

# South Hams Licensing Sub-Committee



<b>Title:</b>	<b>Agenda</b>
<b>Date:</b>	<b>Wednesday, 31st July, 2024</b>
<b>Time:</b>	<b>10.00 am</b>
<b>Venue:</b>	<b>Council Chamber - Follaton House</b>
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Cllr Rake <b>Vice Chairman</b> Cllr Penfold</p> <p><i>Members:</i> Cllr Carson</p>
<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
<b>Committee administrator:</b>	Democratic.Services@swdevon.gov.uk

**1. Urgent Business**

**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**

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

**4. Application to vary the Premises Licence of The Exchange,  
1 Fore Street, Ivybridge, PL21 9AB**

**1 - 46**

# Agenda Item 4

Report to: **Licensing Sub-Committee**

Date: **31 July 2024**

Title: **Application to vary the Premises Licence of  
The Exchange, 1 Fore Street, Ivybridge,  
PL21 9AB**

Portfolio Area: **Customer First**

Wards Affected: **Ivybridge West**

Relevant Scrutiny Committee:

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

Author: **Naomi Stacey** Role: **Senior Licensing Officer**

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

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**Recommendations:**

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

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

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

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

## 1. Executive summary

- 1.1 The purpose of the Licensing Sub-Committee meeting is to determine an application for a variation to the Premises Licence at **The Exchange, 1 Fore Street, Ivybridge, PL21 9AB** in accordance with Section 35 of the Licensing Act 2003.
- 1.2 The Licensing Department have received five representations in objection to the application and therefore the application must be determined by the Licensing Sub-Committee.

## 2. Background

- 2.1 The Licensing Authority received an application from The Craft Union Pub Company Ltd to vary their premises licence on 14 June 2024. The application is to:
- Extend the timings for indoor sporting events to:
    - Sunday to Thursday: 08:00 – 00:00
    - Friday and Saturday: 08:00 – 01:00
  - Extend the timings for live music, recorded music and the performance of dance (indoors) to:
    - Sunday to Thursday: 10:00 – 00:00
    - Friday and Saturday: 10:00 – 01:00
  - Include the provision of late night refreshment (indoors):
    - Sunday to Thursday: 23:00 – 00:00
    - Friday and Saturday: 23:00 – 01:00
  - Extend the timings for supply of alcohol for consumption on and off the premises:
    - Sunday to Thursday: 09:00 – 00:00
    - Friday and Saturday: 09:00 – 01:00
  - Extend opening hours:
    - Sunday to Thursday: 08:00 – 00:30
    - Friday and Saturday: 08:00 – 01:30
- 2.2 It is requested that all licensable activities (and opening hours) end one hour later during the following non-standard timings: Friday, Saturday and Sunday preceding a Bank Holiday Monday; Maundy Thursday; Halloween; St. Patrick's Day; Christmas Eve; Christmas Day.
- 2.3 In addition, it is requested that on New Year's Eve the premises may stay open and allow all licensable activities from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.
- 2.4 The application also includes the following request in relation to international sporting fixtures:
- The premises shall be allowed to operate for the sale/supply of alcohol for consumption on the premises during live televised major international sporting fixtures (i.e. non-league tournaments such as Football/Rugby/Cricket World

Cups, Football Euros and The Superbowl) for 1hr preceding until 1hr post the relevant fixture where the live broadcast is outside of the times of the licence.

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

2.6 The premises is currently licensed for the following:

- Indoor sporting events:
  - Monday to Sunday: 19:00 – 00:00
- Live music, recorded music and the performance of dance (indoors):
  - Monday to Sunday: 10:00 - 00:00
  - Christmas Eve: 10:00 – 01:00
  - New Year’s Eve: 10:00 – 02:00
- Supply of alcohol for consumption on and off the premises:
  - Monday to Sunday: 10:00 – 23:30
  - Christmas Eve: 10:00 – 01:00
  - New Year’s Eve: 10:00 – 01:30
- Opening hours:
  - Monday to Sunday: 10:00 – 00:00
  - Christmas Eve: 08:00 – 01:30
  - New Year’s Eve: 10:00 – 02:00

2.7 A copy of the current premises licence and licence plan is at **Appendix B**. This includes all the conditions currently on the licence and which will remain on there should the application be granted.

2.8 The premises is a pub located in the town centre of Ivybridge, close to other businesses and to residential properties. A plan showing the location of the premises is at **Appendix C**. The premises consists of a pub building with a balcony at the rear and an outside seating area to the side.

2.9 The pub previously closed at 01:30 on Friday and Saturdays and 00:30 on other days until June 2021, when a minor variation application was received to bring back the hours for licensable activities and closing times as per the current licence. The reason for the application was to amend the condition relating to the provision of door staff to make it less restrictive and was approved in liaison with Devon and Cornwall Police.

2.10 In December 2023 another minor variation application was received to update all the conditions on the premises licence. This application was submitted following liaison with the police and included the addition of a more restrictive condition relating to the provision of door staff. The application brought back the previous requirement for door supervisors to be employed between 20:30 until close on a Friday and Saturday evening, as well as the additional requirement for door supervisors to be employed on other occasions where necessary, following a risk assessment.

- 2.11 This application is seeking a return to the previous later hours during which the premises operated prior to June 2021.
- 2.12 During the consultation period, five relevant representations were received in objection to the application. Copies of the representations are attached at **Appendix D**.

#### Representations

- 2.13 Issues raised in the representations relate to the Prevention of Public Nuisance and Prevention of Crime and Disorder licensing objectives.
- 2.14 The main concerns relate to the level of noise already experienced by local residents and the potential for this to lead to disturbance later into the night. There is reference to noise from both the volume of music and from customers outside, particularly when using the rear balcony and when leaving the premises at the end of the night.
- 2.15 In addition, there are also concerns about anti-social behaviour from customers of the pub that are using the external seating area or while standing on the street outside the front of the building.
- 2.16 Several of the representations have highlighted that they have recently made complaints to Environmental Health regarding the level of noise they are experiencing from the pub. Environmental Health have liaised with the Applicant regarding the complaints received and their concerns about the potential nuisance which may result from the extended hours for licensable activities. The Applicant has agreed to include four additional conditions on the licence to promote the 'prevention of public nuisance' licensing objective. Environmental Health have confirmed that, subject to the inclusion of these additional conditions, they do not have an objection to the application. The agreed conditions are at **Appendix E**.
- 2.17 Any information contained in the representations which is not relevant to the promotion of the four licensing objectives (see 2.19) cannot be taken into consideration when determining the premises licence application.

#### Policy and Statutory Guidance

- 2.18 Section 3.1 of the Policy states: The Licensing Authority has a duty under the Act to carry out its licensing functions with a view to promoting the four licensing objectives.
- 2.19 The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance

- The protection of children from harm

- 2.20 Section 3.2 of the Policy states: These objectives are the only matters to be taken into account in determining the application and any conditions attached must be appropriate to achieve the licensing objectives. Each objective is of equal importance. A licence will only be granted where the Licensing Authority is satisfied that these objectives have been met.
- 2.21 Section 2.4 of the Policy sets out additional legislation, strategies, policies and guidance to which the Licensing Authority will have regard.
- 2.22 The Guidance issued under Section 182 of the Licensing Act 2003 which was revised and re-published in December 2023 state: The Licensing Authority may not impose any conditions unless its discretion has been exercised 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).
- 2.23 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) – amendments agreed.
- 2.24 No representations have been received from responsible authorities. Four additional conditions have been agreed between the Applicant and Environmental Health.
- 2.25 In addition to the above responsible authorities, any person may make a representation in relation to a premises licence application.

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

- 3.1 When determining an application for a premises licence, particularly when considering appropriate conditions and operating hours, the following sections of the Statement of Licensing Policy (the policy) and Section 182 Guidance (the guidance) are especially relevant:
- 3.2 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being

disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave (paragraph 2.25 of the guidance).

- 3.3 Sections 5.5.1 and 5.5.2 of the policy states: The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application, but the presumption will be to grant the hours requested unless there are relevant objections to those hours raised on the basis of the licensing objectives.
- 3.4 However, when issuing a licence with hours beyond midnight it is more likely that relevant representations will be made unless there are higher standards of control within operating schedules in order to promote the licensing objectives, especially for premises which are situated near residential areas or in areas where anti-social disorder takes place.
- 3.5 Section 5.5.5 of the policy states: The terminal hours will normally be approved where the Applicant can show that the proposal would not adversely affect the licensing objectives unless, after hearing relevant representation the Licensing Authority believe it appropriate to restrict the hours required due to the nature of the activities and the amenity of the area. If the Licensing Committee or a sub-committee believes that granting longer hours would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 3.6 Section 3.8.1 of the Policy states: The Authority recognises the great variety of premises for which licences may be sought. These include theatres, members' clubs, sports clubs, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls, schools and off-licences. The Authority will not restrict access by children to any particular type of premises unless it is considered appropriate to do so in order to protect them from harm.
- 3.7 Section 3.8.6 of the Policy states: When deciding whether or not to limit access to children the Licensing Authority will judge each application on its own individual merits. Examples which may give rise to concern in respect of children would include premises: -
  - ❑ where entertainment of an adult or sexual nature is provided
  - ❑ where there is a strong element of gambling taking place
  - ❑ with a known association with drug taking or dealing
  - ❑ where there have been convictions of the current management for serving alcohol to those under 18 years



- where the supply of alcohol for consumption on the premises is exclusive or primary purpose of the services provided at the premises
  - where there are unsupervised areas (for example toilets, beer gardens, play zones).
- 3.8 The desired outcome is a determination of the application with reasons provided which relate to the four licensing objectives and when conditions are imposed, that these are appropriate to address the licensing objectives.

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

- 4.1 The Licensing Authority may decide to impose additional conditions to address the four licensing objectives, or to amend or remove requested licensable activities. When coming to their decision the Licensing Sub-Committee must give consideration to the Section 182 Guidance and the Statement of Licensing Policy. Reasons must be given which relate to the licensing objectives for any decision made.
- 4.2 The Sub-Committee will need to consider the hours of operation proposed, the effectiveness of the operating schedule proposed by the applicant, the representations received, the location of the premises in relation to residential properties, the history of the management of the premises (if applicable), the evidence provided of any problems in the past, the likely impact of any extension of hours and activities, public transport, taxi availability, the right the applicant has to operate a business and balancing the rights of residents to the quiet enjoyment and privacy of family life. The South Hams relies on tourism, with the population in the district doubling in the summer months with holidaymakers both from this country and international visitors who are, in the main, families with young children and retired people – the very segment of society who would perhaps be deterred by anti-social behaviour. These, and any other relevant issues, may be explored at the hearing in so far as it reflects the four licensing objectives.
- 4.3 A decision made by the Licensing Sub-Committee may be appealed by the applicant or any person who has made relevant representations. The right of appeal is to the Magistrates' Court by virtue of Section 181 and Schedule 5 of the Licensing Act 2003. The Magistrates' Court may dismiss the appeal, or substitute its own decision, or send back the case to the Licensing Authority with directions as to how the case is to be dealt with. The Magistrates' Court may make any costs order it thinks fit.
- 4.4 The Licensing Act 2003 contains a provision which enables a responsible authority or any other person to apply to this Licensing Authority for a review of the premises licence once granted. A hearing follows which enables the Sub-Committee to use the

normal powers available, but also to suspend the licence for a period of up to three months or to withdraw it.

## 5. Proposed Way Forward

5.1 That the Sub-Committee consider the application for a new Premises Licence and make a determination in respect of this application, namely to:

- (i) modify the conditions of the licence;
- ii) to reject the whole or part of the application;

## 6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>The Licensing Act 2003 gives Licensing Authorities the responsibility for determining applications submitted under this provision. This is a statutory obligation.</p> <p>As there have been relevant representations in respect of this application which have not been resolved, this hearing must be held. Relevant representations are about the likely effect of the grant of the application on the promotion of the licensing objectives, by responsible authorities or any other person. The Licensing Sub-Committee must disregard any information or evidence not relevant to the licensing objectives.</p> <p>The Licensing Sub-Committee must consider this application in accordance with Section 4 of the Licensing Act 2003, which requires that licensing functions must be carried out with a view to promoting the four licensing objectives. The Licensing Authority must also have regard to its own licensing policy and the Secretary of State's guidance, but may depart from both if it has good reason to do so. Those reasons should be stated.</p> <p>The Act requires (Section 35) that in dealing with a variation to a premises licence application, the committee takes any of the following steps which are appropriate for the promotion of the licensing objectives:</p> <ul style="list-style-type: none"> <li>(i) modify the conditions of the licence;</li> <li>ii) to reject the whole or part of the application;</li> </ul> <p>The Sub-Committee must give its reasons for its decision to take any of these steps. Similarly, if</p>

		<p>the application is rejected, the Sub-Committee must give its reasons.</p> <p>The applicant or any person who has made relevant representations has the right to appeal a decision made by the Licensing Sub-Committee to the Magistrates' Court by virtue of Section 181 and Schedule 5 of Licensing Act 2003.</p> <p>On appeal, the Magistrates' Court may:</p> <ul style="list-style-type: none"> <li>a) dismiss the appeal;</li> <li>b) substitute for the decision appeal against another decision which could have been made by the Licensing authority;</li> <li>c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.</li> </ul>
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 2.19). 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 2.19 of this report.
Health, Safety and Wellbeing		All decisions must take into consideration the four licensing objectives, including 'public safety' and 'protection of children from harm'.
Other implications		

## **Supporting Information**

### **Appendices:**

Appendix A – application to vary premises licence

Appendix B – current premises licence and plan

Appendix C – location plan

Appendix D – representations

Appendix E – conditions agreed between Applicant and Environmental Health

### **Background Papers:**

None.

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

## 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.

We The Craft Union Pub 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

SHPL0179

#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
The Exchange 1 Fore Street			
Post town	Ivybridge	Postcode	PL21 9AB

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£21,400 (Band B)

#### Part 2 – Applicant details

Daytime contact telephone number	01218177020		
E-mail address (optional)	licensing@stonegategroup.co.uk		
Current postal address if different from premises address	Stonegate Pub Company Ltd 3 Monkspath Hall Road		
Post town	Solihull	Postcode	B90 4SJ

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes  No

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

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

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

In consultation with the Police this variation seeks to extend the timings for licensable activities along with the Non-Standard timings and to add Late Night Refreshment as an activity.

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: 

N/A
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#### Part 4 Operating Schedule

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

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

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

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

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

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

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
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 7)		
Sat								
Sun								



B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur								
Fri						<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 7)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)  Darts and Pool Team tournaments
Day	Start	Finish	
Mon	08:00	00:00	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue	08:00	00:00	
Wed	08:00	00:00	
Thur	08:00	00:00	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)  +1hr on Friday Saturday and Sunday preceding a Bank Holiday Monday, Maundy Thursday, Halloween, St Patricks Day, Christmas Eve and Christmas Day.  New Year's Eve From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day
Fri	08:00	01:00	
Sat	08:00	01:00	
Sun	08:00	00:00	

D

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

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	10:00	00:00			
Tue	10:00	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed	10:00	00:00			
Thur	10:00	00:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	10:00	01:00			
Sat	10:00	01:00	+1hr on Friday Saturday and Sunday preceding a Bank Holiday Monday, Maundy Thursday, Halloween, St Patricks Day, Christmas Eve and Christmas Day.		
Sun	10:00	00:00			
			New Year's Eve From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day		

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	10:00	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 7)		
Fri	10:00	01:00			
Sat	10:00	01:00			
Sun	10:00	00:00	+1hr on Friday Saturday and Sunday preceding a Bank Holiday Monday, Maundy Thursday, Halloween, St Patricks Day, Christmas Eve and Christmas Day.		
			New Year's Eve From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day		

G

Performances of dance Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	10:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue	10:00	00:00			
Wed	10:00	00:00	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur	10:00	00:00			
Fri	10:00	01:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)  +1hr on Friday Saturday and Sunday preceding a Bank Holiday Monday, Maundy Thursday, Halloween, St Patricks Day, Christmas Eve and Christmas Day.  New Year’s Eve From the end of permitted hours on New Year’s Eve to the start of permitted hours on the following day		
Sat	10:00	01:00			
Sun	10:00	00:00			

H

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

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon	23:00	00:00			
Tue	23:00	00:00			
Wed	23:00	00:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur	23:00	00:00			
Fri	23:00	01:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 7)  +1hr on Friday Saturday and Sunday preceding a Bank Holiday Monday, Maundy Thursday, Halloween, St Patricks Day, Christmas Eve and Christmas Day.  The premises shall be allowed to operate for the sale/supply of alcohol for consumption on the premises during live televised major international sporting fixtures (i.e. non-league tournaments such as Football/Rugby/Cricket World Cups, Football Euros & The Superbowl) for 1hr preceding until 1hr post the relevant fixture where the live broadcast is outside of the times of the licence.  New Year’s Eve From the end of permitted hours on New Year’s Eve to the start of permitted hours on the following day		
Sat	23:00	01:00			
Sun	23:00	00:00			



J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	09:00	00:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
Tue	09:00	00:00			
Wed	09:00	00:00			
Thur	09:00	00:00	<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Fri	09:00	01:00	+1hr on Friday Saturday and Sunday preceding a Bank Holiday Monday, Maundy Thursday, Halloween, St Patricks Day, Christmas Eve and Christmas Day.		
Sat	09:00	01:00	The premises shall be allowed to operate for the sale/supply of alcohol for consumption on the premises during live televised major international sporting fixtures (i.e. non-league tournaments such as Football/Rugby/Cricket World Cups, Football Euros & The Superbowl) for 1hr preceding until 1hr post the relevant fixture where the live broadcast is outside of the times of the licence.		
Sun	09:00	00:00	New Year's Eve From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day		

K

<p><b>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</b> (please read guidance note 10).</p> <p>N/A</p>
---

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	08:00	00:30	
Tue	08:00	00:30	
Wed	08:00	00:30	
Thur	08:00	00:30	
Fri	08:00	01:30	
Sat	08:00	01:30	<b>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</b> (please read guidance note 7)
Sun	08:00	00:30	
			+1hr on Friday Saturday and Sunday preceding a Bank Holiday Monday, Maundy Thursday, Halloween, St Patricks Day, Christmas Eve and Christmas Day.
			The premises shall be allowed to operate for the sale/supply of alcohol for consumption on the premises during live televised major international sporting fixtures (i.e. non-league tournaments such as Football/Rugby/Cricket World Cups, Football Euros & The Superbowl) for 1hr preceding until 1hr post the relevant fixture where the live broadcast is outside of the times of the licence.
			New Year's Eve From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day

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.

None

Please tick as appropriate

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

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

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

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

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

None above that of the existing licence

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

None above that of the existing licence

**c) Public safety**

None above that of the existing licence

**d) The prevention of public nuisance**

None above that of the existing licence

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

None above that of the existing licence

Checklist:


**Please tick to indicate agreement**

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

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

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

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

Signature	
Date	14/06/2024
Capacity	Licensing Manager – Stonegate Group

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

Guillaume Chipchase M.CilEx  
 Stonegate Pub Company Ltd  
 3 Monkspath Hall Road

<b>Post town</b>	Solihull	<b>Post code</b>	B90 4SJ
<b>Telephone number (if any)</b>	[REDACTED]		
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			
[REDACTED]			

# Licensing Act 2003 Premises Licence

# SHPL0179

Licence Valid From: 08/01/2024

## LOCAL AUTHORITY



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

## Part 1 - Premises Details

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

#### The Exchange

The Exchange, 1 Fore Street, Ivybridge, PL21 9AB

### WHERE THE LICENCES IS TIME LIMITED THE DATES

Not Applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Indoor Sports Event  
Live Music  
Supply of Alcohol  
Perform Dance  
Recorded Music

### THE OPENING HOURS OF THE PREMISES

	<b>Opening Hours</b>
Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00
Non standard	New Year's Eve - To be extended by 2 hours Christmas Eve 08:00- 01:30

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

<b>Indoors</b>	<b>Indoor Sports Event</b>
Monday	19:00 - 00:00
Tuesday	19:00 - 00:00
Wednesday	19:00 - 00:00
Thursday	19:00 - 00:00
Friday	19:00 - 00:00
Saturday	19:00 - 00:00
Sunday	19:00 - 00:00
Non standard	

<b>Indoors</b>	<b>Live Music</b>
Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00
Non standard	New Year's Eve - To be extended by 2 hours Christmas Eve 10:00- 01:00
<b>On and Off Premises</b>	<b>Supply of Alcohol</b>
Monday	10:00 - 23:30
Tuesday	10:00 - 23:30
Wednesday	10:00 - 23:30
Thursday	10:00 - 23:30
Friday	10:00 - 23:30
Saturday	10:00 - 23:30
Sunday	10:00 - 23:30
Non standard	New Year's Eve - To be extended by 2 hours Christmas Eve 10:00- 01:00
<b>Indoors</b>	<b>Perform Dance</b>
Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00
Non standard	New Year's Eve - To be extended by 2 hours Christmas Eve 10:00- 01:00
<b>Indoors</b>	<b>Recorded Music</b>
Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00
Non standard	New Year's Eve - To be extended by 2 hours Christmas Eve 10:00- 01:00

WHERE THE LICENCES AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF THE PREMISES  
On and Off Premises

## Part 2

NAME (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE  
The Craft Union Pub Company Ltd  
3 Monkspath Hall Rd, Monkspath, Solihull, B90 4SJ  
Tel: 01218177020 Email: licensing@stonegategroup.co.uk

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

09429990

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

Mr David Anthony Cooper

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

ANNEXES

ANNEX 1- MANDATORY LICENSING CONDITIONS - Pubs, Clubs & Restaurants from 1st October 2014

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

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,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

#### IRRESPONSIBLE PROMOTIONS

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

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

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

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

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

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

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

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

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

#### POTABLE WATER

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

#### AGE VERIFICATION

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

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

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



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

## MINIMUM MEASURES

The responsible person must ensure that—

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

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

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

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

## EXHIBITION OF FILMS

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

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

2. Where

a) The film classification body is not specified in the licence, or

b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

3. In this section

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

## ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

### GENERAL

1. Staff training must incorporate:

- a) Responsible Alcohol Service, including recognising signs of drunkenness, refusal skills, drugs awareness,
- b) Premises Licence conditions

2. Training records must be signed by staff and retained on the premises for a period of 12 months. They must be produced for inspection when required by an Officer of a Responsible Authority.

### PREVENTION OF CRIME AND DISORDER

3. CCTV must be installed and cover all internal areas, external trading area, including all public entry and exit points. The CCTV unit must be positioned in a secure part of the licensed premises and not within any private area of the location. Access to the system must be allowed immediately to the Police, Trading Standards or an authorised officer of the Licensing Authority in accordance with the Data Protection Act, where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.

4. All images must be kept for a consecutive 31 day period and must be produced to the Police, Trading Standards or an authorised officer of the Licensing Authority in relation to the investigate of crime and/or disorder issues and suspected licence breaches, upon request or within 24 hours of such request where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.

5. The CCTV system must be maintained so as to be fully operation and recording continually whilst the premises are open for licensable activities and during all times when customers remain on the premises.
6. The CCTV system clock must be set correctly and maintained (taking account of GMT and BST).
7. There must be a member of staff available at all times who is trained and capable of operating the CCTV system and also downloading any footage required by the Police, Trading Standards or an authorised officer of the Licensing Authority.
8. A minimum of 2 SIA registered door supervisors must be on duty from 20:30 until close on a Friday and Saturday.
9. At all other times the Designated Premises Supervisor (DPS) must identify the requirement for door supervisors by way of a risk assessment, which must be made available for inspection by an authorised officer. Where the risk assessment identifies the need for door supervisors to be deployed, door supervisors must be sufficient in number to be able to control entry to the premises and deal with any instances of disorderly behaviour within the premises simultaneously. Door supervisors must remain at the premises until such time the premises are closed, and all members of the public have left the venue.
10. Where door supervisors are employed, there must be a register of every SIA person employed at the premises that contains the following details:
  - a) Full name
  - b) Security Industry Authority licence number
  - c) Time and date each security staff starts and finishes duty
  - d) Each entry must be signed by the door supervisors
11. That register must be kept fully updated at all times and remain at the licensed premises and be available for inspection immediately by an authorised officer of the Licensing Authority, the Security Industry Authority or Police.
12. An incident log (which may be kept electronically) must be kept at the premises and made available on request to the Police or an authorised officer of the Licensing Authority. It must be completed within 24 hours of the incident and must record the following:
  - a) All crimes reported to the premises
  - b) All ejections of patrons
  - c) Any complaints received concerning crime and disorder
  - d) Any incidents of disorder
  - e) All seizures of drugs or offensive weapons
  - f) Where possible, details of those involved including members of the public, police officers, SIA staff and employees
13. A refusals register (which may be kept electronically) must be held at the premises and contain details of the time and date of any sales that are refused in relation to persons that are underage. This register must be made available for inspection upon request by a Responsible Authority.

#### PUBLIC SAFETY

14. The Premises Licence Holder must be aware of relevant legislation and take any responsibilities seriously.

#### PREVENTION OF PUBLIC NUISANCE

15. Outside areas must be monitored and regularly cleared of glasses and bottles.
16. The outside areas must not be used beyond 23:00hrs save for persons temporarily permitted to smoke.
17. Persons must not be allowed to leave the premises (except to any area set aside for the consumption of alcohol) with open containers of drinks of any kind.

18. All doors (save for access or egress) and windows must be kept shut during regulated entertainment.

19. Notices must be prominently displayed near all exits from the premises requesting patrons to leave quietly with consideration for neighbours.

#### PROTECTION OF CHILDREN FROM HARM

20. Challenge 25 must be operated at the premises whereby all persons who appear to be under 25 years of age and purchasing or attempting to purchase alcohol must be asked to provide identification to prove they are over 18 years of age. The only acceptable forms of identification allowed are:

- a) A valid passport
- b) A valid photo ID driving licence, or
- c) A valid proof of age scheme card with the PASS approved hologram

21. Challenge 25 signage must be displayed in a clear and prominent public place at the premises.

22. All staff must be fully trained in relation to the Challenge 25 scheme before being allowed to sell alcohol and a record must be kept of staff training.

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

None

#### ANNEX 4 - PLANS (AS EXISTING)



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

# Licensing Act 2003 Premises Licence Summary

# SHPL0179

Licence Valid From: 08/01/2024

## LOCAL AUTHORITY



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

## Premises Details

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

**The Exchange**  
The Exchange, 1 Fore Street, Ivybridge, PL21 9AB

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not Applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Indoor Sports Event  
Live Music  
Supply of Alcohol  
Perform Dance  
Recorded Music

### THE OPENING HOURS OF THE PREMISES

#### Opening Hours

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00
Non standard	New Year's Eve - To be extended by 2 hours Christmas Eve 08:00- 01:30

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

#### Indoors Indoor Sports Event

Monday	19:00 - 00:00
Tuesday	19:00 - 00:00
Wednesday	19:00 - 00:00
Thursday	19:00 - 00:00
Friday	19:00 - 00:00
Saturday	19:00 - 00:00
Sunday	19:00 - 00:00
Non standard	

#### Indoors Live Music

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00

Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00
Non standard	New Year's Eve - To be extended by 2 hours Christmas Eve 10:00- 01:00

**On and Off Premises Supply of Alcohol**

Monday	10:00 - 23:30
Tuesday	10:00 - 23:30
Wednesday	10:00 - 23:30
Thursday	10:00 - 23:30
Friday	10:00 - 23:30
Saturday	10:00 - 23:30
Sunday	10:00 - 23:30
Non standard	New Year's Eve - To be extended by 2 hours Christmas Eve 10:00- 01:00

**Indoors Perform Dance**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00
Non standard	New Year's Eve - To be extended by 2 hours Christmas Eve 10:00- 01:00

**Indoors Recorded Music**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00
Non standard	New Year's Eve - To be extended by 2 hours Christmas Eve 10:00- 01:00

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

On and Off Premises

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

The Craft Union Pub Company Ltd  
3 Monkspath Hall Rd, Monkspath, Solihull, B90 4SJ

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

09429990

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

Mr David Anthony Cooper

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

There are no restrictions on children

LICENSING ACTIVITY

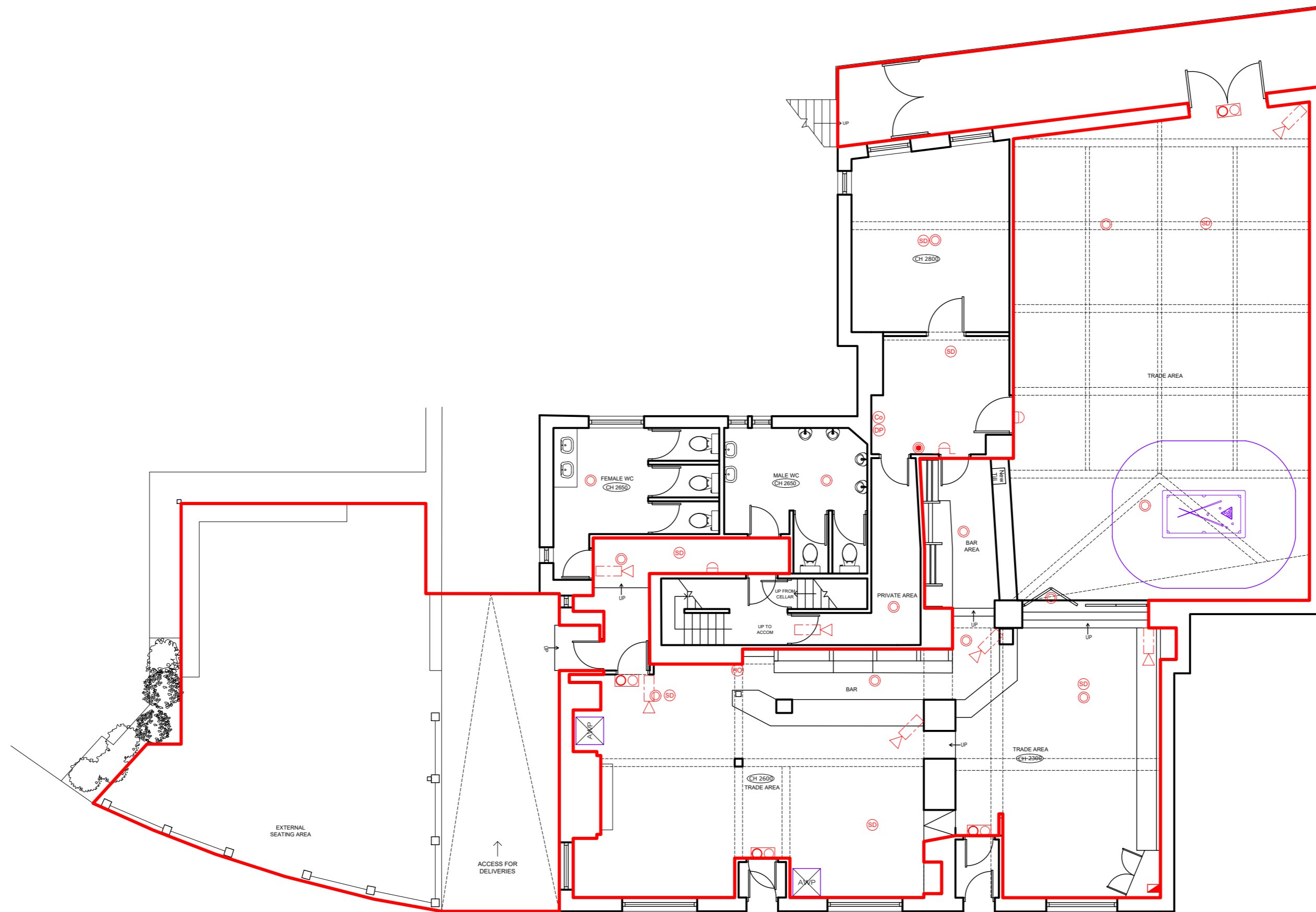


**NOTES:**  
Items shown on this plan which are not part of the statutory requirements are shown for indicative purpose only. This would include loose or fixed furniture in certain circumstances, the position of toilet cubicles, CCTV cameras and fire safety equipment not specified in the Regulations. These are shown upon the plans for illustrative purposes only and may be moved at the discretion of the license holder.

The current location of fire safety equipment and other safety equipment is shown. These may be subject to variation in the future as necessary and where applicable in liaison with the Fire Officer or after fire risk assessments.

**GENERAL LICENSING KEY**

- Maintained fire exit sign 100mm characters.
- Direction arrow as required.
- Smoke Detector.
- Heat Detector.
- Co2 Fire extinguisher.
- Water Extinguisher.
- Dry Powder Extinguisher.
- Foam Extinguisher.
- Doors fitted with push bars
- Fire Blanket.
- Fire hose.
- Non-maintained Emergency light.
- Break glass fire alarm point.
- Alarm Bell.
- Staff fire procedure notice.
- Public fire procedure notice.
- Fire alarm board.
- CCTV Position



**PROPOSED GROUND FLOOR - LICENSING**  
SCALE 1:100 @A2

NOTE:

The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

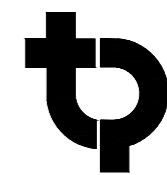
The Contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

This drawing is not intended to show details of foundation or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the Contractor and suitable methods of foundation be provided.

This drawing is to be read in conjunction with all other standard Ei Group plc specifications and documentation.

This drawing remains the Copyright of Ei Group Plc / Stonegate Pub Group Ltd

Rev.	By	Date



**Thomas Parry Design**  
The Old Sketty Coach House,  
21 Gower Road, Sketty  
Swansea, SA2 9BX  
t: 01792 290755  
e: design@thomasparry.co.uk  
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Site  
**The Exchange**  
1 Fore Street,  
Ivybridge,  
PL21 9AB



Title  
**PROPOSED GROUND FLOOR PLAN - LICENSING**

Project Manager/ Checked:	Drawn By: NAME	Scale: A2@1:100	Date: 12.09.23
Arch/Designer TPDP	System No/ Project No. A-G/CRAFT/1457-22	Drawg No. T12	Rev. -

# APPENDIX C – The Exchange, Ivybridge - Location Plan



### Key

-  = The Exchange (licensed premises)
-  = Location of objection

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## **Representations received – The Exchange, Ivybridge**

### **REPRESENTATION - 1 received Saturday 15 June 2024 PART I**

> I am a resident [REDACTED] The Exchange, 1 Fore Street, Ivybridge. I'm writing to raise an objection to the application to vary their Premises Licence on the grounds of recent increased noise and ASB from this premises.

>

> Over the last 3 weeks this business, on Friday and Saturday nights, have been hosting live music and what sounds like karaoke nights with antisocial levels of noise between 10pm and midnight.

>

> The impact of this has been disruptive to our households rest and wellbeing and causing an unacceptable level of anxiety.

>

> I have lived in this house for 37 years in the vicinity of this public house and have never experienced this level of noise and disruption. I have logged a complaint with you on 5 occasions to date and there is further live music advertised tonight.

>

> It is clear that the current management have no regard for the residents in this area. I'm concerned now to see that they are effectively applying for a late drinks licence for every day of the week up to midnight and up to 1am Friday and Saturday. This is not reasonable or acceptable in a residential area and particularly in light of their inability to maintain reasonable noise levels.

>

> Please can I have a response to this representation and my previous complaint. I'd like to know how residents needs are being considered.

>

### **REPRESENTATION 1 – received 26 June 2024 PART II**

Secondly, I have registered my complaint with South Hams Council in relation to following dates where we have suffered significant disturbance:

Fri 31 May between 22:00 -23:59

Sat 1 June between 22:00-23:59

Fri 7 June between 22:00-23:59

Sat 8 June between 22:00-2359

Fri 14 June between 22:00-23:59

On each occasion music and singing was at a level causing disturbance to sleep/rest within my home with doors and windows closed.

Finally, their denial of any wrongdoing itself evidences a lack of respect and responsibility and should be considered when assessing further extension to licence or indeed any further late entertainment/licence. Previous management have managed to operate in a way that was acceptable to residents during the last 30 years+ I have lived here. This corporate business does not appear to consider the community over its profits.

### REPRESENTATION 1 – received 07 July 2024 PART III

Dear Harry, I have sent the following to the environmental health to report further noise nuisance. This further highlights that this company are not interested in managing their business in a responsible manner. I'm also becoming increasingly concerned about levels of visible alcohol consumption through the day in the outside area. This feels inconsistent with public health priorities and we also have school children passing this pub on their way to and from school. If as requested they obtain a licence from 8am daily this is likely to encourage what is effectively street drinking, even if they stick inside their outside smoking/drinking area, all day.

I would like to update my complaint to include evidence of the Exchange pub allowing drinking outside the premises in the street (see attached photo from Saturday 6th July at 20:30). You will see from the attached photo that security staff are present and allowing people to consume alcohol outside of the fenced area. This results in increased noise levels and intimidating behaviours to some in our community and is anti social.

This is further evidence that this company have little interest in operating in a manner that is responsible and mindful of the wider community.



## **REPRESENTATION – 2 received 17 June 2024 PART I**

Good morning

I would like to objection for the pub to be opening extra hours. They have been open extra hours over the past months. I have first hand of this. When people leaving the venue making too much noise even the bouncers that weekend don't tell them to leave quietly. They are playing music so loud it sounds like I'm living in a night club. The bands karaoke party nights in the extension there is no soundproofing so it comes through my property. Police have been called a number of times for trouble at the pub. The weekend party starts from Wednesday nights Thursday nights it's open mic and karaoke Friday night party night Sat live band Sun open mic karaoke or a band. My walls are vibrating. so on this note I think the pub is out of line doing all this it is a residential area you couldn't even play loud music in your house after 11 o'clock? Why should a pub be encouraging this?

This pub from wedn till sun is loud. Friday Saturday night the party goes on till 1am this has been for a months now. Sounds like a night club on a Friday a Saturday a some times on a Sunday. Thursday evening open mic night a karaoke Friday party night sat night live music sun is karaoke live music or open mic. When people is leaving the pub there a lot of noise out in the street the pub is in a residential area. This pub needs lookin in to. I rang up on Monday and told me that the pub should close at 0000 Monday till Sunday but when u look it up it says 1am Friday sat night a sure Sunday night open later then 12 . There is drinkin going on after hours to. I have walked pass an seen. Thanks

## **REPRESENTATION – 2 received 18 June 2024 PART II**

Thank you for the e mail back. Well I know first hand on Friday an Saturday night the bands are playing gone 12:30/1245 this has been happening for the last 5 months. Wednesday a Thursday nights it does stop early. I'm away this weekend but from now on I will report it every night this happens when people are leving the pub at 1am in the morning it's so loud as well. Plus last night I did report it to them as well.

## **REPRESENTATION – 3 received 25 June 2024**

I am writing to object to the licensing application for this pub to open even later than the current time.

We live [REDACTED] and we have had many issues with music noise, fighting and foul language which has left us unable to sleep before midnight over the weekend. We are currently completing a noise pollution diary.

I believe that there are many other people who are experiencing these same issues and they are also objecting to this proposal.

In fact, due to significant environment changes since the licence was last properly reviewed, I believe the closing times should be brought earlier than current. These changes are due to all the trees in between the pub and our property having been washed away and therefore loosing the natural sound barrier between the rear of the pub and our property. This has made the issues significantly worse in what is a residential area.

A start point in dealing with this would be for the pub to lock the rear doors so people cannot smoke, fight or shout on the balcony at the rear. The rear doors should only be used as a fire escape.

Again, this is a residential area where people need to be allowed to sleep after 11pm.

#### **REPRESENTATION – 4 received 27 June 2024**

I noticed that the Exchange pub has applied to extending their opening hours. We live [REDACTED] and have had to accept that there has to be some disruption and noise issues. However, I have never complained before. For the point of clarification, does the extended opening mean that very loud music will be played until 01.00 on Friday and Saturday and until 12.00 the rest of the week? Or does it mean that the extra hour is for drinking only?

We are also aware that on the balcony at the rear of the premises will be in use to allow drinkers to occupy and make a very loud amount of noise? For many reasons we have to accept what we have at present. However, an extension is unacceptable in what is also a residential area.

Many thanks in advance for your consideration.

#### **REPRESENTATION – 5 received 08 July 2024**

Dear Licensing Committee

I am writing in response to the proposed variation to licensing hours for The Exchange, Fore Street, Ivybridge. Recent notice has been given that they are requesting to extend hours for licensing activities from 8am to midnight Sunday to Thursday and 8am-1am Friday and Saturday. I oppose this request and ask that the licensing committee consider the following:

##### **1. Reason for the request:**

Without a clear and transparent rationale for this request, there is no reason to permit this considerable increase in hours. I served as a Plymouth magistrate for a number of years, during which time I sat occasionally on the licensing committee. All requests for extensions to licensing hours had to be clearly explained and were only granted in special circumstances such as wedding anniversaries or milestone birthdays. I appreciate there have been changes to licensing laws since then, but there still needs to be an acceptable answer to the question of why does this establishment need these extended hours, particularly as they are on a regular basis, not a one-off special occasion. In addition, I question who benefits from this extension of licensing hours. It appears the request is solely to benefit financial profit for a corporate business (Craft Union Pub Company Ltd) and not to serve the needs of the residents of Ivybridge. This is not a good reason to permit the proposed activity.

##### **2. The development of Ivybridge as a town and community:**

The current Ivybridge Neighbourhood Plan sets out the requirement for development to contribute to a healthy, creative and sustainable town, supported by South Hams aspiring to being a 'place to thrive'. The majority of people want their hometowns to be places they can feel safe and enjoy a good quality of life. Current statistics in England indicate 40% of crime is related to alcohol use and alcohol is implicated in higher incidences of domestic abuse and

anti-social behaviour. At a time when Devon and Cornwall police priority is the reduction in anti-social behaviour, the granting of this request for extended licensing hours would run counter to everything that supports the building of Ivybridge as a place people can feel safe, thrive and enjoy a good quality of life.

Two brief examples from past seven days are that I have walked past the Exchange on a weekday afternoon and witnessed a very loud argument, with foul and aggressive language, between a group of women drinking in the outdoor seating area. This was at a time when people were going about their daily business in shops and children were going home from school. Further, I came home at 8.30pm yesterday to see a large group of mostly young men drinking on the street outside the pub, not within the designated outdoor drinking area. The ways children and young people witness adult behaviour is a very important part of their experience of the world and our future communities. I strongly oppose additional opportunities for children to witness this type of anti-social conduct as 'normal'.

### **3. Management of the impact on local area by this establishment:**

Further to my point above, and on a more personal note, I have had to move out of my bedroom for five consecutive Friday and Saturday nights in May/June, due to noise coming from music in the Exchange and now can no longer sleep there when I know there is a licence for live music until midnight. I went down to investigate at 11.20pm on the first Saturday and spoke to the security staff. They told me the establishment had a licence until midnight. I raised my concern that the volume of the music was too loud and the doors were wide open, hence a local noise disturbance that had stopped me from sleeping. If the management of the establishment are unable to anticipate the need for a simple adjustment (i.e. turn it down after 11 and keep the doors shut) to minimise the impact of noise, I don't believe there is any evidence they can be responsible with further extension to licence. The impression I had from the brief conversation with security staff was that the approving of a licence gives an establishment permission to do what they want.

I am a resident [REDACTED], in close proximity to the Exchange, where I have lived since 1987. Throughout that time the Exchange has operated as a pub, so I'm familiar with the expected noise levels and some anti-social behaviour occasionally around 11pm. I have never made any complaint and nor have I ever had to move out of my bedroom to sleep elsewhere. This past couple of months has been unprecedented levels of noise and so I oppose this establishment being given the opportunity to extend it further.

In general I oppose this request as I don't think it fits with the direction Ivybridge wants to develop. It will contribute further to anti-social behaviour and unhealthy lifestyles and there is no evidence that an all day drinking establishment similar to a Wetherspoons model is necessary in this town. In particular, I oppose this request because I don't believe this establishment has shown itself responsible and considerate enough to attend to any issues that might arise. I ask that the committee take these points into consideration when making their decision and give a clear message that they prioritise the people they serve and are committed to the development of Ivybridge as a safe, healthy, town where people are happy to live and can thrive.



## **APPENDIX E – Additional conditions agreed between Applicant and Environmental Health**

The Applicant has agreed to include the following conditions on their premises licence to promote 'The Prevention of Public Nuisance' licensing objective, as requested by Environmental Health.

Environmental Health confirmed that they would not submit a representation to the application, subject to these conditions being included.

### **Additional conditions:**

1. Noise and vibration shall be managed in such a way as to ensure that they do not cause persons in the neighbourhood to be unreasonably disturbed.
2. The entrance/exit door(s) shall be fitted with automatic door-closers that are maintained in good working order to minimise noise break out from the premises.
3. Staff shall check that self-closing doors are not wedged open during regulated entertainment.
4. A suitable Noise Management Plan, submitted to and approved by the Local Authority, shall be implemented. It must demonstrate the measures taken to control noise breakout from the premises during live and recorded music.

It is requested that if the variation application is granted, that the above conditions are included in the decision.

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