

APPENDIX E

Responses to Notice of Hearing
The Salt Cellars, 30 Greenway Lane, Budleigh Salterton, EX9 6SG

Applicant

Mr Richard Charlton	
Hearing Unnecessary	Yes
Attending	Yes
Supporting documents	Information letter – APPENDIX F
Additional Information	<p>Having read the representations and summarised the specific concerns relating to the licensing objectives, I wish to clarify as follows and hopefully ease some of the worries expressed. I would like to note that having been as transparent with our plans as possible (reference my written notice in the window displayed alongside the premises application and sent as attachment for the benefit of the licensing sub-committee, as well as my posts to the Budleigh Families Facebook group) the responses generally have been overwhelmingly positive and excited about our opening.</p> <p>We have never and will never refer to ourselves as a pub or bar. We are a café & deli, which is important in that these aspects are our primary focus and will represent the majority of our business from day one. Signage will reflect this fact. Concerns about us being an unsuitable premises for children to be around are completely unfounded. As a father of 2 young children myself, we aim to actively welcome families and see them as our likely best customers. We will offer tea, coffee, cakes, ice cream and facilities such as baby change and at table activities for the children to make them feel as welcome as the rest of the community to enjoy The Salt Cellars. The alcoholic drinks we sell will be premium priced and very much quality over quantity. We would never run drink promotions or encourage drinking to excess – we see our drinks offering as just another way of showcasing the very best of South West produce. Having the facility to drink on site allows us to share new drinks with our customer's directly – an invaluable device to better educate the public about the variety of drinks available from local independent producers.</p> <p>The licencing and opening hours we have applied for are to give us the flexibility to adjust our opening hours moving forwards to reflect volumes of trade as we get a better understanding of how and when the community use us and to prevent us having to reapply for premises licence alterations or apply for TEN's should we wish to run one-off food pairing events or run producer samplings (with drinks on offer to compliment). Our standard opening hours will be 0800-1800 Monday -Thursday and 0800-2200 on a Friday & Saturday (with alcohol service stopping at 2130).</p>

Additional Information continued...

I have no intention of ever running later than these hours. From the above stated hours, I anticipate we would actually sell very little alcohol for consumption on site between Monday-Friday 0800-1800. We have limited selling drinks to 2130 as we are aware of our residential setting and as such want to ensure there is no disturbance at a late hour. It is worth noting that the previous use of the shop was as a convenience store, open until 2300 Mon-Sat and 2230 on a Sunday – so our hours would mean considerably less hours open and a likely significantly reduced footfall than previously experienced.



Concerning noise levels, we would play music at an ambient level only. This would never be so loud as to interfere with normal conversation within the cafe. We have no intentions of providing live music or anything that would cause a disturbance outside of the cafe. Music would not be played in the outside area and we would position speakers away from adjoining walls and the front door. Inside, we are providing seating for 24 and do not anticipate ever being occupied beyond this amount of people. The outside area is maybe 3 x 5mtr, so fairly small, and might seat 6 people. The rest of the space will be taken up by plants and a bike rack. We don't anticipate the outside space being used extensively as it gets late and we wouldn't actively encourage its use with patio heaters or any awning or covering aiming to keep people inside as far as possible. Our expectation is that it would be an attractive option for dog walkers and cyclists who may wish to stop for a drink but stay outside.

With this all said we are keen to accommodate the communities' requests where possible and as such we would consider discussing further on the following options;

- Amending the licence hours between Monday and Thursday to reflect the 0800-1800 opening hours (hopefully removing the worry of us opening late all week), maintaining the 2200 close on the Friday and Saturday.
- Restricting the licence hours for the outside area to no later than 2000 (to alleviate the potential for noise to the immediate area beyond this time)

Interested Parties

1.	Mrs Pat M Mumby
Hearing Unnecessary	No
Attending	No
Supporting documents	None
Summary of key points	Prevention of Public Nuisance Premises situated in a quiet, totally residential area; not appropriate for licenced cafe with on-premises drinking until 22:00hrs.

2.	Mr Nick Johnson
Hearing Unnecessary	No
Attending	Yes
Supporting documents	None
Summary of key points	<p>I would support a licence that allows supply of alcohol OFF premises only. As Mr Charlton intends to open the premises as a bar, my concerns are as follows:</p> <p>The premises is unsuitable for use as a bar serving alcohol on the premises. Location of proposed bar is in the centre of built up and quiet residential housing with many children, young families and older people. Majority of properties are terraced houses and the proposed bar is an end terraced property with a rented flat above. (See attached photo).</p>  <p>Public Nuisance - Mr Charlton intends to have drinking in the venue's outside area. This could give rise to unacceptable levels of noise and disturbance in a built up residential area. This would adversely affect living conditions of adjoining and nearby properties. (Please see attached photo showing 30 Greenway Lane outside area).</p> 

	<p>Public Nuisance/Public Safety/Protection of children - Applicant says he will open 7 days a week and the only evenings the bar will stay open will be Friday and Saturday, but he has applied for a licence to include 7 day a week evening operations. Where alcohol is involved this can give rise to anti-social behaviour thereby affecting safety of children, families and older people who live in the residential properties in the vicinity. Applicant also states that taxi details will be clearly available inside the bar. Therefore customers from outside of the local area are encouraged to drink at the bar which further increases the risk of public nuisance.</p>
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3.	Mrs M J Bowman
Hearing Unnecessary	No
Attending	No
Supporting documents	None
Summary of key points	<p>I object to the granting of this licence because it will effectively turn what formerly was a small local shop serving a residential area into a pub. The house applied for are pub hours, and the premises are associated with a brewery based in Dunkeswell: I believe that such usage will be detrimental to the residential nature of this part of town.</p> <p>Prevention of Public Nuisance and Protection of Children from Harm I am very concerned about the increased noise nuisance from customers with loud voices from the drinking of alcohol, which causes loss of inhibitions. The premises have a small outdoor frontage which has already been equipped with seating, which will only add to the noise from drinkers inside.</p> <p>This densely populated part of town is full of young families with children, plus elderly residents: they especially benefit from the present quiet evenings. Also, the frontage opens directly onto the pedestrian pavements of Greenway Lane and Tidwell Road: passers-by, including children, will be forced to walk within touching distance of customers and witness any rowdiness or bad language at close hand.</p> <p>This part of Budleigh is already served recreationally by the football club sited nearby, with its well-run club house and many safe activities for children. Unlike the proposed café, its club house is situated in its own extensive grounds, with the space to allow noise not to be a nuisance. The football club is sufficiently distant from all the surrounding houses and roads to be an asset for the area: the proposed café/pub is not. Pub/Café not needed or wanted.</p> <p>Please do not grant this café/pub an alcohol licence or allow it to open for the pub hours proposed.</p>

4.	Mr Clive E Bowman
Hearing Unnecessary	No
Attending	No
Supporting documents	None
Summary of key points	<p>Prevention of Public Nuisance</p> <p>There are 385 dwellings within a 500 metre radius of “Sat Cellar”, many having young children that attend local school. Premises selling alcohol after 6pm often have music playing, with seating outside, this will have a disturbance effect on those children as they try to sleep.</p> <p>The outside seating area is directly adjacent the public footpath, no barrier, so any children passing will hear conversations that they offensive, aggression or obscene language.</p>

5.	Ms Ruth Cheesman
Hearing Unnecessary	No
Attending	No
Supporting documents	None
Summary of key points	<p>Prevention of Public Nuisance</p> <p>Alcohol for sale on the premises up to in the evening will inevitably mean people will vape/smoke outside – causing noise. Some drinking alcohol will also mean people may become loud and when walking home. This a quiet neighbourhood with <u>no</u> pubs etc.</p>

6.	Mrs Margaret Atkin
Hearing Unnecessary	No
Attending	No – elderly and unable to zoom
Supporting documents	None
Summary of key points	<p>Prevention of Crime and Disorder</p> <p>Underage drinking. Drink related fighting outside my window.</p> <p>Public Safety</p> <p>Drunks wondering into oncoming traffic. Illegal parking across pedestrian crossings causing accidents, and illegal parking causing obstruction of view from drivers.</p> <p>Prevention of Public Nuisance</p> <p>The outside drinking area is directly across from my window. The noise of drinkers will affect me daily especially in the events. It will affect my quality of life and cause further anxiety and fear for my safety and safety of my home.</p>