

## APPENDIX D

**Stone, Derek**

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**From:** Jon Wallsgrove [REDACTED]  
**Sent:** 21 August 2020 12:27  
**To:** Richard Dewhurst  
**Cc:** Stone, Derek; Robson, Debra  
**Subject:** RE: The Wellington Pub

Dear Mr Dewhurst,

Thank you for your email, I think it is a great shame you do not think those conditions go far enough. In my view my client has made generous concessions with a view to mediating the licence. If you want to have a chat with them I can get Steve Hudson to give you a call.

However, my client is not prepared to reduce the hours the premises are open. If this is a matter you wish to address the Committee on then my client will not be agreeing the other conditions and the matter will simply have to be determined by a Committee.

With regard to the Garden you say it will be open earlier. Had my client transferred the old licence there is no restriction on the opening hours of the garden whatsoever. There was a previous abatement notice served on the former tenant restricting the hours but that abatement notice does not apply to the current owners. So restricting it to 9am to 10pm with a condition agreed by EHO is a significant concession.

The 9am start has been agreed with the Environmental Health Officer.

With regard to the condenser the condition specifies the Db level – there is no need for any detail to be provided on how that will be achieved that is a matter for my client. Again that was what the EHO said was acceptable.

With regard to the rubbish we cannot specify any times in the licence conditions because if they changed we would have to vary the licence.

I would re-iterate the extraction smells will be addressed by my client but that is nothing to do with this application.

Overriding all the above comments I can reassure you my client will ensure no nuisance is caused going forward and I would emphasise my point regarding the power to review the licence. The conditions in my view are more than sufficient to address your concerns.

Finally I would like to inform you that the Committee will have to attach weight to the fact the EHO are happy with simply a condition on the Garden and so going to a Committee will be a risk for you in that those conditions will not be imposed.

Kind Regards

Jon

Jon Wallsgrove  
Partner

[REDACTED]

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**From:** Richard Dewhurst  
**Sent:** 21 August 2020 12:00  
**To:** Jon Wallsgrove  
**Cc:** Stone, Derek ; debra Robson  
**Subject:** The Wellington Pub

Dear Mr Wallsgrove

Thank you for your email. While we welcome the fact that it addresses some of our concerns, it is in many respects inadequate. For this reason, we are not prepared to withdraw our representations at this stage.

A summary of the main areas causing us continuing concern is as follows:

**A) Pub Closing Time.** This point is vital but has not been addressed.

**B) Pub Garden.** It is noted that the garden will be closed from 10.00 p.m. However, it is now proposed that the garden will open earlier, from 9.00 a.m. Details regarding action to be taken to control noise from the garden are required, supported by conditions in the licence.

**C) Condenser.** More detail and clarity is needed on how and when action will be taken to resolve the longstanding problems of noise from the condenser. Conditions regarding this and also requiring regular maintenance of the condenser are required.

**D) Rubbish Management.** The attention to this is welcomed but more detail is required in the conditions with regard to timings, the removal of bins from the pavement after collection and clearing up any residual mess.

**E) Cooking, Extraction Smells.** This remains a significant ongoing problem and we look forward to early positive action.

We hope that we can continue to move forward to achieve an acceptable outcome for all concerned.

Kind Regards

Mr & Mrs Dewhurst

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