

From: [REDACTED]
Sent: Thursday, August 15, 2024 10:02 AM
To: Ext Mail: Licensing <licensing@Teignbridge.gov.uk>
Subject: 24/01072/LPRNEW

Application is for a premises licence for Baskervilles Ice Cream Parlour and Coffee Shop, 2 - 4 Ford Street, Moretonhampstead, TQ13 8LN
Application number 24/01072/LPRNEW

Dear Teignbridge licensing officers,

I am writing to express concern about the abovementioned application in Moretonhampstead. This site is not suitable for the sale of alcohol.

1. With regard to public safety, the location is on a busy corner and is not a properly enclosed space but the site of a now-demolished old building which is being used as an ice cream shop and café. There is only an unsupervised small gate and a low wall between the premises and the A382. This road is used by vehicles of all sizes, including large logging lorries and heavy trucks regularly going to and from the nearby Thompsons yard. The corner is also hampered by poor visibility. Distractions presented by even moderately tipsy people leaving the site are likely to cause a danger to drivers as well as the consumers themselves.
2. There is also a danger of harm to those children and dependents whose guardians have been drinking. There is never any staff presence on the small gate, which simply pushes open, and the chances of children wandering out on to the A-road unattended and unnoticed by a parent is real. I might add that Baskervilles advertises itself as an 'ice cream parlour' – it is bound to attract families with children. Sale of alcohol alongside ice creams is inappropriate in this busy roadside setting.
3. Both of the above points are particularly pertinent given that the application includes hours after dark – until 10:30 pm six days per week.
4. With regard to public nuisance, the hours proposed are more than the local pubs are open. There are three pubs in Moreton and two of them (the Union and the Horse) regularly close early, before 9pm. There is every likelihood that if this establishment is allowed to serve alcohol late, it will attract the late-evening drinkers. But whereas in a pub their high spirits and noise are contained within solid walls, here there will be no protection from any rowdiness.
5. The application states the sale of alcohol is with the provision of food. I was under the impression that this establishment was not allowed to provide hot meals. Therefore, unless this has changed, we are talking about Baskervilles serving alcohol with light snacks. This will not have the same effect as serving with food. If this rule against serving food has been lifted, it does seem to me to be a whittling away of safeguards by degree. This whittling away will only be furthered by the granting of a premises licence.
6. Finally, I would like to make a point about the likely cultural impact on the town. When I came to Moreton twenty-five years ago, we had five flourishing pubs. First the Plymouth Inn closed. Then the Bell Inn did. The White Hart has had long periods of closure too, extending to years of being shut. The Bell and the three surviving pubs are all historic establishments – and they are the appropriate places for

drinking alcohol. Putting my professional hat on, the Union became a pub in 1686, the Horse is first recorded in 1726 and the White Hart was established in 1775. The Bell was first recorded in 1741. When pubs are under such financial pressure, they need to be supported.

Good town planning requires the right services provided in the right locations. An open-air, late-evening drinking café is precisely what Moretonhampstead does not need. In addition, it would be irresponsible to grant a licence that creates an unnecessary risk to drivers and visitors alike, and which will also have a detrimental impact on the neighbourhood.

Yours sincerely

Ian Mortimer, BA MA PhD DLitt FSA FRHistS

[REDACTED]

**The Licensing Section
Teignbridge District Council
Forde House
Brunel Road
Newton Abbot
Devon TQ12 4XX**

19th August 2024

**The Baskervilles Ice Cream Parlour and Coffee House at 2-4 Ford Street
Moretonhampstead**

To whom it may concern:

I am aware that the owner(s) of the above premises is/are again applying for a Premises Licence.

The previous application in October 2020 was turned down, and also dismissed at appeal.

I would urge the Licensing Authority to revisit the reasons for the refusal of the Licence, as the factors leading to those decisions are still valid.

The premises are surrounded by houses, and as the seating is mostly outside, it is inevitable that unacceptable levels of noise and disturbance would be created late into the evening.

I wish to remain anonymous, as there is a real risk of repercussions.

Hugh Arnold BSc(Hons) MCIOB

Moretonhampstead
Newton Abbot
TQ13 8LN
23/8/24

The Licensing Section
Teignbidge District Council
Forde House
Brunel Rd
Newton Abbot.
TQ12 4XX

**Re: License application by Baskerville Estate Ltd for Premises license at 2-4 Ford St,
Moretonhampstead ref 24/01072/LPRNEW**

Dear Sir/Madam,

I am writing to you in connection with the above application. I am resident adjacent to the application premises, my address is above. I wish to register my objection, in the strongest possible terms, to the grant of a Premises License in this case. I will set out my objections below.

They are, in summary:

1. The impact which the Public Nuisance caused by the granting of a license would have on our amenity and well-being.
2. Public Safety: insurance, fire safety and lack of Building Control approval.

I will now explain the concerns.

1. Impact from Public Nuisance noise on amenity and well-being of our household and other neighbours; The cafe has been established for a few years now so we know the level of noise it commonly produces. This is considerable during the day, and while it is an irritation and an annoyance, it is set against the background road noise from the lorries, coaches, cars and other vehicles that pass regularly during the day on the adjacent road, so that the noise from the cafe is, in relative terms, reduced by the background- it does not stand out as much, although at the rear of our property, where the cafe's additional seating and toilets extend well into a wholly residential area, it is often not reduced in that way. In the evening the road is much quieter and in particular there are no lorries or coaches. It is in these periods, when the town is much quieter, that the noise from the cafe will have a much higher impact on the local residents, especially in the summer months when the warm weather means my family and all other local residents are obliged to open windows to keep their houses cool. The open nature of the cafe site, which has a very small indoor space and a large outdoor seating area means that noise is not contained within the premises, but echoes out, and reverberates around The Square such that it is louder at first and second floor windows than at ground level. If the licence is granted then the opening hours will change from the current 0930-1630(approx) current level, to closing at 2300.

To extend the period over which we are obliged to put up with the noise from the cafe would therefore affect our amenity, well-being and quality of life severely.

This point also applies to our numerous neighbours. We believe there would be no evening activity at the cafe if an alcohol licence was **not** granted. The open-air seating section of the cafe is about a metre away from my 14-yr old son's window; if noise went on there until at least 2300 his sleep would be disturbed with all of the negative impacts this brings. It is worth saying that the cafe staff would still continue to work after the closing time of 2300, cleaning, tidying away cups, plates and glasses (this is particularly noisy in a stone

courtyard) and preparing for the following day- this would continue the noise nuisance(as the operations are mostly outdoors) after 2300.

Another concern in terms of impact on our lives is the coming and going of customers from the premises at late hours of the night. There are sometimes groups of people going to or from the premises who stand in the street outside the premises having loud conversations, which during the day is fine. However, were this to happen late at night(when, as I've stated, it is much quieter) it would disturb all the residents nearby. I must make the point that the cafe site has a direct boundary with six separate dwellings, and there are another five with a direct line of sight to the site over which noise travels unabated. Further to that there are more houses on the other sides of the adjacent dwellings; although the cafe site is in the 'centre' of town, it is still surrounded by numerous residential dwellings; the impact on the lives of the people living in those dwellings should be taken into account.

It is also clear that people who have consumed alcohol (even with the service of food alongside) tend to be less inhibited and therefore talk louder. The mitigation proposed by the cafe is that they train their staff to be 'aware and assess the risk of nuisance'. It is unclear how this would be used to bring about the reduction of harm from nuisance- no amount of training will bring them to abate the very activity upon which their job depends. It is noteworthy that the applicants do not mention any specific means of mitigating noise- it implies that they do not recognise the impact their business has on the surrounding neighbours who have to put up with it, and this on its own should inform the reader that the likely level of care in this area will be low.

It may be that the applicants intend to argue to the sub-committee that they have used Temporary Event Notices recently to cover evening activities, and that there have not been any noise complaints as a result of those temporary events, thereby showing the soundness of their cause; in reply, as it were, I would say that it would be churlish and somewhat futile, for me or any other to make a noise complaint during a Food Festival or the local Carnival- the whole street is thronged with people and noise is inevitable and the exact source impossible to distinguish. These kind of one-off infrequent events are not a matter of concern- they are a welcome part of the life of the town; what is far more serious in my view is that there could be *noise until 2300 on a daily basis, 6 days a week*, creating an unacceptable level of intrusion and disruption in our lives.

I also note that the planning permission under which the business operates does not allow business to continue after 2100 outdoors and 2200 indoors. This should also be taken into account given that the applicants have applied for opening until 2300. I trust those assessing the licence will see this in a poor light- if it is an accident, it shows incompetence in a very important area; if not, it suggests an intent to circumvent the protections put in place by the planning permission for the neighbouring residents.

2. Public Safety. Lack of Building Control approval; The Devon Building Control Partnership website states that the application for approved plans (for the extensive demolition and rebuilding work done to the building, 2016 to 2020), under the Building Regulations, has been rejected, so there is no way of knowing if the building is safe to use or fire-safe for persons entering. The Health and Safety Policy and Risk Assessments mentioned in the application have not been provided along with the application, although reference to them forms an integral part of the application itself. How are we, the public, supposed to know whether this has actually been done or not? Specifically if the risks due to lack of Building Control approval have been assessed and mitigated for. In turn, the question arises, if Building Control plan approval was not awarded, how can the establishment show that they have valid insurance in place? Only by reading the small print on an insurance policy can this be determined; it is a matter of significant concern as part of the buildings on my property connect to their cafe building- a fire in the cafe would also be catastrophic for my property. Furthermore it brings into question the validity of any Public Liability Insurance which they possess- clearly a Public Safety issue.

Conclusion

To conclude, I would like to say that the best outcome for my household and all of our neighbours would be that the Council refuses to grant the Premises License applied for. If the above

objections which I have laid-out are not seen to be sufficient to warrant refusal, then we would suggest that a simple compromise would be to restrict the hours of sale of alcohol on or off the premises to end at 1700 hours every day. This would deal with many of the above concerns, though not with the Public Safety problem.

Yours Faithfully
Hugh Arnold
BSc(Hons) MCIOB

[REDACTED]
Moretonhampstead

TQ13 8LT

Licensing

Teignbridge DC

By email only

29th August 2024

To whom it may concern,

Re: application number: 24/01072/LPRNEW

**Premises Licence for Baskervilles Ice Cream Parlour and Coffee Shop, 2-4 Ford Street,
Moretonhampstead, TQ13 8LN.**

We are writing to oppose the above application. Our main points to bring to your attention are; public safety, the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm.

We objected to the original application in the autumn of 2020 and were heartened by the refusal decision of the Sub-Committee at that time; some of their reasons are still valid today and are included in our objections.

Public Safety

We as residents are continuing to experience increased risk to safety when navigating our way past the site via car, foot and bicycle. Disabled access is poor and often obstructed. The site is located on a busy A382 cross road. We are concerned that the introduction of alcohol and potential increased footfall to the site could increase the already existing risk to our and others safety.

Cyclists - Moretonhampstead is a popular cyclist destination and is a part of the Land's End to John O'Groats route. Throughout the year, Baskervilles Ice Cream Parlour and Coffee Shop is popular with cyclists parking up their bikes whilst they get refreshments and obstruct the pavement. Although they have made some attempt to make onsite parking available for bicycles, it is not sufficient.

Deliveries – There are no loading bays close by to the site and staff and delivery vehicles are often parked on the double yellow lines obstructing the pavement and main road, forcing pedestrians on to the unsafe road.

Bus Stop – The proposed site is approximately 5 meters from the 178, 359 and South Dartmoor Community College bus stop, buses stop here several times a day. This causes another obstruction and makes it difficult to safely navigate the cross roads.

Traffic – The A382 is a busy road with regular articulated lorries passing through from the Thompsons site 0.3 miles away, large agricultural vehicles and trailers as well large tour buses visiting Dartmoor in the summer and other times throughout the year.

Prevention of Public Nuisance

The nature of the site would enable outside alcohol consumption in an extremely central and over looked location with no sound proofing or protection. The site is not enclosed properly and is over looked by many residential properties and we as local residents are concerned about being able to prevent public nuisance, there no longer being a regular, if at all, Police presence in the town.

During existing opening hours there is a notable level of noise to be heard from the Applicants' venue when we are in our own property. This includes people talking, which escalates with an increase in numbers; the clattering of pots and pans. The high stone wall surrounding the property does not deflect or absorb the noise.

Residential properties – There are approximately 10 residential properties that overlook the site that could be negatively affected by noise and antisocial behaviour as a result of drinking alcohol until 23:00 hours.

Protection of Children from Harm

Road safety - as stated and explained above, there is a high risk associated with crossing the road due to a multitude of obstacles is made extremely hard and dangerous with young children either on foot or in a pushchair.

School Bus Stop – As stated above, the site is situated 5 metres from the school bus stop. Children that come off the school bus in the afternoons are subject to potential risk as they will have to pass by the site with no barriers or protection from inebriated punters.

Residential Properties – As stated above, the site is over looked by residential properties. The proposed increase in opening times together with the proposed late hour in which alcohol may be sold, could adversely affect the ability for local children to get to sleep causing harm due to excessive noise. And as seen with previous applications (notably Planning) by the Applicants, no doubt additional noise will be made by the provision (authorised or not) by on site music.

The Prevention of Crime and Disorder

We are concerned about the potential increase of crime and disorder that has previously been noted and experienced by us and some other local residents.

As detailed before in previous objection letters, we would describe the owners of The Baskerville Ice Cream Parlour and Coffee Shop as bullies and people who push the boundaries. We have witnessed threatening and abusive behaviour, trespass and damage to private property and to ourselves. The

Police have previously been called and attended to such damage to property to another local resident near our home.

There are many examples where the owners of the Baskervilles Ice Cream Parlour and Coffee Shop have ignored or bent the rules to suit themselves; it is apparent that the owners have total disregard for the law.

We are deeply concerned about the suitability of the Applicants and their questionable characters to hold a premises licence. If they are prepared to bend and shape the rules to suit themselves, we question the responsibility given to either of them as licence holders.

As always, the people who make these decisions do not have to live with the consequences. As in 2020, we trust that the Sub-Committee will decide what is in the best interests of the existing residents rather than the Applicants.

Yours faithfully

Steve and Louise Adams

 Moretonhampstead

[REDACTED]

From: Frank V Arnold [REDACTED]
Sent: 31 August 2024 11:27
To: Ext Mail: Licensing
Subject: Application Number 24/01072/LPRNEW

Categories: [REDACTED]

To whom it may concern

I am writing to object to the above application which concerns Baskerville Ice Cream Parlour and Coffee Shop, 2-4 Ford Street, Moretonhampstead, TQ13 8LN and the proposed sale of alcohol on it's premises. As the owner of 1. Eagle Place, Moretonhampstead and also in the interests of the tenant and family therein I have to object to this application in respect of the negative impact on public wellbeing that will ensue. Community life will be adversely affected especially in the following areas:

- # Prevention of crime and disorder;
- # Public safety;
- # Prevention of public nuisance;
- # Protection of children from harm.

There are many other factors which need to be taken into account including the suitability of the premises of the above named Ice cream parlour and the impact of additional vehicle movement in and around the area. The premises services it's customers outdoors in the main thus magnifying any noise and disruption on the community.

The application contains statements relating to the above risk factors and relies heavily on staff numbers and staff training as the means to control the situation. This is not a guarantee but a wish list only.

I know many of the local people and am aware that they have similar objections. My own son and his family live next door to the Ice cream parlour at 6 Ford St. He, Hugh Arnold, will be able to speak on my behalf at any hearing; I live in Oxfordshire so am unlikely to be able to attend.

I should be happy to answer any questions you may have regarding the above

Yours Sincerely

Frank V Arnold PhD. C Chem. FRSC.

[REDACTED]
Banbury
Oxon.
OX16 3WS

(tel. [REDACTED])

Sent from [Mail](#) for Windows

[REDACTED]

From: Will Cattell [REDACTED]
Sent: 01 September 2024 17:04
To: Ext Mail: Licensing
Subject: 24/01072/LPRNEW - objection to Baskervilles Application

Categories: Deb

Dear Licencing Department,

I am writing in order to object to the Baskervilles licensing application. My main objection relates to the prevention of public nuisance. I feel that the shift in opening hours from 1630 to potentially 2300 along with the purchase of alcohol risks serious noise disturbance to residents of Ford Street. Training staff to be increasingly aware will not mean that noise would not occur, and the open air courtyard that compromises the majority of Baskervilles Ice Cream and Coffee Shop borders a number of residential properties.

All of the other licenced premise in MOretonhampstead offer enclosed areas for outdoor eating and drinking, i.e. areas that do not border residential properties, and I do not think that Baskervilles - already a busy cafe - can guarantee the noise limitation that is required in this area.

Many thanks for considering this,

Will Cattell

[REDACTED]

From: Astrid Arnold [REDACTED]
Sent: 01 September 2024 22:59
To: Ext Mail: Licensing
Subject: Alcohol Licence application 24/01072/LPRNEW

Categories: [REDACTED]

Dear Licensing staff,

I write concerning the Baskervilles current application for a Premises Licence, 24/01072/LPRNEW at 2-4 Ford Street, Moretonhampstead.

I wish to reiterate and support all the points my Husband, Hugh Arnold, has made in his letter to you. If a licence is granted which allows the cafe to be open until 11pm at night, it will harm our community significantly, with the noise and disturbance of the movement of intoxicated people in the street outside our house, and in the open air cafe premises which are right next to my teenage son's bedroom window. He, as well as my daughter, should have the right to sufficient sleep to be able to concentrate properly at school and develop. The applicants have not shown any realistic method of mitigating the impact on us in their application, and we doubt they will provide sufficient staff to be able to control the disturbance and noise that will arise from their activities, as we anticipate that most of their customers will be spending their time on the premises outside due to the very limited inside space (as is currently the case with the ice cream and cafe customers). The stone walls surrounding the premises funnel the noise outwards just like a speaker.

If the sale and consumption of alcohol were to take place mainly inside a building, as in the case of a pub, then the owners of the premises would have much more control over the mitigation of any noise nuisance. In this case however, that would be very difficult to achieve, due to the above mentioned very limited inside space.

One further point is that the granting of a licence for the sale of alcohol during the evening could set a precedent which then further erodes our peace and stability- a future owner or tenant of the Ice cream parlour premises (if the current owners sell or lease the property) could seek to extend what would already be a bad situation for us, potentially applying for a music licence or even extending the hours of business further into the night. Please help by refusing this application which will ensure we are able to continue living peacefully here with our family.

Yours Sincerely

Astrid Arnold
[REDACTED]
Moretonhampstead
TQ13 8LN

[REDACTED]
Moretonhampstead
TQ13 8ND

2nd September 2024

Teignbridge District Council

To Whom It May Concern

Re: Alcohol License Application 24/01072/LPRNEW

I write with regard to the Alcohol License application submitted by Baskervilles Ice Cream Parlour And Coffee Shop, 2 - 4 Ford Street, Moretonhampstead TQ13 8LN.

I strongly object to this application due to the potential disturbance on our small residential community within this conservation area.

I moved into this property eight years ago as it provided the quiet and peaceful home I was looking for. It has been my expectation to stay here for many years to come. I believe an approval of this application would deny my own and my surrounding neighbour's rights under Protocol 1, Article 1 of the Human Rights Act 1998: Right to peaceful enjoyment of your property.

The houses in the terrace in Eagle Place are small and it is often necessary for me to have windows open for ventilation. Any sounds coming from the premises of 2 Ford Street are very noticeable. If Baskervilles was to become a licensed premises, seven days per week, with opening times until 11pm every evening for six days per week, this would surely have a huge impact on our quiet neighbourhood.

We are a close knit community made up of families, and older and more vulnerable people. We live harmoniously and quietly alongside each other and we fear the quality of our lives will be greatly affected by this business.

I request this application be denied due to impact on nearby residencies. Currently there are further residential homes under construction behind Eagle Place, which will add to the number of homes affected by any noise and disruption.

In addition, Moretonhampstead has three public houses, with a fourth due to reopen in the spring. All of these established premises have struggled following the pandemic and as such all need supporting, rather than adding further competition to their businesses.

Yours sincerely

Janette Staton

[REDACTED]

From: Jane Willis [REDACTED]
Sent: 03 September 2024 10:39
To: Ext Mail: Licensing
Subject: Baskerville Ice Cream Parlour 24/01072/LPR New

Categories: [REDACTED]

FAO Teignbridge Licensing Officer

I am concerned about this application to grant an alcohol license and extend the opening hours of this coffee shop and Ice cream parlour into the evening. I fear that the granting of a license from 10am to 23.30pm, 6 days per week will create noise in the centre of this quiet village at night time and create a Public Nuisance.

In the countryside where there is little noise or traffic, the sound of people's voices outdoors in the evening is much more apparent than it is in busier urban environments. My experience is that when people drink, their voices get louder and they are less aware of the noise they are creating. These premises have very little indoor seating so customers will be mostly sitting outside in close proximity to people's homes. I would have no objection to the business being granted an alcohol license during the daytime. It is the evening opening that I am concerned about.

A few years ago The Bell Inn at the end of Cross street where I live, had a table outside it on the pavement where people would sit drinking late into the evening talking loudly. This caused local residents much disturbance and distress. Your department was involved at the time.

Jane Willis
[REDACTED] Moretonhampstead, TQ13 8NL
[REDACTED]