

# Licensing Act 2003 Premises Licence

# MDV PR0178

## LOCAL AUTHORITY



**Licensing Section**  
**Mid Devon District Council**  
**Phoenix House**  
**Phoenix Lane**  
**TIVERTON**  
**DEVON**  
**EX16 6PP**

## Part 1 - Premises Details

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

#### Manor House Hotel

2 - 4 Fore Street, Cullompton, Devon, EX15 1JL.

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- 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
B. Exhibition of films (Indoors)	Monday to Thursday	8:00am	Midnight
	Friday	8:00am	1:30am
	Saturday	8:00am	1:30am
	Sunday	8:00am	11:30pm
	New Years Eve		Deregulated
E. Performance of live music (Indoors)	Monday to Thursday	10:00am	Midnight
	Friday	10:00am	1:30am
	Saturday	10:00am	1:30am
	Sunday	10:00am	11:00pm
	New Years Eve		Deregulated
F. Playing of recorded music (Indoors)	Monday to Thursday	10:00am	Midnight
	Friday	10:00am	1:30am
	Saturday	10:00am	1:30am
	Sunday	10:00am	11:00pm
	New Years Eve		Deregulated
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Thursday	10:00am	12:00am
	Friday	10:00am	1:30am



# Licensing Act 2003 Premises Licence

## MDV PR0178

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

Activity (and Area if applicable)	Description	Time From	Time To	
H. Entertainment of a similar description to that falling within E, F, or G (Indoors) continued ...	Saturday	10:00am	1:30am	
	Sunday	10:00am	11:00pm	
	New Years Eve			Deregulated
I. Late night refreshment (Indoors)	Monday to Thursday	11:00pm	12:30am	
	Friday	11:00pm	2:00am	
	Saturday	11:00pm	2:00am	
	Sunday	11:00pm	11:30pm	
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Thursday	8:00am	Midnight	
	Friday	8:00am	1:30am	
	Saturday	8:00am	1:30am	
	Sunday	8:00am	11:00pm	
	New Years Eve			Deregulated

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To	
Monday to Wednesday	8:00am	12:30am	
Thursday	8:00am	12:30am	
Friday	8:00am	2:00am	
Saturday	8:00am	2:00am	
Sunday	8:00am	11:30pm	
New Years Eve			Deregulated

### 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



Licensing Act 2003  
**Premises Licence**

**MDV PR0178**

Part 2

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

Shayne Theresa Baker

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

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

Shayne BAKER

Manor House Hotel, 2/4 Fore Street, Cullompton, Devon, EX15 1JL.  
Telephone 01884 32281

**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. MDV PE1209

Issued by Mid Devon



**ANNEXES**

**ANNEX 1 - MANDATORY CONDITIONS**

**Condition 1**

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

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

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

**Condition 2**

The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children-

- (a) games or 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (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;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
  - (i) the outcome of a race, competition or other event or process, or
  - (ii) the likelihood of anything occurring or not occurring;
- (e) 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.

**Condition 3**

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

**Condition 4**

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

**Condition 5**

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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 a holographic mark.



ANNEXES continued ...

Condition 6

The responsible person shall 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; and

- (b) customers are made aware of the availability of these measures.

Condition 7

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;  
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) 'valued added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

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.

Where the film classification body is specified in the licence, unless subsection (3) (b) applies, admission of the children must be restricted in accordance with any recommendation made by that body.

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 the children must be restricted in accordance with any recommendation made by that licensing authority.

In this section



**ANNEXES continued ...**

'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).

All individual(s) at the premises for the purpose of carrying out a security activity must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of that Act.

**ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

**Prevention of Crime and Disorder**

**CCTV:**

1. CCTV will be installed, maintained and operated as per DVD and Operational Requirement Analysis document recommendations of the Chief Officer of Police and Local Authority.
  2. The digital recording system must have the facility to be password protected.
  3. The CCTV system should be capable of recording and retaining **10 days of images** to a standard that can be produced as evidence for possible prosecution purposes.
  4. The digital recording system must have a download facility to provide evidence of incidents.
  5. At entrance and exit doorways **Identification** cameras will be installed with appropriate lighting.
  6. Bar area/dance floor/corridors **Recognition** cameras will be installed with appropriate lighting.
  7. The appropriate CCTV signage will be displayed on and off premises.
  8. All persons required to operate the system must be given suitable training to enable to do so effectively.
  9. The CCTV system must be registered with the Data Protection Information Commissioner.
- 
- a) If the CCTV is inoperative, the chief of police and local licensing authority will be informed as soon as reasonably possible and immediate steps will be taken to put the equipment back into operation.
  - b) All reasonable steps shall be taken to prevent opened bottles/containers (containing alcohol) from being taken off the premises.
  - c) All reasonable steps shall be taken to prevent open bottles/containers (containing alcohol) from being brought onto the premises.
  - d) There shall be no irresponsible drinks promotions.
  - e) Except for off sales, alcohol shall only be served from toughened glass, or paper/plastic cups.
  - f) That a minimum of two security industry authority registered door supervisors be employed on the premises on Friday and Saturday from 22:00 until all members of the public have left the premises.
  - g) The registered door supervisors will be in radio contact with each other at all times.
  - h) An incident book will be kept and all incidents (re: crime & disorder) will be recorded.
  - i) A duty door supervisor rota/log book will be kept and maintained.
  - j) The premises will be a member of pubwatch and a representative will attend pubwatch meetings and the premises will adopt and promote the alcohol crime and drug reduction schemes as recommended by the police and pubwatch.

**Public Safety**

- a) Regular glass and bottle collections will be undertaken throughout the hours of operation.
- b) During the hours of operation at least one suitably trained first-aider shall be on duty when the public are present on the premises.

**Prevention of Public Nuisance**

- a) Performance of film is limited to playing of clips of recorded film and TV broadcasts through video quiz machines
- b) **All amplified music played at the premises be played through a noise-limiting device installed at the premises and set at a level agreed with an officer of the district council's noise team.**
- c) **The noise limiting device shall be properly secured so that it cannot be tampered with.**
- d) **The noise limiting device shall only be reset to a level approved by an authorised officer of the district council - such approval to be given within 14 days of notification by the premises licence holder or his nominated agent of resetting being needed.**
- e) To prevent regulated entertainment being intrusive, noise from regulated entertainment emanating from the premises shall not be clearly audible 1 metre from the façade of the nearest residential property.
- f) Whenever live and/ or recorded music (save for incidental recorded music) is played from those parts of the premises licensed for those activities all windows and doors in those parts of the premises shall be kept closed (except in case of an emergency and for access/egress).



**ANNEXES continued ...**

- g) The licence holder shall maintain a log of complaints for the premises received by him from local residents together with a log of action (if any) undertaken by the licence holder. This log shall be, upon request, made available for inspection by the chief of police and/or local licensing authority.
- h) Clear and legible notices shall be strategically and prominently placed within the premises requesting customers to respect the needs of local residents and to leave the premises quietly.
- i) The placing of all non food waste/refuse shall be disposed at such times of the day when minimal disturbance would be caused to local residents.
- j) Save for access to and egress from the premises the use of gardens, patios and external play areas will not commence before the 09.00 hours and will cease at dusk or at 21.00 hours, whichever is earlier.
- k) No music or speech will be relayed by external speakers without the consent of the licensing authority.
- l) The use of lighting in the gardens, patios and external areas will cease at dusk or 21.00 hours, whichever is earlier, except for health and safety or security reasons.

**Protection of Children from Harm**

- a) Evidence of age shall be requested from any person appearing to those selling alcohol to be under the age of 18 and who is attempting to purchase alcohol.

**ANNEX 3 - CONDITIONS ATTACHED AFTER HEARINGS**

Conditions above agreed by appeal to Magistrates Court on 17th march 2008.

As agreed at a meeting of the Licensing Sub Committee D held on Thursday 4 December 2008, it is an additional condition of this licence that Mr Roshan Sivlal take no part in any business at the Manor House Hotel.

**Licensing Sub Committee A met on 4 December 2009 to determine an application to vary the licence and granted the hours now shown. The New Year's Eve deregulation was also granted and the installation and use of a noise limiter was required.**

**ANNEX 4 - PLAN OF PREMISES**

See attached plan.

**Signature of Authorised Officer**



## LOCAL AUTHORITY



Licensing Section  
Mid Devon District Council  
Phoenix House  
Phoenix Lane  
TIVERTON  
DEVON  
EX16 6PP

## Premises Details

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

**Manor House Hotel**

2 - 4 Fore Street, Cullompton, Devon, EX15 1JL.

## WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

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

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Thursday	8:00am	Midnight
	Friday	8:00am	1:30am
	Saturday	8:00am	1:30am
	Sunday	8:00am	11:30pm
	New Years Eve		Deregulated
E. Performance of live music (Indoors)	Monday to Thursday	10:00am	Midnight
	Friday	10:00am	1:30am
	Saturday	10:00am	1:30am
	Sunday	10:00am	11:00pm
	New Years Eve		Deregulated
F. Playing of recorded music (Indoors)	Monday to Thursday	10:00am	Midnight
	Friday	10:00am	1:30am
	Saturday	10:00am	1:30am
	Sunday	10:00am	11:00pm
	New Years Eve		Deregulated
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Thursday	10:00am	12:00am
	Friday	10:00am	1:30am



# Licensing Act 2003 Premises Licence Summary

## MDV PR0178

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

Activity (and Area if applicable)	Description	Time From	Time To
H. Entertainment of a similar description to that falling within E, F, or G (Indoors) continued ...	Saturday	10:00am	1:30am
	Sunday	10:00am	11:00pm
	New Years Eve		Deregulated
I. Late night refreshment (Indoors)	Monday to Thursday	11:00pm	12:30am
	Friday	11:00pm	2:00am
	Saturday	11:00pm	2:00am
	Sunday	11:00pm	11:30pm
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Thursday	8:00am	Midnight
	Friday	8:00am	1:30am
	Saturday	8:00am	1:30am
	Sunday	8:00am	11:00pm
	New Years Eve		Deregulated

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Wednesday	8:00am	12:30am
Thursday	8:00am	12:30am
Friday	8:00am	2:00am
Saturday	8:00am	2:00am
Sunday	8:00am	11:30pm
New Years Eve		Deregulated

### 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

Shayne Theresa Baker

35 Knightswood, Cullompton, Devon, EX15 1EX.

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

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

Shayne BAKER

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

Not applicable

Signature of Authorised Officer



# 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 Shayne Baker

*(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**

PRO 178

### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Manor House 2/4 Fore Street Cullompton EX15 1JL			
Post town	Cullompton	Postcode	EX15 1JL

Telephone number at premises (if any)	01884 33620
Non-domestic rateable value of premises	£360,000.00 <del>£36,500</del>

### 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 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			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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)

The application is to amend the operating hours of the premises for licensable activities and the supply of alcohol. To remove all of the annex 2 conditions including conditions added following a hearing and replace with updated conditions to ensure the licensing objectives are upheld. Update the Premises plan clarifying the use of the rear outside space.

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

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

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			
Fri			<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)
Sat			
Sun			

## D

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

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>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)  New Year's Eve - deregulated		
Fri	10:00	01.30			
Sat	10:00	01.30			
Sun	10.00	00.00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>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	Please give further details here (please read guidance note 5)		
Mon	08:00	01:00			
Tue	08:00	01:00			
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed	08:00	01:00			
Thur	08:00	01:00			
			Non standard timings. Where you intend to use the premises for the <u>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	08.00	03:00			
Sat	08.00	03:00			
			New Year's Eve - deregulated		
Sun	08:00	00:00			

## G

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

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	10:00	00:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed	10:00	00:00			
Thur	10:00	00:00	<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	10:00	01.30			
Sat	10:00	01.30	<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	10.00	00.00	New Year's Eve Deregulated		

## 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	01:30			
Tue	23:00	01:30			
			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Wed	23:00	01:30			
Thur	23:00	01:30			
			<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) New year's eve - deregulated		
Fri	23:00	03:30			
Sat	23:00	03:30			
Sun	23:00	00:30			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
Mon	08:00	01:00			
Tue	08:00	01:00			
Wed	08:00	01:00			
			<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)  New year's eve - deregulated  Consumption of alcohol in the rear outside area is only permitted until 22:00 Monday to Sunday as indicated on the attached plan.		
Thur	08:00	01:00			
Fri	08:00	03:00			
Sat	08:00	03:00			
Sun	08:00	00.00			

K

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

None

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	01:30	
Tue	08:00	01:30	
Wed	08:00	01:30	
Thur	08:00	01:30	
Fri	08:00	03:30	<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)  New year's eve - deregulated
Sat	08:00	03:30	
Sun	08:00	00:30	

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

Remove all of the annex 2 and annex 3 conditions as follows and replace with conditions stated in Section M

**ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**  
**Prevention of Crime and Disorder**

**CCTV:**

CCTV will be installed, maintained and operated as per DVD and Operational Requirement Analysis document recommendations of the Chief Officer of Police and Local Authority.

The digital recording system must have the facility to be password protected.

The CCTV system should be capable of recording and retaining 10 days of images to a standard that can be produced as evidence for possible prosecution purposes.

The digital recording system must have a download facility to provide evidence of incidents.

At entrance and exit doorways Identification cameras will be installed with appropriate lighting.

Bar area/dance floor/corridors Recognition cameras will be installed with appropriate lighting.

The appropriate CCTV signage will be displayed on and off premises.

All persons required to operate the system must be given suitable training to enable to do so effectively.

The CCTV system must be registered with the Data Protection Information Commissioner.

- a) If the CCTV is inoperative, the chief of police and local licensing authority will be informed as soon as reasonably possible and immediate steps will be taken to put the equipment back into operation.
- b) All reasonable steps shall be taken to prevent opened bottles/containers (containing alcohol) from being taken off the premises.
- c) All reasonable steps shall be taken to prevent open bottles/containers (containing alcohol) from being brought onto the premises.
- d) There shall be no irresponsible drinks promotions.
- e) Except for off sales, alcohol shall only be served from toughened glass, or paper/plastic cups.
- f) That a minimum of two security industry authority registered door supervisors be employed on the premises on Friday and Saturday from 22:00 until all members of the public have left the premises.
- g) The registered door supervisors will be in radio contact with each other at all times.
- h) An incident book will be kept and all incidents (re: crime & disorder) will be recorded.
- i) A duty door supervisor rota/log book will be kept and maintained.
- j) The premises will be a member of pub watch and a representative will attend pub watch meetings and the premises will adopt and promote the alcohol crime and drug reduction schemes as recommended by the police and pub watch.

#### Public Safety

- a) Regular glass and bottle collections will be undertaken throughout the hours of operation.
- b) During the hours of operation at least one suitably trained first-aider shall be on duty when the public are present on the premises.

#### Prevention of Public Nuisance

- a) Performance of film is limited to playing of clips of recorded film and TV broadcasts through video quiz machines
- b) All amplified music played at the premises be played through a noise-limiting device installed at the premises and set at a level agreed with an officer of the district council's noise team.
- c) The noise limiting device shall be properly secured so that it cannot be tampered with.
- d) The noise limiting device shall only be reset to a level approved by an

authorised officer of the district council - such approval to be given within 14 days of notification by the premises licence holder or his nominated agent of resetting being needed.

- e) To prevent regulated entertainment being intrusive, noise from regulated entertainment emanating from the premises shall not be clearly audible 1 metre from the façade of the nearest residential property.
- f) Whenever live and/ or recorded music (save for incidental recorded music) is played from those parts of the premises licensed for those activities all windows and doors in those parts of the premises shall be kept closed (except in case of an emergency and for access/egress).
- g) The licence holder shall maintain a log of complaints for the premises received by him from local residents together with a log of action (if any) undertaken by the licence holder. This log shall be, upon request, made available for inspection by the chief of police and/or local licensing authority.
- h) Clear and legible notices shall be strategically and prominently placed within the premises requesting customers to respect the needs of local residents and to leave the premises quietly.
- i) The placing of all non food waste/refuse shall be disposed at such times of the day when minimal disturbance would be caused to local residents.
- j) Save for access to and egress from the premises the use of gardens, patios and external play areas will not commence before the 09.00 hours and will cease at dusk or at 21.00 hours, whichever is earlier.
- k) No music or speech will be relayed by external speakers without the consent of the licensing authority.
- l) The use of lighting in the gardens, patios and external areas will cease at dusk or 21.00 hours, whichever is earlier, except for health and safety or security reasons.

#### Protection of Children from Harm

- a) Evidence of age shall be requested from any person appearing to those selling alcohol to be under the age of 18 and who is attempting to purchase alcohol.

#### **ANNEX 3 - CONDITIONS ATTACHED AFTER HEARINGS**

Conditions above agreed by appeal to Magistrates Court on 17th march 2008.

As agreed at a meeting of the Licensing Sub Committee D held on Thursday 4 December 2008, it is an additional condition of this licence that Mr Roshan Sivlal take no part in any business at the Manor House Hotel.

Licensing Sub Committee A met on 4 December 2009 to determine an application to vary the licence and granted the hours now shown. The New Year's Eve deregulation was also granted and the installation and use of a noise limiter was required.

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)**

We will consider advice from the responsible authorities

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

We will consider advice from the responsible authorities.

1. All staff engaged in licensable activity at the premises will receive training and information in relation to the following

- i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk, under-age or appear to be under-age, or appear to be making a proxy purchase.
- vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 Month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Training records will be retained for at least 12 months.

2. An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:-

- i. Any incidents of disorder or of a violent or anti-social nature
- ii. All crimes reported to the venue, or by the venue to the police
- iii. All ejections of patrons
- iv. Any complaints received
- v. Seizures of drugs or offensive weapons
- vi. Any faults in the CCTV system
- vii. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details

of the person responsible for the management of the premises at the time of the incident.

The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

3. A minimum of 2 SIA licensed door supervisors shall be on duty at the premises on Friday and Saturday nights from 23.00 until the last customer has left the premises.

4. The following details for each door supervisor will be contemporaneously entered into a register kept for that purpose:

I. Full name

II. SIA licence/badge number, and registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation)

III. The date and time they began their duty

IV. The date and time they completed their duty

V. The full details of any agency through which they have been allocated to work at the premises if appropriate.

The register shall be available for inspection and copying at all reasonable times by an authorised officer of a responsible authority. The register shall be kept at the premises at all times and be so maintained as to enable an authorised officer to establish the particulars of all door supervisors engaged at the premises during the period of not less than 12 months prior to the request

5. Where a drug safe is available on the premises to deposit finds there will be in place a clear policy for the handling and packaging of seized items.

Note: For premises with a suitable 'Drug Safe' the items secured within that safe are not considered as being in their possession

6. A clear and legible notice must be prominently displayed at all entrances to the premises advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.

7. Appropriate security arrangements will be in place including toilet areas and other similar areas being regularly checked for evidence of drugs. The date and times of all checks will be recorded in a register kept for that purpose and be available for inspection and copying on request of an authorised officer of a responsible authority.

8. The premises shall install, operate and maintain a digital colour CCTV system to the satisfaction of the Police and Local Authority. As a minimum, the system must:

i. Cover all public areas of the licensed premises, including entry and exit points. This also includes any outside areas under the control of the premises licence holder.

ii. Record clear images permitting the identification of individuals and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

- iii. Continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.
- iv. Have a constant and accurate time and date generation.
- v. Store recordings for a minimum period of 31 days with date and time stamping.
- vi. Viewable copies of recordings will be provided on request to the police and local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 1998 (or any replacement legislation)
- vii. The CCTV system will be capable of downloading images to a recognisable viewable format.
- viii. The CCTV system will capture a minimum of 4 frames per second.
- ix. The CCTV system will be fitted with security functions to ensure the integrity of the system and to prevent the tampering with and deletion of images (i.e. password protection).

#### **c) Public safety**

We will consider advice from the responsible authorities.

#### **d) The prevention of public nuisance**

We will consider advice from the responsible authorities.

9. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.
10. Clear and legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.
11. Speakers will not be located in the entrance lobby or outside the premises.
12. A noise limiting device (the specification and design to be agreed with Mid Devon District Council's Environmental Protection Team) shall be fitted so that all live and recorded music is channelled through the device. The maximum noise levels will be set by agreement with Mid Devon District Council's Public Health Team and will be reviewed from time to time as appropriate.
13. No performances of live and recorded music will proceed without the noise limiting device in proper working order.
14. All external doors and windows shall be kept shut at all times when the premises are open /during regulated entertainment. Doors may be opened for normal entrance and egress of people but must be shut immediately after.
15. The rear patio areas (**as indicated on the plan dated 16/7/2019**) shall only be

open to customers for the consumption of alcohol on Monday to Sunday from 08:00 until 22:00 Clear and legible notices shall be prominently displayed in appropriate locations to ensure that this information is brought to the attention of patrons.

16. Smoking area to be placed at the rear of the property as shown on the plan dated **16/07/2019** and smoking on the street will be discouraged.

17. Clear and Legible notices shall be prominently displayed at the 2 exits of the premises as marked on the plan requesting that patrons use the smoking area to the rear of the premises.

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

We will consider advice from the responsible authorities.

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

- A photo driving licence
- A passport
- An identification card carrying the PASS hologram

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

This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18.

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

- i. the date and time of refusal
- ii. the reason for refusal
- iii. details of the person refusing the sale
- iv. description of the customer
- v. any other relevant observations.

The refusals register will be made available for inspection and copying on the request of an authorised officer of a responsible authority.

All entries must be made within 24 hours of the refusal.

Checklist:


Please tick to indicate agreement

- I have made payment or
- I have not made 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	17-7-19.
Capacity	License Holder.

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

Signature	
Date	
Capacity	

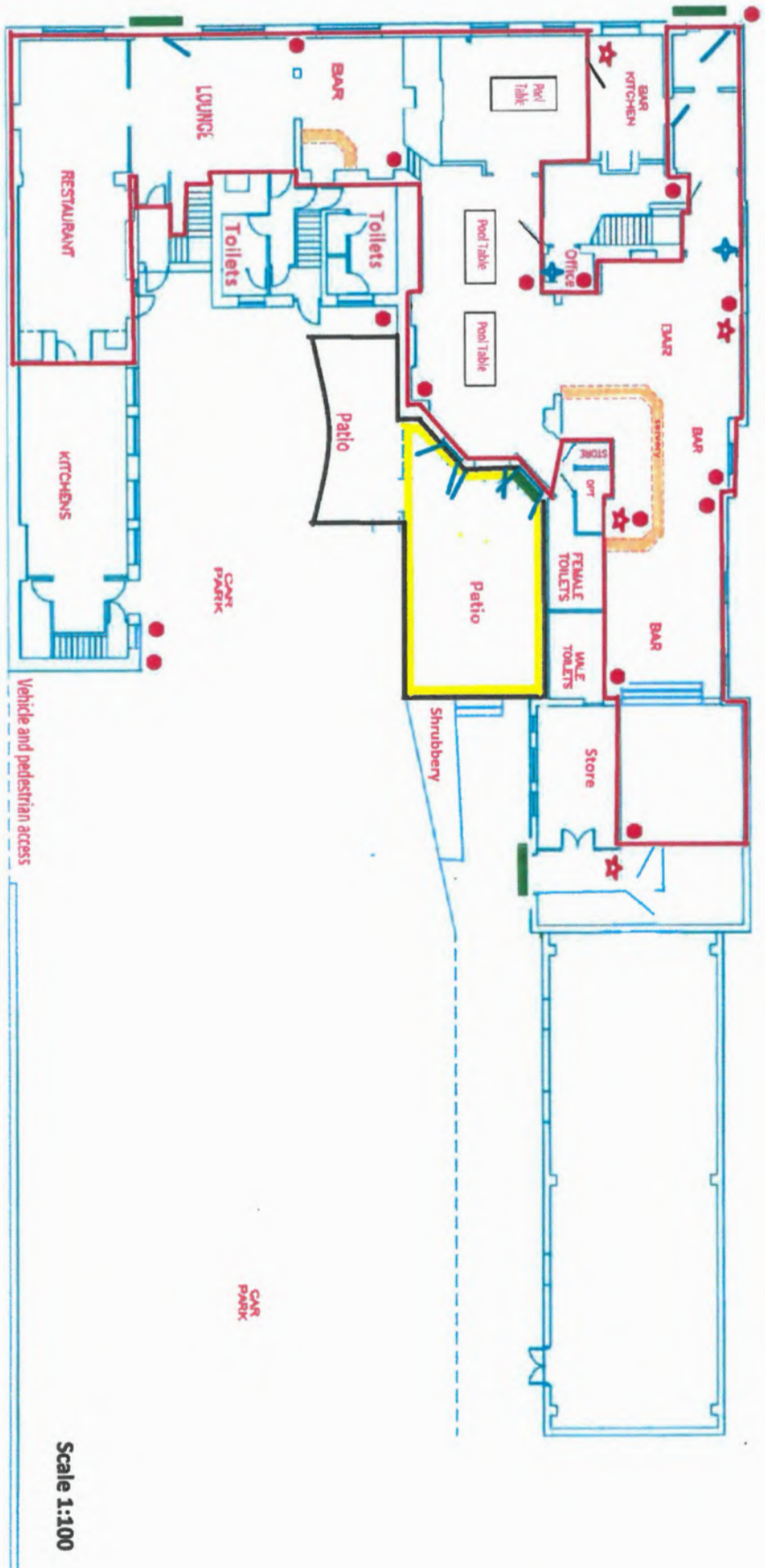
**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

Post town		Post code	
Telephone number (if any)			

Premises plan

The Manor House Hotel 2 / 4 Fore Street, Cullompton, EX15 1LL

16/07/2019



Area where licensable Activities will take place  
CCTV Cameras  
Fire extinguishers  
fire exits



Smoking only after 22:00  
Outside area for the consumption of alcohol from 08:00 until 22.00  
CCTV screens



Scale 1:100

**Content of email received by the Licensing Authority on 27 August 2019, from Cullompton Town Council:**

*The council reconsidered this application to vary the license at The Manor Hotel, Cullompton and, after discussion:*

**RESOLVED:** *To represent to the Licensing Authority that there is a large quantity of anecdotal evidence, including from the Cullompton Street Pastors, to support the fact that the current hours of licensing at The Manor House Hotel remain the same in view of the incidences of noise and minor Anti-Social Behaviour that spills into the street at closing time. These incidences will only occur later in the morning should licensing be extended. It is further recommended that the provision of security is monitored to ensure that there is sufficient to ensure an orderly dispersal.*

*Yours*

*Steve Reardon*

*Assistant Town Clerk*

*Cullompton Town Council*

**Cullompton Town Council was asked to provide further details (if possible), and on 5 September 2019, the following information was received via email from Steve Reardon:**

*I was asked recently to supply CCTV footage to the Police regarding an incident of ASB and Criminal Damage to one of the windows in The Walronds caused by individuals who had moments before exited The Manor at closing.*

*And there are several of our members who live in the vicinity of High and Fore Streets who regularly experience the general noise and tomfoolery that usually accompanies pubs and clubs kicking out.*

**In addition, Cullompton Town Council also received a letter / petition regarding the application and this is attached to this representation.**

Cullompton Town Council

**Residents of :**

High Street  
Higher Street  
Station Road  
Fore Street  
Exeter Hill  
CULLOMPTON.

Date: 15.08.2019

**RE: The Manor Hotel opening until 3am.**

To Whom It May Concern,

It has come OUR attention as residents that The Manor Hotel/Nightclub has put an application in for a 3am licence.

We are requesting this is REJECTED on the grounds of residences who live next to and yards away from The Manor Hotel/Nightclub.

At present they seem to have things under control to a point. But there has been many accounts over the past year of fighting inside the club which spills out on to the pavement. With cases pending in court for battery.

If you as The Town Council and Mid Devon give The Manor Hotel and extended licence, they need to consider the fallout, drunken bad behaviour further up through the town, extra noise pollution, no respect for residents who live on Fore Street, High Street, Station Road, Higher Street who work and have children, children being woken, strangers getting lost banging on peoples doors. Because this does happen. And as we all know the Police do not attend, they turn up 3 days later. People relieving themselves in the street, and never get fined.

Here are just a few residence signatures of rejecting to the extended opening times for The Manor Hotel/Nightclub.

Mr R Wannacott KOW  
Walled Higher Street  
Miss Coonich HIGH ST  
D. Kerstake HIGHER STREET

Dulcie Barnett [redacted] Higher St.

Teresa Thomas [redacted] Higher St.

Pauline Bell Cullompton

Mrs N. Spencer Cullompton

T. Spencer

D. Gabriel

Therese

M. Lane

D. Snare

D. J. Evans

Prudent

[redacted] Higher St

Cullompton.

Cullompton

**Thomas Keating**

---

**From:** Nigel Cooper [REDACTED]  
**Sent:** 12 September 2019 10:07  
**To:** Licensing  
**Subject:** Ref Manor House Hotel - 1-4 Fore Street, Cullompton

Dear Sir / Madam,

Please find my representation in respect of the proposed licensing amendment for the Manor House Hotel, 1-4 Fore Street, Cullompton EX15 1JL

My name : Mr Nigel Cooper

My address [REDACTED] Tiverton Road, Cullompton, EX15 1HT  
[REDACTED]

☐ Licensed premises: Manor House Hotel, 1-4 Fore Street, Cullompton, EX15 1JL

Representation : Prevention of public nuisance.

It is my opinion that the proposed amendment to licensing hours at the premises above is inappropriate due to the proximity of the premises to residential property nearby and the potential for additional public nuisance.

Reference to the licensing hours for the White Hart Hotel, a similar establishment directly opposite, shows that the Manor House Hotel already enjoys significantly longer opening hours and might already be judged to be excessive.

The clientele of the Manor House Hotel are not generally a significant nuisance to me personally due to the distance from my property (approximately 100 metres) but there have already been occasions when we have been forced to close windows because of noise and remove refuse thrown into my property (bottles, crisp packets etc.)

There are a number of residential properties that are located significantly closer to the Manor House Hotel than my own, some of these properties contain families with small children, the potential for increased nuisance would undoubtedly affect these families even more than myself.

☐ Signed: Nigel Cooper

11th September 2019

Sent from my iPad

[REDACTED] Tiverton Road, Cullompton EX151HT  
[REDACTED]

Licensing Department  
Mid-Devon District Council,  
Phoenix House  
Tiverton EX16 6PP



23rd August 2019

Dear Sir/Madam,

Extension of Hours Application - The Manor Hotel, Cullompton

I write to object to the proposed extension to the Licensed Hours of The Manor Hotel. There is no need for this extension and will only cause problems in the locality. There is no demand locally for this and it will only encourage late night unsocial behaviour. This will materially affect our lives as nearby residents and we already have to clean up the area from dropped drinks cans, bottles and snack packets alongside the car park frontage and up Tiverton Road, particularly on Saturday and Sunday mornings.

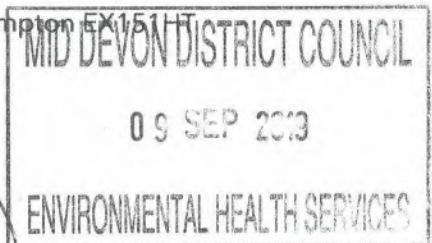
Any extension of hours will make further concern for the Police force and unacceptable demand on the local Street Pastors. There are currently 7 public houses already in Cullompton, perhaps The Manor could focus on becoming an Hotel again

Yours sincerely,

[REDACTED]

Veronica Inman

[REDACTED] Tiverton Road, Cullompton EX15 1HT



Licensing Department

Mid-Devon District Council,

Phoenix House

Tiverton EX16 6PP

5th September 2019

Dear Sir/Madam,

Extension of Hours Application - The Manor Hotel, Cullompton

I write again to object to the proposed extension to the Licensed Hours of The Manor Hotel. There is no need for this extension and it will only encourage late night unsocial behaviour. For example, there was a brawl outside the Manor Hotel on Saturday 31st August between intoxicated and other people even with the current licensing regime. The BBC highlighted today the inadequate policing for the increased demand this year in Devon and Cornwall. Cullompton Police Station is unmanned and there will be no presence at 3.30am or more likely, 4.00am plus if this extension is granted. Saturday evening safety for the residents totally relies on the volunteer Street Pastors and it is totally unreasonable to expect them to have to be out until beyond 4.00am in the morning.

Cullompton is trying to increase its in-town residents and there are several very close to the Hotel both front and rear. The new flats across the road should not be subject to the noise currently being created under the present licence. Fore St is narrow and sound reverberates, especially from loud voices late at night. Under the current requirements, people congregate outside the door to smoke and obstruct the footway. There is the one zebra crossing outside leading pedestrians straight into this area. This is threatening in itself because these customers do not move to allow rightful pedestrians past, creates litter from indiscriminate dropping of cigarette ends and other items, and will be intolerable to nearby residents if allowed to continue for a further 2 hours. The noise from those outside the rear entrance can be heard several hundred yards away and even in Stoneleigh Gardens.

The Manor Hotel has a recent record of not adhering to legal requirements. Only lengthy enforcement notices prompted necessary maintenance works which were carried out lethargically so that Tiverton Road had to be closed for weeks, Fore Street footway obstructed for over 2 years and the requirements for a valid scaffolding permit were totally ignored. I had to raise this with Devon CC on three occasions with little result. Signs were left out obstructing the footway in addition to the scaffolding poles for weeks and water-spray cleaning/ dismantling work was carried out on Sundays when no District nor County Council supervision was apparent, no doubt because of a lack of prior notice of the work from the Hotel. There was little concern for the health and safety of the public who had a right to pass along the frontage. The landlord does not have a good record and the owner has recently been fined for lack of proper management of this Hotel. It is outrageous to ask for an extension to the licence at this stage when there is no evidence that it can be controlled even under the current regime. Signs have been placed outside welcoming "People in wellingtons, dogs and women" in that order! This is no example of "a well-managed house".

We clean up the area from drinks cans, bottles, cigarettes-ends and snack packets dropped around the car park and up Tiverton Road, every Saturday and Sunday morning. We shall not provide this voluntary service if the situation deteriorates further. Any extension of hours is unlikely to be policed and will be an unacceptable demand on the local Street Pastors. There are currently 7 public houses already in Cullompton, perhaps The Manor could focus on becoming a proper Hotel again,

*Yours faithfully*  
[REDACTED]



MID DEVON DISTRICT COUNCIL

MID DEVON LICENSING AUTHORITY

09 SEP 2019

Licensing Act 2003: Representation form

NOTE: This form includes a section to confirm successful mediation between Responsible Authorities and the applicant. This includes the agreement of conditions.

### 1. Your details

Responsible Authority:	MID DEVON LICENSING AUTHORITY
Your Name:	PAUL FALKINGHAM
Job Title:	[REDACTED]
Postal address:	TIVERTON ROAD, CULLOMPTON, EX15 1HT
Email address:	[REDACTED]
Contact telephone number:	[REDACTED]

### 2. Premises details

Name of the premises you are making a representation about:	THE MANOR HOTEL
Name of the applicant:	SHAYNE BAKER
Address of the premises you are making a representation about:	2/4 FORE STREET CULLOMPTON EX15 1JL

### 3. Representation information

Which of the four licensing objectives does your representation relate to?	Yes Or No	Please detail the reason(s) for your representation, including any relevant evidence. This <u>MUST</u> include a clear statement as to why the representation is considered appropriate and necessary. Please use separate sheets if necessary.
To prevent crime and disorder	YES	SEE ATTACHED
Public safety	YES	" "
To prevent public nuisance	YES	" "
To protect children from harm	No	

#### 4. Additional information and mediation

Do you have any suggested conditions or alterations to the application that would remedy your representation? If so, please list them clearly. Please use separate sheets if necessary.	No	
If the applicant agrees to the amendments you have set out in the box above, would you be willing to withdraw your representation?	Yes	No
If you agree to withdraw your representation, do you also agree that there is no need for a hearing?	Yes	No
If you are unwilling to withdraw your representation, please detail the reasons for this. This information will be provided to the licensing sub-committee in advance of a hearing.		
Any additional information?	YES - SEE ATTACHED	

Signed

[Redacted Signature]

Date:

5th SEPTEMBER 2019

Please return this form along with any additional sheets to: Mid Devon Licensing Authority, Phoenix House, Phoenix Lane, Tiverton, Devon, EX16 6PP, or email to [licensing@middevon.gov.uk](mailto:licensing@middevon.gov.uk). This form must be returned within the Statutory Period. For more details please check with the Licensing Section on 01884 255255.

#### 5. Confirmation of agreement

If an amendment to the application has been agreed between the applicant and the Responsible Authority making the representation, the applicant must sign below to confirm the amendments to the application set out above and their agreement.

Name of applicant:

Signed:

Date:

## Mid Devon Licensing Authority

Attachment to Representation Form from Paul Falkingham 5.9.19

### **To Prevent Crime and Disorder**

There was an incident of public disorder outside the Manor Hotel on Saturday 31 August 2019 under the current licensing arrangements. As the local Police Force will be aware, this is not the first such incident.

Increasing the licensing hours of this establishment will inevitably result in people leaving other licensed premises in the town at closing time seeking to go on to gain entry to the Manor Hotel. This will increase the risk of crime and disorder whether they are refused entry by the Manor Hotel staff or allowed entry to continue drinking.

Given current reduced frontline policing staff levels the police will be unable to attend promptly or in sufficient force to prevent crime and disorder. There are just not the resources available to police until 3.30am.

### **Public Safety**

Crime and disorder centred on and around the Manor Hotel inevitably places neighbouring properties and members of the public at risk. It is likely that given the absence of a timely police response and containment of any acts of crime and disorder frustrated members of the public, including local residents, would seek to intervene themselves to resolve the problem.

### **To Prevent Public Nuisance**

It is crucial to consider the location of the Manor Hotel in relation to neighbouring properties. On the south side of Tiverton Road the first residential property is located at the end of the Manor Hotel car park and residential properties continue up Tiverton Road to the west as far as the Fire Station. On the north side of Tiverton Road opposite the Manor Hotel and its car park are two terraces of cottages within the conservation area followed by another five residential properties as you proceed westward up Tiverton Road.

On Fore Street itself there are two houses immediately adjacent to the Manor Hotel and numerous flats above shops along the street.

Cullompton is a small market town and noise travels over a considerable distance. It is not a city within which nightclubs and other late opening

licensed premises can be appropriately zoned to alleviate public nuisance.

I have been on more than one occasion woken early in the morning by the sound of Manor Hotel staff discharging empty bottles into the bins at the rear of the premises. I have been disturbed after going to bed at night time by rowdy behaviour emanating from the rear entrance of the building under current licensing arrangements. I do not wish to be exposed to this type of nuisance in the early hours of the morning.

There is a recurrent problem with litter including broken glass outside the Manor Hotel on both Fore Street and Tiverton Road. This will only get worse with increased opening hours.

### **Any Additional Information?**

I believe that the application should be considered within the context of the history of the Manor Hotel and the people who manage and operate it. Their track record is characterised by a failure to abide by legislation. It is relevant to consider how this has impacted on the local community and on residents of the Manor Hotel.

The licensing authority will be aware that earlier this year the management of the Manor Hotel was heavily fined for mismanagement of an HMO. Providing "unacceptable standards and potentially life threatening conditions".

The management's failure to maintain and promptly repair the building itself resulted in considerable inconvenience and costs to the local community. The dangerous condition of the building necessitated the closure of Tiverton Road for a period and reduced it to a one way system for a further period, resulting in residents of Tiverton Road and elsewhere having to make a considerable detour. The scaffolding on Fore Street was at the very least an inconvenience to the public and certainly an eyesore to a community which is trying to regenerate the Bullring and Fore Street. The glacial pace at which remedial works were carried out resulted in a Repairs Notice under Section 28 of The Planning (Listed Buildings and Conservation Areas) Act 1990.

All of this raises the question of the **level of trust** that could be extended with regard to the current application: on a balance of probabilities the Manor Hotel track record would suggest that any new extension and activities would not be operated in the interests of or with sensitivity to the needs of the local community.

**MID DEVON LICENSING AUTHORITY****Licensing Act 2003: Representation form**

**NOTE:** This form includes a section to confirm successful mediation between Responsible Authorities and the applicant. This includes the agreement of conditions.

**1. Your details**

Responsible Authority:	MID DEVON
Your Name:	PAUL SCURLE
Job Title:	
Postal address:	[REDACTED] CULLUMPTON, EX15 1NH
Email address:	[REDACTED]
Contact telephone number:	[REDACTED]

**2. Premises details**

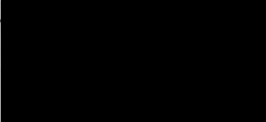
Name of the premises you are making a representation about:	THE MANOR HOTEL
Name of the applicant:	SHAYNE BAKER
Address of the premises you are making a representation about:	214 FORD STREET, CULLUMPTON

**3. Representation information**

Which of the four licensing objectives does your representation relate to?	Yes Or No	Please detail the reason(s) for your representation, including any relevant evidence. This <b>MUST</b> include a clear statement as to why the representation is considered appropriate and necessary. Please use separate sheets if necessary.
To prevent crime and disorder	YES	LONGER HOURS WILL PROMOTE MORE DRINKING AND MORE DISORDER AT A LATER HOUR AND MORE PUBLIC COST TO POLICE TILL LATER HOURS.
Public safety	YES	SAME AS ABOVE. DRUNKEN DISORDER AS ALREADY EXPERIENCED IS LIKELY TO INCREASE THUS RISK TO PUBLIC SAFETY.
To prevent public nuisance	YES	SAME AS BOTH ABOVE. LATER NOISE, DISORDER AND CRIME WILL RESULT FROM LATER HOURS SERVING ALCOHOL AND PARTICULAR NOISE WILL CREATE SIGNIFICANT PUBLIC NUISANCE.
To protect children from harm	NO	

#### 4. Additional information and mediation

NO.		
Do you have any suggested conditions or alterations to the application that would remedy your representation? If so, please list them clearly. Please use separate sheets if necessary.	WE HAVE INVESTED IN 5 FORD STREET TO CREATE REFURBISHED FLATS. WE ARE NOT AGAINST ANY POSITIVE INVESTMENT IN THE HIGH STREET, HOWEVER, A LATER LICENSE WILL BE A MAJOR PUBLIC NUISANCE TO OUR TENANTS / RESIDENTS WHO WILL BE OCCUPYING THE PROPERTY FROM OCTOBER; IN VERY CLOSE PROXIMITY, 10m. CONTINUED...	
If the applicant agrees to the amendments you have set out in the box above, would you be willing to withdraw your representation?	Yes	No
If you agree to withdraw your representation, do you also agree that there is no need for a hearing?	N/A. Yes	No
If you are unwilling to withdraw your representation, please detail the reasons for this. This information will be provided to the licensing sub-committee in advance of a hearing.	<p>....</p> <p>THERE NEEDS TO BE POSITIVE STEPS TAKEN TO MAKE THE MANOR A REAL ASSET TO CULUMPTON. A HIGH QUALITY HOTEL AND RESTURANT WOULD ACHIEVE THIS, NOT BY EXTENDING THE HOURS OF A NIGHTCLUB / BAR.</p> <p>OUR PROPERTY IS CIRCA 10m FROM THE FRONT DOOR, OLD SASH WINDOWS ARE NOT SOUND PROOF THUS WE WOULD</p>	
Any additional information?	<p>ASK THAT ANY EXTENSION IS NOT SUPPORTED, AS RESIDENTS WOULD NOT BE PREVENTED FROM ENJOYING THEIR PREMISES AND HAVING PEACE AND QUIET BEYOND THE EXISTING OPENING HOURS WHICH SHOULD BE</p> <p>SEEN AS SUFFICIENT TO RUN THE ENTERPRISE</p>	

Signed: 

Date: 11.9.19

Please return this form along with any additional sheets to: Mid Devon Licensing Authority, Phoenix House, Phoenix Lane, Tiverton, Devon, EX16 6PP, or email to [licensing@middevon.gov.uk](mailto:licensing@middevon.gov.uk). This form must be returned within the Statutory Period. For more details please check with the Licensing Section on 01884 255255.

#### 5. Confirmation of agreement

If an amendment to the application has been agreed between the applicant and the Responsible Authority making the representation, the applicant must sign below to confirm the amendments to the application set out above and their agreement.

Name of applicant:

PAUL SABLE

Signed: 

Date: 11.9.19.