North Devon Council
Brynsworthy Environment Centre
Barnstaple
North Devon EX31 3NP

M. Mansell, BSc (Hons), C.P.F.A.
Chief Executive.

LICENSING SUB-COMMITTEE E

A meeting of the above Sub-Committee of the Licensing Committee will be held in the Barum Room, Brynsworthy Environment Centre on **TUESDAY 13TH FEBRUARY 2018 AT 10.00 A.M**

(NB: A pre-meeting for Members will be held in the Combe Room, Brynsworthy Environment Centre at 9.30 a.m.)

(NOTE: A location plan for the Brynsworthy Environment Centre is attached to the agenda front pages. There are limited car parking spaces in the Visitors parking area. If no spaces are available, please find an alternative space. Please ensure that you enter your name and car registration details in the book in front of the entrance door)

Members of the Sub-Committee: Councillor Yabsley (Chairman).

Councillors Chesters (Substitute for Councillor Biederman) and Barker (to fill a current vacancy).

Substitute Member: Councillor Gubb

AGENDA

1. Apologies for absence.

2. Items brought forward which in the opinion of the Chairman should be considered by the meeting as a matter of urgency.

3. Declarations of Interests. (Please telephone Corporate and Community Services to prepare a form for your signature before the meeting. Interests must be re-declared when the item is called, and Councillors must leave the room if necessary).

4. To agree the agenda between Part 'A' and Part 'B' (Confidential Restricted Information).

PART 'A'

5. **Application for the Grant of a Premises Licence; The Barley and Vine, 121 East Street, South Molton, Devon, EX36 3BU. (Reference Number: 047341).** Report by the Licensing Officer (attached) (Pages 1 to 50).

PART 'B'

Nil.

If you have any enquiries about this agenda, please contact Corporate and Community Services on telephone number 01271 388253

NOTE: Pursuant to Part 3, Annexe 1, paragraph 2 of the Constitution, Members should note that:

"A Member appointed to a Committee or Sub-Committee who:

(a) Arrives at a meeting during the consideration of an item; or
(b) Leaves a meeting at any time during the consideration of an item;

Shall not:

(i) propose or second any motion or amendment; or
(ii) cast a vote

in relation to that item if the Committee or Sub-Committee (as the case may be):

(c) Is sitting in a quasi-judicial capacity in relation to that item; or
(d) The item is an application submitted pursuant to the Planning Acts

and, in such a case, the Member shall also leave the room if at any time the public and press are excluded in respect of that item."

02.02.18
ref: Licensing Sub-Cttee E

northdevon
COUNCIL

North Devon Council protocol on recording/filming at Council meetings

The Council is committed to openness and transparency in its decision-making. Recording is permitted at Council meetings that are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chairman of the meeting will make sure any request not to be recorded is respected.

The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.

2. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.

3. We will ask for recording to stop if the meeting goes into 'part B' where the public is excluded for confidentiality reasons. In such a case, the person filming should leave the room ensuring all recording equipment is switched off.

4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.

5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

Notes for guidance:

Please contact either our Corporate and Community Services team or our Communications team in advance of the meeting you wish to record at so we can make all the necessary arrangements for you on the day.

For more information contact the Corporate and Community Services team on **01271 388253** or email **memberservices@northdevon.gov.uk** or the Communications Team on **01271 388278**, email **communications@northdevon.gov.uk**.

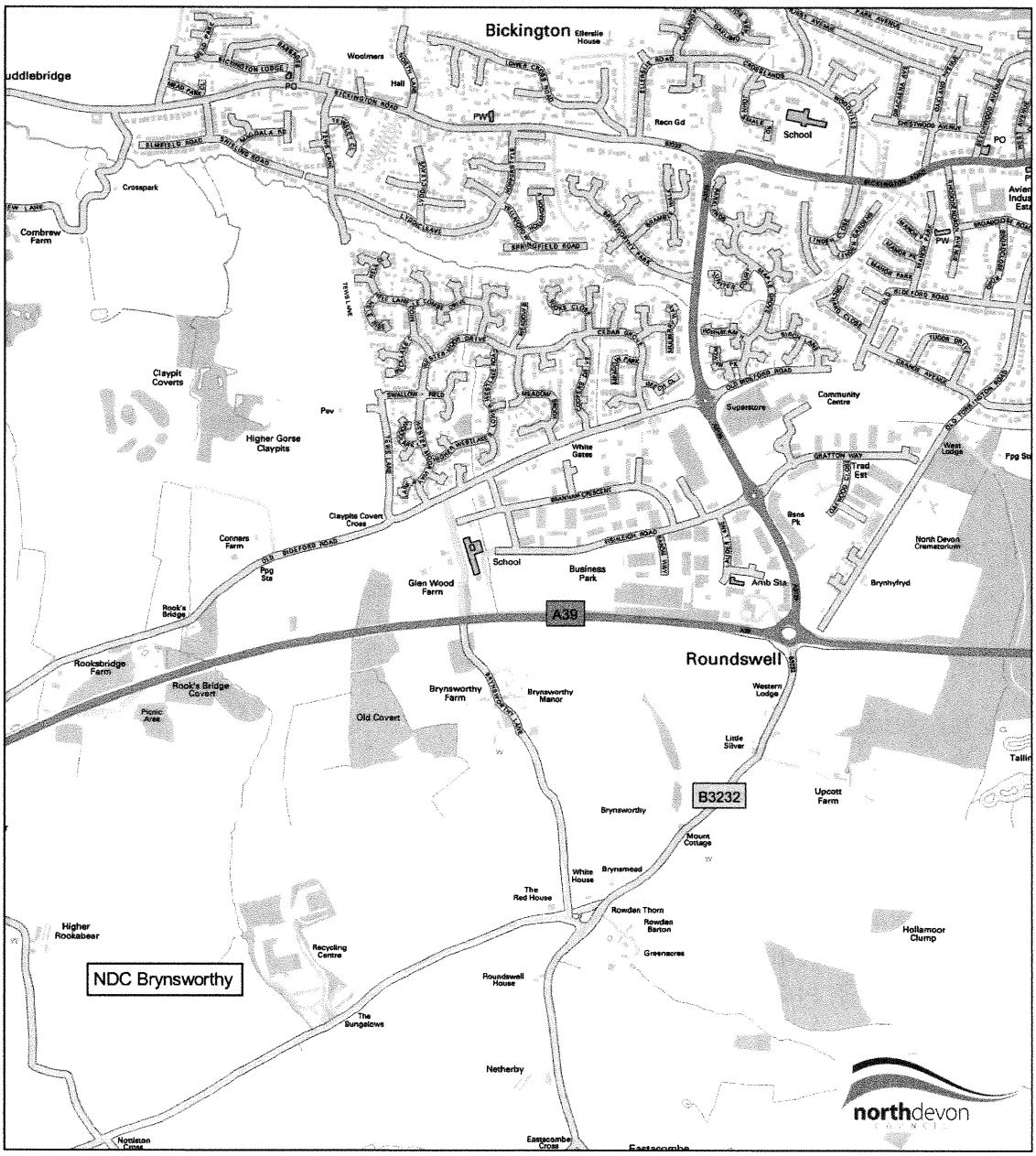
North Devon Council offices at Brynsworthy, the full address is: Brynsworthy Environment Centre (BEC), Roundswell, Barnstaple, Devon. EX31 3NP.

(Satnav Postcode is EX31 3NS).

At the Roundswell roundabout take the exit onto the B3232, after about ½ mile take the first right, BEC is about ½ a mile on the right.

Drive into the site, visitors parking is in front of the main building on the left hand side. Please sign the Visitors log in the foyer.

Please come into the main entrance and dial for Corporate and Community Services on extension 8253.



ITEM 5

OPEN

NORTH DEVON DISTRICT COUNCIL

REPORT TO LICENSING SUB-COMMITTEE HEARING: 13 February, 2018
Application by: GE Licensing Solutions

Application for the Grant of a Premises Licence; the Barley & Vine, 121 East Street, South Molton, Devon, EX36 3BU

Reference Number: 047341

REPORT BY LICENSING OFFICER

1. INTRODUCTION

1.1 The purpose of this report is to present an application for the grant of a premises licence in respect of the Barley & Vine, 121 East Street, South Molton, Devon, EX36 3BU.

1.2 The application (Appendix 1) is made by GE Licensing Solutions on behalf of Mr & Mrs D Heath and requests the following activity:

1.2.1 Permit late night refreshment indoors.
1.2.2 Permit the supply of alcohol on and off the premises.

1.3 The Licensing Authority has received 6 relevant representations in regard to the application for the grant of a premises licence which gives rise to this hearing. These representations are from members of the public and a solicitor's practice:

1.3.1 Miss S Flinn (Appendix 6)
1.3.2 Ms H Aldridge (Appendix 7)
1.3.3 Derrica Hodgson (Appendix 8)
1.3.4 Taylors Solicitor on behalf of the Masonic Club (Appendix9)
1.3.5 Mr & Mrs M H Reed (Appendix 10).

1.4 A representation has also been received from one Responsible Authority, The Planning Department North Devon Council (Appendix 5).

1.4.1 No representations have been received from any of the other Responsible Authorities.

1.4.2 The relevant representations meet the Licensing Objectives as follows:

Licensing Objective	
Prevention of Crime and Disorder	x
Prevention of Public Nuisance	x

2. RECOMMENDATIONS

2.1 That the Sub Committee:

Considers the request for determination of the application for the grant of a premises licence and additional representations included in appendices 5 to 10 of this report together with any oral submissions at the hearing.

2.2 In determining this application, the Sub-Committee must take one of the following steps, as it considers necessary for the promotion of the licensing objectives. The Sub-Committee should be mindful that in making their decision, if it involves the modification or imposition of conditions or the rejection in whole or in part of the application, such a decision could only be justified if it is made to promote the licensing objectives:

2.2.1 The steps are:

(a) to grant the licence subject to:

(i) the terms sought by the applicant, including such conditions as are consistent with the operating schedule.

(ii) such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers necessary for the promotion of the licensing objectives.

(b) to exclude from the scope of the licence any of the licensable activities to which the application relates.

(c) to refuse to specify a person in the licence as the Designated Premises Supervisor.

(d) to reject the application.

2.3 Should the Sub-Committee decide to grant the application, it is recommended that this be subject to conditions which seek to mitigate the potential for contraventions of the Licensing Objectives.

2.4 The following conditions are recommended:

2.4.1 The following conditions agreed between the applicant and Devon and Cornwall Police to be imposed by the Licensing Sub-Committee on the licence:

a) No customer carrying an open vessel containing alcohol shall be admitted to the premises at any time

b) No customer shall be permitted to take an open vessel containing alcohol from the premises

c) CCTV shall be installed to cover the Snug and Lower Bar areas, and shall be operated and maintained having regard to advice received from the Police

Licensing Officer. The minimum requirements shall be that:

d) Images shall be retained for a minimum of 31 days and stored, copied and supplied in accordance with the Data Protection Act or other primary legislation

e) If the CCTV system is inoperative, all reasonable measures shall be taken to render it fully operational as soon as possible, and the Licensing Officer of Devon & Cornwall Police and the Licensing Authority shall be informed as soon as possible.

2.4.2 The following condition submitted by the applicant:

1. Management shall encourage liaison with the Police for the area in which the premises are situated.

2. All bottles and glasses shall be removed from public areas as soon as practicable after they are finished with or emptied.

3. Alcohol sold for consumption off the premises shall be in sealed containers only.

4. The fire safety measures with which the premises are provided shall be maintained in good working order and their adequacy determined on a regular basis by the performance of a suitable and sufficient risk assessment.

5. Suitable and sufficient first aid equipment shall be available for the use of customers, and staff.

6. Bottles and other glass waste shall not be deposited into bins or other receptacles outside the premises after 21:00 or before 09:00.

7. If a young person who appears to staff to be 25 or under asks to purchase alcohol, they will be required to prove their age before they are served unless the staff are certain (from personal knowledge or because they have seen proof of age on a previous occasion) that the person is 18 or over.

8. A notice advising customers that they may be required to prove their age before they can buy alcohol shall be displayed. The forms of proof of age that will be accepted are a passport, a photo'driving licence or a proof of age card bearing the "Pass" accreditation hologram.

9. Staff engaged in the retail sale of alcohol who are not holders of a Personal Licence shall receive training in the legal and social responsibilities of such sales. A record of any such training shall be maintained and

produced to authorised officers of a Responsible Authority.

2.5 It will be best practice, as well as a matter of elemental fairness, that at a hearing the licensing authority ensures that parties are aware of any condition the licensing authority is proposing to add of its own volition to a licence, in advance of the decision being made.

2.6 When Members are considering adding a condition that has not been addressed during the hearing, for example because it is raised after the Members have retired to consider their decision, the parties should be given an opportunity to address the Members on the new condition being considered. This can be done informally, for example, by the legal advisor passing a message to the waiting parties.

2.7 If the proposed condition proves controversial the parties should be afforded the opportunity of addressing the Members further on both the principle of the condition or its specific working. This is likely to serve the interests of all parties, including the Members who will be better informed about the impact and practicability of their proposal. Moreover, a failure to follow this approach risks attracting criticism for the appeal courts.

2.8 REASONS FOR RECOMMENDATIONS

2.8.1 The recommendations are made so that the Sub-Committee fulfils its duty under section 18 of the Licensing Act 2003 to determine the application for a premises licence where relevant representations have been made.

2.8.2 The recommendations in relation to the imposition of conditions on the premises licence are made with a view to promoting the licensing objectives.

3. BACKGROUND

3.1 An application to grant a premises licence for The Barley & Vine, 121 East Street, South Molton, Devon, EX36 3BU, was submitted by GE Licensing Solutions.

3.2 The premises were previously a charity shop which the applicant is planning to trade as a ground-floor, town centre bar / public house with bar and meeting areas, toilets and ancillary rooms, with owner's accommodation on first floor.

3.3 The proposed licensing activities and hours applied for are as follows:

Activity	Day	Start	Finish
Late Night Refreshment	Monday to Sunday	23:00	00:00
Supply of Alcohol on and off the premises	Monday to Sunday	09:00	00:00
Hours open to the public	Monday to Sunday	09:00	00:30

3.4 These premises have never had a premises licence and no previous recorded history.

3.5 Any grant of a premises licence may be subject to conditions applied by the Licensing Authority as a result of this hearing.

3.6 A plan of the premises is attached (Appendix 2).

3.7 A location plan is attached as (Appendix 3).

4. RELEVANT REPRESENTATIONS

4.1 The relevant licensing objectives are:

Licensing Objective	
Prevention of Crime and Disorder	x
Prevention of Public Nuisance	x

4.2 Responsible Authorities:

4.2.1 Devon and Cornwall Police – Response received requesting additional conditions. (Appendix 4).

4.2.1.1 Devon and Somerset Fire and Rescue Service – No representation received.

4.2.1.2 NDC Environmental Protection – No representation received.

4.2.1.3 NDC – Health Food and Safety – No representation received.

4.2.1.4 NDC Planning – Representation received in relation to the Licensing Act but detailed information also supplied on recent planning permission consent (Appendix 5).

4.2.1.5 NDC Licensing – No representation received.

4.2.1.6 Devon County Council, Business Strategy and Support Services (Child Protection) - No representation received.

4.2.1.7 Devon County Council, Trading Standards – No representation received.

4.2.1.8 Public Health Devon – No representation received.

4.2.2 The representation from the Planning Authority is to the effect that planning permission was granted on 30th November 2017, subject to a number of conditions, condition 6 of which limited the opening of the premises between the hours of 09:00 and 23:00hrs daily to protect "the amenity of occupiers of neighbouring properties from the potential effects of noise."

4.3 The Licensing Authority has received five relevant representations from:

Miss S Flinn (Appendix 6)
Ms H Aldridge (Appendix 7)
Derrica Hodgson (Appendix 8)
Taylors Solicitor on behalf of the Masonic Club (Appendix 9)
Mr & Mrs M H Reed (Appendix 10).

4.4 In summary, those making representations express concerns as to public nuisance in the form of noise and to the potential for crime and disorder and anti-social behaviour.

5. RELEVANT LICENSING POLICY CONSIDERATIONS

5.1 The Sub-Committee is entitled to draw upon any of the considerations outlined in its Licensing Policy document. However, the most significant policy considerations appear to be the following:

- Paragraphs 3.2 to 3.2.1 (Crime and Disorder).
- Paragraphs 3.4 to 3.4.3 (Prevention of Public Nuisance).

6. RELEVANT STATUTORY GUIDANCE CONSIDERATIONS

6.1 The Sub-Committee is entitled to draw upon any of the considerations outlined in the Statutory Guidance issued under Sec. 182 of the Licensing Act 2003 and published by the Home Office. However, the most significant statutory guidance appears to be in the following:

- Paragraphs 2.1 to 2.6 (Crime and Disorder).
- Paragraphs 2.14 to 2.20 (Public Nuisance).
- Paragraphs 14.57 to 14.58 (Planning and Building Control).

7. OPTIONS

7.1 The Act at section 18(3a) states that, before determining the application, the licensing authority must hold a hearing to consider it and any relevant representations. It must, having regard to the application and any relevant representations, take such steps mentioned in section 18 (4) (if any) as it considers necessary for the promotion of the licensing objectives.

7.2 In determining this application, the Sub Committee must take one of the following steps as outlined in section 2.2.1 of this report.

7.3 If a licence is granted any relevant mandatory conditions must be imposed in addition to any conditions the subcommittee decides to impose at the hearing. Mandatory conditions are standard conditions imposed by way of legislation and in respect of which there is no power to vary.

7.4 Any party to the hearing has the right of appeal to North and East Devon Magistrates' Court following the determination of the application under section 181 of the Act.

8. BACKGROUND PAPERS

- Licensing Act 2003.
- Amended guidance issued under section 182 of the Licensing Act 2003 (Home Office April 2017.
- Licensing Act 2003 (Hearings) Regulations 2005.
- North Devon Council Licensing Policy.
- Applicants Application.

OPEN

9. APPENDICES

Appendix 1 Application for the grant of a Premises Licence

Appendix 2 Plan of premises

Appendix 3 Location Plan

Appendix 4 Devon and Cornwall Police Licensing response

Appendix 5 North Devon Council Planning representation

Appendix 6 Representation Miss S FIInn

Appendix 7 Representation Ms H Aldridge

Appendix 8 Representation Derrica Hodgson

Appendix 9 Representation Taylors Solicitors on behalf (Masonic Club)

Appendix 10 Representation Mr & Mrs M H Reed.

Author: *Mr Phil Fitzsimons Licensing Officer*
Date: *1st February 2018*
Reference: *047341*

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/**We** David John HEATH & Stephanie Margaret HEATH
(Insert name(s) of applicant)
apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description **The Barley & Vine** **121 East Street**			
Post town	South Molton	Postcode	**EX36 3BU**

Telephone number at premises (if any)	
Non-domestic rateable value of premises	**£4500**

Part 2 - Applicant details

Please state whether you are applying for a premises licence as		Please tick as appropriate	
a)	an individual or individuals *	☒	please complete section (A)
b)	a person other than an individual *		
	i as a limited company/limited liability partnership	☐	please complete section (B)
	ii as a partnership (other than limited liability)	☐	please complete section (B)
	iii as an unincorporated association or	☐	please complete section (B)
	iv other (for example a statutory corporation)	☐	please complete section (B)

c)	a recognised club	☐	please complete section (B)
d)	a charity	☐	please complete section (B)
e)	the proprietor of an educational establishment	☐	please complete section (B)
f)	a health service body	☐	please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	☐	please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	☐	please complete section (B)
h)	the chief officer of police of a police force in England and Wales	☐	please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr ☒	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname HEATH			**First names** David John		
Date of birth		I am 18 years old or over	☒ Please tick yes		
Nationality British					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr ☐	Mrs ☒	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname HEATH			**First names** Stephanie Margaret		
Date of birth	I am 18 years old or over		☒ Please tick yes		
Nationality British					
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start? DD MM YYYY 1 8 0 1 2 0 1 8

If you wish the licence to be valid only for a limited period, when do you want it to end? DD MM YYYY

Please give a general description of the premises (please read guidance note 1)
Ground-floor, town-centre bar / public house with bar and meeting areas, toilets, and ancillary rooms, with owners accommodation on first floor

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend. ☐

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	☐
b) films (if ticking yes, fill in box B)	☐
c) indoor sporting events (if ticking yes, fill in box C)	☐
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	☐
e) live music (if ticking yes, fill in box E)	☐
f) recorded music (if ticking yes, fill in box F)	☐
g) performances of dance (if ticking yes, fill in box G)	☐
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	☐

Provision of late night refreshment (if ticking yes, fill in box I) ☒

Supply of alcohol (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			**Will the performance of a play take place indoors or outdoors or both - please tick** (please read guidance note 3)	Indoors	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 4)		
Tue					
Wed			**State any seasonal variations for performing plays** (please read guidance note 5)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list** (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			**Will the exhibition of films take place indoors or outdoors or both - please tick** (please read guidance note 3)	Indoors	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 4)		
Tue					
Wed			**State any seasonal variations for the exhibition of films** (please read guidance note 5)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list** (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			**Please give further details** (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			**State any seasonal variations for indoor sporting events** (please read guidance note 5)
Wed			
Thur			**Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list** (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			**Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick** (please read guidance note 3)	Indoors	☐
Day	Start	Finish		Outdoors	☐
				Both	☐
Mon			**Please give further details here** (please read guidance note 4)		
Tue					
Wed			**State any seasonal variations for boxing or wrestling entertainment** (please read guidance note 5)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list** (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			**Will the performance of live music take place indoors or outdoors or both - please tick** (please read guidance note 3)	Indoors	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 4)		
Tue					
Wed			**State any seasonal variations for the performance of live music** (please read guidance note 5)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list** (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			**Will the playing of recorded music take place indoors or outdoors or both - please tick** (please read guidance note 3)	Indoors	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 4)		
Tue					
Wed			**State any seasonal variations for the playing of recorded music** (please read guidance note 5)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list** (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			**Will the performance of dance take place indoors or outdoors or both - please tick** (please read guidance note 3)	Indoors	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 4)		
Tue					
Wed			**State any seasonal variations for the performance of dance** (please read guidance note 5)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list** (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	**Will this entertainment take place indoors or outdoors or both - please tick** (please read guidance note 3)	Indoors	☐
Mon				Outdoors	☐
				Both	☐
Tue			**Please give further details here** (please read guidance note 4)		
Wed					
Thur			**State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)** (please read guidance note 5)		
Fri					
Sat			**Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list** (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			**Will the provision of late night refreshment take place indoors or outdoors or both - please tick** (please read guidance note 3)		
				Indoors	☒
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon	23:00	00:00	**Please give further details here** (please read guidance note 4)		
Tue	23:00	00:00			
Wed	23:00	00:00	**State any seasonal variations for the provision of late night refreshment** (please read guidance note 5)		
Thur	23:00	00:00			
Fri	23:00	00:00	**Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list** (please read guidance note 6) Flexibility for the period commencing at the terminal hour on New Year's Eve until 05:00 on New Year's Day each year		
Sat	23:00	00:00			
Sun	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			**Will the supply of alcohol be for consumption - please tick** (please read guidance note 8)	On the premises	☐
				Off the premises	☐
Day	Start	Finish		Both	☒
Mon	09:00	00:00	**State any seasonal variations for the supply of alcohol** (please read guidance note 5)		
Tue	09:00	00:00			
Wed	09:00	00:00			
Thur	09:00	00:00	**Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list** (please read guidance note 6) Flexibility for the period commencing at the terminal hour on New Year's Eve until the commencement hour on New Year's Day each year		
Fri	09:00	00:00			
Sat	09:00	00:00			
Sun	09:00	00:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name David John HEATH	
Date of birth 12.10.1951	
Address 121 East Street South Molton	
Postcode	EX36 3BU
Personal licence number (if known) PA0042	
Issuing licensing authority (if known) North Dorset	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
Nil

L

Hours premises are open to the public
Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon	09:00	00:30
Tue	09:00	00:30
Wed	09:00	00:30
Thur	09:00	00:30
Fri	09:00	00:30
Sat	09:00	00:30
Sun	09:00	00:30

State any seasonal variations (please read guidance note 5)

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Flexibility for the period commencing at the terminal hour on New Year's Eve until the commencement hour on New Year's Day each year

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10)

1. Management shall encourage liaison with the police Neighbourhood Beat Manager for the area in which the premises is situated

b) The prevention of crime and disorder

1. All bottles and glasses shall be removed from public areas as soon as practicable after they are finished with or emptied
2. Alcohol sold for consumption off the premises shall be in sealed containers only

c) Public safety

1. The fire safety measures with which the premises are provided shall be maintained in good working order and their adequacy determined on a regular basis by the performance of a risk assessment
2. Suitable and sufficient first aid equipment shall be available for the use of customers, and staff

d) The prevention of public nuisance

1. Bottles and other glass waste shall not be deposited into bins or other receptacles outside the premises after 21:00 or before 09:00

e) The protection of children from harm

1. If a young person who appears to staff to be 25 or under asks to purchase alcohol, they will be required to prove their age before they are served unless the staff are certain (from personal knowledge or because they have seen proof of age on a previous occasion) that the person is 18 or over
2. A notice advising customers that they may be required to prove their age before they can buy alcohol shall be displayed. The forms of proof of age that will be accepted are a passport, a photo' driving licence or a proof of age card bearing the "PASS" accreditation hologram
3. Staff engaged in the retail sale of alcohol who are not holders of a Personal Licence shall receive training in the legal and social responsibilities of such sales. A record of any such training shall be maintained and produced to authorised officers of the Responsible

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Authorities

Part 4 - Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licesable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).
Signature	
Date	19.12.2011
Capacity	Licensing Consultant / Legal Advisor

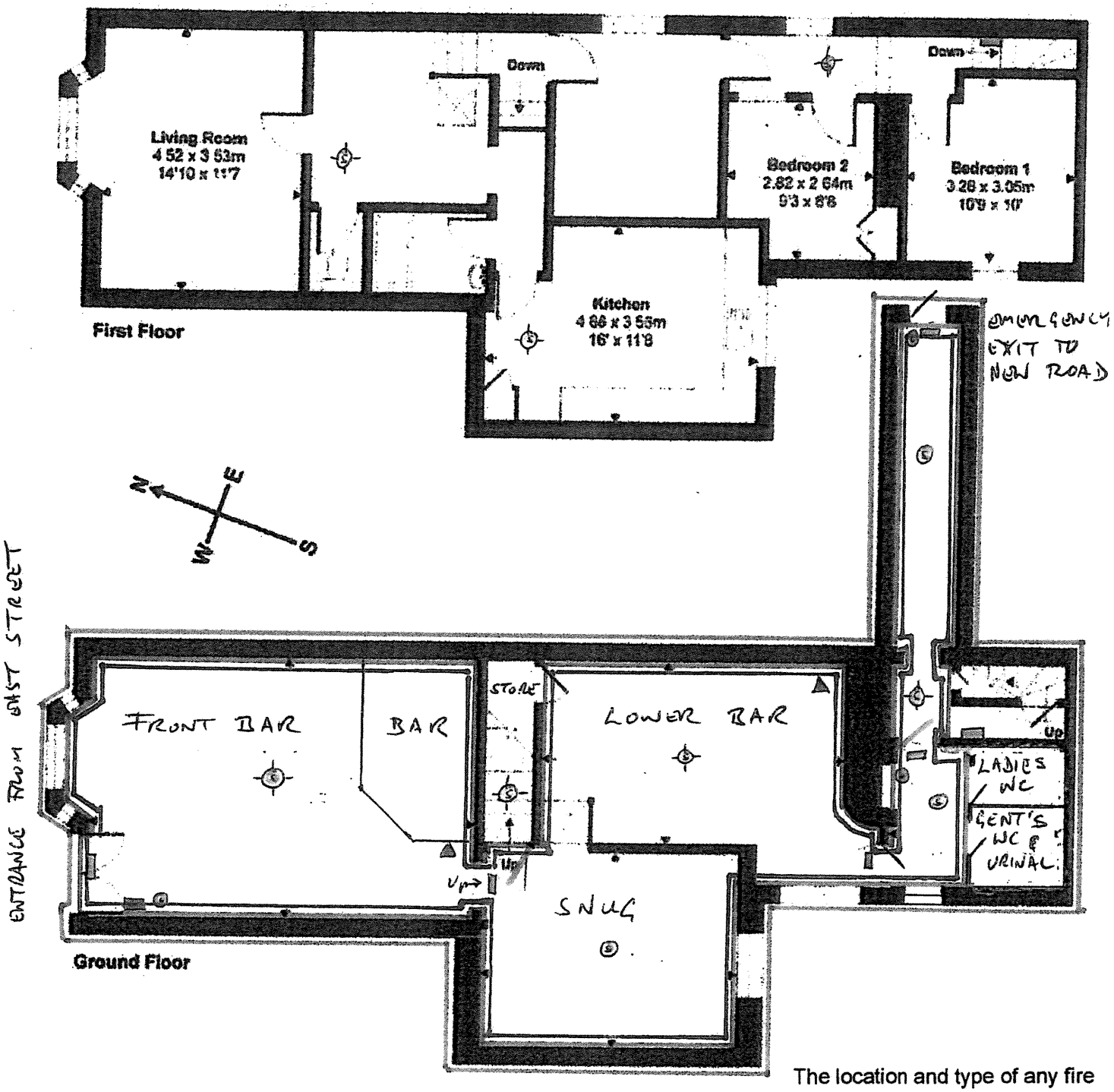
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	19.12.2011
Capacity	Licensing Consultant / Legal Advisor

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Mr A.G. Eva GE Licensing Solutions 26 Chirgwin Road			
Post town	**Truro**	Postcode	**TR1 1TT**
Telephone number (if any)	(01872) 271084		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) info@gelicensing.co.uk			

ITEM 5

121, EAST STREET, SOUTH MOLTON EX36 3BU APPENDIX 2



FIRE EXIT SIGN WITH EMERGENCY LIGHT (NON MAINTAINED)

SMOKE ALARM WITH SOUNDER

SMOKE ALARM

MANUAL CALL POINT

FIRE EXTINGUISHER

EMERGENCY LIGHT (NON MAINTAINED)

FIRE DOOR WITH SELF CLOSING DEVICE

CONTROL POINT

The location and type of any fire safety equipment is shown as at time of submission of application. This may be varied from time to time with the agreement of the fire officer or after a fire risk assessment

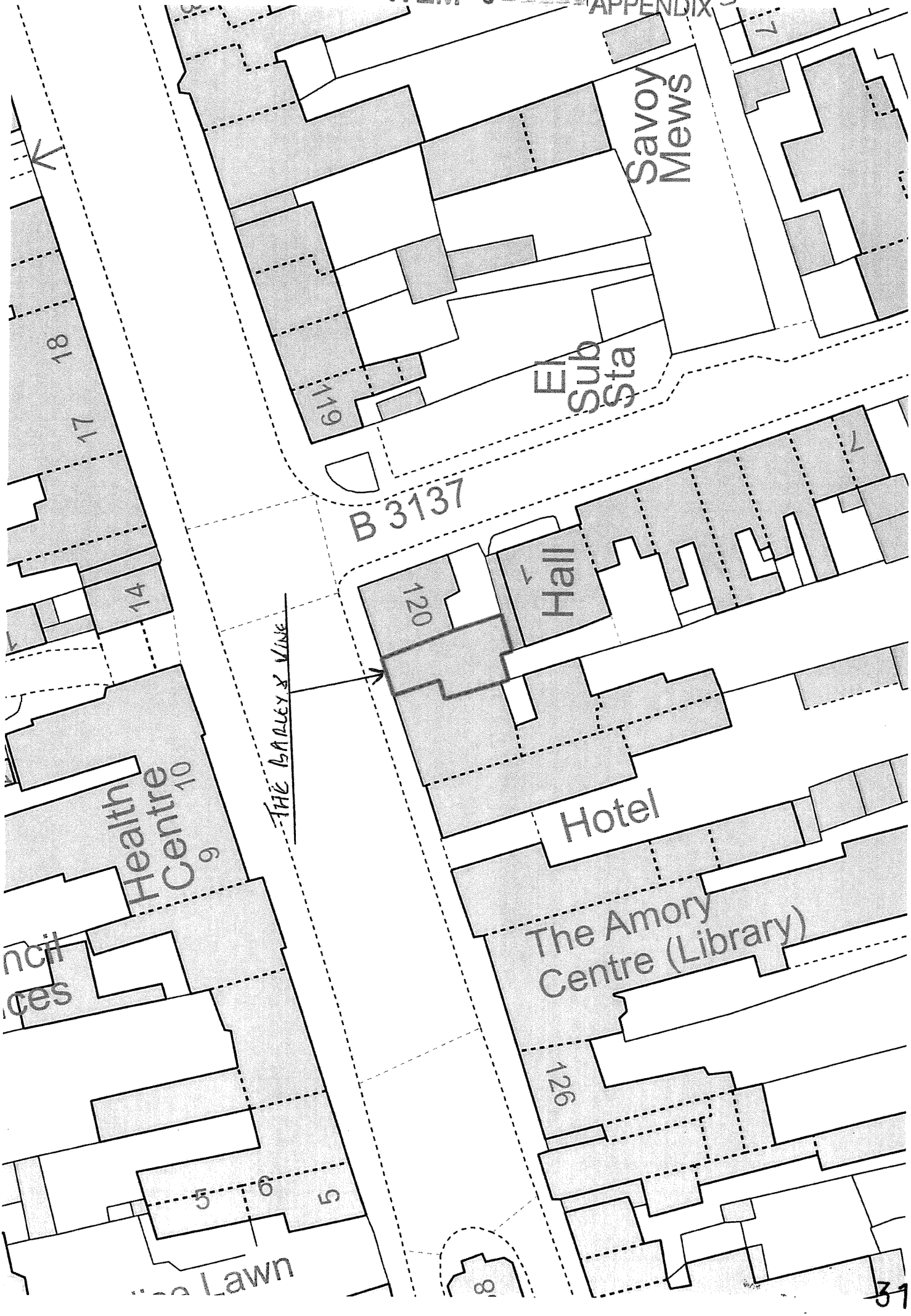
Retail Sale of Alcohol

Regulated Entertainment N/A

Late Night Refreshment

Boundary of Premises

SCALE 1:100


Savoy Mews
El Sub Sta
B 3137
Hall
Hotel
The Amory Centre (Library)
Health Centre
THE BANKLEY & WINE
Lawn
18
17
14
119
120
126
10
9
5
6
8

ITEM 5 APPENDIX 4

Shirley Loder

From: GRAY Jane 54838 <Jane.GRAY
Sent: 16 January 2018 07:19
To: Graham Eva
Cc: Licensing
Subject: RE: Licensing Application - Barley & Vine, South Molton - Suggested Additional Measures

Good morning Mr Eva

Thanks you for your reply on behalf of your clients and I can confirm that this wording added to their licence is acceptable to the police and, in these circumstances, I will not be objecting to their application.

With regards to you and best wishes for a successful business to Mr & Mrs Heath.

Jane GRAY
Licencing Officer

From: Graham Eva [mailto:info@gelicensing.co.uk]
Sent: 12 January 2018 12:20
To: GRAY Jane 54838 <Jane.GRAY
Subject: Licensing Application - Barley & Vine, South Molton - Suggested Additional Measures

Dear Ms Gray,

Thank you for the e-mail in respect of the above, and for the visit to our clients' premises. Our clients have considered the suggestions that you made for additional measures, and I am now instructed to offer the following (on the usual "without prejudice" basis) verbatim:

1. ***No customer carrying an open vessel containing alcohol shall be admitted to the premises at any time***
2. ***No customer shall be permitted to take an open vessel containing alcohol from the premises***
3. ***CCTV shall be installed to cover the Snug and Lower Bar areas, and shall be operated and maintained having regard to advice received from the police Licensing Officer. The minimum requirements shall be that:***

a) ***Images shall be retained for a minimum of 31 days and stored, copied and supplied in accordance with the Data Protection Act or other primary legislation***
b) ***If the CCTV system is inoperative, all reasonable measures shall be taken to render it fully operational as soon as possible, and the Licensing Officer of Devon & Cornwall Police and the Licensing Authority shall be informed as soon as possible***

I shall be grateful if you would indicate to me that this is acceptable to you. If it is, I will e-mail the Case Officer at the Licensing Officer (and copy to you)

Sincerely,

Graham Eva

GE Licensing Solutions
(01872) 271084

www.gelicensing.co.uk

ITEM 5

APPENDIX 5

Shirley Loder

From:	Planning
Sent:	16 January 2018 15:35
To:	Licensing
Subject:	PD/C114562 - Planning Enquiry Response
Attachments:	63301_DN_Redacted.pdf

Dear Sir or Madam

LICENCE CONSULTATION REQUEST AT THE BARLEY AND VINE 121 EAST STREET SOUTH MOLTON EX36 3BU

Thank you for your licensing enquiry received 22nd December 2017.

I draw attention to approved application 63301. As you may be aware there were a number of concerns raised through the application regarding the impact of noise from the proposal. Subsequently, as part of the mitigation of potential noise issues Condtion6 was included on the grant of permission which reads:
(6) The premises shall only be open to members of the public between the following times:
09.00 - 23.00hrs daily.
Reason:
To protect the amenity of occupiers of neighbouring properties from the potential effects of noise.

The planning application was subsequently approved on the understanding this condition would be adhered to.

Part I and J seems to request a license to finish at 00.00 Monday to Sunday. To exceed the 23.00 time would not comply with condition 6 of the approval and would increase the likelihood of late night noise disturbance. In light of the above the Authority can not support the license as submitted and would request amendments in line with the approved permission for application 63301 – a copy of which I enclose with this response.

The Authority would wish to be kept informed of any amendments to the proposed licensing application. Yours faithfully

Yours faithfully

Mr. R. Bagley
Case Officer

Strategic Development & Planning
North Devon Council | Lynton House | Commercial Road | Barnstaple | EX31 1DG
TEL: 01271 388288 | E: planning@northdevon.gov.uk | W: www.northdevon.gov.uk

ITEM 5 APPENDIX 5

North Devon Council
Strategic Development and Planning
Lynton House, Commercial Road, Barnstaple, EX31 1DG

M P Kelly PhD MRTPI MRICS MCMI FRGS
Chief Planning Officer

northdevon COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT

MR D HEATH
121A EAST STREET
SOUTH MOLTON
EX36 3BU

APPLICATION No: 63301

DATE REGISTERED: 30-JUN-17
DECISION DATE: 30-NOV-17

The North Devon District Council in pursuance of powers under the above mentioned Act hereby grant planning permission for

CHANGE OF USE FROM A1 TO A4 TO CREATE AN ALE & WINE BAR (ADDITIONAL INFORMATION) AT 121 EAST STREET SOUTH MOLTON

Subject to the following conditions:

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason:
The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) The change of use hereby permitted shall be carried out in accordance with the amended plan submitted as part of the application, number NDC002 Rev A received on 3rd November 2017 ('the approved plans') and which limits the A4 use to within the building only.

Reason:
The Local Planning Authority is satisfied on balance that the approved drawings propose works that limit the use to within the building and which exclude the outside yard area, the use of which for A4 purposes could result in an adverse impact on the amenities of neighbouring properties.

(3) No flues or other mechanical ventilation or extraction plant/equipment or refrigeration or similar units shall be installed on any external wall/location without prior consent of the Local Planning Authority.

North Devon Council
Strategic Development and Planning
Lynton House, Commercial Road, Barnstaple, EX31 1DG

M P Kelly PhD MRTPI MRICS MCMI FRGS
Chief Planning Officer

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Reason:
To protect the amenities of neighbouring residential properties from the effects of noise or odour associated with the A4 use of the premises.

(4) No public use or access to any private external area shall be given to customers or users of the facility hereby approved . For the avoidance of doubt the use of the rear yard for outside seating or to provide a customer smoking area or access to the external toilet would require the grant of planning permission.

Reason:
To protect the amenities of neighbouring residential properties from the effect of adverse odour and noise.

(5) No amplified music shall be played on the premises for the purpose of entertaining customers without the prior approval of the Local Planning Authority.

Reason:
To protect the amenity of occupiers of neighbouring properties from the potential effects of noise.

(6) The premises shall only be open to members of the public between the following times:

09.00 - 23.00hrs daily.

Reason:
To protect the amenity of occupiers of neighbouring properties from the potential effects of noise.

(7) Before the use hereby approved commences details of the location of where any commercial waste bins or bottle/waste recycling bins are to be stored and the design of any enclosures around such provision shall be submitted to and approved in writing by the Local Planning Authority and thereafter only this approved waste storage area shall be used.

Reason:
To protect the amenities of neighbouring properties from the effects of noise and odour.

(8) The residential flat above the premises shall be restricted to occupation by persons directly involved in the running or management of the permitted drinking establishment.

Reason:
To prevent a conflict of uses between premises as a result of the potential effects of noise.

ITEM 5

APPENDIX 5

North Devon Council
Strategic Development and Planning
Lynton House, Commercial Road, Barnstaple, EX31 1DG

M P Kelly PhD MRTPI MRICS MCMI FRGS
Chief Planning Officer

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NOTES TO APPLICANT

1. The submitted drawings have been numbered as set out in condition (2). Please refer to the planning application tracker on the District Council's website to view the drawings and their allocated numbers, http://planning.northdevon.gov.uk/search.asp

2. This Permission does not convey any consent for the display of advertisements or signage for which the separate consent of the Local Planning Authority may be required under the provision of the Town & Country Planning [Control of Advertisement] Regulations.

3. This permission does not convey any permission for external alterations to the premises comprising operational development which would require planning permission. The applicants are advised to contact the Local Planning Authority to ascertain if permission is required for development.

4. Advisory Note: Alcohol Premises Licensing
The applicant should be advised to contact North Devon Council's Licensing team in relation to Licensing Act requirements.

5. The above consent requires the submission of further details to be approved either before works commence or at identified phases of construction.

To discharge these requirements will mean further formal submissions to the Authority on the appropriate forms, which can be completed online via the planning Portal www.planningportal.gov.uk or downloaded from the Planning section of the North Devon Council website, www.northdevon.gov.uk.

A fee may be required [dependent on the type of application] for each separate submission [if several or all the details are submitted together only one fee will be payable].

Further details on this process are available on the Planning section of the Council's website or by contacting the Planning Unit at Lynton House, Commercial Road, Barnstaple.

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission. This has included consideration of the proposed use of the internal and external of the

North Devon Council
Strategic Development and Planning
Lynton House, Commercial Road, Barnstaple, EX31 1DG

M P Kelly PhD MRTPI MRICS MCMI FRGS
Chief Planning Officer

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premises and how the change of use may affect neighbouring residential uses, consideration of the principle of the change of use within the high street and consideration of the effect of the proposal on the integrity of historic assets: a grade II listed building and the South Molton Conservation Area. Appropriate conditions are included on the grant of permission.

The granting of Planning Approval does not relate to the need or otherwise for Building Regulation Approval and you are advised to contact the Councils Building Control Service to check whether this is a requirement (01884 234974 or by email mail@nmdbuildingcontrol.co.uk).

End of Decision.

Please remove any site notice relating to this application from your property as the decision has now been made.

ITEM 5

APPENDIX 6

South Molton,
EX36 4BH.

12.1.18.

Dear Sir/Madam

121a East Street, South Molton EX36 3BU.
Proposed Ale + Wine Bar Licensing.

This is an objection.

1. It is not suitable in a Residential Area.
2. The Licensing Hours requested are unsocial + unecessary.
3. There are already, plenty of Shops, Public Houses + Restaurants Selling Alcoholic Drinks, in South Molton.
4. The Licensing Hours requested will damage amenity of the immediate Resident users, especially Children.
5. There is no Parking outside.
6. Delivery would be on a major junction, on a main street, by a zebra crossing.
7. Drinking or Smoking outside will cause unsocial behaviour.
8. So, use of the back garden would be a complete infringement of Privacy.
9. No Music to disturb Neighbours.
10. No Hot Food, due to the Smell/Aroma which would annoy Neighbours.

ITEM 5

APPENDIX 6

Awaiting your reply.

Yours faithfully.

B. Flinn (Miss).

ITEM 5

APPENDIX 7

South Molton,
EX36 4BH.

12.1.18.

Dear Sir/Madam

121a East Street, South Molton EX36 3BU.
Proposed Ale + Wine Bar Licensing.

This is an objection.

1. It is not suitable in a Residential Area.
2. The Licensing Hours requested are unsocial + unnecessary.
3. There are already, plenty of Shops, Public Houses + Restaurants Selling Alcoholic Drinks, in South Molton.
4. The Licensing Hours requested will damage amenity of the immediate Resident users, especially Children.
5. There is no Parking outside.
6. Delivery would be on a major junction, on a main street, by a Zebra crossing.
7. Drinking or Smoking outside will cause unsocial behaviour.
8. So, use of the back garden would be a complete infringement of Privacy
9. No Music to disturb Neighbours,
10. No Hot Food, due to the Smell/Aroma which would annoy Neighbours.
11. Opening hours should be restricted, with the very latest being 22.00hrs on any day of the week

P.T.O.

ITEM 5

APPENDIX 7

Awaiting your reply.

Yours faithfully.

W Aldridge

ITEM 5

APPENDIX 8

The Licensing Team
North Devon Council
PO Box 379
Barnstaple
Devon
EX32 2GR
Tel: 01271 388415

From: Derry Hodgson [
Sent: 08 January 2018 11:44
To: Licensing
Subject: Licence Application Reference No 047341 - The Barley & Vine, 121 East St., South Molton EX36 3BU

Dear Sir/Madam

re: Licence Application No. 04731 - The Barley & Vine - 121 East St., South Molton EX36 3BU

I own No, 3 New Rd, South Molton - which abuts the above premises and which is tenanted by a young family with young children.

The owner of 121 East St., originally proposed using not only his house but also his garden -(with music) - as licensed premises. I, along with other neighbouring residents, sought to limit his proposal as we were fearful of noise, possible foul language and cigarette smoking affecting our domestic properties. The result was that planning permission was granted only for internal usage without any music amplification and for the hours 9-23 only on the grounds :- "to protect the amenity of occupiers of neighbouring properties from the potential effects of noise."

Clearly the original proposals would have been very impactful on neighbouring residents and the Health Officers took this view.

No.121 East St. is, in fact, a small property - not really suitable for a public house which, to all extents and purposes, it will be - despite any fancy names.

I do not understand why the proposed Licensing application now seeks to extend the hours granted in the Planning Permission - surely our concern about the effects of noise, smoking, possible foul language being curtailed, are, on the contrary, going to be increased by the provision of "late night refreshment indoors" and "a supply of alcohol On and Off the premises". Adults need to rise - often early - to go to work and children especially need to be able to sleep in peace. The premises' closure at 23.00 would probably entail some noise continuing as customers left - any later hours would be an increased and unnecessary disturbance.

I see no reason why the hours (already standing at 14 per day) granted by the Planning Officer should be extended. I am amazed that the owner should seek to **immediately** alter this concession - or indeed how many hours in the day is needed for alcohol consumption!

Yours faithfully

Derrica Hodgson

ITEM 5

APPENDIX 9

Shirley Loder

From: Pip Britton <
Sent: 03 January 2018 14:19
To: Licensing
Subject: Objection to premise licencing application - The Barley & Vine, 121 East Street, South Molton EX36 3BU

Dear Sir

We act for our client The Loyal Lodge of Industry No. 420 of Masonic Hall, New Road, South Molton. Our clients own the hall and Lodge (Masonic Club) which is next to the proposed ale & wine bar at 121 East Street, South Molton. The Lodge is used for sombre ceremonies.

My client wishes to make representation that they do not consider that this is a suitable venue for a wine bar. The basis for this opposition is that granting a license for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behavior. 121 East Street is situated right next to residential houses and to my client's Masonic Lodge. The application proposes that alcohol will be sold for consumption off the premises between 9:00 am and 11:00 pm daily, seven days a week. Granting a license would provide a further source of alcohol within an area already populated with licensed premises so that crime, disorder and public nuisance is bound to increase.

In addition planning permission was only granted for the internal areas. There is a lane running alongside my clients lodge and they are concerned that patrons of the bar will use the lane to filter out onto New Road to congregate and smoke so increasing noise and public nuisance levels in front of their Lodge.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully

TAYLORS SOLICITORS
Incorporating : Flanagans Solicitors and D.R. Sceats

4 The Square, Braunton, Devon EX33 2JD
DX: 50456 Braunton

Tel 01271 812811
Fax 01271 812818
www.taylors-law.co.uk

APPENDIX 9

ITEM 5

APPENDIX 10

Shirley Loder

From: Michael Reed
Sent: 03 January 2018 15:28
To: Licensing
Subject: Licence Application Reference No 047341 - The Barley and Vine, 121 East Street, South Molton EX36 3BU

Dear Sir/Madam,

Re: Licence Application No 047341 - The Barley and Vine, 121 East Street, South Molton, North Devon EX36 3BU.

As the owners of one of the adjoining properties, we wish to object to the proposed license being applied for at the above premises.

Firstly the recent planning approval decision (Ref: 63301) clearly states that "The premises shall only be open to members of the public between the following times: 09.00 - 23.00hrs daily."
The reason, "To protect the amenity of occupiers of neighbouring properties from the potential effects of noise."

It is clear from the Planning Officers report that at a meeting held on the premises, which was attended by the applicant, the environmental health team and the licensing authority team, that the proposed development would have an impact on the adjoining residential and other properties.

To lesson the noise impact, permission was granted for the use of the internal areas of the premises only. The times granted were decided by the planning authority on the Environmental Health officers recommendation without any consultation on this aspect with the occupiers of the adjoining properties.

We predict that there will be a noise impact on the adjoining properties, all be it reduced, and for this reason we consider that any opening hours if a license is granted, should be restricted, with the very latest opening time of 22.00hrs on any day of the year - New Year Included.

This will then reduce, although it will not eliminate, noise, bad language etc being heard by the occupiers and particularly the children trying to sleep in the adjacent residential properties, especially No 2 and No 3 New Road.

These opening hours should apply to the premises in all respects, including the provision of "late night refreshment (indoors}" and "Supply of alcohol for consumption ON and OFF the premises"

Secondly, also in connection with noise, there are existing rear windows and doors from the rear of the proposed premises which lead onto the courtyard area directly adjoining No2 and No3 New Road as well as the Masonic Lodge.

If these are open at all during the premises opening hours there is inevitably going to be noise directly affecting these properties and their occupants, especially young children.
Therefore unless these window openings are sealed up and any doors are effectively locked so that there can be no noise or possible access by the general public using the premises to the rear courtyard areas, no licence should be granted.

In conclusion we consider that the premises, as applied for, is not suitable for use as a licenced premises, primarily due to its close proximity to a residential area, and the impact it will have particularly on children living there.

Yours Faithfully

Mr Mrs M H Reed