

WEST DEVON LICENSING SUB- COMMITTEE



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Licensing Sub-Committee** held on **Wednesday, 8th November, 2017** at **11.00 am** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman
Vice Chairman

Cllr Moyse
Cllr Sanders

Cllr Roberts

In attendance:

Councillors:
Cllr Edmonds
Cllr Pearce

Officers:
Solicitor
Environmental Health Cop Lead
Specialist – Licensing

Also in attendance and participating:
Ms L Bronson– Applicant
Mr K Bryant
Mr R Prior

7. **Appointment of Chairman**
*LSC7

RESOLVED

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

8. **Summary of Key Points - Application for a new premises licence at 76 West Street, Tavistock, PL19 8AJ**

*LSC8

The Sub Committee considered a report that sought to determine an application for a new premises licence at 76 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 confirmed that the applicant had met with the Police and agreed to changes in the licensing hours. There were 9 representations, 5 in support and 4 objections. One objection was withdrawn on agreement that works would be carried out to insulate against noise. The shop would continue as a furniture shop.

1. Address by Ms Bronson, the applicant

Ms Bronson said that objections received were for concern of noise. She confirmed the venue would be a lounge bar with a guitarist or a pianist playing and not rock or disco music. The bar would be at the rear of the building. CCTV cameras would be erected. Noise tests had been carried out using an application that registers decibels and the readings were not high and no break out noise was recorded. Objectors had been invited to view the establishment. Ms Bronson thanked the Police and the Licensing Specialist for their help with the application.

2 Address by Mr Bryant – Landlord

Mr Bryant reiterated that sound tests had been taken to determine acceptable levels. He had taken on several renovation projects and was prepared to carry out the building works required. In reply to Committee members questions Mr Bryant confirmed that nearest residential neighbour was approximately 35 meters away. The building was Grade II listed and was in a conservation area. Both Ms Bronson and Mr Bryant voiced their concerns that EH had not responded to emails they had sent.

3 Address by Mr Prior – in support of the application

Mr Prior spoke in support of the application. He confirmed that both Ms Bronson and Mr Bryant would take all reasonable steps to prevent noise nuisance.

4 Address by Ian Luscombe – Cop Lead for Environmental Health

Mr Luscombe spoke of concerns about the potential for noise nuisance from music played at the premises. He explained that these concerns were based on the Environmental Health Officers' knowledge of other establishments in the vicinity and complaints received in regard to noise. He said communication issues with

the Applicant were unfortunate but was hopeful they could be resolved.

(At 12.25pm, the Sub-Committee adjourned in the presence of Sue Nightingale to consider the application. The Sub Committee reconvened at 1.00pm)

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 and additional information given to us today. We have also considered the amendments to hours and additional conditions proposed by the Applicant in agreement with the Police and local residents.

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 local resident. We have determined the changes to be APPROPRIATE to achieve the licensing objectives:

1. A scheme of noise insulation measures provided by an accredited acoustic consultant must be carried out and approved by Environmental Health prior to regulated entertainment being provided to address concerns about public nuisance.
2. To include the amendments proposed by local residents and accepted by the applicants.

In addition to being APPROPRIATE the Committee also believed the amendments to be necessary.

Thank you all”

The Meeting concluded at 1.05 pm

Signed by:

Chairman
