following the conclusion of the hearing.
9. If all parties agree and the Authority considers it appropriate, a hearing may be dispensed with. In some circumstances (where representations are not withdrawn), the Panel/Committee may still have to determine the application but will do so having considered the papers previously submitted. In such circumstances the Authority would also consider the terms of any "consent order" drawn up by the parties indicating terms upon which all of the relevant parties would be content that the application be granted.
10. Adjournments
- i. Due to the time constraints upon the Panels/Committee, applications for adjournments will only be granted where absolutely necessary
  - ii. Once a hearing date has been set it is for the parties to ensure that they attend or are represented. Hearings may proceed in the absence of a party and in such circumstances the party's original representations will be taken into account together with any further material in support of that representation which has been served on all parties before the day of the hearing.
  - iii. If it is not possible for a party or their witness to attend a hearing the Authority's preference would be for their representation to proceed by way of written evidence
  - iv. If it is necessary to make an application for an adjournment the party seeking the adjournment should seek the consent of all other parties to the application and notify the Licensing Office as soon as possible that an adjournment may be sought. If all parties agree the matter may be adjourned administratively.
  - v. If not agreed administratively the matter will remain listed before the Panel/ Committee to hear the application and determine whether to agree the adjournment or proceed.
  - vi. The Authority may adjourn proceedings of its own motion where it considers it necessary for its consideration of any application, representations or notice made or where it considers it to be in the interests of natural justice.
  - vii. Where an adjournment is granted all parties will be given notice of the adjournment and the new hearing date.

11. Applications to Extend Time Limits

- i. These may be dealt with administratively but will only be granted where it is necessary in the public interest.
- ii. Applications should be made to the Licensing Officer identifying:-
  - i. the licensing application and premises concerned,
  - ii. the person making the application for the time limit to be extended
  - iii. the time limit concerned,
  - iv. the reasons why that time limit cannot be complied with,
  - v. the extension sought,
  - vi. why it is believed that it would be in the interests of justice to grant the application, and
  - vii. whether all other parties have agreed to an extension of time.
- iii. Where an extension is granted all parties will be given notice of the extension.

## THE PANEL'S CONSIDERATIONS

The Panel will disregard any information given or evidence produced, which is not relevant to the application or the promotion of the licensing objectives.

**The Objectives are: -**

- **The prevention of crime and disorder;**
- **Public safety;**
- **The prevention of public nuisance, and**
- **The protection of children from harm.**

Each objective is of equal importance.

The Panel will have regard to the national Guidance issued under Section 182 of the Licensing Act 2003 and the Borough Council's own Statement of Licensing Policy.

The Panel has a duty to act in a manner which is compatible with the Human Rights Act 1998.

A Licence is regarded as property for the purposes of the Human Rights Act 1998. Article 1 of the First Protocol states that:

"Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties."

The Panel must also take into account the effect on local residents. Article 8 states:

"1. Everyone has the right to respect for his private and family life, his home and his correspondence.

2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health **Page 7**, or for the protection of the rights and freedoms of others."

Three stage test to be applied: -

1. Is the interference in accordance with the law?
2. Is the interference necessary in a democratic society in pursuit of one of the legitimate aims set out above?
3. Is the decision proportionate i.e. striking a fair balance between the demands of the general interests of the community and the requirement to protect the individual's fundamental rights?

SCANNED

Licensing

RECEIVED

28 OCT 2014

Mrs Jane Cook  
7A Victoria Street  
Gedling  
Nottingham  
NG4 3JE

Tel [REDACTED]  
Email [REDACTED]

16/10/14

Re: Notification of Application to Review the Alcohol Licence for the Willowbrook Public House

Dear Sirs,

I am writing to inform you that I have submitted an application to review the alcohol licence for the Willowbrook Public House with the Licensing Authority at Gedling Borough Council. As a nearby local resident I am concerned about the level, nature and lateness of the noise that now emanates from the Beer Garden that is situated to the rear of the Willowbrook Public House in close proximity to residential properties on Victoria Street, Gedling. I believe the current situation with regard to the Beer Garden threatens one of the four licensing objectives namely the Prevention of Public Nuisance.

I therefore request that the following Licensing Conditions be considered during a Review of the Licence for the Willowbrook Public House:

1. The Beer Garden to the rear of the property to be vacated by customers after 7.30 pm. With the exit only to be used as an emergency fire exit after that time.
2. When the Beer Garden to the rear of the property is open, a member of staff to check the Beer Garden every hour to monitor the behaviour of customers.
3. Live music at the venue to finish at 11pm. If music is to be performed before 7.30 pm, the Beer Garden to the rear of the property to be closed to customers.

Yours faithfully,

[REDACTED]

Mrs Jane Cook



**Application for the review of a premises licence or club premises certificate 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.

1 Mrs Jane Cook

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

**Part 1 – Premises or club premises details**

Postal address of premises or, if none, ordnance survey map reference or description <b>THE WILLOWBROOK PUBLIC HOUSE</b> <b>13 MAIN RD, GEDLING</b>	
Post town <b>NOTTINGHAM</b>	Post code (if known) <b>NG4 3HQ</b>
Name of premises licence holder or club holding club premises certificate (if known)  	
Number of premises licence or club premises certificate (if known)  	

**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)



2) a responsible authority (please complete (C) below)



3) a member of the club to which this application relates  
(please complete (A) below)

☐

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick ✓ yes

Mr ☐

Mrs ☒

Miss ☐

Ms ☐

Other title  
(for example, Rev)

Surname

COOK

First names

JANE

I am 18 years old or over

Please tick ✓ yes

☐

Current postal  
address if  
different from  
premises  
address

7A VICTORIA ST.  
GEDLING

Post town

NOTTINGHAM

Post Code

NG4 3JE

Daytime contact telephone number

E-mail address  
(optional)

**(B) DETAILS OF OTHER APPLICANT**

Name and address

CLLr ANDREW ELLWOOD

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address
Telephone number (if any)
E-mail address (optional)

**This application to review relates to the following licensing objective(s)**

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

Please tick one or more boxes ✓

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>



Please state the ground(s) for review (please read guidance note 2)

I am concerned about the level, lateness and nature of the noise which comes from the beer garden situated to the rear of The Hellowbroch Public House. My concerns are shared by my husband and a number of neighbours who all live on Victoria Street, which is in close proximity to The Hellowbroch.

Previously, The Hellowbroch was a quiet members' club but this changed with the premises now being a Public House.

I believe that the current situation with regard to the rear beer garden threatens one of the four licensing objectives: the prevention of public nuisance.

Please provide as much information as possible to support the application (please read guidance note 3)

Since the spring of 2014 there have been problems with noise coming from the rear beer garden at The Mellowbrook. This garden is situated next to a narrow alleyway to which on the other side are the backgardens of properties on Victoria Street. The problem with noise is mostly (but not exclusively) associated with Friday, Saturday and Sunday evenings. There is also occasional noise associated with live music. I have enclosed a diary which sets out the problems experienced. The noise can be broken down into three categories:

- The level of the noise
- The lateness of the noise (customers are often in the beer garden after 11pm)
- The nature of the noise (it is frequently unpleasant including shouting, singing, swearing and arguing).

I have on numerous occasions contacted staff to complain about the noise and associated behaviour in the beer garden. Evening staff appear to be very busy and frequently the beer garden is either overlooked or low on their list of priorities.

I believe that the noise from the beer garden constitutes a nuisance as it has prevented us from being able to enjoy our own gardens. Because of the nature of the noise it has also caused anxiety and stress and we have also had disturbed sleep.

My immediate neighbours have also had the same problems and I have enclosed a letter containing their signatures in support of this application. My local councillor is also in support and is prepared to support me at any hearing.

Have you made an application for review relating to the premises before

Please tick ✓ yes

☐

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

yes

Please tick ✓

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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 3 – Signatures** (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

[Redacted Signature]

Date

October 16 2014

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
MRS JANE COOK 7A VICTORIA ST. GEDLING	
Post town	Post Code
NOTTINGHAM	NG4 3TE
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	
[Redacted Email Address]	

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Date	Started/Ended	Description of Nuisance	Action Taken/ Impact
June 14 2014	11pm - 2am	Noisy: very late	Our daughter came into our room at 2am to say she could not sleep as it was too noisy. As our son was wavy, she slept in his room.
June 19 2014	8pm - 11pm	Very noisy, shouting	large crowd noise became progressively louder.
June 20 2014	9pm - 12.30am	very noisy	I called the pub at 12.30 and the person I spoke to said he would clear the beer garden immediately, which he did.
July 18 2014	7pm - 11.40pm	Loud music and noisy/frowdy behaviour	Music began at 7pm and was very loud and was able to identify each song: Kings of Leon, Killers etc. Called the police at 9pm after trying to contact the pub and getting no answer. The police went to the pub and advised us that they had been told the music would end at 11pm. This was not the case - the music went on until 11.40pm. I called the pub after 11pm but again no answer.  The next day my daughter complained that she had <u>heard screaming and what sounded like fighting.</u>
July 22 2014	7.30 - 8.30	Shouting, swearing, arguing and aggressive behaviour in beer garden.	<b>Phoned</b> the pub at 8.30 to complain about behaviour in beer garden. Two men were <u>arguing aggressively and</u> swearing. I was told they were very busy and had not had time to check the beer garden. It quietened down for a bit but then became noisy again.
July 23 2014	10.30pm-11pm	Singing, shouting and rowdiness.	<b>Rang</b> the pub to complain but the noise - it continued until after 11pm

Date	Started/Ended	Description of Nuisance	Action Taken/Impact
July 25 2015	7.30 - 11.15	Swearing, drunkenness	<p>One of the noisiest nights in the beer garden as it was very sunny. It sounded like a very large crowd. Bouncers were on the door</p> <p>I rang the pub at 11.15 as we could hear what sounded like two very drunk people swearing and shouting in the beer garden. The male shouted 'What the f--- is going on, I was sleeping!' The female kept repeating 'What the f---'. I heard a male try to move them saying, 'Come on now'. I called the pub at 11.15 but it took staff approximately 15 minutes to empty the beer garden. During which time the two people were constantly protesting, shouting and swearing.</p>
August 1 2015	11pm - 11.15pm	Swearing and shouting	<p>Went upstairs at 11pm and heard someone in the beer garden shout 'You f---ing d---head! Waited to see if staff dealt with the matter as there was a lot of shouting, swearing and arguing. After 15 mins my husband rang the pub as we thought the behaviour was intolerable. The member of staff he spoke to did not know there were people still in the beer garden. She cleared the beer garden promptly but we then heard what sounded like a great commotion at the front of the pub, people screaming and someone shouting 'Leave it' and 'Get off the road'! This lasted 5 mins.</p>

Date	Started/Ended	Description of Nuisance	Action Taken/ Impact
August 3 2014	6.30pm - 9.45pm.	very noisy, rowdy and offensive	<p>Shouting began at 6.30pm and beer garden became progressively noisier. We closed all windows at 7.30pm even though the heat was stifling but still very noisy so we called the pub at 7.40 and asked them to reduce the noise. It quietened down briefly but picked up again and by 9pm the group were clearly very drunk and rowdy. Rang again at 9pm and the member of staff spoke to said he would do his best to deal with the behaviour.</p> <p>The beer garden was finally cleared at 9.45 after a great deal of protesting. Someone shouted 'Good night you miserable b****s!' We presumed this comment was aimed at us, as we had complained. Felt intimidated.</p>
August 4 2014			
August 7 2014	10.15-11pm	Noisy	<p>Spoke to Sarah Halpern, explained the situation and asked if the beer garden could be closed at 7pm. She said they would make further cosmetic changes but she did not agree to close the beer garden earlier as she said it was a fire exit that needed to be kept open.</p> <p>lots of noise and shouting.</p>

Date	Started/Ended	Description of Nuisance	Action Taken/Impact
August 8 2014	7.15 -10pm	Shouting, swearing, vulgar behaviour	At 7.15 there was a large crowd and the beer garden was very noisy but at 7.30 it rained heavily and this cleared the beer garden. At 9.45 there was a small crowd in the beer garden, <u>swearing, sniggering and making very loud, sexually explicit conversation about sex acts.</u> I was concerned about my daughter hearing this as her window was open but luckily she had headphones on and was listening to music. I rang at 9.45 and spoke to the manager, he sniggered when I told him what I had heard and he said he had just been in the beer garden and he did not hear anything offensive. I was upset by his response as he was clearly being economical with the truth. Noise stopped shortly after phoning.
August 15 2014	9.00-12.00am	Loud music, very noisy. Became rowdy with swearing	Loud music began at 9pm. By 11pm beer garden <u>very rowdy with lots of shouting.</u> Music stopped briefly but resumed at 11pm and continued until nearly midnight so we did I even attempt to go to sleep.
August 30 2014	10.00-10.30pm	Very noisy, shouting and singing	At 11.20 there were two girls in the beer garden who we assumed had been locked out as they were banging on the door trying to get back in, <u>swearing and shouting loudly. Let us in, you cheeky c***.</u> We found this deeply offensive.  Rang the pub at 10pm to complain about noise. The beer garden was cleared at 10.30pm.



Date	Started/Ended	Description of Nuisance	Action Taken/ Impact
September 5 2014	9.00-10.15pm	Shouting, swearing, rowdiness	Pang at 10pm after an hour of noise that rang through the house with all windows closed. The supervisor apologised for the noise and said she would clear the beer garden immediately.
September 14 2014	Afternoon -4.30pm	Noisy	Very noisy in beer garden due to Notts Forest match - large crowd. After match finished it became even noisier until 4.30pm.
September 19 2014	10.00-10.45	Noisy	Very noisy even with all windows closed.
September 20 2014	11.00-11.30	Shouting and singing	I phoned the pub at 11.05 as the beer garden was noisy with shouting and singing. The supervisor said she had 'forgotten the time' and would clear the beer garden immediately. It went quiet at 11.30pm
October 7 2014	10.45-11.05pm	Aggressive shouting and threatening behaviour.	I phoned the pub at 11.05 after hearing an aggressive argument in the beer garden. <u>A man appeared to be threatening a woman and he repeatedly told her to "f** off".</u> I was very upset and the member of staff I spoke to (male) said another member of staff had just checked the beer garden and there was not anyone in it. I felt as if they did not have a clue what was going on under their 'supervision'

Date	Started/Ended	Description of Nuisance	Action Taken/ Impact
October 12 2014	3-5.15 pm	Very noisy, rowdy and offensive	<p>We came home at 3pm and the beer garden was very noisy but initially good humoured. By 4pm it was becoming rowdy with lots of shouting. I called the pub at 4.15 after my daughter said the noise was getting her down and the beer garden did quieten for about 15 minutes after my call.</p> <p>At about 5pm I went into the garden to tidy up and it was rowdy in the beer garden. Someone shouted 'Show us your tits' followed by loud laughter from a seemingly drunken group of men. I could also hear a young child. Someone was repeatedly shouting 'tits' followed by whoops of laughter and I felt concerned for the well being of the child (as well as personally offended) so I called the pub again at 5.15. I explained what I had heard and raised concern for the child. The beer garden was then cleared.</p>

Date	Started/Ended	Description of Nuisance	Action Taken/ Impact
October 17 2014 Beer festival	late - 12.15am	Noisy, rowdy crowd in beer garden	<p>On Friday October 17 I rang the pub and asked the manager what provision he had put in place to ensure the beer festival would not be a nuisance.</p> <p>He said there would be a stall in the beer garden selling beer outside and that a member of staff would be there until 11pm when they would close the beer garden.</p> <p>Our daughter complained at midnight that she could not sleep, my husband called at 12.10 and the girl he spoke to apologised and said that the crowd 'Should not have been out there'. The beer garden was then cleared.</p>

We, the undersigned, request that Gedling Borough Council review the Alcohol Licence for the Willowbrook Public House at 13 Main Road, Gedling, Nottingham NG4 3HQ

We therefore request that the following Licensing Conditions be considered during a Review of the Licence for the Willowbrook Public House:

1. The Beer Garden to the rear of the property to be vacated by customers after 7.30 pm. With the exit only to be used as an emergency fire exit after that time
2. When the Beer Garden to the rear of the property is open, a member of staff to check the Beer Garden every hour to monitor the behaviour of customers.
3. Live music at the venue to finish at 11pm, if music is to be performed before 7.30 pm, the Beer garden to the rear of the property to be closed to customers

Vicki Gavanagan  
Gavanagan

Mike Gauthier

(102)  
(No.)

MRS YVONNE PAXON

## PREMISES LICENCE

LICENSING ACT 2003

Schedule 12 Part A

Regulation 33,34

<b>Premises Licence Number</b>	<b>13/03055/PREMTR</b> (formerly 13/02537/PREMMV, 05/00622/PREMVE and 05/00570/PREMCO)
<b>Date of Grant</b>	01 October 2005
<b>Date of Variation</b>	13 December 2005
<b>Date of Minor Variation</b>	11 November 2013
<b>Date of transfer</b>	13 December 2013
<b>Address</b>	The Willowbrook 13 Main Road Gedling Nottingham
<b>Postcode</b>	NG4 3HQ
<b>Telephone number</b>	0115 9878596
<b>Licensable activities authorised by the licence</b>	Sale of alcohol by retail Provision of live and recorded music Provision of facilities for making music and dancing Provision of late night refreshment
<b>Times the licence authorises the carrying out of the licensable activities</b>	<p><b>Sale of alcohol by retail</b> Sunday – Thursday 10:00 hrs – 12 Midnight Friday and Saturday 10:00 hrs – 01:00 hrs</p> <p><u>Non Standard times for sale of alcohol by retail only</u> Bank Holiday Sunday, Christmas Eve and Boxing Day 10:00 hrs – 01:00 hrs On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.</p> <p><b>Provision of recorded music and facilities for making music and dancing</b> Sunday – Thursday 10:00 hrs – 12 Midnight Friday and Saturday 10:00 hrs – 01:00 hrs <u>Non-standard timings</u> Bank Holiday Sunday, Christmas Eve and Boxing Day 10:00 hrs – 01:00 hrs</p> <p><b>Provision of live music</b> Sunday – Thursday 10:00 hrs – 12 Midnight Friday and Saturday 10:00 hrs – 00:30 hrs</p>

	<p><u>Non-standard timings</u> Bank Holiday Sunday, Christmas Eve and Boxing Day 10:00 hrs – 00:30 hrs</p> <p><b>Late Night Refreshment</b> Monday – Saturday until 01:30 hrs Sunday until 00:30 hrs</p> <p><u>Non-standard timings</u> Bank Holiday Sunday, Christmas Eve and Boxing Day until 01:00 hrs</p>
<b>Opening hours of the premises</b>	<p>Sunday – Thursday 10:00 hrs – 00:30 hrs Friday and Saturday 10:00 hrs – 01:30 hrs</p> <p><u>Non-standard timings</u> Bank Holiday Sunday, Christmas Eve and Boxing Day until 01:30 hrs</p>
<b>Whether the supplies of alcohol are on and/ off the premises</b>	Supplies both on and off the premises
<b>Name (registered) address, telephone number and e mail of the holder of the premises licence</b>	<p>Tynemill Limited Queens Bridge Road Nottingham NG2 1NB</p>
<b>Registered number of company if Applicable</b>	01211426
<b>Name, address and telephone number of the designated premises supervisor</b>	<p>Peter Hopwell – effective from 13.12.13 17 Bedford Street Derby DE33 3PB</p>
<b>Personal licence number and issuing authority of the personal licence held by the designated premises supervisor</b>	<p>PA10550766 Derby City Council</p>

## **Annex 1 – Mandatory conditions**

### **Licensing Act 2003**

#### **Supply of alcohol:**

No supply of alcohol may be made under this licence –

- a. At a time when there is no Designated Premises Supervisor in respect of it or,
- b. At a time when the Designated Premises Supervisor does not hold a personal licence or his personal licence is suspended

Every sale or supply of alcohol made under this premises licence must be made or authorised by a person who holds a personal licence.

## **Annex 2 – Conditions consistent with the Operating Schedule**

CCTV tapes to be retained for a period of 31 days and made available within a reasonable time upon request by an authorised officer.

## **Annex 3 – Conditions attached after a hearing by the Licensing Authority**

**None**

## **Annex 4 – Plans - See attached**

**Rachel Pentlow**

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**From:** Steve Clark  
**Sent:** 18 November 2014 08:29  
**To:** LicensingHandover  
**Subject:** FW: Willowbrook pub - license application  
**Attachments:** willowbrook - license application.doc  
  
**Expires:** 16 May 2015 00:00

**From:** terry lock [REDACTED]  
**Sent:** 17 November 2014 12:59  
**To:** licensing  
**Subject:** Willowbrook pub - license application

Sir,

I wish to lodge this letter in support of the application for the Willowbrook license and the make my objection to any claims of public nuisance caused by the premises

Regards

**Terry Lock**

**Mail:** [REDACTED]  
**Mobile:** [REDACTED]



The Licensing Section  
Public Protection Service  
Gedling Borough Council  
Civic Centre  
Arnold  
Nottingham  
NG5 6Lu

MR T A Lock

Tel

17<sup>th</sup> November 2014

REF

The Willowbrook Public House, 13 Main Road, Gedling, NG4 3HQ

Dear Sirs

With respect to the request for the renewal of the licence for the above premises. I wish to make my personal comments on these premises both as a regular customer and also as an individual who has knowledge of the need for community friendly licenced premises.

Since Castle Rock took over the original Club and refurbished the premises it has been a place that brings into the area a facility for community groups to meet and socialise, whether or not they consume alcohol. This is an issue that the Campaign for Real Ale, of which I am a member and ex Director, recognises is vital to good community relations and a sensible environment for the consumption of alcohol.

I have seen the AGM of a local Friends group (Friends of Gedling Woods) held there and I have also held meetings of the Friends of Gedling Country Park there on a weekly basis whilst we organise our activities. This venue is well suited for us, since our meetings take place in the evening and allow us to meet, socialise and to enjoy a well-earned pint afterwards (and during)/

Castle Rock have earned a very good and well-deserved reputation for operating premises which act as a hub of community activities (e.g. Bread and Bitter at Mapperly Top). It is with these same aims and standards that the Willowbrook operates.

Staff are courteous and respect the surrounding community in respect of potential noise and disturbance, both at the front and rear of the premises. Indeed the installation of the porch between the main bar area and the rear garden area has been successful in cutting down noise from the premises. I would not claim that the pub does not get noisy at times, but then I have never known any licensed premises that do not at some times. But this is extremely infrequently and the staff ask customers, who may be enjoying themselves to remember others and curb their enthusiasm. But since the noise is limited in its location, within the pub, then I have never noticed it outside. They have taken preventative measures at the rear to ensure the privacy and disturbance to neighbours and I have never

heard any significant levels of noise in that area. Children can happily and safely be there with their parents.

It provides a valuable asset to the community and is somewhere to enjoy with all age ranges and needs.

In short an excellent licensed premise and one that many areas would be proud to have as a focus for social pleasure and enjoyment. I hope that this license application is granted for it would be a huge loss to the area for people and groups, if we lost these premises Not just as a public house but also a focal point for community groups to meet and socialise in.

Yours sincerely

T A Lock

Hannah Cash

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**Subject:** FW: Response to Councillor's Letter

**From:** Steve Clark  
**Sent:** 24 November 2014 08:35  
**To:** LicensingHandover  
**Subject:** FW: Response to Councillor's Letter

**From:** neil kendrick [REDACTED]  
**Sent:** 21 November 2014 18:25  
**To:** licensing  
**Subject:** FW: Response to Councillor's Letter

**From:** [REDACTED]  
**To:** [willowbrook@castlerockbrewery.co.uk](mailto:willowbrook@castlerockbrewery.co.uk)  
**Subject:** Response to Councillor's Letter  
**Date:** Fri, 21 Nov 2014 15:10:28 +0000

Dear Sir/Madam,

I read with interest Councillor Marwood's letter and as a regular at the Willowbrook (I have hosted the Quiz Night there on Tuesday evenings for the past 16 years) and a member of the former Willowbrook Club since 1982, I would like to make the following comments in response:

- 1) I notice that one local resident has submitted a licensing application. How many local residents have complained about the noise?
- 2) I notice that Councillor Marwood's address is actually a long way from the Willowbrook - how therefore can he support the application?
- 3) What have the many local residents who use the Willowbrook and are favorable say? Have their feelings been taken into account? Many local residents, those who live around the Willowbrook, have enjoyed its facilities for years.
- 4) Many modern pubs have beer gardens, they are excellent on summer days and cater for children, many families use this facility in the Summer. Would you wish this facility taken away?
- 5) Re checking the Beer Garden hourly, in my opinion this already happens, indeed I have seen it happen.
- 6) The Willowbrook is the only pub in the area with a 'safe' beer garden - a beer garden which is not close to a road or a car-park, a facility which the Gedling Inn, Inn for a Penny, Old Volunteer don't have. Is the plan therefore to deprive families of a safe environment?
- 7) 7.30 is a completely 'random' time - in the summer it is not dark; people who work will not long be home, children will not have done their homework - by setting such a time - you are almost certainly making people contemplating not even going out. Good, old fashioned family time lost - because often at home parent/child communication is sometimes difficult!!!!
- 8) I have some sympathy with the desire for an 11pm finish, though I have attended many performances at the Willowbrook over the years all of which have ended very close to 11, and to my knowledge, never a complaint. (This of course would not include New Years Eve when perhaps those who complain would have the pub shut and customers go elsewhere for the last hour!)
- 9) To the Willowbrook, like most pubs, a beer garden is an extra room, when used it alleviates space inside - by taking the beer garden away or shortening its use, it would mean extra pressure in terms of space inside

the pub-thus causing issues particularly on hot evenings,or when drinkers don't wish to participate in what's happening inside.

10)I wonder whether Councillor Marwood has looked at the bigger picture?The area has been crying out for a good public house for years-one which serves good food,caters for people with additional needs/disabilities,provides entertainment,and is the meeting place of community groups-the Carlton and Gedling U3A,church groups,sewing groups,gardening groups, to name a few.It is also used for other community functions-weddings,funerals,parties,the Carl Froch Nights.Why tarnish the reputation of this establishment by closing part of its facilities creating a space issue-see point 9,above.Also,sometimes sadly,mud sticks-the reputation of,in most people's opinion, a good community facility will be tarnished.

11)Re resident(s??)concerns-surely they will have been aware when they moved to the property that it was close to a pub/club?

12)Historically,the pub/club has held many 'live' events.That the Willowbrook Pub is holding live music is nothing new,so why choose this time to complain?The place is well known for its occasional(not every night or even every week)music nights,its charity nights,its ability to show live sport on the big screen-why has this now been put into jeopardy,with the possibility that one section may be limited access-again referring to point 9.

13)With one less area to 'cover' may mean that Castle Rock may need to reduce its staff.Will the resident who has complained or Councillor Marwood be ready to inform one or more of the young staff who work there that they are to be unemployed?

To conclude,I find it incredulous,one year almost to the day into a new venture for our village that already people are looking at ways of spoiling things for the majority.If the beer garden has limited use,what next?The majority of people who live in our community enjoy its facilities and a good rapport is developing between pub and community.It will be sad,short-sighted and the 'thin end of the wedge'if such a thing is allowed to happen

Yours faithfully,

Neil Kendrick

 -about 200 yards from the Willowbrook

Mr Glenn Price



24/11/2014

Licensing Section  
Public Protection Service  
Civic Centre  
Arnot Hill Park  
Arnold  
Nottingham  
NG5 6LU

RECEIVED  
23 NOV 2014

Dear Sir/Madam,

I understand there is currently a licence review ongoing for The Willowbrook. 13 Main Road, Gedling, Nottingham. NG4 3HQ this review relates to the licensing objective – The Prevention of public nuisance.

I have been nominated as spokesperson for some of the residents, who live within the vicinity of The Willowbrook (Castle Rock Brewery) who do not believe that The Willowbrook is causing a public nuisance.

I understand that there is a hearing planned for December 9th at 10.30, I would very much of liked to have been in attendance but unfortunately due to work commitments I am unable to attend.

I would be more than happy to talk with one of your representatives if you require further information from me.

Kind Regards

Glenn Price

Mr Glenn Price  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

24/11/2014

Licensing Section  
Public Protection Service  
Civic Centre  
Arnot Hill Park  
Arnold  
Nottingham  
NG5 6LU

Dear Sir/Madam,

There is currently a licence review ongoing for The Willowbrook, 13 Main Road, Gedling, Nottingham. NG4 3HQ this review relates to the licensing objective – The Prevention of public nuisance.

A collection of the local residents have created a petition to counter the current review. All the individuals who have signed the attached petition live within the immediate vicinity of The Willowbrook (please see attached plan showing location of residents who have signed the counter petition) and we would like to bring to your attention that the review of a premise licence (under licensing act 2003) is in our opinion unwarranted.

The local residents who believe this review to be untrue have at no time been asked of their views or opinions of the current review, we are of the opinion that before The Willowbrook was taken over by Castle Rock Brewery the Willowbrook Club was indeed at times noisy venue, this was mainly due to the fact that in the summer months the Willowbrook Club would open all fire doors to try and provide some sort of ventilation to the venue down. Since taking over Castle Rock Breweries have installed a side conservatory and air conditioning inside, the doors are no longer open and no noise can be heard.

We are more than happy to discuss any of the above with council representatives at any time.

Kind Regards

Glenn Price  
(Signed on behalf of the following residents)

G Price & R Scattergood – [REDACTED]  
S Watson/L Watson & B Walker – [REDACTED]  
D Armstrong/M Armstrong/D Armstrong & JJ Armstrong – [REDACTED]  
P Butler & J Butler – [REDACTED]  
D Bowman – [REDACTED]



Key:

**WB**

Willowbrook (castle Rock Brewery)  
Local residents who do not believe that  
The Willowbrook is causing a public  
nuisance.







**NOTICE OF APPLICATION  
FOR A REVIEW OF A PREMISES LICENCE  
UNDER LICENSING ACT 2003**

Notice is hereby given that an application has been made  
*for a review of premises licence no. 13/03055/PREMTR*  
***The Willowbrook. 13 Main Road, Gedling, Nottingham.***  
***NG4 3HQ***

The grounds for the review relates to one of the four  
licensing objectives:

- The prevention of public nuisance

The grounds for the review can be inspected by contacting  
the Licensing Authority during office hours at:

The Licensing Section,  
Public Protection Service,  
Gedling Borough Council,  
Civic Centre,  
Arnold,  
Nottingham  
NG5 6LU  
Telephone 0115 901 3971  
Email: [licensing@gedling.gov.uk](mailto:licensing@gedling.gov.uk)

Interested parties or responsible authorities can make  
representation in writing to the Licensing Authority  
between 29<sup>th</sup> October 2014 until 25<sup>th</sup> November 2014.

It is an offence for anyone knowingly or recklessly to make  
a false statement in connection with an application. The  
maximum fine on summary conviction is £5,000.

