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Date: Tuesday, 10 May 2016

Governance Support
Town Hall
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Torquay
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Dear Member

LICENSING SUB-COMMITTEE - THURSDAY, 12 MAY 2016

I am now able to enclose, for consideration at the Thursday, 12 May 2016 meeting of the Licensing Sub-Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
6.	An application for a Variation to a Premises Licence in respect of Lime Tree, 9-11 Dartmouth Road, Paignton TQ4 5AA	(Pages 11 - 16)

Yours sincerely

Lisa Antrobus
Clerk

Memorandum

To:	From	:	Community Safety
c.c	Contact	:	Mr Karl Martin
c.c.	Ext	:	01803 208025
c.c	My Ref	:	1ZV SRU No: 227285/KJM
For the attention of: Licensing Steve Cox	Your Ref Date	:	9th May 2016

Subject: Premises– Licensing Act 2003
Premises Name & Address: Lime Tree, 9/11 Dartmouth Road,
Paignton, Devon, TQ4 5AA

Please accept the following additional information for circulation to members of the Licensing Sub-Committee in respect of the public Hearing for the Lime Tree Public House, 12th May 2016.

On the evening of 23rd April 2016 I, Karl Martin Public Protection Officer, Torbay Council and Julie Smart, Police Licensing Officer, Devon and Cornwall Police were undertaking evening licensing visits throughout Torbay. At approximately 11:15 we drove past the Lime Tree Public House and noted a large group of customers outside the front of the premises. We parked our vehicle on the corner of Commercial Road and Gerston Road and observed the premises for a few minutes from the pavement opposite the Lime Tree. At 11:23 I took a photograph (See Fig1 below) showing approximately 12 people outside the Lime Tree, all reasonably assumed to be customers using the outside area for smoking. It was noted customers where by no means being rowdy or exhibiting negative behaviour but it was noted the noise from the group was elevated above background noise levels. Music could be heard breaking out of the building, but at this time it was not excessive. Due to the concerns of residents of Gerston Road being exposed to nuisance we walked halfway down Gerston Road and stopped for a further 5 minutes. At this position we were approximately 60m away from the building. The noise from both customers and from music had diminished but could still be heard, particularly bass breakout. The evening was cool (around 5 degrees) and we noted we could not see any windows open. It's reasonably foreseeable to expect noise levels we witnessed could give rise to a Statutory Nuisance, especially in the early hours of the morning either at the weekend or more so during week

nights during the warmer months of the year when residents may wish to open their windows. We walked back to our car and left the area at approximately 11:35.

Fig 1 – Lime Tree, Paignton



Mr Karl Martin
Public Protection Officer

Appendix 1

Fig 1 - Street view of the Lime Tree





Fig 2 - Aerial view. Yellow Box is the Lime Tree, red boxes nearest residential accommodation and Blue box is a proposed redevelopment of a former Church into residential accommodation.

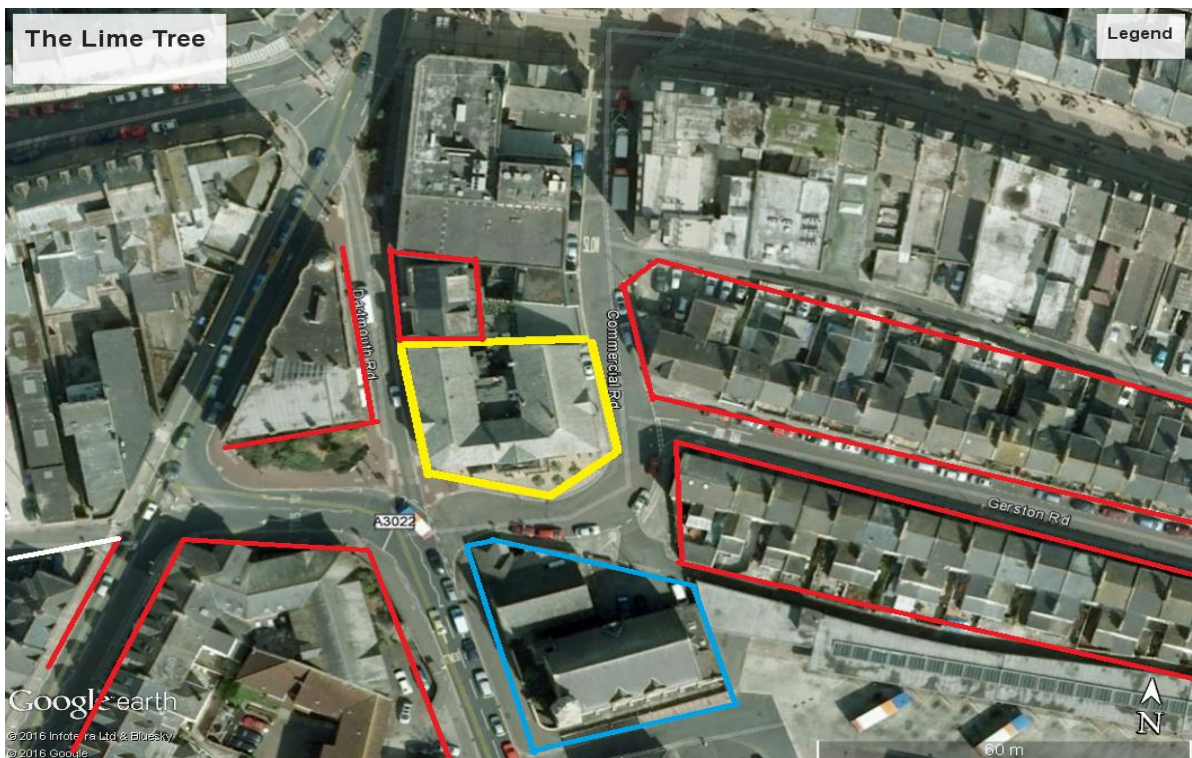
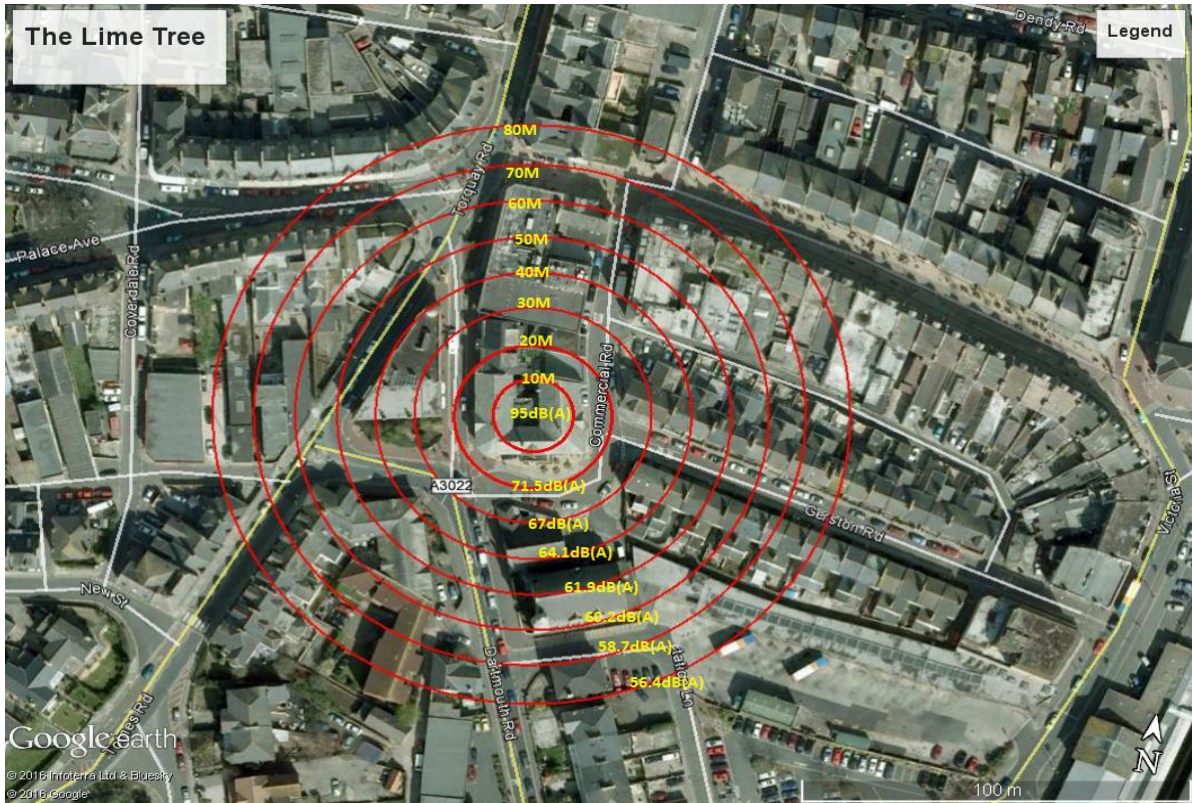


Fig 4 – Noise attenuation distance map



Appendix 2

Fig 1 - History of noise complaints

9/9/08	Noise from amplified music
21/04/09	Noise from amplified music
20/05/09	Noise from amplified music
9/08/13	Noise from amplified music
8/10/13	Noise from amplified music
16/01/14	Noise from amplified music
6/8/14	Noise from amplified music

Fig 2 - Data from Lalpac licensing database – Since Star pubs acquired the premises licence

14/08/2014	STAR PUBS & BARS ...	Lime Tree	Premises Licence WITH Alcohol	Transfer	PL0411	28/08/2014	28/08/2014	indefinite	Completed
14/08/2014	TLT SOLICITORS	Lime Tree	Notification of Intent to Have G...	Notice of Intent	GM0230	14/08/2014	14/08/2014	indefinite	Completed
18/11/2014	STAR PUBS & BARS ...	Lime Tree	Premises Licence WITH Alcohol	Change Super...	PL0411	19/11/2014	19/11/2014	indefinite	Completed
01/12/2014	STAR PUBS & BARS ...	Lime Tree	Premises Licence WITH Alcohol	Amendment	PL0411	01/12/2014	01/12/2014	indefinite	Completed
26/01/2015	STAR PUBS & BARS ...	Lime Tree	Premises Licence WITH Alcohol	Change Super...	PL0411	09/02/2015	09/02/2015	indefinite	Completed
18/02/2015	STAR PUBS & BARS ...	Lime Tree	Premises Licence WITH Alcohol	Change Super...	PL0411	04/03/2015	04/03/2015	indefinite	Completed
01/04/2015	WHEELER Susan	Lime Tree	Temporary Event Notice WITH...	Temp Event N...	TE2344	02/04/2015	02/05/2015	02/05/2015	Completed
05/06/2015	STAR PUBS & BARS ...	Lime Tree	Premises Licence WITH Alcohol	Change Super...	PL0411	18/06/2015	18/06/2015	indefinite	Completed
03/09/2015	BRADSHAW Timothy ...	Lime Tree	Licensed Premises Gaming Ma...	Annual Fee	GMP0003	03/09/2015	19/08/2008	indefinite	Completed
16/09/2015	TLT SOLICITORS	Lime Tree	Notification of Intent to Have G...	Cancel/Surrend	GM0230	16/09/2015	14/08/2014	16/09/2015	Completed
30/09/2015	STAR PUBS & BARS ...	Lime Tree	Premises Licence WITH Alcohol	Change Super...	PL0411	14/10/2015	14/10/2015	indefinite	Completed
14/12/2015	STAR PUBS & BARS ...	Lime Tree	Licensed Premises Gaming Ma...	Transfer	GMP0003	14/12/2015	14/12/2015	indefinite	Completed
02/02/2016	STAR PUBS & BARS ...	Lime Tree	Premises Licence WITH Alcohol	Minor Variation	PL0411	15/02/2016	15/02/2016	indefinite	Completed
14/03/2016	STAR PUBS & BARS ...	Lime Tree	Premises Licence WITH Alcohol	Variation	PL0411				Open