

## Sarah Whaley

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**From:** Leanne Maloney-Kelly  
**Sent:** 03 November 2022 16:51  
**To:** [REDACTED]  
**Cc:** Sarah Whaley; Kirsty Wannop  
**Subject:** FW: Statutory Licensing Sub Committee 7th Nov, Vane Arms - Additional Information  
**Attachments:** IMG\_20221103\_100616 - cropped.jpg  
**Importance:** High

This document was classified as: OFFICIAL

[REDACTED]

We will circulate your information via email, it is too late to arrange printed copies from our print room to be posted, although we will provide paper copies on the day and a colour version of your photo.

A couple of points I will clarify for you and interested parties:

**2 sets of additional information submitted after the comment deadline** – This information was not submitted late. Under the Licensing Act there is a 28 day consultation period during which time representations for or against an application can be made. After this period if representations are made and not withdrawn a hearing must be held within 20 days. During this time any additional information from either the applicant or those making representations can be submitted and circulated.

**The applicant has submitted a supporting diagram of the proposed licensable area of the pub including some measurements.** – The plan does not need to show premises location in relation to residents. The plan needs to show the area where licensable activity in this case supply of alcohol and potentially regulated entertainment is taking place, as per The Licensing Act 2003 [The Licensing Act 2003 \(Premises licences and club premises certificates\) Regulations 2005 \(legislation.gov.uk\)](#)

The plan shall show—

- (a) the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;
- (b) the location of points of access to and egress from the premises;
- (c) if different from sub-paragraph (3)(b), the location of escape routes from the premises;
- (d) in a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity;
- (e) fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;
- (f) in a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
- (g) in a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- (h) in the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;

(i)the location and type of any fire safety and any other safety equipment including, if applicable, marine safety equipment; and

(j)the location of a kitchen, if any, on the premises.

(4) The plan may include a legend through which the matters mentioned or referred to in paragraph (3) are sufficiently illustrated by the use of symbols on the plan.

In addition to this the plan meets Licensing Act 182 Guidance [Revised Guidance issued under section 182 of the Licensing Act 2003 \(publishing.service.gov.uk\)](#)

Plans 8.34 Plans, for written and electronic applications, will not be required to be submitted in any particular scale, but they must be in a format which is “clear and legible in all material respects”, i.e. they must be accessible and provides sufficient detail for the licensing authority to be able to determine the application, including the relative size of any features relevant to the application. There is no requirement for plans to be professionally drawn as long as they clearly show all the prescribed information.

This information will be circulated prior to the meeting for you.

Regards

**Leanne Maloney-Kelly**

Team Leader - Licensing

Stockton-on-Tees Borough Council

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**From:** [REDACTED]

**Sent:** 03 November 2022 11:30

**To:** Sarah Whaley <[Sarah.Whaley@stockton.gov.uk](mailto:Sarah.Whaley@stockton.gov.uk)>

**Subject:** Re: Statutory Licensing Sub Committee 7th Nov, Vane Arms - Additional Information

Sarah, thankyou for sending through 2 sets of additional information submitted after the comment deadline. I would also like to add additional representation which references these submissions as I feel it would be easier to submit for consideration prior to the meeting due to the visual nature rather than use meeting time to present the information.

1) I have attached a picture of the view of the beer garden from our bedroom window, as you can see the majority of the tables on the raised decking area have a clear view into our bedroom and we regularly get diners looking into the room. As you can see from the picture if the decking had been located closer to the main building of the pub then there would be no line of sight to the interior of our property, alternatively the provision of a higher wooden screen around the decked area would have resolved most of our privacy concerns however the pub never consulted with us prior to construction of the initial decking or its subsequent extension. In the summer additional seating is positioned further down the grassed area and drinkers seated there also have a clear view. Although a poor argument can be made that some of our neighbours also have line of sight into the interior of our property this consists of 6 window locations at double the distance from our property which is a significantly smaller privacy concern than the approximately 100 available seating positions with line of sight in the beer garden (6 tables on the decked area and 6 further picnic benches) that is significantly closer to our property boundary. It should be noted that prior to recent alterations made to the pub beer garden and field there were no seating positions with line of sight into our property, they were all located within the secluded area of the pub property where they could not cause nuisance or privacy concerns.

2) A satellite image of the pub beer garden has been submitted by a resident to demonstrate the extent of the raised decking area, however it only shows the first phase of construction of the decking area. After this picture was taken the size of the decking was doubled so that it extends beyond the boundary line between the beer garden and field area that is indicated on OS map data. Whilst helpful I don't think the image fully reflects the size of the area in question or its proximity to my property as it was extended toward my boundary and is now much closer than the provided image shows. I have attempted to find a more representative satellite image however a more recent one is not freely available from publicly accessible sources.

3) The applicant has submitted a supporting diagram of the proposed licensable area of the pub including some measurements. This diagram is misleading because it is not drawn to a consistent scale. For example the walkway to the decking is drawn to be smaller than the length of the decked area even though it is actually measured as longer than the decked area, this gives the impression that the decking is positioned significantly closer to the main building than it actually is. Similarly width wise the Decking is shown as occupying approximately half of the total width of the property when in actuality it occupies more than three quarters, no measurements are provided for the width or proximity to neighbour boundary fences, this is also grossly misleading. The overall effect is to misrepresent the position of the decking in relation to other features of the licenced premises and also to neighbouring properties. As a number of objections relate to concerns over proximity of licenced activities I feel that any diagrams should be to accurate scale and include all relevant measurements.

4) The original licence application documents included street view and satellite images to assist in interpreting the application, it should be noted that these are very old images which don't represent the appearance of the property at the time of licence application. In particular the satellite image does not show the changes to the outdoor area which is part of the application.

5) Given that the applicant has not been able to submit accurate imagery or diagrams for the variation to the licence I think it would be appropriate that the licensing committee consider requesting that accurate survey data is provided so that the application can be properly considered. As it stands currently all documentary information submitted to the committee is misleading because it is outdated or inaccurate. Serious thought should be given to rejecting the application in its current form due to these material inaccuracies.

6) Due to the extent of the recent works at these premises and the poor quality of site data provided already I think it would be appropriate for the applicant to submit the accurate plan drawings used by the builders in construction of the raised decking which shows distances to all neighbouring boundaries and datum points back to the pub building and also obtain an up to date high resolution satellite image of the property from a commercial imagery provider, or arrange for a professional survey if this data does not exist, which could include an aerial image taken by a drone.

Thanks

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