

# Memorandum

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<b>To:</b>	<b>Licensing and Public Protection Team</b>	<b>From :</b>	<b>Mr Karl Martin</b>
<b>c.c</b>		<b>Contact :</b>	
<b>c.c.</b>		<b>Ext :</b>	<b>01803 208025</b>
<b>c.c</b>		<b>My Ref :</b>	<b>1ZV SRU No: 256010</b>
<b>.</b>		<b>Your Ref :</b>	
<b>For the attention of:</b>		<b>Date :</b>	<b>24<sup>th</sup> April 2020</b>
<b>Steve Cox, Principle Licensing Officer</b>			

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**Subject: Full variation application, Hoburne Devon Bay, Paignton**

- a) I have no comments to make on the above application ☐
- b) The application does not meet the following licensing objectives:
- |      |                                  |                          |
|------|----------------------------------|--------------------------|
| i)   | Prevention of crime and disorder | <input type="checkbox"/> |
| ii)  | Protection of children from harm | <input type="checkbox"/> |
| iii) | Public safety                    | <input type="checkbox"/> |
| iv)  | Prevention of public nuisance    | <b>X</b>                 |
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- Hoburne Devon Bay is large holiday park situated in Goodrington, Paignton. The park has been built on the slopes and summit of a hill which is surrounded by two valleys, one to the east and one to the west.
  - As normal with holiday parks of this nature and size there is a focus on providing regular family orientated entertainments for guests and lodge owners.
  - A dedicated licenced entertainment complex is situated just below the summit on the eastern slope of the park overlooking Clennon valley.
  - The applicant in making this variation application seeks two objectives:-
    - To licence an outdoor beer garden with a terminal hour of 22:00, 7 days a weeks for all existing activities.
    - To remove a non-standard timing condition on part of the main entertainment building to align with existing terminal hour of 1am, 7 days a week for all licensed activities.
  - The applicant's agent consulted and provided all responsible authorities with a draft applications for comment before submission of the final application.

6. I do not believe the proposed variations to the existing licence will seek to undermine the licensing objective the Prevention of Public Nuisance and therefore did not offer any further comments, observations or objections.
  7. However during consultation a number of representations have been received and accepted by the Torbay Councils Licensing team from residents who live in Clennon Valley area.
  8. For the most part there has been a misunderstanding of the changes the applicant seeks to make to the existing licence. All residents do mention disturbance from recorded music and amplified speech as a current source of nuisance. The alleged nuisance is a result of licensable activities currently authorised by the premises licence.
  9. A check of records held by the licensing team shows one complaint of noise in the last 10 years. The complaint was made in July 2018 and when investigated highlighted a failure to keep windows and doors closed that look out over Clennon Valley. This failure was swiftly rectified and no further complaints have been made to the Authority.
  10. The Authority does not hold any evidence other than one complaint to support the resident's allegations of nuisance. However, it is reasonably foreseeable if sound levels are not adequately managed, noise breakout from the entertainment complex does have the ability to cause nuisance. This is compounded by the topography of the land the park is sited on.
  11. Further it is normal for holiday parks, during peak times, to provide some form of entertainment on a daily basis. With frequent entertainment combined with topography and prevailing wind direction it is very likely if not managed noise from the entertainment complex could cause a public nuisance.
  12. Fortunately the residents report airborne propagation of sound and this is relatively straightforward to correct.
  13. At the time of submitting this representation I am currently in constructive dialogue with the applicants agent and I fully expect by the time of the hearing I will be in position to update members of our agreed position.
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14. An agreement will provide residents the reassurance and confidence in the applicants operation going forward.

**Karl Martin**



**Public Protection Officer  
Licensing and Public Protection  
Community Safety  
Torbay Council**

# Memorandum

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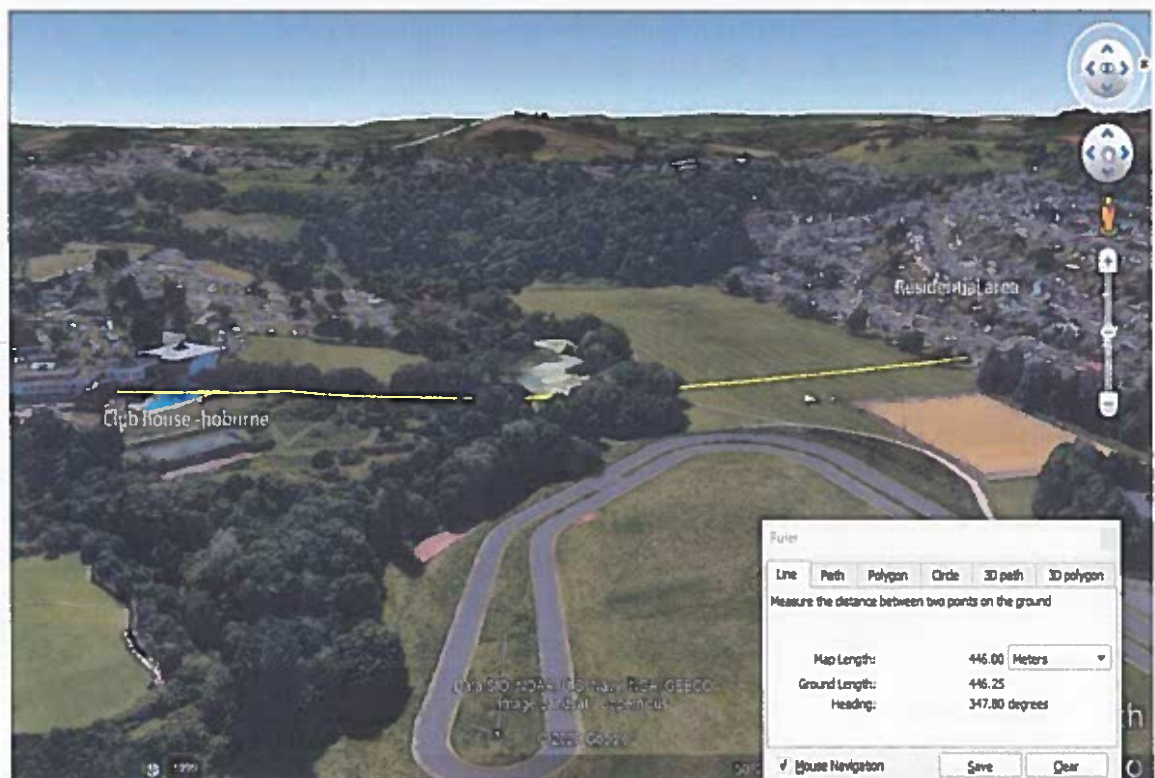
To: Licensing and Public Protection Team	From: Mr Karl Martin
c.c	Contact:
c.c.	Ext: 01803 208025
c.c	My Ref: 1ZV SRU No: 256010
.	Your Ref:
For the attention of: Steve Cox, Principle Licensing Officer	Date: 29 <sup>th</sup> April 2020

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**Subject: Full variation application, Hoburne Devon Bay, Paignton**

**Additional information - Area map data**

## 1. Google Earth 3D imagine of Clennon Valley



## 2. Google Earth 2D image of Clennon Valley

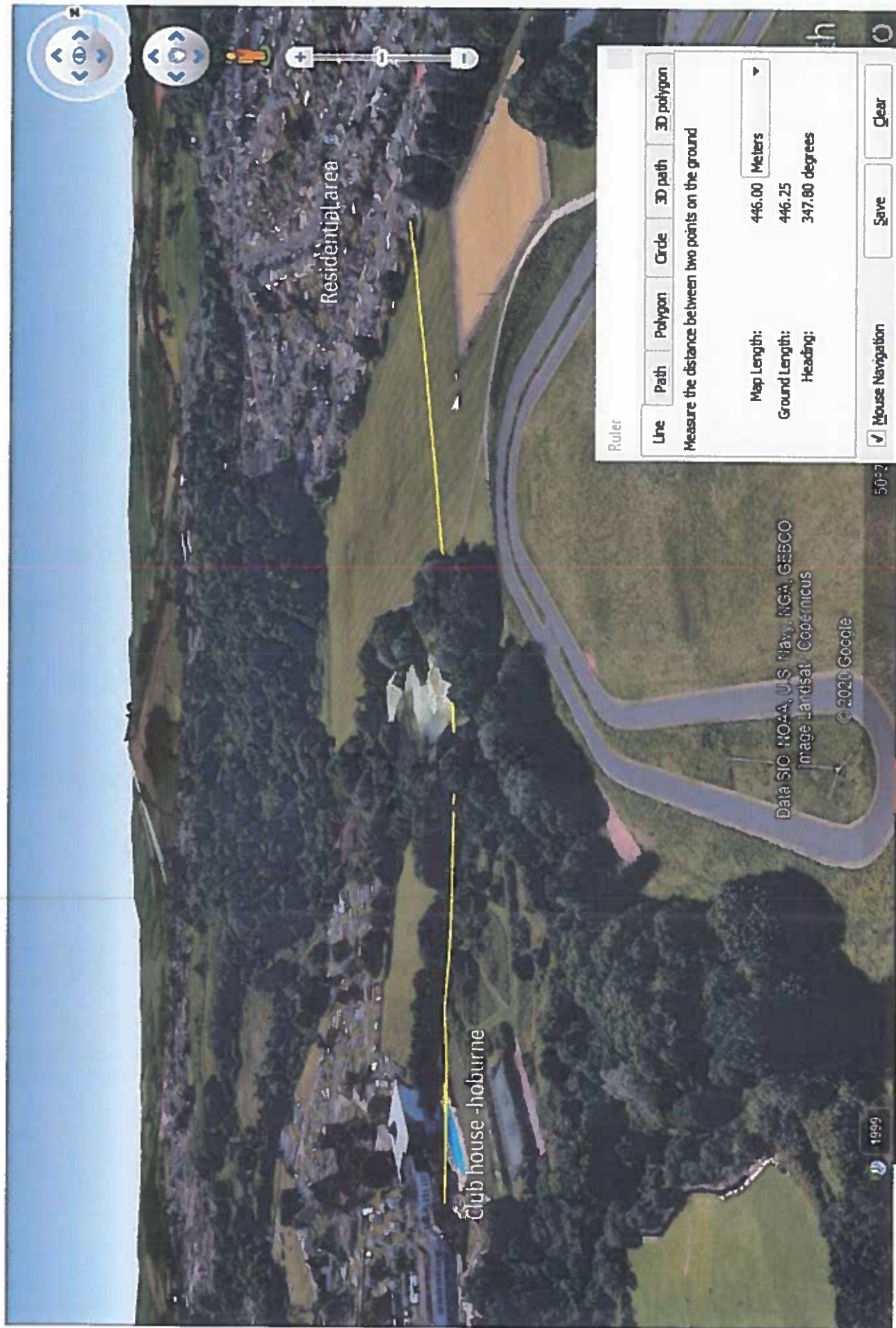


## 3. OS map



Karl Martin

Public Protection Officer  
Licensing and Public Protection  
Community Safety  
Torbay Council



Residential area

Club house - hoburne

Ruler

Line Path Polygon Circle 3D path 3D polygon

Measure the distance between two points on the ground

Map Length: 446.00 Meters  
Ground Length: 446.25  
Heading: 347.80 degrees

Save Clear

Mouse Navigation

Data SIO, NOAA, U.S. Navy, NGA, GEBCO  
Image Landsat / Copernicus  
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