

1. Appointment of Chairman

2. Division of Agenda

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

3. Declarations of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests; they may have in any items to be considered at this meeting;

4. Application to vary the premises licence of The Hope and Anchor, Hope Cove

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Agenda Item 4

Report to: **Licensing Sub-Committee**

Date: **5th October 2016**

Title: **Application to vary the premises licence of
The Hope and Anchor, Hope Cove**

Portfolio Area: **Customer First**

Wards Affected: **Salcombe and Malborough**

Relevant Scrutiny Committee:

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

Author: **Naomi Wopling** Role: **Specialist – Licensing**

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

Recommendations:

That the Sub-Committee considers the application to vary the Premises Licence and makes a determination in respect of this application, namely to:

- i grant the application as submitted, subject to any Mandatory Conditions required;**
- ii modify the conditions of the licence;**
- iii 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.**

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 the variation to the Premises Licence at **The Hope and Anchor, Hope Cove, Kingsbridge, TQ7 3HQ** in accordance with Section 34 of the Licensing Act 2003.
- 1.2 The Licensing Authority received an application for the variation to the premises licence of the above on 17 August 2016. A copy of the application is attached at **Appendix A**. The application is to:
1. Make changes to the premises licence plan to:
 - Alter the internal area within which regulated entertainment may take place.
 - Include live and recorded music outside between 12pm and 8pm.
 2. To change start time for sale of alcohol to 8am (currently 9am).
 3. To allow sale of alcohol to residents of the premises and their bona fide guests until 1am every day (currently midnight) and until 3am on New Year's Eve (currently 2am).
 4. To allow residents access to the licensed area 24 hrs a day and their bona fide guests to be on the premises until 1.45am (currently 12.45am) and until 3.45am on New Year's Eve (currently 2.45am).
- 1.3 The current premises licence permits the sale of alcohol for consumption on and off the premises Monday to Sunday from 9am to midnight and from 9am to 2am on New Year's Eve; indoor sporting events Monday to Sunday from 9am to midnight and 9am to 2am on New Year's Eve; late night refreshment Monday to Sunday from 11pm to midnight and 11pm to 2am on New Year's Eve. The premises licence specifies live music indoors Monday to Sunday from 9am to 11.30pm, with amplified music outside only during Hope Cove Weekend and non-amplified music outside between 10am and 10pm; recorded music is detailed as indoors Monday to Sunday from 9am to midnight and until 2am on New Year's Eve, with recorded music outside during Hope Cove Weekend only. The opening hours are Monday to Sunday from 8am to 12.45am, with closing time of 2.45am on New Year's Eve. A copy of the current premises licence and plan are at **Appendix B**.
- 1.4 Under the Live Music Act 2012, and subsequent deregulatory changes, any premises licensed for the sale of alcohol for consumption on the premises are permitted to provide live or recorded music for an audience of up to 500 persons, between the hours of 8am and 11pm (providing the premises are open for the purposes of being used for the sale or supply of alcohol at this time). This includes all areas on the licence plan which are indicated as being part of the licensed premises. Any conditions relating to live or recorded music are unenforceable during these hours. In this case, conditions relating to music only have effect between 11pm

and 11.30pm for live music and 11pm and midnight (2am on New Year's Eve) for recorded music. However, should music provided cause a public nuisance, it is possible for the premises licence to be reviewed and restrictions imposed at this stage; there is no route to dis-apply the Live Music Act through the variation process.

- 1.5 The element of the application relating to the provision of live and recorded music in the external areas is not something which can be considered through the variation process. These activities may already take place outside due to the deregulation described above. The external areas are clearly marked as being part of the premises where alcohol is consumed 'on the premises'. Therefore live and recorded music may take place in these areas between the hours of 8am and 11pm, without being specified on the premises licence. Should music outside cause a public nuisance, the premises licence may be reviewed and the Live Music Act provisions may be taken away through this process.
- 1.6 Twelve representations were received during the consultation period, including an objection from Environmental Health. Copies of these can be found at **Appendix C**. Issues raised mainly concern the prevention of public nuisance licensing objective, particularly relating to potential noise disturbance from music being played in the external areas. Also of concern is the later time proposed for sale of alcohol and opening hours for residents and guests, due to noise and disturbance from customers late at night. There is also reference to potential issues from sale of alcohol commencing at 8am rather than 9am.
- 1.7 During the consultation period, the Police liaised with the applicant's agent and agreed some amendments to the application. These are detailed at **Appendix D**. The main change is the agreement to remove reference to 'bona fide guests' so that the extensions to the hours for sale of alcohol and opening times relate to overnight residents staying at the premises only. Additional conditions relating to the 'protection of children from harm' have also been agreed.
- 1.8 The premises is located in close proximity to residential properties, although many are not permanently inhabited throughout the year.
- 1.9 We have not been able to mediate between all parties and so a satisfactory conclusion has not been possible. The Licensing Sub-Committee will now need to consider this application.

2. Background

- 2.1 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 March 2015).

- 2.2 Section 2.1 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. (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).
- 2.3 The four licensing objectives are:
 - The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance;
 - The protection of children from harm.
- 2.4 Section 2.2 of the Policy states: A licence (or club premises certificate) will only be granted where the Licensing Authority is satisfied that these objectives have been met.
- 2.5 Section 2.3 of the Policy lists the kind of measures the Licensing Authority will be expecting to see taken into account to promote the objectives.
- 2.6 Sections 2.5 & 2.6 of the Policy set out additional legislation, strategies, policies and guidance to which the Licensing Authority will have regard. Section 4 of the policy sets out what the Sub-Committee should consider before imposing conditions on a licence.
- 2.7 The Guidance issued under Section 182 of the Licensing Act 2003 which was revised and re-published in March 2015 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).
- 2.8 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)

Out of the above responsible authorities, representations were been received from Environmental Health and amendments have been agreed between the Applicant and the Police.

- 2.9 In addition to the above responsible authorities, any person may make a representation in relation to a premises licence application, including District Councillors and Parish Councils. District Councillors and Parish Councils are notified of every application for a premises licence application, no representations from District Councillors have been received in relation to this 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. 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 2.18 of the guidance).
- 3.3 Section 6.1 & 6.2 of the policy states: The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. When the Authority's discretion is engaged, consideration will be given to the individual merits of an application but the presumption will be to grant the hours requested unless there are objections to those hours raised by Responsible Authorities or other persons on the basis of the licensing objectives. However, when dealing with licensing hours beyond midnight it is more likely that relevant representations will be made unless there are higher standards of control within operating schedules to promote the licensing objectives, especially for premises which are situated near residential areas or in areas where anti-social disorder takes place. There is no presumption within the legislation for longer opening hours.
- 3.4 Section 6.5 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 necessary, proportionate and reasonable to restrict the hours required. The Licensing Authority may set an earlier terminal hour where it considers this is appropriate to the nature of the activities and the amenity of the area.

- 3.5 Paragraph 10.14 of Guidance issued under Section 182 of the Licensing Act 2003 states: where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this 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 7.1 of the Policy states: The Licensing Authority recognises the great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls and schools. Access by children to all types of premises will not be limited unless it is considered necessary to do so in order to protect them from harm.
- 3.7 Section 7.2 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 and warrant restrictions in the operating schedule 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 minors
 - with a reputation for allowing underage drinking
 - where the supply of alcohol for consumption on the premises is exclusive or primary purpose of the services provided at the premises.
- 3.8 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, and 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 issues, and any other relevant ones, 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 variation to Premises Licence and make a determination in respect of this application, namely to:
- a) grant the application as submitted, subject to any Mandatory Conditions required;
 - b) modify the conditions of the licence;
 - c) 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.

in line with the licensing objectives contained within the Licensing Act 2003.

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 34) that in dealing with an application to vary a premises licence, the sub-committee may take any of the following steps it considers appropriate for the promotion of the licensing objectives:</p> <ul style="list-style-type: none"> (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. <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</p>

		<p>the Magistrates' Court by virtue of Section 181 and Schedule 5 of Licensing Act 2003.</p> <p>On appeal, the Magistrates' Court may:</p> <ul style="list-style-type: none"> 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.
Financial	N	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.
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 2.3). These objectives are in place to give protection to the public from the potential negative impacts caused by licensed premises.</p> <p>Decisions may be appealed (see financial and legal/governance sections above).</p>
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 – variation to premises licence application

Appendix B – current premises licence

Appendix C – copies of representations

Appendix D – conditions agreed between Applicant and Police

Background Papers:

[under provisions of the Local Government Act 1972]

The Licensing Act 2003

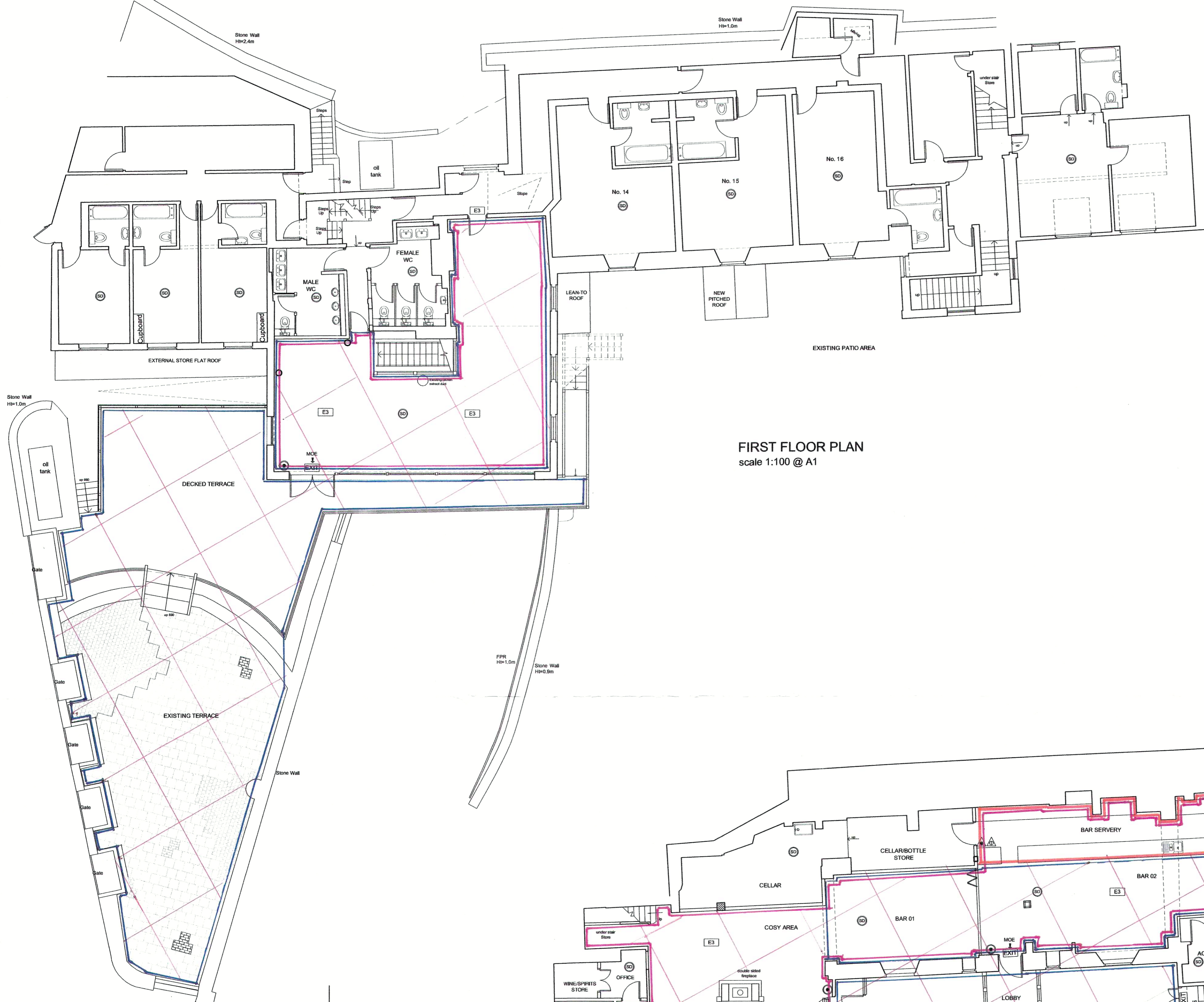
Guidance issued under Section 182 of the Licensing Act 2003

South Hams District Council's Statement of Licensing Policy

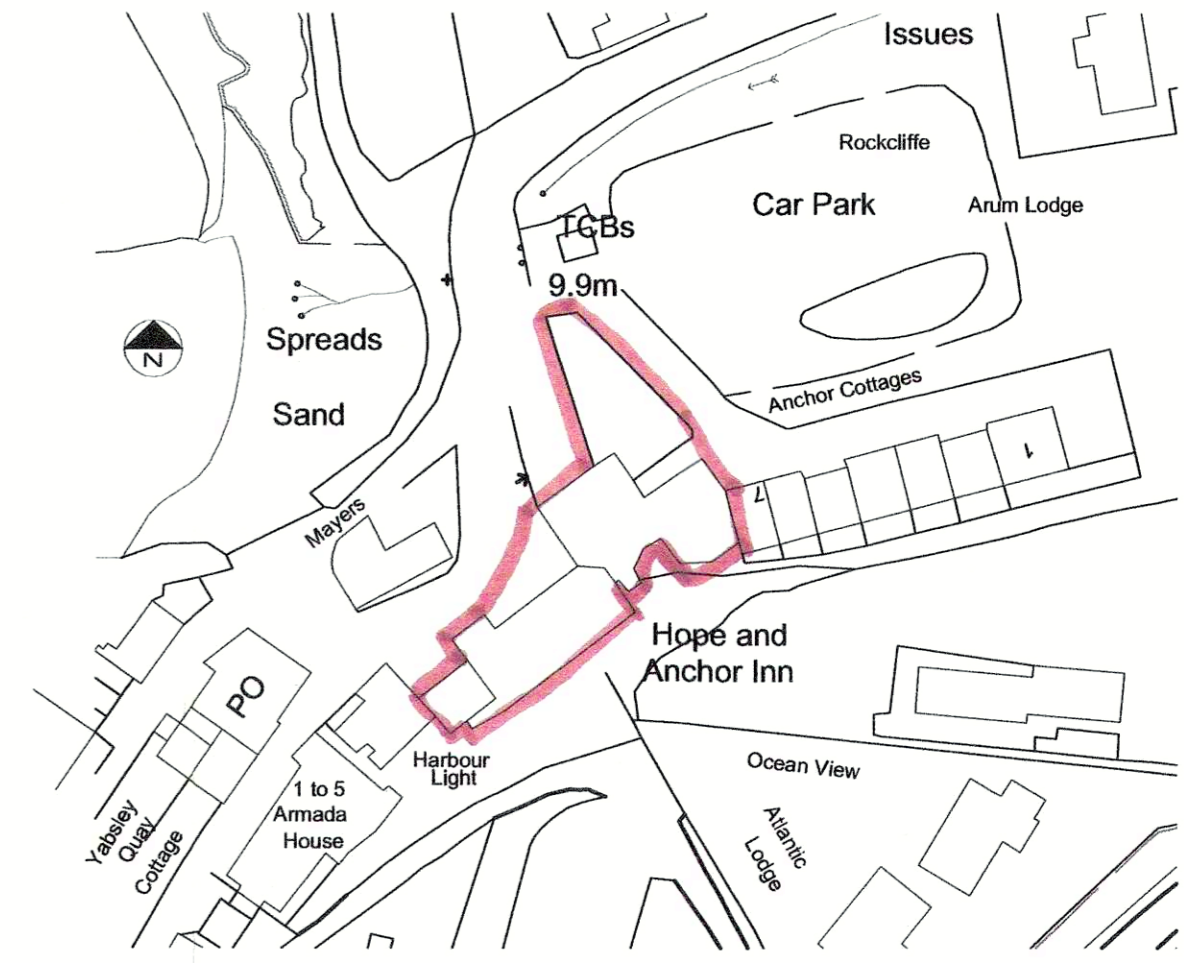
Responses to Notices of Hearing

Agreement from Applicant to Environmental Health conditions

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

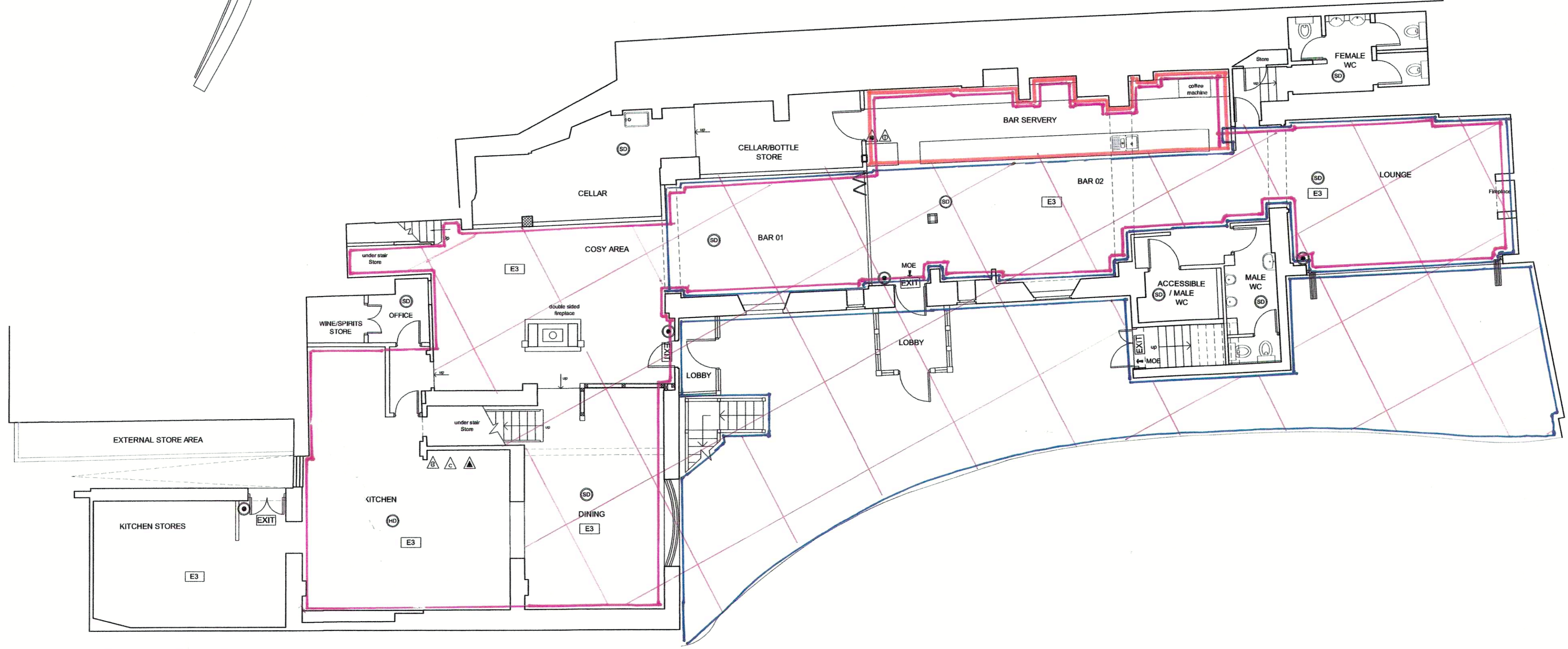


FIRST FLOOR PLAN
scale 1:100 @ A1



SITE LOCATION PLAN
scale 1:1000 @ A1

The location and type of any fire safety equipment is shown as at time of submission of application. This may be varied from time to time with the agreement of the fire officer or after a fire risk assessment.



GROUND FLOOR PLAN
scale 1:100 @ A1

KEY

- ← MCE Means of Escape
- ⊙ Smoke Detector
- ⊙ Heat Detector
- EXIT Emergency exit light 3 hour maintained with pictogram
- E3 Emergency light 3 hour non-maintained
- ⊙ Alarm Bell
- ⊙ Manual Callpoint
- ⊙ Water Extinguisher
- ⊙ Carbon Dioxide Extinguisher
- ⊙ Foam Extinguisher
- ⊙ Chemical Extinguisher
- ⊙ Fire blanket in container

NOTE:
Emergency lighting system to be certified to BS 5266 Part 1 and Table 9.
The type and location of fire safety equipment and other safety equipment is to be agreed with the Fire Officer.
Outside areas are to be used for the consumption of alcohol.

- Retail Sale of Alcohol
- Regulated Entertainment
- Late Night Refreshment
- Consumption of Alcohol (Indicative)
- Boundary of Premises

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notes	rev	date	revision note
10m @ 1:100 5m @ 1:50			

no	date	revision note	initials	rev	date	revision note

Figured dimensions to be used in preference to scaled sizes.
 All dimensions to be checked by the contractor before commencing work and any discrepancies reported to the Architect.
 Drawings to be read in conjunction with Structural Engineers and other consultants drawings.
 This drawing is the property of designmanagementpartnership.
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scale	drawn	check	date	status	job no	rev
scale @ A1 1:100	kp	ep	18/10/14	Licensing	13.036	
title Licensing Plan	client Hope and Anchor Inn Hope Cove for St Austell Brewery			drawing number 250		

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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 St Austell Brewery Company 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 PL0320

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Hope & Anchor Inn Hope Cove			
Post town	Kingsbridge	Post code	TQ7 3HQ

Telephone number at premises (if any)	(01548) 561294
Non-domestic rateable value of premises	£94500

Part 2 – Applicant details

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

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year			
1	5	0	9	2	0	1	6

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

1. Changes to the plan forming part of the licence to:

a) Alter the internal area within which regulated entertainment may take place

b) Allow amplified regulated entertainment to take place in the external areas (between 12 Noon and 8pm on any day)

2. To change the commencement hour for the sale of alcohol to 08:00 (currently 09:00)

3. To allow purchase of alcohol by residents of the Premises and their bona fide guests until 01:00 on each day, and until 03:00 on New Year's Day each year

4. To allow residents to be on the Premises throughout the whole of every day, and for their bona fide guests to be on the Premises until 01:45 each day, and until 03:45 on New Year's Day each year

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 tick yes

- 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 entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<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</u> (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
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 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed			<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 5)		
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon	09:00	23:30			
Tue	09:00	23:30			
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed	09:00	23:30			
Thur	09:00	23:30			
			<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 5)		
Fri	09:00	23:30			
			External areas: (Un-amplified) 10:00-22:00 each day (Amplified) 12:00-20:00 each day		
Sat	09:00	23:30			
Sun	09:00	23:30			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon	09:00	00:00			
Tue	09:00	00:00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed	09:00	00:00			
Thur	09:00	00:00			
			<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</u> (please read guidance note 5)		
Fri	09:00	00:00			
			Internal areas: New Year's Eve each year, terminal hour 02:00		
Sat	09:00	00:00			
			External areas: (Un-amplified) 10:00-22:00 each day (Amplified) 12:00-20:00 each day		
Sun	09:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<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> (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<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> (please read guidance note 5)		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Thur			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed					
Thur					
			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 (please read guidance note 5)		
Fri					
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	08:00	00:00			
Tue	08:00	00:00			
Wed	08:00	00:00			
Thur	08:00	00:00			
Fri	08:00	00:00			
Sat	08:00	00:00	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 (please read guidance note 5) New Year's Eve: 08:00-02:00 Residents and their bona-fide guests shall be allowed to purchase alcohol from 08:00-01:00 each day, and until 03:00 on New Year's Day each year		
Sun	08:00	00:00			

N

<p>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 8)</p>
<p> </p>

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	00:45	<p><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> (please read guidance note 5)</p> <p>NewYear's Eve: 08:00-02:45</p> <p>Residents shall be permitted to be on the Premises throughout the whole of each day, and their bona-fide guests shall be permitted to be on the Premises from 08:00 until 01:45 each day, and 08:00-03:45 on New Year's Day each year</p>
Tue	08:00	00:45	
Wed	08:00	00:45	
Thur	08:00	00:45	
Fri	08:00	00:45	
Sat	08:00	00:45	
Sun	08:00	00:45	

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 yes

- 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 failed to enclose the premises licence or relevant part of premises licence

P 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,e) (please read guidance note 9)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm


Please tick yes

- I have made or enclosed payment of the fee
- 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, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	16.8.2016
Capacity	Licensing Consultant / Legal Advisor

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 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Mr A.G. Eva
 GE Licensing Solutions
 26 Chirgwin Road

Post town	Truro	Post code	TR1 1TT
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Telephone number (if any)	(01872) 271084
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)
 info@gelicensing.co.uk

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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LOCAL AUTHORITY



Licensing Section
South Hams District Council
Follaton House
Plymouth Road
TOTNES
TQ9 5NE

Part 1 - Premises Details

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

Hope & Anchor Inn

Hope Cove, KINGSBRIDGE, Devon, TQ7 3HQ.

Telephone 01548 561294

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an indoor sporting event
- a performance of live music
- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
C. Indoor sporting event	Monday to Sunday	9:00am	Midnight
	New Year's Eve	9:00am	2:00am
E. Performance of live music (Indoors & Outdoors)	Monday to Sunday	9:00am	11:30pm
		<ul style="list-style-type: none"> • No amplified music to be permitted outside (except Hope Cove weekend). • Non-amplified music to be permitted outside between 10.00am and 10.00pm 	
	New Year's Eve	9:00am	11:30pm
		<ul style="list-style-type: none"> • No amplified music to be permitted outside (except Hope Cove weekend). • Non-amplified music to be permitted outside between 10.00am and 10.00pm 	
F. Playing of recorded music (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
		<ul style="list-style-type: none"> • No amplified music to be permitted outside (except Hope Cove weekend). • Non-amplified music to be permitted outside between 10.00am and 10.00pm 	
	New Year's Eve	9:00am	2:00am
		<ul style="list-style-type: none"> • No amplified music to be permitted outside (except Hope Cove weekend). • Non-amplified music to be permitted outside between 10.00am and 10.00pm 	
I. Late night refreshment (Indoors)	Monday to Sunday	11:00pm	Midnight
	New Year's Eve	11:00pm	2:00am



THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Sunday	9:00am	Midnight
	New Year's Eve	9:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	8:00am	12:45am
New Year's Eve	8:00am	2:45am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

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

St Austell Brewery Co Ltd	63 Trevarthian Road, ST AUSTELL, Cornwall, PL25 4BY Telephone 01726 627269
---------------------------	-------------------------------------------------------------------------------

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

St Austell Brewery Co Ltd	107021
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NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Christopher Paul ROBERTS	1 Armada House, Hope Cove, KINGSBRIDGE, Devon, TQ7 3HQ.
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PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. LI14_001473	Issued by Cornwall
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ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

Supply of alcohol

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

1. at a time when there is no designated premises supervisor in respect of the premises licence, or
2. at a time when the designated premises supervisor does not hold a personal licence or his personal licence has been suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Registered door staff

ANNEXES continued ...

Each individual carrying out a 'security activity' must be licensed by the Security Industry Authority other than

1. 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
2. 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
3. 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,



ANNEXES continued ...

(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);

ANNEXES continued ...

- (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.



ANNEXES continued ...

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.”

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

a) General - all four Licensing Objectives

- The maximum occupancy in the first floor must be 60 in the bar and 80 in the restaurant.
- The maximum occupancy in the ground floor bar (formerly known as the games room) must be 60 people.
- Total occupancy in the building at any one time must not exceed 250 or in agreement with the licensing authority and Devon Fire and Rescue based on fire safety issues, available floor space and the sanitary accommodation available.
- An appropriate method must be in place for checking the number of people entering and leaving the premises and ensure that steps are taken so that, once the maximum occupancy is reached, no further persons are admitted. The method employed seating for the majority of people and the rest by physical head count.

b) The prevention of crime and disorder

- Customers carrying open or sealed bottles or glasses must not be admitted to the premises at any time.
- Customers must not be permitted to take open containers of alcoholic or soft drinks from

ANNEXES continued ...

the premises and all bottles and glasses must be removed from public areas as soon as they are finished with or empty.

- Drugs - an anti drug policy agreed by the police and local authority must be in force and a secure facility to store controlled drugs must be available.
- Notices - crime prevention notices must be displayed warning customers of the prevalence of crime which may target them, eg "bags should not be left unattended",
- A detailed "customer code of conduct" poster must be displayed warning customers that if they act in an inappropriate manner, they could be barred from all licensed premises in the vicinity.
- A policy must be in force for the management of large groups, ie coach parties. The group must be required to nominate a responsible person to liaise with staff.
- An incident book to record details of all instances of public disorder must be kept on site.

c) Public Safety

Electrical system - the electrical system, including portable appliances must be inspected and tested annually by a competent person to ensure safety.

Where temporary electrical equipment is to be used, a suitable circuit breaker device must be installed to cover this equipment. The circuit breaker should operate at a current not exceeding 30 ma and should comply with BS 4293. The device must be tested monthly and tests must be recorded. Temporary electrical wiring and distribution systems must not be installed unless inspected by a suitably qualified electrician. Temporary electrical wiring and distribution systems must comply with BS 7671 or where applicable BS 7909

Gas system - the gas system including appliances must be inspected and tested by a Gas Safe registered gas 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.

Disabled people - when disabled people are present, adequate arrangements must exist to enable their safe evacuation in the event of an emergency.

Sanitary accommodation - the sanitary accommodation consists of: female wc's 6 ; wash h/b 4 ; disabled wc's 0 ; male wc's 3 ; urinals 6 ; whb's 3 .

Air management - the air management system within the premises must be used during entertainment, as there is insufficient ventilation when all windows and doors are closed, to prevent noise break out.

First aid - At all times there are adequate first aid arrangements on site. The arrangements for first aid provision include a first aid box an adequate and appropriate supply of first aid



ANNEXES continued ...

equipment and materials must be available for the use of patrons. Suitable protective equipment must be provided to deal with hypodermic needles, blood spillages and other body fluids. Procedures must be in place to ensure that body fluids are dealt with in a safe manner to avoid the risk of communicable disease.

Gangways, exit routes & steps - 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.

Glazing - where glazing forms part of windows, walls or partitions below waist height it must be constructed of safety materials. Where glazing forms part of a door or side panel at below shoulder height it must be constructed of safety materials.

Addressing patrons - a means of addressing patrons during operating hours, which can be heard above entertainment, or a means of interrupting the entertainment to make important safety announcements must be available.

d) The prevention of public nuisance

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

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.

Sufficient ventilation must be provided so that doors and windows can be kept closed.

An announcement must be made prior to closing requesting patrons' co-operation in leaving the premises and vicinity as quietly and quickly as possible.

Staff must check prior to entertainment, and periodically during the entertainment, that all windows and doors are shut.

A senior member of staff (manager) 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.

The volume of amplified sound used in connection with the entertainment must at all times be under the control of the management.

Delivery/collection/storage activities-

The delivery of goods is restricted to the following times: between 06.00 hrs and 22.00 hrs.

The handling of beer kegs, bottles and other similar items must not take place in the late evening, at night and during the early morning, when the noise generated could cause a nuisance particularly outside buildings.

Bottle skips and bins containing cans or bottles must not be emptied outside after 22.00 hrs but must be dealt with the next day during normal office hours.

The movement of bins and rubbish outside the premises must be kept to a minimum / prohibited after 22.00 hrs.

Use of gardens, play areas and out side areas -

ANNEXES continued ...

The use of gardens must not commence before the start of normal trading hours and must cease at midnight.

Control of light pollution -

The use of lighting in gardens and external areas must cease at dusk except for health and safety or security reasons.

Flashing or bright lights must only be placed in positions that do not cause a nuisance to neighbours or passing traffic.

e) The protection of children from harm

A proof of age policy agreed by the police must be enforced. Signs must be displayed that it is an offence for anybody under 18 yrs to purchase alcohol in these premises.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

ANNEX 4 - PLANS (ATTACHED)

Graham Munson
Licensing Manager
On behalf of the Licensing Authority



LOCAL AUTHORITY



Licensing Section
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

Hope & Anchor Inn

Hope Cove, KINGSBRIDGE, Devon, TQ7 3HQ.

Telephone 01548 561294

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an indoor sporting event
- a performance of live music
- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
C. Indoor sporting event	Monday to Sunday	9:00am	Midnight
	New Year's Eve	9:00am	2:00am
E. Performance of live music (Indoors & Outdoors)	Monday to Sunday	9:00am	11:30pm
		• No amplified music to be permitted outside (except Hope Cove weekend).	
		• Non-amplified music to be permitted outside between 10.00am and 10.00pm	
	New Year's Eve	9:00am	11:30pm
	• No amplified music to be permitted outside (except Hope Cove weekend).		
	• Non-amplified music to be permitted outside between 10.00am and 10.00pm		
F. Playing of recorded music (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
		• No amplified music to be permitted outside (except Hope Cove weekend).	
		• Non-amplified music to be permitted outside between 10.00am and 10.00pm	
	New Year's Eve	9:00am	2:00am
	• No amplified music to be permitted outside (except Hope Cove weekend).		
	• Non-amplified music to be permitted outside between 10.00am and 10.00pm		
I. Late night refreshment (Indoors)	Monday to Sunday	11:00pm	Midnight
	New Year's Eve	11:00pm	2:00am

Licensing Act 2003
Premises Licence Summary

PL0320

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Sunday	9:00am	Midnight
	New Year's Eve	9:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	8:00am	12:45am
New Year's Eve	8:00am	2:45am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

St Austell Brewery Co Ltd 63 Trevarthian Road, ST AUSTELL, Cornwall, PL25 4BY

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

St Austell Brewery Co Ltd 107021

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

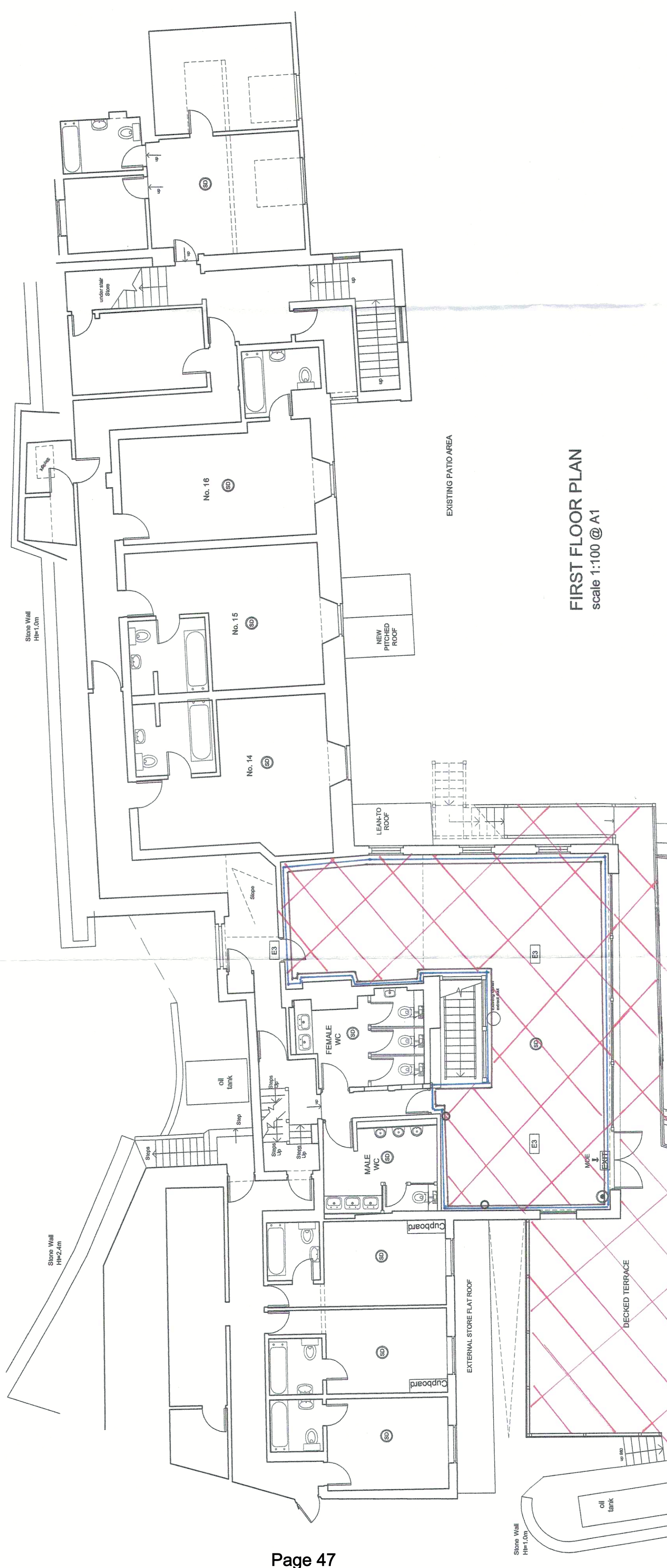
Christopher Paul ROBERTS

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

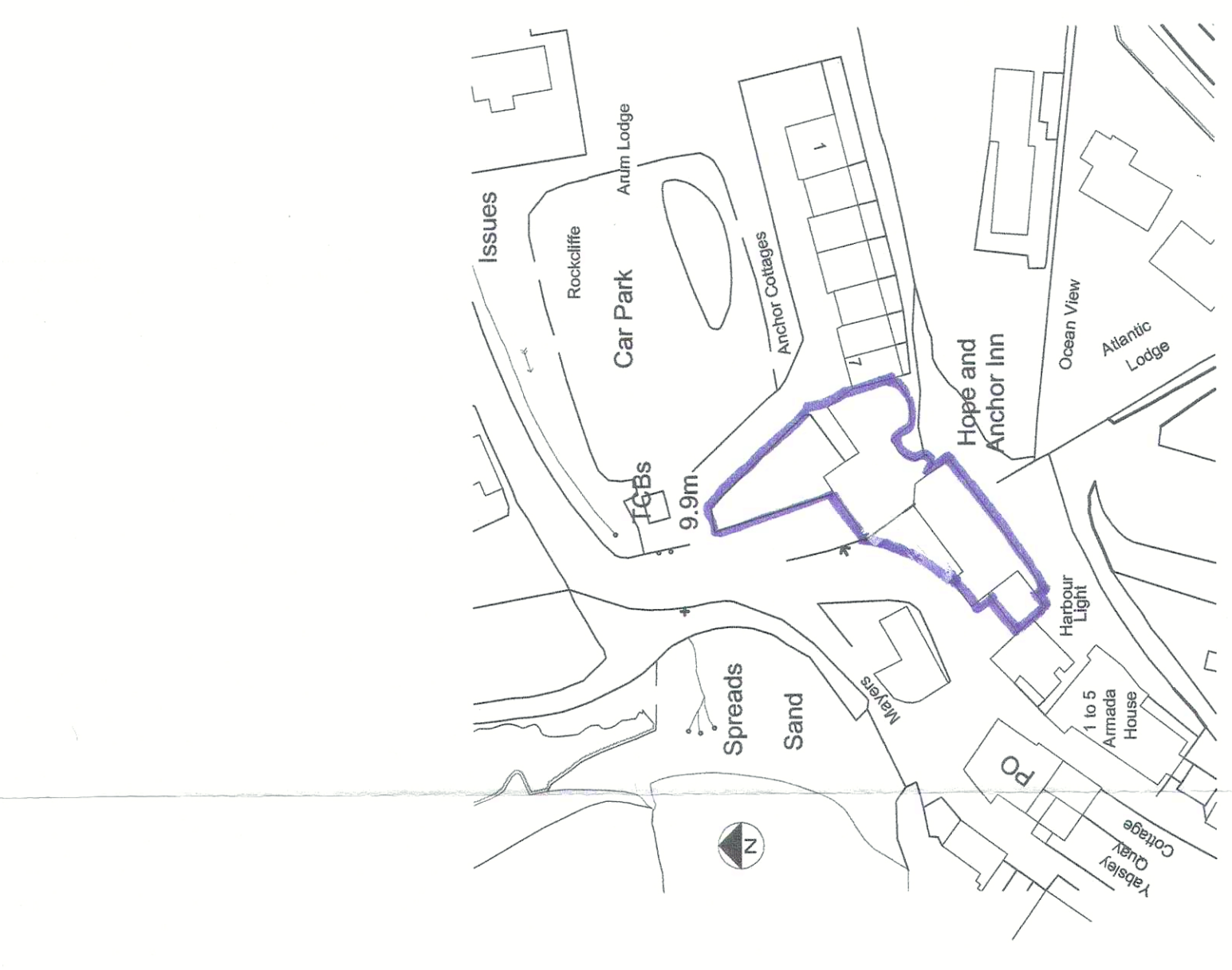
No restrictions on Children.



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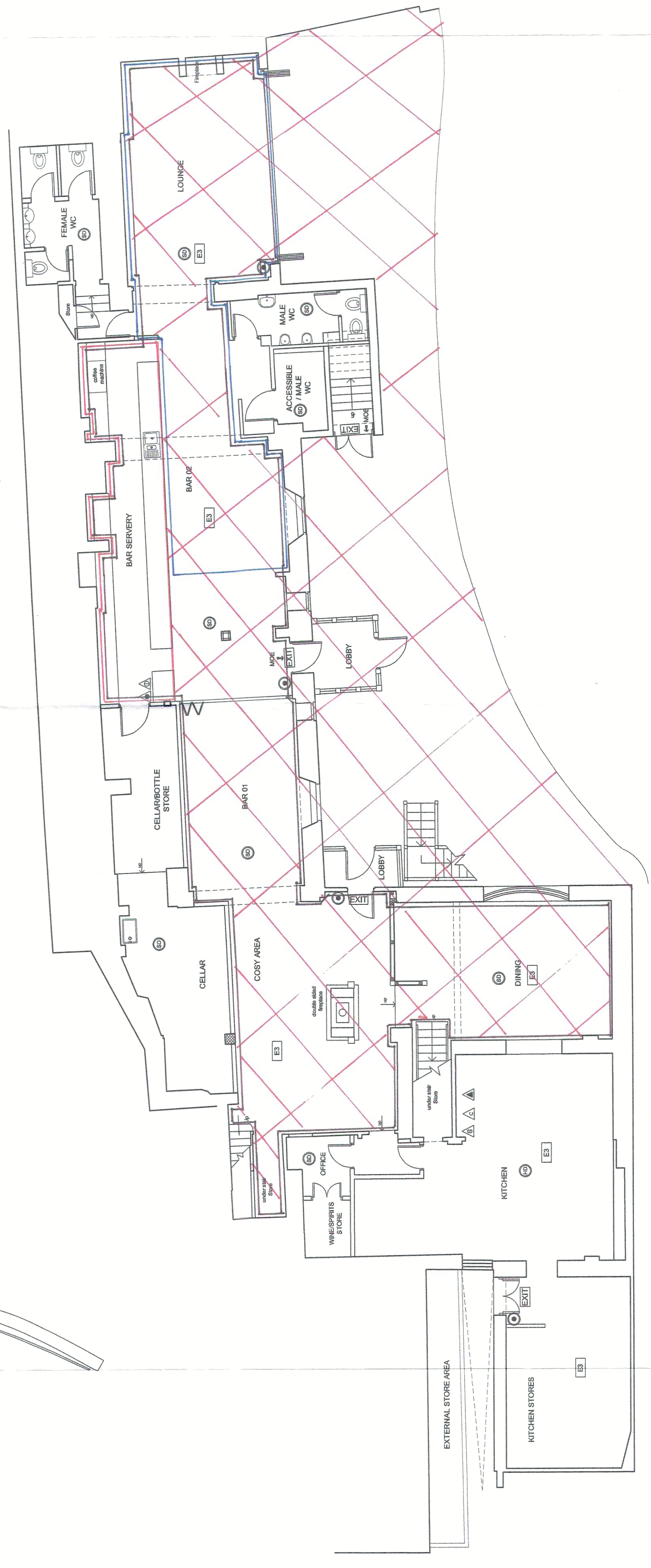


FIRST FLOOR PLAN
scale 1:100 @ A1



SITE LOCATION PLAN
scale 1:1000 @ A1

The location and type of any fire safety equipment is shown as at time of submission of application. This may be varied at the discretion of the fire officer or after a fire risk assessment.



GROUND FLOOR PLAN
scale 1:100 @ A1

KEY

- Means of Escape
- Smoke Detector
- Heat Detector
- Emergency exit light 3 hour maintained with photoluminescence
- Emergency exit light 3 hour non-maintained
- Alarm Bell
- Manual Callpoint
- Water Extinguisher
- Carbon Dioxide Extinguisher
- Foam Extinguisher
- Chemical Extinguisher
- Fire blanket in container

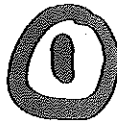
NOTE: Emergency lighting system to be certified to BS 5266 Part 1 and Part 2. The fire alarm system to be certified to BS 5839 Part 1 and Part 2. Outside areas are to be used for the consumption of alcohol.

- Retail Sale of Alcohol
- Regulated Entertainment
- Late Night Refreshment
- Consumption of Alcohol (indicative)
- Boundary of Premises

Minor Variations Plan approved Nov. 2014

	design management partnership 8 trade street, candiff, cf10 5dt T +44(0)29 2084 4829 F +44(0)29 2084 4831 E mail@designmanagementpartnership.com		scale: 0/A1 date: 11/10/14 title: Licensing Plan	drawn: KP checked: SP date: 18/10/14 status: Licensing	25/10/14 13.036 drawing number: 250
	Planned drawings to be issued in preference to scaled issues. All drawings to be produced by the contractor before commencing work and any changes to be noted in consultation with the contractor and other consulting drawings. This drawing is the property of design management partnership. Copyright is reserved by them and this drawing is issued on the condition that it is not to be used for any other project without their written consent.		rev: / date: / revision notes: /	rev: / date: / revision notes: /	rev: / date: / revision notes: /

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Nick Watts

From: [REDACTED]
Sent: 27 August 2016 18:25
To: Tara OKeefe
Subject: Re: Hope & Anchor Inn - Variation Application

Dear Tara

This parish council are particularly concerned about allowing amplified entertainment in external areas 12.00 hrs – 20.00 hrs. Does this mean it is allowed, potentially, for 365 days a year? There is a history of complaints about amplified music at this pub going back some years and I believe they were restricted on this. However, the restriction has been blatantly ignored on many occasions. Parish council would prefer a limitation on these events. Due to the geography of the village the sound carries across the whole valley and echoes around the cove and this has been cause for many complaints over the years. Even if you live on the edge of the village it can sound like the band is next door!

I would welcome further information so I can go back to the parish councillors.

Jan Carter
Clerk to South Huish Parish Council

From: Tara OKeefe
Sent: Thursday, August 18, 2016 12:25 PM
To: SH-All Parish Clerks ; SH-All Members
Subject: Hope & Anchor Inn - Variation Application

Dear All

We have received a variation to the premises licence of Hope & Anchor Inn, Hope Cove, Kingsbridge, TQ7 3HQ from St Austell Brewery Company Ltd.

The nature of the proposed variation is to:

- make changes to the plan to alter the internal area which regulated entertainment take place
- to allow amplified entertainment to take place in external areas (12:00hrs – 20:00hrs)
- to change the sale of alcohol hours from 09:00hrs – 00:00hrs to 08:00hrs – 00:00hrs
- to allow the sale of alcohol to residents and their bona fide guests until 01:00 and 03:00 on New Year's day
- to allow residents and their bona fide guests to be on the premises throughout the whole day until 01:45hrs and 03:45hrs New Year's Day

If you would like to make a representation, please send to the Licensing Department at South Hams District Council or email licensing@swdevon.gov.uk no later than 14th September 2016. Please do not hesitate to contact me if you have any questions or would like to see a copy of the application.

Many Thanks

Tara O'Keefe | Licensing Senior Case Manager
South Hams District Council | West Devon Borough Council
Email: tara.okeefe@swdevon.gov.uk
Tel: 01803 861151

SOUTH HUISSH PARISH COUNCIL

Chairman - Mrs J Hocking Clerk - Mrs Jan Carter
'Tides View', Weymouth Park, Hope Cove, Kingsbridge, Devon TQ7 3HD
Tel. 01548 560086 e-mail: south.huish.pc@btinternet.com www.southhuish-pc.org.uk

13 September 2016

SHDC Licensing Dept.
via email

Dear Sirs

Licensing Act 2003 - Variation of Premises Licence
Hope & Anchor Inn, Hope Cove, Kingsbridge TQ7 3HQ

With reference to the above variation application this parish council wish to make the following objections:

1. Amplified entertainment to take place in external areas (12.00 hrs - 20.00 hrs) Due to the geography of Hope Cove i.e. a steep valley with the Hope & Anchor Inn situated at sea level, any amplified entertainment can clearly be heard around the whole village. The valley and bay act like an ampitheatre with its attending acoustics. Your records should show that investigations were carried out by SHDC prior to the previous ban on amplified music with visits to properties taking noise level meter readings. The ruling is relaxed for the annual Hope Cove Weekend in August, which is accepted, but we speak for many local residents in strongly objecting to amplified entertainment all year round as the noise will be disturbing. Hope Cove is a quiet, seaside village - not a Torbay seafront.
2. To allow the sale of alcohol to residents and their bona fide guests until 01.00 hrs and 03.00 hrs N.Y. Day and to allow residents and their bona fide guests to be on the premises throughout the whole day until 01.45 hrs and 03.45 hrs. N.Y. Day.

The parish council is very concerned about the extension of these hours and sale of alcohol as this could result in more noise and disturbance when the bona fide guests finally leave the Inn, particularly as there are a number of residential properties very close by. Weddings and Receptions are held at the Inn and therefore the bona fide guests could become very large numbers indeed and very possibly inebriated and noisy!

We noted that your Public Notice in the Kingsbridge & Salcombe Gazette made no reference to the actual hours of this proposed extension and therefore the public were unaware just how late they are, unless viewing your website. Had they been properly and fully informed in the newspaper there could have been more objections than those we have received.

Finally, the parish council make the comment that to start serving alcohol at 8.00 am would seem to be entirely unnecessary.

Yours faithfully

Jan Carter
Clerk to the SOUTH HUISSH PARISH COUNCIL



Re the licensing application for the Hope and Anchor Inn, Hope Cove



September 13, 2016

Dear Sir or Madam,

I wish to object to this application.

I am not a resident of Hope Cove, but my wife, children and I (along with grandchildren in recent years) have been visiting the village for holidays since 1999. We normally stay in the flat above the shop and post office and have long been 'in love' with Hope Cove.

Its charm lies essentially in its being a place where people can enjoy a traditional family holiday and get away from the stresses - including noise - that are part and parcel of everyday life for many of us these days.

It is of considerable concern and disappointment to us that the character of Hope Cove is increasingly under attack, and that people who insist on taking their dogs on to the 'no dogs' beach are no longer the only irritant.

Late night disturbance from The Cove caused us to object to a licensing application for that establishment a year-or-so ago. And now it seems the Hope & Anchor may be joining in a competition to take the village into a downward spiral of increased noise and rowdiness.

How can its application not cause eyebrows to rise? Why, for example, does it wish to be able to serve alcohol from 8am? Indeed, one might well ask the same question about 9am. Who wants to be drinking from that time in the morning?

The application to serve alcohol until 1am and "to allow residents and their bona fide guests to be on the premises throughout the whole day until 01:45hrs" is also very disquieting (if you'll excuse the pun).

What does "on the premises" mean? Does it include the chairs and tables outside the pub? Whether it does or doesn't, there would inevitably be noise spillage on to the street (not least because of smokers). Further to this, the proposals for New Year's Eve/Day are especially excessive.

If granted, this application would condemn residents and family holidaymakers in Hope Cove to more late-night loud conversation and waves of raucous laughter outside the pub, and slamming of car doors.

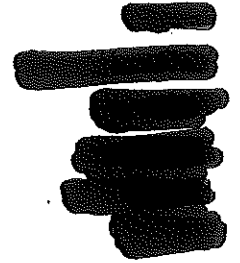
Hope Cove is not a natural habitat for stag party revellers and other examples of the Great British Oik. The further incursion of the species into Hope Cove should not be encouraged by your licensing authority.

Yours faithfully,

A thick, black, horizontal redaction bar obscuring the signature of the sender.



05 SEP 2016



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

31st August 2016

Dear Sirs,

Re Licensing Act 2003
Notification Printed in Kingsbridge Gazette dated 26th August 2016

We are writing to object to the application by St Austell Brewery Co Ltd, for amplified music outside the Hope & Anchor Inn , Hope Cove, Kingsbridge TQ7 3HQ, to be played between 12.00 and 20.00.

When Mr Hilary West owned the Hope and Anchor Inn, outside amplified music was stopped by South Hams District Council due to the noise and disturbance. The only exception is the Hope Cove weekend event held annually at the end of August.

Hope Cove is a very quiet and peaceful community and that is why people choose to reside here.

We do hope this application will be refused, it really isn't necessary or acceptable in this environment.

Yours faithfully,

Cc. Simon Wright (Councillor) c/o Follaton House
Cc. South ~~West~~ Parish Council : Clerk
Hilary

Tel/fax: 01548 561913



Nick Watts

From: [REDACTED]
Sent: 11 September 2016 16:24
To: Tara OKeefe
Subject: Re: The Hope & Anchor Variation Application

Dear Ms OKeefe

Thank you for sending me the details of the application for variation of the premises licence at the Hope & Anchor, Hope Cove.

Our comments are below:

- We would be against the installation of amplification and speaker equipment in external areas. No information on the application details exactly where such equipment might be situated. Ourselves and the other adjoining cottages which are rented out for holidays would be severely affected by noise from these plans.
- We would also object to the sale of alcohol to residents and their bona fide guests until 01.00hrs on a regular basis. Extension licences can be granted for special occasions - (weddings, village fetes and galas and New Year's Eve celebrations etc.) but we would be against the regular licencing hours being extended. There would be no control over the attendees and already we have noise problems with people leaving the premises after midnight and would not wish to see this extended to 01.45hrs and 03.45 on New Year's Day.

There is a covenant on the cottages in the terrace not to make a noise which would impede the enjoyment and cause nuisance to the other residents. This must also surely apply to the Hope and Anchor which was originally owned by the same family who built the terrace known as Anchor Cottages.

Hope Cove is noted and advertised by all the housing and tourist agencies as a quiet fishing village. These plans further make the village as a high profile, noisy and crowded venue totally out of keeping with the area which is in the AONB. I trust you will take these comments on board when considering the application.

Yours sincerely

[REDACTED]

On Thursday, 8 September 2016, 10:02, Tara OKeefe <Tara.Keefe@swdevon.gov.uk> wrote:

Dear [REDACTED]

Firstly I would like to apologise for the delay in sending this information to you. The details of the proposed variation application for The Hope & Anchor is as follows:

- make changes to the plan to alter the internal area which regulated entertainment take place
- to allow amplified entertainment to take place in external areas (12:00hrs – 20:00hrs)
- to change the sale of alcohol hours from 09:00hrs – 00:00hrs to 08:00hrs – 00:00hrs
- to allow the sale of alcohol to residents and their bona fide guests until 01:00 and 03:00 on New Year's day
- to allow residents and their bona fide guests to be on the premises throughout the whole day until 01:45hrs and 03:45hrs New Year's Day

Under the Live Music Act 2012 a licensed premises can have live or recorded music from 8am – 11pm and further information can be found at <https://www.gov.uk/guidance/entertainment-licensing-changes-under-the-live-music-act> The external areas of the premises are licensed for consumption of alcohol so legally they can have live or recorded music outside until 11pm regardless of the conditions attached to the premises licence.



Nick Watts

From: [REDACTED]
Sent: 12 September 2016 13:55
To: SW-Licensing
Subject: Hope & Anchor Inn, Hope Cove, Kingsbridge, TQ7 3HQ from St Austell Brewery Company Ltd
Attachments: PastedGraphic-9.tiff
Categories: Tara

Dear Sir/madam,

It has been brought to the notice of myself and my family, that once again another local Hope Cove business is trying to change the 'family friendly atmosphere' of Hope Cove. I understand from an application made by St Austell Brewery that a variation to licensing hours is being applied for, which will allow a change to both licensing hours and to noise pollution?

Firstly I wish to point out that I am not a resident in the South-hams Council Area, however I have been visiting and staying in Outer Hope Cove for 17+ years. At least twice a year and sometimes three times a year. My family and friends have also visited The Haven (above the Post Office), regularly also. Although I am not a resident but a frequent visitor, I feel that my views should be considered when considering the premises Licence Variation to the Hope & Anchor Inn.

I notice that the variable licensing request is to make changes to the plan to alter the internal area in which regulated entertainment takes place and to allow amplified entertainment to take place in external areas (12:00hrs - 20:00hrs) and to change the sale of alcohol hours from 09:00hrs - 00:00hrs to 08:00hrs - 00:00hrs and to allow the sale of alcohol to residents and their bona fide guests until 01:00 and 03:00 on New Year's Day. To allow residents and their bona fide guests to be on the premises throughout the whole day until 01:45hrs and 03:45hrs New Year's Day. I am opposed to this variable licensing application for the following reasons:

1. The serving of alcohol from 8:00am to 9:00am is ludicrous as the majority of reasonable people wouldn't consider the consumption of Alcohol before 10:30/11:30am totally unnecessary. The only people that would want to consume alcohol at that time of day would be predominately young men on Stag Parties or Alcoholics.
2. Being allowed to consume alcohol from 08:00 - 1:00am is 15hours and 18hours on New Year's Day. This will cause a major disturbance to local residents and families on holiday in the self catering properties in Hope Cove.
3. Serving alcoholic beverages for this length of time will encourage 'thuggish behaviour' and public order offences. The noise level of guests leaving the Hope & Anchor at a time when the majority of people in Hope Cove will be sleeping, will cause a major disturbance and I believe that Law Enforcement Officers will be required to attend and take action.
4. Playing amplified music outside is acceptable during the day if it is kept at a reasonable volume, i.e., so that music can't be heard in the Haven or other self catering properties with the windows open.

I would also like to point out that Outer Hope Cove is residential and to have another noisy business in such close proximity to holiday homes and other residences is unacceptable and will deter families from wanting to stay in Outer Hope Cove.

Outer Hope Cove is a safe holiday location for many families with young children and like ourselves have always found the noise levels to be kept to a minimum during the late evenings. The Hope & Anchor has always been considerate to noise levels in the past which has made Outer Hope Cove to be seen as a family friendly holiday resort.

Up until two years ago my wife and family had been recommending people to come and stay at the Haven but since the problems with The Harbour Lights (The Cove), we have had to inform Mr and Mrs Masters that we can no-longer recommend staying at the Haven because of the erratic noise levels and closing times. I wish to support Mr and Mrs Master's objection to the proposed application. They have been proprietors of the Hope Cove Post Office and The Haven holiday apartment for many years and I feel that the noise levels of The Cove and now by the Hope & Anchor, if this application is approved, will be seriously damaging on Mr and Mrs Master's business.

It would appear that the aim of the Hope & Anchor and the Cove is to make Hope Cove more attractive to young visitors looking for a party atmosphere, than holiday makers which in the long term I believe will have a detrimental effect, and deter families with children from holidaying here. This I believe will not only be sad for the local people who love Hope Cove but have a major impact on the economy of the village.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]

Mobile: [REDACTED]





[REDACTED]

12th September 2016

Licensing Application Objection-St Austell Brewery, Hope and Anchor, Hope Cove, TQ7 3HQ

Dear Sirs

After careful consideration I would like to object to the above application. We are the adjoining business and residential apartment where we live with our three year old son. I object on the following grounds against the licensing objectives.

Prevention of Crime & Disorder - The addition of bona fide guests concerns us greatly as we assume that this could include private functions. The Hope and Anchor Inn have only staged a handful of functions during 2016, the majority of which have resulted in noise and rowdy behaviour beyond their current licensing hours.

During the recent Hope Cove Weekend there were many examples of how the Hope and Anchor consistently fail to manage their outside area after their licensing hours. I myself came out at 1.45am during Hope Cove Weekend to move their customers away from our property as the noise in our home was disrupting my son's sleep.

Prevention of Public Nuisance - The amplified music license is unacceptable to us even though the hours are limited between 12pm and 8pm. Outside music travels through the village valley up to the residential properties and other businesses in the area. Customers and residents should have the choice as to whether they wish to listen to live music or enjoy the current peace and quiet of Hope Cove. No other business has an outside amplified music license and I believe historically this has been a problem for residents in the village which is why the amplified music was removed from their current license.

By offering an extended licence to residents and their bona fide guests will in our opinion result in up to 250 guests leaving the premises at 1.45am, either walking through the village to accommodation or getting into taxis with the associated noise. The Hope and Anchor only have a small amount of accommodation so this noise cannot possibly be contained. I also question the definition of a bona fide guest and how this can be managed effectively to ensure it does not become a license to serve after midnight.

This license if granted shows disregard for the residents of Hope Cove and holiday lets in the area and looks to change the whole dynamics of a currently very popular tourist and residential area. Temporary Events Notices allow for special events and for each event to be judged on its own merits by the relevant authorities who can look at each case individually.

Should you require examples of public nuisance that we have so far tolerated from The Hope and Anchor then please do not hesitate to contact us.

Yours sincerely

[REDACTED]



Nick Watts

From: Anna Pooley
Sent: 07 September 2016 16:48
To: Tara OKeefe
Cc: James Kershaw
Subject: FW: Hope & Anchor Inn - Variation Application

Dear Tara

Re: Hope & Anchor Inn, Variation Application

The application seeks to allow the outside areas to be used until 20:00 for amplified music, this area is surrounded by residential properties and the unfettered use of this area is likely to cause a public nuisance by way of noise. The extension of licensable hours for the sale of alcohol to residents and their bona fide guests until 01:00 or 03:00 does not restrict numbers, again there is the potential for a public nuisance to arise when these guests leave the premises at such an early time of the morning/night.

I do believe that these proposed changes do not support the licensing objectives by way of protection of the public from a public nuisance, and would therefore request that this application is brought in front of the licensing committee.

Kind regards

Anna

Mrs Anna Pooley | Environmental Health Specialist
South Hams District Council | West Devon Borough Council
Email: Anna.Pooley@swdevon.gov.uk
Tel: 01822 813719



South Hams
District Council



West Devon
Borough Council *Working together*



www.southhams.gov.uk



www.westdevon.gov.uk

From: Anna Pooley
Sent: 07 September 2016 14:20
To: Tara OKeefe <Tara.Keefe@swdevon.gov.uk>
Subject: FW: Hope & Anchor Inn - Variation Application

Dear Tara

Re: Hope & Anchor Inn – Variation Application

Environmental Health have concerns about the potential for noise problems if the application were to be granted, and therefore recommend that the variation application be referred to the Licensing Committee.

Kind regards

Anna

Anna Pooley | Specialist, Environmental Health
South Hams District Council | West Devon Borough Council
Email: Anna.Pooley@swdevon.gov.uk
Tel: 01822 813719



Nick Watts

From: [REDACTED]
Sent: 12 September 2016 15:24
To: SW-Licensing
Subject: Hope and Anchor, St Austell Brewery Application
Categories: Tara

10 September 2016

The Licensing Manager
South Hams District Council
Follaton House
Plymouth Road
Totnes
Devon
TQ9 5NE.

Hope & Anchor Inn, Hope Cove, Kingsbridge, TQ7 3HQ from St Austell Brewery Company Ltd

We object to the application posted by an agent on behalf of St Austell Brewery.
We own and provide holiday accommodation for visitors at The Haven, Hope Cove, and TQ74BP.

We object very strongly to the manner of the notice posted in The Kingsbridge and Salcombe Gazette and also at the premises. The notice is disingenuous omitting relevant time detail. The notice should surely include this detail, failure to do so does not inform residents and interested parties of the onerous changes which will impact the reasonable, peaceful enjoyment of Hope Cove.

There can be no justification for alcohol being available from 0800hrs. Most reasonable people would suggest 0900hrs is very early to be consuming intoxicating beverages.

The noise nuisance from amplified music outside the premises must be considered. Provided the level does not affect our guests, we do not object. The music should not be heard inside our premises with windows open. (Please note the conditions imposed on The Cove Bar adjacent to our building)

Excessive volume will cause distress and disturbance to visitors and permanent residents alike.

The extended hours for residential guests at The Hope and Anchor are not acceptable. Families nearby do not expect to be disturbed at 0145hrs (0200hrs realistically) by dispersing 'guests' creating vocal and vehicular noise.

The additional hours at New Year are unacceptable. Ejecting guests at 0345hrs (0400hrs realistically totaling over 18 hours of alcohol consumption) will cause massive disturbance and is likely to create public order issues.

This village, where we have conducted business and welcomed visitors for over 20 years will be the worse for the gradual erosion of the tranquility associated with excessive consumption of alcohol until the early hours.

We would be grateful for clarity as to the requirements of a public notice and what can be left out to confuse those most likely to be affected.

We look forward to a letter of receipt for this objection



Naomi Wopling

From: [REDACTED]
Sent: 08 September 2016 11:04
To: Naomi Wopling
Subject: Licensing

Hi Naomi

Re Hope and Anchor inn

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Music

The proposal to have piped music 12 noon to 8pm will transform our lovely haven into Butlins with audible wallpaper plus

visitors attracted by that music. I protest very strongly against it. It is out of keeping and out of taste in our village where people

holiday to enjoy the scenery and peace [which is why we came to live here].

licensing

The provision of alcohol until one am on a regular basis is applying for the a pattern rather like that The Cove applied for

and led [REDACTED] to insist late night music [even on an occasional basis] would damage the health of his staff.

What hypocrisy!!

Further more the provision for 'residents and their guests ' is a recipe for mayhem with groups partying outside til 2am +.

People would come on out here from other [closed] pubs and a virtual rave would ensue .

St.Austell brewery is intent on a full on 'makeover ' of our lovely usually peaceful village which will cause nuisance

disorder and lack of supervision of youngsters. Plus an onslaught on a small community which til now provided for families to have a safe

holiday without their children being exposed to drunken dancing Hope and Anchor customers til the early hours

I dont think either [redacted] can ever be accused of being mere complainers. Our experience of working with the public and knowledge of Hope Cove

[we ran the outdoor elements of Hope Cove weekend for six years] compel us to object strongly to this destructive proposal and firmly ask you to

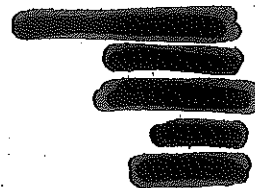
reject it in the interest of local people and families ----like ourselves and protect our village from a permanent 'saturday-night fever'

best wishes

[redacted]



RECEIVED
13 SEP 2016



The Licensing Manager
South Hams District Council
Follaton House
Plymouth Road
Totnes
Devon
TQ9 5NE

10th September 2016

Re: Objection to the License variation submitted by St Austell Brewery Company Ltd
for Hope & Anchor Inn
Hope Cove
Kingsbridge
TQ7 3HQ

Dear Sir/Madam,

I would like to register my objection to the proposed license variation by St Austell Brewery for The Hope & Anchor Inn in Hope Cove.

Having read the variation details it appears, in my opinion, that they are planning to turn the establishment into a party venue that can run from 8am to 1am serving alcohol throughout. Hope Cove is a quiet seaside village, not a city centre location where this type of establishment would be more suited.

On all four of the main licensing objectives

The variation to allow serving of alcohol from 8am seems irresponsible, encouraging people to start drinking earlier, then allowing them to continue to drink throughout the day until 1am the following morning. The term "Bona fide guests" is very open to interpretation, to the extent that it effectively means "anyone they choose to serve" (it also backs the idea of the premises being a "party venue" and these would be the guests). The vast majority of these would not be residents and hence would be leaving the premises at around 1:45am. This would lead to more drunken disorder, public nuisance and noise nuisance within the village as these people then try to find their way back to their accommodation, disturbing the families, including children, who were expecting a quiet holiday village. It would also lead to road safety issues as people decide that, as it's only "just around the corner in a quiet little village", they can drive back to their accommodation despite being over the drink drive limit.

On the "Prevention of Public Nuisance" licensing objective

The variation allows outdoor amplified music, which is of major concern. The village sits at the end of a valley and as such any loud noise tends to travel across the village and up the valley. This can be of huge annoyance to villagers and visitors alike. We have recently had "Hope Cove Weekend", an annual fun weekend in aid of charity. During this weekend, covered by temporary events notices, there is outdoor amplified music which can be heard to varying degrees across the village, even as

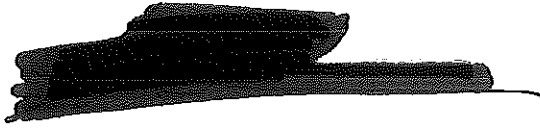
far up as my residence. Everyone accepts this as it is a fun event for charity that everyone gets involved with and it only happens once a year. Nobody would like this on a regular basis, which is what the license variation is asking for. (albeit limited to 8pm finish in theory)

Whilst this may or may not be relevant, it is worth pointing out that during several events over this last few months, when there has been amplified music inside the Hope & Anchor Inn, this can still be heard and causing a public nuisance, across the village, because they have all of the doors and windows open. This is in fact in violation of their current premises license which clearly states: *"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"*

This shows a blatant disregard for their current license, and should, in my opinion, be taken into account when looking at the license variation application.

I am not against the idea of allowing a party or wedding in such a lovely seaside village, but surely this would be best handled on an individual basis via the use of temporary events notices rather than a blanket change to the premises license.

Yours faithfully,

A large, dark, irregular redacted area covering the signature of the sender.A small, dark, rectangular redacted area, likely covering the sender's name.



RECEIVED
13 SEP 2016

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

10th September, 2016

Dear Sirs,

Licence changes, PL0320, Hope & Anchor Inn, TQ7 3HQ.

I understand from an inconspicuous public notice and local word of mouth, of plans to change the licence for the above premises.

I have to tell you that I'm opposed to these licence alterations.

While Hope Cove is a popular holiday destination for a few weeks in the height of the summer, for most of the year the Cove is a quiet backwater. Outer Hope has less than 150 permanent residents, mostly over 65. I cannot think of a more inappropriate location for daily amplified external music and the serving of alcohol well into the following day.

I hope the Licence Authorities consider wisely before inflicting this potential nightmare on local residents.

Yours faithfully,

[REDACTED]

[REDACTED]

12



RECEIVED
09 SEP 2016

the Ireland family
THE COTTAGE HOTEL
HOPE COVE + SOUTH DEVON

Hope Cove, Kingsbridge, South Devon TQ7 3HJ Tel: 01548 561555 Fax: 01548 561455
Email: info@hopecove.com Web: www.hopecove.com

8th September 2016
OUR REF: WI/KB/080916

The Licensing Manager
South Hams District Council
Follaton House
Plymouth Road
TOTNES
Devon TQ9 5NE

Dear Sir/Madam,

Re: St. Austell Brewery Company Limited – Premises License at the Hope & Anchor Inn, Hope Cove, Kingsbridge, South Devon TQ7 3HQ

We understand that St. Austell Brewery Company Limited have applied to vary their Premises License at the Hope & Anchor Inn, Hope Cove in order to allow amplified live music within the interior and exterior areas of the property (music outside between 12:00 and 20:00).

The Cottage Hotel guest bedrooms and staff accommodation both overlook the rear of the Hope & Anchor Inn and are close enough in proximity hear people's conversations when seated in the exterior section of the pub, let alone with live music!

Therefore, The Cottage Hotel strongly object to this application for the amendment to their current license as undoubtedly it will have a detrimental effect on our hotel residents as well as our non-resident trade and general business, simply due to the significant noise pollution. With our residents bedroom balconies and also our hotel communal terrace being in such a close proximity to the planned music venue, as well as our staff accommodation, a general lack of peace and quiet as well as sleep deprivation for our guests and staff will be inevitable.

The village of Hope Cove (being only a small rural fishing village) is already well-known for its quiet location and The Cottage Hotel has worked hard to establish itself as a quiet family hotel for the past 43 years! Indeed we have a long-standing reputation and even advertise our rooms as being quiet, restful and overlooking the cove (an Area of Outstanding Natural Beauty), therefore you can appreciate that having live music only a stones-throw away could significantly damage our existing business!

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Hope Cove, Kingsbridge, South Devon TQ7 3HJ

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..... South Hams District Council

We see no reason why their existing license needs to be changed and would be grateful if you could please explain in writing the thinking behind this decision?

We thank you for your assistance in this matter and look forward to receiving your reply.

Yours faithfully,

William Ireland
Managing Director



Hope and Anchor – variation to premises licence Amendments to application

The Applicant has agreed to make the following amendments to the premises licence application and to include additional conditions as listed below, following discussion with the Police:

- Removal of reference to 'bona fide guests'. The extensions requested for sale of alcohol and opening hours later at night will only apply to those residing at the premises overnight and will not include a 'guest' of a resident that is not staying on site.
- Under the 'protection of children from harm' objective, the following conditions to be included, in addition to those already on the premises licence:
 - o If a young person who appears to staff to be 25 or under asks to purchase alcohol, they will be required to prove their age before they are served unless the staff are certain (from personal experience or because they have seen proof of age on a previous occasion) that the person is 18 or over
 - o A notice advising customers that they may be required to prove their age before they can buy alcohol shall be displayed.
 - o The forms of proof of age that will be accepted are a passport, photo' driving licence or a proof of age card bearing the "PASS" accreditation hologram

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