

**LICENSING ACT 2003 SUB-COMMITTEE 1**

**14 OCTOBER 2019**

Present:

Councillors D Cox (Chairman), Kerswell and Russell

Officers in Attendance:

Paul Woodhead, Solicitor & Deputy Monitoring Officer

Debbie Rosenveldt, Licensing Assistant

Trish Corns, Democratic Services Officer

**1. MINUTES**

The Minutes of the meeting held on 16 August 2019 were approved as a correct record and signed by the Chairman.

**2. DECLARATIONS OF INTEREST**

None.

**3. APPLICATION FOR A NEW PREMISE LICENCE, WATCOMBE WONDERERS FOOTBALL CLUB, LONG LANE, HACCOMBE**

**3.1 Introductions**

The Chairman introduced the Members of the Sub Committee, Legal Adviser, Licensing Officer, Democratic Services Officer and explained their respective roles.

The Chairman advised that the Sub Committee would take into account the merits of the application against the four licensing objectives: the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm, in addition to the Home Office Guidance and the Council's Licensing Policy.

**3.2 Procedure to be Followed**

The Legal Adviser referred to the procedure to be followed for the Hearing and those present wishing to make verbal submissions. There had been no requests from any other party to speak at the hearing. The procedure was as previously circulated to all interested parties with the Notice of Hearing. All parties had been sent an agenda.

### **3.3 The Council's Licensing Manager's Report**

The application is for a new premises licence for the provision of the retail sale of alcohol Monday to Sunday at the Café, Watcombe Wanderers Football Club, Long Lane, Haccombe. The hours sought are set out in the report circulated with the agenda.

The Council has received 3 letters of objection, objecting to the application on the grounds of Public Safety and Public Nuisance. In particular the objectors raised concerns regarding alcohol related antisocial behaviour, increased risk of crime, increased litter, noise nuisance late at night and increased light pollution near a quiet residential area.

One representation of support has also been received.

Devon and Cornwall Police Constabulary has agreed an additional condition with the applicant - *With the exception of cans and plastics bottles, all alcohol sold shall be decanted into plastic paper or polycarbonate containers.*

### **3.4 Address by the Applicant**

The applicant advised that in the immediate future alcoholic drinks for sale would be limited to beer and cider, and addition to soft drinks. The long term goal was to refurbish the premises which was currently two shipping containers that were owned by the Council. The aim was to bring in income to maintain the 11.5 acres of football pitches, and improve the premises for members. The hours have been sought as detailed to cover all eventualities and matches because the match dates were not set that far in advance. One or two matches were played each week in addition to training and coaching for the adult and youths teams.

In response to questions, we heard from the applicant who advised that: all staff and volunteers had the necessary qualifications and training to work with the youth teams; and the club maintained the lane which was un-adopted and damaged by severe weather conditions. The club had resurfaced the road with some 50 tons of shingle.

### **3.5 Decision**

"We have carefully considered all the written material, and also all the oral submissions today from the Applicant.

The Council's Licensing Policy states that terminal hours will normally be approved when the applicant can show that the proposal would not adversely affect the licensing objectives, unless after hearing relevant representations, the Council believes it appropriate, reasonable and proportionate to restrict the hours required. We do not consider that it is appropriate, reasonable and proportionate to restrict the hours, because we have not seen any evidence which would support doing so.

The concerns raised in written submissions from objectors were considered, but it was concluded that these were not material considerations in relation to the current application. We are satisfied that the applicant is experienced and responsible, and we are satisfied, on the balance of probability, that the application will not cause an unreasonable nuisance to local residents.

In the circumstances we grant this application as detailed in the report, with the added condition agreed between the Police and the applicant as detailed above.”

CLLR D COX  
Chairman

This page is intentionally left blank