



Licensing Sub-Committee

Date: Wednesday, 15 July 2020
Time: 10.00 am
Venue: A link to the meeting can be found on the front page of the agenda.

Membership: (Quorum 3)
Councillors Emma Parker, Bill Pipe and Kate Wheller

Chief Executive: Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

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A G E N D A

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Dorset Council Licensing Sub-Committee
c/o Aileen Powell

Our ref LE/SG/KNI002-4-3/5069

By email only to aileen.powell@dorset.gov.uk

Your ref Licensing Sub-Committee

09 July 2020

Dear Councillors,

Licensing Act 2003

Application for a Premises Licence by Cove Café Ltd in respect of Seals Cove, St. Andrews House, St. Andrews Trading Estate, Shoe Lane, Bridport DT6 3EX

In this time of remote hearings I thought it might be helpful if I wrote to you (and those objecting) in advance of the hearing to summarise the Applicant's case and to address some of the concerns raised in the representations received from the Interested Parties. I hope that this letter proves useful.

I do not intend to rehearse the terms of the application, which are very helpfully set out by your Licensing Officer at pages 11 and 12 of your agenda papers. I will however, deal with some concessions that the Applicant is prepared to make reducing the scope of the application at the outset:

1. The request to provide off-sales is withdrawn. The application is for on-sales only.
2. The request to show films is similarly withdrawn.
3. So too are the requests for indoor sporting events and anything similar to live music, recorded music and performances of dance.

I hope that is useful.

The description of the premises as a family leisure complex is somewhat opaque so I am going to try and provide a bit of clarity about what the customer, if you are minded to grant my client a licence, can expect from a visit to Seals Cove.

Back in 2017 Dorset Council granted planning permission to transform what was once the old Corbin Industries site at St. Andrews Trading Estate into a seven day a week leisure complex including a climbing wall, soft play area and café. These types of facilities exist up and down the country and are not unlike leisure centres, which often fall under council ownership.

The premises is significant in size, but the Applicant is only seeking to licence key areas that support the main thrust of the business for fun and leisure activities. With the space available to it, it is fair to say that the application was drafted so as to ensure maximum flexibility to the Applicant in terms of what it can do moving forwards and has now been pared back.

The Applicant brought forward its ideas and discussed them with the Responsible Authorities prior to making the application. It is refreshing to see an Applicant take a proactive approach to engaging with your experts prior to submitting an application. No small amount of work has gone into making this application.

I saw reference in one of the representations complaining that the Interested Parties hadn't been consulted about the application prior to its submission. It just isn't possible to consult everyone and that is the reason why there is a 28 day consultation period that every application must go through.

This application has attracted 5 relevant representations from Interested Parties and I will try and deal with some of the issues raised within this letter.

I am going to focus on the relevant issues that can be found in amongst things, like planning permission, traffic and business need, that should form no part of your decision making process. This is helpfully recognised in your officer's report at page 11 paragraph 7.

Interested Party 1

The only relevant issue raised in this representation is a concern about noise from customers leaving the premises late at night.

We do not believe that this is the type or style of premises where there will be a mass exodus of customers at closing time. Customers will come and go throughout the trading period and we think it unlikely that this will disturb local residents. We don't want people to be disturbed and to that end the premises will manage the dispersal of customers with signage and customer engagement. Furthermore, in the unlikely event that problems do occur then the premises is quite happy to supply contact details for the manager on duty who will be able to assist with any concerns.

Interested Party 2

The relevant issue raised in this representation is the potential for high levels of customer intoxication and drug abuse by customers.

In relation to intoxication, we just don't see this as being the type of premises where customers will go to consume large quantities of alcohol. There are other premises geared towards that type of behaviour. The premises is a family leisure facility and the provision of alcohol is very much ancillary to that. Staff will be trained in spotting signs of intoxication and put simply, if we feel that a customer is drinking too much then we will cut them off and arrange for them to leave the premises.

In relation to drugs, again, we don't think for one second that this will be the type of premises where customers will take illegal substances, but that doesn't mean the Applicant hasn't considered the possibility and planned/prepared for it. The premises will, rightly, have a zero tolerance policy towards drugs and any customer found in possession of illegal substances will be ejected from the premises and reported to the authorities. Again, staff will be trained to notice signs of drug taking within the venue and toilets will be regularly, though at random intervals, be checked and cleaned for signs of drug abuse.

Interested Party 3

This representation raises similar issues to Interested Party 2.

Interested Party 4

This representation raises two issues, noise and customer behaviour. Customer behaviour is dealt with above.

It is not in our interests to allow our neighbours to become disturbed by customer noise or the entertainment provided at the premises. The premises licence holder is not foolish enough to locate loud noise making activities where they are likely to disturb local residents and there are lots of practical measures that the premises licence holder can take to ensure people are not disturbed including undertaking noise testing and setting maximum levels so that entertainment noise cannot become a nuisance, locating speakers sensitively and in a directed fashion and restricting entertainment to the centre of the premises (the diner). The premises licence holder has undertaken noise mitigation measures at the property including the installation of significant insulation but noise management is an ongoing task and one that the Applicant will manage as the business develops. As a backstop, we will ensure that local residents are provided with the contact details of the manager on duty so that if they are disturbed they have a direct line to the premises to rectify the problem.

Interested Party 5

This representation raises similar issues to those before it and there isn't really anything I can add in terms of specific concerns.

Summary

This application is part of a larger plan for Seals Cove and one that has been in the making for a number of years.

The Applicant is mindful of the concerns of local residents, but is absolutely sure that it can manage the premises in such a way as to promote the licensing objectives. The Applicant has suggested a number of appropriate and proportionate conditions to achieve this, has engaged with your experts throughout the process and has submitted this application in the hope that you will grant it as applied for, which I invite you to do.

With my best wishes.

Yours sincerely

Luke Elford
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