

# South Hams Licensing Sub-Committee



<b>Title:</b>	<b>Agenda</b>
<b>Date:</b>	Thursday, 9th November, 2023
<b>Time:</b>	4.00 pm
<b>Venue:</b>	Repton Room - Follaton House
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Cllr Rake</p> <p style="text-align: center;"><b>Vice Chairman</b> Cllr Carson</p> <p><i>Members:</i> Cllr Abbott</p>
<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
<b>Committee administrator:</b>	Democratic.Services@swdevon.gov.uk

**1. Division of Agenda**

to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;

**2. Declarations of Interest**

In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests including the nature and extent of such interests they may have in any items to be considered at this meeting;

**3. Application to vary the Premises Licence of Things Happen Here, Meadowbrook Community Centre, Shidders Bridge, Dartington, Totnes, TQ9 6JD**

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# Agenda Item 3

Report to: **Licensing Sub-Committee**

Date: **9 November 2023**

Title: **Application to vary the Premises Licence of Things Happen Here, Meadowbrook Community Centre, Shidders Bridge, Dartington, Totnes, TQ9 6JD**

Portfolio Area: **Customer First**

Wards Affected: **Dartington and Staverton**

Relevant Scrutiny Committee:

Urgent Decision: **N** Approval and clearance obtained:

Author: **Naomi Stacey** Role: **Senior Specialist - Licensing**

Contact: **01803 861268 / naomi.stacey@swdevon.gov.uk**

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## **Recommendations:**

**That the Sub-Committee consider the application for a variation to the Premises Licence and make determinations in respect of this application, namely:**

- (a) to modify the conditions of the licence;**
- (b) to reject the whole or part of the application;**

**and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.**

**The decision must be in line with the licensing objectives contained within the Licensing Act 2003.**

## 1. Executive summary

- 1.1 The purpose of the Licensing Sub-Committee meeting is to determine an application for a variation to the Premises Licence at **Things Happen Here, Meadowbrook Community Centre, Shiners Bridge, Dartington, Totnes, TQ9 6JD** in accordance with Section 35 of the Licensing Act 2003.
- 1.2 The Licensing Department have received seven representations in objection to the application and therefore the application will need to be determined by the Licensing Sub-Committee.

## 2. Background

2.1 The Licensing Authority received an application from Things Happen Here Ltd to vary their premises licence on 26 September 2023. The application is to:

- Include the provision of live and recorded music (indoors and outdoors) on Friday and Saturday and New Year's Eve from 11:00 to 01:00.
- Extend hours for supply of alcohol for consumption on and off the premises on Friday and Saturday and New Year's Eve to be from 11:00 to 01:00.
- Extend opening hours on Friday and Saturday and New Year's Eve to be from 08:30 to 01:30.

A copy of the application form is attached at **Appendix A**.

2.2 The premises is currently licensed for the following:

- Supply of alcohol for consumption on and off the premises:
  - Monday to Saturday from 11:00 to 23:00
  - Sunday from 11:00 to 22:30
  - New Year's Eve from 11:00 to 00:30
- Opening hours:
  - Monday to Sunday from 08:30 to 23:30
  - Sunday from 08:30 to 22:30
  - New Year's Eve from 11:00 to 00:30

2.3 A copy of the current premises licence and licence plan is at **Appendix B**.

2.4 The premises is not currently licensed for the provision of live and recorded music because the Live Music Act 2012 automatically allows for the provision of amplified live and recorded music at any premises licensed for the sale of alcohol for consumption on the premises, until 23:00 at the latest. This applies to both indoor and outdoor areas if included on the premises licence plan. See 2.15 for more information.



- 2.5 The premises was previously being used as a community centre, but is currently being run as a taproom and event venue. It is situated at Shinnars Bridge in Dartington, the location of the premises and nearby properties can be seen at **Appendix E**.
- 2.6 During the consultation period, six relevant representation were received in objection to the application from local residents, a representation was also received from Dartington Parish Council. Copies of the representations are attached at **Appendix C**.

#### Representations

- 2.7 Issues raised in the representations relate to the Prevention of Public Nuisance and the Prevention of Crime and Disorder licensing objectives.
- 2.8 The main concern relates to potential disturbance from noise from music as well as noise from customers when leaving the premises late at night. Reference has been made to the close proximity of the premises to a respite centre for children and young people and the possible disruption the extension of licensed hours may cause.
- 2.9 In addition there are concerns about people lingering in the local area after closing time, leading to antisocial behaviour in the community and the possibility of criminal damage to nearby properties.
- 2.10 During the consultation period the Police requested that four additional conditions were included to promote the prevention of crime and disorder licensing objective, which the applicants have agreed to, see **Appendix D**. The Police have confirmed that with the inclusion of these additional conditions, they have no objection to the application.
- 2.11 Any information contained in the representations which is not relevant to the promotion of the four licensing objectives (see 2.21) cannot be taken into consideration when determining the premises licence application.

#### Applicant Response to Representation

- 2.12 Following receipt of the concerns raised by Dartington Parish Council, the Applicant put together a response which was forwarded to the parish council for their comments. Included within their response was the confirmation that the late closing time of 01:00 would not be used on a weekly basis and that licensable activities would only take place after 23:00 during a pre-advertised event.
- 2.13 The Applicant also provided a copy of their noise management plan which is referred to in section M of the application form, in the section explaining how they propose to promote the Prevention of Public Nuisance licensing objective.

2.14 A copy of the Applicant's response is at **Appendix F**. In addition, the Applicant confirmed that there would be no outside music after 20:00. However, under The Live Music Act 2012, this could not be enforced before 23:00.

#### The Live Music Act 2012

2.15 The Live Music Act 2012 and subsequent amendments, allow the provision of live and recorded amplified music at any premises licensed for the sale of alcohol for consumption on the premises between the hours of 08:00 and 23:00, for an audience of up to 500 persons. There is no way to restrict these activities through the premises licence during these hours, other than through the review process once a licence has been granted. Any conditions on a premises licence which relate specifically to the control of noise from music cannot be enforced before 23:00. Music played in the background (at a level where a conversation can be easily held) is never licensable.

#### Temporary Event Notices

2.16 Things Happen Here have run events outside of their current licensed hours using temporary event notices (TENs). Since January 2023, they have had 13 TENs covering 26 days. These events have taken place until 1am or midnight.

2.17 There is a restriction on how many days TENs can be used in any one location of 21 days per calendar year (maximum of 15 TENs). This has temporarily been increased to 26 days (maximum 20 TENs) for 2022 and 2023 due to changes brought in following COVID restrictions. These changes will not be extended after 31<sup>st</sup> December 2023.

2.18 A premises licence would not restrict the number of days during which licensable activities can take place, unless conditions were placed on the licence.

2.19 As relevant representations in respect of this application have been received, which have not been withdrawn and mediation has not been possible, the Licensing Sub-Committee acting on behalf of the Licensing Authority must make a determination on this application. When coming to a decision, the Licensing Sub-Committee must give consideration to the Council's Statement of Licensing Policy (the Policy) and Home Office guidance issued under Section 182 Licensing Act 2003 (revised August 2023).

#### Policy and Statutory Guidance

2.20 Section 3.1 of the Policy states: The Licensing Authority has a duty under the Act to carry out its licensing functions with a view to promoting the four licensing objectives.

- 2.21 The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harm
- 2.22 Section 3.2 of the Policy states: These objectives are the only matters to be taken into account in determining the application and any conditions attached must be appropriate to achieve the licensing objectives. Each objective is of equal importance. A licence will only be granted where the Licensing Authority is satisfied that these objectives have been met.
- 2.23 Section 2.4 of the Policy sets out additional legislation, strategies, policies and guidance to which the Licensing Authority will have regard.
- 2.24 The Guidance issued under Section 182 of the Licensing Act 2003 which was revised and re-published in August 2023 state: The Licensing Authority may not impose conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives (paragraph 10.8 of the guidance).
- 2.25 The following responsible authorities are statutory consultees under the Licensing Act 2003:
- Devon and Cornwall Police
  - Devon and Somerset Fire and Rescue Service
  - Devon Safeguarding Children's Board
  - Devon County Council Trading Standards
  - Devon Drug and Alcohol Action Team, NHS Devon
  - South Hams District Council Planning Department
  - South Hams District Council Environmental Health (Health & Safety)
  - South Hams District Council Environmental Health (Pollution Control)
- 2.26 No representations have been received from responsible authorities.
- 2.27 The Police have agreed to additional conditions with the applicants (see **Appendix D**).
- 2.28 In addition to the above responsible authorities, any person may make a representation in relation to a premises licence application.

### **3. Outcomes/outputs**

- 3.1 When determining an application for a premises licence, particularly when considering appropriate conditions and operating hours, the following sections of the Statement of Licensing Policy (the policy) and Section 182 Guidance (the guidance) are especially relevant:
- 3.2 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave (paragraph 2.24 of the guidance).
- 3.3 Sections 5.5.1 and 5.5.2 of the policy states: The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application, but the presumption will be to grant the hours requested unless there are relevant objections to those hours raised on the basis of the licensing objectives.
- 3.4 However, when issuing a licence with hours beyond midnight it is more likely that relevant representations will be made unless there are higher standards of control within operating schedules in order to promote the licensing objectives, especially for premises which are situated near residential areas or in areas where anti-social disorder takes place.
- 3.5 Section 5.5.5 of the policy states: The terminal hours will normally be approved where the Applicant can show that the proposal would not adversely affect the licensing objectives unless, after hearing relevant representation the Licensing Authority believe it appropriate to restrict the hours required due to the nature of the activities and the amenity of the area. If the Licensing Committee or a sub-committee believes that granting longer hours would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 3.6 Section 3.8.1 of the Policy states: The Authority recognises the great variety of premises for which licences may be sought. These include theatres, members' clubs, sports clubs, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls, schools and off-licences. The Authority will not restrict access by children to any particular type of premises unless it is considered appropriate to do so in order to protect them from harm.

3.7 Section 3.8.6 of the Policy states: When deciding whether or not to limit access to children the Licensing Authority will judge each application on its own individual merits. Examples which may give rise to concern in respect of children would include premises: -

- where entertainment of an adult or sexual nature is provided
- where there is a strong element of gambling taking place
- with a known association with drug taking or dealing
- where there have been convictions of the current management for serving alcohol to those under 18 years
- where the supply of alcohol for consumption on the premises is exclusive or primary purpose of the services provided at the premises
- where there are unsupervised areas (for example toilets, beer gardens, play zones).

3.8 At paragraph 2.15 of the guidance it states:  
Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home.
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

3.9 The desired outcome is a determination of the application with reasons provided which relate to the four licensing objectives and when conditions are imposed, that these are appropriate to address the licensing objectives.

#### **4. Options available and consideration of risk**

4.1 The Licensing Authority may decide to impose additional conditions to address the four licensing objectives, or to amend or remove requested licensable activities. When coming to their decision the Licensing Sub-Committee must give consideration to the Section 182 Guidance and the Statement of Licensing Policy. Reasons must be given which relate to the licensing objectives for any decision made.

4.2 The Sub-Committee will need to consider the hours of operation proposed, the effectiveness of the operating schedule proposed by the applicant, the representations received, the location of the premises in relation to residential properties, the history of the management of the premises (if applicable), the evidence provided of any problems in the past, the likely impact of any extension of hours and activities, public transport, taxi availability, the right the applicant has to operate a business and balancing the rights of residents to the quiet enjoyment and privacy of family life. The South Hams relies on tourism, with the population in the district doubling in the summer months with holidaymakers both from this country and international visitors who are, in the main, families

with young children and retired people – the very segment of society who would perhaps be deterred by anti-social behaviour. These, and any other relevant issues, may be explored at the hearing in so far as it reflects the four licensing objectives.

- 4.3 A decision made by the Licensing Sub-Committee may be appealed by the applicant or any person who has made relevant representations. The right of appeal is to the Magistrates’ Court by virtue of Section 181 and Schedule 5 of the Licensing Act 2003. The Magistrates’ Court may dismiss the appeal, or substitute its own decision, or send back the case to the Licensing Authority with directions as to how the case is to be dealt with. The Magistrates’ Court may make any costs order it thinks fit.
- 4.4 The Licensing Act 2003 contains a provision which enables a responsible authority or any other person to apply to this Licensing Authority for a review of the premises licence once granted. A hearing follows which enables the Sub-Committee to use the normal powers available, but also to suspend the licence for a period of up to three months or to withdraw it.

**5. Proposed Way Forward**

- 5.1 That the Sub-Committee consider the application for a new Premises Licence and make a determination in respect of this application, namely to:
- (i) modify the conditions of the licence;
  - ii) to reject the whole or part of the application;

**6. Implications**

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>The Licensing Act 2003 gives Licensing Authorities the responsibility for determining applications submitted under this provision. This is a statutory obligation.</p> <p>As there have been relevant representations in respect of this application which have not been resolved, this hearing must be held. Relevant representations are about the likely effect of the grant of the application on the promotion of the licensing objectives, by responsible authorities or any other person. The Licensing Sub-Committee must disregard any information or evidence not relevant to the licensing objectives.</p>

		<p>The Licensing Sub-Committee must consider this application in accordance with Section 4 of the Licensing Act 2003, which requires that licensing functions must be carried out with a view to promoting the four licensing objectives. The Licensing Authority must also have regard to its own licensing policy and the Secretary of State's guidance, but may depart from both if it has good reason to do so. Those reasons should be stated.</p> <p>The Act requires (Section 35) that in dealing with a variation to a premises licence application, the committee takes any of the following steps which are appropriate for the promotion of the licensing objectives:</p> <p>(i) modify the conditions of the licence;  ii) to reject the whole or part of the application;</p> <p>The Sub-Committee must give its reasons for its decision to take any of these steps. Similarly, if the application is rejected, the Sub-Committee must give its reasons.</p> <p>The applicant or any person who has made relevant representations has the right to appeal a decision made by the Licensing Sub-Committee to the Magistrates' Court by virtue of Section 181 and Schedule 5 of Licensing Act 2003.</p> <p>On appeal, the Magistrates' Court may:</p> <p>a) dismiss the appeal;  b) substitute for the decision appeal against another decision which could have been made by the Licensing authority;  c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.</p>
Financial	N	<p>There are no direct financial implications to the Council from this Report. However, should a decision be challenged this could result in the Council facing an appeal to the Magistrates Court with the risk of costs being awarded against the Council.</p>
Risk	Y	<p>The Licensing Authority must follow strict legislation in accordance with the Licensing Act 2003 and adhere to the statutory instruments contained with the Act.</p> <p>All decisions must be taken in consideration of the four licensing objectives (section 2.21). These objectives are in place to give protection to the public from the potential negative impacts caused by licensed premises.</p>

		Decisions may be appealed (see financial and legal/governance sections above).
Comprehensive Impact Assessment Implications		
Equality and Diversity		Compliance with the Human Rights Act 1998 – Article 6: right to a fair trial.
Safeguarding		All decisions must take into consideration the ‘protection of children from harm’ licensing objective.
Community Safety, Crime and Disorder		Section 17 Crime and Disorder Act 1998 applies. Decisions made must relate to the four licensing objectives as detailed in section 2.3 of this report.
Health, Safety and Wellbeing		All decisions must take into consideration the four licensing objectives, including ‘public safety’ and ‘protection of children from harm’.
Other implications		

### **Supporting Information**

#### **Appendices:**

- Appendix A – application to vary premises licence
- Appendix B – current premises licence and licence plan
- Appendix C – representations
- Appendix D – additional conditions agreed with Police
- Appendix E – location plan
- Appendix F – additional information from Applicant

#### **Background Papers:**

None.

<b>Process checklist</b>	<b>Completed</b>
Portfolio Holder briefed	<b>Yes/No</b>
SLT Rep briefed	<b>Yes/No</b>
Relevant Exec Director sign off (draft)	<b>Yes/No</b>
Data protection issues considered	<b>Yes/No</b>
If exempt information, public (part 1) report also drafted. (Committee/Scrutiny)	<b>Yes/No</b>




# APPENDIX A - Application Form

## Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We  THINGS HAPPEN HERE LTD  
*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

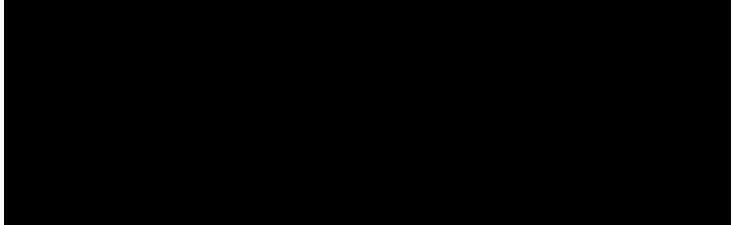
Premises licence number	SHP L0625
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### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
THINGS HAPPEN HERE MEADOWBROOK COMMUNITY CENTRE MEADOW BROOK SHINNERS BRIDGE			
Post town	DARTINGTON	Postcode	TQ9 6JD.

Telephone number at premises (if any)	01803 302881
Non-domestic rateable value of premises	£ 12500

### Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post town	TOTNES

### Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

WE WASH TO EXTEND OUR LICENSING HOURS TO 01:00AM ON A FRIDAY AND SATURDAY TO ACCOMMODATE EVENTS. PREVIOUSLY WE HAVE USED TENS TO DO SO, WHICH HAVE ALL BEEN GRANTED AND UTILISED WITH NO COMPLAINT.

THINGS HAPPEN HERE IS A TAPROOM & VENUE IN DARTINGTON. WE ARE LOCATED ON THE BOTTOM FLOOR OF A COMMUNITY CENTRE. WE HAVE BEEN TRADING AS THINGS HAPPEN HERE FOR AROUND 5 MONTHS. PREVIOUSLY A SIMILAR BUSINESS OCCUPIED THE SPACE FOR 2 YEARS.

WE APPLY FOR THIS VARIATION WITH OUR LANDLORDS FULL SUPPORT.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
			<u>State any seasonal variations for performing plays (please read guidance note 6)</u>		
Tue					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Wed					
Thur					
Fri					
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) MUSIC WILL BE AMPLIFIED .		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) New Years Eve 11am-1am		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) WE OCCASIONALLY HOLD GIGS WITH LIVE MUSIC , THESE MAY LAST UNTIL 1AM. WE APPROXIMATE THIS HAPPENING TWICE A MONTH, BUT MAY BE SLIGHTLY MORE FREQUENT DEPENDING ON AVAILABILITY OF MUSICIANS .		
Fri	11am	1am			
Sat	11am	1am			
Sun					



F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u> INDOOR & OUTDOOR MUSIC ARE PLAYED AT A BACKGROUND LEVEL UNLESS WE ARE HOLDING AN EVENT. OUTDOOR MUSIC FINISHES 21:00 AT THE LATEST. BOTH INDOOR & OUTDOOR EVENTS ARE PLAYED AT A RESPONSIBLE LEVEL & MONITORED BY TRAINED STAFF OR A SOUND ENGINEER.		
Mon					
Tue					
Wed					
Thur					
			<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>  New Years Eve 11am-1am		
	11am	1am			
Sat					
	11am	1am			
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Fri					
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
Thur					
Fri			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Sat					
Sun					
			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon					
Tue			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Fri					
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)  <p style="text-align: center;">New Years Eve 11am-1am</p>		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	01:00			
Sat	11:00	01:00			
Sun	11:00	22:30			
			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 10).

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	08:30	23:30	New Years Eve 8.30-1.30
Tue	08:30	23:30	
Wed	08:30	23:30	
Thur	08:30	23:30	<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)
Fri	08:30	01:30	
Sat	08:30	01:30	
Sun	08:30	22:30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

- SUFFICIENT & COMPETENT STAFF ON DUTY AT PREMISES AT ALL TIMES.
- LICENSEE ENSURES ALL STAFF ON DUTY ON PREMISES FOR PURPOSE OF SELLING ALCOHOL ARE WELL TRAINED ON RESPONSIBILITIES IN RELATION TO SALE OF ALCOHOL, PARTICULARLY WITH REGARD TO DRUNKENNESS & UNDEGRADED PEOPLE. RECORDS WILL BE KEPT OF TRAINING & REFRESHER TRAINING.

**b) The prevention of crime and disorder**

- USE OF REGISTERED SECURITY STAFF ON NIGHTS THAT LAST UNTIL 1AM. OR WE EXPECT TO REACH CAPACITY.
- CCTV INSTALLED & RECORDINGS ARE MAINTAINED FOR APPROPRIATE PERIOD OF TIME.
- DURING BUSY / LATE NIGHT EVENTS ALL DRINKS SERVED IN PLASTIC CUPS.
- CAPACITY OF 220 THAT IS STRICTLY MANAGED & ADHERED TO.
- OPERATE A CHALLENGE 25 POLICY.
- ZERO TOLERANCE POLICY FOR DRUGS / SMOKING / AGGRESSIVE / PREJUDICE BEHAVIOUR
- ACTIVE MEMBER OF PUBWATCH.

**c) Public safety**

- FIRE RISK ASSESSMENT & FIRE EVACUATION PLAN IN PLACE.
- FIRST AID EQUIPMENT AVAILABLE ON PREMISES.
- SUITABLE FIRST AIDER PRESENT AT ALL TIMES PUBLIC PRESENT -
- FREE WATER AVAILABLE
- PERSONAL SAFETY MESSAGES DISPLAYED.
- SURVEY OF NOISE LEVELS FOR CUSTOMERS & NEIGHBOURS CONTINUOUSLY.

**d) The prevention of public nuisance**

- NOISE MANAGEMENT PLAN IN OPERATION.
- DOORS & WINDOWS CLOSED WHEN MUSIC PLAYING. SOUND CURTAINS IN PLACE
- NOISE LIMITERS FITTED.
- UPMOST RESPECT FOR LOCAL RESIDENTS & MAINTAIN A GOOD RELATIONSHIP
- LITTER BINS PLACED OUTSIDE VENUE & STAFF CONDUCT THOROUGH LITTER PICK AFTER CLOSURE & BEFORE OPENING.

**e) The protection of children from harm**

- NO UNDER 18'S ALLOWED IN VENUE POST 19:30 UNLESS IN INSTANCE OF BELOW.
- OVER 16'S ALLOWED TO ATTEND LIVE MUSIC EVENTS PRIOR TO 23:00 IF ACCOMPANIED BY AN ADULT.



**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**


**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**


Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15)			
<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>			

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APPENDIX B - Current Premises Licence and Licence Plan

<h2 style="margin: 0;">Licensing Act 2003</h2> <h2 style="margin: 0;">Premises Licence</h2> <p style="margin: 0;">Licence Valid From 19/04/2023</p>	<h1 style="margin: 0;"><u>SHPL0625</u></h1>
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LOCAL AUTHORITY	
 <p>South Hams District Council</p>	<p>Licensing Department South Hams District Council Follaton House Plymouth Road Totnes TQ9 5NE</p>

**Part 1 - Premises Details**

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION
<p><b>Meadowbrook Community Centre</b> Meadowbrook Community Centre, Meadowbrook, Shinnars Bridge, Dartington, TQ9 6JD</p>

WHERE THE LICENCES IS TIME LIMITED THE DATES
Not Applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE
<p>Supply of Alcohol Opening hours</p>

THE OPENING HOURS OF THE PREMISES AND THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES	
<b>. - Both</b>	<b>Supply of Alcohol</b>
Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 23:00
Saturday	11:00 - 23:00
Sunday	11:00 - 22:30
Non standard	New Year's Eve 11:00 - 00:30 hours, the following day.
<b>. - .</b>	<b>Opening hours</b>
Monday	08:30 - 23:30
Tuesday	08:25 - 23:30
Wednesday	08:30 - 23:30
Thursday	08:30 - 23:30
Friday	08:30 - 23:30
Saturday	08:30 - 23:30
Sunday	08:30 - 22:30
Non standard	New Year's Eve 11:00 - 00:30 hours, the following day.

WHERE THE LICENCES AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF THE PREMISES
. - Both

**Part 2**

NAME (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Things Happen Here Ltd



REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

14575762

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Zack Ziegler



PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES LICENCE SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL



ANNEXES

**ANNEX -Mandatory Licensing Conditions - Pubs, Clubs & Restaurants from 1st October 2014**

**SUPPLY OF ALCOHOL**

No supply of alcohol may be made under the premises licence:-

at a time when there is no designated premises supervisor in respect of the premises licence, or

at a time when the designated premises supervisor does not hold a personal licence or his personal licence has been suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

**REGISTERED DOOR STAFF**

Each individual carrying out a 'security activity' must be licensed by the Security Industry Authority other than in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or

in respect of premises in relation to any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

For the purposes of this section "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and paragraph 8 (5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

## **MINIMUM PERMITTED PRICE FOR THE SALE OR SUPPLY OF ALCOHOL**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a); (b) “permitted price” is the price found by applying the formula—

$P = D + (D \times V)$  where—

(i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(b).

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **IRRESPONSIBLE PROMOTIONS**

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or  
(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti- social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

### **POTABLE WATER**

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

### **AGE VERIFICATION**

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or (b) an ultraviolet feature.

### **MINIMUM MEASURES**

The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### **EXHIBITION OF FILMS**

The admission of children to the exhibition of any film to be restricted to:

1. Where the film classification body is specified in the licence, unless subsection (2)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

2. Where

- a) The film classification body is not specified in the licence, or
- b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
3. In this section "children" means persons aged under 18; and "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

## **ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

### **GENERAL**

1. Well trained staff will contribute to well run premises and take a responsible approach to the sale of alcohol. Formal qualifications for staff and trained in Licensing Laws.

### **THE PREVENTION OF CRIME AND DISORDER**

2. Zero tolerance to ASB on the premises.
3. All drinks must be served in toughened glass.
4. No bottles must be served that any person may have the intention to drink from.
5. Glasses must be cleared from public areas when emptied or finished.
6. CCTV system must be installed and operative at all times while the premises are trading and the equipment must be maintained to the satisfaction of the chief of police. Recorded images must be retained for 31 days and made available to Police Officer on request, at any reasonable time. If the CCTV equipment is inoperative the Police and Licensing Authority must be informed as soon as possible and immediate steps must be taken to put the equipment back into action. A notice must be displayed at the entrance to the premises advising that CCTV is in operation.
7. An incident book must be kept to record the details of all instances of refused sales together with the description of the customer and reason for refusal must be recorded. The incident book must be made available to the Police and Weights and Measures (Trading Standards).
8. Open containers of alcohol shall not be removed from the premises, except for consumption in any delineated external area as shown on the plan attached to the licence.
9. When alcohol is not being sold or supplied, stock must be removed from the premises or if stored on the premises, it must be kept in a secure and alarmed room.

### **PUBLIC SAFETY**

10. The electrical system, including portable appliances must be inspected and tested annually by a competent person to ensure safety.
11. The gas system including appliances must be inspected and tested by a Gas Safe registered engineer annually and a satisfactory gas safety certificate must be obtained, all safety certificates and inspection reports must be kept on site and made available for inspection by officers of relevant statutory bodies.
12. When disabled people are present, adequate arrangements will exist to enable their safe evacuation in the event of an emergency.

13. There must be at all times adequate first aid arrangements. Arrangements for first aid provision will include first aid box, an adequate and appropriate supply of first aid equipment and materials will be available for the use of patrons.

14. Gangways, exit routes and steps must be maintained in good order with non-slippery and even surfaces, edges of steps and stairways must be conspicuously marked

#### **THE PREVENTION OF PUBLIC NUISANCE**

15. Noise or vibration must not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed.

16. The DPS or designated member of staff must assess the impact of any noisy activities on neighbouring residential premises at the start of the activity/ entertainment and periodically throughout the activity/entertainment.

17. All external doors and windows must be kept shut, other than for access and egress, in all rooms when events involving amplified music or speech or other entertainment likely to give rise to noise are taking place.

18. Patrons will be asked not to stand around talking in the street outside the premises or any car park; and asked to leave the vicinity quickly and quietly.

19. The volume of amplified sound used in connection with the entertainment will at all times be under the control of the DPS or designated member of staff.

20. Suitable signage will be provided at relevant exits requesting patrons to limit their noise when leaving the premises.

21. Any rubbish stored outside and produced by the premises awaiting collection for disposal, will be stored securely in a designated area, to prevent litter being blown around.

#### **THE PROTECTION OF CHILDREN FROM HARM.**

22. There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

a) A photo driving licence b) A passport c) An identification card carrying the PASS hologram.

Unless such identification is produced the sale of alcohol must be refused.

23. The premises shall display prominent signage indicating that a 'Challenge 25 scheme' is in operation.

24. Any person under the age of 14 must be accompanied by a responsible adult.

25. An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:

a) the date and time of refusal b) the reason for refusal c) details of the person refusing the sale d) description of the customer e) any other relevant observations.

The refusals register will be made available for inspection and copying on request of an authorised officer of a Responsible Authority.



### **ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

After the grant of a minor variation application on 4th July 2020, the following conditions have been added to the licence:

#### **ALCOHOL SOLD FOR CONSUMPTION OFF THE PREMISES**

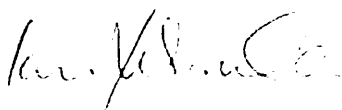
- The premises shall only be permitted to sell alcohol for consumption OFF the premises during any period of time they are restricted under the "Health Protection (Coronavirus, Restrictions) (England) Regulations 2020"
- OFF Sales will only be made during the Premises present licensed hours.
- Any onsite purchaser will need to show proof of age if they are considered under 25 years of age.
- For delivered alcohol all staff will have received training using the free trading standards toolkit on underage sales, including the home delivery of alcohol – NPOANS (No Proof of Age No Sale).
- Age verification will be conducted at the point of sale.
- The delivery agent will also ensure challenge 25 age verification is conducted at the point of delivery which will support the legal requirement for verification to be done at the point of sale.

#### **OUTSIDE SEATING AREA**

- The use of the outside seating area shall only be permitted during any period of time that the premises is restricted under the "Health Protection (Coronavirus, Restrictions) (England) Regulations 2020".
- The number of customers permitted within the outside seating area shall be limited to the number of seats that are made available.
- The outside seating area will be checked regularly by a member of staff to monitor the behaviour of customers and to ensure that they remain seated.
- A staff member will regularly check the impact of noise from customers using the outside seating area on nearby residential properties.
- Customers will not be permitted to take open containers of alcoholic beverages outside of the designated seating area.
- Members of staff will ensure that all litter generated by patrons in the vicinity of the premises will be collected and disposed of. Regular checks will be conducted by the staff to enable this to be done.

#### **ANNEX 4 – PLANS (AS EXISTING)**

None



**Ian Luscombe: Head of Environmental Health & Licensing  
On behalf of the Licensing Authority**

# Licensing Act 2003 Premises Licence Summary

**SHPL0625**

Licence Valid From: 19/04/2023

## LOCAL AUTHORITY



Licensing Department  
South Hams District Council  
Follaton House  
Plymouth Road  
Totnes  
TQ9 5NE

## Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Meadowbrook Community Centre**

Meadowbrook Community Centre, Meadowbrook, Shinnars Bridge, Dartington, TQ9 6JD

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not Applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Supply of Alcohol  
Opening hours

### THE OPENING HOURS OF THE PREMISES AND THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

<b>. - Both</b>	<b>Supply of Alcohol</b>
Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 23:00
Saturday	11:00 - 23:00
Sunday	11:00 - 22:30
Non standard	New Year's Eve 11:00 - 00:30 hours, the following day.

<b>. - .</b>	<b>Opening hours</b>
Monday	08:30 - 23:30
Tuesday	08:25 - 23:30
Wednesday	08:30 - 23:30
Thursday	08:30 - 23:30
Friday	08:30 - 23:30
Saturday	08:30 - 23:30
Sunday	08:30 - 22:30
Non standard	New Year's Eve 11:00 - 00:30 hours, the following day.

### WHERE THE LICENCES AUTHORISES THE SUPPLY OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF THE PREMISES

. - Both

### NAME AND (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Thinas Happen Here Limited

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

14575762

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mr Jacek Ziegler

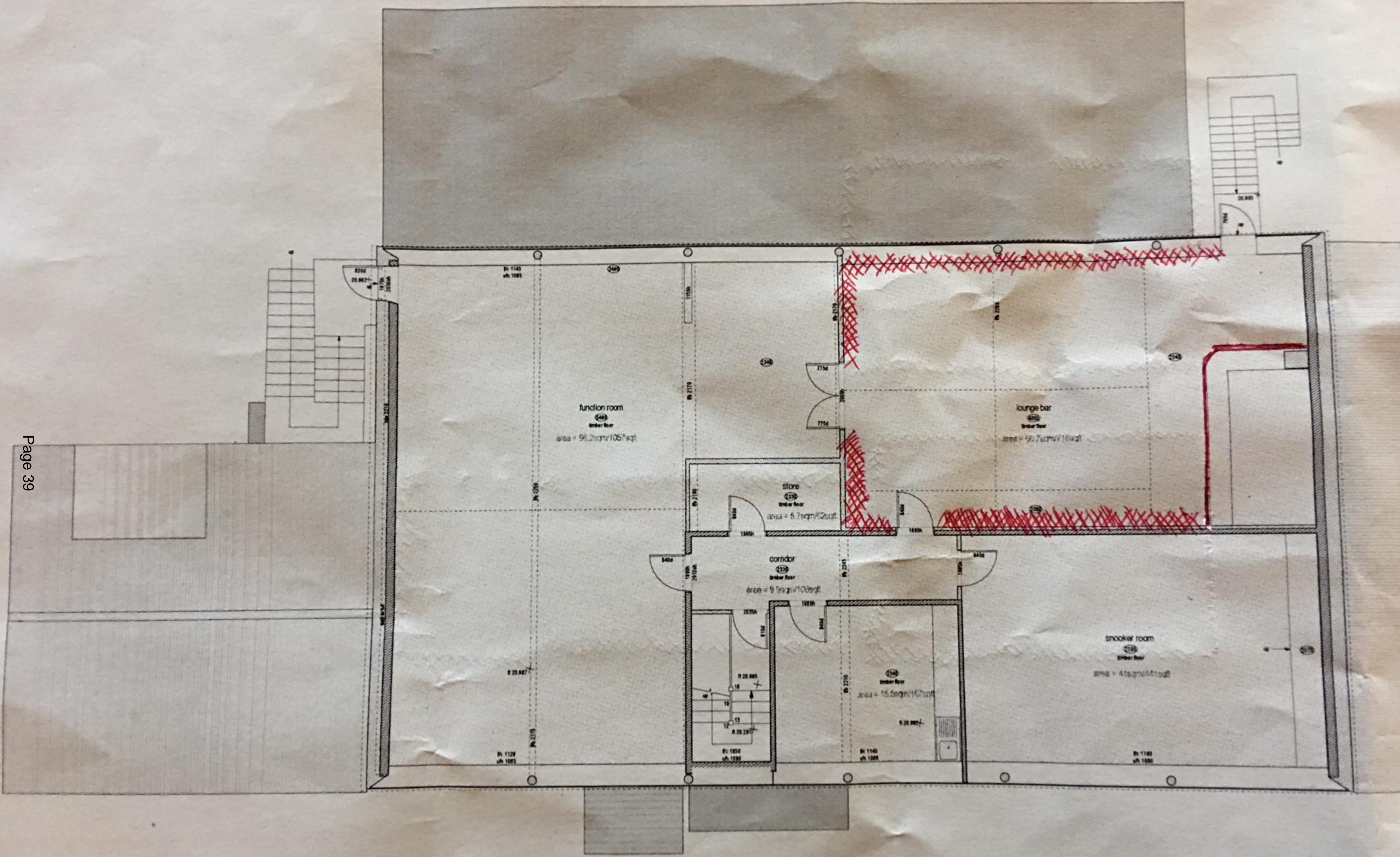
STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Access is restricted.

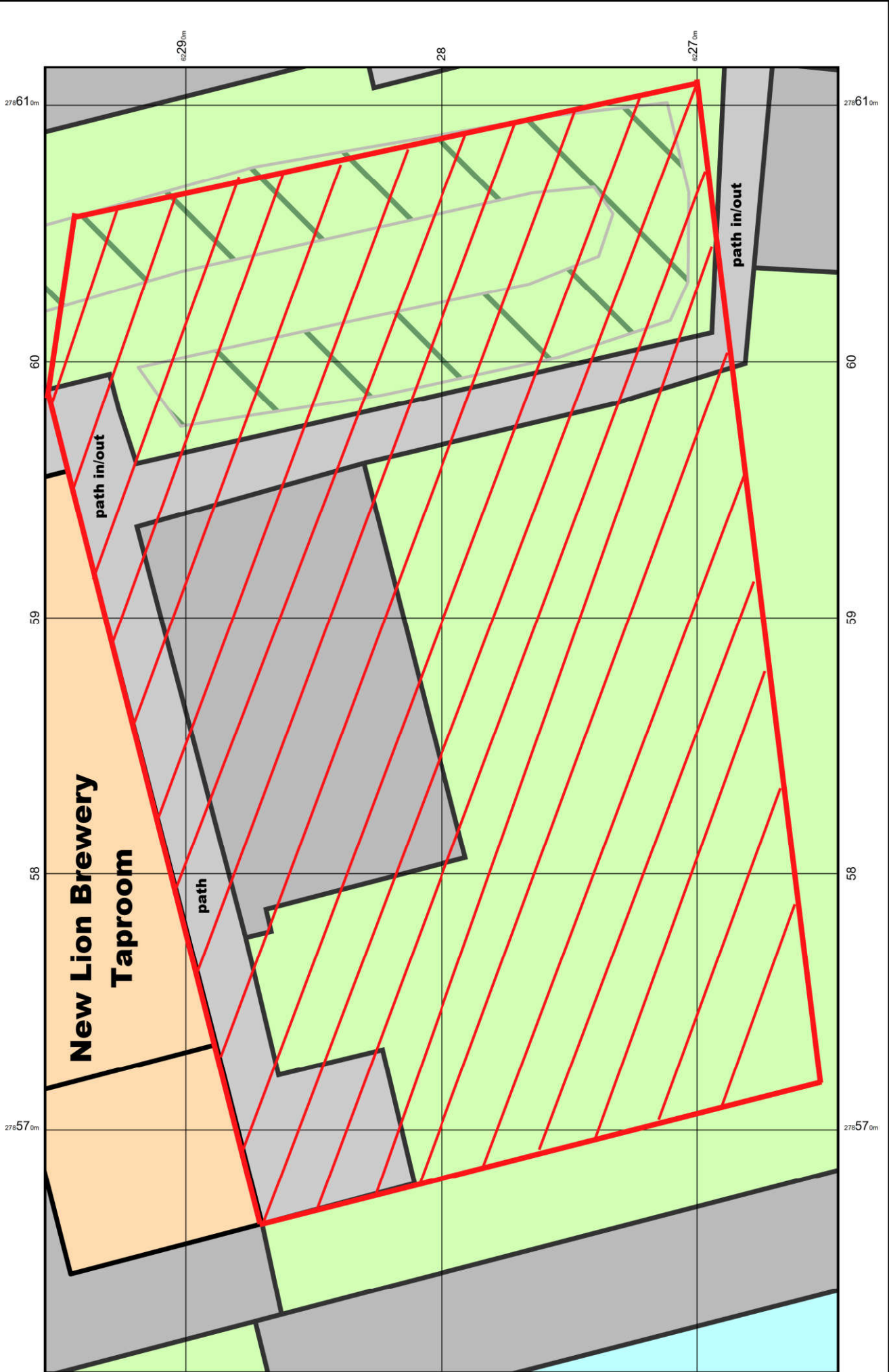












### Things Happen Here – Premises Licence Variation Application Representations

1.

12.10.23

Dartington Parish council objects to this extension of the licensing hours and live and recorded music hours from 11pm to 1am on the days mentioned.

This is because extending the opening hours would create a significant disturbance to those who live in the vicinity.

Best wishes

Dartington Parish Council Clerk and RFO

17.10.23

Dear Naomi,

Thanks for your email and the redacted document which I will forward to councillors.

The main concerns raised at the meeting were:

That people would continue to linger outside the venue after the bar had closed and potentially cause a nuisance - antisocial behaviour, being loud and drunk - for longer if the licensing hours were increased.

Outdoor drinking should be discouraged.

The building is not soundproofed so sound can travel long distances.

The area is rural and it's not appropriate.

Councillors may modify their opinions when they see the redacted document, but they did seem to feel quite strongly about it - some live very close.

Best wishes,

Dartington Parish Council Clerk and RFO

19.10.23

Dear Naomi

Councillors have made the following additional responses to this application.

- There is a children's respite centre nearby to which these extended hours might cause concern.
- Occasional license hours could be extended such as on New Years Eve & perhaps other special occasions but not as a regular weekly occurrence.
- The noise already travelling up from the venue & across the field is enough. Many people here work from early morning so to have this finishing regularly at 1am would inconvenience more local people.
- Transport; how are these people travelling home?
- The likely activity in the surrounding neighbourhood will be outside the control of the venue operators. Clients 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.

- In addition to the above it is almost inevitable that damage will be done to private property and public facilities in the immediate neighbourhood due to the increased presence of non-residents influenced by alcohol consumption and their peers.
- This is inappropriate and unnecessary in a rural village setting. The peaceful enjoyment of the area by residents is already sufficiently compromised with the licence as it is, including the options for occasional later events.

Best wishes,

Dartington Parish Council Clerk and RFO

**2.**

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.

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.

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.

Yours faithfully,

**3.**

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.

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.

Yours Sincerely

**4.**

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.

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.

**5.**

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, Shinnars 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.

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.

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.

Yours faithfully,

**6.**

24.10.23

I am writing to express my objection to the application for extended hours(1am) by Things happen here Ltd.I am a great supporter of THH Ltd and really appreciate what they have created for families.The adults can enjoy a drink while the children can play safely within the sight of their parents.Wonderful! But 11 pm strikes me as being the appropriate time for the licencing hours to stop because ,apart from any other relevant issues,there is a respite and care centre(zRobins) very close by.How can you provide respite when there is drinking and loud music on your doorstep not only until 11pm,but now 1am is being applied for.I would like to register my strong objection to this application..Thank. you.

7.

24.10.23

To whom it may concern

I strongly object to extending the hours of live music and the supply of alcohol for consumption on and off the premises on Friday and Saturday nights until 1am at Things Happen Here Ltd Dartington I live at Broom Park just behind the premises and am already disturbed by music and shouting on Friday and Saturday nights when I have to be up extremely early to go to work the next morning

Also the proximity of Robins Respite centre and how incongruous it is to have the proposed extension so close to children carers and families who need all the rest and care possible for their well being

I strongly object to this proposal

Very best wishes

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### **Things Happen Here, Dartington**

#### **Conditions agreed with Police Licensing Officer:**

- When the venue is open beyond 2300 hours there will be a minimum of two Security Industry Authority (SIA) registered door stewards.
- Capacity shall be monitored by way of ticket sales when the venue is open beyond 2300 hours for a live music event.
- When the venue is open beyond 2300 hours, all drinks will be served in toughened glass or plastic receptacles.
- All glass bottles will be decanted into toughened glass or plastic receptacles before being handed to the customer.

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# APPENDIX E – Things Happen Here – map of location



## Key

- Things Happen Here
- Robins Respite Centre
- Objectors

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## APPENDIX F - Additional Information from Applicant



Dear Dartington Parish Councillors.

Thank you for taking the time to raise your concerns regarding our license amendment application which we have addressed in a separate document.

We believe Things Happen Here offers a lot to our diverse community and we want to work with DPC to continue to do so.

We would like to reassure you that we have absolutely no intention of making extended opening a weekly occurrence or opening post 11pm on an evening where there is not a pre advertised, appropriate event.

We are more than happy to make a commitment to the above - we have never, and have no intention of opening post 11pm unless we give notice in advance of any appropriate post 11pm event.

The sole reason we are applying for the extended licence is to avoid the need to rely on temporary event licences as we have in the past to allow us to operate flexibly and not deal with the cost, time consuming admin and limits of always relying on TENS.

We have run numerous events, including post 11pm finishes without incident or complaint and we trust that our detailed and accurate answers to the concerns you raised clearly demonstrate our good intention and practise and show why our application is supported by both our landlords and the Police licensing authority.

Regards.

Martin Edmunds, Jacek Zeigler, Sasha Edmunds, Jasmine Wooley – Things Happen Here.



- **That people would continue to linger outside the venue after the bar had closed and potentially cause a nuisance - antisocial behaviour, being loud and drunk - for longer if the licensing hours were increased.**

We already host multiple events including events that run until 1am and we have not received a single complaint or concern at any time, regarding any behaviour of this nature.

We have had zero incidents of anti social behaviour at our post 11pm events. We have not had a single reason to intervene or call the police on any of our previous events. If customer noise or drunkenness outside was an issue we would politely remind customers of their responsibility to our neighbours or ask security to step in if required but it has never been an issue.

There is clear signage displayed in the venue and a notification on both our website and monthly newsletter asking our customers to be respectful to neighbours when leaving the premises which is being followed.

- **Outdoor drinking should be discouraged.**

The amount of people drinking outside on a post 11pm event is negligible, generally a few smokers who may take drinks outside before returning inside. On these events people are attending to enjoy the event not to sit outside in the dark or cold or to consume alcohol at all hours. We have till data evidence that clearly indicates that sales of alcohol significantly decreases post 11pm and we have a wide choice of non-alcoholic drinks available.

Before staff leave it is their duty to ensure our outside area is clear of customers, we have always operated this policy and will continue to do so.

- **The building is not soundproofed so sound can travel long distances.**

We have sound curtains permanently in place alongside additional sound insulation which is used at all evening music events irrespective of closing time. We have a robust noise management process highlighting how we manage volume and the importance we place on keeping sound at a reasonable level for a building of our type and size.

We are not the only source of noise in Dartington. Sound can travel from any location or event in the area. We are proud that we make every effort as noted above to keep sound to an appropriate level and have not received a single noise complaint from Environmental Health, DPC, the Police. We have met with one neighbour who contacted us via our landlords. This is the only meeting of this nature we have ever had and are pleased to be able to say that we had a positive conversation on both sides.

- **The area is rural and it's not appropriate.**

The area being rural has had no bearing on any event we have ever held previously, all of which has passed without issue. As noted, we have not received a single complaint or notification at any point from any organisation regarding any of the multiple events, including late night events, we have held.

We would love some clarity on what is deemed appropriate in a rural area so we could answer this point in more detail.

To be clear, the only reason we are applying for the new licence is to avoid the need to rely on Temporary Events Notices for some of our events. We have no intention of significantly increasing the amount of late finish events but want to operate flexibly and not deal with the cost, admin and limits of always relying on TENS. We are more than happy for you to forward this letter to DPC and we would welcome the opportunity to meet with them to discuss their concerns.

It is important to note that we are here to support and work with our local community, based in a community centre, we are extremely mindful of what we bring to Dartington. We wish to work with the DPC to reassure them that we act with thought, care and consideration for all.

We have noted that in the monthly council meeting minutes (available on the DPC website) there is not a single mention of any issues raised by DPC in reference to the many events we have held (there is no mention of Things Happen Here at all) which would indicate that no concerns have been raised in the last 6 months. At no point have we been contacted by DPC, or any other organisation, with any issues.

It is also worth noting that our licence change application is supported by our landlords, The Dartington Recreation Association as well as Rebecca Barker, Alcohol Licensing Officer, Devon and Cornwall Police who is happy to add her name to this reply representing Devon and Cornwall Police.

- **There is a children's respite centre nearby to which these extended hours might cause concern.**

We have a good relationship with the nearby respite centre and have never received a complaint or note of a single issue from them regarding any event we have hosted at Things Happen Here. With our experience of running events, including post 11pm and noise management procedures in place we see no reason why this would change but would obviously deal accordingly with the respite centre if anything was ever reported.

- **Occasional license hours could be extended such as on New Years Eve & perhaps other special occasions but not as a regular weekly occurrence.**

We have absolutely no intention of making extended opening a weekly occurrence or opening as a late bar when there is no specific, relevant event on where we believe a late finish is appropriate. The only reason we are applying for the extended licence is to avoid the need to rely on temporary licences. We have no intention of significantly increasing the amount of late finishes. We currently hold a maximum of two post 11pm events (through the use of a TENS) a month. This is the sole reason we have applied for an extension to our licence.

We have never opened as a late bar, have no intention of doing so and already advertise in advance any post 11pm finishes. Our license extension request will continue these practises.

- **The noise already travelling up from the venue & across the field is enough. Many people here work from early morning so to have this finishing regularly at 1am would inconvenience more local people.**

We have not received a single noise complaint or comments regarding public inconvenience from environmental health, SHDC, the Police, Dartington Parish Council (not once has there been any mention of issues with Things Happen here in publicly available DPC meeting minutes) or from any other body. We already have run multiple events without issue. With our history of running these events in a proper manor and historic lack of issues to report, we see no reason why there would suddenly be a problem of the nature mentioned.

- **Transport; how are these people travelling home?**

As they already do without any issue that has previously been raised - car, walking, bike, taxi.

- **The likely activity in the surrounding neighbourhood will be outside the control of the venue operators. Clients 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.**

As previously mentioned, we have not received a single noise complaint or comments regarding public inconvenience from environmental health, SHDC, the Police, Dartington Parish Council (not once has there been any mention of issues with Things Happen here in publicly available DPC meeting minutes) or from any other body. We already have run multiple events including post 11pm events, without issue. With our history of running these events in a proper manor and historic lack of issues to report, we see no reason why there would suddenly be a problem of the nature mentioned.

- **In addition to the above it is almost inevitable that damage will be done to private property and public facilities in the immediate neighbourhood due to the increased presence of non residents influenced by alcohol consumption and their peers.**

As previously mentioned, we have run many events including post 11pm and we have not received a single complaint re anti social behaviour or issues of the nature noted. The Police licensing department fully support our application. To reiterate, with our history of running these events in a proper manor and historic lack of issues to report, we see no reason why there would suddenly be a problem of the nature mentioned. We would also like to point out that residents may be returning from other venues in the area which we are not in control of.

There has been no speight of damage to private property and public facilities in the area that has ever been reported to us or relevant authorities that we are aware of.

- **This is inappropriate and unnecessary in a rural village setting. The peaceful enjoyment of the area by residents is already sufficiently compromised with the licence as it is, including the options for occasional later events.**

We are very aware of our standings within Dartington and feel very lucky to serve parishioners as we do. We have a loyal local following who fully support what we do. We work hard to build good relationships with our community and feel very in touch with what is appreciated and needed in Dartington.

As previously mentioned, we have not received a single noise complaint or comments regarding public inconvenience or anti social behaviour from environmental health, SHDC, the Police, Dartington Parish Council (not once has there been any mention of issues with Things Happen here in publicly available DPC meeting minutes) which would lead us to believe the peaceful enjoyment of the area by residents is being compromised by our customers.

***We would like to reassure DPC that the information above is honest and accurate. The only reason we are applying for the extended licence is to avoid the need to rely on temporary licences. We have no intention of significantly increasing the amount of late finishes. This is the sole reason we have applied for an extension to our licence.***

Regards.

Martin Edmunds, Jacek Zeigler, Sasha Edmunds, Jasmine Woolley - 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.