

TORRIDGE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE MEETING

Caddsdwn Business Support Centre - Caddsdwn Bideford EX39 3BE

Monday, 3 July 2023 - 10.00 am

PRESENT	Councillors P Hackett, S Gibson and S Harding	
ALSO PRESENT	T Ojikutu	- Legal Services Manager
	C Parkhouse	- Lead Licensing Officer
	T Vanstone	- Senior Electoral & Democratic Services Officer
	K Brown	- Democratic Services Officer

The Chair welcomed everyone to the meeting.

15. APPLICATION FOR A PREMISES LICENCE - THE CABIN, 12A SOUTH STREET, TORRINGTON

The Chair opened the meeting, introducing the Licensing Sub-Committee Members and Torrington District Council staff present. He advised that the hearing had been convened to consider an application for a premises licence – The Cabin, South Street, Torrington.

The Councillors present declared they had no personal or prejudicial interests in the application.

The Environmental Health and Licensing Team Leader arrived at 10.15am.

The Chair asked the applicant to identify himself along with any representatives and witnesses.

The Lead Licensing Officer confirmed there were no responsible authorities present.

The Chair asked the objectors to identify themselves.

The three objectors identified themselves confirming they all wished to speak and their objection was personal.

The Chair explained the procedure and purpose of the hearing.

The Lead Licensing was invited to present the report, the purpose of which was to provide the Sub-Committee with information relating to an application for a premises licence for The Cabin, 12A South Street, Torrington to enable the sub-Committee to determine the application.

The Chair thanked the Lead Licensing Officer for his report.

The applicant and his representatives were invited to put forward their case.

Mr C Ayres was the first witness to address the Sub-Committee advising he and his wife live in Torrington. He had been through the objections and refuted many of the comments saying they were exaggerated and false and personally attacked the applicant. He indicated how the hospitality industry had suffered over the last couple of years and thought this new venue would be good for Torrington. He stated how the applicant was the ideal candidate to run this venue. Even though there has been no trouble with the events already held the licence would monitor activity and rules would be abided. Mitigation would be offered regarding rubbish concerns. He stressed that the applicant had no access to the rear entrance and there was a need to work together with residents as Torrington town needs this.

The second witness to address the Sub-Committee was Mr J Wilton-Love who reiterated everything Mr C Ayres had said. He added that he has an autistic son who struggles with people and noise but feels comfortable attending this venue due to the nice environment created.

The applicant's representative Mr B Conrad had nothing to add however did state that the applicant was good for the job and the venue was good for the town.

There were no questions from the panel.

The Chair invited the objectors to make their representation.

The first objector to address the Sub-Committee was Mr I King who detailed the concerns he had with the application which included:

- The venue is too small;
- Noise nuisance was a massive concern;
- The venue shares a door with a food establishment that is accessible by children until 10pm at night which would subject children to customers who had been drinking;
- Disturbance to their autistic children who potential would end up missing school due to tiredness;
- The mess and rubbish left behind by customers;
- The application would be breached;
- The applicant takes no measures to reduce noise levels and is often contributing to it;

The second objector to address the Sub-Committee was Ms S Membery who advised she was speaking on behalf of the residents and wanting to seek assurance from the applicant that the rear access would not be used.

The third objector to address the Sub-Committee was Ms J Arran whose main concern was the level of noise and disturbance. She also stated there was no clear indication on how the business would operate and was also worried the licence would be breached.

Video evidence was played to the room.

The Chair asked for any questions from the panel.

The Chair inquired with Ms J Arran as to whether she had contacted the Police regarding noise disturbance. Ms J Arran confirmed she had contacted Environmental Protection and Health and called 111 on numerous occasions.

Following a query from the Chair asking if the Lead Licensing Officer had received any comments from the Environmental Protection or Police regarding the matter, it was confirmed that Environmental Health had not taken any action under statutory noise regulations and the Police had not raised any objections.

In response to a question from the Chair, the applicant confirmed that complaints received had been about noise and litter. He then advised of mitigation he intended to put in place to alleviate this.

The applicant was invited to have a final reply to the objectors.

The applicant advised it is not his intention to open long hours but wanted to be able to accommodate some groups with alcohol when requested. He is fully aware of the objections and will abide by the licence if granted. He has completed the licensing course and plans to take over the DPS himself. He confirmed that the venue was authorised to hold 32 people including 2 staff and that he had no intention of using the rear access. The café had been in operation since May 2022. If the licence were to be granted the premises would be identified as a coffee lounge and cocktail bar.

The Lead Licensing Officer explained in detail the process and purpose of the DPS following a query from Ms J Arran.

At 11am the sub-Committee retired to consider the application.

The objectors left at 11am.

At 11.34am the Sub-Committee returned.

The Chair stated that the Sub-Committee had carefully considered the matter and oral evidence of all parties. They noted that the issues mentioned related to events prior to the application. It was also noted that the responsible authorities had not made any representations in respect to the licensing objections and that the Lead Licensing Officer had confirmed if there were a breach of the licence then a review could take place. The Chair continued to state that concerns regarding noise had been considered and hoped the applicant would reflect on the objections and would address concerns.

The decision was made to grant the licence as submitted.

The meeting commenced at 10.00 am and closed at 11.35 am

Chair:

Date: