



Wednesday, 13 April 2016

LICENSING SUB-COMMITTEE

A meeting of **Licensing Sub-Committee** will be held on

Thursday, 21 April 2016

commencing at **9.30 am**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor Manning

Councillor Stocks

Councillor Thomas (D)

A prosperous and healthy Torbay

For information relating to this meeting or to request a copy in another format or language please contact:

Lisa Antrobus, Town Hall, Castle Circus, Torquay, TQ1 3DR
01803 207087

Email: governance.support@torbay.gov.uk

www.torbay.gov.uk

LICENSING SUB-COMMITTEE AGENDA

1. **Election of Chairman/woman**
To elect a Chairman/woman for the meeting.
2. **Apologies**
To receive apologies for absence, including notifications of any changes to the membership of the Committee.
3. **Minutes** (Pages 3 - 5)
To confirm as a correct record the Minutes of the meeting held on 24 March 2016.
4. **Declarations of interests**
 - (a) To receive declarations of non pecuniary interests in respect of items on this agenda
For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda
For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
5. **Urgent items**
To consider any other items that the Chairman decides are urgent.
6. **Application for a Variation to a Premises Licence in respect of the Bolton Hotel, New Road, Brixham** (Pages 6 - 83)
To consider an application for a Variation to a Premises Licence in respect of Bolton Hotel, New Road, Brixham.



Minutes of the Licensing Sub-Committee

24 March 2016

-: Present :-

Councillors Brooks, Doggett and Manning

41. Election of Chairman/woman

Councillor Manning was elected as Chairman for the meeting.

42. Minutes

The Minutes of the meeting of the Sub-Committees held on 17 September 2015, 22 October 2015, 10 December 2015 and 18 February 2016 were confirmed as a correct record and signed by the Chairman.

43. Review of Torbay Council Driver's Licence

Members considered a report concerning a Torbay Council Licensed Driver and whether she remained a 'fit and proper person' to hold a Torbay Council Driver's Licence. At the hearing Members of the Licensing Sub-Committee heard submissions from the Senior Licensing Officer and the Respondent, Mrs Nicola Lyness.

Decision:

- (i) that Mrs Nicola Lyness' Torbay Council driver's licence be suspended for a period of three months, in accordance with Section 61(1)(b) of the Local Government (Miscellaneous) Provision Act 1976, and that this suspension shall be with immediate effect, in accordance with Section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976, as it appeared to Members on hearing the evidence before them that it is appropriate to do so in the interests of public safety; and
- (ii) during the period of suspension, Mrs Lyness be required to undertake and provide written evidence to the Licensing Authority of successfully completing a Driver Standard Agency Taxi Assessment Test (DSATAT), as set out at page 11, paragraph 5.10 and 5.11 of the Licensing Authority's Hackney Carriage (Taxi) and Private Hire Policy, May 2013. Failure to successfully complete the course within the said time, will result in revocation of any existing driver's licence held by Mrs Lyness and that she be prohibited from applying for a new drivers licence until such time that written evidence is provided to the Licensing Authority of the DSATAT course being successfully completed by her.

Reason for Decision

Having carefully considered all the written and oral Representations, Members resolved to suspend Mrs Lyness' Driver's Licence, as they could not be satisfied that she remained a 'fit and proper person' to hold such a licence.

In coming to that decision, Members considered having been charged with the responsibility to determine the driver's licence, whether they would allow their son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person to whom they care or any other vulnerable person known to them to get into the vehicle with Mrs Lyness alone. An unequivocal and unanimous answer to this question by Members', was no.

In determining that Mrs Lyness does not remain a 'fit and proper person' to be a driver licensed by Torbay Council, Members had due regard to their duty to protect the public and on the evidence before them, Mrs Lyness had conducted herself in a manner that was unacceptable and fell below the standard expected by them of a driver licensed by Torbay Council.

In noting Mrs Lyness's submissions and demeanor at the hearing, it appeared to Members that Mrs Lyness did not, as a licensed driver which carries a higher expectation of competency, accept the seriousness of the offences and showed little, if any remorse. Members were also concerned at the number and nature of the licensing endorsements gathered by her over a two year period and in particular, that two incidents were committed on the same day during April 2014 and that on some occasions, the offences were committed whilst she was transporting a passenger. This ultimately resulted in a driving disqualification being imposed by Bodmin Magistrates' Court on the 10th February 2016.

Members gave careful consideration to the revocation of Mrs Lyness driver's licence but resolved that having a period of suspension to reflect on the seriousness of her driving misdemeanours and the successful completion of the DSATAT, that their concerns would be alleviated.

44. Review of Torbay Council Driver's Licence

Members considered a report concerning a Torbay Council Licensed Driver and whether he remained a 'fit and proper person' to hold a Torbay Council Driver's Licence. At the hearing Members of the Licensing Sub-Committee heard submissions from the Senior Licensing Officer and the Respondent, Mr Michael Dewick.

Decision:

That Mr Michael Dewick be issued with a formal warning in respect of his conduct which amounted to a conviction for an offence under the Crime and Disorder Act 1998 Section 31(1)(b) for racially/religiously aggravated intentional harassment/alarm/distress.

Reason for Decision:

Having carefully considered all the written and oral representations, Members resolved that a formal warning was appropriate and proportionate in the circumstances before them.

In coming to that decision, Members had regard to the seriousness of the offence, which occurred whilst he was on duty and in the earshot of other taxi drivers and members of the public and resolved that it fell below the standard reasonably expected by them of a driver licensed by Torbay Council. However, Members weighed this against the apparent submissions of remorse and the excellent record held by the Licensing Authority, in that there had been no cause for concern or complaints made in respect of Mr Dewick during the significant time he had been licensed by the Authority.

Chairman/woman

Agenda Item 6



Public Agenda Item: **Yes**

Title: **Licensing Act 2003 – An application for a Variation to a Premises Licence in respect of Bolton Hotel, New Road, Brixham TQ5 8LT**

Wards Affected: **Berryhead with Furzeham**

To: **Licensing Sub- Committee** On: **21 April 2016**

Contact Officer: **Mandy Guy**
☎ Telephone: **01803 208025**
✉ E.mail: **Licensing@torbay.gov.uk**

1. **Key points and Summary**

- 1.1 To consider and determine an application, in respect of the Premise detailed above, for a Variation to a Premises Licence.
- 1.2 The application relates to all the Corporate Priorities within the Community Plan.
- 1.3 The matters raised relate to the Licensing Objectives “The Prevention of Crime and Disorder”, “The Prevention of Public Nuisance”, “Public Safety” and the Protection of Children from Harm”.
- 1.4 The matter must be considered on its own merits having received details of the issues arising either at a hearing or by written Representations if all parties have agreed that a hearing is not necessary. Having regard to the Representations and issues arising, a decision must be made to take such steps as are necessary for the promotion of the licensing objectives. These are either:-
 - (a) to modify the conditions of the licence, or
 - (b) reject the application in whole or in part.

For this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

- 1.5 Reasons for the decision must be given for inclusion in the appropriate Notices required to be served on the Interested Parties and Responsible Authorities at the determination of the matter.

forward thinking, people orientated, adaptable - always with integrity.

2. Introduction

- 2.1 An application has been made under Section 34 of the Act for a Variation to a Premises Licence. Details of the application are shown in Appendix 1. Only the relevant pages of the application are shown.

A brief description of the proposed Variation is as follows:-

To extend the Sale of Alcohol on Friday and Saturday from 10.00 until 02.30. This is an additional 1.30 hours at the end of the evening. The existing licence allows the Sale of Alcohol both on and off the Premises from 10.00 until 01.00 Friday and Saturday, from 10.00 until midnight Monday to Thursday and from 11.00 until midnight on Sunday.

To extend the opening hours on Friday and Saturday from 10.00 until 03.00 to maintain the 30 minutes drinking up time. The opening hours are presently Friday and Saturday 10.00 until 01.30, Monday to Thursday 10.00 until 00.30 and from 11.00 until 00.30 on Sunday.

To extend Live Music, recorded Music and Performance of Dance on a Friday and Saturday from 10.00 until 01.00. This is an additional 30 minutes at the end of the evening. The existing licence allows for these activities from 10.00 until 00.30 Friday and Saturday, from 10.00 until 23.30 Monday to Thursday and from 11.00 until 23.30 on Sunday.

No additional conditions have been proposed in the operating schedule and there has been no request to amend or remove any of the existing conditions.

- 2.2 A copy of the current premises licence showing the licensable activities, timings and conditions is shown at Appendix 2 of this report.
- 2.3 Torbay Council as the Licensing Authority is satisfied that the Applicant has met the administrative requirements of Section 35(1) but is unable to issue the variation to the Premises Licence, as relevant Representations have been received from Responsible Authorities and Interested Parties. The Licensing Authority is also satisfied that the Representations were received within the appropriate time-scale, have not been subsequently withdrawn and are not vexatious or frivolous.

We have received a Representation from the Police in relation to the Licensing Objectives “The Prevention of Crime and Disorder”, “The Prevention of Public Nuisance” and the Protection of Children from Harm”. This is shown in 3 parts as Appendix 3 (written representation), Appendix 4 (history of the premises) and Appendix 5 (logs and crimes) of this report.

We have received a Representation from Public Protection in relation to the Licensing Objective “The Prevention of Public Nuisance”. This is shown as Appendix 6 of this report.

We have received 3 Representations from Interested Parties in relation to the Licensing Objectives “The Prevention on of Crime and Disorder”, “The Prevention of Public Nuisance” and “Public Safety”. These are shown as Appendix 7 of this report.

There have been no Representations received from any other Responsible Authority or any other Interested Party.

- 2.4 The Authority is required to conduct a hearing by the provisions of Section 35(3) unless all parties agree that this is not necessary.
- 2.5 Appropriate Notices have been issued to all parties, as required by the Licensing Act 2003 (Hearing Regulations) 2005, including, where appropriate, details of the Representations and the procedure to be followed at the hearing.
- 2.6 If the application is refused, in whole or in part, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 1 of Schedule 5, to the Applicant.
- 2.7 If the application is granted, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 4(2) of Schedule 5 to :-
 - (a) The applicant for the variation of the licence against any decision to modify the conditions
 - (b) Any person who made a relevant representation in relation to the application who desires to contend
 - (i) that any variation made ought not to have been made, or
 - (ii) that, when varying the licence, the Licensing Authority ought to have modified the conditions of the licence or ought to have modified them in a different way.
- 2.8 Following such Appeal, the Magistrates' Court may:-
 - (a) dismiss the appeal,
 - (b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority, or
 - (c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the Court,and may make such order as to costs as it thinks fit.

Frances Hughes
Assistant Director (Community and Customer Services)

Appendices

Appendix 1	Relevant sections of the application form.
Appendix 2	Copy of the current Premises Licence and Plan.
Appendix 3	Representation from the Police
Appendix 4	Representation from the Police continued – history
Appendix 5	Representation from the Police continued – logs and crimes
Appendix 6	Representation from Public Protection.
Appendix 7	Representation from Interested Parties.

Documents available in members' rooms

None

Background Papers:

The following documents/files were used to compile this report:

The current Premises Licence for the above Premise.
Torbay Council Licensing Policy 2016-2021.

- 1 MAR 2016

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

COMMUNITY SAFETY

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

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

I/We Punch Taverns Plc

(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 445

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Bolton Hotel New Road			
Post town	Brixham	Postcode	TQ5 8LT
Telephone number at premises (if any)	n/a		
Non-domestic rateable value of premises	£26,500		

Part 2 – Applicant details

Daytime contact telephone number	01283 501600		
E-mail address (optional)	risk@punchtaverns.com		
Current postal address if different from premises address	Jubilee House Second Avenue		
Post town	Burton Upon Trent	Postcode	DE14 2WF

Part 3 - Variation

Please tick as appropriate

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

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

DD	MM	YYYY

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

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

This is an application to extend the sale of alcohol on Friday and Saturday from 10:00h until 02:30h the following morning (current permission 10:00h until 01:00h the following morning).
To maintain thirty minutes drinking up time following the last permitted sale of alcohol.

To also extend live music, recorded music and performance of dance on a Friday and Saturday from 10:00h until 01:00h the following morning (current permission 10:00h until 00:30h the following morning).

All other licensable hours, activities, including the currently permitted times for the upstairs area of the premises, and conditions are to remain unchanged.

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 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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4) As per current permission.	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri	10:00		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 (please read guidance note 6) As per current permission.		
Sat		01:00			
	10:00				
Sun		01:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4) As per current permission.		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed					
Thur			<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 6) As per current permission.		
Fri	10:00				
Sat		01:00			
	10:00				
Sun		01:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" 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 4) As per current licence permission.		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri	10:00		<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6) As per current licence permission.		
Sat		01:00			
	10:00				
Sun		01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol! (please read guidance note 5) As per current licence permission.		
Mon					
Tue					
Wed					
Thur					
Fri	10:00				
Sat		02:30			
	10:00		Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) As per current licence permission.		
Sun		02:30			

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 9).
None.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) As per current licence permission.
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri	10:00		
Sat		03:00	
	10:00		
Sun		03:00	
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 (please read guidance note 6) As per current licence permission.			

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.

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 10)

As per current licence permission (Premises Licence no. 445).

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Licensing Act 2003
Premises Licence

445

LOCAL AUTHORITY



Torbay Council
Licensing & Public Protection
c/o Town Hall
Castle Circus
Torquay
TQ1 3DR

Part 1 - Premises Details

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

Bolton Hotel

New Road, Brixham, Devon, TQ5 8LT.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Thursday	10:00am	11:30pm
	Friday to Saturday	10:00am	12:30am
	Sunday	11:00am	11:30pm
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve. A further additional hour every Boxing Day. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
F. Playing of recorded music (Indoors)	Monday to Thursday	10:00am	11:30pm
	Friday to Saturday	10:00am	12:30am
	Sunday	11:00am	11:30pm
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve. A further additional hour every Boxing Day. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		



Licensing Act 2003
Premises Licence

445

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

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors) continued ...			
G. Performance of dance (Indoors)	Monday to Thursday	10:00am	11:30pm
	Friday to Saturday	10:00am	12:30am
	Sunday	11:00am	11:30pm
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.		
	A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.		
	A further additional hour every Christmas Eve.		
	A further additional hour every Boxing Day.		
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Thursday	10:00am	Midnight
	Friday to Saturday	10:00am	1:00am
	Sunday	11:00am	Midnight
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.		
	A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.		
	A further additional hour every Christmas Eve.		
	A further additional hour every Boxing Day.		
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	10:00am	12:30am
Friday to Saturday	10:00am	1:30am
Sunday	11:00am	12:30am
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.	
	A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.	
	A further additional hour every Christmas Eve.	
	A further additional hour every Boxing Day.	
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.	

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

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

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

Punch Taverns Plc
 Jubilee House, Second Avenue, Burton-on-Trent, Staffordshire, DE14 2WF.
 Telephone 01283 501600



Licensing Act 2003
Premises Licence

445

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

Punch Taverns Plc

03752645

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

Stephen CLOSE

Bolton Hotel, New Road, Brixham, Devon, TQ5 8LT.

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

Licence No. LN/210001101

Issued by Epping Forest

Stephen Cox

Steve Cox
Environmental Health Manager
11 June 2015

ANNEXES

ANNEXE 1

MANDATORY CONDITION: WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL

- 1) No supply of alcohol may be made under the premises licence:-
 - (a) at a time where 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/her personal licence is suspended.
- 2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3) (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).
- 4) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5) (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.
- 6) 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

ANNEXES continued ...

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.

Minimum Drinks Pricing

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) "value 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 the 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.

MANDATORY CONDITION: DOOR SUPERVISION

1) Where one or more individuals are carrying out security activities, each individual must be licensed by the Security Industry Authority.

2) But nothing in the aforementioned conditions requires such a condition to be imposed in respect of a) and b) and (b)(i) and (b)(ii)

(a) 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), are exempt.

(b) In respect of premises in relation to-

ANNEXES continued ...

- (i) 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
- (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3) For the purposes of the aforementioned conditions:-

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

ANNEXE 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Additional Conditions transferred from Public Entertainment Licence

1. This licence shall apply only to those parts of the premises named below and the maximum number of persons to be permitted within those areas shall not exceed the figure stated:-

Ground Floor Bar Area - 170

Restrictions transferred from the On Licence

The restrictions related to permitted hours do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purpose of the trade or club.
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of the employer or of the person carrying on or in charge of the business on the premises.

Credit Sales

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

ANNEXES continued ...

- (a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- (b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- (c) to a canteen or mess.

General

1. There shall be a 30 minute "drinking up" time which will allow appropriate dispersal, use of lavatories etc.
- 2.. The licensee shall reserve the right to move the fire appliances, AWP machines, cigarette machines and/or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.
3. There shall be a display of appropriate posters supplied by the Licensing Authority.

The Prevention of Crime and Disorder

1. All alcohol and soft drinks shall be decanted and served in toughened glass.
2. All interior trading areas shall be visible to staff from behind the bar servery.
3. The licensee/staff shall monitor customer behaviour especially during busy periods.
4. There shall be a burglar alarm system in place.
5. Drug prevention measures shall be employed and signs displayed.
6. Door staff shall be managed by the Designated Premises Supervisor/appointed person and to be in the possession of radios whilst on duty at the premises.
7. When in use door supervisors shall determine which customers are permitted entry to the premises and refuse entry to those not considered to be suitable.
8. An incident book shall be kept and all instances of public disorder will be recorded within it.
9. Crime prevention posters shall be displayed on the premises.
10. A banning policy shall be in place.
11. No drunkenness or anti-social behaviour shall be tolerated on the premises.
12. A CCTV system of an evidential standard shall be installed to the satisfaction of the police. The system will cover the bar, lobby, entrance/exit and the outside area. The system shall be in operation at all times the premises are open to the public. All recordings shall be available for a minimum of 14 days. The Designated Premises Supervisor and/or manager will be able to operate the system. Copies of the recordings will be made available to the Licensing Authority and Responsible Authorities upon request and provided within a reasonable time. Should the system be inoperable this will be recorded in the incident book and repaired as soon as is reasonably practicable.

Public Safety

1. All fire fighting equipment shall be serviced annually by ACE Fire Equipment (UK) Limited.
2. There shall be current gas and electric certificates in place.
3. The pub shall promote a licensed taxi service to facilitate its customers making onward journeys.

The Prevention of Public Nuisance

1. There shall be lockable/closed windows.

ANNEXES continued ...

2. The fabric of the building shall retain sound.
3. There shall be a managed customer departure at busy times.

The Protection of Children from Harm

1. AWP's and cigarette machines shall be positioned in sight of the bar counter.
2. No unaccompanied children shall be allowed on the premises.
3. No children shall be allowed on the premises after 21.00.
4. There shall be no striptease and no nudity.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

The Prevention of Crime and Disorder

1. On every occasion that the premises sells alcohol after midnight and then closes after 00.30, SIA door staff shall be employed from 10.00pm until closing.
2. On every occasion that the premises extends its hours of operation for sales of alcohol after midnight and closure to the public after 00.30hrs, from 9.00pm of that operational day, all drinks shall be served in toughened or strengthened glasses and no drinks shall be served in glass bottles from which it is intended or likely that a person shall drink.
3. On every operational day when door supervision is required, then those SIA door supervisors on front of house duties shall wear high visibility clothing for the entirety of their duty.
4. There shall be no entry or new entry to the premises after 00.30 and re-entry after this time shall be subject to a managed supervision system as indicated by the applicant, in particular hand stamping or something similar.

The Prevention of Public Nuisance

1. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Noise should not be audible within any noise sensitive premises with windows open for normal ventilation especially after 11pm. The criteria applied, from boundary to nearest residential property are:
 - (i) Before 11pm - Noise emanating from the premises shall not be clearly distinguishable above other noise.
 - (ii) After 11pm - Noise emanating from the premises shall not be distinguishable above background levels of noise.
 - (iii) The Local Authority shall reserve the right in cases of tonal noise and where premises are attached to others (i.e. semi's and terraced properties) to make further assessments from within the residential property.
2. Doors and windows shall be kept shut during regulated entertainment to reduce noise breakout. A management scheme shall be in place to ensure this situation remains.
3. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the licensee/management.
4. During amplified music and entertainment the door lobbies shall be effectively used throughout the time of entertainment to prevent noise breakout.
5. Amplified live music and entertainment until 00.30 hours shall be limited to Friday and Saturday.
6. Amplified live music and entertainment until 23.30 hours shall be limited to not more than three evenings per week (Sunday-Thursday).

The Protection of Children from Harm

1. All cigarette vending machines must be sited to ensure they are under direct supervision of the staff at all times.

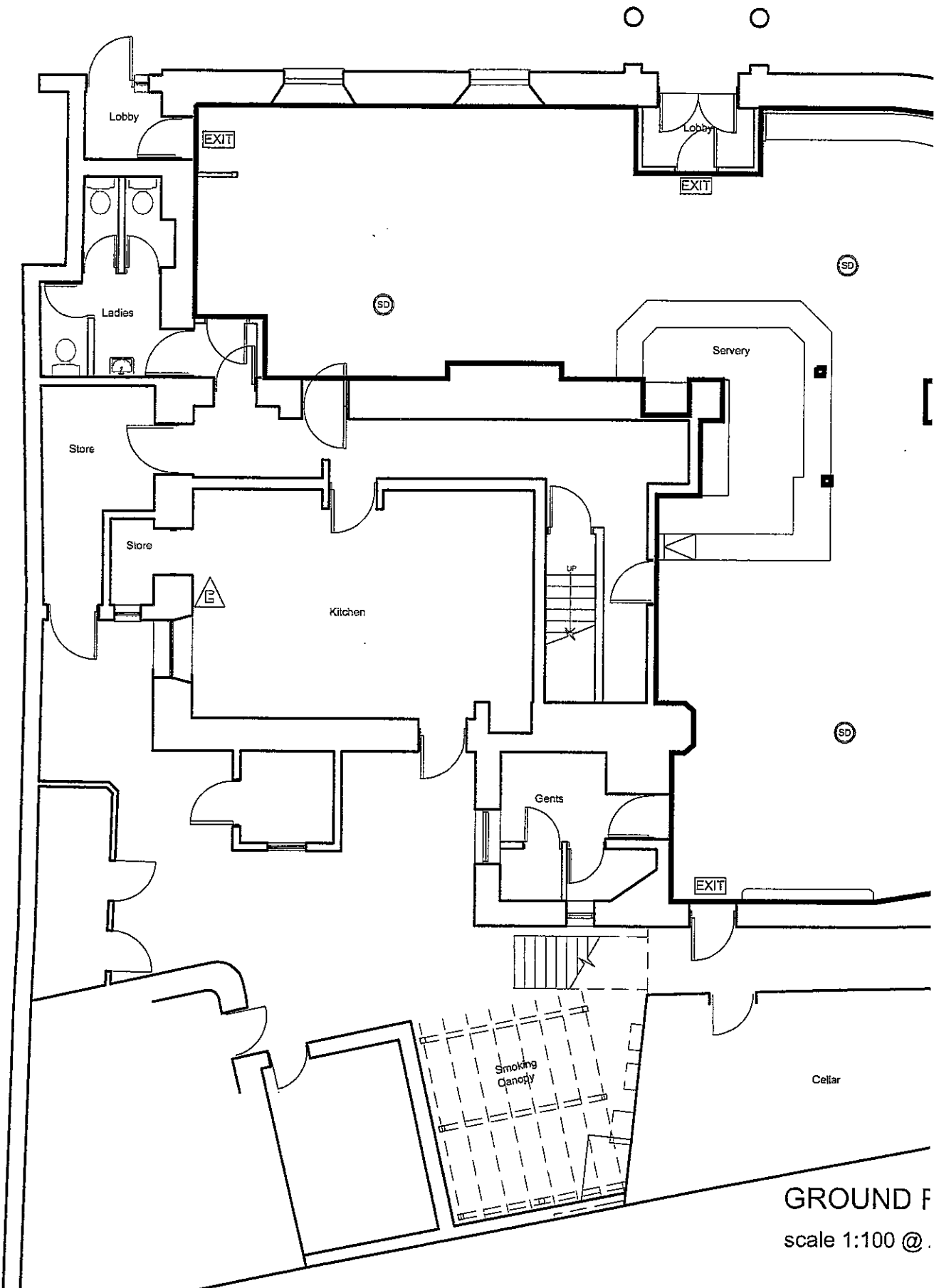
ANNEXES continued ...

2. All Amusement with prizes machines must be sited to ensure they are under direct supervision of the staff at all times.
3. A management system shall be introduced to ensure that staff are aware of the legal requirements relating to underage sales and in particular the prevention of sales from cigarette vending machines to children under sixteen and the prevention from use of AWP machines by those under eighteen.
4. Age identification shall be sought from any person appearing to be under the age of 18 years.
5. Staff shall receive training age identification related to the sale of alcohol.

ANNEXE 4

PLANS

Copy attached to Licence.

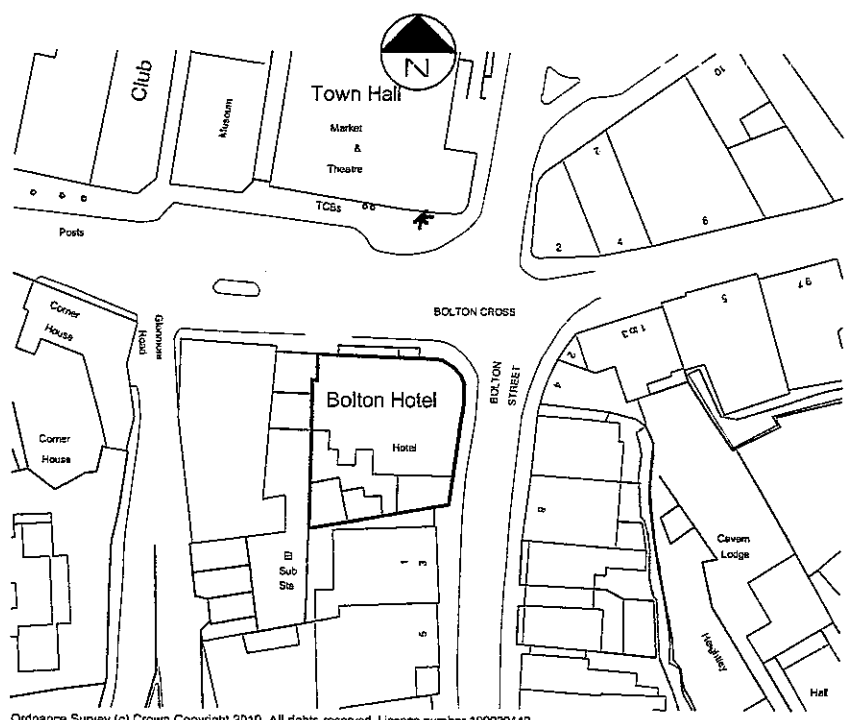
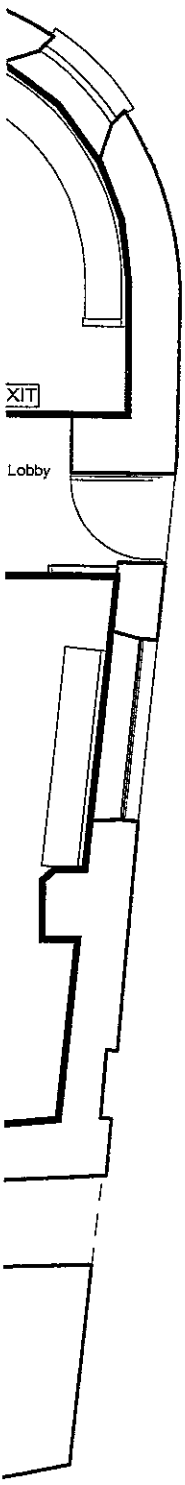


GROUND F
scale 1:100 @ .



designmanagementpartnership
 8 trade street, cardiff, cf10 5dt
 T +44(0)29 2064 4829
 F +44(0)29 2064 4831
 E mail@designmanagementpartnership.com

rev	date	revision note













Ordnance Survey (c) Crown Copyright 2010. All rights reserved. Licence number 100020449

SITE LOCATION PLAN

scale 1:1000 @ A3

KEY

-  All licensable activities
-  Site Boundary
-  Means of Escape
-  Smoke Detector
-  Heat Detector
-  Emergency exit light 3 hour maintained with pictogram
-  Emergency light 3 hour non-maintained
-  Manual Callpoint
-  Fire Extinguisher
-  Fire blanket in container

NOTE:
The current location of fire safety equipment and other safety equipment is shown. This may be subject to variation in the future as necessary and where applicable in liaison with the Fire Officer.

Outside areas to be used for the consumption of alcohol.

OR PLAN

initials Figured dimensions to be used in preference to scaled sizes All dimensions to be checked by the contractor before commencing work and any discrepancies reported to the Architect Drawings to be read in conjunction with Structural Engineers and other consultants drawings. This drawing is the property of designmanagementpartnership. Copyright is reserved by them and the drawing is issued on the condition that it is not copied, reproduced, retained or disclosed to any unauthorised person either wholly or in part without the consent of designmanagementpartnership.	scale @ A3	drawn	check	date	status	job no	rev
	1:1000/1:1000	HJM		26.11.10	Licensing	09,079	-
	title		client		drawing number		
Licensing Plan		Bolton Hotel Exminster for Punch Partnerships		250			
Page 28							



Devon & Cornwall Police

Licensing Team
Torbay Council
C/O Torquay Town Hall
Castle Circus
TORQUAY
TQ1 3DR

Licensing Department East
Devon and Cornwall Constabulary
Force Headquarters
EXETER
EX2 7HQ

Telephone: 01803 218900

24 March 2016

Dear Sir/Madam

The Bolton Hotel, New Road, Brixham, TQ5 8LT

I refer to an application for the Variation of a Premises Licence in respect of the above named premises, submitted by TLT Solicitors on behalf of the applicant, Punch Taverns plc.

For your information, the Bolton Hotel currently has the benefit of Premises Licence Number PL0445 issued by Torbay Council.

The Bolton Hotel is situated at a busy junction within Brixham Town Centre. The surrounding area consists of a mixture of business and residential properties. The premises is currently licensed for the sale of alcohol until midnight on Mondays to Thursdays and 1.00 am on Fridays and Saturdays. The premises must close 30 minutes after the last sale of alcohol. The applicant is seeking within this variation application to extend the sale of alcohol by an additional 1 ½ hrs on Friday and Saturday nights until 2.30 am the following day, with the premises closing 30 minutes thereafter, ie 3.00 am. The premises has a capacity of 170 persons.


The Bolton Hotel is situated a short distance away from Jackz Bar, Parkham Road, Brixham. Jackz Bar is licensed for the sale of alcohol until 2.00 am every day of the week, closing at 3.00 am. At the current time Jackz Bar and the Bolton Hotel are the only premises in Brixham Town Centre with Premises Licences authorising the sale of alcohol after midnight.

Contact the police

Emergency 999

Non-emergency www.devon-cornwall.police.uk/reportcrime

✉ 101@devonandcornwall.pnn.police.uk 101

Follow us  [DevonAndCornwallPolice](https://www.facebook.com/DevonAndCornwallPolice)  [DC_Police](https://twitter.com/DC_Police)

Page 29



The Government Standard
Stock code: SF615

The police have examined the application and consider that the applicant has not given sufficient consideration to the Torbay Council Licensing Statement of Principles 2016-2021 as the proposed operating schedule is lacking in detail. As you will see from the boxes contained on Page M of the application form, the applicants have not outlined any additional measures they intend to take to ensure the Licensing Objectives are met. It is therefore apparent that they have not identified any additional risks associated with their proposed operation and they do not consider that allowing persons to consume alcohol for an additional 1 ½ hrs within their premises, prior to leaving at 3.00 am, will impact in any way on the Licensing Objectives.

I now outline below a number of matters contained within the current Premises Licence that the police consider are not acceptable for a premises now seeking a licence authorising the sale of alcohol until 2.30 am on Fridays and Saturdays:

1. Condition 5 under the heading The Prevention of Crime and Disorder on Page 7 refers to drug prevention matters. The Torbay Council Licensing Statement of Principles 2016 (page 14) recommends that premises have a written Drugs Policy. What does the premises intend to do in respect of illegal drugs and psychoactive substances?
2. Condition 1 under the heading the Prevention of Crime and Disorder on page 8 of the application refers to the employment of SIA door stewards. This condition states that they shall be employed from 10.00 pm until closing time. What will the ratio of door stewards to customers be? Will a female steward be employed? Have the applicants considered the layout of the premises when determining how many stewards will be employed? Will a Door Steward Register be maintained? Page 38 of the Licensing Statement of Principles deals with this matter.
3. Conditions 2 and 3 under the heading the Protection of Children from harm on page 8 of the licence relate to no unaccompanied children being allowed on the premises and no children allowed on the premises after 2100 hrs. Under the Licensing Act 2003, children are those persons under the age of 16 years. Whilst the police are satisfied with these conditions, what measures does the applicant propose to take in respect of 16 and 17 year olds? Are they to be allowed entry to the premises throughout licensing hours and how will they ensure that are not sold or supplied alcohol?
4. Condition 5 under the heading the Protection of Children from Harm on page 9 of the application, refers to staff training in relation to age related sales. Will all staff involved in the sale of alcohol be required to hold the BIIAB Level 1 Award in Responsible Alcohol Retailing as indicated within the Licensing Statement of Principles (page 17)? What training records does the premises management hold in relation to staff training?

5. Conditions 4 and 5 under the heading Protection of Children from harm on page 9 of the licence relate to age related sales. The Torbay Council Licensing Statement of Principles 2016 (page 21) recommends the adoption of a Challenge 25 Policy. The police do not consider that conditions 4 and 5 on the licence are adequate for a premises selling alcohol until 2.30 am.
6. What training will be provided to staff so that they understand the requirements of both the Premises Licence and the broad provisions of the Licensing Act 2003? Again, will they be required to hold the BIIAB Level 1 Award in Responsible Alcohol Retailing?
7. Condition 3 under the heading The Prevention of Public Nuisance on page 8 of the licence states "there shall be a managed customer departure at busy times". What exactly does this mean? Does the premises have a written Dispersal Policy and if so what does it state?
8. Neither the application or the Premises Licence give any information in relation to smokers. What is the premises policy in relation to smokers? Where will they be located and how will they be managed?

In Part 3 of the application, within the box where the applicant gives a brief description of the nature of the proposed variation, I would refer you to the final sentence "All other licensable hours, activities, including the currently permitted times for the upstairs area of the premises, and conditions are to remain unchanged." I am not aware that the 'upstairs area' of the Bolton Hotel is included within the Premises Licence, perhaps the applicants could provide some clarification in respect of this.

In respect of the current management of the premises, Mr Stephen Close has been the Designated Premises Supervisor of the Bolton Hotel since June 2015 and since that time the police have been satisfied with Mr Close's management of the premises.

For your information, the Premises Licence Holder, Punch Taverns plc, do not have a role in the day to day management of the premises. In fact Punch Taverns plc have appointed a holding company known as Pub Solutions to manage this premises, and it appears to be Pub Solutions who are responsible for selecting managers for the premises. Pub Solutions also have no involvement in the day to day management of the premises but in the past a representative of this company has been present at meetings to discuss police concerns or particular incidents.

Since 2007 there have been 8 variations of DPS at the Bolton Hotel and it does not appear that Punch Taverns plc and/or Pub Solutions can find a suitable DPS who is committed to spending a long period of time at the premises. It is the opinion of the police that some of the previous DPS's at this premises have not been suitable to

manage the premises and the police have had many meetings at the premises in the last 10 years in an effort to improve the management of the premises. Due to this the police have concerns that should this application be granted, Mr Close may leave the premises and we may continue to see a regular change of DPS which will have serious implications on the management of the premises, leading to adverse effects on the Licensing Objectives. I have attached a sheet outlining the numerous changes of DPS at the premises for your information.

At the present time in Brixham Town Centre, the majority of licensed premises close 00.30 am on Friday and Saturday nights (see sheet attached). The Bolton Hotel can currently close at 1.30 am on Fridays and Saturdays and Jackz Bar can close at 3.00 am. This provides a staggered dispersal from licensed premises at closing time. Should this application be granted, customers will leave the Bolton Hotel at the same time as those leaving Jackz Bar, which could result in approximately 300 persons out on the street. This will undoubtedly have an impact on noise nuisance, anti social behaviour and disorder within the area and as police resources during the early hours of the morning are already stretched, I have serious concerns about the management of these individuals which must be the responsibility of the premises. Should you be minded to grant this application, I would request that door stewards remain on duty at the Bolton Hotel until all persons have left the area, but I would point out that even if door stewards are on duty this is unlikely to prevent incidents and noise issues from occurring.

Also attached for your information are copies of Forms L10 received by the Licensing Department since July 2013, together with details of crimes and logs at the Bolton Hotel and in the surrounding roads. Please note that in respect of New Road, Fore Street and Bolton Street, we have been unable to break this information down to the immediate vicinity of the Bolton Hotel. However it is my opinion that these roads are dispersal routes from the town centre and therefore customers leaving the Bolton Hotel will use these routes to go home.

I would refer you to the below paragraph which is contained within page 40 of the Licensing Statement of Principles:

'There will be an assumption however that Licensed Premises in residential areas, or where there is proximity to residential properties, will only be allowed to undertake Licensable Activities until 11pm unless detailed consideration and mitigation measures have been proposed to address those concerns. A simple application with no supporting material can be expected to be refused, where relevant representations have been received.'

Although this premises currently operates until 1.30 am on Friday and Saturday nights, they are now seeking to extend their hours until 3.00 am on these nights, which carries a significant risk of impacting on the Licensing Objectives the Prevention of Crime and Disorder and the Prevention of Public Nuisance. As the premises are situated in an area consisting of both business and residential properties and the applicant has not given any consideration to the increased risk or proposed any mitigation measures, the police consider that this paragraph is applicable.

In conclusion, the police object to this application on the grounds that the granting of it will impact on the existing levels of crime and disorder and public nuisance both at the premises and in the area and, as the applicant has not identified any additional measures they propose to implement to ensure that the premises can satisfactorily meet the Licensing Objectives, the police respectfully request that the Licensing Authority refuse this application.

Should you require any further information, please do not hesitate to contact Julie Smart on 01803 218900.

Yours faithfully



Superintendent M Lawler
Territorial Policing & Partnership Department

BOLTON HOTEL, NEW ROAD, BRIXHAM – PL0445

HISTORY OF PREMISES:

24/11/05	Conversion with Grandfather Rights	Premises Licence granted to Punch Taverns. DPS IC Sale of Alcohol: Mon to Sat 1000 – 2300 Sun 1200 – 2230
24/11/05	Variation	Sale of Alcohol: Mon to Sat 1000 – 0000 Sun 1100 – 2330
08/11/07	Change of Supervisor	To MP
28/02/08	Variation	Sale of Alcohol: Monday 1000 – 0000 Tuesday 1000 – 0000 Wed to Sat 1000 – 0100 Sun 1100 – 0000
16/09/09	Change of Supervisor	To AG
12/03/10	Change of Supervisor	To KV
09/07/10	Change of Supervisor	To JC
04/08/10	Change of Supervisor	To GT
24/12/10	Minor variation	
18/07/12	Minor variation	
02/11/12	Change of Supervisor	To KV
10/07/13	Change of Supervisor	To SB
11/06/15	Change of Supervisor	To SC

PUB/CLUB TYPE PREMISES IN BRIXHAM

PREMISES	ADDRESS	SALE OF ALCOHOL	OPENING TIMES
Bolton Hotel	New Road, Brixham	Mon – Thurs 1000 – 0000 Fri – Sat 1000 – 0100 Sun 1100 – 0000	Mon – Thurs 1000 – 0030 Fri – Sat 1000 – 0130 Sun 1100 - 0030
Jackz Bar	Parkham Road, Brixham	Mon – Sat 0900 – 0200	Mon – Sat 0900 - 0300
Blue Anchor	83 Fore Street, Brixham	Mon – Sat 1000 – 0000 Sun 1100 – 2330	Mon – Sat 1000 – 0030 Sun 1100 - 0000
Bullers	4 The Strand, Brixham	Mon – Sat 1100 – 0000 Sun 1200 – 0000	Mon – Sat 1100 – 0030 Sun 1200 - 0030
Crown and Anchor	23 The Quay, Brixham	Mon – Sun 0900 – 0000	Mon – Sun 0900 - 0030
Golden Lion	65 New Road, Brixham	Mon – Sat 1000 – 2300 Sun 1200 – 2230	Mon – Sat 1000 – 2320 Sun 1200 - 2250
Legg Bar	24 Fore Street, Brixham	Mon – Sat 1000 – 0000 Sun 1200 – 2330	Mon – Sat 1000 – 0030 Sun 1200 - 0000
Liberty	11 The Quay, Brixham	Mon – Sun 0700 – 0000	Mon – Sun 0700 - 0030
Maritime Inn	79 King Street, Brixham	Mon – Sun 1100 – 0000	Mon – Sun 1100 - 0030
Rising Sun	5 The Quay, Brixham	Mon – Sun 1000 – 0000	Mon – Sun 1000 - 0030
Sprat and Mackerel	24 The Quay, Brixham	Mon – Sun 1000 - 0000	Mon – Sun 0800 - 0030
Vigilance	5 Bolton Street, Brixham	Mon to Sun 0900 – 0000	Mon to Sun 0700 - 0030

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

BOLTON HOTEL, BRIXHAM

CRIMES AT THE PREMISES

24/11/05 to 22/03/16 – 52 crimes recorded at premises as below, 18 of which (highlighted) occurred after midnight, and 8 of these 18 occurred during the early morning of a Saturday or Sunday

CR/084569/06	19/02/2006 23:00	19/02/2006 23:15	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/084803/06	22/04/2006 17:00	23/04/2006 08:00	Sat	DESTROY / DAMAGE PROPERTY OF A VALUE UNKNOWN
CR/085300/06	13/08/2006 22:00	14/08/2006 00:01	Sun	BURGLARY DWELLING - WITH INTENT TO STEAL
CR/084069/06	01/09/2006 22:50	01/09/2006 23:00	Fri	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/084338/06	03/11/2006 10:30	03/11/2006 11:30	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/084358/06	03/11/2006 22:30	03/11/2006 23:30	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/084379/06	16/11/2006 23:30	17/11/2006 00:15	Thurs	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/073280/08	11/01/2008 23:00	11/01/2008 23:30	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/073558/08	20/01/2008 21:00	20/01/2008 21:25	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/073262/08	14/04/2008 02:30	14/04/2008 02:40	Mon	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTEN
CR/073334/08	06/05/2008 19:15	06/05/2008 19:25	Tues	POSSESS AN OFFENSIVE WEAPON IN A PUBLIC PLACE
CR/073691/08	30/08/2008 23:00	31/08/2008 14:00	Sat	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/073702/08	05/09/2008 21:55	05/09/2008 22:01	Fri	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/073753/08	13/09/2008 19:00	13/09/2008 23:59	Sat	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/072841/08	24/10/2008 00:59	24/10/2008 01:00	Fri	CRIMINAL DAMAGE TO PROPERTY UNDER £5000 - OTHER
CR/066475/09	16/02/2009 22:00	16/02/2009 22:30	Sat	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/066640/09	20/03/2009 16:00	20/03/2009 16:30	Thurs	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/067214/09	07/09/2009 21:50	07/09/2009 22:30	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

CR/066364/09	19/11/2009 00:30	19/11/2009 00:31	Wed	DESTROY/DAMAGE PROPERTY OF A VALUE UNKNOWN - NOT DWELLING
CR/060070/10	29/01/2010 20:00	29/01/2010 20:30	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/060391/10	01/05/2010 23:37	01/05/2010 23:55	Sat	POSSESS A CONTROLLED DRUG OF CLASS A - COCAINE
CR/060835/10	02/09/2010 15:00	02/09/2010 19:00	Thurs	DRUNK IN CHARGE OF A CHILD UNDER THE AGE OF SEVEN YEARS
CR/059802/10	19/09/2010 00:15	19/09/2010 00:20	Sun	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTENT
CR/059993/10	18/11/2010 20:00	18/11/2010 20:10	Thurs	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/060424/11	24/04/2011 23:00	24/04/2011 23:30	Sun	COMMON ASSAULT
CR/104693/11	24/04/2011 23:20	24/04/2011 23:27	sUN	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTEN
CR/060484/11	19/06/2011 02:28	19/06/2011 02:29	Sun	POSSESS A CONTROLLED DRUG OF CLASS A - MDMA
CR/060573/11	16/07/2011 23:05	16/07/2011 23:09	Sat	DESTROY / DAMAGE PROPERTY OF A VALUE UNKNOWN - NOT DWELLING
CR/060633/11	31/07/2011 21:00	01/08/2011 11:00	Sun/Mon	BURGLARY OTHER THAN DWELLING WITH INTENT TO STEAL
CR/059403/12	28/04/2012 00:45	28/04/2012 01:10	Sat	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/059479/12	22/05/2012 00:05	22/05/2012 00:15	Tues	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTENT
CR/059480/12	22/05/2012 00:15	22/05/2012 00:20	Tues	POSSESS A CONTROLLED DRUG OF CLASS B - CANNABIS RESIN
CR/059541/12	04/06/2012 01:30	04/06/2012 02:00	Mon	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/059584/12	17/06/2012 20:00	17/06/2012 22:00	Sun	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/059715/12	01/08/2012 22:45	01/08/2012 22:50	Wed	COMMON ASSAULT
CR/115377/12	01/11/2012 22:00	02/11/2012 00:01	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/107581/13	27/09/2013 18:00	27/09/2013 21:22	Fri	COMMUNICATIONS ACT 2003
CR/058226/13	03/11/2013 00:00	03/11/2013 01:00	Sun	COMMON ASSAULT
CR/107641/13	28/12/2013 22:05	28/12/2013 22:15	Sat	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/063876/14	22/03/2014 01:20	22/03/2014 01:30	Sat	CRIMINAL DAMAGE TO PROPERTY UNDER £5000 - OTHER
CR/051763/14	02/04/2014 17:39	02/04/2014 19:05	Wed	POSSESS A CONTROLLED DRUG OF CLASS B - CANNABIS RESIN
CR/070709/14	02/04/2014 18:00	02/04/2014 19:10	Wed	POSSESS A CONTROLLED DRUG OF CLASS B - AMPHETAMINE
CR/051850/14	02/05/2014 22:35	02/05/2014 23:02	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/088705/14	11/07/2014 00:15	11/07/2014 00:20	Fri	CRIMINAL DAMAGE TO PROPERTY UNDER £5000 - BUILDING NOT DWELLING

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

CR/108991/14	12/09/2014 23:30	12/09/2014 23:35	Fri	COMMON ASSAULT
CR/106759/14	12/09/2014 23:35	12/09/2014 23:40	Fri	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/120834/14	08/11/2014 00:30	08/11/2014 00:39	Sat	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/120836/14	08/11/2014 00:30	08/11/2014 00:39	Sat	COMMON ASSAULT
CR/123157/14	13/11/2014 22:00	14/11/2014 00:10	Fri	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/123302/14	18/11/2014 13:00	18/11/2014 13:30	Tues	POSSESS WITH INTENT TO SUPPLY A CONTROLLED DRUG OF CLASS B
CR/055227/15	01/04/2015 09:00	10/04/2015 09:00	Fri	THEFT IN DWELLING OTHER THAN AN AUTOMATIC MACHINE OR METER
CR/089393/15	24/12/2015 23:00	25/12/2015 01:00	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING

LOGS - CALLS RECEIVED ABOUT THE PREMISES

14 logs since 2012 (when Storm was introduced), of which the below 14 (highlighted) occurred after midnight and 10 of these 14 occurred during the early hours of a Saturday or Sunday morning.

DATE	TIME	DAY	LOG NO	INCIDENT TYPE
08/08/12	1320	Wed	0358	Concern for elderly lady staying at hotel
15/09/12	2158	Sat	0919	Male becoming aggressive. Doorman asked for police to be around in area when it kicks off. Advised we can not just wait outside.
02/10/12	1720	Tues	0532	Being chased and threatened after disorder in premises
14/10/12	0012	Sun	0021	Large fight outside premises. One male arrested D&D FB/12/1106 refers
11/11/12	2042	Sun	0781	Strange male asking people to punch him outside premises. Male not there on police attendance.
24/01/13	1749	Sun	0543	Male in breach of bail inside the Bolton
28/02/13	2132	Thurs	0798	Extremely drunk female becoming aggressive in premises, tried

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

				to hit member of staff with a bar stool. No complaint of assault
17/07/13	2048	Wed	0948	White powder found in toilets
20/07/13	1236	Sat	2322	Male kicking off having been ejected by doorstaff. S27 issued
13/08/13	2314	Tues	1047	Partner has been assaulted in premises. Crimed FB/13/814
17/08/13	0040	Sat	0055	Male kicking off and refusing to leave. Male eventually left area
27/09/13	2044	Fri	0779	Problems with an individual on Facebook
04/10/13	1124	Fri	0268	Domestic. RP has taken refuge at premises
17/10/13	0019	Thurs	0015	Someone being aggressive. Premises confirmed 2 persons had been requested to leave
27/10/13	0018	Sun	0026	6-8 people refusing to leave premises. Security thought he would need a hand ejecting but they eventually left
02/11/13	1520	Sat	0556	Male stabbed in abdomen and staggered into premises. Crimed FB/13/1151
02/12/13	2243	Mon	0888	Found handgun in room above premises. Caller states the previous occupants left items behind
15/12/13	0341	Fri	0163	Noise from hotel. Caller heard screaming but stated it didn't sound like someone in distress, just general noise nuisance. Caller stated it happens every weekend. EHO advice given.
28/12/13	2215	Thurs	0708	RP has been assaulted. Crimed FB/13/1330
05/01/14	0241	Sun	0088	Very noisy domestic between 2 lodgers at premises. FB/14/00014/N
06/02/14	1628	Thurs	0417	Caller states persons with a stolen property are in premises
22/03/14	0136	Sat	0052	Disorder on premises. Lots of shouting and screaming, refusing to leave. Person then went outside and smashed a window. FB/14/321
02/04/14	1739	Wed	0631	Possible drug deal just taken place. Males just gone back in premises. FB/14/358
16/05/14	2343	Fri	0981	Police officer requiring urgent assistance having witnessed large fight outside the Bolton between two groups. One in custody.
11/07/14	0020	Fri	0027	Smashed window. Male refused alcohol has smashed window

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

				and walked off. CR/88705/14
03/08/14	0048	Sun	0060	Altercation with female who threw drink in his face. Police attended, no offences
13/09/14	0325	Sat	0138	Caller assaulted within beer garden by being headbutted. CR/106759/14
13/09/14	1708	Sat	0657	Male refusing to leave pub. S27 issued
21/09/14	0212	Sun	0179	Linked to log 178 – no further info
02/10/14	2036	Thurs	0800	Information re domestic incident
08/11/14	0039	Sat	0037	Door staff assaulted. CR/120836/14
30/03/15	0132	Mon	0026	Large fight outside premises. Area search, no trace of persons
17/04/15	2103	Fri	0821	Male punching female. Female is in premises.
10/05/15	0044	Sun	0054	Vulnerable male in drink and may get violent. Area search, no trace of male
25/05/15	2006	Mon	0726	Concern for a child. Parents seen drunk at premises earlier in day.
13/06/15	1103	Sat	0274	Report of a domestic incident at premises on 2/06/15
12/08/15	1718	Wed	0671	Callers partner is in Bolton and is getting drunk. Has a history of violence when in drink. No immediate concerns. Advised to ring back if anything happens.
05/09/15	2332	Sat	0903	Fight between two males broken up by door staff. One has a head injury and 3 cuts to head and muscle injury to arm.
18/09/15	2148	Fri	0842	Male drinking at premises all evening will be driving home soon. Details circulated.
26/12/15	2323	Sat	0749	Fight. 18 yr old male has put his hand through a window.
01/01/16	0045	Fri	0085	Male assaulted. Male entered premises with lump to head and crying. Said he was assaulted at another premises.

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

GENERAL AREA

CRIMES THAT OCCURRED IN THE ROAD

BOLTON STREET, BRIXHAM

01/01/13 to 22/03/16 – 44 crimes recorded in the road, of which the below 14 occurred after midnight and 10 of these 14 occurred during the early hours of a Saturday or Sunday morning.

CR/058566/13	21/04/2013 02:30	21/04/2013 02:57	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/058584/13	25/04/2013 05:05	25/04/2013 05:15	Thurs	DESTROY / DAMAGE PROPERTY OF A VALUE UNKNOWN - VEHICLE
CR/059015/13	31/08/2013 05:34	31/08/2013 05:35	Sat	DRUNK AND DISORDERLY IN A PUBLIC PLACE
CR/137965/13	03/11/2013 03:00	03/11/2013 03:57	Sun	SECTION 18 - GRIEVOUS BODILY HARM WITH INTENT
CR/058257/13	10/11/2013 01:47	10/11/2013 01:50	Sun	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTENT
CR/116567/13	15/12/2013 01:20	15/12/2013 01:45	Sun	DRUNK AND DISORDERLY IN A PUBLIC PLACE
CR/125275/13	28/12/2013 03:54	28/12/2013 03:56	Sat	POSSESS A CONTROLLED DRUG OF CLASS A - COCAINE
CR/125274/13	28/12/2013 03:54	28/12/2013 03:55	Sat	DRUNK AND DISORDERLY IN A PUBLIC PLACE
CR/032708/14	10/01/2014 00:10	10/01/2014 00:13	Fri	COMMON ASSAULT
CR/093988/14	27/07/2014 01:00	27/07/2014 01:30	Sun	USE THREATENING / ABUSIVE / INSULTING WORDS / BEHAVIOUR
CR/046565/15	04/07/2015 03:50	04/07/2015 03:56	Sat	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/074133/15	25/10/2015 02:00	25/10/2015 02:05	Sun	ROBBERY
CR/000169/16	01/01/2016 01:15	01/01/2016 01:31	Fri	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/000171/16	01/01/2016 01:15	01/01/2016 01:31	Fri	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM

BOLTON CROSS, BRIXHAM

24/11/05 to 22/03/16 - None recorded.

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

FORE STREET, BRIXHAM

01/01/13 to 22/03/16 - 55 crimes recorded in the road, of which the below 7 occurred after midnight, and 5 of these 7 occurred during the early hours of a Saturday or Sunday morning.

CR/058797/13	18/01/2013 02:10		Fri	THEFT FROM THE PERSON OF ANOTHER
CR/058395/13	22/02/2013 01:00	22/02/2013 02:00	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/058494/13	31/03/2013 00:40	31/03/2013 00:50	Sun	USE THREATENING / ABUSIVE / INSULTING WORDS / BEHAVIOUR TO CAUSE HARASSMENT / ALARM / DISTRESS
CR/136061/13	10/11/2013 02:00	10/11/2013 02:12	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/113058/14	20/09/2014 00:45	20/09/2014 00:50	Sat	POSSESS A CONTROLLED DRUG OF CLASS B - CANNABIS / CANNABIS RESI
CR/131794/14	21/12/2014 00:30	21/12/2014 00:35	Sun	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTENT
CR/064263/15	13/09/2015 00:30	13/09/2015 00:40	Sun	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTENT

NEW ROAD, BRIXHAM

01/01/13 to 22/03/16 – 43 crimes recorded in the road, of which the below 12 occurred after midnight, and 11 of these 12 occurred during the early hours of a Saturday or Sunday morning.

CR/058387/13	03/02/2013 01:30	03/02/2013 02:00	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/116551/13	06/10/2013 02:00	06/10/2013 02:30	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/058344/13	21/12/2013 01:50	21/12/2013 01:55	Sat	AFFRAY
CR/058345/13	21/12/2013 01:50	21/12/2013 01:55	Sat	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/098905/14	17/08/2014 02:40	17/08/2014 02:50	Sun	THEFT - OTHER - INCLUDING THEFT BY FINDING

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

CR/108590/14	21/09/2014 02:00	21/09/2014 02:10	Sun	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTENT
CR/109176/14	21/09/2014 01:50	21/09/2014 02:10	Sun	SECTION 18 - GRIEVOUS BODILY HARM WITH INTENT
CR/059510/15	21/09/2014 01:50	21/09/2014 02:10	Sun	USE THREATENING / ABUSIVE / INSULTING WORDS / BEHAVIOUR WITH INTENT
CR/067772/15	29/09/2015 00:05	29/09/2015 00:12	Mon	POSSESS KNIFE BLADE / SHARP POINTED ARTICLE IN A PUBLIC PLACE - CRIMINAL JUSTICE ACT 1988
CR/118802/14	01/11/2014 02:15	01/11/2014 02:28	Sat	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HAR
CR/010388/15	14/02/2015 01:00	14/02/2015 01:09	Sat	COMMON ASSAULT
CR/042962/15	21/06/2015 02:35	21/06/2015 02:38	Sun	IN CHARGE OF MOTOR VEHICLE - ALCOHOL LEVEL ABOVE LIMIT

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

STORM LOGS FOR GENERAL AREA

BOLTON CROSS, BRIXHAM

Since 01/01/13 the below 4 logs were recorded after midnight, and all 4 of these occurred during the early hours of a Saturday or Sunday morning

13/09/14	0416	Sat	0162	Disturbance, male seen with machete
19/10/14	0315	Sun	0174	Fight, group of 10. Area search, no trace
26/10/14	0140	Sun	0161	Large fight, outside Jackz, about 20+ people. Police attended, lots of people standing around but no one saying anything
18/04/15	0117	Sat	0077	10 persons fight, heading towards Vigilance, one has a plank. Area searched, no trace.

BOLTON STREET, BRIXHAM

Since 01/01/13 the below 14 logs were recorded after midnight, and 10 of these 14 occurred during the early hours of a Saturday or Sunday morning.

01/01/13	0516	Tues	0607	Caller saw a female in alleyway next to her drop her trousers. Female is refusing to move.
10/02/13	0016	Sun	0025	Male headbutted female. Male walking up Bolton Street, female with another male further down. Non crime domestic.
14/02/13	0052	Thurs	0023	Drunk female falling in road, struggling to walk. Now near hospital.
06/03/13	0150	Wed	0045	Caller heard loud bang and people running. Near camera shop, alarm is now going off. Description of male given and he looked in drink. Area search, no trace.
21/04/13	0257	Sun	0159	Caller and her friend assaulted. Offenders ran up behind them

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

				and attacked them both for no reason. FB/13/367
05/07/13	0120	Fri	0050	2 drunks causing a disturbance, have thrown a gas canister into the road. Area search, no trace
03/11/13	0255	Sun	0182	Caller said there is a dozen youths in the road fighting with each other. Duplicate log.
03/11/13	0254	Sun	0181	Large group fighting and saying they are going to kill each other. Males and females, about 20 in total. Male located with injuries, refused details and obstructive.
15/12/13	0125	Sun	0082	Possible window broken. Caller heard disturbance involving 2 females.
13/07/14	0009	Sat	0018	Fight, male laid out on pavement. Police attended. Male is alleged to have fallen.
31/01/15	0154	Sat	0080	Male being verbally abusive to people near the library. Police units have just left area. Male now fighting in street. Male left area prior to police arrival.
30/08/15	0016	Sun	0037	6 persons fighting. Girl may have had a bottle smashed on her head. 1 has taken his shirt off. Log 35 also created and all updates to be placed on that log.
30/08/15	0015	Sun	0035	Sounds of fighting. Been going on for approx half an hour. Out on the street, lots of shouting. Officers attended, no offences.
03/01/16	0028	Sun	0030	Fight outside Wetherspoons. No allegations of assault

Page 45

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

FORE STREET, BRIXHAM

Since 01/01/13 the below 23 logs were recorded after midnight, and 14 of these 23 occurred during the early hours of a Saturday or Sunday morning.

18/01/13	0237	Fri	0054	Wallet grabbed, about 20 mins ago at Lloyds Bank.
31/03/13	0050	Sun	0049	Male making threats. In company with 3 other males. No police resources in area.
05/06/13	0036	Wed	0017	Threats with a knife. Reporting person identified as a vulnerable male with mental health issues.
15/06/13	0101	Sat	0063	Male has threatened to slip reporting persons throat. Male is now back in the pub. Police attended and dealt with matter.
24/08/13	0135	Sat	0093	Drunks shouting and threatening. There are 3 males and one female shouting and arguing. One male is holding a bottle.
28/08/13	0049	Wed	0026	5 youths banging something. Sounds like metal being banged. Also a female with them. Area searched, no trace
29/08/13	0024	Thurs	0028	Suspicious males banging on windows. Tried to ring caller back, no answer
22/09/13	0441	Sun	0211	Suspicious males , possibly 4 or 5 in Fore Street by the harbour. Area search, no trace
09/10/13	0020	Wed	0014	Caller wants to make a complaint against police re attendance at another log
10/11/13	0212	Sun	0108	Male and female, domestic incident. One in custody.
27/02/14	0425	Thurs	0068	Female has been assaulted by partner. She had to leave home and has come round to callers home in a drunken state.
13/04/14	0300	Sun	0148	Male grabbing female, female keeps screaming for the male to get off her, going towards Bolton Street. Police attended and took female home
08/07/14	0022	Tues	0019	6-7 youths have nicked large wheelie bin with green lid and rode off down road in it

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

30/11/14	0055	Sun	0089	30 youths causing nuisance by bus station. Youths spoken to by police
01/02/15	0029	Sun	0031	Youths causing a disturbance, for last 30 mins has been disturbed by a group of youths shouting and screaming. Attended area, no one there.
15/02/15	0056	Sun	0052	Fight, man unconscious. 5 to 7 people fighting, one was unconscious on ground but is being carried off. RP was woken and heard a woman saying get off my boyfriend. Area search, no trace
18/04/15	0117	Sat	0078	Possible fight in street, group of about 15-20 involved, now heading towards Vigilance
26/04/15	0158	Sun	0077	Reporting person has been attacked, kicked in the face and stamped on.
26/04/15	0158	Sun	0076	Duplicate of above log
16/05/15	0257	Sat	0155	Two men and woman shouting. Police attended and spoke to a member of the public. No offences
27/08/15	0035	Thurs	0024	No information recorded
22/09/15	0049	Tues	0025	Reporting persons had had cans thrown at them
24/10/15	0101	Sat	0043	Very noisy party in the flat about the Sue Ryder Shop. On going issues with people who live there. EHO advice given.

NEW ROAD, BRIXHAM

Since 01/01/13 the below 32 logs were recorded after midnight, and 18 of these 32 occurred during the early hours of a Saturday or Sunday morning.

17/08/13	0252	Sat	0170	Large fight outside a pub. Line cleared. Attempted to ring back but straight to answer phone. CCTV identified large group outside Jackies and the Bolton but they do not appear to be fighting.
01/09/13	0450	Sun	0252	3 teens in drink causing disturbance and lying in road near a

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

				guest house
06/10/13	0235	Sun	0158	Male kick to head, offender has run off. Bolton Hotel
13/12/13	0053	Fri	0022	Road rage in last few days
18/12/13	0109	Wed	0034	Suspicious vehicle did handbrake turn
26/01/14	0140	Sun	0162	Large fight outside Jackies Bar. Lot of shouting and screaming.
05/07/14	0454	Sat	0194	Sounds of screaming, cannot pinpoint where its coming from
23/08/14	0207	Sat	0105	Youths arguing outside Jackies Bar. No units available
12/09/14	0232	Fri	0082	Males trying car doors by the Job Centre
21/09/14	0210	Sun	0178	3-4 people beating up 1 person, outside Jackies.
22/09/14	0424	Mon	0085	Suspicious activity, People wandering through Saxon Heights
01/11/14	0228	Sat	0187	Male hit female by Job Centre. Male ran off.
01/11/14	0133	Sat	0130	Drink driver stopped from driving.
14/02/15	0109	Sat	0052	Assistance shout from office.
14/03/15	0258	Sat	0118	3 males fighting near Monksbridge end. Officers attended and dealt with matter.
02/04/15	0138	Thurs	0031	Group of around 8 males acting suspiciously. Seen by Wetherspoons. Males spoken to.
11/04/15	0444	Sat	0136	Suspected drink driver, vehicle is all over the road. Officers dealt with matter
03/06/15	0124	Wed	0037	Drunk people outside banging on callers door. All units committed. Caller rang back, they had all gone.
21/06/15	0238	Sun	0110	Suspected drink driver. Details circulated
12/07/15	0346	Sun	0217	Fight outside the pharmacy. No offences
12/07/15	0345	Sun	0214	Youths throwing bottles and screaming. Group then moved down street.
22/07/15	0155	Wed	0064	15 youths throwing litter outside garage
22/07/15	0128	Wed	0055	15 youths setting fire to paper and throwing it around
23/08/15	0333	Sun	0231	Male with a knife. Log later updated that he had driven off
02/09/15	0011	Wed	0008	Possible drink driver. He is in pub now but will leaving soon.
29/09/15	0004	Tues	0007	Saw male with a knife. Male detained.
01/01/16	0248	Fri	0335	Patient assaulted, kicked to head. Male had been to Bolton

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

				Hotel, he is fine, spoken to by police.
16/01/16	0010	Sat	0013	Female very scared and cold saying she is not feeling well.
21/01/16	0139	Thurs	0031	Possible issues with covers in road. Update re drain cover raised and causing possible hazard.
08/02/16	0214	Mon	0054	Bicycle in middle of road. No one seen nearby. Police attended, bike had been moved
21/02/16	0301	Sun	0145	Group of youths causing problems outside Parkham Service Station. Making a lot of noise, shouting and disturbing local residents.
21/02/16	0112	Sun	0077	Domestic in street. Near the church. He is beating up his girlfriend. Member of public spoken to by police, nothing seen

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).



Devon & Cornwall Police
Building safer communities together

Form No. L10
Rev. 10/2012

Alcohol / Licensing Information Form

File No.:	Computer URN:	Minute No.:
-----------	---------------	-------------

To be completed for any alcohol related incident or for information on any licensed premises. When attending an incident please use the reverse of this form to record as much detail as operationally possible. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Report type: <input type="checkbox"/> Visit <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Other	Date:	Time:
OIS Ref.:	Crime No.:	
Name of premises (where applicable): BOLTON HOTEL		
Address: NEW ROAD BRIXHAM		
Brief summary / action taken:		
Designated Premises Supervisor (DPS) on the premises? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Name of DPS (or person in charge if no DPS):		
<input checked="" type="checkbox"/> Helpful <input type="checkbox"/> Unhelpful <input type="checkbox"/> Obstructive Other:		
LOG 948 17072013 CALLED IN BY DPS WHO WAS VERY PRO POLICE. I HAVE GIVEN HER MY CONTACT DETAILS AND SHE WELCOMES THE POLICE INTO HER PUB AND WANTS US TO WALK IN AND CHECK THE SMOKING AREA WHERE SHE BELIEVED THIS INCIDENT OCCURRED. BRIEF DETAILS SHE STATED TO MYSELF SHE HAS ASKED PEOPLE NOT TO SMOKE ANY CANNABIS IN THE SMOKING AREA AND SHE STATED WHEN THE FISHERMEN ARE IN FROM SEA SOME OF THEM WILL USE COCAINE, THEY SNORT IT FROM COINS. SHE LOCATED A COIN WITH WHITE POWDER ON IT AND IMMEDIATELY PHONED THE POLICE.		
Submitted by: Name: KARL COPIK	Force No.: 30544	
Signed: K.COPIK	Date: 18/07/2013	Time: 1623
Officers present at inspection:		

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Administration:

1. Premises Licence (summary displayed)? Yes No
(It should be displayed in the public area)
2. Premises Licence (complete) produced to officers? Yes No
(A constable can request to see full licence)

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No
 Incident captured? Yes No
 Image quality? Good Poor Other:
 Working at time of visit? Yes No
 Staff able to download? Yes No
2. Door staff on duty? Yes No If Yes, number:
 SIA licensed? Yes No
 Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers:
5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises?
3. How is this publicised?
4. Do staff appear trained in proof of age? Yes No

Any other information:



Alcohol / Licensing Information Form

File No.:		Computer URN:		Minute No.:	
-----------	--	---------------	--	-------------	--

To be completed for any alcohol related incident or for information on any licensed premises. When attending an incident please use the reverse of this form to record as much detail as operationally possible. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Report type: <input type="checkbox"/> Visit <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Other	Date: 20-07-13 Time: 2333
OIS Ref.: 1236	Crime No.:
Name of premises (where applicable): BOLTON HOTEL	
Address: NEW ROAD, BRIXHAM	

Brief summary / action taken:

Designated Premises Supervisor (DPS) on the premises? Yes No

Name of DPS (or person in charge if no DPS):

Helpful Unhelpful Obstructive Other:

Male became annoyed that door staff had seized possible drugs from a male and had not reported it to the police. Male was then asked to leave but continued to voice his opinion. we attended and gave the male a section 27. We also sized the drugs which were only very small trace ammounts which were held in the till after being taken from a male at about 2100.

Submitted by: Name: Mark Hobbs

Signed: M.C.Hobbs

Date: 21-07-13

Force No.: 74556

Time: 0022

Officers present at inspection:

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Administration:

1. Premises Licence (summary displayed)? Yes No
(It should be displayed in the public area)
2. Premises Licence (complete) produced to officers? Yes No
(A constable can request to see full licence)

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No
Incident captured? Yes No
Image quality? Good Poor Other:
Working at time of visit? Yes No
Staff able to download? Yes No
2. Door staff on duty? Yes No If Yes, number: 0130 0176 9485 5356 & 0130 0175 9549 1168
SIA licensed? Yes No
Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers:
5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises? Over 25
3. How is this publicised? Posters
4. Do staff appear trained in proof of age? Yes No

Any other information:

2013

To whom It may concern,

I am sorry that I have not been able to put my name to this letter but I could not risk the chance that somebody found out I reported the public house in question, the last time I complained to the pub I got told to "do one" and that they knew where I lived to come and sort me out should I still have something to say!

The Bolton Hotel, New Road, Brixham is run by a lady called [REDACTED], she I understand works for a company that takes on problem pubs that cannot be sold or leased, well this pub is truly one. [REDACTED], I can understand wants to earn money but at the expense of public safety this is totally unacceptable.

I have a son and a daughter that used to always go in the Bolton but have recently stopped doing so because of the amount of drugs that are openly being sold and taken, my son particularly was always being asked did he want any pills or coke then when declining having to suffer an array of abuse about being a good little boy! There is security at the pub at the weekends but they show no interest and tend to spend most of the evening stood on the front door surely such a big pub should have more than two security staff? This pub has had a fair share of incidents over the years, including a tragic death, various serious assaults, a glassing of the landlord, burglaries and recently a stabbing of one of its live in tenants recently a friend of mine witnessed a certain [REDACTED] going behind the bar to put the kettle on, he then put sugar in the kettle and was going to throw this over a customer in the pub, luckily for everyone concerned, he was stopped and told to leave, my friend then was told [REDACTED] was barred but then was back in the pub drinking the very next day! whatever next, no control at all, this is a pub run by its customers and not nice ones either.

The Bolton I have heard from my daughter is open later this coming weekend, how can a pub that is not run properly be let to have music till the early hours of the morning and no noise control, doors left open, windows open, totally no respect for neighbours at all, why are they allowed to do this? [REDACTED] also runs the [REDACTED] in Brixham and trying to take over [REDACTED], brixham, how can this work, who's going to be controlling what goes on, if it is within your resources maybe it would be a good idea for you to go in there in plain clothes and see what goes on there so we don't have to be worried sick should are sons and daughters frequent this premises.

Yours faithfully

A very worried mother and neighbour
cc Devon and Cornwall police
Licensing department



Alcohol / Licensing Information Form

File No.:		Computer URN:		Minute No.:	
-----------	--	---------------	--	-------------	--

To be completed for any alcohol related incident or for information on any licensed premises. When attending an incident please use the reverse of this form to record as much detail as operationally possible. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Report type: <input type="checkbox"/> Visit <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Other	Date: 28/12/13 Time: 2245
OIS Ref.: 708 - 28/12/13	Crime No.: FB/13/1330
Name of premises (where applicable): Bolton Hotel	
Address: Bolton Street, Brixham	
Brief summary / action taken:	
Designated Premises Supervisor (DPS) on the premises? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Name of DPS (or person in charge if no DPS):	
<input type="checkbox"/> Helpful <input checked="" type="checkbox"/> Unhelpful <input type="checkbox"/> Obstructive Other:	
Report of an assault in the premises. Upon arrival RP stated he would not speak to officers near premises as DPS did not want Police attendance.	
Incident was a assault between 2 locals with known issues. Doorstaff tols both parties about each other when they arrived.	
DPS was trying to discourage the RP reporting incident. Because the RP reported the incident she banned the RP from the premises. DPS was trying to stop Police entering pub and did not want to allow police to view cctv at the time of the offence. After some persuasion CCTV was viewed and seized.	
Submitted by: Name: CAYLESS	Force No.: 16376
Signed:	Date: 28/12/13 Time: 2230
Officers present at inspection:	
PC 6643 Perrin, PC 2856 BIRCH	

Licensed Premises Visit Checklist

Any Information from these checks to be included in 'Brief summary' overleaf.

Administration:

1. Premises Licence (summary displayed)?
(It should be displayed in the public area) Yes No
2. Premises Licence (complete) produced to officers?
(A constable can request to see full licence) Yes No

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No
Incident captured? Yes No
Image quality? Good Poor Other:
Working at time of visit? Yes No
Staff able to download? Yes No
2. Door staff on duty? Yes No If Yes, number:
SIA licensed? Yes No
Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers:
5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises?
3. How is this publicised?
4. Do staff appear trained in proof of age? Yes No

Any other information:



Alcohol / Licensing Information Form

File No.:		Computer URN:		Minute No.:	
-----------	--	---------------	--	-------------	--

To be completed for any alcohol related incident or for information on any licensed premises. When attending an incident please use the reverse of this form to record as much detail as operationally possible. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Report type: <input checked="" type="checkbox"/> Visit <input type="checkbox"/> Incident <input type="checkbox"/> Other	Date: 8/1/14 Time: 1345
OIS Ref.:	Crime No.:
Name of premises (where applicable): BOLTON HOTEL	
Address: BOLTON STREET BRIXHAM	
Brief summary / action taken:	
Designated Premises Supervisor (DPS) on the premises? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Name of DPS (or person in charge if no DPS): [REDACTED]	
<input checked="" type="checkbox"/> Helpful <input type="checkbox"/> Unhelpful <input type="checkbox"/> Obstructive Other:	
Polite and helpful and appeared pro Police	
Submitted by: Name: KARL COPIK	Force No.: 30544
Signed: K.COPIK	Date: 8/1/14 Time: 1345
Officers present at inspection:	
NONE	

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Administration:

1. Premises Licence (summary displayed)?
(It should be displayed in the public area) Yes No
2. Premises Licence (complete) produced to officers?
(A constable can request to see full licence) Yes No

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No
Incident captured? Yes No
Image quality? Good Poor Other:
Working at time of visit? Yes No
Staff able to download? Yes No
2. Door staff on duty? Yes No If Yes, number: N/A WEDNESDAY LUNCHTIME
SIA licensed? Yes No
Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers: DOOR STAFF HAVE CLICKER SYSTEM
5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises? DRIVING LICENCE
3. How is this publicised? POSTER WITH NO BUYING ALCOHOL FOR UNDER 18 ON DISPLAY
4. Do staff appear trained in proof of age? Yes No

Any other information:

REQUEST POSTERS RE SALE NO SALE OF ALCOHOL TO UNDER 18'S

CAN IT BE NOTED PLEASE I VISITED THE MALE TOILETS AND USED A COCAINE SWAB ON THE TOP OF URINALS, THE URINALS WERE WET WITH CONDENSATION HOWEVER THE SWABS DID TURN BLUE WHICH MEANS A POSITIVE RESULT FOR EVIDENCE OF COCAINE. SHAN WAS TOLD THIS AND WASN'T SURPRISED, SHE STATED SHE BELIEVES UNKNOWN CUSTOMERS DO TRY AND SNIFF THE COCAINE OFF OF COINS AS SHE FINDS 1P AND 2P' COINS IN THE BOTTOM OF THE TOILET, I EXPLAINED I WOULD BE VISITING ALL LICENSED PREMISES MORE OFTEN AS I AM THE NEW PCSO FOR BRIXHAM AND SHE WAS VERY PRO THIS BELIEVING IT WOULD SEND OUT A MESSAGE TO THE COMMUNITY

KARL COPIK 30544

File No.:		Computer URN:		Minute No.:	
-----------	--	---------------	--	-------------	--

To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).

- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Name of premises: THE BOLTON HOTEL, NEW ROAD, BRIXHAM

Address:

Report type: Visit Incident Other

Date: 08/11/2014 Time: 0030

OIS Ref.: 37 08/11/14

Crime No.: N/K AT THIS TIME

Brief summary / action taken (if not recorded elsewhere):

CALL RECEIVED THAT A DOOR SUPERVISOR AT THE BOLTON HOTEL HAD BEEN ASSAULTED. THE INCIDENT BEGAN WITH A MALE AND FEMALE ARGUING, THE MALE WAS ASKED TO LEAVE WHICH HE DID, THE FEMALE BECAME MORE AND MORE AGGRESSIVE. THE DOOR SUPERVISOR HAD TO RESTRAIN THE FEMALE ON THE FLOOR, OTHER CUSTOMERS DID NOT LIKE THIS AND SURROUNDED THE DOOR SUPERVISOR ASSAULTING HIM, A FURTHER DOOR SUPERVISOR WAS ALSO ASSAULTED WHEN HE TRIED TO ASSIST HIS COLLEAGUE.
THE TWO ASSAULTS HAVE BEEN CRIMED NO NUMBER AT THIS TIME.

Submitted by: Name: Jane WARD

Force No.: 13745

Signed: J WARD

Date: 12/09/12

Time: 0130

Action taken by Licensing Unit:

Licensing officer:

Forwarded to Daily Tasking:

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection: 13745 Ward	
Administration:	
1. Designated Premises Supervisor (DPS) on the premises?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Name of DPS (or person in charge if no DPS):	
<input checked="" type="checkbox"/> Helpful <input type="checkbox"/> Unhelpful <input type="checkbox"/> Obstructive <input type="checkbox"/> Other:	
2. Premises Licence (summary displayed)? (It should be displayed in the public area)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Premises Licence (complete) produced to officers? (A constable can request to see full licence)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Crime and Disorder:	
1. Any violence inside / outside premises?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Any public order inside / outside premises?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Any evidence of drugs found inside / outside premises?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Any drinks promotions in operation at time of visit?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Any evidence of excessive drunkenness?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Public Safety:	
1. CCTV on premises?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Incident captured?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Image quality?	<input type="checkbox"/> Good <input type="checkbox"/> Poor <input checked="" type="checkbox"/> Other: Not viewed at the time
2. Door staff on duty?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, number: 3
SIA licensed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Working at time of visit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Staff able to download?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Do the premises look overcrowded?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Method of checking the customer numbers:	
5. Radio system in use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6. Tables / glasses kept tidy?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7. Any smoking inside premises?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Licence displayed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Public Nuisance:	
1. Any noise or nuisance outside of premises?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Any smokers standing outside of premises?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Any excessive litter / debris outside of premises?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Protection of Children:	
1. Any underage offences detected on the premises?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. What proof of age policy is operated in the premises?	
3. How is this publicised?	
4. Do staff appear trained in proof of age?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

File No.:		Computer URN:		Minute No.:	
-----------	--	---------------	--	-------------	--

To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).

- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Name of premises: THE BOLTON	
Address: 1 BURTON STREET BRIXHAM	
Report type: <input type="checkbox"/> Visit <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Other	Date: 13/11/2014 Time: 2300
OIS Ref.: 10 14/11/2014	Crime No.: CR/123157/14
Brief summary / action taken (if not recorded elsewhere): MALE OFFENDER KNOWN TO MALE AGGRIEVED FROM THE AREA BOTH OF THE PARTIES WERE PERCEIVED TO BE IN DRINK. WHILST IN THE PUB A VERBAL ALTERCATION ENSUED OVER AN UNKNOWN ISSUE DURING WHICH OFFENDER STRUCK AGGRIEVED TO THE FACE CAUSING HIM TO LOOSE CONSCIOUSNESS AND HE HAS SUSTAINED A BLACK EYE. STAFF ADMINISTERED FIRST AID AND CALLED AMBULANCE BUT THE VICTIM REFUSED TO HAVE ANY MEDICAL TREATMENT.	
Submitted by: Name: LAING	Force No.: 16955
Signed: PC 6955 LAING	Date: 18/12/2014 Time: 1600
Action taken by Licensing Unit:	
Licensing officer:	
Forwarded to Daily Tasking:	

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection:

6955

Administration:

1. Designated Premises Supervisor (DPS) on the premises? Yes No
 Name of DPS (or person in charge if no DPS):
 Helpful Unhelpful Obstructive Other:
2. Premises Licence (summary displayed)? Yes No
 (It should be displayed in the public area)
3. Premises Licence (complete) produced to officers? Yes No
 (A constable can request to see full licence)

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No
 Incident captured? Yes No
 Image quality? Good Poor Other:
 Working at time of visit? Yes No
 Staff able to download? Yes No
2. Door staff on duty? Yes No If Yes, number:
 SIA licensed? Yes No
 Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers:
5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises?
3. How is this publicised?
4. Do staff appear trained in proof of age? Yes No

From: COSBY Peter 55186
Sent: 28 November 2014 11:42
To: PERRIN Timothy 16643
Cc: CAYLESS Steven 16376
Subject: FW: The Bolton Pub, Brixham - serving until 3am RESTRICTED

Hi Tim,

I thought you was working early today as I wanted to try and see [REDACTED] at the Bolton. I spoke to Justin Wyles and he asked me to send you this email re either lock-ins or serving alcohol beyond licence times.

Any concerns or further incident similar to previous weekends detailed L10's would be good. Close watch on place please.

I will look to see if I could get over to Brixham on Monday 10.30ish to see you or Steve Cayless.

Cheers
Pete
Lic

From: SEAMAN Abigail 30652
Sent: 27 November 2014 13:06
To: Licensing East
Subject: The Bolton Pub, Brixham - serving until 3am RESTRICTED

Dear Licensing,

Just to make you aware I have received information today whilst dealing with a crime that on Fri and Sat nights the Bolton pub is now staying open and serving alcohol until 3am. This was confirmed as I have been dealing with a case of criminal damage by a group of youths at 3.30am, one of whom stated the fact she was very drunk as the reason why she was involved, and when I asked where she had been for the evening she confirmed she had come out of the Bolton at 3am.

Do you know the authorised opening times for the Bolton to be serving alcohol to patrons?

Many thanks

PCSO 30652 Abi Seaman
Brixham



Alcohol / Licensing Information Form

File No.:	Computer URN:	Minute No.:
-----------	---------------	-------------

To be completed for any alcohol related incident or for information on any licensed premises. When attending an incident please use the reverse of this form to record as much detail as operationally possible. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Report type: <input checked="" type="checkbox"/> Visit <input type="checkbox"/> Incident <input type="checkbox"/> Other	Date: 19/12/14 Time: 2000
OIS Ref.:	Crime No.:
Name of premises (where applicable): The Bolton Hotel	
Address: New Road, Brixham	
Brief summary / action taken:	
Designated Premises Supervisor (DPS) on the premises? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Name of DPS (or person in charge if no DPS):	
<input type="checkbox"/> Helpful <input checked="" type="checkbox"/> Unhelpful <input type="checkbox"/> Obstructive Other:	
Routine Visit to check on how "Black Eye Friday" was going. Only 6 persons in premises, Bar staff was pretty unhelpful and unco-operative but not obstructive.	
Submitted by: Name: PS Cayless	Force No.: 16376
Signed: Steve Cayless	Date: 19/12/14 Time: 23:00
Officers present at inspection:	
PCSO 30544 Copik	

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Administration:

1. Premises Licence (summary displayed)?
(It should be displayed in the public area) Yes No
2. Premises Licence (complete) produced to officers?
(A constable can request to see full licence) Yes No

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No
Incident captured? Yes No
Image quality? Good Poor Other:
Working at time of visit? Yes No
Staff able to download? Yes No
2. Door staff on duty? Yes No If Yes, number:
SIA licensed? Yes No
Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers:
5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises?
3. How is this publicised?
4. Do staff appear trained in proof of age? Yes No

Any other information:



Alcohol / Licensing Information Form

File No.:		Computer URN:		Minute No.:	
-----------	--	---------------	--	-------------	--

To be completed for any alcohol related incident or for information on any licensed premises. When attending an incident please use the reverse of this form to record as much detail as operationally possible. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Report type: <input checked="" type="checkbox"/> Visit <input type="checkbox"/> Incident <input type="checkbox"/> Other	Date: 21/2/15 Time: 1130
OIS Ref.:	Crime No.:
Name of premises (where applicable): BOLTON HOTEL	
Address: BOLTON STREET BRIXHAM	

Brief summary / action taken:

Designated Premises Supervisor (DPS) on the premises? Yes No

Name of DPS (or person in charge if no DPS): [REDACTED]

Helpful Unhelpful Obstructive Other:

DPS WAS NOT PRESENT AND STATED IT WAS HER DAY OFF AND THAT IT WAS NOT CONVIENANT TO VIEW CCTV STATING THIS IS THE THIRD TIME NOW I AM ALLOWED A DAY OFF SHE STATED HER DAUGHTER WAS UPSTAIRS BUT COULD NOT COME DOWN AS SHE HAD NOBODY TO LOOK AFTER HER CHILDREN

Submitted by: Name: KARL COPIK

Force No.: 30544

Signed:

Date: 21/2/15

Time: 1153

Officers present at inspection:

30084 LISA VEITCH

[REDACTED]

[REDACTED]

[REDACTED]

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Administration:

1. Premises Licence (summary displayed)? Yes No
(It should be displayed in the public area)
2. Premises Licence (complete) produced to officers? Yes No
(A constable can request to see full licence)

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No
 Incident captured? Yes No
 Image quality? Good Poor Other:
 Working at time of visit? Yes No
 Staff able to download? Yes No
2. Door staff on duty? Yes No If Yes, number:
 SIA licensed? Yes No
 Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers:
5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises?
3. How is this publicised?
4. Do staff appear trained in proof of age? Yes No

Any other information:

Attended premises in order to view cctv due to a series of burglaries which have occurred in Brixham intelligence received re possible offender has sold a mobile phone to a male outside of the bolton hotel on arriving at the pub all doors to the premises were open and the pub was open. The pub's floor was firstly noted as it was dirty and had drink stuck to it, all glasses had been cleared away but the floor was very dirty. A male called [redacted] with a scottish accent was about to clean the floor stating the cleaner had failed to turn up. [redacted] went upstairs and came down a short time later stating he had just managed to rouse somebody. A male then appeared [redacted] who is residing upstairs lodging and is not related to any member of the management and/on hearing the pub phone ringing answered it "BOLTON HOTEL"

The call was for myself and it was the DPS [redacted] who stated "whats this all about" she was advised we wanted to view the cctv whereby she replied "no this is inconvenient i am in torquay this is my day off this is the third time now" she was advised it was due to investigating a series of serious crime but repeated "no its inconvenient, asked why her daughter could not come down and assist she stated her daughter (who has just been woken up) had nobody to look after her children.

No Dps present, pub dirty, landlady's daughter who is DPS of [REDACTED] was upstairs asleep,
[REDACTED] appears to be a barman

Memorandum

To:	From	: Community Safety
c.c	Contact	: Mr Karl Martin
c.c.	Ext	: 01803 208025
c.c	My Ref	: 1ZV SRU No: 226898/KJM
For the attention of: Licensing Steve Cox	Your Ref	:
	Date	: 7 March 2016

Subject: Premises– Licensing Act 2003

**Premises Name & Address: Bolton Hotel, Bolton Hotel, New Road,
Brixham, Devon, TQ5 8LT**

- a) I have no comments to make on the above application
- b) The application does not meet the following licensing objectives:
- i) Prevention of crime and disorder
 - ii) Protection of children from harm
 - iii) Public safety
 - iv) Prevention of public nuisance
1. I wish to object to the above named application as I do not believe the application promotes the licensing objective 'Prevention of Public Nuisance'.
2. The Bolton Hotel is situated at the junction of Bolton Street and New Road, Brixham. Please see appendix 1.
3. The surrounding area can be described as mixed use. Bolton Street and New road largely comprise of buildings occupied by business on the ground floor with over living accommodation on the floors above. Elevated above the Bolton Hotel, are streets which are predominately residential accommodation.
4. Appendix 1 figure 2 shows not the nearest residential accommodation but the two areas of high density residential zones.
5. The Bolton hotel is owned by Punch Taverns and Pub solutions act as an agent to install tenants to run the premises whom apply to be the DPS whilst Punch retains the licence. In this circumstance the DPS is not just the person who authorises the sale of alcohol but is an individual who manages the pub for personal gain.

6. A representation received by an interested party describes the area like a 'bowl' which is a fairly accurate simile. The Bolton hotel sits at the confluence of two former river beds. As a consequence the premises are situated at the lowest point relative to the surrounding area which is flanked by former water cut cliffs. Residential properties are built on these cliff elevated above the Bolton Hotel. Appendix 1 fig 3 illustrates the area around the Bolton Hotel. In terms of noise, sound emanating from the Bolton will propagate away from the premises and whilst some sound will be absorbed by the building most will be reflected off producing prominent reflections. The majority of sound waves will diffract around the cliff exposing the house situated on top exposing them noise that may be considered unacceptable.
7. Fig 4 seeks to demonstrate how a given noise source will attenuate over a known distance. The red circles have been plotted 10m apart. Assuming live music inside the pub is playing at 95dB(A), the diagram demonstrates after an initial loss of 24dB(A) due to absorption of the building for every doubling of the distance from the premises there is approximately a 3dB(A) attenuation. At a distance of 70m noise has reduced to 54dB(A). At times the applicant seeks to have regulated entertainment the background noise in the area surrounding the Bolton Hotel would be expected to be around 45dB(A). Regulated entertainment at 70m from the premises would therefore be nearly 10dB(A) above background levels and at this level music would be audible. Numerous other factors need to be taken into account to quantify the likelihood of noise complaints occurring but the figures show there is sufficient risk of noise complaints. The Council has received 7 separate noise complaints since 2007 (see appendix 2, Fig 1) further enforcing future complaints are likely. The applicant needs to carefully consider how they intend to manage noise breakout.
8. Historically voices from patrons have formed part of noise complaints from this premises, specifically from patrons using the beer garden and smoking on the street. One evening in September 2013 this effect was observed from Saxon heights a block of flats some 50m away where voices from patrons using the beer garden could clearly be heard and formed part of a complaint received by the Council at the time. Advice was given to the DPS regarding controlling patrons using the beer garden late night.

I raise this concern as the applicant needs to carefully consider how noise from customers will be managed if the proposed variation is granted as applied.

9. Applicants are encouraged to consult with all responsible authorities prior to submitting an application:-

'In order to reduce the risk of relevant representations and the cost and delay of a contested hearing, applicants are strongly recommended to consult with the relevant Responsible Authority...'

Licensing Statement of Principles, Torbay Council, 2016-21, s3 p14

Unfortunately the applicant has chosen to disregard this advice leaving little option but to submit this representation. I raise some doubt whether the applicant considered at all the Licensing Statement of Principles when making their application.

10. Torbay Council's Licensing Policy leans towards refusing an application beyond 11pm in a residential area unless remedial measures can be demonstrated:-

'There will be an assumption however that Licensed Premises in residential areas, or where there is proximity to residential properties, will only be allowed to undertake Licensable Activities until 11pm unless detailed consideration and mitigation measures have been

proposed to address those concerns. A simple application with no supporting material can be expected to be refused, where relevant representations have been received.'

Licensing Statement of Principles, Torbay Council, 2011, p37-38

Though this premises already operates beyond 11:00pm, this does not exempt them from the policy if they chose to further extend operating hours. The surrounding environs contain a significant enough density of residential accommodation for this requirement to apply and the applicant should consider what is required from them when making an application. I have found no evidence in this application that the applicant has considered further mitigations measures.

11. The license holder intends to finish live music and recorded music at 1:00am but intends to remain open to the public until 3:00am. It is pleasing the applicant recognises live music and recorded music may not be workable until 3:00am but I consider it unrealistic a premises will remain open to the public on a Friday and Saturday night without any regulated entertainment between 1:00am – 3:00am. 'Background Music' is not licensable but the concept is rarely understood by licensees. Though the licensing Act 2005 offers no definition the following two separate definition may offer committee members some guidance:-

'music of any kind that is played while some other activity is going on, so that people do not actively attend to it'

Or

'music that is intended as a background to an event, production or venue. It aims to be unobtrusive so not to distract or divert the attention of the visitor or viewer'

Does the applicant understand the distinction or has an error been made in the application? As the applicant did not consult prior to submitting this application these questions can no satisfactorily be answered.

12. Part M of the application offers applicants an opportunity to state additional steps they intend to take to promote the licensing objectives. The applicant has not offered any further steps or amended any existing conditions. In relation to live music which the applicant wishes to extend until 1:00am on Friday and Saturdays this is not possible because a conditions which they do not wish to change states:-

5. *Amplified live music and entertainment until 00.30 hours shall be limited to Friday and Saturday.*

6. *Amplified live music and entertainment until 23.30 hours shall be limited to not more than three evenings per week (Sunday-Thursday).*

This contradiction has perhaps been overlooked by the applicant but again as no prior consultation took place before the application was submitted I cannot be sure of the applicant's intentions. Again this demonstrates the application been poorly considered.

13. Conditions 1 under Annex 3, The prevention of Crime and Disorder requires:-

'On every occasion that the premises sells alcohol after midnight and then closes after 00.30, SIA door staff shall be employed from 10.00pm until closing.'

Though led by colleagues in Police Licensing on the suitability of these conditions should the application be accepted I would expect the applicant to consider or as a minimum standard demonstrate they have reviewed who they intend to use SIA

door staff. Door Staff play a pivotal but much underappreciated role in managing and controlling noise nuisance. How many door staff will be employed? What time will they finish? What will be expected from them? The application does not address these concerns.

14. Conditions 2 under Annex 3, The prevention of Public Nuisance requires:-

'Doors and windows shall be kept shut during regulated entertainment to reduce noise breakout. A management scheme shall be in place to ensure this situation remains.'

The applicant wishes to extend the hours of regulated entertainment therefore I would expect the applicant to provide supporting evidence of how this condition will be complied with.

15. Conditions 2 under Annex 3 requires:-

'The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the licensee/management.'

Whilst this condition may have been suggested at a previous hearing it is no longer relevant given the history of noise complaints at these premises since the condition was imposed on the license. To comply with this condition requires over reliance on an individual judgment, whose opinion might be biased, misinformed or misguided. The installation of effective noise limiters will eliminate the uncertainty of manager control.

16. Part 3 of the application asks applicants to state the nature of the proposed variation, the applicant has written:-

'All other licensable hours, activities, including the currently permitted times for the upstairs area of the premises, and conditions are to remain the same'

The 'upstairs' area is not currently licensed by Torbay Council and to my knowledge the upstairs area comprises of living accommodation. This appears to be another error in a poorly thought-out application.

17. There are no existing conditions nor has the applicant suggested any further conditions to manage noise from customers. Will the beer garden remain open until 3:00am? Will numbers be limited to reduce noise breakout? Will smokers be allowed to smoke on the street and how will they be monitored and managed? No thought has either been given to how dispersion of customers at 3:00am will be managed. A simple sign advising people to be respectful of neighbours at the exits is not enough. People in the street if associated with a given premises are still the responsibility of the premises, a concept rarely understood by licencees

18. As this variation is for the life of the licence if accepted I would like to draw the committee's attention to the concerns of how this premises is managed. The proposed variation if accepted gives me cause for concern as these changes will be for the life of the premises. Punch Taverns struggles to retain managers appointed by Pub Solutions. Since 2007 8 separate managers (who also act as the DPS) have managed the Bolton Hotel (please see appendix 2).

The longest a manager has worked at the premises is 27 months with the mean being 11.5 months over a 9 year period. Whilst the Council has not officially received a complaint about the management of the current DPS, the high turnover of managers does not instill confidence future managers will run the premises in a

manner that promotes the licensing objectives. A number of previous managers undermined the licensing objections resulting in numerous interventions from Officers of the Council and Devon and Cornwall Police.

Conclusion and Recommendations

19. The applicant has failed to submit a variation application that has considered Torbay Council Licensing Statement of Principles consequently if granted as applied for will undermine the licensing Objectives 'The Prevention of Public Nuisance' and 'Prevention of Crime and Disorder'.
20. The lack of prior consultation coupled with the consistent and significant errors and omissions in the applications leads to me believe neither the applicant nor its agents and managers in place have taken the consequences of the proposed variation seriously.
21. I therefore respectively ask members of the licensing sub-committee to refuse outright the variation application as applied for on the grounds the application will undermine the licensing objectives 'The Prevention of Public Nuisance' and 'Prevention of Crime and Disorder'.

Mr Karl Martin
Public Protection Officer

Appendix 1

Fig 1 - Street view of the Bolton



Fig 2 - Aerial view, approx perimeter of the Bolton shown in red with yellow lines indicating distance to the frontages of nearest known residential properties.

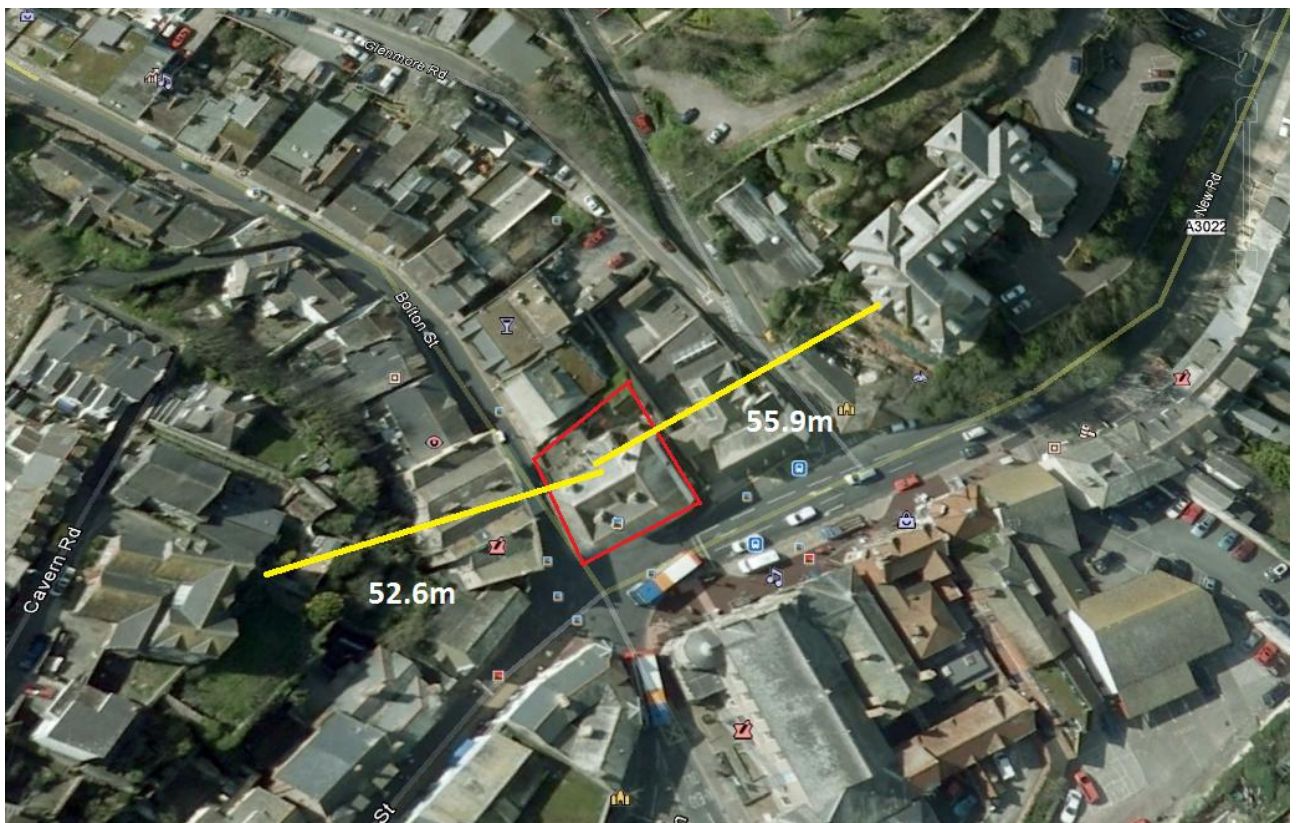


Fig 3 – 3D Street view demonstrating elevation of surrounding environment, the Bolton Hotel sits in a former river bed.



Fig 4 – Noise attenuation distance map



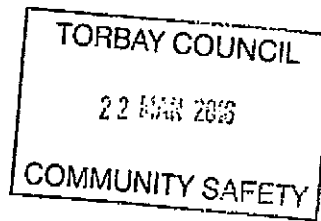
Appendix 2

Fig 1 - History of noise complaints

3rd December 2007 – Noise from amplified music
 10th March 2008 – Noise from amplified music
 10th June 2008 – Noise from amplified music
 11th August 2008 – Noise from amplified music
 10th February 2011 – Noise from amplified music
 8th August 2013 – Noise from amplified music and customers
 19th December 2013 – Noise from amplified music and customers

Fig 2 - Data from Lalpac licensing database – Since 2005

25/10/2007	PUNCH TAVERNS ...	Bolton Hotel	Premises Licence WITH Alc...	Change Sup...	PL0445	08/11/2007	08/11/2007	indefinite	Completed
18/08/2009	PUNCH TAVERNS ...	Bolton Hotel	Premises Licence WITH Alc...	Change Sup...	PL0445			indefinite	Abandoned
02/09/2009	PUNCH TAVERNS ...	Bolton Hotel	Premises Licence WITH Alc...	Change Sup...	PL0445	16/09/2009	16/09/2009	indefinite	Completed
26/02/2010	PUNCH TAVERNS ...	Bolton Hotel	Premises Licence WITH Alc...	Change Sup...	PL0445	12/03/2010	12/03/2010	indefinite	Completed
26/05/2010	PUNCH TAVERNS ...	Bolton Hotel	Premises Licence WITH Alc...	Change Sup...	PL0445			indefinite	Abandoned
24/06/2010	PUNCH TAVERNS ...	Bolton Hotel	Premises Licence WITH Alc...	Change Sup...	PL0445	09/07/2010	09/07/2010	indefinite	Completed
21/07/2010	PUNCH TAVERNS ...	Bolton Hotel	Premises Licence WITH Alc...	Change Sup...	PL0445	04/08/2010	04/08/2010	indefinite	Completed
02/06/2015	PUNCH TAVERNS ...	Bolton Hotel	Premises Licence WITH Alc...	Change Sup...	PL0445	11/06/2015	11/06/2015	indefinite	Completed
15/10/2012	PUNCH TAVERNS ...	Bolton Hotel	Premises Licence WITH Alc...	Change Sup...	PL0445	02/11/2012	02/11/2012	indefinite	Completed
21/06/2013	PUNCH TAVERNS ...	Bolton Hotel	Premises Licence WITH Alc...	Change Sup...	PL0445	10/07/2013	10/07/2013	indefinite	Completed



16th March 2016

**RE : Variation of Premise license of the Bolton Hotel
License number PL 0445**

To The licensing authority of Torbay council,

I have been the License holder and DPS for JACKZ Bar for 18 years now , I take my roll at JACKZ very seriously and work all of the late shifts that my establishment are open till 3am , mainly to ensure public safety and to make sure we are not annoying our neighbours with loud unnecessary noise whether it be due to music or customers as they leave , this is the difference between myself and The Bolton Hotel , I have something to loose should I not follow all the licensing regulations - I could loose my business , my income, my livelihood , The Bolton Hotel however is owned by Punch Taverns a large Brewery , they do not run the pub themselves, they have tenants or leaseholders , however this is not the case with The Bolton they have been trying to get somebody to buy the lease since 2010 , (I know about this as I also have a leased pub from Punch Taverns called The Skipper Inn) I have been asked by Punch on numerous occasions to take on The Bolton but due to its reputation and clientele that it attracts have always declined. The Bolton for the last six years has been in the hands of a holding company "Pub Solutions " which run pubs on the

behalf of The Brewer -, in this case Punch until somebody comes along and wishes to buy the lease .

Pub Solutions put there managers in these pubs to run for them , they have nothing to loose , if they don't fit or they have a problem with them or licensing has a problem with them , they put somebody new in there. There has been 7 DPS in the last 6 years . In 2012 G. T. the DPS was glassed in there and his offender a female was sent to prison the next DPS was removed there were various stories but you are not normally given 24hours to get out for something minor . In 2013 Ms B. became DPS at the Bolton, that was the beginning of a nightmare 2 years , she was violent towards other customers in other pubs , the police were informed of violent behaviour both physical and verbal to members of the public , I myself had to bar her for attacking my customers. The latest DPS Mr C. , I haven't had a problem with him but how long is he going to be there? Does he work in his pub , is he there every closing time ? No , he likes to go out weekends to and enjoy himself - He could also leave at any time , when we had problems with Ms B. , I and lots of other licensees and members of the public contacted "Pub Solutions " by letter, email and telephone , nobody received a reply or even an acknowledgement , this is hardly showing responsibility is it. I myself as a Punch leaseholder spoke on various occasions to my and the Boltons Business Relations Manager to try and sort out the problems occurring in this pub, nothing ever changed .

PUBLIC SAFETY

To have the same closing time as JACKZ Bar would be an absolute catastrophe waiting to happen , at the moment The

Bolton is open till 1.30am , which means that there clientele have dispersed (up to 170 people) by the time that I close my premises between 2am -3am , should we close at the same time that would be near to 300 people being on Bolton Cross at the same time , this is going to be a massive public safety issue and noise will be practically impossible to control. There has never needed to be a huge amount of police presence in Brixham at this time of night as we have always made sure our doorman have waited for our customers to disperse and should there be any problems to resolve them quickly and effectively , this would not be possible should the numbers treble .

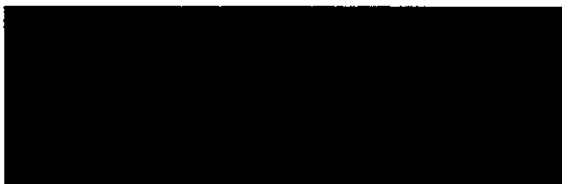
NOISE ISSUES

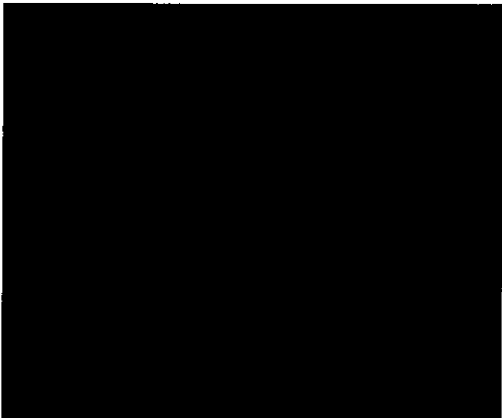
For the last 7 years there have been lots of noise issues with myself and The Bolton , music being the main problem , we have a lot of residents behind us on a complex called Saxon Heights , I worked together with the council and put in secondary glazing and made sure all doors and windows were closed and I went on to install air conditioning, The Bolton just opened all there Windows and doors to let air in in the summer , so we still had noise complaints , so I gave up and stopped having DJ s and any other kind of amplified music, so there was no way it could be me , when the previous DPS went so did the noise complaints. The new DPS Mr ██████ like myself just had background music apart from the occasional Friday and Saturdays , I still get the neighbours phone up asking if it's me but because it stops at midnight they do tolerate it to a certain extent , Do we really need live music and Djs to be playing till 1am again to start the noise complaints all over again?

CRIME AND DISORDER

Over the last few years there has been crime and disorder outside and inside the Bolton Hotel where the police have had to attend on various occasions , they have 2 doorman , consisting of 1 young girl and one doorman in his late 50s and that's it for 170 people , there has been a considerable amount of fights outside and inside the pub, where ambulances have been called and this is within normal trading hours , are the police going to be able to be present all weekend at closing time, especially in the summer periods when Torquay and Paignton are busy ? Should they have to be really?

I hope my points will be taken seriously and that you do not think I'm worried about it having an impact on my trade , that is definantly not the case as I would seriously could say that at least half the trade from The Bolton are barred from my premises and actually a lot of premises in town .





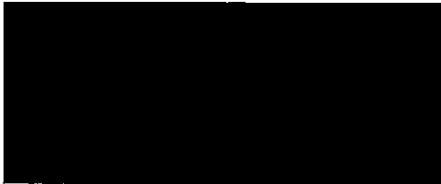
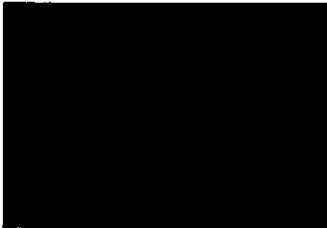
TORBAY COUNCIL
23 MAR 2016
COMMUNITY SAFETY

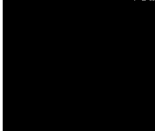
21st March 2016

To Licensing and Public Protection

I want to put in writing my objection to The Bolton Hotel applying for a variation to be able to open until 3am and live music until 1am.

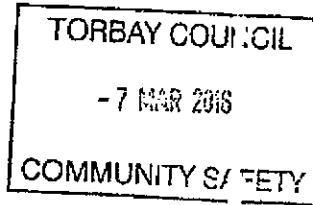
The hooligans / drunks that come out of there at the moment are continually causing us a problem shouting/foul language etc and we certainly do not want our guests being woken at 3am by this behaviour.





To

Licensing and Public Protection
C/O Town Hall
Castle Circus
Torquay
TQ1 3DR



5th March 2016

Dear Sir/Madam,

Application for extended hours at Bolton Hotel, New Road, Brixham by Punch Taverns. (SRU/226898 ?)

I wish to register my concern and opposition to the application for extended hours at the above premises. I live a little way up the road, perhaps 200 yards, and am concerned that the extra drinking hours will bring rowdiness and antisocial behaviour.

The Hotel is situated in the heart of the town and is surrounded by residential premises in a "bowl" situation. When, long ago, the Parkham Hotel, New Road, (now Saxon Heights) had a late night licence, the fall out was dreadful. We live opposite the exit and were subjected to antisocial behaviour in our door way. Noise from drunken people leaving was audible all the way up and down the road and nothing was ever done about it, apart from an occasional policeman's presence which did little to the sound levels of raised voices.

I fear this will again happen just down the road if the Bolton Hotel has an extended licence, plus the sound of late night music as their windows and doors are often open. As this is restricted to earlier hours at the moment it doesn't give me much bother but I know it does to others living nearer.

