

# WEST DEVON LICENSING SUB- COMMITTEE



West Devon  
Borough  
Council

## Minutes of a meeting of the **West Devon Licensing Sub-Committee** held on **Thursday, 28th September, 2017** at **10.00 am** at the **Chamber - Kilworthy Park**

Present:        **Councillors:**

***Chairman***  
***Vice Chairman***

Cllr Moyse  
Cllr Sanders

Cllr Roberts

### **In attendance:**

Councillors:  
Cllr Moody

Officers:  
Solicitor  
Specialist – Licensing

Also in attendance and participating:  
Nicola Henderson- Police representative  
Mr Paul Matthews – Applicant  
Mr Steve Brennan – Applicant  
Cllr M Ewings – Town Council  
Mr Palfrey  
Mr Coombes  
Mrs Shulberg

### 3.        **Appointment of Chairman** \*LSC3

#### **RESOLVED**

That Cllr Sanders be appointed Chairman for the duration of the meeting.

4.

**Application for a New Premises Licence at 8 (c) West Street, Tavistock**

\*LSC4

The Sub Committee considered a report that sought to determine an application for a new premises licence at 8C West Street, Tavistock. The Chairman read out the order of the process.

The Licensing Officer proceeded to present the application and the contents of her report. She stated the police had concerns as to the opening times but with amendments they were satisfied and withdrew their concerns. However, there was no withdrawal of representation from neighbours. The Licensing Officer stated that the applicants would need to seek planning permission if the licence was granted & that the applicants were aware of this.

**1. Address by Mr Paul Matthews, the applicant**

The applicants made the following points during his presentation: He had sent out letters to neighbouring properties explaining his intent in applying for a licence. Although Tavistock Town Council had objected in regard to the fire escape not being suitable, the fire brigade had not raised any issues. At this point the Chairman of the Licensing Sub-Committee stated that although as Mayor of Tavistock Town Council he could serve on the Town Council's planning committee, he had chosen not to. The applicant went on to explain how the conservatory roof would be insulated to sound proof and that this part of the building would only be used as storage space. The building had previously been used as a sound studio and was therefore soundproofed. Deliveries would be taken from the front entrance located on West Street. 2 SIA door staff would be employed on a Friday and Saturday from 8pm until close. Drinkers would not be allowed to take drinks off the premises.

In response to members' questions they explained that the type of dancing was to be informal. He foresaw around 100 people maximum attending in the building on an evening. The PIR lighting system at the rear would only activate when the back door was opened. This door would only be used in case of an emergency.

**2 Address by Mrs Shulberg, local resident & representing other residents**

Concerns for residential properties neighbouring the premises. Already dealing with problems of drunkenness, noise and people urinating and vomiting in doorways of Garden Lane & West Street. Concerns for soundproofing of conservatory roof in correct manner. Concern for possible noise from of the collection of empty bottles.

In response, the applicant confirmed the roof would meet correct sound proofing recommendations. Empties would be collected from the front of the property at the same time as other premises in West Street receive their collections.

### **3 Address by Mr Coombes**

Mr Coombes raised concerns at the close proximity of his home to the premises. He also questioned the volume of music, the delivery and collection of bottles and the current issues with drunken behaviour in and around the residential area of Garden Lane.

### **4 Address by Mr Palfrey**

The Chairman declared that he knew Mr Palfrey as they both served on Tavistock Town Council. Mr Palfrey spoke on behalf of himself as a resident. He raised concerns of possible increased noise levels and the ongoing issues with anti-social behaviour in the area and the effect on residents. He also voiced concern as to the age of those the establishment would attract even though it was aimed at an older age range.

Further debate took place in regard to smokers and the lack of a designated smoking area on the premises. People smoking in doorways along the whole of West Street was deemed a problem. The Police and the Street Pastors were aware of issues of anti-social behaviour in West Street.

(At 11.50am, the Sub-Committee adjourned in the presence of Sue Nightingale to consider the application. The Sub Committee reconvened at 12.32pm)

### **5 The Decision**

The Chairman read out the following statement:

"We have considered the application for a new premises licence. We have considered the Statement of Licensing Policy, the government guidance and our obligations that relate to the promotion of the licensing objectives.

We have read carefully the written representations from all parties, plus additional statements from persons here today. We have also considered the additional conditions proposed by the Police and accepted by the Applicant.

It is our decision to grant this application subject to the following changes being incorporated into the operating schedule and to include the additional conditions requested by the Police. We have determined: the changes to be appropriate to achieve the licensing objectives:

1. The rear door leading to the spiral staircase must be secured at all times and only used in the case of emergencies.
2. The outside light must only be used in the case of emergencies.

Thank you all"

The Meeting concluded at 12.45 pm

**Signed by:**

**Chairman**

