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Please reply to: Darryl White
E-mail address: Darryl.White@swdevon.gov.uk

Dear Councillor

SOUTH HAMS LICENSING SUB-COMMITTEE - THURSDAY, 9TH NOVEMBER, 2023

I refer to the agenda for the above meeting and attach papers in connection with the following item(s).

| Agenda No | Item |
|------------------|-------------|
|------------------|-------------|

- | | |
|----|--|
| 3. | <u>Application to vary the Premises Licence of Things Happen Here, Meadowbrook Community Centre, Shiners Bridge, Dartington, Totnes, TQ9 6JD (Pages 1 - 14)</u> |
|----|--|

Yours sincerely

Darryl White
Democratic Services Manager

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To whom it may concern.

Please see a summary of the key points on which I seek to rely in supporting Things Happen Here's application below:

- Things Happen Here has a history of running post 11pm events using temporary event notices without incident
- Things Happen Has not received a single complaint or notification from any member of the public or organisation at any time regarding these post 11pm events.
- Our change of licence application is supported by the Police Licensing Committee.
- We have a good relationship with our nearest neighbours, Robins Respite Centre, who we have never received a complaint from and who did not object to our change of licence application.
- We can demonstrate good practise via our honest and accurate answers to objections, our policies and experience running events at Things Happen Here.

Regards.

Martin Edmunds (director Things Happen Here)



31.10.23

To whom it may concern.

Please see Things Happen Here's response to objections received from five members of the public to our change of licence application below.

A separate document has been provided answering Dartington Parish Councils objections.

Things Happen Here's response is in bold/italic.

Regards

Martin Edmunds (Director Things Happen Here)

1.

23.10.23

To Whom It May Concern,

It has come to my attention that Thing Happen Here is seeking to extend their opening hours from 11pm til 1am.

I strongly object to this request for the following reasons:

THH is in a residential area close to care provision for children and young people with special needs. Complaints have already been made about the noise levels coming from Meadowbrook during THH events at the current opening hours. Extending them would only bring more distress to a vulnerable group of children and their carers and would fracture community relations.

Things Happen Here has not received a single complaint from Robins Respite Centre and Robins did not object to our change of licence application – please see separate 'Info on Robins Respite Centre & Things Happen Here relationship' for info discussed between ourselves and Robins detailing our good relationship.

Dartington is a quiet village. Extending the alcohol licence beyond normal opening hours will attract people from all over the area, as it will become an after hours hotspot. This will increase noise pollution into the surrounding area from customers on the street and driving their cars after closing time. Requests from pub staff to keep the noise down are ineffective. This will cause distress and aggravation to the larger community, who live here because of the peace and quiet.

These points have been covered in detail in our reply to Dartington Parish Council but we have not received a single complaints from a member of the public or organisations at any point regarding these concerns, are supported by the Police Licencing Committee in our license change application and our staff have experience of managing customer behaviour very well which contributes to the lack of issue at Things Happen Here.

Dartington has undergone rapid development over the last few years. THH and the lovely pizza place and pool have made the Meadowbrook area a lovely hub, but this request to extend opening hours will change the nature of what has so far been a mostly positive change. I hope you can see that our quiet village is not the right location for a venue with late opening hours serving alcohol.

We have no intention of opening post 11pm as a late bar. Our only reason to extend our hours is to continue promoting occasional events post 11pm without having to rely on temporary licences to do this. We have a history of running these events without any issues or any complaints included any raised by [REDACTED].

Yours faithfully,

[REDACTED]

2.

23.10.23

In response to this application to extend the licensing hours on the times and dates specified in the application.

Given the physical proximity of the Robins Respite Centre and the potential for disturbance of the residents of the centre I object to the extending of the hours for provision of live and recorded music and for the supply of Alcohol for consumption **off** the premises where consumption could occur in the areas provided by Things Happen Here immediately outside the Meadowbrook Centre.

This has never been an issue. We have run many post 11pm events where people choose to take a drink to consume at our outside seating without any issue or complaint from Robins. The amount of people who consume alcohol outside post 11pm is minimal (generally smokers) and alcohol consumption decreases considerably post 11pm.

Things Happen Here has not received a single complaint from Robins Respite Centre and Robins did not object to our change of licence application – please see separate ‘Info on Robins Respite Centre & Things Happen Here relationship’ for info discussed between ourselves and Robins detailing our good relationship.

I would not have an objection to an extension of the hours on the times and dates specified for the supply of alcohol for consumption **inside** the premises.

We thank [REDACTED] for his support on this point.

Yours Sincerely

[REDACTED]

3.

9.10.23

Dear sir madam

We live in a rural area and there is really no need for extended hours of what can be quite loud music. I love the venue but am very much against extending its licensing hours both for performance or for drinking.

We have no intention of opening post 11pm as a late bar. Our only reason to extend our hours is to continue promoting occasional events post 11pm without having to rely on temporary licences to do this. We have a history of running these events without any issues or any complaints included any raised [REDACTED]

[REDACTED] - local resident of Week and Parish Councillor

23.10.23

To highlight our concerns. We live within a few minutes of Meadowbrook and we can hear Things Happen Here events from our home. We are particularly concerned about the months in the year when our windows are open. This is a small village and hamlet. We are busy working in the work and we think it likely this will inevitably disturb our sleep. 11pm seems quite sufficient. We are fine with a New years event lasting until 1am.

Week is half a mile away from Things Happen Here and there are other sources of noise in the area such as Dartington Estate, the local village hall, The Glade and nearby woods which have become a regular summer outdoor party space.

Things Happen Here is respectful of volume levels on the events we host and are in control of and we have no intention of opening post 11pm as a late bar. Our only reason to extend our hours is to continue promoting occasional events post 11pm as we have done in the past without having to rely on temporary licences to do this. We have a history of running these events without any issues or any complaints included any raised [REDACTED]

[REDACTED]

4.

23.10.23

To Whom It May Concern,

Re: Application for variation to premises licence from Things Happen Here Ltd

Things Happen Here, Meadowbrook Community Centre, Shidders Bridge, Dartington, Totnes, TQ9

6JD

I strongly object to the request to extend the hours on these premises on a Friday and Saturday due to its close proximity to a residential care provision for children and young people, that also offers respite care to parents in the wider area.

With respite care, it is important that the children and young people are able to rest while at their residential care provision, so that both them and their parents can benefit from this essential aspect of their care - the parents need a break in order to continue and don't need or expect their children to come back tired or distressed. Respite care often takes place during the weekends for children and young people who attend school elsewhere in the area.

To extend the hours on a site that is in close proximity, and has walls as thin as the Meadowbrook Community Centre building, where "Things Happen Here" is situated, would be irresponsible and none of us would be meeting our duty of care to these vulnerable young people if it is permitted. I am appalled that the request to extend hours has been made, when the respite centre has already complained about the volume of the live music events and the noise created when people leave the premises, and meetings about this have taken place between the Respite Centre and Dartington Recreation Association, who manage the Meadowbrook Community Centre.

Around 2 years ago 2 meetings were held between the Dartington Recreation Association, Robins and New Lion Brewery (pre Things Happen Here tenants at Meadowbrook) which current employees of Things Happen Here attended. These meetings were productive with assurances being given to Robins re noise. Post these meetings a good relationship was maintained and no complaints were received by the tenants from Robins.

Since taking over from New Lion Brewery, Things Happen Here has not received a single complaint from Robins Respite Centre and Robins did not object to our change of licence application – please see separate 'Info on Robins Respite Centre & Things Happen Here relationship' for info discussed between ourselves and Robins detailing our good relationship.

I also object to the extension of the hours for which alcohol will be supplied, as the drunker someone is the less regard they have for the neighbours and how much noise they are making, despite reminders from the pub staff.

This has never been an issue. We have run many post 11pm events where people choose to take a drink to consume at our outside seating without any issue or complaint from Robins. The amount of people who consume alcohol outside post 11pm is minimal (generally smokers) and alcohol consumption decreases considerably post 11pm including any raised by [REDACTED]

I speak as a concerned local and a professional who used to teach at a residential school for children and young people with complex needs, similar to those who receive care at Robins Child Residential and Short Break Centre, run by Lifeworks. I know the value of offering the right conditions for these children to flourish, and how transformative and life-changing these care services are for families. A once a year extension of hours, at New Year's, may be able to be planned for. However, some residents are full-time and, in particular, any disruption to an autistic child or young person's routine may be distressing for them and potentially increases the risk of harm to their carers. I feel that granting an extension of hours for this one event would only be able to be done with the full support of Robins management and it may need to be granted on an annual basis as the needs of the residents (and associated risks) will continue to change.

Robins is a purpose built centre offering a vital service to the most vulnerable members of our society. If the pub wishes to offer extended hours perhaps can find a more suitably situated venue elsewhere in the Dartington area.

I hope you can see how the detriment to the community is greater than the gain in this situation, and I urge you to decline the proposed variation to the premises licence.

Please confirm receipt of this objection.

Please refer to our comments on Robins above.

Yours faithfully,





31/10/23.

To whom it may concern.

On Monday October 30th I met with a member of the management team at Robins Respite Centre to discuss any issues the centre may have with Things Happen Here's license activities, our application to extend our weekend opening hours and any issues around the events we have hosted in the venue including points raised in objections regarding noise and disturbance Robins may experience due to the events both pre and post 11pm we have held at Things Happen Here.

I was informed that the centre has **no issue** with any of these points and the manager would be willing to provide a letter to us confirming this ready for our licensing hearing of 09/11/23.

We are very pleased to be able to note that not a single complaint has ever been received by Things Happen Here from our neighbours at Robins and Robins did not object to our change of licence application.

We have always had a good relationship with Robins and the manager made it clear that should any issues arise they would talk to us to negate these issues which we obviously would be more than happy to do. There has never been a need for this to date as they confirmed there have been in the past and remain no issues to raise.

I had a further, later discussion with the manager who informed me that she had been informed that Robins Head Office has discussed our licence application with an unknown third party, Due to this and recent job uncertainty and organisational changes (Robins has been taken over by Devon County Council this week) she felt unable to put her name to a letter supporting our application which I accepted and is the reason that I have not included it here.

The information provided here though from her regarding the lack of issue and good relationship between Robins and Things Happen Here is honest and accurate.

Regards.

Martin Edmunds (Director Things Happen Here)



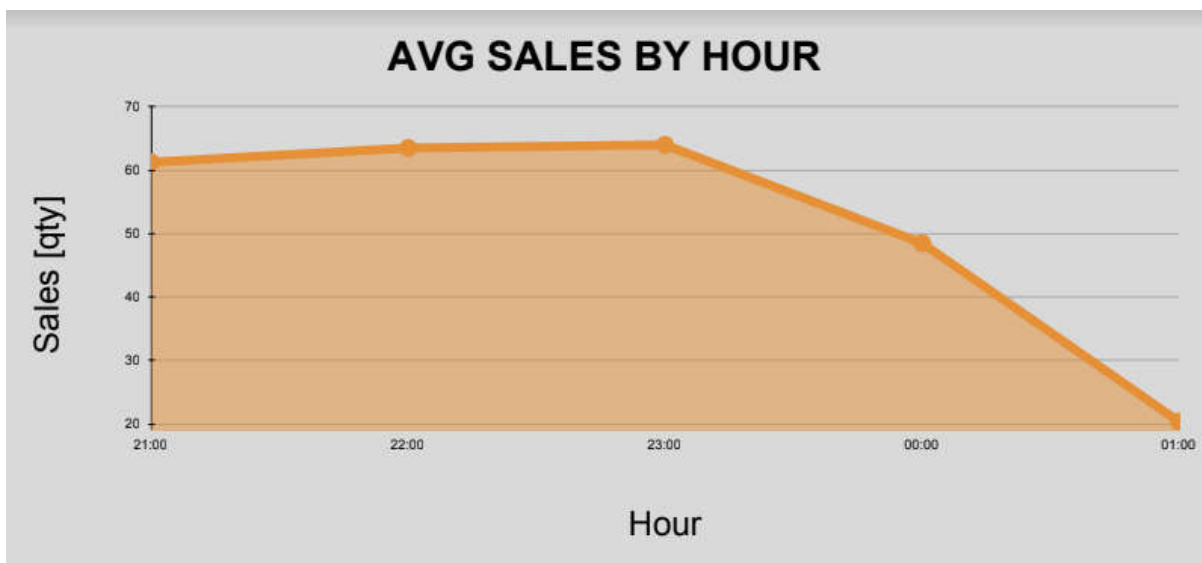
31.10.23

To whom it may concern.

Concerns have been noted in objections raised to Things Happen Here licence amendment application regarding post 11pm alcohol consumption.

We mentioned in our reply to Dartington Parish Council that we could provide till data showing the alcohol consumption declines post 11pm.

Please see data provided below to support this fact.



Regards.

Martin Edmunds (Director Things Happen Here)



THINGS HAPPEN HERE NOISE MANAGEMENT PLAN

Professional grade sound equipment is in place, recommended, provided and fitted by our sound company of choice, Talking Slides, to ensure both the most appropriate volume and best quality sound for a venue of our size.

Sound equipment is regularly checked to ensure it is performing correctly to keep to the appropriate volume.

At all amplified live band events and all relevant late night (post 11pm) DJ events a professional sound person is in place controlling sound via our mixing desk.

At events of the above nature, our sound person and/or a member of staff assess sound both inside and outside the building to keep volume to acceptable levels.

Staff, artists and our sound person are briefed before an event on their responsibilities regarding event volume.

Supervisors are briefed on the nature of each event at the venue to ensure they are aware of the nature of the event and can work with our sound person to ensure appropriate volume is kept to.

Sound curtains are in place covering the two windows in the venue, behind our stage and sound booth. These curtains are drawn for all evening events to negate sound leakage.

Sound curtains are also in place on our wall nearest to our adjoining neighbours to negate sound leakage.

A sound limiter is in place set to 96db (the appropriate sound for a venue of our size as advised by our sound company, sound person and available on line information)

Fire doors remain shut whenever music is on including sound check to negate sound leakage unless needing to be opened in case of emergency or alarm.

Our entrance door into our lobby remain shut whenever music events are on in the evenings including sound check unless needing to be temporarily opened to let air in to cool the room down.

Volume is set outside at a volume that allows people to speak comfortably without being disturbed in our licenced area. This volume is set by and regularly monitored by staff and agreed by artists.

Outside speakers are set up facing away from neighbours, towards the road where there is no housing, to negate sound leakage.

Signage is displayed by the venue exit reminding customers of their responsibility to keep noise and disturbance to a minimum when leaving the building.

A similar reminder is also printed on our monthly listings and included on our website.

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The Licensing Department, South Hams District Council, Follaton House, Plymouth Road, Totnes, TQ9 5NE. Tel:- 01803 861336
Email:- licensing@swdevon.gov.uk

SUMMARY OF KEY POINTS

These are the key points I rely on to support my representation:

Application: **Variation to Premises Licence**

By: **Things Happen Here Limited**

of: **1 Puddavine Terrace, Dartington, Totnes, TQ9 6EU**

Name of premises: **Things Happen Here, Meadowbrook Community Centre, Meadowbrook, Shiners Bridge, Dartington, TQ9 6JD**

| Key Points | | |
|---|-------------------------------------|--|
| Which of the four licensing objectives does your <i>application, representation or objection</i> relate | (✓) | Please enter a summary of your key points in the table below. Please use an additional page if necessary |
| Prevention of crime & disorder | <input checked="" type="checkbox"/> | The likely activity in the surrounding neighbourhood will be outside the control of the venue operators. People would continue to linger outside the venue after the bar had closed and potentially cause a nuisance - antisocial behaviour, being loud and drunk possibly - for longer if the licensing hours were increased. It is likely that damage will be done to private property and public facilities in the immediate neighbourhood due to the increased number of customers influenced by alcohol consumption and their peers. |
| Public safety | <input checked="" type="checkbox"/> | There is no public transport to the venue which is in a village but is likely to attract people from some distance. There is concern for the safety of customers if there are late night openings which become a regular fixture from which people might walk home along roads with no pavements many of which are unlit. A walking route to Totnes might be the cycle path which is also unlit and isolated from dwellings or on the main road. The A385 might seem to be a better option for walkers but it has no pavement and is not a safe walking route. |
| Prevention of public nuisance | <input checked="" type="checkbox"/> | The noise already travelling up from the venue & across the field creates a nuisance. The building is inadequately soundproofed. Many people in the nearby area start work early in the morning so to have the venue open until 1am regularly would |

| | | |
|--|----------------------------------|--|
| | | <p>inconvenience more local people. Customers will be leaving before and after 1am and will inevitably make noise and disruption in the local area as they either wait for transport or walk towards, for example, the train station in Totnes.</p> <p>This extension is inappropriate and unnecessary in a village setting. The peaceful enjoyment of the area by residents is already sufficiently compromised with the current licence. The applicant currently has the option to apply for an extension for a late-night event whenever they choose. They state that they do not intend to increase the number of late-night events if the licence is modified. A change in the licence to include regular later closure on Fridays & Saturdays would remove a valuable safeguard for the parishioners if problems arise in the future.</p> <p>The Council considers the status quo would be best for the local community.</p> |
| <p>Protection of children from harm</p> | <p><input type="checkbox"/></p> | |
| <p>Your Signature:</p> | <p>Dartington Parish Council</p> | |
| <p>Name:</p> | <p>Kate Wilson, Parish Clerk</p> | |

SUMMARY OF KEY POINTS

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Name of premises: **Things Happen Here, Meadowbrook Community Centre, Meadowbrook, Shiners Bridge, Dartington, TQ9 6JD**

| Key Points | | |
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| Which of the four licensing objectives does your <i>application, representation or objection</i> relate | (✓) | Please enter a summary of your key points in the table below. Please use an additional page if necessary |
| Prevention of crime & disorder | <input type="checkbox"/> | |
| Public safety | <input type="checkbox"/> | |
| Prevention of public nuisance | <input type="checkbox"/> | |
| Protection of children from harm | <input checked="" type="checkbox"/> | <p>Protecting the children and young people with additional needs, at Robin's Respite Centre, which neighbours the Things Happen Here venue.</p> <p>We have a duty of care to protect their right to quality sleep. The extension of hours may cause un-necessary tiredness and/or distress to the residents accessing this care provision.</p> <p>Disturbed sleep and extended exposed to unwanted noise can increased the likelihood of self-harm or harm to others.</p> |

| | | |
|-----------------|--|---------------|
| | <p>Quality respite services are enabling and essential for parents of children with additional needs. (Therefore there are negative knock-on implications for those who have had an unsettling experience).</p> <p>The thin fabric of the Things Happen Here building is not suitable for live music to be played over extended hours.</p> <p>The drunken patrons of the Thing Happen Here venue create a noise disturbance when they leave, therefore the noise disturbance will continue beyond those hours, negatively impacting the residents at the Respite Centre.</p> <p>The negative impact of extending the hours outweighs the possible benefits. Even the harm of extending the hours may be less visible than physical harm, it is no less significant. We want local care services to offer the conditions for children, young people and their families to flourish.</p> <p>The extension of hours over New Year's can only be done with the full support of Robins' management, if at all. This extension may need reviewing annually.</p> | |
| Your Signature: | | Your address: |
| Name: | | |

In addition to my original written representation, it is also important to note that noise sensitive individual's may also self-harm when noise continues:

1. Outside of their control
2. When they are tired and it is affecting their sleep, ability to think, or process information.

In addition to this, if their sleep has been affected during the night, then the likelihood of self-harming may increase the following day. This is particularly true for those on the autistic spectrum, especially those with sensory input disturbances.