

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **LICENSING SUB-COMMITTEE C** held on 21 September 2020 at 10.30 am

Present Councillors

D R Coren and D J Knowles

Also Present Officer(s):

Maria De Leiburne (Legal Services Team Leader), Thomas Keating (Specialist Lead (Licensing) Officer), Deborah Sharpley (Solicitor), Sarah Lees (Member Services Officer) and Carole Oliphant (Member Services Officer)

7 APOLOGIES AND SUBSTITUTE MEMBERS

There were no apologies.

8 ELECTION OF CHAIRMAN

Cllr D J Knowles was duly elected Chairman of the Sub Committee.

9 DETERMINATION OF A NEW PREMISES LICENCE FOR RULL ORCHARD, NORTHDOWN ROAD, BICKLEIGH, DEVON, EX5 5LN

Consideration was given to a report * of the Lead Licensing Officer relating to an application that had been received by Rull Orchard, Northdown Road, Bickleigh, Devon, EX5 5LN. This was a requirement of the Council as the Licensing Authority.

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

There were no interests to declare.

The Lead Licensing Officer stated that the reason for the hearing was that a new premise license application had received representations objecting to the application and the Council, as the Licensing Authority, was obliged to hold a hearing to determine the application.

The objections received had alluded to issues with public safety and the prevention of public nuisance.

He explained that the applicants had provided information and proposals on this, and in summary, the steps they intended to take were as follows:

- No self-service of alcohol on the premises
- Regular collection of glasses / bottles
- The adoption and operation of a 'Challenge 25' Policy
- Safeguards in relation to the ordering and subsequent delivery of alcohol for consumption off the premises.

The applicant, Mr Shorland, stated he was the owner and founder of the business which had been developed through his hobby of cider making. In addition to cider his business also made juices and products from bee keeping. The reason for applying for a licence was to enable him to sell his produce direct to the public. He intended to set up cider making workshops where people could visit the site and partake in practical tuition followed by tasting sessions. He explained that places on the workshops would need to be pre booked and that the business would not be accepting ad hoc visitors. He explained that the cider making events were educational and any alcohol consumption would be tightly controlled. He stated that any event would finish by 8.00pm and he was expecting to put on 1 or 2 events a month during the summer months and fewer events during the winter.

In response to questions asked he confirmed that places on the courses would be a maximum of four car loads of people at one time, approximately 12 people and that no music was going to be played. In response to noise concerns he stated that the only noise from the site would be conversational which would be over by 8.30pm during the summer months.

Mr Pocock, representing the voices of all the objectors, stated that they had no objection to an off licence or cider tastings on the site. The main concerns were with noise and that they did not have objections to small events but were concerned that the facility could be open until 8.00pm and be open to people just turning up. The objectors were concerned with possible drink drivers coming from the site and requested that the opening times were limited to 5.00pm.

The Sub Committee then withdrew to make its deliberations.

On returning back to open session the Chairman announced:

The Sub Committee had taken into account the report of the Licensing Officer, the applicant and the relevant representations together with the presentations today.

In particular, the Sub Committee noted the following:

- The Responsible bodies had made no representations e.g. Police and Environmental Health
 - Concerns about security of the premises, possible noise nuisance and drink driving
 - There will be an assigned Designated Premises Supervisor
 - The hours of the application applied for
 - Concerns about parking
 - The need for, and benefit of, signage asking members to respect the locality;
- and
- The apparent breakdown in communications and trust with some local residents and the need for dialogue.

The licensing objectives and MDDC Statement of Licensing policy Licensing Act 2003 were considered by the Sub Committee – and the issues raised by the objectors have been addressed within the responses from the applicant and through standard conditions and the additional condition below.

In connection with the objectors proposed reduction of opening timings and the suggestion in the hearing of being open on reduced days– this would concentrate the traffic into a smaller period.

It was therefore **RESOLVED** that the licence be granted as applied for, subject to the standard conditions and the following additional condition:

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

Recommendation - Visitors to Rull Orchard must pre book to gain admission to the premises

(Proposed by the Chairman)

Note: *Report previously circulated and attached to the minutes.

(The meeting ended at 12.15 pm)

CHAIRMAN