

REPRESENTATIONS LIST

APPENDIX D

Application No: 051865

Application Date: 20 April 2021

Licence Type: Premises Licence WITH Alcohol

Licence No: PLWA0740

Application Type: Variation Application

Premises: Brook Kitchen
60 High Street, BUDLEIGH SALTERTON, Devon, EX9 6LW.

Applicant: Angela Yarwood

Person making Representation: Max Hansford

Representation Accepted: Representation has been accepted

Reason:

Details:

3 May 2021
(by email)
Dear Sir/Madam,
License Objection (60, High Street, Budleigh Salterton)
I wish to state my objection to the license application by Mr & Mrs Yarwood at the premises of 60, High Street, Budleigh Salterton.
The current building facade at 60 High Street cannot be altered due to building regulations. This means that ventilation of the area with clients inside, is via the window fanlights and the front door during busy periods.
These windows open directly under and opposite, several residential properties. There are at least 12 residential properties within 25 metres of these windows.
The residential buildings directly opposite 60 High Street, have had to keep their existing thin pane period windows as per East Devon conservation officers instruction.
These windows are very poor at keeping sound out of these properties. Therefore noise will come from the open windows and doors opposite, and also from when customers arrive and leave the premises. In addition, the sound also bounces and echoes incredibly easily.
The application for 60 High Street to serve alcohol until 10.30pm, and to be open until 11.30pm, 7 days a week, will disproportionately affect residents with clientele noise, who, even at best estimate would be leaving the area by 11.45pm. This is obviously going to affect the ability of the community to operate well in their local jobs.
Budleigh Salterton's attraction to residents and visitors alike, is the fact it is unspoilt and charming, with a relaxed atmosphere.
I appreciate the applicants wish to add to Budleigh Salterton with their business at 60 High Street, however, a 11.30pm closing time for an establishment that has no sound prevention due to the age of the building, and the building location, will severely affect the local residents.
I hope the proprietors will do the right thing for the local community, and reduce their hours for alcohol and opening times, so that the business can be supported by residents and visitors.
Yours sincerely
M Hansford
(local resident)

Evidence:

Suggestion:

Application No: 051865

Premises: Brook Kitchen
60 High Street, BUDLEIGH SALTERTON, Devon, EX9 6LW.

Person making Representation: Albert Charles Savage
[REDACTED]

Representation Accepted: Representation has been accepted

Reason: Supporting rep

Details:

Dear Sirs

Re: Application 051823

I would like to write in support of the above application for Brook Kitchen to be granted a music and alcohol licence.

It will be lovely to have a restaurant, who can open evenings for a meal with the above licences granted and somewhere different to go other than a public house.

I hope East Devon District Council are agreeable to the above licences being granted as I feel this can only enhance the town of Budleigh Salterton and the amenities available.

Yours faithfully

Michaela and Bert Savage

Evidence:

Suggestion:

Person making Representation: Michaela Ruth Savage
[REDACTED]

Representation Accepted: Representation has been accepted

Reason: Supporting rep

Details:

Dear Sirs

Re: Application 051823

I would like to write in support of the above application for Brook Kitchen to be granted a music and alcohol licence.

It will be lovely to have a restaurant, who can open evenings for a meal with the above licences granted and somewhere different to go other than a public house.

I hope East Devon District Council are agreeable to the above licences being granted as I feel this can only enhance the town of Budleigh Salterton and the amenities available.

Yours faithfully

Michaela and Bert Savage

Evidence:

Suggestion:

Application No: 051865

Premises: Brook Kitchen
60 High Street, BUDLEIGH SALTERTON, Devon, EX9 6LW.

Person making Representation: Catherine Turner

Representation Accepted: Representation has been accepted

Reason: Supporting rep

Details: 3.5.21
Licensing Officer
East Devon District Council

Brook Kitchen, 60 High St - Budleigh Salterton

I write in support of the Licensing Application submitted by Brook Kitchen to extend the licence for the consumption of alcohol to standard trading hours in line with similar hospitality outlets in the town.

Budleigh Salterton currently has a fairly limited hospitality offer for the local community and it seems a shame that trade moves beyond the town for evening suppers and dinner. All areas of the community benefit from well-run hospitality outlets, with a knock-on effect for shops, businesses and cultural events.

Recent involvement with the Budleigh Music Festival Committee has shown me that there are limited options for audiences to enjoy pre- or post-show supper, and this does have an impact on building audiences and the ways in which we can encourage wider support and partnerships. Similar experiences are doubtless felt by the Literary Festival, with their tent closing in the early evening.

In my opinion the town urgently needs good-calibre modern hospitality offers in line with the needs of both the wider community and tourists attracted to this unique destination, and this should be supported by the Council's Licensing Department.

Yours
Catherine Turner

Evidence:

Suggestion:

Application No: 051865

Premises: Brook Kitchen
60 High Street, BUDLEIGH SALTERTON, Devon, EX9 6LW.

Person making Representation: Leanne Winter

Representation Accepted: Representation has been accepted

Reason: Supporting rep

Details:

Hello

I would like to make a representation for the application of premises licence PLWA0740 - Premises: Brook Kitchen, 60 High Street, Budleigh Salterton, EX9 6LW. Reference number 051865

My name is Leanne Winter
(Address and telephone number have been removed.)

I have lived in and close to Budleigh and Raleigh since 2003 and enjoy supporting the local community. I was Chair of Drakes School PTFA and I am now secretary of the 'Friends of Budleigh Library'. I strongly believe that in order to thrive Budleigh High Street needs to appeal to all demographics of our locality and as such would benefit from a café of the proposed calibre. The relaxed and informal dining this establishment proposes to offer will enhance and boost the High Street and is welcomed by our community.

I have witnessed the care and attention given to the refurbishment of Brook Kitchen, with particular attention given to the noise reduction measures when undertaking building works, so as not to disturb its neighbours (the library being one). The delivery of goods necessary for the operation of the business have been carried out at such a time and manner as not to cause a nuisance or disturbance to its neighbours. There appears to be adequate waste receptacles for use by customers, and I have witnessed particular care being given to the sustainability and societal impact of the business, with particular attention being paid to buying local, recycling and waste reduction.

I have witnessed throughout the refurbishment of Brook Kitchen the care and attention being given to prevent public nuisance and a clear promotion of public safety. I will personally attest to the fact that the applicants Mrs Angela Yarwood and Mr Peter Yarwood are strong advocates of child safety and will, I have no doubt, ensure that they will uphold all the licencing objectives.
If you require further detail please do not hesitate to contact me
Yours
Leanne Winter

Evidence:

Suggestion:

Application No: 051865

Premises: Brook Kitchen
60 High Street, BUDLEIGH SALTERTON, Devon, EX9 6LW.

Person making Representation: Devon & Cornwall Police

Representation Accepted: Representation has been accepted

Reason: Agreed Position

Details:

From: NORSWORTHY Mike 57895
Sent: 14 May 2021 11:42
To: Licensing EDDC <licensing@eastdevon.gov.uk>
Subject: Brook Kitchen Variation Application Agreed Position Team,

With regards to the above application I have come to an agreed position with the applicant as detailed in the below email trail, In light of this I would like to make a representation under the Prevention of Crime and Disorder licensing objective and ask that the conditions/amendments be included on the licence should it be granted.

Cheers
Mike
Mike Norsworthy
Alcohol Licensing Officer (Teignbridge and East Devon)
Prevention Department
HQ Middlemoor
Devon and Cornwall Police

From: Gill Sherratt
Sent: 13 May 2021 17:30
To: NORSWORTHY Mike 57895
Cc: Licensing EDDC <licensing@eastdevon.gov.uk>
Subject: RE: Brook Kitchen Variation Application Agreed Position

Hi Mike,
I am happy with these being attached to the licence.
I have cc'd licensing into this email.

Thanks,
Gill

From: NORSWORTHY Mike 57895
Sent: 13 May 2021 17:22
To: Gill Sherratt
Subject: Brook Kitchen Variation Application Agreed Position
Hi Gill,

Having assessed your application and discussed it with you I would like the following conditions added to the licence should the variation be granted:-

Under the Prevention of Crime and Disorder Licensing objective

Remove reference to the refusals register and replace with the below condition:-

REFUSALS REGISTER

An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:

- i. the date and time of refusal
- ii. the reason for refusal
- iii. details of the person refusing the sale
- iv. description of the customer
- v. any other relevant observations.

The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority.

All entries must be made within 24 hours of the refusal.

Add the following two conditions

OPEN CONTAINERS

No customers will be permitted to take open vessels containing alcohol from the premises from which it is intended or likely that they shall drink.

STAFF TRAINING

All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

- i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
- vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Training records will be retained for at least 12 months.

If you and your clients are in agreement with these minor amendments/additions please let me know and I will advise the Local Authority that we have come to an agreed position.

Cheers

Application No: 051865

Premises: Brook Kitchen
60 High Street, BUDLEIGH SALTERTON, Devon, EX9 6LW.

Mike
Mike Norsworthy
Alcohol Licensing Officer (Teignbridge and East Devon)
Prevention Department
HQ Middlemoor
Devon and Cornwall Police

Evidence:

Suggestion:
