

NORTH DEVON COUNCIL

Minutes of a meeting of the LICENSING SUB-COMMITTEE A of the LICENSING COMMITTEE held at the Civic Centre, Barnstaple on Tuesday 10th March 2015 at 12.05 p.m.

PRESENT: Members:

Councillor Tucker (Chairman)

Councillors Biederman and Clark (substitute for Councillor Webb).

Councillor Haywood as a Substitute Member.

Officers:

Assistant Solicitor (DH), Regulatory Services Officer (PF) and Senior Member Services Officer (BT).

(a) APOLOGIES FOR ABSENCE

There were no apologies for absence.

(b) DECLARATIONS OF INTEREST

There were no declarations of interest announced.

(c) APPLICATION FOR THE GRANT OF A PREMISES LICENCE AT HIGHBULLEN HOTEL, CHITTLEHAMHOLT, UMBERLEIGH – REFERENCE NUMBER 041116

The Chairman introduced himself, Members of the Sub-Committee, Officers present and the applicant before outlining the nature of the hearing.

The Regulatory Services Officer advised the Sub-Committee that he had been notified by Ms K. Kenyon and Mr R. D. And Mrs H. J. Hammond (interested parties) that they were unable to attend the meeting.

RESOLVED that the meeting proceed in the absence of N. J. Bradshaw, Ms K. Kenyon, Ms. B Palmer, Mrs D. M. Lethbridge, Mr B. Johnston and Mr R. D. and Mrs H. J. Hammond (Interested Parties).

The Regulatory Services Officer outlined a report (circulated previously) regarding an application for the grant of a Premises Licence at Highbullen Hotel, Chittlehamholt, UMBERLEIGH (reference 041116). In relation to appendix 8, he had been advised by the applicant that the letters had not been sent to the persons making representations.

The Sub-Committee noted that paragraph 1.6, licensing activity (I) “Late Night Refreshment” had a typographical error and that “outdoor” was not included as part of the application and it was just “indoor” only.

Mr James Hemming (Hotel Manager - applicant) and Mr R. Orr (Resorts Director – attended on behalf of the applicant) addressed the Sub-Committee. Mr Hemming explained that due to the building of the Palazzo and the Tennis Pavilion, he had been advised that a new premises licence needed to be obtained in addition to the Manor House and Leisure Pavilion which were previously licensed. The timings for licensing activities had been amended to enable flexibility when holding events. He referred to his letter as detailed in Appendix 7 in response to the representations made by the interested parties. He was committed to upholding the licensing objectives to ensure there was no disturbance. The Palazzo building was located on top of a hill surrounded by hills and trees. The soundproofing on this building was significantly greater than other buildings. A wedding had recently been held in the building under a Temporary Events Notice and no noise disturbance had occurred. Their priority was to ensure that both guests staying on site and other local residents were not disturbed.

Members of the Sub-Committee then questioned the applicant.

In relation to a comment made by Mr and Mrs Hammond in their letter, the Regulatory Services Officer confirmed that the original application for the grant of a premises licence in relation to Highbullen Hotel had not been accepted, but notices had been put up. When the revised application was submitted new notices were put up and he had visited to ensure that they were positioned correctly. A notice had also been placed in the local newspaper. He confirmed that if any statutory noise nuisance was caused, it would be investigated by the Council.

Mr James Hemming (applicant) confirmed that there was no intention to set off any fireworks in order to respect the rural settling and the wish to not cause disturbance. In relation to the playing of recorded music outdoors, this would only be occasionally and restricted i.e. for first wedding dance.

Mr James Hemming (applicant) summed up.

The Regulatory Services Officer summed up.

RESOLVED that everyone be excluded from the meeting with the exception of Members, the Legal representative and Committee Clerk in order for the Sub-Committee to receive legal advice in accordance with paragraph 5 of Schedule 12A of the Local Government Act 1972.

RESOLVED that everyone be re-admitted to the meeting.

The Chairman requested that the Senior Member Services Officer read the proposed decision, which was voted upon and agreed.

In considering the application, the Sub-Committee had regard to the statutory framework, took into account the Council's Licensing Policy, the representations made by the applicant and the fact that no interested parties had attended the meeting to make representations.

RESOLVED that the application for the grant of a premises licence in respect of Highbullen Hotel, Chittlehampton, Umberleigh (reference 041116) be approved as applied for.

Chairman

The meeting ended at 12.49 p.m.

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Licensing Committee.