

## **MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **LICENSING SUB-COMMITTEE E** held on 26 April 2016

### **Present**

**Councillors** T G Hughes, Mrs B M Hull and L D Taylor

### **Apology**

**Councillor** Mrs F J Colthorpe

### **Also Present**

**Councillor** D J Knowles

### **Present**

**Officers** Simon Johnson (Legal Services Manager), Thomas Keating (Lead Licensing Officer) and Sarah Lees (Member Services Officer)

## **1 APOLOGIES AND SUBSTITUTE MEMBERS**

Councillor Mrs F J Colthorpe had sent her apologies for the meeting and was substituted by Cllr Mrs B M Hull.

## **2 CHAIRMAN - ELECTION**

**RESOLVED** that Cllr T G Hughes be elected Chairman of the Sub Committee for the meeting.

Cllr T G Hughes then took the Chair.

## **3 DETERMINATION OF A PREMISES LICENCE APPLICATION FOR MOORHAYES COMMUNITY CENTRE**

Consideration was given to a report \* of the Head of Human Resources and Development relating to an application that had been received for a new premises licence for Moorhayes Community Centre, Tiverton.

The Members and officers introduced themselves, as did the applicant and representatives from the Moorhayes Community Centre Management Committee.

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

There were no interests to declare.

The Lead Licensing Officer outlined the contents of the report making reference to the following:

- A licence for the premises had been in existence since 2007, the new application related to a new bar and restaurant area, provision to hold up to six

outside events per year and slightly longer opening hours on particular days of the week and New Year's Eve.

- A summary of the licensable activities applied for.
- Comments made by the Police and Environmental Health as two of the Responsible Authorities. The Police had agreed additional conditions with the applicant in relation to risk assessing the requirement for SIA door supervisors, notifying the Police and Licensing Authority of outside events in advance and CCTV on site. Environmental Health had no objections regarding noise and nuisances.
- Four representations had been received. The applicant had discussed the concerns raised with 3 of the objectors and as a result of agreeing to remove the sale of alcohol for consumption off the premises from the application, one of those representations had been withdrawn.

Following this the applicant was invited to present the application. He stated that the Management Committee had gradually been extending the property over the past four or five years. The centre was financially viable, membership numbers were increasing and there was a strong emphasis on attracting families. It was a well-established social centre with a busy schedule of events including birthday parties, christenings and sports related activities. The centre had raised its own funds to make improvements to the structure of the building. The building was well insulated and there were plans to look at installing air conditioning. The applicant confirmed that doors were kept closed after 10pm. There were also plans to plant a beech hedge to screen off neighbouring properties.

The applicant further explained that much of the litter surrounding the area came from the nearby Tesco's store and they could not be held responsible for the rubbish which was dropped in the public areas. When questioned about the realistic number of outdoor events planned the applicant confirmed that it would be no more than one or two per year, one being a beer festival. Relationships with adjacent properties had been very good over the years and there had only ever been one complaint regarding noise. It was confirmed that there were regular arrangements for door staff and stewardship during events.

The Lead Licensing Officer summarised the representations from the objectors.

Mr Malcolm Phillips, Vice Chairman of Moorhayes Community Centre, addressed the Sub Committee and informed them that the centre was initially built as a sports hall and play area for children therefore potential noise would have been a factor prior to there ever being a bar.

Councillor D J Knowles spoke as a director of the centre. He had previously lived in Mercers Close which was very near to the centre and had never noticed noise as an issue. He explained that any contract entered into by a hirer of the premises clearly stated that doors must be kept shut after 10pm. He reiterated the fact that the centre positively encouraged families to use the facilities.

Members of the Sub Committee withdrew to consider their decision.

**RESOLVED** that the application be granted as applied for.

Reasons:

The club was well established and events had been conducted in a lawful manner in the past. The management had assured the committee that they would do everything in their power to control nuisance from noise and would take full account of any complaints made. They also assured the Sub Committee that they would maintain an adequate level of stewardship of events taking place on the premises.

Similarly, the management had assured the Sub Committee that they would comply with the conditions set out on pages 35 and 36 of the application in addition to the conditions listed at paragraphs 4.3 and 4.4 on page 6 of the officer's report.

The Sub Committee was satisfied that the concerns raised within the relevant representations would be addressed by the conditions imposed on the licence.

They had also paid due regard to the current licensing policy and guidance referred to in the officer's report and the decision the Sub Committee had made is in line with that policy and guidance.

Finally the Sub Committee's decision was based on local knowledge and the conditions prevailing in the area.

(Proposed by the Chairman)

(The meeting ended at 11.05 am)

**CHAIRMAN**