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**Minutes of Meeting**

**MEETING:** Planning and Licensing Committee

**DATE & TIME**: Tuesday 13th April 2021 at 7.00pm

**PLACE:** Via Zoom Virtual Meeting Place

Members were asked to notify the Democratic Officer of any planning applications they wished to discuss by no later than midday on Tuesday 6th April 2021 in order that they could be included in Item 5 of the agenda.

Present

Councillors: Lucy Hamilton (C) Christine James (VC) Jon Orrell

Trefor Morgan David Northam Jan Bergman

 Michael Frost Kevin Brookes

Officers: Jane Biscombe (Town Clerk)

 Niki Ayles (Democratic & Administration Officer)

**P00425 Apologies for absence**

Apologies were approved from Cllr Weaving and Cllr Winter.

**P00426 Declaration** **of Interests**

There were no declarations of interest.

**P00427 Minutes of the last meeting**

**Resolved:**

Proposer: Cllr Hamilton Seconder: Cllr Brookes

Members agreed unanimously the minutes of the last meeting as a true record, and these will be signed at the first opportunity the Committee has to meet face to face.

**P00428 Public Participation**

Due to the virtual nature of the meeting members of the public were invited to submit requests to speak in advance of the meeting.

There were three members of the public present and one member of the press.

**Request for dropped kerb on Avenue Road, Weymouth**

Members heard from Mr Wilson who was requesting vehicle access to his through-garage, which is integral to his house. Mr Wilson wishes to have an electric vehicle and needs a charging point. The only way to do this is via a dropped kerb. However, his house is located in a parking permit zone.

Members were concerned about the potential loss of three parking bays and asked for clarification regarding whether this would involve a permanent loss of the bays. Officers will take this up with the Highways Department at Dorset Council, and will also enquire about the options regarding on-street charging points and whether the parking times sign would need to be re-positioned.

Cllr Hamilton suggested that the Committee suspend the discussion regarding Mr Wilson’s request until such time that clarification has been provided by the Highways Department and the request is brought back to his Committee. This was agreed by Committee members.

**Application for Full Variation of License**

**Waterside Holiday Park, Weymouth**

Committee members heard from Mr Main, Waterside Group, about their application for a variation of license in order to screen occasional outdoor movies for guests. Prior to submitting the application, Waterside Group wrote to local residents and Mr Main felt that Waterside Group has worked through some of the comments received, such as the use of blue tooth headsets after a certain time. It is planned that the outdoor screens will be used occasionally: once or twice a week up to four times a week. Waterside Group are also proposing to invest in higher quality speakers which will allow sound to be emitted at a lower volume, and there would be no carrying of noise to local residents. The screen will be located in the least sensitive areas so that nothing is being projected towards residents. The screen will only be visible to park users and a couple of neighbours, with whom conversations were held prior to the application being submitted. The screen will not be visible from the road or most properties, although one property may see a corner of the screen. Films will be suitable for family viewing. Screenings will be open to non-residents.

Members were generally supportive of the application and Cllr Hamilton proposed that the Committee has no objection.

**Resolved:**

Proposer: Cllr Hamilton Seconder: Cllr Hamilton

Members voted unanimously in favour of returning a comment of no objection to the application.

**Junction of Corporation Road and Links Road, Westham**

Cllr James introduced the proposal as detailed in the agenda documentation. The proposal was fully endorsed by Cllr Ryan Hope, who was in attendance as the Dorset Council member for Westham.

It was highlighted that there is a lack of visibility at the junction due to a high fence that has been installed, as well as overgrown hedges. Parking can become very busy at school pick up and drop off times, and there have been a number of incidents previously.

Cllr Hamilton noted that the recommendation asks that members support the proposal to bring forward the give-way line in order to give better lines of sight. She added that members were also concerned about visibility due to a high fence and overgrown hedges and that the recommendation should be for junction improvement.

**Resolved:**

Proposer: Cllr Northam Seconder: Cllr Hamilton

Members voted unanimously in favour of supporting the proposal and the investigation of junction improvements. This will now be passed up to Dorset Council for assessment.

**Request for “Build-Out” on Radipole Lane, close to junction for Cold Harbour, Radipole**

Cllr James introduced the proposal as detailed in the agenda documentation, and was supported by Committee members who agreed that measures need to be taken to try and slow the speed of traffic in the area.

It was noted that there is going to be a lot of development in the area and that, rather than waiting for the increase in traffic to create a major problem, the additional traffic is already being anticipated.

**Resolved:**

Proposer: Cllr James Seconder: Cllr Northam

Members voted unanimously in favour of supporting the proposal and this will be sent up to Dorset Council for assessment.

**Application for Full Variation of License**

**The Closet, 38a Maiden Street, Weymouth**

The Town Clerk read the following statement from Mr Shearing who was unable to attend the meeting:

“I represent a small group of residents who are very engaged in licensing and other issues around the north harbourside.

We would like to add something to the committee’s discussion on the application for a full variation of The Closet’s (and therefore The Closet Bar’s) licence. On the face of it, this appears very straightforward, but there are concerns we’d like to raise.

As a group, we will be supporting the variation, in principle. But, it seeks to simply transfer the footprint of The Closet Bar to The Closet licence, without considering any of the conditions that have been set for The Closet Bar. Given the potential risks of this to the licensing objectives, it doesn’t feel appropriate.

The Closet and The Closet Bar are different buildings. Their licences have been established against the rules and guidance of the licensing act, on a case-by-case basis against the merits and risks they present to the community and the licensing objectives, individually. We understand this is how it works. So surely, a full variation that seeks to remove a licence and include an adjacent building into its own licence should consider the impacts of both. This has not been done.

We understand that mandatory conditions in Annexe 1 are reviewed and updated by Licensing.

And we also understand that Annexe 2 has a few changes around security staff, but the rest remains the same. It’s likely that this will increase impacts for the community and the cumulative impact area, which the Licensing Authority has a duty to not make any worse.

As it stands, there are 75 conditions in Annexe 2 of The Closet Bar’s licence. Some of these do appear to be onerous because they are covered by other legislation, such as the Health and Safety at Work Act. From a layman’s perspective, it appears that at least 20 of these could be removed.

Of the remaining 55 or so, 36 are not covered in The Closet’s licence. At least two of these are criticalto deal with poor soundproofing and escaping noise, which has recently been enforced under statutory nuisance by Environmental Health.

The rest are covered in The Closet’s Annexe 2, which has to be said, is light in comparison.

One of the critical lost items is a preventative noise condition**,** which has been allowed to lapse following a court of appeal ruling. Licensing has supported a revision to this in writing, to make it enforceable again. The applicant has stated an interest in resolving it, and legally driven proposals are included in our representation. Without this, there is an increased risk of residents being kept awake all night with thumping bass that can be felt in the building. And the licence is very late, every night. At least ten residents have moved out because of noise and nuisance impacts in the last 12 months alone, prior to lockdown.

The new Dispersal Policy is welcome. Residents have worked with the applicant for related matters and some of these have been included. However, some improvements could still be made, especially in relation to patrons that take breaks from the venue to conduct significant disorder and nuisance in nearby streets, ranging from public toileting, screaming, arguing, drug use and vomiting. This late night and early morning suffering has contributed to a demise in community spirit and long term residency here. It’s been pretty disgusting to wake up to.

Given all this, we ask the Licensing Committee to please note our concerns:

That the variation is supported locally, but this needs to be conditional on a comparative review of both licences to include the most important conditions from The Closet Bar. This will ensure that the licensing objectives can be upheld against the merits of each building and the new, combined premise’s operating schedule and Dispersal Policy.”

Cllr Orrell, Ward Councillor for Melcombe Regis, supported residents’ concerns to ensure that when the new unified license is issued, conditions around noise are included. There is a need to ask the Licensing Team to ensure that there are new license conditions that can be enforced.

It was suggested that the Committee reject the application as it relates to two premises in different locations and it was felt that they should be dealt with as two separate applications.

There were also concerns that the application contains no detail regarding the operating schedule, and clarification is needed regarding the terms and conditions, and whether it is appropriate to have a single license across two premises. Clarification was also required regarding whether there will be an increased number of security staff at each location or whether the two security staff mentioned will be one at each premises.

Cllr Hamilton proposed that the Committee object to the application, in support of the concerns raised by residents, on the grounds of public nuisance. The application will go forward for further discussion by Dorset Council. This does not delay the process but will provide satisfaction for the public and the licensee in that Dorset Council can fully investigate the issues.

Cllr Hamilton was encouraged by the detail in the application about dispersal management and litter.

**Resolved:**

Proposer: Cllr Hamilton Seconder: Cllr Brookes

Members voted unanimously in favour of objecting to the application on the grounds of public nuisance.

**P00429 Planning Applications for discussion**

Members had expressed a desire to discuss the following planning applications:

**WP/20/00951/FUL 46 The Finches, Weymouth**

Since being added to the agenda, further information had been received from the Planning Team that there are no significant changes to the application. Therefore, the Committee’s objection to the application on 16th February 2021 stands and the Committee did not need to revisit it as it had been discussed recently.

Notification of the following applications had been received shortly before legal despatch of the agenda and Councillors were therefore asked to consider each application:

**WP/21/00156/VOC Ferrybridge Inn, Portland Road, Weymouth**

It was felt that there were no significant changes since the Committee last considered the application on 16th March 2021 and, therefore, Cllr Hamilton proposed that the application is not discussed this evening and that an en-bloc comment of “no objection” is returned.

[**P/NOTP/2021/01060**](https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=235617) **Various Locations, Weymouth**

It was highlighted that not everyone has access to a mobile phone and therefore telephone boxes could be crucial in an emergency. However, it was felt that this was a matter for BT.

BT have advised that they continually review demand for pay phones and that three have been identified in Weymouth that are not used enough. BT have proposed that the telephone boxes are removed under their 90-day consultation process. Communities can investigate new ways of using telephone boxes and ”adopted” for a small fee, for example, if communities wish to house a defibrillator.

Cllr Hamilton suggested that the Committee may wish to consider keeping the telephone box in Hope Square as these can be a tourist attraction. It was also suggested that the residents of north harbour be asked to propose an alternative use for the telephone box.

It was agreed that an extension to the consultee deadline will be requested in order that Members can ascertain whether residents wish to suggest an alternative use for all three telephone boxes and to investigate maintenance costs.

**P00430 Planning Applications – no objection**

**Resolved:**

Proposer: Cllr Hamilton Seconder: Cllr Brookes

Members voted unanimously in favour of returning a comment of “no objection” for the following:

* WP/20/00618/FUL The Gurkha Bars and Buffet, Swannery Walk, Weymouth
* WP/21/00054/FUL 11 Church Knapp, Weymouth
* WP/21/00083/FUL 4 Grasmere Road, Weymouth
* WP/21/00112/CLP 13 Dale Avenue, Weymouth
* WP/21/00029/FUL 12 Spa Avenue, Weymouth
* WP/21/00028/FUL 53 Commercial Road, Weymouth
* P/LBC/2021/00981 51 The Esplanade, Weymouth

**P00431** **Planning Applications responded to under Delegated Powers (for information)**

None

**P00432 Licensing, Enforcement, Appeals & Phone Masts**

**Notification of Appeal**

[**WP/20/00379/FUL**](https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=234537)

**23 Greenhill, Weymouth, DT4 7SW**

The Committee’s original comment of “no objection” remains and will be automatically considered as part of the Appeal process.

**P00433 Other Developmental Consultations**

None

**P00434** **Traffic Calming and Parking Restriction Requests from The Public**

All traffic calming and parking restriction requests had been considered during the Public Participation item. Please see minute number P00428 above.

**P00435 Information Items**

Members noted the information items.

**P00436 Emergency Items**

There were no emergency items to consider.

The meeting concluded at 8.22 pm.