

LICENSING AND REGULATORY SUB-COMMITTEE

FRIDAY, 3 OCTOBER 2025

Present:

Councillors Foden, Hayes and Rollason

Officers in Attendance:

Legal Officer

Licensing Officer

219. APOLOGIES

None.

220. DECLARATIONS OF INTEREST (IF ANY)

None.

221. APPLICATION FOR A NEW PREMISES LICENCE – THE GLOBE, FORE STREET, CHUDLEIGH TQ13 0HT

The Sub-Committee gave consideration to a report presented by the Licensing Officer (previously circulated) in which determination was sought in respect of an application for a new Premises Licence for The Globe, Chudleigh.

The Applicant attended the meeting and was permitted to speak and also answered questions put to them by the Sub-Committee.

An Objector who had submitted a representation also attended the meeting and was permitted to address the Sub-Committee.

Arising from consideration of the report, evidence presented and in accordance with the relevant provisions of the Licensing Act 2003 Statutory Guidance, and the Council's Licensing Policy, it was moved by Councillor Hayes and seconded by Councillor Rollason, and

RESOLVED that the new Premises Licence in respect of The Globe, Chudleigh be granted as set out in the report with the following additional conditions:

- The beer garden to be closed by 10pm each day.
- A lockable gate to be added to the beer garden to enhance security and public safety when it is closed.
- After 9.30pm no drinks to be sold outside in the beer garden.
- Only reuseable plastic drinking containers to be used when outside in the beer garden.

Reasons for the decision:

The Sub-Committee heard from the Licensing Officer who confirmed that a licence is currently held for the premises and all activities are licensed inside other than live music. The performance of live music is now to be included inside the premises under the same operating hours as is currently licensed. The Applicant also would like the beer garden to be licensed additionally for the supply of alcohol. The Licensing Officer explained that there had been eight objections received on the grounds of public nuisance. There had been no objections from the responsible authorities. There were also three representations in support of the application.

The Applicant explained that the bar is intended to only operate during busy periods and likely only on a Thursday, Friday and Saturday. It is currently just used on an ad hoc basis and 3 events have been held under a TEN which were busy and well received by the general public. The Applicant also clarified that the beer garden is not intended to stay open until 1am and actually will be closed from 10pm and hopefully this alleviates some of the concerns of the Objectors. The 1am finish time is purely for activities within the premises building and on special occasions such as New Year.

The Applicant further explained that licensing the beer garden will actually give local residents more control than they have when events are undertaken using a TEN. Conditions have also been added as set out in the report to show good faith such as no drinks outside after 10pm and noise levels to be monitored after 8pm. The Sub-Committee noted this during their decision making and felt that stopping the sale of drinks earlier would further help to alleviate the risk of public nuisance.

The Applicant continued and said that allowing drinks to be sold in the beer garden should actually limit footfall between the currently licensed premises and the beer garden. If the beer garden is closed, then drinks would still need to be carried down the private lane, but it is felt there will still be a significant decrease in people going past residential buildings.

The Applicant has listened to Objectors' comments and smoking is now only allowed at the front of the premises. A fence has also been put up to avoid neighbours being overlooked by customers. Again, it is felt that licensing the beer garden will actually bring a deregulated area under regulation and control. Noise levels will also be monitored by relevant planning constraints, and they are unable to cause a statutory nuisance. Environmental Health have raised no concerns.

Members queried how music levels would be monitored and the Applicant confirmed that whilst they would not necessarily have specialist equipment, they wanted to include conditions that could be enforced straight away, for example by the police, if a complaint was made. The Applicant confirmed that the incentive to keep the premises clean and tidy is that the beer garden is to be a welcoming area for customers and local residents. The DPS lives next door and so will be able to monitor the premises and manage noise levels after 8pm dealing with any issues that may occur.

In response to further questioning over the safety of the beer garden the Applicant confirmed that CCTV currently covers the alleyway and car park, and you can see some of the beer garden. If the licence is granted, then the bar would be manned when open and additional CCTV installed to cover the area fully. The beer garden isn't locked at present when it is empty, but the Applicant is open to installing a gate to provide extra security along with relevant signage reminding customers to keep noise levels down.

Glasses will also be reusable plastic although it was noted that the application currently states reusable plastic glasses only if the bar is not manned. The Sub-Committee noted this point in their decision making and felt that conditioning the use of only reusable plastic glasses when outside in the beer garden would again enhance the safety of the area.

The Objector was then permitted to address the Sub-Committee and confirmed that his concerns were not with the pub itself and how that is run but the beer garden and the impact this will have on surrounding neighbours if it is licensed and open more frequently. The noise levels are detrimental to surrounding residents. Due to the bank holiday event, which was held under a TEN, sleep was impossible due to the noise and disruption. Whilst the beer garden in theory is a good idea, the location is not suitable and is too far from the pub. Residents have to keep windows shut even on warm days, cannot sit outside and simply cannot escape the noise. It was noted that speakers were pointing at neighbouring houses which made the noise levels worse. The hours of opening are not the issue but the noise levels and impact of these on health and wellbeing.

In response to questions from members the Objector confirmed that he had not experienced any anti-social behaviour personally, but it is the noise levels which are causing an impact. The Objector also confirmed that there was a consultation event with the pub, but this was during the day when many people were working and so were unable to attend. It also mainly focussed on explaining the hours of opening when really the Objectors wanted to clarify that it was the noise levels that they have concerns about. A complaint hasn't been put in to the relevant authorities as yet as it was hoped this meeting could be used as a starting point for dealing with the issues.

The Sub-Committee having considered the application submitted and having heard from those present and being mindful of Statutory Code of Guidance and Licensing policy, felt that on balance it could not refuse this application.

The Sub-Committee were empathetic to the Objector's concerns about noise levels and accepted that the previous events held under a TEN may have caused some disruption. However, the Sub-Committee did not feel that based on this alone there were sufficient grounds to refuse this new application outright. The Sub-Committee appreciated that the Applicant seemed earnest and that they wanted to work with neighbours and had offered up conditions to help mitigate problems such as by closing the beer garden by 10pm and by stopping smoking in the backyard.

The Sub-Committee did not feel it was reasonable to assume problems would occur before the venue had been given a chance to trade from the beer garden fully and noted that off sales had been happening and so the beer garden was already being used but no complaints had been submitted. However, the Sub-Committee did feel it would be reasonable to add additional conditions to help mitigate against any public nuisance fears. The Sub-Committee also considered that if there were issues with the venue following permission being granted then there were appropriate channels for complainants to report these concerns and the licence could be reviewed.

Taking all matters into consideration the Sub-Committee were satisfied that the Applicant was suitably experienced and would be able to promote and uphold the four Licensing Objectives and deemed it appropriate to grant the new premises licence as set out in the report with the additional conditions as set out above.

Cllr R Hayes
Chair