

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of **LICENSING SUB COMMITTEE D** held on Friday 16 May 2014 at 10.00am in the Mayoralty Room, Tiverton Town Hall

### **Present**

**Councillors:** Mrs F J Colthorpe (substituting for Councillor M R Lee), A V G Griffiths and P F Williams

### **Also Present**

**Officers:** G Pratt (Legal Advisor), T Keating (Licensing Officer) and S J Lees (Member Services Officer)

### **Declarations of Interest**

**Councillors:**

Member	Minute No	Type of Interest
Mrs F J Colthorpe	3	Personal

## 1 **CHAIRMAN – ELECTION**

**RESOLVED** that Cllr P F Williams be elected Chairman of the Sub Committee for the meeting.

Cllr Williams then took the Chair.

## 2 **PREMISES LICENCE FOR A ONE DAY EVENT IN SHOBROOKE PARK**

Since the publication of the agenda for this meeting an objection to this licence application had been withdrawn. There was therefore no longer a need for the Committee to determine this application.

## 3 **PREMISES LICENCE FOR HANLON’S BREWERY, HALF MOON VILLAGE**

Consideration was given to a report \* of the Head of Environmental Services in response to an application which had been received for a premises licence for Hanlon’s Brewery, Hill Farm, Half Moon Village, to which relevant representations had been received. Accordingly Mid Devon District Council as the licensing authority had been obliged to hold a hearing to determine the application.

The Members and Officers introduced themselves.

The Licensing Sub Committee decided that the meeting should be heard in public session.

The Licensing Officer outlined the contents of the report.

Mrs Sam Taylor speaking on behalf the applicant (her husband), informed the Committee that comments made in a communication recently received from the objectors should be disregarded as they were not relevant to the Licensing Objectives. The applicant's had been particularly concerned regarding comments made concerning Brewery guests behaviour affecting children living locally. She stated that Hanlon's Brewery would be selling a high quality product and binge drinking would be strongly discouraged. She also made reference to the fact that there were two public houses within half a mile from the Brewery. Visitors to the Brewery would more than likely be brought by taxi or have designated drivers. The applicant's had conducted a noise test the previous day at 4.30pm which had shown levels within acceptable limits. She further informed the Committee that it was the intention to use the Brewery as a function facility for no more than once or twice a month and certainly not every day.

She confirmed that the premises would predominately sell real ale but would also provide soft drinks and wine. A full range of alcohol as provided for in a standard public house would not be offered. Off sales of beer in party kegs and packs of twelve bottles would be conducted during day time hours only.

The Licensing Officer informed the Committee that a Temporary Event Notice (TEN) could be applied for at any time. The Police and Environmental Health also receive TENs and may make representations but no notice would need to be given to local residents. Mrs Taylor confirmed that if the Brewery did apply for a TEN they would make every effort to contact local residents individually. The Chairman confirmed that the Council strongly encouraged interested parties to talk to each other with regard to any licence application.

Ms Christina Squier, an interested party, stated that the chief concern related to the level of potential noise coming from the premises. She felt that living in a valley the noise travelled very well and even noisy activity occurring some distance away seemed as though it was much nearer than it was.

Mr Shaun Gaskell, also an interested party, stated that he lived in the property closest to the Brewery and that whilst he did not have any objection to the licence in general terms he had concerns that the time restrictions and other conditions within the licence would not be adhered to. The Chairman informed those present that should this be the case complaints could be made to the licensing authority. If a complaint regarding noise was received Environmental Health could install a noise monitor and the licence could be brought back for a review and specific conditions could be imposed. Mr Gaskell suggested to his colleagues that they have a meeting with the applicants to try to resolve some of their concerns.

Discussion followed with regard to:

- The fact that there would be two separate toilets and three urinals located near the exit of the premises;
- There was a designated smoking area to the rear of the property out of sight from other residences;
- The type of music that would be played during a function was described as being 'party music' but that the room that this would take place in did not have any windows. All other doors and windows were double glazed and the building was insulated;
- All tours of the Brewery would need to be booked in advance.

**RESOLVED** that the licence application be granted as applied for subject to the following conditions:

- a) Doors and windows will be closed when any amplified recorded music is played with the exception of entrance and exit pathways to the premises;
- b) When amplified recorded music is played an employee from Hanlon's Brewery will walk around the outside of the premises to check the level of the music and if it was deemed to be too loud would turn the music down.

**REASONS:** It was felt that the conditions offered up by the applicant in their application following advice from Environmental Health were considered to be satisfactory and in accordance with the Licensing objectives.

(Proposed by the Chairman)

Notes: (i) Report previously circulated; copy attached to signed Minutes;

(ii) Cllr Mrs F J Colthorpe declared a personal interest in that she was a County Councillor and the County Council were in the process of recruiting foster carers.

(The meeting ended at 11.15am)

**CHAIRMAN**