

Quayle

Bantham Kingsbridge Devon TQ7 3AP

TO: Licensing Dept South Hams Council

Date: 5th May 2016

RE: New Premises Licence Application – Bantham Village Stores

Objection to current Licence Application

I live two houses away from the Bantham Village Shop and Cafe. The cafe currently closes at 6.00pm during the summer months allowing the residents on either side some peace and quiet during the evenings, so I was very surprised to find out that this application has been submitted and that another alcohol licence is being considered in the village. We currently have a great Pub (run by Kelly Seymour's husband) only 200yds from the shop, and your department has recently granted another new alcohol licence for the Beach Car Park in Bantham. So I have to admit I cannot honestly see where the need is for a third licence in a village the size of Bantham with less than 100 residents. Perhaps you can explain where this demonstrable need is?

At present this area of Bantham is quiet after 6.00pm and we are able to enjoy peace and quiet in our own gardens that surely everyone has a right to do. Therefore licensing these premises in this way will impact hugely on the local environment and residents because of the following:

- Additional noise from the customers –it's an undisputed fact that we all get louder after a few drinks.
- The extended opening hours proposed in this application - take the impact into the evening and changing the nature of the environment making the shop and cafe into a restaurant and bar.

Background:

The premises are Bantham village shop and café situated in the middle of a residential area with neighbour's gardens on either side of it. The main Cafe seating area is now outside on a vastly extended open deck which butts up to neighbours gardens and which possibly easily seats 50-60 people and could hold more. Since changing hands last year the deck area of the premises has been tripled in size. Last year also a large marquee was erected over the deck for most of the month of August to allow more people to use the deck in bad weather, and was especially noisy when the cafe hosted several evening events...marquees are definitely not soundproof!

The current application for his licence and the times it is applied for will have an immense impact on its neighbour's and will change the balance of the area from residential to business. The very nature of Bantham is it is a place of peace and tranquillity in an AONB, which will be shattered by the noise of loud voices late into the night. Bantham is exceptionally quiet with little or no background noise in the evenings and so the impact of this will be much greater than in other places. We

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have seen the effect in the summer of what happens at The Beach House at South Milton Sands. Masses of people flocking there, making huge amounts of noise – however they are not in the heart of a village and do not have close neighbours as in this situation.

We are asking for some consideration from both you, the Alcohol Licensing dept, and the applicant and that adjustments and controls are put into this application before granting it. I have raised my concerns with Kelly that the sweeping cover of the number of days and times applied for is excessive and unnecessary. And I would defy anyone not to be concerned if their neighbour was to announce they intended to open a wine bar in their garden next door! That is what is happening here.

I therefore request:

Licensed Hours:

Presently the Cafe is open from 9.00am to 6.00pm. Therefore it would seem sensible to apply the license in relation to that, as there is no demonstrable need for more restaurants in the area. New additions of food and drinks vans in the Beach Car Park are also excess to requirement but you have recently allocated new licences to them. This control would help retain these particular premises as a village shop and cafe with its own identity and not allow it to morph quietly into yet another Restaurant/Bar.

Government restrictions on alcohol licences have been relaxed recently but I hope this means that the Licensing Authority are giving more, not less, consideration to licences being proliferated within small communities. Bantham has gone from one licence to potentially 3 within as many months.

My concern is high because premises licences now have no expiry date and once granted stay with the premises permanently. The applicant is a tenant and although has given verbal assurances that everything will be controlled and limited the application does not reflect those assurances. Should the current tenant leave, any tenant following would be able quite legally under this application to dramatically change the trading pattern and type of business run from these premises.

Nuisance and Disturbance

PLEASE NOTE - There is an assumption on this application in section d) of The Licensing Objectives – *The prevention of Public Nuisance* – that the consumption of alcohol takes place inside the building and the disturbance will therefore potentially only be caused as customer/staff leave. In these premises however the main seating area is outside in the garden - and so the potential nuisance is there all the time not just when customers/staff leave the premises. The undertakings made by the applicant regarding noise control are therefore irrelevant and will be impossible for them to marshal and keep.

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We therefore request the following:

- Off sales from 10.00pm to 6.00pm. (The application for Off-Sales offers massive potential for the business and does not impact on the residents right to privacy and peace and quiet).
- That the licence allows alcohol to be served only with food in the cafe.
- Alcohol available in the cafe from midday until 6.00pm every day as this coincides with current trading hours –giving the shop their present opening times for customers to enjoy a glass of wine with their food.
- Licensed only for the sale of wine and bottled beers.
- Deck must be emptied by 7.00pm. Any alcohol being drunk at this time must then be taken inside the doors and windows closed to ensure no noise intrusion in the area.
- No music to be played outside.
- No bar area temporary or otherwise to be sited outside or on the deck area.
- No customers to spill outside the deck area into the lane behind the shop and behind neighbour's gardens.
- Lighting to be low level and kept to an absolute minimum to avoid light pollution. (We do not even have streetlights here and so a brightly lit deck will impact on the environment).
- Smoking not to be used as an excuse to sit on the deck beyond 7.00pm

I also ask for confirmation as to how you the licensing dept marshal the licenses you allocate?

I believe these requests are quite reasonable especially when taking into account guidelines given by Environmental Health for licensing outside activities which states...

"You also need to take even greater care and be more sensitive to your neighbours if you're planning on holding the party outside in the garden, where noise travels more easily and where its impact is felt even greater."

Yours sincerely

Gill Stone