

**Sovereign Harbour Neighbourhood Panel**  
**Notes from Informal 'Special' Meeting of 8<sup>th</sup> October 2008**  
**(Held at 18:30 at DiLietos on the Waterfront)**

**Agenda**

1. Welcome
2. Apologies
3. Purpose of the Meeting - Licence Application on No. 5 The Waterfront

**Attendees**

**Members:**

Jan Weeks (Chair)  
Colm Muldoon (Deputy Chair)  
Rick Runalls (Sec)  
Christine Runalls  
Adrienne Brecher  
Tony Millner  
**Hamilton Quay Residents**  
Roy Martin  
Susan Martin  
Keith Green  
Peter Thomas

**Guests:**

Cllr. Susan Morris  
Cllr. Margaret Salisbury  
Ron Slatcher (Licence Applicant)  
Jodie Slatcher  
Kareen Plympton (EBC)  
Julie Hickling (EBC)  
Nicola Fenner (EBC)  
Bruno DiLieto (Waterfront Traders Association)  
Steve Nock (Waterfront Traders Association)

**Welcome**

Jan Weeks welcomed members and guests and particularly thanked council officers from EBC for giving their time in an attempt to resolve residents' concerns.

**Apologies**

Apologies received from Panel Members Rod and Jane Gochin, John Rabbitts, Adrian Tickell and Jocelyn McCarthy. Carole Penney was not present. Of the invited guests apologies were received PC Ed Faulkner, PCSO Martin Hyland, Cllr. David Elkin, and Haven School Parent Governor Charlie Bracken.

**Purpose of Meeting**

The meeting was held following a licensing application by Ron Slatcher in respect of the restaurant and take-away at no 5 The Waterfront. Complaints had been received from Harbour residents who were concerned that this would significantly impact the quality of life they enjoy in their homes. It was felt that a face-to-face meeting in advance of the formal Licensing Meeting on 15 October could be valuable in trying to resolve issues.

**Notes**

1. Kareen Plympton, EBC Licensing Manager gave a brief introduction to the licensing process and explained that the application for a Premises Licence was being made under the Licensing Act, 2003. Although the Planning

Committee had supported the 'change of use' of the business unit in question from retail to 'restaurant and take away' a License was still required. This would define the time over which the establishment could be open, the playing of music, both recorded and 'live', and the ability to sell alcohol for consumption on, or off the premises. She explained that, even after a licence was granted, residents would be able to complain to EBC who could monitor compliance with the Licence conditions. The Licence could be challenged under the following:

- Crime and Disorder
- Public Safety
- Nuisance
- Protection of Children from Harm

2. Ron Slatcher (RS) described that in addition to the business in question he also ran the Garden Bar and The Ganges restaurant on the Waterfront. The Licence he was applying for would cover the following:

- Food up to 02:00 every day. The restaurant area would serve take-away every day until 17:00. After this it would be dedicated to sit down meals, while the take-away would then be handled by the 'fish and chip bar' until 22:00, when take-away would shut down.
- Recorded and Live Music every day. Monday to Saturday this would cover 18:00 – 23:30. Sunday would be 18:00 – 23:00.
- Alcohol. On and off-sales every day. Monday to Saturday this would cover 10:30 – 02:00. Sunday would be 11:00 – 02:00. No alcohol would be served with take-away food, but would be served by waiter service to customers sitting at tables. However, his intent was to serve customers whether they were ordering a meal or not.

3. Residents expressed concerns over increases to the noise they were subjected to, which was already intrusive and affected the quality of life. They were particularly concerned because they had heard that tables would also be available outside the building, further increasing noise levels. They questioned why the opening times had to be so late and the affect of more late night alcohol sales on the local area.

RS gave the following responses:

- The intended business was intended to be a quality restaurant and consequently 'food led' rather than 'drinks led'. However, he commented that he would be prepared to sell alcohol to customers sitting at tables, whether they were eating or not and this could go on until 02:00.
- It is his intention to have the flower bed outside no 5 The Waterfront removed to allow for pavement tables to be placed adjacent to the North Harbour bridge. Drinks would be served at the tables. Tables would also be placed along the other side of the restaurant in the walk-through area serving the main Waterfront promenade. RS commented that Carillion had given him permission to do this. (NB. Use of outside tables will require Planning permission)

- RS told residents that there are no opening windows in the restaurant and doors would not be 'retained open' so noise to neighbours would be minimised. The restaurant relies on its air conditioning for cooling.
  - He confirmed that he did not intend to relay music outside the building at present, but does not preclude this in future and quoted that other Waterfront businesses have outside music.
  - The reason RS wants 'live music' until 23:30 to be included in the Licence is that he anticipates that he will periodically close the restaurant and use it for special functions. He could not commit himself to how often this might occur but suggested around 10 times per year.
  - RS anticipated that 'last food orders' in the restaurant would be about 22:00, but the 02:00 opening time being applied for is to cover groups who want to stay on late, or for special functions.
  - He intends off-sales to only provide for customers who have used the restaurant to 'take a bottle of wine home with them'.
  - There are no special provisions being provided to deal with rubbish arising from the business. This will be dealt with by Carillion in the usual way.
  - In answer to concerns over rowdy customers creating a nuisance RS commented that the Waterfront Traders Association and Carillion are installing a high definition surveillance system around the Waterfront area. In addition he intends to put his own surveillance system in to cover his own business.
4. Rick Runalls (RR) observed that as well as the licensing and complaints processes one of the most important factors in protecting public interests is how committed the licensee is to complying with the Licence conditions and respecting his neighbours. With this in mind he asked the Licensing Manager whether EBC had found it necessary to take any enforcement action against RS in the recent past. It was indicated that a Noise Abatement Order had been issued with respect to operation of the Garden Bar.
  5. RR asked RS why, if the restaurant was 'food' rather than 'drinks led' he had submitted a planning application for a Beer Store to be built onto the side of the building into the walkway through to the Waterfront. In response RS said this was to reduce the need to carry drinks in the lift between the ground and first floors. The lift tended to be unreliable and he was concerned that it might increase the risk that it wouldn't be available for Waterfront visitors. (NB. As no 5 The Waterfront is at ground floor level it is not clear why a lift is required to take delivery of and store drink on these premises. The application is for no 5 The Waterfront and not the Garden Bar)
  6. Cllr. Morris acknowledged residents' concerns and after discussion with RS she proposed that he give some more thought to his application. She suggested that before the Licensing Meeting on 15 October he might consider changes to reduce the impact of the restaurant.
  7. The discussions held were useful in getting a better understanding of what is proposed but residents still had significant concerns over the proposals.