

**LICENSING ACT 2003****APPLICATION FOR THE REVIEW  
OF A PREMISES LICENCE OR  
CLUB PREMISES CERTIFICATE****NOTIFICATION**

*Information held by Torbay Council complies with and is held in accordance with the UK Data Protection Act 1998. The information that you provide on this form will only be used for this application form and will only be disclosed where necessary under any applicable legislation.*

*Information may also be shared for the prevention and detection of crime, for example with the police and other agencies as required by law, such as the Audit Commission under the National Fraud Initiative data matching exercise.*

*You have a right of access to your personal information. If you wish to access your personal information or exercise any of your rights under the legislation then please contact Torbay Council's Information Governance team on 01803 20 7467. Further information can be found on the Information Governance pages on Torbay Council's Internet site at, [www.torbay.gov.uk](http://www.torbay.gov.uk)*

**Completed forms should be returned to:****Environmental Health Manager (Commercial)****Torbay Council  
Community Safety  
C/O Torquay Town Hall  
Castle Circus  
Torquay  
TQ1 3DR****Contact Details:****Tel: 01803 208025****Web: [www.torbay.gov.uk](http://www.torbay.gov.uk)****Email: [licensing@torbay.gov.uk](mailto:licensing@torbay.gov.uk)**



**Application for the review of a premises licence or club premises certificate  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I MRS HELEN GLAZEBROOK

*(Insert name of applicant)*

apply for the review of a premises licence under section 51 / apply for the review of a club  
premises certificate under section 87 of the Licensing Act 2003 for the premises described in  
Part 1 below (delete as applicable)

**Part 1 – Premises or club premises details**

Postal address of premises or, if none, ordnance survey map reference or description CHURSTON MANOR, (Churston Court Hotel) CHURCH ROAD, CHURSTON FERRERS	
Post town CHURSTON FERRERS	Post code (if known) TQ5 0JE

Name of premises licence holder or club holding club premises certificate (if known) CHURSTON MANOR (CHURSTON COURT HOTEL) Gooseberry Inns (2016) LTD DPS: Mr Jonathan Frederick Smith
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Number of premises licence or club premises certificate (if known) PL1061
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**Part 2 - Applicant details**

I am Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority  
(please read guidance note 1, and complete [A] or [B] below)
- 2) a responsible authority (please complete [C] below)
- 3) a member of the club to which this application relates  
(please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)**

Please tick ✓ yes

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

**Surname**

GLAZEBROOK

**First names**

HELEN

I am 18 years old or over

Please tick ✓ yes

Current postal  
address if  
different from  
premises  
address

[REDACTED]

Post town

CHURSTON FERRERS

Post Code

[REDACTED]

Daytime contact telephone number

[REDACTED]

E-mail address  
(optional)

[REDACTED]

**(B) DETAILS OF OTHER APPLICANT**

Name and address

[REDACTED]

Telephone number (if any)

[REDACTED]

E-mail address (optional)

[REDACTED]

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address
Telephone number (if any)
E-mail address (optional)

**This application to review relates to the following licensing objective(s)**

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder
  - 2) public safety
  - 3) the prevention of public nuisance
  - 4) the protection of children from harm

**Please state the ground(s) for review (please read guidance note 2)**

There are regular performances of live and recorded music and film shows taking place in the garden grounds of Churston Manor (formerly Churston Court Inn). The frequency and volume of these performances are in contravention of the licensing objective "The Prevention of Public Nuisance"

1. The License holder and / or representative is creating a Public Nuisance by having frequent performances of live and recorded amplified music at a very high volume.
2. In between the music events there is a film showing on large screen TV, which is also played at high volume.
3. The staging of these events are in the garden of an historic building, with the stage and amplified music directed towards residential properties. There has been no thought or consultation with the local residents regarding the staging of any of the outdoor events which are causing a huge amount of disturbance both to properties in the immediate locality, and even being very loudly audible in more distant properties.

Please provide as much information as possible to support the application (please read guidance note 3)

Churston Manor hotel states on their website that they are a

*"Restaurant and bar in Churston Ferrers, South Devon is a celebration of luxury, style and service.*

*Situated in the historic village of Churston Ferrers close to Brixham and Paignton, Churston Manor is set in 2 acres of beautiful countryside, and offers an idyllic retreat from the stresses of busy lives.*

*This country house hotel, restaurant and bar provides contemporary standards of service whilst retaining the unique atmosphere of an ancient Manor House.*

*If you are marrying in church, we are immediately next door to Churston Parish Church.*

***BUSINESS - An Inspirational Setting***

*Escape the hustle and bustle of city life and hold your conference in the beautiful and tranquil surroundings of Churston Manor, close to Torquay"*

There have been many outdoor live music /sport/film events at the idyllic, ancient Churston Manor set in 2 acres of beautiful countryside during the course of 2018.

The events that occurred during May and June, when the weather improved, were loud and could be clearly heard in your home and garden, but for a short duration of 2-3-4 hours.

The live outdoor events occurring during July and August are on a much more frequent basis and significantly increased in volume and duration.

The local residents have made frequent requests to the licensees both verbally and in writing for the volume and duration of the Noise to be decreased, but these requests were dismissed or ignored with arrogance up to now, enforcement of restrictions at any single event by the authorities also seems to fail to work.

These events are taking place usually on Friday and the weekend periods and also on most Bank holidays ( but not always advertised so may occur any other day) which should be a relaxing time for family and friends to enjoy in their own homes and gardens. But you now try and cram in visits not to coincide with the events taking place at Churston Manor.

Due to this and not wishing to endure such a high level of intrusion in our daily living and the inability to have the entitled peace and quiet and enjoy our beautiful countryside, Torbay Council have been informed on a frequent basis ( see event dates below) with the noise recording from several residents.

There have been a number of meetings we understand between Torbay Council and the License holders, which to date have not acted on the advice or requests to reduce the noise nuisance.

The latest event on Friday 17 August, very loud amplified live music for approximately 5 hours. On Saturday a repeat of the loud amplified music for 11 hours and Sunday the same for 5 hours.

The residents also had to navigate around cones and road restrictions imposed unilaterally and with no legal authority from the Highways's Agency by Churston Manor. The highway agency did not inform the residents of any road restrictions, which would have an impact for any emergency services having to use the road. When challenged by local residents, the "enforcers" employed by Churston Manor (we presume) were rude and obstructive.

The parking for these events was on a green agricultural field, which subsequently was used as a overnight camp site.

Several local residents have also had comments from residents in Brixham, (Cambridge Road) and Bascombe Road, Churston regarding the noise level and duration of the events Churston Manor.

The schedule of events is published on the Churston Manor website and Facebook pages.

As these live outdoor events are likely to continue and increase in number the Licensees must be responsible and reasonable and take into consideration the residents wellbeing and environment that Churston Manor is located in. If agreed in advance with Torbay Council, limits on noise levels and duration must be abided to.

THE FOLLOWING IS A CALENDAR OF EVENTS FOR WHICH TORBAY COUNCIL HAVE A NOISE RECORDING

1 & 15 & 22 JULY LIVE MUSIC OUTSIDE  
28 JULY OUTDOOR SCREENING OF FILM  
4 AUGUST REPEAT OUTDOOR SCREENING OF FILM  
5 AUGUST LIVE MUSIC OUTSIDE  
11 & 15 AUGUST OUTDOOR FILM SCREENING  
17 AUGUST PRIVATE FUNCTION WITH EXTREMELY LOUD LIVE BAND OUTSIDE  
18 & 19 STRAWBERRY FAYRE – BEER FESTIVAL EXTREMELY LOUD OUTDOOR LIVE MUSIC

THERE IS A CALENDAR OF EVENTS UPTO THE END OF DECEMBER 2018

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

[Redacted Signature]

Date

30<sup>th</sup> August 2018

Capacity

Resident

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Mrs Helen Glazebrook

[Redacted Address]

Post town  
Brixham

Post Code

[Redacted Post Code]

Telephone number (if any)

[Redacted Telephone Number]

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

[Redacted E-mail Address]

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.