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Date: 23 June 2023

MEETING OF LICENSING SUB-COMMITTEE COMMITTEE

On:	Monday 3 July 2023	At:	10.00 am
Venue:	Caddsdwn Business Support Centre - Caddsdwn Bideford EX39 3BE		

NOTICE OF MEETING

To:	Councillors: P Hackett, S Gibson and S Harding
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Members are requested to turn off their mobile phones for the duration of the meeting

AGENDA PART I - (OPEN SESSION)

1.	Application for a Premises Licence - The Cabin, 12A South Street, Torrington (Pages 2 - 17)
	Meeting Organiser: Dem. Services

Agenda Item 1

Agenda Item

REPORT OF LEAD LICENSING OFFICER

To: LICENSING SUB-COMMITTEE

Subject: LICENSING ACT 2003 – APPLICATION FOR A PREMISES LICENCE – THE CABIN, 12A SOUTH STEET, TORRINGTON

Date: 3 JULY 2023

Reference: LAPRE1/00118/23

PURPOSE OF REPORT:

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.

1. INTRODUCTION

An application for a premises licence for the above premises has been made to Torridge District Council in accordance with the Licensing Act 2003. The Licensing Authority has received relevant representations about the application and, in accordance with s.35(3) of the Act, the application must now be determined by a sub-Committee of the Council's Licensing Committee at a licensing hearing.

2. BACKGROUND

The premises is located in the main square in Torrington. The area consists of a mix of commercial and residential premises. The premises is currently operating as a café and has applied to include alcohol on the licence.

3. THE APPLICATION

Supply of alcohol for consumption on the premises

Monday to Saturday 10:00 – 23:30
Sunday 11:00 – 22:00

Recorded Music

Monday to Saturday 10:00 – 23:00
Sunday 11:00 – 22:30

Opening Hours

Monday to Saturday 10:00 – 00:00
Sunday 11:00 – 22:30

It should be noted that, as a result of deregulatory changes that have amended the Licensing Act 2003, no licence is required for the following activities:

- A performance of unamplified live music between 08:00 and 23:00 on any day, on any premises

- A performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises,
- Any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

Licence conditions volunteered by the applicant and agreed with the Police Licensing Officer are included in Appendix A.

4. REPRESENTATIONS

4.1 Responsible Authorities

No representations have been received from the responsible authorities.

4.2 Other Persons

Eight objections have been received from members of the public.

These objections are provided in Appendix B.

The objections highlight a number of issues. However, the only issues that can be taken into consideration by the sub-committee are those that relate specifically to the licensing objectives.

5. POLICY ISSUES

5.1 The Authority has a duty under s.4 of the Licensing Act 2003 to carry out its licensing functions with the aim of promoting the four licensing objectives. The objectives are:

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance
- The protection of children from harm

5.2 The representations relate to the following licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance

5.3 Paragraph 5.3.3 of the Authority's Statement of Licensing Policy ('the Policy') states that the Authority, when determining applications, will have regard to wider considerations affecting the residential population, businesses and the amenity of the area. These include alcohol-related violence and disorder, anti-social behaviour, littering, fouling and noise.

5.4 Paragraph 5.3.4 states that the vast majority of complaints about licensing premises are caused by public nuisance, in particular excessive noise from live and recorded music and disturbance caused by customers congregating outside licensed premises. The Authority will expect applicants to have particular regard to these issues and to include in their operating schedules adequate and effective steps to control noise and disturbance from their premises.

5.5 As stated previously, live and recorded music is deregulated, therefore, there are no grounds to include conditions relating to live and recorded music as these are unlicensed activities.

- 5.6** Although live and recorded music have been deregulated subject to the conditions set out above, under Section 177A of the Licensing Act 2003 it is still open to the Licensing Authority to add conditions to a Premises Licence upon determination of a review as though the live or recorded music were regulated entertainment authorised by that Premises Licence (between 8am and 11pm), where the Licensing Authority believe it is necessary for the promotion of the licensing objectives. Where this does take place it is necessary that any condition clearly cites this (namely that Section 177A does not apply to it).
- 5.7** Paragraph 6.3 states “Licensed hours will normally be approved where the applicant can show that the proposal would not adversely affect the licensing objectives. The Licensing Authority may, however, set an earlier terminal hour where it considers this appropriate to the nature of the activities and the amenity of the area.”
- 5.8** It should be noted that, if a licence is granted, residents have the protection of the ‘review’ process. At any time after the grant of a licence, a person may apply for a review of the premises licence if there are problems at the premises which undermine the licensing objectives. This is a valuable safeguard for local residents.
- 5.9** When considering this matter, the sub-Committee must have regard to government guidance. This makes it clear that that the four licensing objectives should be *‘paramount at all times’*. (Home Office Guidance 1.4). Where there are objections to an application, the sub-Committee must have regard to these and to the ‘likely effect’ on the licensing objectives of granting the application.
- 5.10** It is a fundamental principle of the Licensing Act that each application must be considered on its own merits. (Guidance 1.17; Policy 5.3.1).
- 5.11** If the sub-Committee, having considered the application, believes that extra measures are required in order to promote the licensing objectives, it may attach additional conditions to the licence provided that these are appropriate, reasonable and proportionate (Policy 7.2) or it may alter or amend any existing conditions. The sub-Committee must not impose conditions which would be beyond the control of the licence holder. (Guidance 1.16; Policy 7.6). The sub-Committee should also avoid imposing any conditions which would duplicate other statutory regulations (e.g. Health & Safety legislation, fire regulations).
- 5.12** The sub-Committee is advised to take the above matters into consideration when reaching their decision. Members are reminded that they should not consider any irrelevant matters and must confine their deliberations solely to the issues relating to the licensing objectives.
- 5.13** The sub-Committee may depart from Policy guidelines if there are sound and justifiable reasons for doing so. Any departure from Policy should be fully explained to the parties at the hearing. (Guidance 1.12)

6. CONCLUSIONS

- 6.1** When deciding whether this application should be granted, the sub-Committee should bear in mind that it is essentially making a judgement about risk. If, having regard to all the evidence, the sub-Committee believes that there is no or minimal risk to the promotion of the licensing objectives, then the application should be granted on the terms applied for. If the sub-Committee believes that there are risks which will undermine the objectives, then it should seek to mitigate those risks – either by modifying the application or – in the case of serious and significant risk - by outright refusal of the application.

6.2 Under s.35(4) of the Act, when determining this application, the sub-Committee must – having regard to the representations received - take such steps as it considers appropriate to promote the licensing objectives. The options are:

- To grant the application as submitted,
- To modify timings and/or the conditions of the licence to the extent necessary to promote the licensing objectives,
- To reject all or part of the application.

6.3 In determining the application, the sub-Committee must give appropriate weight to:

- evidence presented at the hearing,
- Guidance issued by the Home Office under s.182 of the Act,
- the Council's Statement of Licensing Policy
- any advice given by the Council's Legal Advisor during the hearing.

6.4 Any party to the hearing may appeal to the Magistrates' Court against the decision of the Licensing sub-Committee. The appeal must be made within 21 days of the date of notification of the sub-Committee's decision.

7. RECOMMENDATION

It is recommended that:

The Licensing sub-Committee determine the application for a premises licence for The Cabin having regard to the information provided in this report, guidance issued by the Home Office under s.182 of the Act, the Council's Statement of Licensing Policy and the evidence presented during the hearing.

Licence Conditions – The Cabin

Crime and Disorder

All staff engaged in licensable activity at the premises will receive training and information in relation to the following.

- i. The *Challenge 25* scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by *the premise's licence* issued under the Licensing Act 2003 and conditions attached to the *licence*.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
- vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than *12 Month* intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details.

- i. Any incidents of disorder or of a violent or anti-social nature.
- ii. All crimes reported to the venue, or by the venue to the police.
- iii. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed within 24 hours of any incident, and will contain the time, date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic) in open containers.

The premises shall install operate and maintain a comprehensive digital colour CCTV system to the satisfaction of the Police and Local Authority.

All public areas of the licensed premises including entry and exit points will be covered.

The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.

All equipment must have a constant and accurate time and date generation.

All recordings will be stored for a minimum period of 31 days with date and time stamping.

Public Nuisance

Clear and legible notices shall be prominently displayed at the exit requesting patrons to respect the needs of residents and businesses and to leave the vicinity as quickly and quietly as possible.

The premises will provide, empty and monitor recycling and waste facilities.

Public Safety.

No customers carrying open or sealed bottles cans or other receptacles containing alcoholic liquor shall be admitted to the premises at any time that the premises are open to the public.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

A logbook or recording system shall be kept upon the premise in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The logbook shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or authorised legislation.

Protection of Children from Harm.

There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a *Challenge 25* proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

- A photo driving licence
- A passport
- MOD Form 90 (HM Forces ID Card).

Unless such identification is produced the sale of alcohol must be refused.

An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:

- i. the date and time of refusal
- ii. the reason for refusal
- iii. details of the person refusing the sale
- iv. description of the customer
- v. any other relevant observations.

The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority.

All entries must be made within 24 hours of the refusal.

From:
Sent: 02 April 2023 12:42
To: Licensing
Subject: Licencing application by Mr T Gash, The Cabin , 12a South Street, Torrington.

CAUTION: This email originated from outside Torrridge District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To Whom it may concern.
This email and all of its contents are written in strict confidence.

We are writing this email to formally object to a premises licence being granted to Mr T Gash of The Cabin, 12a South Street, Torrington.

Having lived happily in Torrington for the past 6 years and having only purchased our property after satisfying ourselves that what used to be The Newmarket plnn had been privately purchased and was no longer going to be a Public House we have been very upset to find that since Mr Gash has taken over the premises known as The Cabin he regularly holds private functions there on Friday or Saturday nights. These functions have been known to go on until the early hours of the morning with people drinking in the street, depositing empty bottles on neighbouring windowsills, screaming and shouting into the town square and generally preventing people from sleeping. This problem is bad enough happening once a week but to have the chance of it occurring 7 nights a week doesn't bear thinking about.

This is mainly a residential area with a lot of people having young children, people of working age as well as a lot of retired people none of whom can function well after disturbed nights.

We also fear that people will start using the back entrance that is at the end of a small private lane specifically for the owners of the properties on that lane to access their properties.

We also fear that this application hasn't been properly advertised as it has not been seen in any of the local papers and only this week appeared in a reasonably prominent position in his front window thus not giving local residents much time to object.

It is certainly not a good advert for the town to see an old concrete flower trough full of cigarette butts outside of the premises which is never emptied plus all of the butts on the ground surrounding this trough that have missed their target.

Nobody wants to prevent new businesses from starting up but this is a disaster waiting to happen with many elderly people too afraid to complain because they find Mr Gash so intimidating.

Therefore to sum up we do not think this venue is fit for purpose, it is a small space already used as a disco venue for private parties on a regular basis generating bad language, loud music and people running around outside often in a state of undress leaving neighbours unable to enjoy their own homes and we can only think this will escalate with the warmer weather when people would like to enjoy their own gardens in peace and at least have their windows open.

From: Licensing
Subject: FW: Unsociable noise/litterfrom The Cabin 12a South Street

From: [redacted]
Sent: Friday, April 7, 2023 6:12 PM
To: Licensing <licensing@torridge.gov.uk>
Subject: Unsociable noise/litterfrom The Cabin 12a South Street

CAUTION: This email originated from outside Torridge District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Licensing,

I frequently stay with friends in Great Torrington and have always enjoyed a peaceful night sleep when staying in their guest room.

However this was not the case on a recent stay. It seems a new tenant Mr T Gash has taken over The Cabin at 12a South Street, Torrington and the loud music emitted on a Friday and Saturday night must be exceeding the permitted decibel levels. Not only does this keep people awake but the patrons seem incapable of leaving the premises quietly in the early hours of the morning. The patrons of these premises also choose to leave empty bottles on residents windowsills showing a complete disregard for Mt Gash's neighbours.

I understand the owner has asked for extended later opening for 7 days a week on the premises and must object most strongly to this being allowed.

I would like to know

- a) What restrictions on noise pollution have been put in place for the current late opening license.
- b) How can residents make a formal complaint about noise levels.
- c) Can the owner be made responsible for tidying up after his customers have left in the nearby vicinity. (Empty bottles and cigarette butts)
- d) Does the owner display signs on the premises asking his guests to respect neighbours and leave the premises quietly.
- e) Why was a license allowed for late opening when there is a heavy population of nearby residents living close to the premises, no planning notices were visible before the license was granted.

I look forward to your reply.

From:
Sent: 08 April 2023 00:48
To: Licensing
Subject: Re : Premises License application the cabin torrington

Categories: Green category

CAUTION: This email originated from outside Torrington District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To Whom this may concern

I sent in an email with regards to the coffee cabin in Torrington applying for a premises licence and I see that they have now appealed and since my last email they have on several occasions had late night parties with alcohol being served I have heard this from several of my customers. I am worried that if they are doing this now without any licence what will they allow or be doing if they get a premises licence I have copied my original email below

To whom this may concern

My name is [redacted] and I would like to bring to your attention. The fact that there is an unlicensed building that is currently operating as a coffee shop known as the cabin who has recently just put in for a premises license that on quite a regular basis is having illegal parties in there on a Friday or a Saturday evening after hours and supplying alcohol. The most recent one was on Saturday evening and there was a large crowd of people in there all consuming alcohol. My main concern about this is the fact that he has applied for a premises licence and it is clearly has no regard for the licensing objectives. I myself my personal license holder and this worries me greatly.

Kind regards,

From:
Sent: 10 April 2023 23:14
To: Licensing
Subject: Objection to the Application for Premises Licence

Categories: Green category

CAUTION: This email originated from outside Torridge District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello,
This email is to be treated as strictly confidential and not published.

With this email we confirm our objection to granting premises licence to the Cabin cafe located at the address
12 A South street
Torrington
EX38 8HE

for these reasons:
a risk to the nearest neighbouring properties in area of drunken disorder, late time music, anti-social behaviour, littering (for example, to the front corner of our property, it is constantly being littered with cigarette butts, bottles are being left on the windowsills of our property), increased risk of crime and entering private gardens/yards illegally (for example, upon confusion of being drunk and losing one's way). Granting these licences for a night life in our neighbourhood will pose a risk to the children who live within the area of the Cabin cafe.
We also object permission to public access due to disturbance and nuisance to us and all our neighbours who object for the same reasons.

As we are neighbours to the Cabin Cafe we are very concerned about the granting of an alcohol licence. The owner is already holding parties at the premises and they cause late night noise and disturbance. If a licence were to be granted then we are concerned that these antisocial behaviours would increase significantly. We already have experienced one of the party goers entering our garden and climbing on our and our neighbours roof in a drunken state. We are also remembering when Mr Gash was running a bar across the road in the Lions Coffee bar. During that time loud music would be heard as the door was left open and we also considered this to be anti-social. We have also heard other concerns relating to other issues at that time too.
We have young children in our family and we are concerned about the noise and impact on them too if an alcohol licence were to be issued. The inevitable loud music, groups of people smoking outside, drunken behaviours and other behaviours which we already see to some extent would be a significant detriment to the quiet residential area. We would also be extremely concerned if any access were to be granted to the rear of the property which we believe would cause a lot of disturbance to us and our neighbours for the reasons above.

From concerned residents

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From:

Sent: Wednesday, April 5, 2023 11:01 AM

To:

Subject: PL application for The Cabin, South Street, Great Torrington - LAPRE1/00118/23

Hello

I wish to strongly oppose this application but need to do so without the applicant getting my details. The reason for this is twofold. I am a trader in the town and because of the applicant's unsavoury nature.

My reason for opposing the application is that over the last few months there have been quite a number of 'Private Parties' run at the premises going on into the early hours. I know from speaking to people who live nearby how badly they are affected by the the sheer volume of peoples voices shouting and singing and the extremely load music that is played.

This objection is purely based on the proximity of the property to residential dwellings both alongside and at the rear.

I look forward to hearing from you with assurances that this objection can be kept anonymous.

Many thanks and kind regards

From:
Sent: 07 April 2023 08:17
To: Licensing
Subject: Objection to licence application Mr Tony Gash, South Street, Torrington
Categories: Green category

CAUTION: This email originated from outside Torrington District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

I am writing to register my formal objection to the licence application submitted by Mr Tony Gash re The Cabin, South Street, Torrington.

To be clear, I am fully in support of local businesses in the town and the cafe has been running for some time. However alongside normal cafe hours there have also been several 'unofficial' late night gatherings taking place at this address under the guise of a 'private party.' Mr Gash has played live music and very loud recorded music with heavy bass until after midnight. This has kept me awake despite living several doors away and having secondary glazing, so the impact on closer neighbours must be worse. To potentially have this five or six nights a week would have a detrimental impact on a quiet residential street. In addition to the noise concern there has also been some anti social behaviour alongside these events that has made me reluctant to voice my concerns in person. After such events there have been bottles and debris left in the street. The premises involved are small and quite clearly unsuitable for the kind of nightclub experience Mr Gash envisages (and indeed has already provided on occasion).

To summarise, owing to the above factors I strongly oppose the licence application for this premises.

Torrige District Council
Bideford
Devon
EX39 2QG
Email: licensing@torridge.gov.uk

6th May 2023

Ref: LAPRE1/00118/23

Dear Sir/Madam,

We are writing to object to the Premise's License Application made by:
Tony Gash, 12A The Cabin, Torrington, Devon EX38 8HE to supply alcohol for consumption on the premises Monday to Saturday from 10:00am – 23:30pm plus ½ an hour extra to clear up.

As a resident of South Street for more than 24 years the street is surprisingly a very quiet street to live in and we would like it to stay that way.

Objections to the license:

1. Serving alcohol between 18:00pm – 23:30pm whilst playing loud base music.
2. People socialising and smoking outside the shop and in the street with base music playing loudly.
3. General noise disturbance.
4. Encouraging anti-social behaviour in the street during unsociable hours.
5. Unsuitable premises for the purpose of the application.

As a resident we would accept the licensing hours to be from 10:00am – 18:00pm during the day to be run as a café, this premises is more suitable for this purpose as it is very small and compact. The residents of South Street including us do not want to be kept awake late into the evening/night when we have families and jobs to get up to in the morning every day of the week and weekends. We hope you consider these valid points when looking at this application.

Please ask yourself 'Would you want this noise disturbance next door to you'???.....the answer would be NO!!

Yours faithfully,

*A hard copy of this letter has also been posted.

From:
Sent: 31 March 2023 14:18
To: Licensing
Subject: Premises licence application by Mr T. Gash. The Cabin, South Street, Great Torrington.
Importance: High
Sensitivity: Confidential

CAUTION: This email originated from outside Torrington District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Friday 31st March 2023.

To whom it may concern.

This email and all of its contents are written in strict confidence.

We are writing to formally object to a premises licence being granted to the applicant Mr T. Gash. The Cabin, South Street, Great Torrington.

Since approximately the end of November 2022 there has been approximately seven so called 'private functions' held at the The Cabin. Recently there was a run of a month with a 'private function' every weekend. None of these have been advertised, or any notice to neighbours given regarding them. These functions involve alcohol and music. We have not seen people attend these "functions" carrying alcohol into The Cabin, but it is clearly being provided. It would be fair to say that on each occasion that we have witnessed the "private Function in full swing, the proprietor Mr Gash has been drinking alcohol outside along with his clients.

Music at these private functions is always loud and always additionally involves people arriving in cars and sitting in them playing their own music loudly from their car stereos with doors open while engaged in the private function. This process continues beyond midnight and then when the attendees leave they deposit their empty bottles on neighbours' window sills.

People are drinking on the street with glass bottles, and on one occasion a customer removed his top outside and was joined by the applicant who also removed his top and then ran into the Market Square.

. We are all kept awake every time there is a 'private function' and has been regularly alarmed by the noise and sight of people gathering drinking and shouting on the street outside our house,

None of this gives us any confidence at all about how the premises would be run and managed if it was granted a music and alcohol licence.

Although we have only lived here for 5 months we hear from other local residents that he was evicted from his previous property for noise disturbance. We could never have envisaged that the small coffee shop which is The Cabin, in the centre of a quiet historical market town, could turn into a nightclub, had we done so we would never have bought this property.

We object to the application on points of 'Prevention of Crime and Disorder':

We are concerned there will be breaches of licensing conditions - based on experience of the 'private functions' that have taken place so far, without music or alcohol licenses and have run until midnight and beyond. We are aware that the police have been notified on some occasions.

We are concerned as to whether the sale of alcohol would be well managed - from the behaviour of the people who have so far attended the 'private functions'. There have been numerous incidences of anti social behaviour,

shouting outside the venue, clients and the proprietor himself appearing to be under the influence of alcohol in the centre of town without tops on. Glass bottles are allowed to be taken outside and drunk which poses a problem in terms of public nuisance and litter and also potential issues if a fight breaks out.

We were informed by the previous owner of our property that prior to our moving in, a reveller from The Cabin had scaled the rear wall and fell onto and rolled off our kitchen roof causing damage to a television aerial. We could be subject to more of this alarming and dangerous behaviour should he be allowed to have a licence.

We have noticed there is no police presence in the town at weekends or very infrequently. There are no patrols that we have seen. As far as we are aware there are no police cctv cameras monitoring the market square which we feel would leave only the residents to deal with any potential fallout as witnesses, which is unacceptable.

We object to the application on points of 'Prevention of Public Nuisance':

There have so far been complete disregard for the neighbours in terms of abiding by laws or considering how the noise affects residents. Music is played until midnight and beyond and can be heard out the front and out the back - in both instances it echoes off buildings and is magnified.

Each time the door is opened for people to stand outside smoking the noise is increased - added to by his customers shouting outside.

This has so far been happening during the winter months. In spring/summer this will all be compounded with more people wanting to drink outside on sunny evenings, more people spilling out drinking on the pavements and more noise as the doors will be open in The Cabin whilst music is being played. Local residents will have windows open and be outside in gardens - subject to exposure to shouting, swearing and loud music from the rear of the property.

We have heard today 31st March that the owner of the property has granted Mr Gash permission to use the back entrance for access and egress into the premises. To our knowledge this right of way is for private housing and is not a public thoroughfare. If a licence is granted this will cause distress and stress for all the local residents whose houses and gardens back onto this access and who enjoy the peace and quiet of Torrington.

There are also disco lights flashing continuously and it has been like living next to a nightclub, in the centre of what is a quiet, peaceful market town.

The licence application is until 11.30pm every night of the week except Sunday where it is 11pm. This means the possibility of noisy closing times running up to and beyond midnight and people not dispersing but continuing to gather outside after midnight, along with the potential for extensions to licenses or lock ins.

Cigarette butts are dropped all over the pavement with no provision made for smoking or any evidence of cleaning them up. For example there is a concrete flower trough which is full of cigarette butts and never emptied. Glass bottles are taken outside to be drunk and left outside on residents' windowsills.

This is a quiet residential area and The Cabin is not fit for purpose as a pub/nightclub, which reading between the lines is the intention here. There are issues of community safety to consider with drunkenness, shouting, and the high potential for fighting, damage to property, with people sitting on residents windowsills. Additionally there is the potential of intimidating behaviour to the public and pedestrians having to negotiate customers, who consider the pavements outside The Cabin to be an extension of the premises. There is also the extremely high likelihood of intimidation felt to women and young girls from further instances of drunken behaviour of men taking off clothes in public, or having to negotiate past the groups who congregate outside, drunk.

We object to the application on points of 'Protecting children from harm':

has been kept awake every single time there has been a 'private function' has also been alarmed and distressed by the shouting, language and drunkenness heard and witnessed. is also kept up at night is also kept up but the noise. So far these functions have been restricted to weekend nights, the granting of a premises licence would see this happening potentially every night of the week, with a high probability of an extension for specific celebrations or sporting events amongst others, and not to mention more "private functions" or lock ins. All of this would continue to impact significantly on the quality of life of our children and other children and residents in the area, currently it is causing our children distress and seriously impacting their ability to sleep or feel safe.

Local young people also congregate and socialise outside the Town hall as a meeting place. This is approximately 100 metres away from The Cabin. They too will be subject to all the points raised in this objection.

We object to the application on points of 'Public safety':

The venue is not fit for purpose as a licensed premises / nightclub from a point of view of safety. There is potential for overcrowding in such a tiny venue with subsequent overspill out onto the street or back of the property and issues of public nuisance and crime and disorder.

The venue is also not fit for purpose from a point of noise pollution - there is not adequate sound proofing, the back of the venue is also used with noise echoing off buildings. Smokers spill out onto the pavements, drinking and smoking directly outside the windows of residential buildings.

Lastly the proprietor has not adequately advertised his application for a premises licence. Having made enquiries, since being told of this application by a neighbour on the 21st March, there has been no entry in any local paper or journal. Most of our immediate neighbours were completely unaware of the application. This is likely due to the fact the premises licence application has not been placed in a prominent position, placed very low down on a window return, next to an advertisement. The applicant stands outside in front of this frequently when the coffee shop is open. He has also not personally informed any local residents or neighbours which we believe he has a responsibility to do, either legally or in a gesture of neighbourly courtesy. It is only today 31st March that we have been told that the sign has now been placed in a prominent position in the front of the window, but he has failed to adequately advertise for a 28 day period as required. We would therefore question the validity of this period of notification as it should be further extended from today for 28 days to meet the requirement by law.

This is a simple procedure and if even this process cannot be done transparently and adequately we would question the integrity and responsibility of the applicant.

Please feel free to contact us if you require any further information or clarification

Regards