

Wednesday, 20 March 2024

LICENSING SUB-COMMITTEE

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

Thursday, 28 March 2024

commencing at **9.30 am**

The meeting will be held in the Banking Hall, Castle Circus entrance on the left corner of the Town Hall, Castle Circus, Torquay, TQ1 3DR

Members of the Committee

Councillor Johns

Councillor Joyce

Councillor Barbara Lewis

A Healthy, Happy and Prosperous Torbay

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, Town Hall, Castle Circus, Torquay, TQ1 3DR

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 Sub-Committee.
3. **Minutes** (Pages 3 - 5)
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 29 February 2024.
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. **The Old Coaching Inn, 61 Fore Street, Brixham, TQ5 8AG** (Pages 6 - 159)
To consider an application for a review of a Premises Licence in respect of The Old Coaching Inn, 61 Fore Street, Brixham, TQ5 8AG

Minutes of the Licensing Sub-Committee

29 February 2024

-: Present :-

Councillors Johns, Barbara Lewis and Tolchard

22. Election of Chairman/woman

Councillor Johns was elected as Chairman for the meeting.

23. Minutes

The Minutes of the meeting of the Sub-Committee held on 26 October and 14 December 2023 were confirmed as a correct record and signed by the Chairman.

24. Birdcage, New Road, Brixham, TQ5 8LT

Members considered a report on an application for a Variation to a Premises Licence in respect of Birdcage, New Road, Brixham.

Written Representations received from:

Name	Details	Date of Representation
Member of the Public	Written representation objecting to the application for a Variation to a Premises Licence on the grounds of 'The Prevention of Public Nuisance'.	Undated

Additional Information:

Prior to the Hearing the Applicant's Solicitor provided additional information and advised that the Applicant sought to amend the application by removing regulated entertainment.

Oral Representations received from:

Name	Details
Applicant's Solicitor	The Applicant's Solicitor outlined the application and the reason for the removal of regulated entertainment from the application. The Applicant's Solicitor and Applicant also responded to Members questions.
Member of the Public	The Member of the Public outlined their objection to the application and responded to Members questions.

Decision

That the application for a Variation to a Premises Licence in respect of Birdcage, New Road, Brixham be approved as applied for, noting that regulated entertainment aspect of the application had been withdrawn, subject to:

the following condition, shall be amended:

Annex 2 Prevention of Public Nuisance, Condition 13 shall now read 'amplified live music until midnight shall be limited to Friday and Saturday'.

And the following additional conditions:

- 1) Notices shall be displayed in the premises outside areas, reminding patrons to be respectful towards residents and to keep noise to a minimum so as not to unreasonably disturb nearby residents.
- 2) That there shall be no more than 10 patrons permitted in the designated smoking area after 12.30am.
- 3) Patrons using the smoking area after 12.30am shall be seated.
- 4) Drinks shall not be permitted in the designated smoking area after 12.30am.
- 5) The premise designated smoking area shall be routinely monitored after 12.30am and any patron causing a nuisance shall be asked to come inside the premises, and where they refuse to do so, they shall be asked to leave the premises immediately.

Reasons for Decision:

Having carefully considered all the written and oral representations, Members resolved to grant the Variation to the Premises Licence having had regard for representation and the concerns set out therein. Members determined that the additional conditions were proportionate to mitigate the negative impact of the extension of the licence, in what is a residential area.

Notwithstanding representation from the member of the public, Members having received responses to their questions from the Designated Premises Supervisor, had confidence in the manner in which the Designated Premises Supervisor would manage the premises, aided by the additional conditions. Noting also, the support provided by a close working relationship with the premises area manager. Members were further encouraged that the Designated Premises Supervisor was willing to provide her contact details to nearby residents should issues of concern arise and saw this be a responsible approach and a willingness to operate the premises in harmony with its nearby residents.

Members noted the absence of any representation from the Responsible Authorities and determined that the Designated Premises Supervisors proactive approach to

managing the Premises, should alleviate the concerns raised by the member of the public.

In concluding, Members further noted that a Review of the Premises Licence can be sought by any Interested Party or Responsible Authority should issues arise as a result of granting this application to vary the Premises Licence.

Chairman/woman

TORBAY COUNCIL

Briefing Report No: Public Agenda Item: **Yes**

Title: Licensing Act 2003 – An application for a Review of a Premises Licence in respect of The Old Coaching Inn, 61 Fore Street, Brixham, TQ5 8AG

Wards Affected: **St Peters with St Marys**

To: **Licensing Sub-Committee** On: **28 March 2024**

Contact Officer: **Carrie Cottell**
☎ Telephone: **01803 207079**
✉ Email: Licensing@torbay.gov.uk

1. Key points and Summary

- 1.1 To consider and determine an application, in respect of the Premises detailed above, for a Review of 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 Objective “The Prevention of Public Nuisance”.
- 1.4 Under Regulations to the Licensing Act 2003 (the Act), the Licensing Authority (the Authority) must hold a hearing to consider the application and any relevant Representations.
- 1.5 The Authority must have regard to the application and any relevant Representations and take one or more of the steps as detailed below, as it considers appropriate for the promotion of the Licensing Objectives.

The steps are –

- (a) to add or modify the conditions of the licence;
- (b) alter the hours of operation
- (c) to exclude a licensable activity from the scope of the licence;
- (d) to remove the Designated Premises Supervisor;
- (e) to suspend the licence for a period not exceeding three months;
- (f) to revoke the licence;
- (g) to do nothing;

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

If the licence is subject to sections 19, 20 and 21 (requirement to include certain Mandatory Conditions in Premises Licences) they must remain.

Where the Authority takes a step to modify the conditions or exclude a licensable activity, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

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

2. Introduction and application

- 2.1 The application has been made under Section 51 of the Act for a Review of the Premises Licence, at the Premises detailed above.

The Review application has been received from the Environmental Health Authority as a Responsible Authority.

The grounds for the Review relate to:

- Noise from loud music and patrons using the premises causing disturbance to residents.
- Breach of permitted hours and the lack of co-operation from the DPS when offered guidance.
- Failure to manage the patrons that frequent the premises.

Full details of the application are shown in Appendix 1. Additional documents, a letter to the Premises Licence Holders 18th October 2023, emails and photographs have been submitted by the Applicant to support the complaints and incidents referred to in the application. These are shown in Appendix 2.

A copy of the current premises licence, including the floor plan is attached at Appendix 3.

- 2.2 Torbay Council as the Licensing Authority, is satisfied that the Applicant is a person as defined under the Act, as being entitled to make such application and that the application is not frivolous or vexatious. The Authority is also satisfied that the administrative requirements of Section 51(3) (a) and (b) have been met and that the application is therefore, properly made.

3. Consultation

- 3.1 A notice stating a Review application had been made was issued by Torbay Councils Licensing Department and delivered by the Council's Licensing Officer, on 5 February 2024. Details of the Review have been advertised on the Council's website. The Notice advised of the grounds for the Review and requested representations should be made no later than 4 March 2024 to Torbay Council in writing. All Statutory consultees were served a copy of the Review application.

- 3.2 There has been 1 representation from a Responsible Authority in support of the application, from Olivia Gifford, Police Licensing Officer for Devon and Cornwall Police. The representation includes statements from the Police Licensing Officer and PC Randall, together with emails, and a transcript of video footage of incidents that occurred on the evening of the 9 December 2023, into the early hours of the 10 December 2023. This is shown at Appendix 4 and relates to the Licensing Objective “The Prevention of Crime and Disorder”. Further supporting information was received from the Police Licensing Officer in relation to “The Prevention of Crime and Disorder” and this is shown at Appendix 4a.
- 3.3 There are 3 representations from Interested Parties in support of the application, relating to “The Prevention of Crime and Disorder” and the “Prevention of Public Nuisance”. These are shown at Appendix 5.
- 3.4 The Premises Licence Holder has provided information in response to the Representations received, including copies of emails, photographs and a floor plan and this is shown at Appendix 6.

No other representations have been received from any other Responsible Authority or any other Interested Parties other than those stated above.

4. Hearing

- 4.1 The Authority is required to conduct a hearing under provision of Section 52(2) of the Act.
- 4.2 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.
- 4.3 Once the matter is determined, a Right of Appeal to the Magistrates’ Court is granted by Section 181 of the Act and, by Paragraph 8(2) of Schedule 5 to :-
 - (a) the Applicant for the Review,
 - (b) the holder of the Premises Licence, or
 - (c) any other person who made relevant Representations in relation to the application.

In the event that an Appeal is entered, the determination will not have affect until the Appeal is either determined or withdrawn.

- 4.4 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 an order as to costs as it thinks fit.

Tara Harris
Divisional Director Community and Customer Services

Appendices

Appendix 1 Application for Review

Appendix 2 Additional Supporting Documents from the Applicant

Appendix 3 Copy of the Current Premises Licence and plan

Appendix 4 Representation from a Responsible Authority

Appendix 4a Additional supporting information from a Responsible Authority.

Appendix 5 Representations from 3 Interested Parties

Appendix 6 Supporting Information from Premises Licence Holder

Documents available in members' rooms

None

Background Papers:

The following documents/files were used to compile this report:
Torbay Council Licensing Policy 2021-2026.



FORM J

LICENSING ACT 2003
APPLICATION FOR THE REVIEW
OF A PREMISES LICENCE

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

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

Email: licensing@torbay.gov.uk

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I Rachael Hind

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

The Old Coaching Inn, 61 Fore Street,

Post town: Brixham

Post code (if known) TQ5 8AG

Name of premises licence holder or club holding club premises certificate (if known)

The Old Coaching Inn Brixham Limited

Number of premises licence or club premises certificate (if known)

PL0899

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

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Rachael Hind Environmental Health Torbay Council Community Safety Town Hall, Torquay TQ1 3DR
Telephone number (if any)
E-mail address (optional) Rachael.hind@torbay.gov.uk

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)

The review of the premises licence is to prevent public nuisance.

The Old Coaching Inn, Brixham has been causing noise disturbance to nearby residents. The nature of the problems has been public nuisance caused by loud music, noise from patrons entering, leaving and congregating outside the premises until early hours of the morning, the breach of permitted hours and the lack of co-operation from the DPS when offered guidance. The DPS is failing to manage the patrons that frequent the public house and this is having a negative impact on local residents.

Officers from the Council and the Police Licensing Department have tried to work with the Designated Premises Supervisor/Premises Licence Holders to resolve the matters. However, the noise and antisocial behaviour from the premises has continued to disturb local residents. The Premises licence holders are not willing to employ door supervisors to assist them in managing their clientele effectively and therefore we have no other option but to submit a review.

Some residents have also advised that the live and recorded music which is held in a building at the rear of the premises causes noise disturbance. Two of the complaints received were regarding noise from live music as the noise from the live bands were disturbing residents on Friday and Saturday nights. They were unable to open their doors or windows during the evening due to the noise levels and advised that the noise could be heard over and above their TV despite their windows being closed. Officers have visited the public house and the building used for entertainment at the rear of the premises is not sufficiently insulated to contain the noise as it has a metal roof with some gaps so the noise is not able to be contained within the building.

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

Three complaints have been received regarding this premises in 2023.

Two complaints were received in July regarding noise from the live music.

1.8.23 – A third complaint was received advising noise disturbance from music and from customers leaving the venue. They advised that they can hear people coming out of the pub just after midnight and they are stood outside shouting, screaming and dog barking. They advised that it is unbearable and this happens a lot at the weekends and some weekends it has been 1am when people leave and it wakes them up and they are unable to go back to sleep due to the noise. Unfortunately, the Council's temporary member of staff did not take action with regards to this complaint.

21.9.23 - Further complaint was received and noise diary sheets were sent to the complainant.

18.10.23 - A letter was sent to Miss Warner, DPS, advising that complaints had been received and reminding her of the licensing conditions. No response was received from the DPS following this letter.

24.10.23 - A complainant sent an email and video of the outside of the premises. Unfortunately, the videos could not be downloaded but we advised the complainant that we would visit the premises with the Police Licensing Officer to discuss the noise complaints and also the alleged underage sales and would feedback.

4.11.23 - An email was received from one of the complainants who complained in July advising that they did not have a noise diary for us but advised ***'every weekend I hear music within my home from the Old Coaching Inn. When they have live bands it is worse. Last night the music lasted til 12.30am i.e. beyond the permitted time and then the row from customers went on til 1am. Truly dreadful. I do hope you can get them to revert to within the agreed licence terms'***.

7.11.23 – Visited the Old Coaching Inn with Olivia Kempton, Licensing Police. Olivia Kempton had arranged this visit as she had received complaints regarding underage sales and invited Rachael Hind to attend. Rachael Hind asked Miss Warner, DPS, if she had received the letter dated 18.10.23 and she confirmed that she had received it. During the visit, we went through the conditions on their premises licence. We recommended that they employed door supervisors to assist with difficult customers and ensuring they leave on time. We reiterated the timings of the licence i.e. that they can open and serve late night refreshments (hot drinks and food) until 00:30 hours but they must stop serving alcohol at midnight and then have the 30 minutes drinking up time before closing at 00:30 hours. We advised them to keep records of the monitoring they complete when walking around their premises to ensure the music cannot be heard at the nearest residential properties. We also recommended keeping the front door closed or reducing the levels emanating from the speakers in the corridor to prevent noise escape. We also advised as there is also very little insulation to the metal roof in the rear event space, we would recommend reviewing the noise levels in this area and if noise complaints continue, then they may need to provide additional acoustic insulation in this area and consider the use of a sound limiter. It was also recommended that they stopped live music by 11pm and only play background music after 11pm. Miss Warner and Mr Roly Butler advised that complainants can contact them directly using the contacts listed on their front window. Rachael Hind passed these details to the complainants so that they could contact them directly when the noise was occurring to try to resolve there and then.

7.11.23 - Following the meeting, Miss Warner emailed to ask for clarification about the licensing hours on their premises licence. The advice provided during the visit was then confirmed in an email on 8.11.23 with a copy of a noise management plan guidance note.

12.11.23 - Complainant emailed to advise lots of noise again late on Saturday 11 November into early hours of Sunday 12 November and operating beyond their opening hours. Complainant advised that they were disturbed by people noise outside, shouting and screaming as they left, kicking the doors, glasses were taken outside. She advised that the groups left around 1/1.10am and were leaving with takeouts.

14.11.23 - Rachael Hind discussed with the Police Licensing Officer who confirmed there were no police logs over the weekend regarding the Old Coaching Inn. Rachael Hind contacted the Council's CCTV team who managed to download footage from the Coop end of the street looking up towards the public house and showed a group of people exiting the premises at 00:48 hours – 18 minutes past their opening hours.

15.11.23 - Rachael Hind emailed Lesley Warner, DPS regarding the incident and reiterated that they must abide by the licensing hours or they may face formal action as this is a breach of their premises licence.

15.11.23 - Reply from Miss Warner advising she is considering closing and will send another email tomorrow.

16.11.23 - Email received from Miss Warner. She said she couldn't employ door staff because of cost and breaching the terms of their insurance. She advised that she didn't know what else to do with her customers making noise when they leave. She also advised that she didn't understand why anyone would choose to live on the doorstep of a pub and think there will not be loud noise late at night/early hours as people leave pubs and felt it was unfair. She advised they will remain open until the end of the year and make a decision about 2024 and beyond. She said she would ensure they call last orders at 11.15pm and off licence orders until 11.30pm to give them an hour to get them out of the door.

21.11.23 – A complainant confirmed it had been quiet that weekend and they had closed early.

26.11.23 - Rachael Hind received an email at 00:16 and another one at 00:22hours on Sunday 16 November advising lots of noise outside from customers. The complainant had called the business as recommended by us but they advised the business were not helpful.

27.11.23 - Videos were sent by a complainant of customers outside of the Coaching Inn. The customers were very loud and rowdy and were not being managed by the landlady or any staff. No one asked them to leave the area quietly.

27.11.23 - Email was also received from Miss Warner on Sunday afternoon advising that they had received a complaint and said she didn't hear anyone outside making lots of noise. She also advised that we should tell landlords to make their tenants aware that there is a lot of hospitality in the town and to expect noise. Rachael Hind replied to this email with advice regarding controlling customers and having door staff to assist. Further reply received from Miss Warner, advising they are looking into the costs of door staff and that they didn't realise it was their responsibility to 'herd' their customers away from the premises and asking again about warning landlords.

3.12.23 - Email received from Lesley Warner on Sunday 3 December 2023 at 01.12am advising that they called last orders at 11.15pm on both nights but advised that this meant

taking a lot less money and they 'can't be held hostage by residents, there has to be a middle ground'. Rachael Hind replied to advise that the main complainant had said it was quiet on Friday night but there was a fight on Saturday around 11.30pm. I explained that we had a duty to investigate all complaints and ensure they are managing their premises and abiding by their licence conditions.

6.12.23 - Email from Lesley Warner asking about the hours and the condition about 30 minutes drinking up time. Replied to explain the hours again.

9.12.23 – Email from a complainant at 11.52pm on Saturday 9.12.23, advising they have had a bad night with customers causing noise disturbance outside the property. Videos were sent to Rachael Hind via WhatsApp on Monday 11.12.23.

10.12.23 - Email from Lesley Warner on Sunday afternoon advising of the issues on Saturday night. She advised that at around 8.30/9.30pm they had issues with women screaming and shouting abuse and they advised that they managed to get them out of the building. She advised that later there were issues with a group of men outside. They then had other issues with other customers including someone who was trying to smash the window in and were banging on the main door. No door staff were employed at the premises to assist with customers.

Monday 11.12.23 – Rachael Hind emailed Lesley Warner, DPS, and asked if she could visit with the Police Licensing Officer on 12.12.23.

11.12.23 - Reply received from Lesley Warner, advising that they cannot meet with us as they are going away until late Friday afternoon. She asked if we had contacted the police regarding the incident on Sunday as they are very concerned and feel scared and anxious about their clientele.

11.12.23 - Rachael Hind replied to advise Lesley Warner that the Police Licensing Officer has discussed this with her police colleagues and they are looking into it for her. Rachael Hind advised that she was very concerned about some video recordings that were sent by a complainant and that she needed to speak to her urgently about this, preferably in person.

11.12.23 - Lesley Warner replied advising that there is no need to meet as they have decided to close and that they will focus on their bedrooms and to reinstate the Hotel. Lesley asked about who to send the CCTV footage to. Rachael Hind advised her to send these to the police and asked if she had a police log for when she reported the incident on Saturday night as the Police haven't been able to find the log number on their system. Miss Warner replied to advise that they are closing immediately and are going away for the whole of January. She advised that when they reopen, they intend to open as a hotel for guests and club members so that they have control of who's coming and going and each member will have to sign in themselves and any permitted guests at a manned reception but that it would depend on finances and whether they wish to stay in Devon. She provided a police log reference, however when Rachael Hind asked the Police about this, they advised that this was an abandoned call at 23:12 hours and that the person who called did not respond to any call backs so they sent a generic abandoned call text message with the log number.

19.12.23 - Lesley Warner emailed to advise that a Police Officer was visiting her that afternoon to go through the CCTV. She advised that they didn't open at the weekend and that they have drafted a closure notice for the building and Facebook. This notice advised that they would be closed until further notice and that they would reopen in the spring with some guest rooms.

5.1.24 - Rachael Hind received a phone call from someone advising her to check the website of the Old Coaching Inn as there was information posted on there mentioning Rachael Hind. Rachael Hind has checked this information and they are alleging that they know who the complainant is. The details of the complainants (there are more than one) have never been disclosed as this is treated as confidential information. There are a number of other comments about Rachael Hind and the public house is claiming that they are being used as guinea pigs to send out a message to publicans that if they make lots of noise, they will have their licences reviewed. This is completely false and all premises are dealt with in the same manner. All businesses need to ensure they comply with their licensing conditions and promote the four licensing objectives.

Officers have no confidence in the DPS's ability to control and manage the premises. We have considered recommending the removal of the DPS, however they are also a Director of the limited company that holds the Premises Licence so this would have no effect. It is therefore recommended that an additional condition is attached to require SIA licensed door supervisors after 9pm and until all customers have left the vicinity.

Officers have considered the effectiveness of additional conditions to alleviate the noise nuisance and to ensure the DPS can effectively manage the noise and antisocial behaviour from the public house.

There are already a number of conditions attached to the licence, however it is important that these are applied at all times in accordance with Section 177A (4) of the Licensing Act 2003, to prevent future public nuisance.

Live music is not suitable in this premises due to the inappropriate sound insulation and drums and some other instruments cannot go through a noise limiter.

It is therefore recommended that no live music or percussion instruments are permitted at the premises. If this is agreed, then a number of the conditions in Annex 2 of the licence will need to be amended.

Due to the close proximity of residential premises and the noise associated with patrons leaving the premises, it is also recommended that licensable activities cease at 11pm and the premises close no later than 11.30pm. Please refer to Torbay's Licensing Policy 2021-26 on page 42, paragraph 6 which states '*Proximity to residential accommodation is a general consideration with regard to the prevention of public nuisance. The Authority will treat each case on its individual merits, however, stricter conditions will generally be considered on premises licences in areas that have denser levels of residential accommodation or residential accommodation in close proximity to them. This may include, where appropriate, the Authority considering an earlier terminal hour than that proposed by the Applicant*'.

It is also recommended that the following conditions are attached to the licence:

Noise nuisance

1. A written noise management policy must be kept on site and available for inspections by appointed officers on reasonable request.
2. The noise management policy must be reviewed annually.
3. No regulated entertainment will take place until a noise limiting device (the specification and design to be agreed with Environmental Health Service) is fitted so that all regulated, and recorded music (including any Juke Box's) are channelled through the device(s). The maximum noise levels will be set by agreement with the Environmental

Health Service and will be reviewed from time to time as appropriate.

4. The noise limiting device must be fully functional and in proper working order at all times during performances of live and recorded music.
5. No performances of recorded music can proceed without the noise limiting device in proper working order.
6. Staff shall check prior to the commencement of regulated entertainment, and periodically during regulated entertainment that all windows and doors are shut.
7. Noise emanating from the premises shall not be heard above background levels 1 metre from the facade of the nearest residential property.
8. The performance of recorded entertainment will cease by 23:00 hours.
9. The Premises Licence Holder or nominated person shall carry out observations in the residential streets surrounding the public house at the commencement of and at periodic times during any regulated entertainment to establish whether there is a noise breakout from the premises.
 - (i) If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance.
 - (ii) A record of such observations shall be kept in a log for that purpose, such a log shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise break out and any action taken to reduce noise breakout.
 - (iii) Such records must to be made available at all times upon request to a police officer or an officer of the local authority.
10. The Premises Licence Holder or nominated person shall ensure a telephone number is made available and displayed in prominent locations as agreed with Environmental Health for local residents to contact in the case of noise-nuisance or anti-social behaviour by persons or activities associated with the premises. The telephone number will be a direct number to the management who are in control during opening hours. A record will be kept by management of all calls received, including the time, date and information of the caller, including action taken following the call. Records will be made available for inspection either by any relevant responsible authority throughout the trading hours of the premises.
11. From 21:00 hours on Friday's and Saturday's, an SIA licensed door supervisor must be on duty at the entrance of the premises to monitor the frontage of the premises and to assist in minimising noise levels throughout the evening. The door supervisor shall remain until all people have left the vicinity after the premises has closed. At all other times the Premise Licence Holder or DPS will risk assess the need for door supervisors based on anticipated customer numbers and employ such numbers at such times as deemed necessary by the risk assessment.

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: 

Date **5.2.24**

Capacity **Regulatory Services Manager**

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

Post town

Post Code

Telephone number (if any)

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

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.

Additional information from the Environmental Health Department following application for the review of the premises licence:

The Old Coaching Inn, 61 Fore Street, Brixham, Devon, TQ5 8AG (PL0899)

An application for a review of the premises licence for the Old Coaching Inn has been submitted by Environmental Health for the following reasons.

As you can see from the supporting information I have submitted with this report, there has been numerous attempts by our department to work with the Designated Premises Supervisor, Miss Lesley Warner, and also with Mr Roly Butler who is joint director with Miss Warner of the Limited Company that hold the Premises Licence.

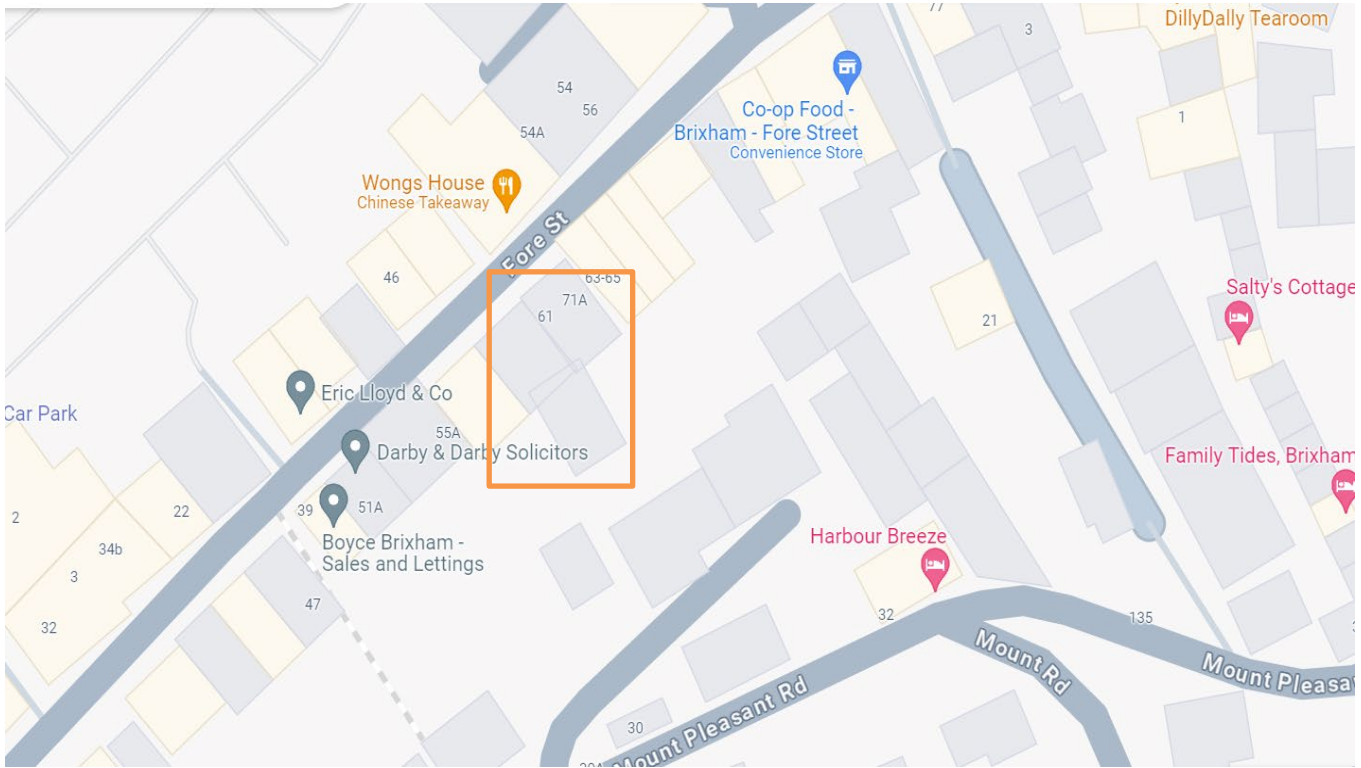
The nature of the problems has been public nuisance caused by loud music, noise from patrons entering, leaving and congregating outside the premises until early hours of the morning, the breach of permitted hours and the lack of co-operation from the DPS when offered guidance. The DPS is failing to manage the patrons that frequent the public house and this is having a negative impact on local residents.

Officers from the Council and the Police Licensing Department have tried to work with the Designated Premises Supervisor/Premises Licence Holders to resolve the matters. However, the noise and antisocial behaviour from the premises has continued to disturb local residents. The Premise licence holders are not willing to employ door supervisors to assist them in managing their clientele effectively and therefore we have no other option but to submit a review.

Some residents have also advised that the live and recorded music which is held in a building at the rear of the premises causes noise disturbance. Two of the complaints received were regarding noise from live music as the noise from the live bands were disturbing residents on Friday and Saturday nights. They were unable to open their doors or windows during the evening due to the noise levels and advised that the noise could be heard over and above their TV despite their windows being closed. Officers have visited the public house and the building used for entertainment at the rear of the premises is not sufficiently insulated to contain the noise as it has a metal roof with some gaps so the noise is not able to be contained within the building.

The public house is on one of the main town streets in Brixham but it is also surrounded by residential houses at the rear of the property and there are also a number of residential flats along Fore Street. Please see map overleaf.

Map showing the premises (orange box) and the surrounding residential properties



Map of site within the Plan attached to the Premises Licence



Photograph 1: View of the public house (on the RHS) from one end of Fore Street.



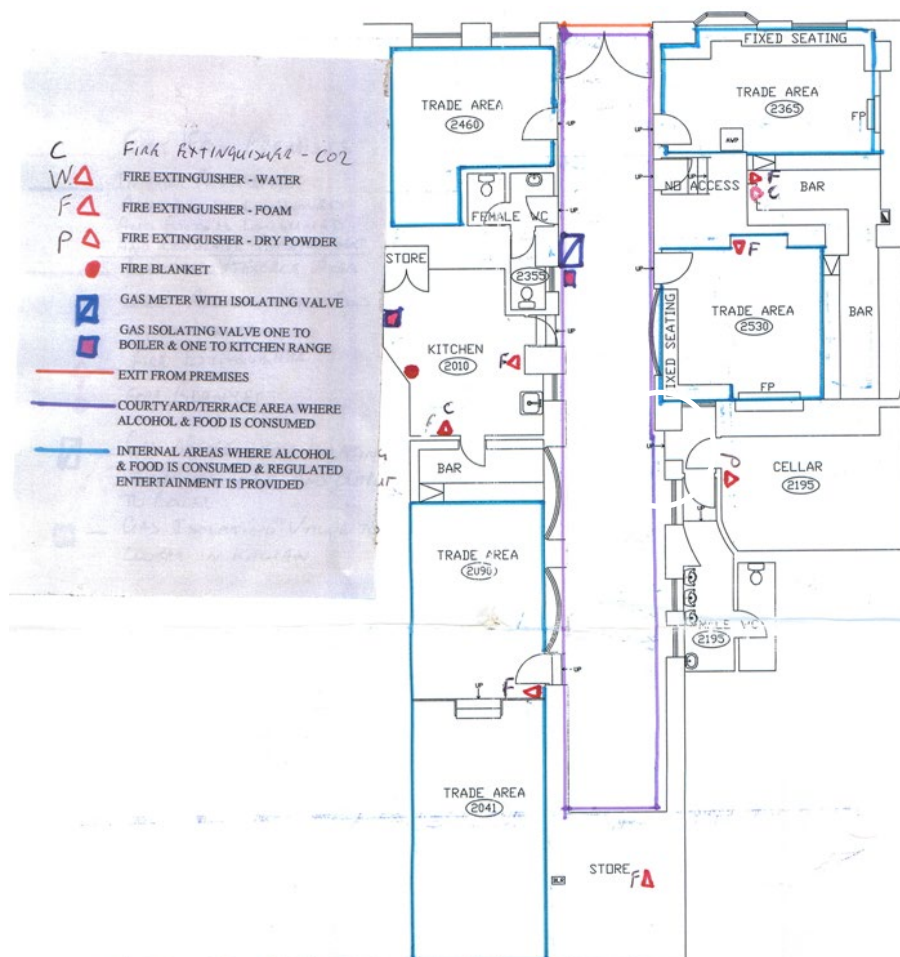
Photograph 2: View of the public house (on the LHS) from the other end of Fore Street.



Photograph 3: Aerial View of the public house and surrounding residential properties.



Plan of premises from the Premises Licence



Three complaints have been received regarding this premises in 2023. Two complaints were received in July regarding noise from the live music.

1.8.23 – A third complaint was received advising noise disturbance from music and from customers leaving the venue. They advised that they can hear people coming out of the pub just after midnight and they are stood outside shouting, screaming and dog barking. They advised that it is unbearable and this happens a lot at the weekends and some weekends it has been 1am when people leave and it wakes them up and they are unable to go back to sleep due to the noise. Unfortunately, the Council’s temporary member of staff did not take action with regards to this complaint.

21.9.23 - Further complaint was received and noise diary sheets were sent to the complainant.

18.10.23 - A letter was sent to Miss Warner, DPS, advising that complaints had been received and reminding her of the licensing conditions. No response was received from the DPS following this letter, despite the letter requesting them to contact me as soon as possible. Please see **Appendix 1**.

24.10.23 - A complainant sent an email with a video link of videos outside of the premises. Unfortunately, the videos could not be downloaded but we advised the complainant that we would visit the premises with the Police Licensing Officer to discuss the noise complaints and also the alleged underage sales and would feedback.

4.11.23 - An email was received from one of the complainants who complained in July advising that they did not have a noise diary for us but advised '**every weekend I hear music within my home from the Old Coaching Inn. When they have live bands it is worse. Last night the music lasted til 12.30am i.e. beyond the permitted time and then the row from customers went on til 1am. Truly dreadful. I do hope you can get them to revert to within the agreed licence terms**'.

7.11.23 – Visited the Old Coaching Inn with Olivia Kempton (now Gifford), Licensing Police. Olivia Kempton had arranged this visit as she had received complaints regarding underage sales and invited Rachael Hind to attend. Rachael Hind asked Miss Warner, DPS, if she had received the letter dated 18.10.23 and she confirmed that she had received it. During the visit, we went through the conditions on their premises licence. We recommended that they employed door supervisors to assist with difficult customers and ensuring they leave on time. We reiterated the timings of the licence i.e. that they can open and serve late night refreshments (hot drinks and food) until 00:30 hours but they must stop serving alcohol at midnight and then have the 30 minutes drinking up time before closing at 00:30 hours. We advised them to keep records of the monitoring they complete when walking around their premises to ensure the music cannot be heard at the nearest residential properties. We also recommended keeping the front door closed or reducing the levels emanating from the speakers in the corridor to prevent noise escape. We also advised as there is also very little insulation to the metal roof in the rear event space, we would recommend reviewing the noise levels in this area and if noise complaints continue, then they may need to provide additional acoustic insulation in this area and consider the use of a sound limiter. It was also recommended that they stopped live music by 11pm and only play background music after 11pm. Miss Warner and Mr Roly Butler advised that complainants can contact them directly using the contacts listed on their front window. Rachael Hind passed these details to the complainants so that they could contact them directly when the noise was occurring to try to resolve there and then.

7.11.23 - Following the meeting, Miss Warner emailed to ask for clarification about the licensing hours on their premises licence. **See Appendix 2**. The advice provided during the visit was then confirmed by Rachael Hind in an email on 8.11.23 with a copy of a noise management plan guidance note. **See Appendix 3**.

12.11.23 - Complainant emailed to advise lots of noise again late on Saturday 11 November into early hours of Sunday 12 November and operating beyond their opening hours. See **Appendix 4** which has the original email and responses. Complainant advised that they were disturbed by people noise outside, shouting and screaming as they left, kicking the doors, glasses were taken outside. They advised that the groups left around 1/1.10am and were leaving with takeouts.

14.11.23 - Rachael Hind discussed with the Police Licensing Officer who confirmed there were no police logs over the weekend regarding the Old Coaching Inn. Rachael Hind contacted the Council's CCTV team who managed to download footage from the Coop end of the street

looking up towards the public house and showed a group of people exiting the premises at 00:48 hours – 18 minutes past their opening hours.

15.11.23 - Rachael Hind emailed Lesley Warner, DPS regarding the incident and reiterated that they must abide by the licensing hours or they may face formal action as this is a breach of their premises licence. See **Appendix 5**.

15.11.23 - Reply from Miss Warner advising she is considering closing and will send another email tomorrow. See **Appendix 6 and my reply in Appendix 7**.

16.11.23 - Email received from Miss Warner. See **Appendix 8**. She said she couldn't employ door staff because of cost and breaching the terms of their insurance. She advised that she didn't know what else to do with her customers making noise when they leave. She also advised that she didn't understand why anyone would choose to live on the doorstep of a pub and think there will not be loud noise late at night/early hours as people leave pubs and felt it was unfair. She advised they will remain open until the end of the year and make a decision about 2024 and beyond. She said she would ensure they call last orders at 11.15pm and off licence orders until 11.30pm to give them an hour to get them out of the door. Please see my reply in **Appendix 9**.

21.11.23 – A complainant confirmed it had been quiet that weekend and they had closed early.

26.11.23 - Rachael Hind received an email from a complainant at 00:16 and another one at 00:22hours on Sunday 16 November advising lots of noise outside from customers. The complainant had called the business as recommended by us but they advised the business were not helpful. See **Appendix 10**.

26.11.23 - Email was also received from Miss Warner on Sunday afternoon advising that they had received a complaint and said she didn't hear anyone outside making lots of noise. She also advised that we should tell landlords to make their tenants aware that there is a lot of hospitality in the town and to expect noise. Rachael Hind replied to this email with advice regarding controlling customers and having door staff to assist. Further reply received from Miss Warner, advising they are looking into the costs of door staff and that they didn't realise it was their responsibility to 'herd' their customers away from the premises and asking again about warning landlords. See **Appendix 11 to 13**.

27.11.23 - Videos were sent by a complainant of customers outside of the Coaching Inn at around 00:12 hours. The customers were very loud and rowdy and were not being managed by the landlady or any staff. No one asked them to leave the area quietly.

30.11.23 Email sent to Lesley Warner and copied to Mr Roly Butler in response to their email. See **Appendix 14**.

3.12.23 - Email received from Lesley Warner on Sunday 3 December 2023 at 01.12am advising that they called last orders at 11.15pm on both nights but advised that this meant taking a lot less money and they 'can't be held hostage by residents, there has to be a middle ground'. See **Appendix 15**.

5.12.23 Rachael Hind replied to advise that the main complainant had said it was quiet on Friday night but there was a fight on Saturday around 11.30pm. I explained that we had a duty to investigate all complaints and ensure they are managing their premises and abiding by their licence conditions. See **Appendix 16 which also contains Miss Warners replies.**

6.12.23 - Email from Lesley Warner asking about the hours and the condition about 30 minutes drinking up time. Rachael Hind replied to explain the hours again. See **Appendix 17.**

9.12.23 – Email from a complainant at 11.52pm on Saturday 9.12.23, advising they have had a bad night with customers causing noise disturbance outside the property. Videos were sent to Rachael Hind via WhatsApp on Monday 11.12.23. See **Appendix 18.** Rachael Hind forwarded the videos via WhatsApp to Olivia Kempton (now Gifford) and she transcribed these and can be found in her representation as Exhibit OG.07. The complainant was concerned about including the actual video footage in our review submission in case of any repercussions so the transcript details what can be seen on the videos.

The videos showed a number of unruly customers having fights outside, throwing glasses which had been taken from the premises outside and were shouting obscene language. The videos were recorded between 22:10 hours and 00:36 hrs and the level of antisocial behaviour witnessed in these videos was unacceptable and Miss Warner and Mr Butler were not able to manage their clientele.

10.12.23 - Email from Lesley Warner on Sunday afternoon advising of the issues on Saturday night. She advised that at around 8.30/9.30pm they had issues with women screaming and shouting abuse and they advised that they managed to get them out of the building. She advised that later there were issues with a group of men outside. They then had other issues with other customers including someone who was trying to smash the window in and were banging on the main door. No door staff were employed at the premises to assist with customers. See **Appendix 19.**

Monday 11.12.23 – Rachael Hind emailed Lesley Warner, DPS, and asked if she could visit with the Police Licensing Officer on 12.12.23. See **Appendix 20.**

11.12.23 - Reply received from Lesley Warner, advising that they cannot meet with us as they are going away until late Friday afternoon. She asked if we had contacted the police regarding the incident on Sunday as they are very concerned and feel scared and anxious about their clientele. See **Appendix 21.**

11.12.23 - Rachael Hind replied to advise Lesley Warner that the Police Licensing Officer has discussed this with her police colleagues and they are looking into it for her. Rachael Hind advised that she was very concerned about some video recordings that were sent by a complainant and that she needed to speak to her urgently about this, preferably in person. **Appendix 22.**

11.12.23 - Lesley Warner replied to Rachael Hind's email by responding to each part of Rachael's email. She advised that there is no need to meet as they have decided to close and that they will focus on their bedrooms and to reinstate the Hotel. Lesley asked about who to send the CCTV footage to. Rachael Hind advised her to send these to the police and asked if she had a police log for when she reported the incident on Saturday night as the Police haven't

been able to find the log number on their system. Miss Warner replied to advise that they are closing immediately and are going away for the whole of January. She advised that when they reopen, they intend to open as a hotel for guests and club members so that they have control of who's coming and going and each member will have to sign in themselves and any permitted guests at a manned reception but that it would depend on finances and whether they wish to stay in Devon. She provided a police log reference, however when Rachael Hind asked the Police about this, they advised that this was an abandoned call at 23:12 hours and that the person who called did not respond to any call backs so they sent a generic abandoned call text message with the log number. See **Appendix 23**.

18.12.23 – Email received from Lesley Warner – see **Appendix 24**.

19.12.23 - Lesley Warner emailed to advise that a Police Officer was visiting her that afternoon to go through the CCTV. She advised that they didn't open at the weekend and that they have drafted a closure notice for the building and Facebook. This notice advised that they would be closed until further notice and that they would reopen in the spring with some guest rooms. See **Appendix 25**.

5.1.24 - Rachael Hind received a phone call from someone advising her to check the website of the Old Coaching Inn as there was information posted on there mentioning Rachael Hind. Rachael Hind has checked this information and they are alleging that they know who the complainant is. The details of the complainants (there are more than one) have never been disclosed as this is treated as confidential information. There are a number of other comments about Rachael Hind and the public house is claiming that they are being used as guinea pigs to send out a message to publicans that if they make lots of noise, they will have their licences reviewed. This is completely false and all premises are dealt with in the same manner. All businesses need to ensure they comply with their licensing conditions and promote the four licensing objectives. Please see **Appendix 26**.

Recommendations

Officers have no confidence in the DPS's ability to control and manage the premises. We have considered recommending the removal of the DPS, however they are also a Director of the limited company that holds the Premises Licence so this would have no effect. It is therefore recommended that an additional condition is attached to require SIA licensed door supervisors after 9pm and until all customers have left the vicinity.

Officers have considered the effectiveness of additional conditions to alleviate the noise nuisance and to ensure the DPS can effectively manage the noise and antisocial behaviour from the public house.

There are already a number of conditions attached to the licence, however it is important that these are applied at all times in accordance with Section 177A (4) of the Licensing Act 2003, to prevent future public nuisance.

Live music is not suitable in this premises due to the inappropriate sound insulation and drums and some other instruments cannot go through a noise limiter.

It is therefore recommended that no live music or percussion instruments are permitted at the premises. If this is agreed, then a number of the conditions in Annex 2 of the licence will need to be amended.

Due to the close proximity of residential premises and the noise associated with patrons leaving the premises, it is also recommended that licensable activities cease at 11pm and the premises close no later than 11.30pm. Please refer to Torbay's Licensing Policy 2021-26 on page 42, paragraph 6 which states '*Proximity to residential accommodation is a general consideration with regard to the prevention of public nuisance. The Authority will treat each case on its individual merits, however, stricter conditions will generally be considered on premises licences in areas that have denser levels of residential accommodation or residential accommodation in close proximity to them. This may include, where appropriate, the Authority considering an earlier terminal hour than that proposed by the Applicant*'.

It is also recommended that the following conditions are attached to the licence:

Noise nuisance

1. A written noise management policy must be kept on site and available for inspections by appointed officers on reasonable request.
2. The noise management policy must be reviewed annually.
3. No regulated entertainment will take place until a noise limiting device (the specification and design to be agreed with Environmental Health Service) is fitted so that all regulated, and recorded music (including any Juke Box's) are channelled through the device(s). The maximum noise levels will be set by agreement with the Environmental Health Service and will be reviewed from time to time as appropriate.
4. The noise limiting device must be fully functional and in proper working order at all times during performances of live and recorded music.
5. No performances of recorded music can proceed without the noise limiting device in proper working order.
6. Staff shall check prior to the commencement of regulated entertainment, and periodically during regulated entertainment that all windows and doors are shut.
7. Noise emanating from the premises shall not be heard above background levels 1 metre from the facade of the nearest residential property.
8. The performance of recorded entertainment will cease by 23:00 hours.
9. The Premises Licence Holder or nominated person shall carry out observations in the residential streets surrounding the public house at the commencement of and at periodic times during any regulated entertainment to establish whether there is a noise breakout from the premises.
 - (i) If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance.
 - (ii) A record of such observations shall be kept in a log for that purpose, such a log shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise break out and any action taken to reduce noise breakout.
 - (iii) Such records must to be made available at all times upon request to a police officer or an officer of the local authority.

10. The Premises Licence Holder or nominated person shall ensure a telephone number is made available and displayed in prominent locations as agreed with Environmental Health for local residents to contact in the case of noise-nuisance or anti-social behaviour by persons or activities associated with the premises. The telephone number will be a direct number to the management who are in control during opening hours. A record will be kept by management of all calls received, including the time, date and information of the caller, including action taken following the call. Records will be made available for inspection either by any relevant responsible authority throughout the trading hours of the premises.
11. From 21:00 hours on Friday's and Saturday's, an SIA licensed door supervisor must be on duty at the entrance of the premises to monitor the frontage of the premises and to assist in minimising noise levels throughout the evening. The door supervisor shall remain until all people have left the vicinity after the premises has closed. At all other times the Premise Licence Holder or DPS will risk assess the need for door supervisors based on anticipated customer numbers and employ such numbers at such times as deemed necessary by the risk assessment.

Appendix I

TORBAY COUNCIL

Miss L. J. Warner
Designated Premises Supervisor
The Old Coaching Inn
61 Fore Street
Brixham
TQ5 8AG

Please reply to: Rachael Hind

Community Safety

Town Hall

Torquay

TQ1 3DR

My ref: SR276549/SR276798

Your ref:

E-mail: Rachael.hind@torbay.gov.uk

Website: www.torbay.gov.uk

Date: 18.10.23

Dear Miss Warner

Environmental Protection Act 1990 – Statutory Nuisance

Licensing Act 2003 – Licensing Conditions

Name of Premises: The Old Coaching Inn, 61 Fore Street, Brixham

Nature of Complaint: Noise

I write with reference to two complaints received at this office, alleging a noise nuisance created from your premises. The complaint centres on the following points:

1. Loud music emanating from the public house on Friday and Saturday nights
2. Noise from patrons leaving the premises in the early hours of the morning, shouting and screaming and dogs barking. Management can also be heard loudly telling customers to leave the pub at 1am.

At this stage, this is purely an informative letter and to notify you that an investigation will be undertaken to consider the complaint.

I have notified the Licensing Officer of the complaint, as part of the investigation is to consider whether any conditions attached to your premises licence are being breached. Following the investigation there may be a need to recommend to the Licensing Sub-Committee that further conditions should be added.

Please ensure you are complying with all of your licence conditions and that all of your staff are fully aware of the conditions. In particular those under the prevention of public nuisance:

ANNEXE 2: CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

The Prevention of Public Nuisance

1. The sale of alcohol shall not be required to be ancillary to the sale of food at any time during opening hours.
2. Live music shall end at 00.00 except on New Years Eve and New Years Day.
3. Recorded music volume shall be reduced to background level during the wind down period to create a mood change.

4. A notice shall be placed prominently at the exits asking customers to leave quietly.
5. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Noise shall 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.
6. Amplified live music and karaoke until 00.00 hrs shall be limited to not more than three evenings per week.
7. Recorded music shall be played until 00.00 hrs, after which music shall be turned down to incidental background music.
8. Doors and windows shall be kept shut during entertainment to reduce noise breakout. A management scheme shall be in place to ensure this situation remains.
9. The volume of amplified music used in connection with entertainment provided shall at all times be under the control of the Licensee/Management and controlling mechanism shall be operated from a part of the premises not accessible to the public.
10. As far as is practical, that persons on or leaving the Premises shall be reminded to conduct themselves in an orderly manner and do not in any way cause annoyance to residents or persons passing by.
11. Cooking, noxious or persistent smells from the premises shall not cause a nuisance to nearby properties and the premises must be properly vented.
12. The mechanical extract system installed within the kitchen shall operate in a manner so as not to cause a noise or odour.
13. Kitchen extract filters shall be cleaned regularly to minimise the impact of cooking smells on neighbours.
14. All windows shall be kept closed after 00.00.
15. The premises will display appropriate signage stating the the tables and chairs will be brought in by 21:30hrs and last orders for refreshments in this area will be called at 21:10.
16. Clear signage will be displayed requesting that customers keep the noise to a respectable level at all times and requesting customers to be quiet when leaving the premises.
17. No noise of any kind shall be amplified outside of the premises.
18. Smoking shall be permitted in a designated area of the pavement cafe area with appropriate signage displayed.

Please note that officers from this Department may use recording equipment or visit, in order to substantiate complaints of noise or breaches to licensing conditions.
In the first instance I would ask you to contact me to discuss this matter as soon as possible.

Yours faithfully

R.A. Hind

Rachael Hind

Regulatory Services Manager

Appendix 2: Email received from Miss Warner on 7.11.23

From: [REDACTED]
Sent: Tuesday, November 7, 2023 2:29 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: The Old Coaching Inn Brixham

Hello Rachael

It was good to meet you today. Please can you just clarify something contained within our Premises Licence.

Our Licenced activities include:

- L. Late Night Refreshments (indoors) Monday to Sunday 11.00pm – 12.30am
- Opening times: 8.00am – 12.30am
- Prevention of Crime and Disorder: (1) There shall be a 30-minute extension of opening hours after the end of the sale of alcohol as the last drink shall be consumed less quickly, with access to the pub's toilet facilities.

So, am I correct in thinking that we can serve alcohol till 12.30am (indoors) and then allow 30 minutes for drinking up time and use of the toilets?

Kind regards
Lesley

Appendix 3: Reply from Rachael Hind to Lesley Warner

From: Hind, Rachael
Sent: Wednesday, November 8, 2023 11:24 AM
To: [REDACTED]
Subject: RE: The Old Coaching Inn Brixham

Dear Lesley

Thank you for your email. It was very nice to meet you both yesterday.

This is a very strange condition which is likely to have included in the original operating schedule to reflect the licensing hours applied for but should have been removed when the licence was granted.

The condition reflects the actual hours on the licence as you are allowed to open and serve late night refreshments (hot drinks and food) until 00:30 hours but you must stop serving alcohol at midnight and then you have the 30 minutes drinking up time before closing at 00:30 hours.

As discussed during our meeting, please keep records of the monitoring you complete when walking around your premises to ensure the music cannot be heard at the nearest residential properties. I would recommend keeping your front door closed or reducing the levels emanating from the speakers in the corridor to prevent noise escape. There is also very little insulation to the metal roof in the rear event space, so I would recommend reviewing the noise levels in this area. If noise complaints continue, then you may need to provide additional acoustic insulation in this area and consider the use of a sound limiter. I would also recommend you stop live music by 11pm and only play background music after 11pm.

I will advise the complainants that the shouting, screaming and dog noise is unlikely to be caused by your premises following the video you showed us, however please ensure you encourage your clientele to leave the premises as quietly as possible.

I have attached a noise management plan guidance note which you may find useful.

Please do not hesitate to contact me if you wish to discuss this matter further.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

Noise Management Plans – Guidance Notes

Licensed premises, sites and events should operate in harmony with their neighbours. By their very nature, they often cause disturbance to people living and working nearby and the aim of a Noise Management Plan or Policy (NMP) is to put in place reasonable measures to reduce the noise impact of sources associated with the premises/site/event. Particular attention should be paid to eliminating 'avoidable' noise. This guidance identifies some of the issues which should be considered when preparing a NMP although each plan will be premises/site/event specific. The examples given are not exhaustive and do not apply in all circumstances. Although preparation and compliance with a NMP may be a requirement of a premises licence this guidance also applies to events permitted under Temporary Event Notices and for unregulated entertainment. Please note that for large events such as open-air music festivals a comprehensive noise assessment by a qualified noise consultant in accordance with the Noise Council's Code of Practice 'Environmental Noise Control at Concerts 1995' is likely to be required. In these cases, a NMP often forms part of a wider Event Management Plan.

Guidance of what to include in a Noise Management Plan with examples/comments	
Summary of Premises/Site/Event	<ul style="list-style-type: none"> ▪ Dates, times and size of event(s). ▪ What music, where (inside or outside), when and times. ▪ Other activities which could generate noise. For example, gardens, smoking and play areas; people arriving and leaving; traffic routes; campers; mobile catering vehicles; generators; erection and dismantling activities etc.
Statement of intent/key objectives (purpose of NMP)	<ul style="list-style-type: none"> ▪ Minimise impact on local residents/prevent public nuisance. ▪ Satisfy Local Authority following a licence agreement/hearing. ▪ Identify noise sources and acceptable noise levels. ▪ Identify steps to manage and control noise. ▪ Define a program to monitor noise. ▪ Respond to complaints and unacceptable noise.
Location Plan and Site Plan	<ul style="list-style-type: none"> ▪ Site boundary and surrounding noise sensitive properties. ▪ Location of different events/activities. ▪ Location of stages and speakers (including orientation). ▪ Location of other noise generating plant/activities. ▪ Noise monitoring points on and off site.
Inventory of Noise Sources	<ul style="list-style-type: none"> ▪ Gardens, smoking and play areas – note when they will be used. ▪ Stages – note orientation and shut down times. ▪ All sound systems/speakers – note details of equipment. ▪ Marquees – note when they will be used. ▪ Tents and campers – note arrival/departure times. ▪ Fairground rides – note when they will be used.

	<ul style="list-style-type: none"> ▪ Sound checks – note times. ▪ Generators – note locations and when they will be used. ▪ Fireworks – note times. ▪ Impromptu parties (staff and guests) ▪ People arriving and leaving including traffic routes. ▪ Erection and dismantling activities – note dates and times. ▪ Delivery, waste disposal and collections.
Noise Controls including noise limits (usually agreed with the Council)	<p>Assess the impact of noise sources and what controls are needed. Pay attention to low frequency/bass noise – it can travel considerable distances causing problems.</p> <ul style="list-style-type: none"> ▪ Evaluate any history and learning points. ▪ Specification and selection of equipment that emit low noise levels. ▪ Keeping doors and windows shut. ▪ Limit times and volume of music/amplified sound. ▪ Use a sound limiter, contact Council to agree levels. ▪ Structural works to buildings to improve sound insulation. ▪ Restrict times gardens, smoking areas and play areas can be used and if they need to be served by external speakers. ▪ Is there a need for music in a marquee which has little sound insulation. ▪ Location, orientation and design of temporary structures and speakers. ▪ Noise limits at side boundary/noise sensitive properties, e.g., 'residents must be able to use and enjoy their property/garden without being disturbed by excessive noise' or (for bigger events) a noise level to be achieved, contact Council to agree limits. ▪ Sound checks before an event to comply with noise limits. ▪ Design and location of public address system. ▪ Acoustic enclosures/insulation for generators, chiller units, extract ventilation, waste disposal etc. ▪ Other barriers or screening to control or reduce noise. ▪ Limit times for deliveries, waste disposal and collection. ▪ Limit times for the erection and dismantling of structures such as stages, marquees, tower mixers etc. ▪ Use an external noise management consultant to help plan/monitor event (provide evidence to make sure they are competent to fulfil this role). ▪ Management of impromptu parties (e.g. for guests staying overnight, which are often in the middle of the night). ▪ Use traffic routes with least impact on neighbours. ▪ Management of noisy customers/people leaving an event/venue.
Noise monitoring	<ul style="list-style-type: none"> ▪ Proposed monitoring (on and off site) to check compliance with noise limits. ▪ How noise will be monitored and by whom. ▪ What equipment will be used and by whom. ▪ Where and when will monitoring take place. ▪ How and where monitoring results will be logged/recorded.

Communication with the public including a hotline to receive complaints	<ul style="list-style-type: none"> ▪ How local residents, parish/town councils will be informed about an event. ▪ Which resident will be informed. ▪ Provision of a hot line to receive/respond to complaints of noise during an event. ▪ The need to be sympathetic and listen to complainant's concerns. ▪ How/where complaints/action taken in response will be logged.
Action to be taken in the event of complaints or if noise limits are exceeded	<ul style="list-style-type: none"> ▪ What actions will be taken and by whom. ▪ Timescales to respond to complaints. ▪ Immediate response if noise limits are exceeded. ▪ How/where will actions be logged.
Management command and communication structure	<ul style="list-style-type: none"> ▪ Who is responsible for what sources of noise. ▪ How entertainment contractors, facility hirers, mobile caterers etc will be made aware of the NMP and noise limits set/agreed. ▪ What is the chain of command during the event. ▪ Designation of person will full control over sound levels and with authority to require others to comply with the NMP including finish times.
Schedule of contact details including person with overall control for sound levels	<ul style="list-style-type: none"> ▪ Details for people responsible for sound systems. ▪ Details for person with full control over sound levels and authority re NMP. ▪ On site contact details of someone the Council can contact during the event if problems arise.
Follow up report/review	<p>Evaluation report within 21 days of the event</p> <ul style="list-style-type: none"> ▪ Detail complaints received, results of noise monitoring, any problems that arose and remedial actions taken. ▪ Include: logs completed at the time of the event and noise monitoring results. ▪ Make recommendations for further events/review of the NMP.
<p>Note on Timescales – Draft NMP should be submitted to the Council for approval in good time with a final NMP circulated nearer to the event</p>	

1. Inside Music Noise

Often the bass elements are noticeable outside, close to the premises and inside nearby premises especially if they are attached. Good management control to keep doors and windows closed and control hours and volumes with a cooling-down period (reduced volume) for the last 15 minutes is achievable by the supervisor. Consideration of location of loudspeakers, limiting juke boxes and structural works may require someone with specialist experience bearing in mind that structural works may not be fully effective in reducing bass.

Live music is very difficult to manage, since many musicians bring their own equipment, and it cannot be effectively controlled by the supervisor unless there is a good working relationship. It may be prudent to favour events which minimise impact. Warn neighbours in advance of special events which might have a greater potential for disturbance.

Carry out regular checks at the boundary of the nearest noise sensitive properties, but remember if you have been subject to loud music for an hour or so your hearing will not be as sensitive, and the music level outside can easily be underestimated when you carry out your check. This effect is known as temporary threshold shift.

2. Outside Music Noise

Outside music can very easily cause a nuisance to nearby neighbours. The nuisance potential is closely linked to volume, hours of use and number of times a year. For example, a beer garden with a regular piped music for long periods at weekends or during the week is likely to be a nuisance if it can be heard in a neighbour's garden. On the other hand, an occasional jazz band (for example) for a couple of hours at lunchtime a few times a year (eg Bank Holidays) is much less likely to be a nuisance. Special events such as wedding receptions may need careful planning and thought, including liaison with nearby occupiers.

3. Deliveries, recycling, refuse collection

Deliveries and collections are noisy, e.g., the refrigeration units on delivery vehicles and the changing of barrels, the rattle of bottles, and the noise from refuse collection vehicles. The most effective way of minimising impact is to ensure that they take place at reasonable times on a weekday. Wherever possible locate stores, refrigerators, generators and noise creating equipment away from noise sensitive premises and consider the use of purpose built or soundproofed stores.

4. Smoking shelters

Smoking shelters and the use of external parts for customers to smoke may give rise to disturbance to occupiers of neighbouring premises especially later at night. Carefully consider their location. A smoking shelter may also need planning permission. Similarly external seating and eating areas, either on the premises or on the adjacent street, can cause problems as can the use of metal tables and chairs, particularly if the legs do not have rubber protectors on the feet. Remember that the evening/late night removal of tables and chairs can also give rise to disturbance.

5. Gardens and play areas

Gardens are an important feature of many premises and their use may be difficult to control. Sensible precautions like location, signs and restrictions on the hours of use of play areas may help, as can supervision.

6. Customer and car parks

Customer noise is a difficult matter, people leaving a noisy venue often carry on talking outside at the same volume, and this can be disturbing. A "No drinks outside" policy can reduce the length of time customers stay outside. Customers congregating outside to smoke, use mobiles or try to hold a conversation across the window façade with friends in the venue can cause problems.

Car parks are another area where occasional supervision and checks, especially late at night, may help to prevent loitering, chatting or inconsiderate and noisy driving. Signs that emphasise the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour should be considered. A good relationship should be fostered with responsible taxi operators and customers encouraged to contact these operators from inside via app where possible.

7. Complaints

The importance of a sympathetic and polite response to complaints cannot be over emphasised. Many problems can be defused by the right attitude and response. Letting neighbours know that you are willing to meet with them to discuss issues can help maintain relations and assists with neighbour tolerance. Record complaints, contact residents and deal with reasonable issues swiftly where possible, consider liaising with neighbours giving out contact name and number of responsible staff if noise is a problem.

8. Staff training and NMP updates

Increase and maintain staff awareness relating to noise management issues by inclusion in their regular training. When you update the noise management plan, please forward the amended version to the Council's Licensing Team.

Further information

Employers have a duty under health and safety law to protect their employees from hearing damage caused by excessive noise. DJ's, bar staff and others working in areas where loud amplified music is played are particularly at risk. If you employ staff who work in a noisy environment, you should assess their level of noise exposure and control excessive noise. This requirement is not related to the Licensing Act and need not form part of your application or operating schedule. Further information concerning this can be found here:

www.hse.gov.uk/noise/

Further advice on Noise Management Plans can be obtained from Torbay Council's Public Protection Officer by emailing licensing@torbay.gov.uk

Appendix 4: Email from a complainant

From: [REDACTED]
Sent: Sunday, November 12, 2023 1:10 AM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: Re: Noise from The Old Coaching Inn, Fore Street, Brixham

Hello,

There's lots of noise again tonight, banging on the doors, people being let in and out. Been woken up about 4 times in the last hour. We have a couple of videos. Absolutely shocking, and to be honest they need closing down. How did the meeting go?

13.11.23 Reply from Rachael Hind
On Mon, 13 Nov 2023, 09:09 Hind, Rachael, <Rachael.Hind@torbay.gov.uk> wrote:

Dear [REDACTED]

I am sorry that you are still experiencing issues.

We visited on Tuesday and thought the meeting went well. We reiterated the licensing conditions and the hours of operation and advised them to regularly monitor the noise from their premises and considered keeping the doors closed to reduce the noise escape. My colleague from the Police also discussed their ID checks and procedures regarding the alleged underage drinking.

What time were the customers banging on the doors? And do you know roughly what time they closed?

Could you hear music or was it mainly people noise?

Many thanks, Rachael

13.11.23 Reply to Rachael Hind

From: [REDACTED]
Sent: Monday, November 13, 2023 9:36 AM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: Re: Noise from The Old Coaching Inn, Fore Street, Brixham

Good morning,

It was people noise. Shouting and screaming as they left, kicking the doors, glasses were taken outside. The screaming was at about 1am. They were giving out lollies to what seemed liked kids. We have videos of the kicking and screaming. Even ended up ringing the police it was

so ridiculous. The doors were closed but kept being opened and slammed and there was so much arguing.

13.11.23 Reply from Rachael Hind

On Mon, 13 Nov 2023, 09:42 Hind, Rachael, <Rachael.Hind@torbay.gov.uk> wrote:

Thanks [REDACTED]

We suggested the lollies as usually keeps people quiet as they leave but it sounds like it may not have worked.

I have also asked our CCTV department if they have any footage we can view. When you heard the screaming at 1am – was this when they were being given the lollies to leave? Just want to check timings as they should have closed at 00:30.

Did the police give you a log number and do you know if they attended?

Many thanks Rachael

From: [REDACTED]

Sent: Monday, November 13, 2023 9:50 AM

To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>

Subject: Re: Noise from The Old Coaching Inn, Fore Street, Brixham

Not sure if they attended and didn't get a log number. There were numerous groups, the ones that had the lollies were ok, that was at 1.10. 1am a group left. Taking takeouts at 1am. The girl kicking the doors was before then but would have to check the time.

Appendix 5

From: Hind, Rachael

Sent: Wednesday, November 15, 2023 8:47 AM

To: [REDACTED]

Cc: KEMPTON Olivia 31386

<olivia.kempton@devonandcornwall.pnn.police.uk>

Subject: The Old Coaching Inn, 61 Fore Street, Brixham

Dear Lesley

We have received a complaint advising that on Sunday 12th November 2023, the Old Coaching Inn, Fore Street, Brixham was open beyond the licensed hours.

The complainant has advised that there was a lot of noise in the early hours of Sunday morning from people entering and leaving your premises and banging on doors, which woke them up four times. They have advised that there were numerous groups leaving and that the ones that had the lollies were quiet but there were others with takeouts which were louder and there was a girl kicking the doors. They advised they called the police around 1am but doesn't think they attended.

I asked our CCTV department to see if there was any Council CCTV footage in the area and they have sent me footage which shows a group of people leaving your premises at 00:48hours, some 18 minutes after you should have closed.

I would again like to advise you of the current hours and licensable activities you are covered for under your premises licence, as follows:-

Opening hours – Monday to Sunday 08:00 to 00:30 hours

Sale by retail of alcohol for consumption on and off the premises Monday to Sunday 9am – Midnight.

Films: Monday to Sunday 08:00 to 0:00 hours

Indoor Sport: Monday to Sunday 10:00 to 00:00 hours

Live Music: Monday to Sunday 10:00 to 00:00 hours

Recorded Music: Monday to Sunday 10:00 to 00:00 hours

Late Night Refreshment (Indoors): Monday to Sunday 23:00 hours to 00:30 hours.

I would also like to advise you of the following: -

Part 7, section 136 of the Licensing Act 2003.

(1) A person commits an offence if-

(a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or

(b) he knowingly allows a licensable activity to be so carried on.

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

Please ensure that you abide by the conditions of your licence and the above licensing hours, or we will have no choice but to take formal action, which may also include the review of your licence.

Yours sincerely

Rachael Hind

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

Appendix 6:

15.11.23 Email below sent from Miss Warner and copied to Mr Butler

From: [REDACTED]
Sent: Wednesday, November 15, 2023 6:08 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Cc: [REDACTED]
Subject: The Old Coaching Inn, 61 Fore Street, Brixham

From: [REDACTED]
Sent: Wednesday, November 15, 2023 1:17 PM
To:
Subject: RE: The Old Coaching Inn, 61 Fore Street, Brixham

Hello Rachel

Thank you for your email. We are preparing a reply covering the specifics, but in the meantime, would just like to provide you with some background information.

As I think we mentioned at our meeting, when we bought the Coaching Inn twelve years ago it had been closed for some time and was in a terrible state both inside and out. Over the years we have faced many challenges setting us back - probably years in total. Nevertheless, we have pushed on with energy, positivity and continued financial investment because we believed in the project. We have almost completed works on the Ground Floor but still have Floor's one and two to finish - which will return the Coaching Inn to its former glory as a Hotel, for both locals, their families and visitors to enjoy.

This is a special place, and a rare example of a late 18th century urban Coaching Inn, with a footprint that has barely changed over the years - it's Grade II listed, in a conservation area, and deemed a heritage asset of Brixham. The local community have been very supportive of our aims and look forward to the project being completed. It's seen as a sort of beacon on Fore Street, as shops, cafes and offices are closing around it.

Yet even with so much support, yet another obstacle presents itself. We are completely exhausted Rachel and have decided for both our mental and physical health that if we can't resolve this situation amicably, we'll abandon the project altogether and move on. This will entail closing the place down completely, boarding it up (for security) and letting it sit unused for the foreseeable future until we have decided what to do with it. We don't want things to come to this but feel we have no choice under the circumstances and the one sided content of your email.

We hope you find this email helpful in understanding our thoughts. We'll send the second one tomorrow.

Kind regards
Lesley

Appendix 7: **Email reply sent to Miss Warner and copied to Mr Butler**

From: Hind, Rachael
Sent: Thursday, November 16, 2023 8:51 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: The Old Coaching Inn, 61 Fore Street, Brixham

Dear Lesley and Roly,

Thank you for your reply.

I totally appreciate the hardwork and financial investment you have made to the property, however as we discussed at the meeting, you must stick to your licensing hours and conditions and prevent any noise nuisance to local residents.

Unfortunately, the weekend after our meeting, we received a complaint and I was able to substantiate the times on the local CCTV and saw people leaving at 00:48hours.

Please ensure everyone has left the building as quietly as possible by 00:30hours. As Olivia and I discussed with you at the meeting, you may want to consider using door staff if your customers are struggling to leave in an orderly manner.

I look forward to hearing from you.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)
Community Safety
Town Hall, Torquay TQ1 3DR
01803 208028 | rachael.hind@torbay.gov.uk

Appendix 8: Email received from Miss Warner

From: [REDACTED]
Sent: Thursday, November 16, 2023 3:08 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: RE: The Old Coaching Inn, 61 Fore Street, Brixham

Hello Rachel

Thanks for your email. There is little point in dwelling on the past, it is what it is but to recap briefly:

On Saturday we were very busy we had a party in the back, our Rugby contingent and some customers we hadn't seen for months. I was on the door and can assure you last orders were called at 11.50pm, but it's hard to get customers out of the door by 12.30am on the dot when they don't want to go. As you know I use the charm offensive - repeatedly saying 'come on you lovely people it's time for you to go home and for me to go to bed' and requesting/taking away their empty glasses. I have found this tactic works, some might say I'm like a nagging aunt in (fine by me) and being more assertive can be perceived as aggressive and potentially create a very negative outcome. I am pleased to say there was no animosity or fights.

As the complainant(s) says we got the lollies, and I handed them out at the door as customers left wishing them a good night and asking them to be quiet and not loiter because this area is residential. I'm not sure what else I can do Rachel short of gagging them. I don't understand why anyone would choose to live on the doorstep of a pub and think there will not be loud noise late at night/early hours as people leave pubs. We live at the front of the building and frequently hear loud noises and dogs barking late at night. It really is unfair. I read that 2 pubs are closing per day in England & Wales, unsurprisingly all things considered.

Further, with regards to the door kicking incident, that was one of the 2 girls Roly mentioned at the meeting, both are underage, and both will not stop trying to get in. They were very drunk and/or had taken something else, maybe both - they are lawless! Olivia is so right we need a police presence in Brixham on Friday & Saturday nights from 9.00pm because more and more trouble is brewing as we see more people coming over from Paignton and Torquay, that blended with the minority 'bad' element in Brixham is toxic and will all end in tears!

There are two reasons why we can't employ a doorman. The first is cost and the second it breaches the terms of our insurance. However, Roly and I will take turns for the time being. We'll remain open till end of the year, and then make some decisions about 2024 and beyond. In the meantime, this weekend we'll call last orders at 11.15pm and off licence orders till 11.30pm. This gives us an hour

for us to get them out of the door with their lollipop. Of course, this does mean it will impact our takings (another nail in the coffin) and we believe it will simply displace them to another pub where they can get more alcohol.

One final thing, please can you advise what we/if we need to apply for a late opening licence covering the festive period including New Years Eve?

Kind regards
Lesley

Appendix 9

Email reply from Rachael Hind to Lesley Warner and Roly Butler on 16.11.23

From: Hind, Rachael
Sent: Thursday, November 16, 2023 4:06 PM
To: [REDACTED]
Subject: RE: The Old Coaching Inn, 61 Fore Street, Brixham

Dear Lesley and Roly

Thank you for your email.

You will need to apply for Temporary Events Notices if you wish to open later hours over the Christmas/New Year period. You can apply online at [Temporary Event Notice - Torbay Council](#). As you have had noise complaints, I would be asking that any conditions on your premises licence are added to the TEN to ensure adequate controls are in place.

I appreciate that it may be hard to get people to leave the premises but you must ensure they have all left by 00:30 hours. As I advised from the feedback by one of the complainants, the lollipops did seem to help with some of the noise so thank you for taking on board our recommendations. Please also ensure that you do not sell off-sales i.e. allow them to leave with their takeout alcoholic drinks after 00:00 hours as your off sales are the same as your on sales and must cease at 00:00 hours.

I am surprised that having door staff will affect your insurance as they would be an added protection to you and your business and I would recommend you appoint SIA door staff. You will also have to risk assess this if you apply for additional hours after midnight for the Christmas and New Year season.

Do you have any images from your CCTV of the girl who has been banging on the door that you can email Olivia Kempton, Police Licensing so that she can share these with her Police colleagues as they may be able to take action with regards to the antisocial behaviour she is causing. Olivia and I have raised the lack of police presence in Brixham to the Neighbouring Policing Inspector and hope that this can be addressed.

Thank you for your suggested change to your timings of last orders and I hope this helps to resolve the issues.

Please do not hesitate to contact me if you wish to discuss this further.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

Appendix 10: Email from complainant at 00:16 on Sunday 26.11.23

From: [REDACTED]
Sent: Sunday, November 26, 2023 12:16 AM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: Re: Noise from The Old Coaching Inn, Fore Street, Brixham

Good evening,

Kicking put time again at this time, all look underage, taken videos again. The noise is keeping us awake. Tried ringing them, about 4 or 5 times, no answer. Can send videos.

From: [REDACTED]
Sent: Sunday, November 26, 2023 12:22 AM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: Re: Noise from The Old Coaching Inn, Fore Street, Brixham

Hello,
Me again, my partner just rang them again, all she said was they'd left the property, and it wasn't their responsibility and they're allowed until 12.30, however she also asked where we lived (we didn't say), did not like her attitude and she can't respect the fact that my partner works 9 hour days. We should not have to listen to children coming out of the pub at this time of day, and to be honest if it happens again, I will be phoning 999.

Appendix 11: 26.11.23 Email from Lesley Warner to Rachael Hind

From: [REDACTED]
Sent: Sunday, November 26, 2023 2:59 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: Noise - The Old Coaching Inn

Hello Rachel

I thought I would write this email, following a complaint about noise outside the building last night (Sat). I received a call from a man who said that there was a group of our customers moving slowly up Fore Street (c.30 yards from the building) and could I move them on (last orders was at 11.30pm - time they left the building was 12.17am). I asked where he was calling from, and he said behind the pub. Which I thought was odd because we don't have a rear exit! He said that wasn't the point at which stage I said to him "I'm not sure what you want me to do".

We have an A3 poster on the inside of the exit door telling customers to be quiet which I reiterated as they left with lollipops, I handed out for those who wanted one. I popped my head out of the small inset exit door and saw the group, I didn't hear anybody making lots of noise. The man said that he works long hours and has to get up early. I think by that stage the group had moved along so the phone call ended. The number came up as unknown, so unfortunately I can't provide you with this.

We have heard that certain publicans in town don't want The Old Coaching Inn to succeed so noise and underage drinking complaints are a good tactic. Our view is, this could just be title tattle and the outcome of living in the Brixham bubble, but it does make you wonder.

Finally, we keep coming back to the 'public nuisance' part of Licencing protocol. We think landlords should make their tenants aware that there are lots of hospitality businesses in the town, and many of their customers use Fore Street to get to where they are living/staying especially on a Friday, Saturday, and special events/celebrations. We can understand why don't - they want their flats let. But I'm wondering is there anything the Council can do to 'encourage' landlords to make it crystal clear to their prospective tenants that where they are moving to will get noise some nights?

I would appreciate your thoughts.

Kind regards
Lesley

Appendix 12

27.11.23 Email reply from Rachael Hind to Lesley Warner and Roly Butler

From: Hind, Rachael
Sent: Monday, November 27, 2023 10:49 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn
Importance: High

Dear Lesley

Thank you for your email.

I received emails from a complainant at 00:16 and 00:22 on Sunday morning regarding this issue. They have sent me videos and there are a number of your customers outside being very loud and rowdy and I cannot see yourself or any employees from your premises asking them to be quiet and moving them along.

From the video evidence I have seen, the behaviour of your customers outside of the premises is not acceptable and has caused undue disturbance to the local residents. This is also in breach of your licensing condition which states 'As far as is practical, that persons on or leaving the premises shall be reminded to conduct themselves in an orderly manner and do not in any way cause annoyance to residents or persons passing by'.

Whilst I appreciate you have signage and you have been giving out lollies to try to assist, you still need to be managing your customers as they leave so that they move on and do not congregate outside of your premises. As previously suggested, I would recommend you employ SIA door supervisors to assist you.

Someone who lives near a public house cannot expect silence and there will always be some noise when people leave a building, however they should not have to experience the current noise levels from the patrons congregating outside of your premises.

If this continues, then unfortunately I will have no choice but to review your premises licence.

Please do not hesitate to contact me if you wish to discuss this matter further.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

Appendix 13

Email received from Lesley Warner

From: [REDACTED]
Sent: November 29, 2023 8:25 PM
To: [REDACTED]
Cc: <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

From: [REDACTED]
Sent: Monday, November 27, 2023 1:48 PM
To: 'Hind, Rachael' <Rachael.Hind@torbay.gov.uk>
Cc: [REDACTED] (Mr Roly Butler)
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

Thank you for your email. With regards to a door person, we are looking into the cost of this in the short-term, and it is true I did not go into the street with our customers. We honestly didn't know that Torbay Council as part of Licence compliance expect us or a representative to escort our customers away from our premises along a public highway telling them to be quiet. And in real terms what would this achieve? Aren't we simply moving the noise to another part of Fore Street where there are more residential dwellings.

We reopened on Thursday 21st June 2022 and until you contacted us, we had received NO complaints of any kind. Now we just open on Fridays and Saturdays and will continue to do so till the Festive period when we will open for 4 days a week till end of the year. Then we will close and rethink our way forward.

We do feel unfairly treated because it seems to us that residents are getting more and more angry with the increasing noise levels outside their dwellings late on Friday and Saturday nights (we have discussed increasing late-night footfall) but can't complain to Torbay Council because they haven't got a specific Business to complain about - it could be one or many of the Pubs and Restaurants around the Harbour. So, they complain about us, when in truth they are really complaining about all hospitality businesses negatively impacting on their state of mind.

I will email you on Sunday with an update of how things have gone Friday and Saturday night.

Kind regards
Lesley

Appendix 14:

30.11.23 Email sent from Rachael Hind to Lesley Warner and copied to Mr Roly Butler

From: Hind, Rachael
Sent: Thursday, November 30, 2023 9:01 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your email, although the email you have forwarded is different to the one you sent me on Monday at 13:48 as the last paragraph is completely different.

Whilst there will be noise in the street by passers by from other public houses, which cannot be controlled, I can assure you from the video footage I have seen, that these customers were from your premises and were causing substantial noise nuisance to local residents, waking them up in the early hours of the morning. It is your responsibility as the Designated Premises Supervisor to ensure you manage your customers and do everything you reasonably can to get them to leave the premises quietly and to move them away from outside of your premises. I am pleased that you tried the lollipops, however you need to ensure you check that your customers are not loitering outside and are not causing disturbance as you are in very close proximity to local residents.

I look forward to hearing your feedback from this coming weekend and I will also send you any feedback I receive from the complainants.

Kind regards Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)
Community Safety
Town Hall, Torquay TQ1 3DR
01803 208028 | rachael.hind@torbay.gov.uk

Appendix 15

Sunday 3.12.23 at 01:12am Email received from Lesley Warner

From: [REDACTED]
Sent: Sunday, December 3, 2023 1:12 AM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

We called last orders at 11.15pm both nights. Patrons who wanted them got their lollies. And if they wanted more alcohol, they had time to go elsewhere. However, this approach means we are taking a lot less over the bar, and this is a big place (as you know) so we'll get to the end of the year and will have to rethink the future for The Old Coaching Inn. We can't be held hostage by residents, there has to be a middle ground.

Please let me know if you got any complaints.

Kind regards
Lesley

Appendix 16

5.12.23 Email reply to Miss Warner

From: Hind, Rachael
Sent: Tuesday, December 5, 2023 1:54 PM
To: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your email.

I have contacted the main complainant, who advised that it was quiet on Friday night but there was a fight outside from people within your premises at around 11.30pm. However, I have advised that there will be the occasional fight outside pubs and they are thankful that you have closed earlier and are taking measures to reduce the noise disturbance from people leaving the premises. Did you have to call the police regarding this fight?

We have a duty to investigate all complaints and ensure that you are managing the premises appropriately and abiding by your licence conditions. If you are complying with the licensing conditions and not causing any unnecessary disturbance, then this should reduce the likelihood of complaints. We always ensure we take into consideration the local area and a person living in an area near a public house cannot expect silence, but they can expect the licensed premises to abide by their opening hours and conditions of their licence.

Thank you for your cooperation with this matter and I will contact you if we get any further complaints.

Kind Regards Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

5.12.23 Email received from Lesley Warner

From: [REDACTED]
Sent: Tuesday, December 5, 2023 3:28 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: FW: Noise - The Old Coaching Inn

Hello Rachael

Sorry I'm not having a good day - mega stressed. We actually bought the building in 2011 and moved in, 12th July 2011.

Kind regards
Lesley

From: [REDACTED]
Sent: Tuesday, December 5, 2023 2:58 PM
To: 'Hind, Rachael' <Rachael.Hind@torbay.gov.uk>
Subject: FW: Noise - The Old Coaching Inn

From: [REDACTED]
Sent: Tuesday, December 5, 2023 2:46 PM
To: 'Hind, Rachael' <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

Thank you for your email.

It was not a fight on the premises it was lots of men pushing and shoving, the culprits were removed from the Inn by relatives and friends. They moved up the street quite quickly and when I last looked, they were near Brixham Grill.

As I think I have mentioned previously once customers from any of the hospitality venues around the harbour come up Fore Street causing disturbance late at night, residents can't/won't complain because they don't know where they have come from.

We can't keep closing early Rachael, it's crippling our takings as we are fairly quiet till 9pm - 10pm, so rely on business after that time. We appreciate that our procedures have appeased the complainant, but what about our livelihood? We can't keep this up as we approach the festive period. There has to be a middle ground. How come we've never had complaints till now. I can only assume the complainant over the road who is the main one (I'm guessing) must have moved in recently and whilst he has a right to expect quiet late at night, he decided to move in across the street

We will carry on with lollipops and escorting customers away from our premises as quietly as possible and that is the most you can expect us to do.

There was no need to call the police because it wasn't a big deal.

I meant to ask you about our Premises Licence which was issued to us by Torbay Council when we bought the building in 2012. Please can you explain why our Licence says one thing and Torbay Council says another?

Appendix 17

6.12.23 Email from Miss Warner

From: [REDACTED]
Sent: Wednesday, December 6, 2023 4:39 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Cc: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael.

I did tell you in a previous email that our Premises Licence states we can serve alcohol till 12.30am and must give customers 30 minutes to finish their drinks and allow time to go to the toilet before they leave which must be by 1am. I am attaching the relevant pages of the Licence for your perusal.

When I stated this in an earlier email you simply replied, "How Strange" and more or less ignored it. I should have pursued this further at the time and sent you a copy - which I assume is a legally binding document, but I seem to be constantly firefighting, it's been one thing after another and to be frank I just want to get to the end of the year when we close for maintenance, and a break.

The reason I referred to Torbay Council in the generic, is because it was inappropriate to refer to you as incumbent for any errors that may have occurred rightly or wrongly. Hopefully, that makes sense.

I await your comments.

Kind regards
Lesley

Attached pages:

Licensing Act 2003
Premises Licence

899

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

The Old Coaching Inn

61 Fore Street, Brixham, Devon, TQ5 8AG.

Telephone 01803 882154

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the 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
B. Exhibition of films (Indoors)	Monday to Sunday	8:00am	Midnight
C. Indoor sporting event	Monday to Sunday	10:00am	Midnight
E. Performance of live music (Indoors)	Monday to Sunday	10:00am	Midnight
F. Playing of recorded music (Indoors)	Monday to Sunday	10:00am	Midnight
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday	10:00am	Midnight
L. Late night refreshment (Indoors)	Monday to Sunday	11:00pm	12:30am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	9:00am	Midnight



Licensing Act 2003

Premises Licence

899

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	8:00am	12:30am

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

The Old Coaching Inn Brixham Limited 54 Thorpe Road, Norwich, Norfolk, NR1 1RY.

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

The Old Coaching Inn Brixham Limited 7847789

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

Lesley Jane WARNER The Old Coaching Inn, 61 Fore Street, Brixham, Devon, TQ5 8AG.
Telephone 01803 852000

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

Licence No. PA2784 Issued by Torbay



Steve Cox
Environmental Health Manager
30 June 2017



ANNEXES continued ...

In the case of the aforementioned conditions
"children" means persons aged under 18; and
"film classification body" means the person or persons designated as the authority under section 4 of the
Video Recordings Act 1984 (authority to determine suitability of video works for classification).

ANNEXE 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

General

None.

The Prevention of Crime and Disorder

1. There shall be a 30 minute extension of opening hours after the end of the sale of alcohol as the last drink shall be consumed less quickly, with access to the pub's toilet facilities.
2. Staff shall be trained on the requirements of the Licensing Act 2003 when they are recruited and given training in 'drugs awareness' as part of their induction.
3. Persons who are identifiably a threat to public disorder shall be refused service.
4. CCTV shall be in place and operational at all times while the premises is trading.
5. The pavement cafe area shall be cordoned off using a banner and post system.
6. All customers must be seated whilst occupying the pavement cafe area.
7. The pavement cafe area will be monitored continuously by staff throughout the day and evening. All tables shall be cleared of empties on a regular basis whether tables are occupied or not.
8. All bottled drinks served to customers sitting in the pavement cafe area shall be decanted into appropriate glassware.
9. Customers shall not be permitted to leave the premises with their glasses.
10. Violent or aggressive behaviour towards staff or customers will not be tolerated. Individuals displaying an aggressive demeanour shall be asked to leave / escorted from the premises.
11. Staff shall be trained to be vigilant in case of potentially volatile situations.
12. CCTV equipment will be maintained to the satisfaction of the Chief of Police. Recorded images will be retained for 30 days and made available to the Police on request at any reasonable time. If the CCTV equipment becomes inoperative at any time the Police and Licensing Authority will be informed as soon as possible and immediate steps will be taken to put the equipment back into action.
13. There will be no alcohol drinks promotions whatsoever. The hotel will introduce a generic loyalty scheme to reward customers.

Public Safety

1. Health and Safety Risk Assessments shall be carried out and reviewed regularly.
2. The fire safety measures, with which the premises are provided, shall be maintained in good working order, and their adequacy shall be determined on a regular basis, by the carrying out of a fire risk assessment, as required by, and in accordance with the Fire Precautions (Workplace) Regulations.
3. The safety of occupants is also influenced by numbers of persons present, their disposition and the activities taking place, the premises shall therefore undertake to maintain a safe occupancy level.
4. Tables and chairs will be stored inside the building and will be positioned in the pavement cafe area at 10:00 hrs and will be brought inside by 21:30 hrs every day.




6.12.23 Email sent to Miss Warner:

From: Hind, Rachael
Sent: Wednesday, December 6, 2023 4:54 PM
To: [REDACTED]
Subject: Noise - The Old Coaching Inn

Dear Lesley

Please refer to my email that I sent on 8 November 2023 and copied below which explains your licence times and that the condition merely reflected what it states in your operating hours, which are on the attachments you sent me i.e.

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES			
Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Sunday	8:00am	Midnight
C. Indoor sporting event	Monday to Sunday	10:00am	Midnight
E. Performance of live music (Indoors)	Monday to Sunday	10:00am	Midnight
F. Playing of recorded music (Indoors)	Monday to Sunday	10:00am	Midnight
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday	10:00am	Midnight
L. Late night refreshment (Indoors)	Monday to Sunday	11:00pm	12:30am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	9:00am	Midnight

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You must abide by these operating hours at all times.

As advised in the email below, the condition reflects the actual hours on the licence. You are allowed to open and serve late night refreshments (hot drinks and food) until 00:30 hours but you must stop serving alcohol at midnight and then you have the 30 minutes drinking up time before closing at 00:30 hours.

I hope this clarifies this matter.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)
Community Safety
Town Hall, Torquay TQ1 3DR
01803 208028 | rachael.hind@torbay.gov.uk

From: Hind, Rachael
Sent: Wednesday, November 8, 2023 11:24 AM
To: [REDACTED]
Subject: RE: The Old Coaching Inn Brixham

Dear Lesley

Thank you for your email. It was very nice to meet you both yesterday.

This is a very strange condition which is likely to have included in the original operating schedule to reflect the licensing hours applied for but should have been removed when the licence was granted.

The condition reflects the actual hours on the licence as you are allowed to open and serve late night refreshments (hot drinks and food) until 00:30 hours but you must stop serving alcohol at midnight and then you have the 30 minutes drinking up time before closing at 00:30 hours.

As discussed during our meeting, please keep records of the monitoring you complete when walking around your premises to ensure the music cannot be heard at the nearest residential properties. I would recommend keeping your front door closed or reducing the levels emanating from the speakers in the corridor to prevent noise escape. There is also very little insulation to the metal roof in the rear event space, so I would recommend reviewing the noise levels in this area. If noise complaints continue, then you may need to provide additional acoustic insulation in this area and consider the use of a sound limiter. I would also recommend you stop live music by 11pm and only play background music after 11pm.

I will advise the complainants that the shouting, screaming and dog noise is unlikely to be caused by your premises following the video you showed us, however please ensure you encourage your clientele to leave the premises as quietly as possible.

I have attached a noise management plan guidance note which you may find useful.

Please do not hesitate to contact me if you wish to discuss this matter further.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

6.12.23 Email from Lesley Warner

From: [REDACTED]
Sent: Wednesday, December 6, 2023 5:49 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

Thanks for that.

Yet another weekend will soon be upon us, can't wait till end of the year.

Kind regards
Lesley

Appendix 18: Email from a complainant on 9.12.23 at 11.52pm

From: [REDACTED]
Sent: Saturday, December 9, 2023 11:52 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: Re: Noise from The Old Coaching Inn, Fore Street, Brixham

Good evening,

Unfortunately, there has been more chaos from across the road, fights spilling out onto the street, a couple of young girls in particular were shouting for a good hour before it all kicked off. Glass were taken out of the pub, one girl threw a glass at someone stood just in the doorway. Think the police may have been called. They were banging on the windows of the pub, and shouting. Closed the doors for a little while, and have just let some more in. Have recorded it all. Don't want to go to sleep now as we're more than likely going to be woken up again, it's been horrendous.

Will send videos tomorrow.

Reply from Rachael Hind

On Mon, 11 Dec 2023, 09:23 Hind, Rachael, <Rachael.Hind@torbay.gov.uk> wrote:

Hi

Really sorry to hear that you have had more issues. The Landlady has also emailed to say there was issues with someone who came into the pub. I am waiting to hear back from my colleagues in the police before I arrange to meet with the landlady.

Please can you send me your video evidence by whatsapp as soon as you can. Did you note down any times that this started to happen in your noise diary and if so, please can you take a photo and send it to me.

Kind Regards Rachael

Reply from complainant

From: [REDACTED]
Sent: Monday, December 11, 2023 9:52 AM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: Re: Noise from The Old Coaching Inn, Fore Street, Brixham

Hello,

Will send over now. In the videos we ask Alexa the time quite often. It's just concerning how many people are now saying there's underage people getting served. If the landlady didn't ring the police, I would wonder why. And like I say, I don't understand why they would close the doors and then let people in. A window was broken down the street as well that night, just after these people walked off. Quite a few videos, will send now.

Thanks for the help.

Appendix 19: 10.12.23 Email received from Lesley Warner

From: [REDACTED]
Sent: Sunday, December 10, 2023 2:20 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: Re: Noise - The Old Coaching Inn

Hello Rachael
I'm checking in with you and it's not all good news I'm afraid. So Friday was fine, nothing to report. Saturday however was not! Things

started well. We had a visit from the police about 5/5.30pm. PC 7113 Pete Randall and a colleague from Torbay. It was good to meet them. Pete explained that he would be checking in on us late at night, but unfortunately not this night because he would be off duty at 10/11pm. He gave me a card with his details. We opened at 6pm All started well. Then at about 8.30/9.30pm. I heard women screaming, shouting and hurling abuse at some Romanian men who are in Brixham working on a building project. We know them as they have been in before and there has never been any trouble. I went over to the women, who I had never seen before and managed to usher them out of the building shouting and screaming as they went. The Romanians left shortly after. All was peaceful for a short while then I heard loud male voices shouting in the Carriage Way. I went to investigate and another male stranger was engaged with some of our regulars. I asked what the problem was and this stranger who was quiet and friendly when he came in had said to 2 of our regulars he was going to kill their families. Later the men told me that this mad person had just been released from prison in Birmingham. We managed to get him off the premises and away from the building. Then it was calm for a while. I then locked the big doors. So only the small inset door was available for customers to leave. I was collecting glasses and saw that the mad man had got back in. I asked him to leave he said no I have left my vape charging. So I escorted him to where it was he got it but wouldn't leave he apologised for his behaviour to the regulars, who accepted his apology then eventually we got him out of the door. Then one of the women who had been in earlier causing trouble and was on crutches was screaming and shouting and bashed at the door trying to get in. I told the customers to stay calm and not to engage which they did. She then tried to smash one of our windows but couldn't. Roly told me to call the police which I did but no reply. I called Pete Randall but got the answerphone. Things calmed down again. I stayed on the closed door so I could only let in our regulars. There was a knock, I opened the door and it was that mad man again. He said he wanted to come in for a drink. I said I'm sorry but you can't. He then said "I'm going to destroy you" I firmly closed the door. This was now close to closing time, so everybody began to leave. I escorted them out with their lollies. I went out with them as they quietly moved up the road. Roly noticed broken glass in front of our window outside so we cleared this up, went in and locked the door! I can't be totally accurate on times Rachael but the Street cctv should provide that and perhaps the complainant across the road saw things too. I can tell you this, in the 12 years I have been here I have never experienced such madness. Where are these people coming from. Let me know how you would like to move forward Rachael. I am sending this on my phone as my computer has crashed so not sure how it will look your end. Please can you copy in Olivia.

One last thing, we are seriously considering creating a Club next year, so no one apart from Club members and their guests and holiday makers who can buy a pass for the duration of their stay will be allowed access.

Kind regards
Lesley

Appendix 20

11.12.23 Email to Lesley Warner

From: Hind, Rachael
Sent: Monday, December 11, 2023 10:40 AM
To: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your email.

Olivia and I would like to visit you tomorrow at 11.30am to discuss this with you. I will also bring my new licensing officer, Tom West along with me.

Is this a convenient time for you both?

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)
Community Safety
Town Hall, Torquay TQ1 3DR

Appendix 21:

11.12.23: Email received from Lesley Warner

From: [REDACTED]
Sent: Monday, December 11, 2023 11:40 AM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

Firstly, I need to give you an update on my previous email. As you know we only open Friday and Saturday nights and will do till nearer Christmas, which is just as well because the mad man was shouting and screaming outside our building around 8.30pm last night. We called PC Pete Randell and he had also received a call from The Blue Anchor

(near the Harbour) a little earlier regarding the same man. The Constable has asked us to go through our cctv footage so the Neighbourhood team can see what he looks like. It should also show the mad woman.

Unfortunately, we can't meet tomorrow because we are going away till Friday late afternoon. Have you/Olivia touched base with the Neighbourhood team? Have you both gone through the cctv footage on Fore Street to identify the mad man and the mad woman on crutches? Is there anything we can do to today to move things forward, even if we can't meet up? Because this is scary stuff Rachael and both Roly and I feel anxious and don't want to go outside today in case the mad man is or will be lurking ready to pounce. We have never experienced anything like it before - whatever is happening to/in Brixham!

Kind regards
Lesley

Appendix 22

Email reply from Rachael Hind to Lesley Warner

From: Hind, Rachael
Sent: Monday, December 11, 2023 12:30 PM
To: [REDACTED]
Cc: GIFFORD Olivia 31386
<olivia.gifford@devonandcornwall.pnn.police.uk>; West, Thomas<Tom.West@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hi Lesley

Thank you for your email. Olivia and I have been discussing this today and our police colleagues are looking into this for you.

However, we are very concerned about some recordings we have been sent by a complainant and we really need to speak to you urgently about this, preferably in person or if not, would you be available for a Microsoft teams meeting (you can download teams on your mobile phone).

I am reviewing all of the evidence with Olivia and it is likely that I am going to have to request a review of your premises licence as you are not adequately controlling your customers and have no door staff to support you.

Please can you advise what time you are available this week so that we can either meet in person or set up an online meeting.

Kind Regards, Rachael

Appendix 23

11.12.23 1.52pm: Email reply from Lesley Warner

From: [REDACTED]
Sent: Monday, December 11, 2023 1:52 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

Please see my answers below.

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: Monday, December 11, 2023 12:30 PM
To: [REDACTED]
Cc: GIFFORD Olivia 31386
<olivia.gifford@devonandcornwall.pnn.police.uk>; West, Thomas
<Tom.West@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hi Lesley

Thank you for your email. Olivia and I have been discussing this today and our police colleagues are looking into this for you.

Good. This man needs to be sectioned, he showed psychogenic traits. We are currently looking at our cctv.

However, we are very concerned about some recordings we have been sent by a complainant and we really need to speak to you urgently about this, preferably in person or if not, would you be available for a Microsoft teams meeting (you can download teams on your mobile phone).

No need Rachael, given all that has happened over the last couple of months we have decided to close. When we bought this building, our intention was always to reinstate it as a Hotel and that is what we have permission for, so that is what we'll endeavour to do. We have no idea how long that will take and whether we can afford it. If we can't we'll have to sell. But Saturday and last night was scary and we don't want to put through that again. We still don't know whether that mad man will return tonight. If he does, we will be prepared with taking a video. It is a shame, especially for our regular customers but it is what it is. We'll make it known that we have closed to focus on our bedrooms and to reinstate the Hotel.

I am reviewing all of the evidence with Olivia and it is likely that I am going to have to request a review of your premises licence as you are not adequately controlling your customers and have no door staff to support you.

Just one thing we would say. Whether we had a Doorman at the entrance or not, the mad man and mad woman would have been allowed entry. They came in earlier in the evening and were fine and we had never seen them before. We just hope Torbay Council and the Police can overcome

the growing negativities about Brixham, when it has been doing so well as a destination resort. Do you need us to send you our cctv footage or shall we carry on working with the Police?

Please can you advise what time you are available this week so that we can either meet in person or set up an online meeting.

Kind Regards, Rachael
[Dito Lesley & Roly](#)

11.12.23 2.44pm: Email reply to Lesley Warner

From: Hind, Rachael

Sent: Monday, December 11, 2023 2:44 PM

To: [REDACTED]

Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your reply. Are you intending to close with immediate effect?

Please send the CCTV images to the Police as they will need these for their investigation. Did you get a police log when you reported it on Saturday night as the police haven't been able to find your log number on their system.

I will be reviewing all of the evidence and will notify you of my decision of whether I will be pursuing a review of your premises licence.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

11.12.23 4.36pm Email response from Lesley Warner

From: [REDACTED]
Sent: Monday, December 11, 2023 4:36 PM
To: 'Hind, Rachael' <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: Monday, December 11, 2023 2:44 PM
To: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your reply. Are you intending to close with immediate effect?
Definitely. We are going away tomorrow till Friday. Then all of January. Other than that we'll be about if you and Olivia want to meet up.

Please send the CCTV images to the Police as they will need these for their investigation. Did you get a police log when you reported it on Saturday night as the police haven't been able to find your log number on their system.

OK. The Police Ref. is DCP-20231209-0959.

I will be reviewing all of the evidence and will notify you of my decision of whether I will be pursuing a review of your premises licence.

OK. And remember when/if we re-open it will be as a Hotel for guests and Club members only so we have control of who's coming and going, and each member will have to sign in themselves and any permitted guests at a manned reception. To be honest much depends on finances and whether we want to remain in Devon. At the moment everything is hanging in the balance.

At least you have someone to help you now. You'll need it, given how things seem to be changing in Brixham. We'll be counting on you and your police colleagues to set Brixham back on the right path again as it was doing so well.

Kind Regards, Rachael

Dito
Lesley

Appendix 24

Email recived from Miss Lesley Warner

From: [REDACTED]
Sent: Monday, December 18, 2023 12:10 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Cc: brixham@dc.police.uk
Subject: FW: Noise - The Old Coaching Inn

Hello Rachael

We are having difficulty getting hold of the Police. My contact PC Pete Randall isn't replying to any of my answerphone messages, and no one from the rest of the Neighbourhood Team have contacted me either, so I don't know whether they have caught the culprit or not. We have just returned from a break away and someone has etched in the woodwork of our carriageway doors, an X. We are currently going through our CCTV footage. Have you or Olivia heard anything?

Kind regards
Lesley

Reply from Rachael Hind 18.12.23

From: Hind, Rachael
Sent: Monday, December 18, 2023 12:15 PM
To: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Hi Lesley

We haven't heard anything. We did ask the police regarding your log number but I was advised that this was an abandoned called at 23:12 hours and that you did not respond to any call backs so they sent you a generic abandoned call text message with the log number.

I would therefore recommend you contact the police directly on 101 and arrange to supply them with your CCTV footage.

Many thanks Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)
Community Safety
Town Hall, Torquay TQ1 3DR
01803 208028 | rachael.hind@torbay.gov.uk

Appendix 25 19.12.23 Email from Lesley Warner

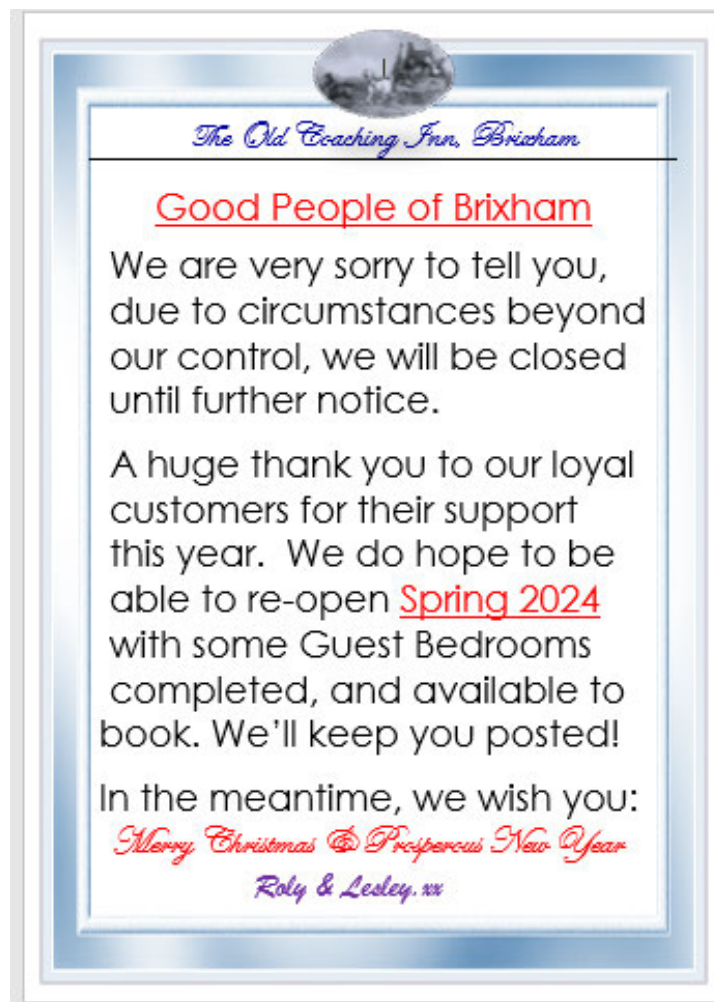
From: [REDACTED]
Sent: Tuesday, December 19, 2023 11:36 AM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

The police have been in touch and PC Pete Randell is coming this afternoon to go through the cctv and take what he needs.

We didn't open last weekend, and I have drafted a closure notice, which I attach for your file and this will be put up on the building and Facebook today.

Kind regards
Lesley



Appendix 26

Screen shot from The Old Coaching Inn website.

https://theoldcoachinginnbrixham.uk/?opening

tripadvisor

This Weeks Opening times At The Old Coaching Inn are: -

Normally Fridays, Saturday's. Sorry, but due to unforeseen circumstances We are unable to open to the public for the for the foreseeable future. We are still able to conduct private functions. Please contact us for details.

Letter to:- Hi hello Heather

Unfortunately, due to circumstances, a neighbour complaining about the noise on the street and customers leaving this building, in not a peaceful way according to him and the council. He only moved-in, less than 18 months ago, on-to-a-high-street, across from a popular Pub?! and only now, does he start to complain [I think his shifts have changed also and he seem uptight]

The lady at the council, Rachael Hind 'high up in environmental services' at Torbay Council is clamping down on antisocial behaviour... and using us as Guinea pigs to send-out a message to the other publicans. That if they make lots of noise, or she gets to hear of noise or music emanating from their establishments, businesses... they too will have their licences reviewed or massively reduced, or in some situations taken-away, yes, threats by her, the council taking away our licence completely. These words have been spoken!!

We here at The Coaching Inn are petrified, that if there are more complaints, from this 1-fella that lives [REDACTED], she'll move to make big changes to our licence.

We want to increase the duration of time that we can sell alcohol... and as we hope to hit Hotel status in 2024... and propose to have our alcohol licence extended.

So we have told Rachael Hind that we will close for Christmas and through to new Year. She has said... "she will wait until January before making any decisions", whether or not to alter or reduce our opening hours to run say only 10pm. This would not be viable as a business. and she says that minimum, have 2 door-people on the door... which will still not stop people feeling good and with their mates and families on a night out.

So, Heather, with great sadness... and it's unfortunate, that we're not going to be able to open

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or reduce our opening hours to run say only 10pm. This would not be viable as a business.
and she says that minimum, have 2 door-people on the door... which will still not stop people
feeling good and with their mates and families on a night out.
So, Heather, with great sadness... and it's unfortunate, that we're not going to be able to open
for New Year Eve.

Thank you Heather for your support

Here's To A Better 2024 And Beyond... .roly

We are available for Private room hire. Group Functions. Workshops. Childrens Group Actives.

Various rooms within this Venue are Available for Private Hire 7 days a week

Parties . Christenings . Wakes . Weddings . Bar Mitzvah . All Religions / All Faiths welcome

Childrens Parties, daytimes or evenings

Business & Workshop space, Seminars, Club Group Meetings eg. AGM

**We have an inhouse PA system. + 3 mics & stands. Acoustic/electric Guitar
Projectors & projector screens. Video, Webcam or Facebook-Live facility
We can show movie's... bring your own DVD's we have some of our own.**

**Any size not larger than A3. Colour Photocopy & Printing availability...
...plus access to advertise on the main shopping Street, Fore Street.**

Please enquire at: [REDACTED]

or buzz or text, Roly on [REDACTED] or

LesleyJane on [REDACTED]

Landline. Apologies Voice Mail Only:- [REDACTED]

whoof whoof We Are Dog and Family Friendly... and take Cash & Card payments too

Licensing Act 2003
Premises Licence

899

LOCAL AUTHORITY



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

Part 1 - Premises Details

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

The Old Coaching Inn

61 Fore Street, Brixham, Devon, TQ5 8AG.

Telephone 01803 882154

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the 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
B. Exhibition of films (Indoors)	Monday to Sunday	8:00am	Midnight
C. Indoor sporting event	Monday to Sunday	10:00am	Midnight
E. Performance of live music (Indoors)	Monday to Sunday	10:00am	Midnight
F. Playing of recorded music (Indoors)	Monday to Sunday	10:00am	Midnight
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday	10:00am	Midnight
L. Late night refreshment (Indoors)	Monday to Sunday	11:00pm	12:30am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	9:00am	Midnight



Licensing Act 2003
Premises Licence

899

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	8:00am	12:30am

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

The Old Coaching Inn Brixham Limited

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

The Old Coaching Inn Brixham Limited

7647789

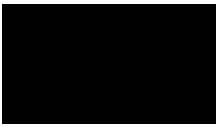
NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Lesley Jane WARNER

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

Licence No. PA2784

Issued by Torbay



Rachael Hind
Regulatory Service Manager (Commercial)
12 March 2024



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 available to customers in the following measures:-

ANNEXES continued ...

- (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: EXHIBITION OF FILMS

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

2) Where -

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this condition applies to the film in question,

ANNEXES continued ...

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

In the case of the aforementioned conditions

“children” means persons aged under 18; and

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

ANNEXE 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

General

None.

The Prevention of Crime and Disorder

1. There shall be a 30 minute extension of opening hours after the end of the sale of alcohol as the last drink shall be consumed less quickly, with access to the pub's toilet facilities.
2. Staff shall be trained on the requirements of the Licensing Act 2003 when they are recruited and given training in 'drugs awareness' as part of their induction.
3. Persons who are identifiably a threat to public disorder shall be refused service.
4. CCTV shall be in place and operational at all times while the premises is trading.
5. The pavement cafe area shall be cordoned off using a banner and post system.
6. All customers must be seated whilst occupying the pavement cafe area.
7. The pavement cafe area will be monitored continuously by staff throughout the day and evening. All tables shall be cleared of empties on a regular basis whether tables are occupied or not.
8. All bottled drinks served to customers sitting in the pavement cafe area shall be decanted into appropriate glassware.
9. Customers shall not be permitted to leave the premises with their glasses.
10. Violent or aggressive behaviour towards staff or customers will not be tolerated. Individuals displaying an aggressive demeanour shall be asked to leave / escorted from the premises.
11. Staff shall be trained to be vigilant in case of potentially volatile situations.
12. CCTV equipment will be maintained to the satisfaction of the Chief of Police. Recorded images will be retained for 30 days and made available to the Police on request at any reasonable time. If the CCTV equipment becomes inoperative at any time the Police and Licensing Authority will be informed as soon as possible and immediate steps will be taken to put the equipment back into action.
13. There will be no alcohol drinks promotions whatsoever. The hotel will introduce a generic loyalty scheme to reward customers.

Public Safety

1. Health and Safety Risk Assessments shall be carried out and reviewed regularly.
2. The fire safety measures, with which the premises are provided, shall be maintained in good working order, and their adequacy shall be determined on a regular basis, by the carrying out of a fire risk assessment, as required by, and in accordance with the Fire Precautions (Workplace) Regulations.
3. The safety of occupants is also influenced by numbers of persons present, their disposition and the activities taking place, the premises shall therefore undertake to maintain a safe occupancy level.
4. Tables and chairs will be stored inside the building and will be positioned in the pavement cafe area at 10:00 hrs and will



ANNEXES continued ...

be brought inside by 21:30 hrs every day.

The Prevention of Public Nuisance

1. The sale of alcohol shall not be required to be ancillary to the sale of food at any time during opening hours.
2. Live music shall end at 00.00 except on New Years Eve and New Years Day.
3. Recorded music volume shall be reduced to background level during the wind down period to create a mood change.
4. A notice shall be placed prominently at the exits asking customers to leave quietly.
5. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Noise shall 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.
6. Amplified live music and karaoke until 00.00 hrs shall be limited to not more than three evenings per week.
7. Recorded music shall be played until 00.00 hrs, after which music shall be turned down to incidental background music.
8. Doors and windows shall be kept shut during entertainment to reduce noise breakout. A management scheme shall be in place to ensure this situation remains.
9. The volume of amplified music used in connection with entertainment provided shall at all times be under the control of the Licensee/Management and controlling mechanism shall be operated from a part of the premises not accessible to the public.
10. As far as is practical, that persons on or leaving the Premises shall be reminded to conduct themselves in an orderly manner and do not in any way cause annoyance to residents or persons passing by.
11. Cooking, noxious or persistent smells from the premises shall not cause a nuisance to nearby properties and the premises must be properly vented.
12. The mechanical extract system installed within the kitchen shall operate in a manner so as not to cause a noise or odour.
13. Kitchen extract filters shall be cleaned regularly to minimise the impact of cooking smells on neighbours.
14. All windows shall be kept closed after 00.00.
15. The premises will display appropriate signage stating the the tables and chairs will be brought in by 21:30hrs and last orders for refreshments in this area will be called at 21:10.
16. Clear signage will be displayed requesting that customers keep the noise to a respectable level at all times and requesting customers to be quiet when leaving the premises.
17. No noise of any kind shall be amplified outside of the premises.
18. Smoking shall be permitted in a designated area of the pavement cafe area with appropriate signage displayed.

The Protection of Children from Harm

1. The premises shall adopt a Challenge 25 scheme and staff will ask for photographic identification if there is any doubt about an individual's age. Appropriate signage shall be displayed at the entrance of the premises.
2. Identification that shall be accepted are: A valid passport, photographic driving licence or approved identification card carrying PASS logo.



ANNEXES continued ...

3. Children shall be permitted in all the public areas.
4. Amusement Machines with Prizes shall be sited where supervision is available to prevent minors playing them.
5. Any person under the age of 16 years shall be accompanied by a responsible adult.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY










None

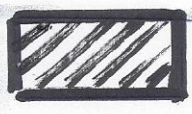
ANNEXE 4

PLANS

Copy attached to Licence.

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1.4m

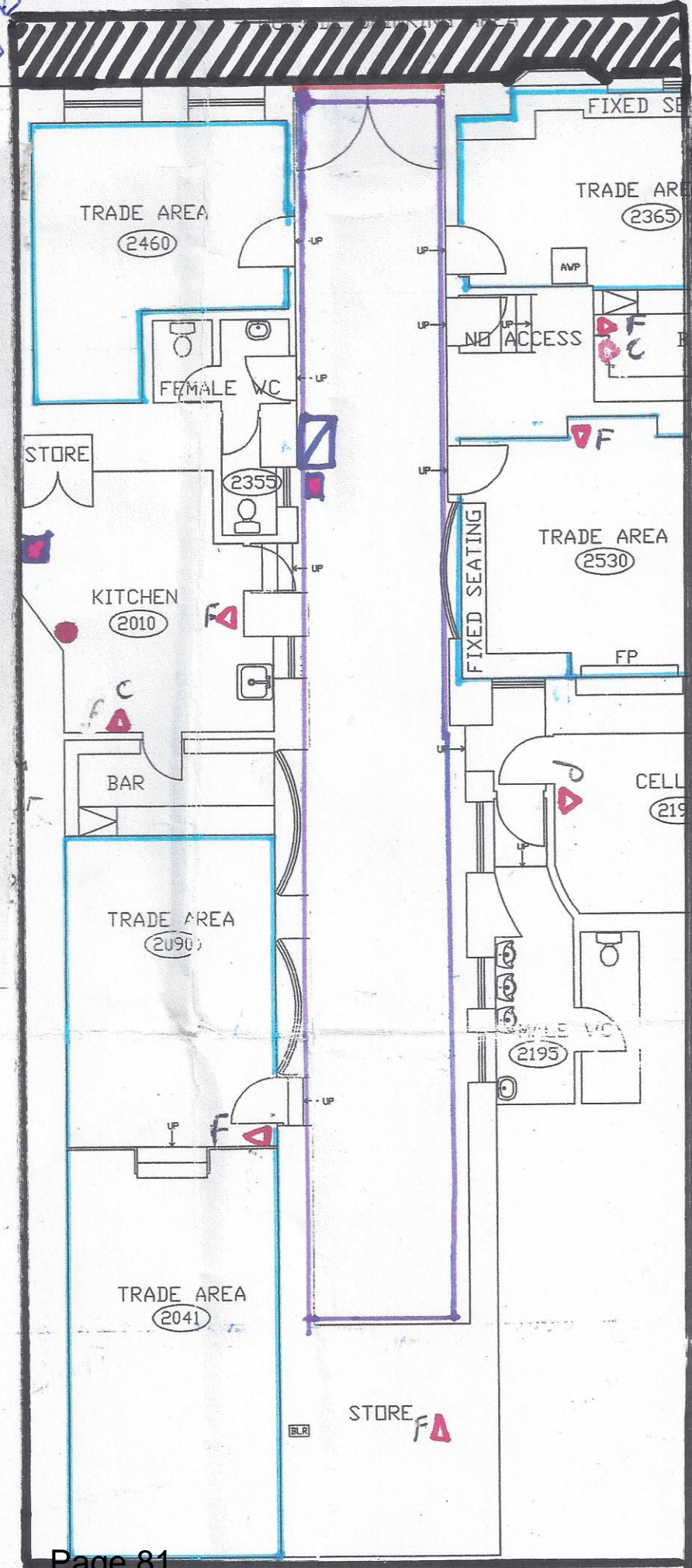
- C Fire EXTINGUISHER - CO2
- W  FIRE EXTINGUISHER - WATER
- F  FIRE EXTINGUISHER - FOAM
- P  FIRE EXTINGUISHER - DRY POWDER
-  FIRE BLANKET
-  GAS METER WITH ISOLATING VALVE
-  GAS ISOLATING VALVE ONE TO BOILER & ONE TO KITCHEN RANGE
-  EXIT FROM PREMISES
-  COURTYARD/TERRACE AREA WHERE ALCOHOL & FOOD IS CONSUMED
-  INTERNAL AREAS WHERE ALCOHOL & FOOD IS CONSUMED & REGULATED ENTERTAINMENT IS PROVIDED



Proposed Outside Area for tables + chairs. Plus post + banner system.

THE OLD COACHING INN
BRIXHAM, TQ58AQ

PREMISES LICENCE NO.
0899



From: [GIFFORD Olivia 31386](#)
To: [Cottell, Carrie](#); [Hind, Rachael](#)
Cc: [Licensing](#)
Subject: Official/Sensitive: The Old Coaching Inn, Brixham - Review
Date: 04 March 2024 20:21:25
Attachments: [image001.png](#)
[image003.jpg](#)
[image002.png](#)
[image004.jpg](#)
[Old Coaching Inn Review - Supporting Documentation .docx](#)
[Exhibit OG.01 - Premise Licence.pdf](#)
[The Old coaching inn fore street Brixham.msg](#)
[The Old Coaching Inn Brixham.msg](#)
[Brixham Evening Night Time Economy Forum.msg](#)
[Exhibit OG.07 - Video Timeline v2.xlsx](#)
[Exhibit OG.09 - MG 11 PC 7113 RANDALL - The Old Coaching Inn.docx](#)
[Exhibit OG.10 - LO Statement.docx](#)

Good Evening both,

On behalf of Devon & Cornwall Police, I would like to make the following representation in the above matter.

I consider the operation of the business to undermine the Licensing Objective, "The Prevention of Crime and Disorder".

Please find the attached paperwork including my statement in the position of Alcohol Licensing Officer, in which I outline my concerns and recommendations. Storm Logs and Occurrences mentioned in the Summary of evidence will be sent over following redaction.

Kind regards,

Olivia Gifford

Licensing Officer (Torbay) 31386
Alcohol Licensing Dept
Devon, Cornwall and Isles of Scilly
olivia.gifford@devonandcornwall.pnn.police.uk

Tel: 07921933974

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For more information, or to contact us, please visit us at www.devon-cornwall.police.uk or www.dorset.police.uk

Police Summary of Evidence

Evidence	Date/Time	Notes
Exhibit OG.01	N/A	Premise Licence
Exhibit OG.02	22/10/2023 11:59	Email received from PCSO Karl Copik 30544 passing on a report from a Police Surgery regarding Underage Sales at The Old Coaching Inn.
Exhibit OG.03 Requires Redaction	04/11/2023 22:40	Storm Log Transcript – DCP-20231104-922.
Exhibit OG.04 Requires Redaction	04/11/2023 22:40	Occurrence report - 50230292238
Exhibit OG.05	09/11/2023 10:41	Police Email to DPS Miss Lesley Warner following visit on 07/11/2023 at 12:00.
Exhibit OG.06	09/11/2023 10:42	Police Email to DPS Miss Lesley Warner inviting her to join local safety scheme.
Exhibit OG.07	Created 01/03/2024	Video Transcript
Exhibit OG.08 Requires Redaction	09/12/2023 23:12	Storm Log Transcript - DCP-20231209-0959
Exhibit OG.09	19/12/2023 23:47	Statement from PC Peter Randall 17113
Exhibit OG.10	04/03/2023	Statement from Police Licensing Officer Olivia Gifford 31386.

URN:

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Statement of: **Olivia GIFFORD**

Age if under 18 (if over insert "over 18"): **Over 18**

Occupation: **Police Alcohol Licensing Officer**

This statement (consisting of6..... Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:



Date: **04/03/2024**

I am the above-named person; I am employed as a Alcohol Licensing Officer by Devon and Cornwall Police. I have been in this role since April 2023 and have been employed by Devon and Cornwall Police in various roles for a total of 4 years and 6 months. My geographical area of responsibility is Torquay, Paignton & Brixham.

I make this statement in relation to review proceedings instigated by Torbay Council regarding a licensed premise named The Old Coaching Inn, situated in Fore Street, Brixham. The Old Coaching Inn currently has the benefit of premise licence PL0899 granted by Torbay Council on 30th June 2017 (Exhibit OG.01). The Premise Licence is held in the name of The Old Coaching Inn Brixham Limited. As provided by Companies House (gov.uk), the named Directors for The Old Coaching Inn Brixham Limited are Roland Keith Butler and Lesley Jane Warner. Lesley Jane Warner is the named Designated Premise Supervisor.

The Old Coaching Inn came to the attention of the Police Licensing Department on 22/10/2023, when I received an email from PCSO Karl Copik 30544 (Exhibit OG.02) outlining concerns raised by a local resident at a Police Surgery. The resident preferred to remain anonymous, informing police that during the week prior The Old Coaching Inn had shown a rugby match, during which various persons under the age of 18 were present and drinking alcohol within the premise. The resident added that a female who appeared to be under the age of 18 was receiving romantic advances from an adult male and they had concerns for her safety. No date or time relating to the incident was provided by the resident.

As part of my role, I work closely with Torbay Council's Licensing Department and became aware that they had received a noise complaint relating to the premise. Rachael Hind and I planned a joint visit to address both issues. To arrange the visit, I spoke with Mr Roland Butler. During the call, Mr Butler advised me that they have seen an increase of younger customers, particularly those who came to watch the Rugby and that they had seen an increase in incidents. However, he denied selling alcohol to anyone under the age of 18 and reassured me that they follow a Challenge 25 policy. Mr Butler also

advised that he was unsure about the future of the premise as they were experiencing some financial difficulties.

On 04/11/2023 at 22:39:33, Police log DCP-20231104-0922 (Exhibit OG.03) was generated in response to a call from a member of the public. Shortly after connecting the line cleared, and the call was logged as "Abandoned". However, the call taker noted sounds of a disturbance on the play back. Call back attempts were unsuccessful. At 22:53:21, an update was added to log that another call was received from another member of the public, reporting multiple people fighting and injured at the Old Coaching Inn. Details were unfortunately scarce as the reporting person had re-entered the pub and could not be heard. Upon Police attendance, violence was not ongoing and those involved in the incident had dispersed. Attending officers were able to view footage provided by a customer, having recorded part of the incident on their phone. As a result, a common assault crime was recorded (50230292238 – Exhibit OG.04) and contact made with the father of the victim who confirmed that he was safe and well. The victim was not supportive of prosecution, so the crime was filed with No Further Action.

Rachael Hind and I conducted a joint visit to the premise on 07/11/2023 at 12:00hrs. Upon arrival, it was noted that Mr Butler was attaching new Challenge 25 posters to the walls in the entrance of the premise. Miss Warner and Mr Butler were keen to share the history of the premise with us, advising that they initially purchased the building 12 years ago, and that they had intended to run the business as a Hotel/B&B though they had not yet had the financial means to renovate the rooms to facilitate this. At the time of visiting, Mr Butler & Miss Warner advised that the premise was only open on Friday and Saturday nights. They also advised that they ran another business in Norwich. According to Companies House this business is Refresh Express Ltd, for which Miss Lesley Warner & Mr Roland Butler are both directors. Refresh Express Ltd appears to be linked to a café near to Norwich Bus Station.

During the visit, we discussed the incident which occurred on 04/11/2023 and Miss Warner recalled that the suspect had been walking past the premise, spotted the victim through the window and came into The Old Coaching Inn specifically to attack the victim. Other customers were able to assist with separating the males. Miss Warner and Mr Butler felt that the incident was difficult to prevent as it had occurred so quickly, however they did accept that having a member of door staff available would have helped. It is noted that the only calls to police were the two made by members of the public, no call to Police was made by staff at The Old Coaching Inn.

Miss Warner and Mr Butler acknowledged that they had seen an increase in rowdy/violent behaviour within the premise and cited the cause of this as the increase in younger customers. They described a few incidents whereby under 18s had attempted to get their friends to make a proxy sale but were adamant that they had not served any alcohol to anyone under the age of 18. Miss Warner described an incident where she had felt fearful to challenge a group of customers whom she felt were not suitable to be in the premise, and mentioned further instances where she had been close to ejecting customers who

were behaving unacceptably. We discussed at length that the use of SIA Door Supervisors would address these issues.

Following the visit, Rachael Hind and I, both outlined our respective concerns and made recommendations. Exhibit OG.05 is the email sent to Miss Warner on 09/11/2023 in which I summarise the topics discussed during our visit and make recommendations to utilise an SIA Door Supervisor as well as introducing Incident Logs and Refusal Logs to support their statements that they are managing underage sales and incidents effectively. Exhibit OG.06 is an email sent to Miss Warner, inviting her to participate in a local safety scheme, whereby Brixham based licensees can share concerns or problematic customers with other venues. Miss Warner did not respond to either email, though I am aware of correspondence between Miss Warner and Rachael Hind, using the same email address.

The above-mentioned correspondence refers to an email sent to Rachael Hind on 07/11/2023 whereby Miss Warner seeks clarification about the timings for which licensable activity is permitted and when the premise should be closed by. Despite clarification being sent to her on 08/11/2023 outlining that alcohol must not be served past midnight, and that all customers must have left the premise by 00:30hrs, the CCTV control room relayed information that customers were leaving the premise at 00:48hrs on 12/11/2023. I am aware of a warning email sent to Miss Warner, by Rachael Hind on 15/11/2023, and the subsequent email thread between them. I noted that Lesley cited their insurance policy as a reason why they could not employ SIA Door Supervisors. I am not aware of any such barrier in the context of any other premise, being that additional security measures would enhance levels of safety within the premise. In the correspondence with Rachael Hind, Miss Warner makes reference to two underage females who over the course of several weeks had repeatedly attempted to enter the premise, she attributes some of the noise issues to these two females. In her reply, Rachael Hind encouraged Miss Warner to provide me with CCTV images of the females so that this can be investigated by Police Colleagues from both a nuisance and safeguarding perspective. Miss Warner was given my contact information via business card at our visit and at no point has she contacted me or to my knowledge, the local policing team regarding these females.

At this time, I was not confident that the Old Coaching Inn would close on time, nor was I confident in the managements ability to address difficult customers. As such I asked Police Officers from the local Neighbourhood Team to visit to further assess the premise and to reinforce previous advice where appropriate. PC Peter Randall 17113 facilitated this visit on the 09/12/2023. Later that evening Torbay Council received a further complaint regarding noise at The Old Coaching Inn, with mention of glasses being taken outside and of two females in particular who had been problematic. On 10/12/2023, Miss Warner emailed Rachael Hind informing her of the difficult night they had had the night before where she notes particular concern for a male whom made threats of violence towards her and a female who tried to smash the window with a crutch. Miss Warner later requested an update and provided log number DCP-20231209-0959 as a record of her report to Police. Exhibit OG.08 is the Storm Log transcript of

Miss Warner's call to Police, which has been recorded as abandoned following call backs with no response. I understand that Miss Warner did make calls to PC Randall, however he was off duty at the time.

Rachael Hind shared a series of videos with me which were recorded by one of the noise complainants and showed several incidents of disorder involving customers of The Old Coaching Inn, taking place on the pavement area outside. The videos were recorded on the evening of 09/12/2023 into the morning of 10/12/2023. The angle of recording shows the front door of the premise and a portion of the pavement in front of it. Exhibit OG.09 is a transcript of the videos in which I have highlighted specific moments of concern. The videos show more than one incident of disorder occurring outside the premise, some involving the same individuals. I would expect an effectively managed premise to have ejected and moved on any problem individuals, and where that was not possible for whatever reason, I would expect the staff on duty at the premise to call 999 to ask for Police assistance.

My main concerns in review of the footage are the following:

- Breach of Condition 2.10 of the Premise Licence "*Violent or aggressive behaviour towards staff or customers will not be tolerated. Individuals displaying an aggressive demeanour shall be asked to leave / escorted from the premises*". Multiple individuals involved in disorder were able to re-gain entry to the premise afterwards. Rowdy and aggressive behaviour of customers able to continue outside, unchallenged by staff.
- Breach of Condition 2.9 of the Premise Licence "*Customers shall not be permitted to leave the premises with their glasses.*" Female is seen in the footage to bring a glass outside, which is subsequently used to throw at someone through the main front doors.
- Another customer asks a group of males arguing to move on the road, seemingly on behalf of Miss Warner. I have concerns about the risk to customers being put in a position of control without the relevant SIA accreditation.
- I observed that many of the customers in the footage did appear to be of a younger crowd, which was also the main demographic of customer who were at the centre of incidents.
- Advice given to invest in SIA Door Supervisors was not heeded, and as such, incidents of disorder were able to occur. This is not in keeping with the Licensing Objective to Prevent Crime & Disorder.

Upon review of the footage, Rachael Hind & I agreed to arrange to meet Miss Warner and Mr Butler as a matter of urgency. Such request was made on 11/12/2023 however they were away for the rest of the week and advised that they planned to close The Old Coaching Inn for the foreseeable future. Miss Warner was advised of the abandoned call and asked to make contact with Police via 101 should she wish to complete her report. PC Randall revisited The Old Coaching Inn on 19/12/2023, to review CCTV and follow up on Miss Warner's call to him, see Exhibit OG.09.

It is my professional opinion that the management at The Old Coaching Inn, Brixham have not successfully upheld the Licensing Objective to Prevent Crime and Disorder. Miss Warner & Mr Butler did not action recommendations made by Devon and Cornwall Police as a Responsible Authority and as a result further disorder and nuisance occurred. Premise licence conditions were ignored and staff did not take appropriate action to call, and speak to Police when the situation warranted.

In such cases where the management of a licensed premise is not effective, it would be appropriate to suggest removal of the DPS. However, as the DPS is also a director of the limited company that is named as the Premise Licence Holder, I feel that this would have little impact upon the general management of the business.

Should the business continue to run with its current operational model, I would recommend that the committee consider amendments to the Premise Licence as follows:

- *Amendment to Licensable activity timings:* for sale by retail of alcohol to conclude at 23:00hrs, with closing time reduced to 23:30hrs.

- *Additional condition:* The number of SIA registered door supervisors shall be in attendance at the premises in the following numbers, days & times listed below:
Monday, Tuesday, Wednesday, Thursday and Sunday – Door supervisor numbers to be risk assessed by the DPS and/or Premises Licence Holder.
Friday and Saturday – As standard, a minimum of 1 SIA Door supervisor will be on duty from 20:00 hours until close on Friday and Saturday nights. Thereafter, the number of SIA licensed door supervisors employed shall be in accordance with 1:100 ratio of door supervisors to customers.
DPS and/or the premises licence holder will be responsible for conducting dynamic risk assessments for the requirement of additional door staff especially during busy periods, public holidays, or any other events such as sporting events or festivals.

- *Additional condition:* The following details for each door supervisor will be contemporaneously entered into a register kept for that purpose:
 - (i) Full name
 - (ii) SIA licence/badge number, and registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation)
 - (iii) The date and time they began their duty
 - (iv) The date and time they completed their duty
 - (v) The full details of any agency through which they have been allocated to work at the premises if appropriate

The register shall be available for inspection and copying at all reasonable times by an authorised officer of a responsible authority.

The register shall be kept at the premises at all times and be so maintained as to enable an authorised officer to establish the particulars of all door supervisors engaged at the premises during the period of not less than 12 months prior to the request.

- *Additional Condition:* An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:
 - the date and time of refusal
 - the reason for refusal
 - details of the person refusing the sale
 - description of the customer
 - any other relevant observations.

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

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

- *Additional Condition:* A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.

Miss Warner has indicated that in the future the aim is to run the premise as a Hotel/B&B. Should this be the case, I would instead request consideration for a variation of the conditions on the licence to accurately reflect the intended operation of the business and actively promote the licensing objectives.

In whichever capacity the Old Coaching Inn functions in the future, I would further recommend that management collaborate with the Policing Licensing Team on a mutually agreed upon action plan to improve practice and the safety of the premise.

You are here » Home » Licensing Act Premises Search » Detail » **Application**

Licensing Act 2003 - Premises Licence Register as at 13:01 on 13 February 2024

The Old Coaching Inn

61 Fore Street, Brixham, Devon, TQ5 8AG

Premises Licence PL0899 from from 30/06/2017 to indefinite

Licence holder(s)

Full Name:	The Old Coaching Inn Brixham Limited
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Designated Premises Supervisor

Full Name:	Miss Lesley Jane Warner
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Permitted Activities

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

Premises Open Hours Granted

	Time From	Time To
Monday to Sunday	08:00	00:30

Activities - Times Granted

	Time From	Time To
B. Exhibition of films (Indoors)		
Monday to Sunday	08:00	00:00
C. Indoor sporting event		
Monday to Sunday	10:00	00:00
E. Performance of live music (Indoors)		
Monday to Sunday	10:00	00:00
F. Playing of recorded music (Indoors)		
Monday to Sunday	10:00	00:00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)		
Monday to Sunday	10:00	00:00
L. Late night refreshment (Indoors)		
Monday to Sunday	23:00	00:30
M. The sale by retail of alcohol for consumption ON and OFF the premises		
Monday to Sunday	09:00	00:00

Additional Conditions

ANNEXE 1

MANDATORY CONDITION: WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL

- 1) No supply of alcohol may be made under the premises licence:-
 - (i) at a time where there is no designated premises supervisor in respect of the premises licence, or
 - (ii) 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 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: EXHIBITION OF FILMS

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

2) Where -

(i) the film classification body is not specified in the licence, or

(ii) the relevant licensing authority has notified the holder of the licence that this condition applies to the film in question,

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

In the case of the aforementioned conditions

"children" means persons aged under 18; and

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

General

None.

The Prevention of Crime and Disorder

1. There shall be a 30 minute extension of opening hours after the end of the sale of alcohol as the last drink shall be consumed less quickly, with access to the pub's toilet facilities.
2. Staff shall be trained on the requirements of the Licensing Act 2003 when they are recruited and given training in 'drugs awareness' as part of their induction.
3. Persons who are identifiably a threat to public disorder shall be refused service.
4. CCTV shall be in place and operational at all times while the premises is trading.
5. The pavement cafe area shall be cordoned off using a banner and post system.
6. All customers must be seated whilst occupying the pavement cafe area.
7. The pavement cafe area will be monitored continuously by staff throughout the day and evening. All tables shall be cleared of empties on a regular basis whether tables are occupied or not.
8. All bottled drinks served to customers sitting in the pavement cafe area shall be decanted into appropriate glassware.
9. Customers shall not be permitted to leave the premises with their glasses.
10. Violent or aggressive behaviour towards staff or customers will not be tolerated. Individuals displaying an aggressive demeanour shall be asked to leave / escorted from the premises.
11. Staff shall be trained to be vigilant in case of potentially volatile situations.
12. CCTV equipment will be maintained to the satisfaction of the Chief of Police. Recorded images will be retained for 30 days and made available to the Police on request at any reasonable time. If the CCTV equipment becomes inoperative at any time the Police and Licensing Authority will be informed as soon as possible and immediate steps will be taken to put the equipment back into action.
13. There will be no alcohol drinks promotions whatsoever. The hotel will introduce a generic loyalty scheme to reward customers.

Public Safety

1. Health and Safety Risk Assessments shall be carried out and reviewed regularly.
2. The fire safety measures, with which the premises are provided, shall be maintained in good working order, and their adequacy shall be determined on a regular basis, by the carrying out of a fire risk assessment, as required by, and in accordance with the Fire Precautions (Workplace) Regulations.
3. The safety of occupants is also influenced by numbers of persons present, their disposition and the activities taking place, the premises shall therefore undertake to maintain a safe occupancy level.
4. Tables and chairs will be stored inside the building and will be positioned in the pavement cafe area at 10:00 hrs and will be brought inside by 21:30 hrs every day.

The Prevention of Public Nuisance

1. The sale of alcohol shall not be required to be ancillary to the sale of food at any time during opening hours.
2. Live music shall end at 00.00 except on New Years Eve and New Years Day.
3. Recorded music volume shall be reduced to background level during the wind down period to create a mood change.
4. A notice shall be placed prominently at the exits asking customers to leave quietly.
5. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Noise shall 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.

6. Amplified live music and karaoke until 00.00 hrs shall be limited to not more than three evenings per week.
7. Recorded music shall be played until 00.00 hrs, after which music shall be turned down to incidental background music.
8. Doors and windows shall be kept shut during entertainment to reduce noise breakout. A management scheme shall be in place to ensure this situation remains.
9. The volume of amplified music used in connection with entertainment provided shall at all times be under the control of the Licensee/Management and controlling mechanism shall be operated from a part of the premises not accessible to the public.
10. As far as is practical, that persons on or leaving the Premises shall be reminded to conduct themselves in an orderly manner and do not in any way cause annoyance to residents or persons passing by.
11. Cooking, noxious or persistent smells from the premises shall not cause a nuisance to nearby properties and the premises must be properly vented.
12. The mechanical extract system installed within the kitchen shall operate in a manner so as not to cause a noise or odour.
13. Kitchen extract filters shall be cleaned regularly to minimise the impact of cooking smells on neighbours.
14. All windows shall be kept closed after 00.00.
15. The premises will display appropriate signage stating the the tables and chairs will be brought in by 21:30hrs and last orders for refreshments in this area will be called at 21:10.
16. Clear signage will be displayed requesting that customers keep the noise to a respectable level at all times and requesting customers to be quiet when leaving the premises.
17. No noise of any kind shall be amplified outside of the premises.
18. Smoking shall be permitted in a designated area of the pavement cafe area with appropriate signage displayed.

The Protection of Children from Harm

1. The premises shall adopt a Challenge 25 scheme and staff will ask for photographic identification if there is any doubt about an individual's age. Appropriate signage shall be displayed at the entrance of the premises.
2. Identification that shall be accepted are: A valid passport, photographic driving licence or approved identification card carrying PASS logo.
3. Children shall be permitted in all the public areas.
4. Amusement Machines with Prizes shall be sited where supervision is available to prevent minors playing them.
5. Any person under the age of 16 years shall be accompanied by a responsible adult.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

ANNEXE 4

PLANS

Copy attached to Licence.

Premises Plans

- Page 1 of 1

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Terms and Conditions

From: [COPIK Karl 30544](#)
To: [Licensing Team](#)
Cc: [HONEYBALL Daniel 17442](#); [RANDALL Peter 17113](#); [VEITCH Lisa 30084](#); [MACKIE Charlotte 30767](#)
Subject: The Old coaching inn, fore street, Brixham
Date: 22 October 2023 11:59:27

At Police street surgery yesterday male didn't want to give details reports underaged drinking at this location, im sure ive read intel before about the same thing at this location, he stated last week rugby was being played and numerous under aged youths were inside drinking, a female under 18 was clearly having

Advances interest paid to her from an adult, rp is concerned they are advertising for a party on Halloween

Licensing are you aware of any previous intel on this location please ?

Do you want the Neighbourhood team to visit

Kind regards

Karl

From: [GIFFORD Olivia 31386](#)
To: [REDACTED]
Subject: The Old Coaching Inn, Brixham
Attachments: [image001.png](#)
[image003.jpg](#)
[image002.png](#)
[image004.jpg](#)
[Incident_Log_Template.docx](#)
[Refusal_Log_Template.pdf](#)

Good Morning,

Thank you for your time on Tuesday, it was great to meet you both.

I wanted to take an opportunity to summarise the visit from a Policing perspective.

I asked to meet you to discuss a report that The Old Coaching Inn had been serving alcohol to individuals under the age of 18 years old. You assured me that that was not the case, that you have a Challenge 25 policy in place, that you ask customers for ID and that you eject those who are not of legal drinking age, including those who try to make a proxy sale. You advised that the only permanent staff members are yourselves and that casual staff who are employed for events are trained appropriately, although you did not have a training record to evidence this.

You did not have a refusal register or incident log at the time of the visit, but this is something that you were open to starting. As such please see some templates which can be used, alternatively you can find already printed books online. I strongly advise that you implement these logs and train any casual staff to use them, as this will be evidence of your Due Diligence should further complaints arise. This can also be applied to noise monitoring. Without these logs, it may appear to Responsible Authorities that you had not taken appropriate action to prevent contravention of the Licensing Objectives and could have an unfavourable impact on any future licence reviews.

You both mentioned that you have had some issues over the last few months with rowdy/violent behaviour of customers, younger crowds sneaking in trying to be served or asking their friends to buy alcohol for them and loudness of customers as they are leaving the premise. An incident was described whereby Lesley stated that she had felt fearful to challenge a group of customers who were not welcome in the pub. Another incident recently occurred in which a male entered the premise to physically attack a customer and Police were called to assist. You also described several incidents in which the behaviour of customers had become problematic and that you had been close to ejecting them. While a level of disruptive behaviour is expected in the night-time economy, I do feel that all the above could be mitigated by using a member of SIA Doorstaff. We discussed the tactic of employing door staff for a set period to hard reset the clientele coming into the pub and to set the tone of the premise moving forward. As a reminder, Lesley, it is your responsibility as the DPS to risk assess whether you feel that door staff are required and would be you that is held accountable should an incident occur whereby you had not taken appropriate measures to Prevent Harm within the premise (as per the Licensing Act 2003 objectives).

At this time, I am unable to definitely confirm whether or not underage sales have taken place within your premise. However, I will remind you that Trading Standard Test Purchase operations and Police Licensing visits are likely to be imminent within the next few months. The penalty for a premise caught serving alcohol to someone under 18 years of age is an **unlimited** fine.

With the doom and gloom part over, I do wish you the best with whatever you decide to do in with the pub in the future. With mention of using the rear space for more live music events etc, I had a thought on my way home. I wondered whether you had considered reaching to community groups like Brixham Folk Club and inviting them to use the space.

We also have an Evening and Night-time economy Whatsapp group due to start in Brixham soon, I will send you a separate email regarding this with the details should you wish to participate.

Kind regards,

Olivia Kempton

Licensing Officer (Torbay) 31386

Alcohol Licensing Dept

Devon, Cornwall and Isles of Scilly

olivia.kempton@devonandcornwall.pnn.police.uk

Tel: 07921933974

From: [GIFFORD Olivia 31386](#)
To: [REDACTED]
Subject: Brixham Evening & Night Time Economy Forum
Attachments: [image001.png](#)
[image003.jpg](#)
[image002.png](#)
[image004.jpg](#)

Good Morning,

I am writing to you as I have been in conversation with the various premises in Brixham and found that there is an appetite for a Pubwatch type scheme or similar. Many licensees are keen to be able to communicate with each other especially with regards to problematic individuals, safety concerns and trends that affect the day to day running of your businesses. With the festive period looming in the near future, I wondered whether it may be helpful to have a forum which supports this.

What is the plan?

- The proposal is to form a Whatsapp group, as the settings can be applied to uphold Data Protection legislation and is a simple way of facilitating communication.
- This Whatsapp group can be used to share descriptions or images or troublesome customers to warn your neighbouring premises, to highlight particular issues or good practice, to share information to improve the safety of customers and staff working in the night time economy.

Next Steps

- If you are interested in participating in this forum, please respond to this email and provide the information requested in the form below. This can be sent in any format, though the form can be copied/pasted for your ease.
- I am asking businesses to be mindful of who they would like to represent them in the Whatsapp group. There is no limit to how many people can represent each business, though ideally representatives should hold some level of responsibility e.g. DPS, Manager, Team Leader etc – this ensures that content shared in the forum is appropriate and prevents it from becoming a source of gossip!

Name of Business/Premise			
Representatives	Name	Role	Mobile Number

Please note that by responding with the relevant contact information, you are consenting to this data being shared to create the Whatsapp group only. It will not be used for any other purpose. Please familiarise yourself with Whatsapp' terms and conditions should you have concerns. I, nor any other Police representatives will be actively managing the group to ensure fairness, however information shared in the forum will help to inform Local Police of issues or individuals which are impacting the trade. This is your forum to share matters of concern, to warn other premises about problem persons and to share good practice. Any volunteers for admin support would be greatly appreciated.

If you are no longer in post, please let me know and I'll remove you from the contact list to save hassling you again.

Happy to receive any comments/feedback.

With Kind regards,

Olivia Kempton

Licensing Officer (Torbay) 31386
Alcohol Licensing Dept
Devon, Cornwall and Isles of Scilly
olivia.kempton@devonandcornwall.pnn.police.uk

Video Timeline					
Exhibit Ref	Original Ref	Time	Chronological Order	Min/Secs	Description
Exhibit.Video.01	WA0001		1	00:01	3-5 people stood outside, some appear to be leaving/some movement in and out of shot. Low level background noise, with a few voices coming through louder over the top e.g. sound of a female shouting inside the premise. Front double doors both open.
Exhibit.Video.02	WA0002		2	00:05	Female with crutch audible above noise of several groups talking, heard to shout "these F***** C****s". 10 people stood at the front of the building. Both doors open.
				00:14	Female with crutch seen to walk out of the shot of the camera whilst shouting "I will F***** (inaudible)". Inaudible shouting is then heard for a few further seconds.
				01:04	Complainant heard to say "they're drinking outside as well". Another voice says "Are they?". Replies "Mm." Female seen to put a glass on the table outside.
				01:10	Female voice (approx 18-30yrs) heard shouting "F*** off outside" x3. A female wearing brown trousers comes from within the premise to the double front doors, she walks with purpose, pointing at someone off camera and appears agitated in her demeanour. Behind her is a person in a green coat and hat, who appears to follow her out of the door. This person matches the description of Mr Butler, one of the licence holders. The agitated female then walks past Mr Butler and back into the premise at 01:27, followed by another female in a green skirt who is heard to make a growling sound which indicated anger or aggression. Mr Butler then stands facing the premise with their back to the camera, appearing to observe the commotion as people come in and out of the premise.
				01:38	One of the double doors is closed by someone who appears to remain behind the door.
				01:50	Female runs to the open door shouting "where is she". She looks for and acknowledges someone, then walks into the premise as if making towards them. The sound of male and female shouting emanates from the premise.
				02:24	Female with green trousers leaves the premise with a drink in her hand, and places the empty glass on the windowsill to the right of the front doors.
				02:33	Mr Butler walks past the female in brown trousers while looking at his phone and goes back inside the premise at 02:41
				02:41	Female in the brown trousers shouts "F*** off" and throws the empty glass through the open door. She then repeats "and what" 11 times, some inaudible shouting and then "carry on your f***** tramp"
				02:50	Another female who appeared to be waiting for someone at the front door, can be heard telling her to calm down and steers the female with an open palm away from the front door. A male follows her and is seen to gesture a headbutt towards the female who threw the glass, though this appears to be more as a threat than an intention to connect. The group move away from the front door.
				02:54	Miss Warner seen to step out of the front door and look towards the group who are arguing off camera.
				03:14	Miss Warner steps back inside the premise and out of sight from the front door. Note that arguing can still be heard, though not in view of the camera.
				03:23	A female at the front door heard audibly above background noise shouting "lets go" to someone who is inside.
				04:05	Female with brown trousers that threw the glass, runs up to the front door and shouts "get out now". Is able to walk back inside.
				04:19	Three people, including the female in the brown trousers appear to be walked to the front door by Miss Warner, the second door is shut behind them. The group continue to shout as they walk away, can audibly hear: "move" "down here" "I'll (inaudible) you another time you stinking b*****" "what you staring at you s***, what you staring at?" "come here then" "and what"
				04:51	Mr Butler comes out of the front door onto the pavement and walks out of shot in the direction of the group.
Exhibit.Video.03	WA0003		3	00:01	Two people arguing (not audible, however body language suggests a confrontation) outside the closed front doors to the premise. A group come out of one of the doors and several people appear to lunge towards the person facing the premise, who is then pushed out towards the pavement and away from the pub. The sounds of a scuffle can be heard, though the group move out of the view of the camera.
				00:25	Camera moves to see further down the street as the group seem to usher a male away, a male is seen to double palm push this male from behind telling him "F*** off, go".
				00:57	Various members of the group involved in the altercation are able to re-enter the premise. Including a male wearing a very distinctive yellow coat.
				01:15	Sounds of a female shouting
				01:30	Female with crutches returns, heard shouting "they're all sat up in the pub yeah, you silly c****s", and seen waving her crutch above her head. She hits the door with the crutch, then a female enters the frame behind her and kicks the door. They both leave the frame to the right, but can be heard shouting. Much of this is inaudible as they are talking over each other, one female is heard to say "I'm going to get nicked anyway, I glassed a man about 40 minutes ago". "I'll put the window through and what" is also heard.
				01:59	Female with crutches is back in the frame, heard to say "they are letting all the undes 18..." which is interrupted by the female in the brown trousers telling her to "move". Mostly inaudible shouting.
				02:30	Female heard shouting "you're all underage".
				02:38	Female with fur hood picks up an object from the table outside the front door (possibly a bottle) and walks off to the right out of shot. Sound of glass smashing out of camera frame at 02:50.
				02:47	Female with crutches returns into frame, she is holding her phone up as if she is filming the pub. She shouts obscenities and threats until 03:59. She also says the word "underage" several times, though much of the sentences are inaudible.
				02:50	Sound of glass smashing out of camera frame
		23:06		04:43	Complainant confirms that the time is 23:06
				04:47	Group of between 6-12 outside the premise until . Background level talking, with several of the group shouting over the top.
				06:27	Female in brown trousers heard to shout "open that f***** door now".
				06:30	Female in brown trousers bangs on left front window shouting " :".
				06:45	Female in fur hood bangs on window
Exhibit.Video.04	WA0004		4	00:06	Group of 4 approach the front door. Male knocks on the door. Door opens, group, plus another male enter the premise.
		23:16		00:30	Complainant's Alexa says "it is 11:16pm"
				00:34	Miss Warner leans her out of the door appearing to look down the street towards the Co-op, then goes back inside and shuts the door at 00:42
Exhibit.Video.05	WA0005		5	00:06	Sounds of disorder which are muffled, sound of shouting. Unclear whether this is coming from within the premise, or further up the street.
Exhibit.Video.06	WA0006	23:28	6	00:01	Complainant's Alexa says "it is 11:28pm". Sound of background talking noise at a fairly reasonable level.
Exhibit.Video.07	WA0007		7	00:02	Male knocks on the front door.
		23:30		00:13	4 people exit, male enters.
				00:40	Complainant's Alexa says "it's 11:30pm".
Exhibit.Video.08	WA0008		8	00:01	Sound of something metallic hitting the floor and someone shouting "oi" off camera
				00:04	Miss Warner steps out of the front door, looks down the street towards the Co-op. Steps back inside. One of the front doors is slightly ajar, and the level of noise is noticeably louder compared to in WA0006
		23:34		00:31	Complainant's Alexa says "it's 11:34pm". Some people leaving the premise, a few more entering.
Exhibit.Video.10	WA00011		9	00:01	3 people enter the shot from the left, two females wait by the front door. At one point they appear as if they are obscuring their faces from whoever is at the door, until their male friend goes into the premise, and they follow. The male approached the window first and appeared to communicate with someone inside. Another male enters the frame from the right, knocking on the door. A fifth male approaches from the right also.
		23:44		00:22	Complainant's Alexa says "11:44pm"
				00:32	All 5 people enter the premise.
				00:37	Door closes behind.
Exhibit.Video.09	WA0009	00:32	10	00:08	Complainant's Alexa says "it's 12:32am". Door ajar, with one male stood in the doorway, and another on the pavement. They appear to be inaudibly talking.
				00:25	Male in the doorway tells the other "f*** off home you *insert homophobic slur*. Both males use some verbal towards each other and a third appears in the doorway to join them e.g. "F*** off then" "keep walking" "(inaudible) kill my family" "I didn't mean that, I already apologised to you". "Don't ever say that again about my family" "Why would you say that though" "(inaudible) be (inaudible) dead mate" "never ever (inaudible)"
				01:04	Three customers leave, the hover around the altercation taking place. Miss Warner is seen at the door with it slightly ajar.
				01:18	Miss Warner is seen to make a movement with her wrist which appears to beckon over one of the males. He appears to be between 35-50, stocky build, wearing a hat. He comes back towards the door where they briefly converse. The male addresses the group shouting "boys, boys. Move up move up", gesturing with his hand away from the premise.
				01:51	The males have taken a few steps away from the premise and are quieter. However, a heated conversation can be detected over the background noise of people leaving.
				01:55	There are approximately 6-9 males milling around, various threats heard "Shut up I'll bang you out you c****". "I'll f*****ing batter the f***** s*** out of you" "F*** off" "I'll bang you out shout up"
				02:14	Male in black walks toward the front door as he shouts back someone off camera ""I'll f*****ing batter the f***** s*** out of you. (Inaudible) F***** silly c****." An walks back into the premise.
				02:40	Around this time the rest of the group who are still engaging with someone off camera, begin to walk away from the premise towards New Rd.
				03:02	Miss Warner seen to hand out lollipops as customers leave.
				03:40	Complainant's Alexa says "12:36am". Note that the premise should have been empty and closed at 12:30am.
				03:42	Group of 6-8 people congregate around the front door, talking loudly. Neither Miss Warner or Mr Butler
				03:54	Female heard asking person holding the camera "have they asked them to move on?", camera operator replies "No".
				04:01	People continuing to leave the premise - including the male involved in the earlier altercation with the yellow coat.
				04:04	Miss Warner comes out of the front door and begins to ask customers to move on. There is still a large group consisting of at least 8 people in the last frame at 05:36.

Witness Statement

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN:

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Statement of: **Peter Randall**Age if under 18 (if over insert "over 18"): **Over 18**Occupation: **Police Constable 17113**

This statement (consisting of2..... Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: **PC 17113 RANDALL**Date: **13/02/2024**

I am Police Constable 17113 PETER RANDALL and I am currently based at Brixham Police Station. I am making this statement regarding licencing checks I conducted at THE OLD COACHING INN, 61 FORE STREET, BRIXHAM, TQ5 8AG.

From notes I made at the time I can say that on Saturday 9th & Tuesday 19th December 2023, I attended THE OLD COACHING INN and spoke to the DPS/owners, Lesley WARNER and Roland BUTLER.

During my visit on 9th December, I discussed closing times, the associated noise and the age of patrons. WARNER showed me a number of posters she had put up regarding 'ID 25' and notices to respect the neighbours. WARNER came across as a responsible DPS. I did not see BUTLER on this occasion.

On 19th December, I was informed by Licensing Officer 31386 GIFFORD, that there had been a disturbance at THE OLD COACHING INN on the evening of 9th December, and that WARNER had provided a police log reference number.

I returned to the premises and saw both WARNER and BUTLER on this occasion. WARNER described how they had had a male in the premises that had become abusive towards patrons and had been ejected but kept returning. And how later, a group of females had come in who had accused two males of spiking their drinks and had become disorderly.

I viewed various pieces of CCTV footage from both incidents. The footage showed WARNER trying to deal with all incidents on her own. BUTLER was apparently working behind the bar. My

Signature: **PC 17113 RANDALL**Signature Witnessed by: **N/A**

Witness Statement

Continuation of Statement of **Peter Joseph Randall**

overall impression was that WARNER was not assertive enough in dealing with either the male or group of females. The male was able to return to the central area of the premises and WARNER can be seen asking him to leave and he ignores her. He was eventually lawfully ejected by other patrons.

The same male had also caused trouble at the nearby BLUE ANCHOR public house. However, the way staff there dealt with the male is in stark contrast, in that they called the police early on and told the male that police were on their way. The result being that the male apologised and left their premises.

The second incident with the group of females was more a problem of numbers. WARNER was completely outnumbered and all she could do was close the door on the group, and they were free to kick the door and bang on the windows. WARNER has called 999 but the call failed to get through. The police sent a text with the log reference number that WARNER gave to LO GIFFORD, but it doesn't appear that she has tried to call 999 again. This has allowed disorder to continue unchallenged. I later checked my work phone and found that I had a missed call from WARNER late on 9th, so it appears she has tried to call an off-duty officer instead of calling 999 back.

I went through the footage with both WARNER and BULTER and explained how the presence of door staff would have negated virtually all the problems they experienced that night. WARNER and BUTLER said they were going to close the bar area for the time being and concentrate on opening the bed & breakfast side of the business.

Signature: **PC 7113 RANDALL**

Signature Witnessed by: **N/A**

ISR Report

DCP & DP STORM

ISR Report:

DCP-20231104-0922 (Closed)

04/11/2023 22:39:33	3P, ABANDONED CALL	DCP-20231104-0922 / DCP	999	DCP V3
Priority:(1) IMMEDIATE	SHOUTING ONGOING	BERRY HEAD	Officer Dealing:17912	
Operator:58569	Dispatcher:56075	FB2C (292372,56161)	Creator Wkstn:CCW18	

Address Information	
HIGHER ST	
HIGHER ST, , BRIXHAM, TQ5 8HG	
Proximity:	<input checked="" type="checkbox"/> Gazeteer Validation
Complainant Information	
07969112871	
CALLER <input type="checkbox"/> Media Consent <input type="checkbox"/> Repeat Vict. <input type="checkbox"/> N/A <input type="checkbox"/> HYS Priority <input type="checkbox"/> ETA Given	
Notes:	

Disposition Codes
VIOLENCE S20 & LESS SERIOUS (R)
PUBLIC PLACE

Date / Time Information		
Call Received	04/11/2023	22:39:33
Call Answered	04/11/2023	22:39:33
Incident Created	04/11/2023	22:39:33
Address Validated	04/11/2023	22:40:31
Initial Input Complete	04/11/2023	22:40:40
Transfer Sent	04/11/2023	22:43:25
Transfer Accepted	04/11/2023	22:43:25
Resource Dispatched	04/11/2023	22:44:41
Arrived at Scene	04/11/2023	23:12:55
Units Cleared	04/11/2023	23:57:59
Incident Disposed	04/11/2023	23:58:41

Qualifiers	
DISPOSAL QUALIFIERS	ATTENDANCE
THEME	CRIME

ISR Relations	
EXTERNAL SERVICES - NICHE	Niche supplied ocn [50230292238]

ISR Comments				
LINE HAS CLEARED	04/11/2023	22:39:39	CCW18	58569
O2 ELIPSE 95% 292434 56199 6M 0 DEGREES	04/11/2023	22:39:59	CCW18	58569
MAPPING CENTRES TO HIGHER STREET, NEAR JUNCTION OF APTERS HILL,	04/11/2023	22:41:27	CCW18	58569
PAIGNTON	04/11/2023	22:41:39	CCW18	58569
PLAYBACK WAS ONLY A FEW SECONDS LONG BUT IT SOUNDED LIKE AN ONGOING ARGUMENT	04/11/2023	22:41:58	CCW18	58569
PRIORITY HAS CHANGED FROM NON-ATTENDANCE TO IMMEDIATE: Reason ERROR	04/11/2023	22:43:18	CCW18	58569
.	04/11/2023	22:43:18	CCW18	58569
Address changed from SILENT MOBILE 999,UNKNOWN,UNKNOWN,UNKNOWN to HIGHER ST,HIGHER ST,BRIXHAM	04/11/2023	22:43:19	CCW18	58569
Priority Transfer To TBRAD From Terminal CCW18 Priority Control	04/11/2023	22:43:25	CCW18	58569

Incident Location or Priority Modified	04/11/2023	22:43:25	CCW18	58569
Warning: Dispatch time target about to be breached	04/11/2023	22:43:29	AGMASTEXE1	AGMAPP
APOLS, BRIXHAM NOT PAIGNTON	04/11/2023	22:43:32	CCW18	58569
Previous Calls Viewed HIGHER ST [REDACTED]	04/11/2023	22:44:23	CCW18	58569
TBRAD For Control	04/11/2023	22:44:33	TBRAD	56075
RECENT [REDACTED] LOG LINKS NUMBER TO [REDACTED]	04/11/2023	22:44:41	CCW18	58569
FB60N DISPATCH FROM INFORMED FORM	04/11/2023	22:44:41	TBRAD	56075
DEPLOYMENT MESSAGE SENT TO FB60N (17808 BUNDE #12001605), FB60N (17912 BRIDGES #12001606): IMMEDIATE; ABANDONED CALL; TQ5 8HG; HIGHER ST; HIGHER ST, BRIXHAM; [REDACTED];	04/11/2023	22:44:43	AWSERVER	AWSRV
DCP-20231104-0922	04/11/2023	22:44:43	AWSERVER	AWSRV
NOT MAKING CALL BACKS DUE TO RECENT DOMESTIC LOG	04/11/2023	22:44:55	CCW18	58569
NICHE ALSO LINKS NUMBER TO:	04/11/2023	22:45:18	CCW18	58569
[REDACTED]	04/11/2023	22:45:59	CCW18	58569
[REDACTED]	04/11/2023	22:45:59	CCW18	58569
[REDACTED]	04/11/2023	22:45:59	CCW18	58569
[REDACTED]	04/11/2023	22:45:59	CCW18	58569
PNC Id:	04/11/2023	22:45:59	CCW18	58569
NO WMS	04/11/2023	22:46:09	CCW18	58569
AND	04/11/2023	22:46:11	CCW18	58569
[REDACTED]	04/11/2023	22:46:32	CCW18	58569
[REDACTED]	04/11/2023	22:46:32	CCW18	58569
[REDACTED]	04/11/2023	22:46:32	CCW18	58569
[REDACTED]	04/11/2023	22:46:32	CCW18	58569
[REDACTED]	04/11/2023	22:46:32	CCW18	58569
PNC Id:	04/11/2023	22:46:32	CCW18	58569
NO WMS	04/11/2023	22:46:44	CCW18	58569
FT20N Incident Inform	04/11/2023	22:46:55	TBRAD	56075
FB60N 2 - Available	04/11/2023	22:47:06	TBRAD	56075
[REDACTED]	04/11/2023	22:47:23	CCW18	58569
FT20N - STAND DOWN FB60N - NOT APPROPRIATE TO SEND THEM ON FOOT.	04/11/2023	22:47:29	TBRAD	56075
SD336 DISPATCH FROM INFORMED FORM	04/11/2023	22:47:52	TBRAD	56075
DEPLOYMENT MESSAGE SENT TO SD336 (18070 WHITEHURST #12001622), SD336 (19056 WARD #12001623): IMMEDIATE; ABANDONED CALL; TQ5 8HG; HIGHER ST; HIGHER ST, BRIXHAM; [REDACTED];	04/11/2023	22:47:54	AWSERVER	AWSRV
DCP-20231104-0922	04/11/2023	22:47:54	AWSERVER	AWSRV
CRESUP1 - CALLING BACK ... LRNR	04/11/2023	22:48:13	CRESUP1	54854
N/T PNC [REDACTED]	04/11/2023	22:48:49	CCW18	58569
CRW18 - FURTHER 999 CALL FROM [REDACTED] - MULTIPLE PEOPLE FIGHTING AND INJURED, UNKNOWN INJURIES - CURRENTLY OUTSIDE OLD COACH AND INN	04/11/2023	22:53:21	CRW18	57169
SHE HAS GONE BACK IN THE CLUB SO NOT ABLE TO GET NAME	04/11/2023	22:53:45	CRW18	57169
.	04/11/2023	22:53:48	CRW18	57169
Warning: Arrival time target about to be breached	04/11/2023	22:55:43	AGMASTEXE1	AGMAPP
Failure to hit Arrival time target	04/11/2023	23:00:49	AGMASTEXE1	AGMAPP
FT20N DISPATCH FROM INFORMED FORM	04/11/2023	23:03:14	TBRAD	56075
DEPLOYMENT MESSAGE SENT TO FT20N (17641 HAWKES #12001658): IMMEDIATE; ABANDONED CALL; TQ5 8HG; HIGHER ST; HIGHER ST, BRIXHAM; [REDACTED]; DCP-20231104-0922	04/11/2023	23:03:16	AWSERVER	AWSRV
S10N DISPATCH FROM INFORMED FORM	04/11/2023	23:03:17	TBRAD	56075
DEPLOYMENT MESSAGE SENT TO S10N (16751 MORGAN #12001660): IMMEDIATE; ABANDONED CALL; TQ5 8HG; HIGHER ST; HIGHER ST, BRIXHAM; [REDACTED]; DCP-20231104-0922	04/11/2023	23:03:19	AWSERVER	AWSRV
FB60N DISPATCH FROM INFORMED FORM	04/11/2023	23:07:28	TBRAD	56075
DEPLOYMENT MESSAGE SENT TO FB60N (17808 BUNDE #12001681), FB60N (17912 BRIDGES #12001682): IMMEDIATE; ABANDONED CALL; TQ5 8HG; HIGHER ST; HIGHER ST, BRIXHAM; [REDACTED];	04/11/2023	23:07:28	AWSERVER	AWSRV

DCP-20231104-0922	04/11/2023	23:07:28	AWSERVER	AWSRV	
FB60N 6 - At Scene	04/11/2023	23:12:55	AWSERVER	AWSRV	
FB60N - NO LONGER ANY FIGHTS AND THOSE INVOLVED HAVE LEFT WE ARE VIEWING CCTV. NO OFFENDERS.	04/11/2023	23:15:25	TBRAD	56075	
FT20N 2 - Available	04/11/2023	23:15:42	TBRAD	56075	
SD336 2 - Available	04/11/2023	23:15:48	TBRAD	56075	
S10N 2 - Available	04/11/2023	23:16:04	TBRAD	56075	
REQUEST TO SEND INCIDENT DETAILS TO NICHE MADE	04/11/2023	23:57:38	TBRAD	56075	
Ocn 50230292238 received from niche	04/11/2023	23:57:51	NICSERVDP	NICAPDP	
Case reference updated to 50230292238	04/11/2023	23:57:51	NICSERVDP	NICAPDP	
FB60N - WE WILL RECORD A COMMON ASSAULT.	04/11/2023	23:57:54	TBRAD	56075	
FB60N 2 - Available	04/11/2023	23:57:59	TBRAD	56075	
Transfer To TBRAD From Terminal TBRAD Action	04/11/2023	23:57:59	TBRAD	56075	
Incident referred to TBRAD for possible closure	04/11/2023	23:57:59	TBRAD	56075	
Previous Codes were:: 17808	04/11/2023	23:58:39	CRESUP1	54854	
Disposition code: '195','286'	04/11/2023	23:58:41	CRESUP1	54854	
No. of Arrests N.F.A. No. of Reports	04/11/2023	23:58:41	CRESUP1	54854	
OIC 17912	04/11/2023	23:58:41	CRESUP1	54854	
Qualifiers,ATTENDANCE	04/11/2023	23:58:41	CRESUP1	54854	
DCP-20231104-0922 HAS BEEN DISPOSED	04/11/2023	23:58:41	CRESUP1	54854	
PREVIOUS CALLS VIEWED HIGHER ST [REDACTED]	13/02/2024	13:58:07	DC057207	31386	
No.	Action Plan Title	Status	Priority	Badge #	Officer Last Name

DATA PROTECTION ACT 2018 UNAUTHORISED USE OR DISCLOSURE IS AN OFFENCE
UNDER SECTION 170 OF THE ACT ALL CHECKS SHOULD BE COMPLETED
FOR POLICING PURPOSES IN LINE WITH YOUR DAILY DUTIES

Occurrence enquiry log report

Version 5f4d1d06 (2022/05/25)

Occurrence: 50230292238 CRI - Violence S47 & Less Serious @04/11/2023 22:40 UNKNOWN MALE OFFENDER INVOLVED IN FIGHT WITH MALE AGGRIEVED INSIDE OF PUBLIC HOUSE CAUSING UNKNOWN INJURY

Task status: All

Log type: All

Valid as of 13/02/2024 14:19:45
Printed by #31386 KEMPTON, OLIVIA

#	Type	Entry time	Event time	Author	Link	Task								
1	Investigation - 1 Initial summary/hand on	05/11/2023 00:10		#17808 [REDACTED]	No									
<p><i>Log entry:</i> From 17808 - Storm Log 922 of 04/11/2023 refers to a 999 call reporting a fight ongoing outside of THE OLD COACHING INN, FORE STREET, BRIXHAM.</p> <p>Upon police attendance, those that were fighting were no longer present and there was no ongoing disturbance. MOP's present not wanting to get involved or be forthcoming with information, however a video from an anonymous person was shown to see a fight taking place within the premises; namely between [REDACTED] and an unknown large bald headed white male wearing all black clothing. No other witnesses or victims coming forward and the premises owner confirmed no separate offences or damage caused. Police have attended [REDACTED]'s home address to check on his welfare and find out what had happened. [REDACTED] was not home, however his father [REDACTED] was and already knew of this incident. He explained that although not present, has been told that his son [REDACTED] and [REDACTED] were both assaulted by a male in name of [REDACTED] both outside and inside the pub. Dad could offer no further information and was visible angry and frustrated. They tried to get in touch with [REDACTED] and [REDACTED], but without success, but were confident that they did not require medical assistance and were safe at undisclosed friends addresses.</p> <p>Dad was reassured that the police were making a report and will await any contact from [REDACTED] or [REDACTED] regarding their supportiveness and what information they can pass.</p> <p>I have emailed dad at: [REDACTED]</p> <p>This has passed my contact details and request for contact in the morning re: what they would like to happen.</p> <p>At this time, we have only third party information and no confirmation of injuries. Supportiveness of persons involved is also unknown.</p>														
2	Investigation - General update	05/11/2023 22:06		#17808 [REDACTED]	No									
<p><i>Log entry:</i> From 17808 - I have received the following email from [REDACTED] (father of victim) following our address visit yesterday evening and subsequent email. It reads as the following:</p> <p>"Evening [REDACTED]</p> <p>Thanks for the email , it means a lot for your kind words , but my sons will be ok , their both tough enough and will get over it , like I said it's a shame the way our town has gone , it only takes a couple of fools to ruin it, shame . But thanks for checking up on them , please thank your colleague as well . But as far as we are concerned it is been put to bed .</p> <p>Thanks [REDACTED]"</p> <p>As a result, we have unsupportive victims and not much more information to detail the specific circumstances and offence. No further information provided re: suspect and appears safeguarding is being dealt with within the family.</p> <p>All parties managed to leave prior to police attendance and relevant medical advice has been given.</p> <p>No independent witnesses or conclusive CCTV.</p> <p>Occurrence to be filed please. Standard VNA submitted.</p>														
3	Victim/witness contact	05/11/2023 22:12		#17808 [REDACTED]	No									
<p><i>Log entry:</i> <u>A VNA must be completed for every victim of a crime. You should only tick N/A if the victim is in hospital, unconscious, etc.</u></p>														
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 5px;">Victim Needs Assessment</td> </tr> <tr> <td style="width: 90%; padding: 5px;">Would the victim like additional support to help them to cope and recover from the impact of the crime?</td> <td style="width: 10%; text-align: center; padding: 5px;">No</td> </tr> <tr> <td style="padding: 5px;">If the answer to the above question is Yes, please state the (one) most relevant area from the following list: Education / Employment / Financial / Housing / Mental Wellbeing / Perception of Safety / Physical Wellbeing / Relationships / Substance Addiction.</td> <td style="text-align: center; padding: 5px;">N/A</td> </tr> <tr> <td style="padding: 5px;">If the answer to the first question is Yes or No (and hence not N/A) please state any additional information that the Victim Care Unit may need e.g. existing support, victim wishes, language barriers, disabilities, scope for RJ, etc:</td> <td style="text-align: center; padding: 5px;">N/A</td> </tr> </table>							Victim Needs Assessment		Would the victim like additional support to help them to cope and recover from the impact of the crime?	No	If the answer to the above question is Yes, please state the (one) most relevant area from the following list: Education / Employment / Financial / Housing / Mental Wellbeing / Perception of Safety / Physical Wellbeing / Relationships / Substance Addiction.	N/A	If the answer to the first question is Yes or No (and hence not N/A) please state any additional information that the Victim Care Unit may need e.g. existing support, victim wishes, language barriers, disabilities, scope for RJ, etc:	N/A
Victim Needs Assessment														
Would the victim like additional support to help them to cope and recover from the impact of the crime?	No													
If the answer to the above question is Yes, please state the (one) most relevant area from the following list: Education / Employment / Financial / Housing / Mental Wellbeing / Perception of Safety / Physical Wellbeing / Relationships / Substance Addiction.	N/A													
If the answer to the first question is Yes or No (and hence not N/A) please state any additional information that the Victim Care Unit may need e.g. existing support, victim wishes, language barriers, disabilities, scope for RJ, etc:	N/A													
4	Review - SGT/ERO	16/11/2023 03:11		#18593 [REDACTED]	No									
<p><i>Log entry:</i> All lines pf enquiry complete. Safeguarding Provided FILED</p>														

5

Investigation - 2 22/11/2023 20:52
Closing summary

#17861 [REDACTED] No

Log entry:

Finalised in line with the adopted CSU working practices implemented on 30th October 2023 and in accordance with streamlined finalisation process no papers seen.

DCP & DP STORM

ISR Report:

DCP-20231209-0959 (Closed)

09/12/2023 23:12:02	3P, ABANDONED CALL	DCP-20231209-0959 / DCP	999	DCP V3
Priority:(7) NON-ATTENDANCE	FEMALE SAID 'HAVE THEY GONE'	OOF	Officer Dealing:58874	
Operator:58874	Dispatcher:	OOF (99999,99999)	Creator Wkstn:CCE27	

Address Information	
SILENT MOBILE 999	
UNKNOWN, UNKNOWN, UNKNOWN, EX99 9HQ	
Proximity:	<input checked="" type="checkbox"/> Gazeteer Validation

Disposition Codes
ABANDONED CALLS
ABANDONED CALLS

Complainant Information	
[REDACTED]	
CALLER <input type="checkbox"/> Media Consent <input type="checkbox"/> Repeat Vict. <input type="checkbox"/> N/A <input type="checkbox"/> HYS Priority <input type="checkbox"/> ETA Given	
Notes:	

Date / Time Information		
Call Received	09/12/2023	23:12:02
Call Answered	09/12/2023	23:12:02
Incident Created	09/12/2023	23:12:02
Address Validated	09/12/2023	23:12:08
Initial Input Complete	09/12/2023	23:12:48
Incident Disposed	09/12/2023	23:20:28

Qualifiers	
DISPOSAL QUALIFIERS	FIRST POINT OF CONTACT
DISPOSAL QUALIFIERS	TELEPHONE
THEME	PUBLIC SAFETY

ISR Comments				
DETAILS PASSED BY BT: VODAPHONE, ELIPSE, 60%, 292785, 55833, SMM 5001M, 0 DEG	09/12/2023	23:13:31	CCE27	58874
.	09/12/2023	23:13:34	CCE27	58874
A FEMALE SAID TO SOMEONE 'HAVE THEY GONE' THE LINE THEN CLEARED. NO REQ AND NO DISTURBANCE.	09/12/2023	23:13:55	CCE27	58874
.	09/12/2023	23:13:58	CCE27	58874
Previous Calls Viewed UNKNOWN [REDACTED]	09/12/2023	23:14:06	CCE27	58874
NO PREVIOUS FOR NUMBER ON STORM	09/12/2023	23:14:20	CCE27	58874
.	09/12/2023	23:14:22	CCE27	58874
CLI CENTRES AROUND BRIXHAM COMMUNITY COLLEGE IN BRIXHAM, BUT COVERS A VERY LARGE AREA	09/12/2023	23:15:22	CCE27	58874
.	09/12/2023	23:15:24	CCE27	58874
N/T FOR NUMBER ON NICHE	09/12/2023	23:15:47	CCE27	58874
.	09/12/2023	23:15:50	CCE27	58874
BASED ON THE CALL AND RESEARCH, I AM HAPPY TO TREAT THIS AS A GREEN CALL	09/12/2023	23:15:55	CCE27	58874
.	09/12/2023	23:15:55	CCE27	58874
SMS Text Message Sent to Outlook:([REDACTED]):Police ref DCP-20231209-0959 POLICE HAVE RECEIVED A 999 CALL FROM THIS MOBILE. IF YOU REQUIRE URGENT ASSISTANCE PLEASE REDIAL 999	09/12/2023	23:16:04	CCE27	58874

IF YOU REQUIRE THE POLICE FOR A NON-URGENT MATTER PLEASE DIAL 101. REGARDS, DEVON AND CORNWALL POLICE. PLEASE DO NOT REPLY TO THIS TEXT.	09/12/2023	23:16:04	CCE27	58874	
CONFIRMATION OF TEXT SENT	09/12/2023	23:16:36	CCE27	58874	
.	09/12/2023	23:16:36	CCE27	58874	
CALLBACK - JUST KEPT RINGING THEN TIMED OUT AFTER 1 MINUTE	09/12/2023	23:19:10	CCE27	58874	
.	09/12/2023	23:19:12	CCE27	58874	
Created Supplementary Data DCPTHRIVE	09/12/2023	23:20:18	CCE27	58874	
THREAT : Female said to someone 'Have they gone'. No req or disturbance then line cleared	09/12/2023	23:20:18	CCE27	58874	
HARM : None	09/12/2023	23:20:18	CCE27	58874	
RISK : None	09/12/2023	23:20:18	CCE27	58874	
INVESTIGATION : Number	09/12/2023	23:20:18	CCE27	58874	
VULNERABILITY : None identified	09/12/2023	23:20:18	CCE27	58874	
ENGAGEMENT : None identified	09/12/2023	23:20:18	CCE27	58874	
REPEAT/PREVIOUS CALLER : No, No	09/12/2023	23:20:18	CCE27	58874	
Disposition code: ',159','344'	09/12/2023	23:20:28	CCE27	58874	
No. of Arrests N.F.A. No. of Reports	09/12/2023	23:20:28	CCE27	58874	
OIC 58874	09/12/2023	23:20:28	CCE27	58874	
Qualifiers,FIRST POINT OF CONTACT,TELEPHONE	09/12/2023	23:20:28	CCE27	58874	
DCP-20231209-0959 HAS BEEN DISPOSED	09/12/2023	23:20:28	CCE27	58874	
PREVIOUS CALLS VIEWED UNKNOWN ██████████	13/02/2024	12:09:57	DC057207	31386	
PREVIOUS CALLS VIEWED UNKNOWN ██████████	13/02/2024	12:11:09	DC057207	31386	
PREVIOUS CALLS VIEWED UNKNOWN ██████████	13/02/2024	12:12:21	DC057207	31386	
PREVIOUS CALLS VIEWED UNKNOWN ██████████	13/02/2024	12:13:33	DC057207	31386	
PREVIOUS CALLS VIEWED UNKNOWN ██████████	13/02/2024	12:14:48	DC057207	31386	
PREVIOUS CALLS VIEWED UNKNOWN ██████████	13/02/2024	12:16:01	WEBSERV01	31386	
INCIDENT WAS EMAILED TO:31386@DEVONANDCORNWALL.PNN.POLICE.UK	13/02/2024	12:26:23	DC057207	31386	
No.	Action Plan Title	Status	Priority	Badge #	Officer Last Name

DATA PROTECTION ACT 2018 UNAUTHORISED USE OR DISCLOSURE IS AN OFFENCE
UNDER SECTION 170 OF THE ACT ALL CHECKS SHOULD BE COMPLETED
FOR POLICING PURPOSES IN LINE WITH YOUR DAILY DUTIES

Licensing representation

Name of the premises:	Old Coaching Inn
Support/Object to application	Object
Address of the premises:	Fore Street Brixham Devon

Applicant Details

In what capacity are you applying?	Any other person
First name:	[REDACTED]
Last name:	[REDACTED]
Contact number:	[REDACTED]
Email address:	[REDACTED]
Address:	[REDACTED]

Representation

Which of the following Licensing Objectives is this representation relevant to?

This representation is relevant to the following Licensing Objectives	The prevention of public nuisance
The reason for your representation:	<p>I am writing to you to object to the license in relation to the Old Coaching Inn, Fore Street, Brixham. We live behind the property in question and have ongoing issues with noise and light since approximately 2018 when the current owners actually opened the pub, with the only break being during the Covid pandemic. Since then we have had to send in further complaints in relation to the noise as it has been increasing again (including on the 29th April 2023) As our home sits behind the pub, it is not only the music that is the issue. The noise from the back 'yard' area where people stand to smoke gets intolerable. We can not sleep with the windows open (due to noise levels disturbing our sleep especially during the summer) due to the shouting, singing and general noise levels. Also the door to our living area has to be shut when there's music or you struggle to hear the TV properly. When the doors/windows are shut you get an annoying 'base' thudding beat. We can not enjoy the external spaces to our property when it is a 'busy/music night' at the pub, due to this when we would want to be out there. The function room to the pub is in the back yard area, going back years (first emails that I do have if required!) go back to 2018 where we were in nearly weekly contact with Gareth Fudge at Torbay Council. We started by trying to talk to the owner/bar staff on a few occasions over the years to receive a hostile response when my husband went down to ask for the music to be turned down. After much communication with the council and visits made, including</p>

for them to come and assess the noise from our bedrooms and lounge. The Owner was then spoken with, part of that was the function room should have a more suitable roof put on to insulate and reduce noise, together with a noise limit on volume. All of which have been ignored! We then went through a light projector being shone from the back upstairs window onto the party cliff wall behind the pub that went on for hours at a time on a Thursday/Friday and Saturday generally. This shone into our property, even with the blinds and curtains (we have to install in the bedrooms over the blinds!) to reduce the light shining on the ceilings/into the rooms. Again reasonable approaches failed and the council then suggested we go for unofficial planning and light nuisance route which ran from very late 2018/early 2019 to Covid. Again I have all the emails sent for this if required. (Torbay council reference ref: 2019/0030/EN) As per Torbay Council instructions 'The Noise App' has been used during this period with over 21 noise readings submitted. Since the reopening there are also now apparently concerns in relation to underage drinking happening which will make the situation worse. The closure through the pandemic was a blessing for the locals who have to have their lives disturbed every weekend, dreading when there are posters advertising 'live music' sessions as you know you are not going to be able to sleep with the noise and constant shouting/singing as they get louder through the evening. While no-one wants to stop people having fun, there has to be some consideration which has been lacking over the years. Made worse by the unreasonable attitude and behavior (on occasions known to be verbally abusive) shown owner/management throughout the years, no effort by them to have consideration for the people actually living around the pub makes it very difficult to do anything but object to the License. Actions agreed during one of the site visits have NEVER been honored with us all living in the area suffering at their expense, ruining the pleasure of living in Brixham especially during the warmer months when we all want to be outside enjoying the town. As I have stated I have a large number of emails from over the years to support this should they be required. (Too many to upload here but can arrange if required a few listed below!) The Council will also have all the records of noise readings submitted via the App, together with records of complaints as I assume they have to retain for audit/record if required in instances like this. It has taken a long time to get this kind of response, noise levels have been increasing again but when little done we were losing hope of help with this. a few Email information dates: Gareth Fudge - 25/03/20 noise & projector issues (stated over 16 noise complaints submitted by this date via the noise app as instructed by Torbay council!) - 25/03/20 - further email from G. Fudge informing of 'a new officer dealing with planning enforcement in relation to the projector' Gareth Fudge 28/05/2019 response to us chasing for action in relation to your ref: 2019/0030/EN 13/04/2019 Emailed re projector and noise issues chasing compliant had been raised 12 month previously and progress had 'stalled' Gareth Fudge - 17/12/2018 noise and projector complaints sent again..... the list goes on and these are just some of the emails, there were also Torbay Council contact forms submitted, noise app readings, phone calls made.

Is there any reason why you do not want your personal details to be passed on to the premises license holder?	No
Would you like to include any documentation in support of your representation	No
Uploaded Files	

Confirmation

I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises license holder.	1
Full name:	[REDACTED]

Licensing representation

Name of the premises:	The Old Coaching Inn
Support/Object to application	Support it
Address of the premises:	61 Fore Street Brixham TQ5 8AG

Applicant Details

In what capacity are you applying?	Any other person
First name:	[REDACTED]
Last name:	[REDACTED]
Contact number:	[REDACTED]
Email address:	[REDACTED]
Address:	[REDACTED]


Representation

Which of the following Licensing Objectives is this representation relevant to?

This representation is relevant to the following Licensing Objectives	The prevention of crime and disorder The prevention of public nuisance
The reason for your representation:	<p>The business promotes live music in a lean to at the back of the building. It is inadequately insulated to fulfil the function and noise above the permitted level is generated at every event. On disco nights noise penetrates our home but is masked by tv programmes. On live band nights the noise ramps up and can be heard over conversation or tv. There is little adherence to ending performances on time. We have made numerous complaints of noise. The owner had added a shelter and awning without planning or listed building consent. He advertises this space as 'the best undercover smoking area in Town'. This has the effect of enabling large groups of people to drink, smoke and shout outside. Noise and foul language stops us from enjoying summer evenings. In an attempt to bring in income the owners have looked to attract under age drinkers, primarily linked to youth rugby. We are aware that they bring in their own alcohol and have anecdotal evidence of under age girls under the influence of alcohol being propositioned putting them at risk.</p>
Is there any reason why you do not want your personal details to be passed on to the premises license holder?	Yes
What is the reason you do not want your personal details to be passed on to the premises license holder?	[REDACTED]

Would you like to include any documentation in support of your representation	No
Uploaded Files	

Confirmation

I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises license holder.	1
Full name:	

Licensing representation

Date and Time Submitted	04 March 2024 22:48:29
Name of the premises:	The old coaching inn
Support/Object to application	Object
Address of the premises:	Old Coaching Inn, 61 Fore St, Brixham TQ5 8AG

Applicant Details

In what capacity are you applying?	Any other person
First name:	[REDACTED]
Last name:	[REDACTED]
Contact number:	[REDACTED]
Email address:	[REDACTED]
Address:	[REDACTED]


Representation

Which of the following Licensing Objectives is this representation relevant to?

This representation is relevant to the following Licensing Objectives	The prevention of crime and disorder The prevention of public nuisance
The reason for your representation:	There's been noise disturbance that has disturbed my sleep, that of my young children, late at night until the early hours. Me and my partner both work and it's made us barely able to function the next day. There's been young people locking off outside and hitting windows, fighting and shouting, where there hasn't been any sign of anyone from the pub trying to stop it. We dread going to bed on a Friday and Saturday as it was the same every weekend. Also loud music. We can hear it all through closed windows and when we're in bed. My young son has heard people screaming at each other. It's made me anxious of where we live. We moved in before it was open and wasn't expecting it to be so loud and uncontrollable. It's affected us in a lot of ways.
Is there any reason why you do not want your personal details to be passed on to the premises license holder?	Yes
What is the reason you do not want your personal details to be passed on to the premises license holder?	[REDACTED]
Would you like to include any documentation in support of your representation	No

Uploaded Files	
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Confirmation

I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises license holder.	1
Full name:	

Date: 16.3.2024

1. Introduction
2. Neighbouring Dwellings
3. Ground Floor Layout
4. Noise
5. Anti-social Behaviour
6. Underage Drinking
7. Police
8. What Now
9. Appendices

1. Introduction

The Old Coaching Inn is a large building (c.1790) and for nearly all that time it has traded as a Hotel or/and Pub. It is located on Fore Street, in the Centre of Brixham. It is in a semi-precinct with brick/stone paving slabs running the full length of the Street and is pedestrian access only between 10am till 10pm.

We became owners in 2011 (more than 12 years ago), with a noble aim to reinstate what was a run-down Pub into a quality Hotel for visitors and local residents. Unfortunately, we soon realised doing this would require a lot more funding than we had! So, we decided to focus on the ground floor Pub & Event space because it was in a much better state than the bedrooms and we hoped that any profit made could go into the Bedrooms.

Fast forward to 2023 and Brixham now has many good quality hospitality businesses, especially around the Harbour. A combination of increased competition, the size and age of the building and high running costs meant we had to cherry pick the days we opened. From Autumn we began opening Friday and Saturdays only. Gradually more people decided to make The Old Coaching Inn their go to destination. This document will pick up the journey from Autumn 2023 - December 2023 and closure.

2. Neighbouring Dwellings to The Old Coaching Inn

Looking from the Entrance Doors facing North:

- **Left (West)**
Ground Floor: 2 x Shops (Not trading/empty). 1st & 2nd floors: Flats straddle both shops. with only 1 x resident. (other flats empty & require modernization).
- **Opposite left (North)**
Ground Floor: Dobles Jewelers. 1st & 2nd floors: 1 x Maisonette. Currently 1 x resident (previously 2 & 1 was a complainant). Left of Dobles Ground Floor: 1 x Shop (empty). 1st & 2nd floors: 1 x Masionette above (empty).
- **Opposite right (North)**
Ground Floor: Day Lewis Pharmacy & Wongs House Chinese Takeaway. 1st & 2nd floors: MTA Architects. Next to this Ground Floor: 1 x Café (empty). 1st Floor: Storage (empty)
- **Right (East)**
Ground Floor: Sue Ryder Charity Shop. 1st & 2nd floors: 3 x flats all occupied.
- **Back (South)**
Perpendicular Rock Face (c.40 feet high) with 2 x large semi-detached houses on the top (1 or both are complainants). These properties were built 10 years ago. The Old Coaching Inn opened in 1790.

We believe the aforementioned is relevant to the hearing because it shows - the mix of commercial and residential properties adjacent and opposite the Old Coaching Inn (and is reflected the full length of Fore Street). Evidence of the steady decline of the street as more shops/cafés/ offices close and now stand empty. Plus, behind the building a-top of the rockface one of the complainants decided to build 2 large houses c.10 years ago knowing full well that The Old Coaching Inn was directly below them (will discuss this in noise section of this document).

3. Ground Floor

Layout & Composition.

North – Front of building on to Fore Street & South – Rear of Building and the Rock Face.

As you enter The Old Coaching Inn through the large double carriageway doors with inset small door, there is a long part covered walkway with cobble stone and paving stone floor which all rooms lead off from.

First left – the Lounge/Parlour with entrance door & 2 locked opening led windows (with locks) and thick stone walls. First right – Front Bar with lockable door & 2 opening sash windows (with locks) and thick stone walls.

Second left - Dining and Games Room with self-closing entrance door and (non-opening) window and thick stone walls.

Second right - staff entrance to Rear Bar and thick stone wall.

Third left – Kitchen with entrance door, window (non-opening) and thick stone walls.

Third right – stairs to Rear Bar with entrance door & one window (non-opening).

Fouth Left – free standing cellar.

Fouth Right – large sliding door to Event space – only opened to bring in and remove equipment/furniture.

Fifth Right – Entrance door to Events Space with 3 windows (non-opening). Thick stone & solid rock walls on 3 sides. The ceiling comprises – timber beams, infilled with high grade 80mm Kingspan Celotex throughout, any gaps filled with expanding foam and below this is thick hessian. All walls are covered with wall carpeting and a part carpet, part timber floor covering.

Rear of building – toilets & store abutting the rear rockface.

We believe the above is relevant to the hearing because it provides an understanding of the space, its composition and how much work we have done to contain/manage noise breakout.

4. Noise

Music

We have been playing music at The Old Coaching Inn for years. In fact, this was one of the main reasons we bought the property, we have a background in events and thought we could bring together the Hotel & Events. The building is large enough to play/perform a range of musical styles (we have a piano and guitar) in different rooms. We have 3 large projectors with screens in 3 rooms. We use them to show popular sporting events, films, community events (eg. World War II commemorations, Pirate Festival) our own audio-visual Disco and Film nights.

The rear area (former stables) is the most popular space for birthday parties, wakes, festive dates as well as our own events because of its size and audio-visual equipment. This appears to be the main cause for complaints. As previously shown in section 3, we have done everything we can to manage noise outbreak and fire security.

More than 6 years ago one of the current complainants (who built and lives part-time in one of the two large houses at the back atop the rockface about 10 years ago) complained to Torbay Council about the noise from the main Event space. Two officers from Torbay Council came out to investigat. One officer went up to the complainant's house, the other stayed with us. We were asked to turn the music up to the maximum it would be

at an event – which we set against a sound monitor app. He didn't think that the music was too loud, and this was verified by the officer who went up to the house – the matter was closed!

Complainants site live bands/music being the worst to tolerate. There were only two events during all of 2023 when live bands/music featured as part of the event. The first was at the end of April/beginning May – It was the Brixham Pirate Festival and many Pubs had live bands/music for the duration of the festival. The second was a 60th birthday party – the gentleman in question played in a band with friends when he was younger and wanted to play with them one last time. And that's it!

We do play background music of varying styles in the Carriageway, Front Bar, Lounge and Dining Area. And have hosted a few events in the Dining/Games Room where noise can be more easily contained. See room is in the heart of the buildings, closed windows and fire security self-closing doors.

Shortly before we closed in December 2023, we were becoming more popular and unfortunately with this came some troublemakers. As a result, we started closing the large carriageway double door at c.11pm. and asked regular customers to knock on the inset door quietly and we let would them in. This also meant that background music along the carriageway was contained.

Talking

As our popularity grew so did the number of people on the premises at any one time. We were usually busy by 10pm – 10.30pm unless we had a private Event, in which case we were busy from 7.30pm – 8pm. The carriageway became one of the most popular areas because all rooms lead off it.

I spent most of my time front of house, continuously walking around in and out of rooms, making sure all was well, and at the same time I was able to keep a check on noise levels. Patrons who wanted to smoke or vape had to go outside onto Fore Street and whilst there they talked to one another and as Fore Street is pedestrianised, larger groups could gather.

There is no rear exit to the building so all patrons must leave via the large carriageway double door, and from c.11pm the small inset door at which point I spend my time either by the door or so I can see the door. We have A3 posters near and on the door asking patrons to leave quietly because the area is part residential. I wish them goodnight and reiterate the need to be quiet, then as suggested by Olivia, all patrons are offered a lollipop. I can honestly say that in all the time I was by the door, there was only one occasion I felt uncomfortable, and that was the day before we closed! (see section on anti-social behaviour). I was disappointed when I discovered Rachael had received another noise complaint from the neighbour who had lived in the maisonette directly opposite The Old Coaching Inn. So, from then on I escorted patrons up Fore Street for 30/40 yards.

Noise on Fore Street

One or more complainants have reported excessive noise on Fore Street which they believe comes from The Old Coaching Inn. This is not true. People who have been socialising in hospitality venues around the harbour, use Fore Street to either get home or go to the kebab takeaway. In fact, one complainant describes loud voices and a dog(s) barking – we had closed! (see footage showing The Old Coaching Inn closed and loud voices coming from outside on Fore street).

5. Anti-social Behaviour

Until November 2023 we had had very little trouble, all was well, footfall was increasing, nice people were coming in – we had a Christmas Eve booking for a three-generation family get together. Regulars were looking forward to spending time with us over the Festive period culminating in our very popular New Years Eve celebration.

We did have three fights break out over a two-month period leading into December 2023. All three were quickly dealt with and culprits ejected. But in the end, it was a combination of ongoing neighbour complaints from front and back of the building, our perception that Rachael Hind was firmly on their side, and the horrible events of Saturday night 9th December 2023 that made us decide to close until further notice. It was just becoming too

stressful. Details about that Saturday can be read in an email I sent to Rachael Hind on Sunday 10th December 2023.

For the record we do challenge Rachael Hind's term 'clientele' on the Licence Review form, when referring to our anxious state of mind, because in truth it was a very small group who caused the trouble and we had never seen any of them before. The group comprised one man (who arrived as a mild-mannered individual then turned into a maniac). He left but kept trying to get back in. And a small group of women one on crutches – all of them shouting and screaming in the earlier part of the night in the carriageway, one stubbing out a cigarette on one of the Romanian patrons, accusing him/all of them for spiking their drinks. Thankfully the women left, but returned later when we had closed the carriageway doors, also trying to get back in. When they couldn't they started shouting abuse, kicking the door, the woman on crutches trying to smash the window in the front bar.

We later discovered that at least one of the women and the man are connected to a drug dealing family in Brixham. The man had just got out of prison on licence after hitting someone with a hammer outside a pub in Brixham, and who also carries a knife. The male returned on Sunday late afternoon, we were closed so he called Roly (listen to recording provided) and when we wouldn't let him in he started hurling abuse at us from outside - finally he left but not before carving a cross on the carriageway doors.

6. Underage Drinking

The Old Coaching Inn attracts all age groups, sometimes we see three generations all at the same time, especially when there is an event. We have always strived to promote an 'all good people welcome vibe' because our aim has always been to reinstate the building as a Hotel.

However, it has been reported that some of our patrons were consuming alcohol and are not 18 years old. We have A3 posters all around the building which clearly states if we think you look under 25 years old, we'll ask for your ID. We make it clear to all new patrons that these are the rules. This has worked well, all in all, we have good patrons. Those that haven't been able to provide ID the first time are sent away and told to bring it next time they come in. We usually suggest they apply for the citizen card, it's about £18 and takes a couple of weeks to arrive and it's better to lose that than a driving licence or passport. The exception to this rule is if they can show they are with a mature guardian who will take responsibility for what they drink for the duration of their stay.

We did have one repeating incident over a period of a few months. Two young girls kept trying to sneak in whenever they saw an opportunity. We soon learned who they were and managed to eject them swiftly each time. We took camera footage of one such ejection and which shows them being escorted up the street. On one occasion one of them did kick the door after we had closed it at about 11pm. Thankfully in the end they gave up trying!

7. Police

Reading through the documentation you will see the police have only come out to The Old Coaching Inn three times since we re-opened in June 2022. The first – due to a fight which started at another pub in town. One of the men involved came into our front bar (which has large sash windows) for a drink. The second man saw the first through the window entered the Bar and the fight broke out in the carriageway. It ended within minutes of starting and both men left the premises. There was a small group of mature ladies, one had called the police. The police did attend, but the incident was over.

The second visit was from PC Peter Randell and colleague, who paid a courtesy visit, around 5.30pm – 6pm on it was good to meet both men. Little did we know that this Saturday night 9th December 2023 would be the worst night we have experienced in all our years in the hospitality industry.

The third visit was from PC Peter Randall to go through our cctv – showing the footage from Saturday the 9th 2023 and Sun. 10th December 2023. He recognised the strange man that turned into a maniac. We do not know what happened after that, but we did learn from patrons that he is part of a local family who deal in drugs and had gone underground.

I did call the police that night but there was no response.

It was about a month before we closed, and we were becoming more popular (at last) we were seeing more strangers coming into the Pub. We have since found out that most seem to be from Brixham. And it also stands to reason that as there are now many good hospitality venues, visitors would be coming from the rest of Torbay. Please remember we are talking about months out of season.

To end this section, we feel we must say that whilst we understand and support Rachael Hind and Olivia in their efforts to persuade Devon & Cornwall Police to put ‘police feet on the ground’ in Brixham to help manage/reduce increasing number of incidents of anti-social behaviour – drugs, drink, fights and underage drinking. We can’t help feeling that we are being used like pawns in a chess game.

8. What Now

As a pub and event space we acknowledge that a qualified door-person from 9pm in the evening till close, on Friday and Saturday nights, could help us with any challenging situations and noise control. And we did get quotes when we thought we would be opening over the festive period (see email correspondence to and from Tamar Valley Security Ltd). We also appreciate that some official procedures and documentation around noise management and a sound limiter can be implemented if/when we reopen.

Please remember that up till that dreadful Saturday night in December we had only experienced 3 fights in a year (over quickly and no damage caused) and two underage girls who attempted to sneak in periodically for a month or so. Further we appreciate that residents are entitled to peace and quiet later at night and have always endeavoured to make this so. In total there have been three complainants complaining periodically over a 6 month period and it seems at least one complaint about noise at the front of the building wasn’t even our patrons. And the complainants at the back complaining about loud music, have done so before years ago but Torbay Council Officers came here to investigate and determined they had no case. It seems unfair to come down on us so heavily when there are incidents of anti-social behaviour and public nuisance nearly every weekend in Brixham and at some venues on a regular basis, why do they not have a door- person?

We have not reopened yet because we need to know what constraints you decide to impose on us. As I said our busiest times before we closed were Friday and Saturday nights from 9.30pm/10pm till close, with anticipated footfall increasing over the summer, so if you determine that our music and serving of alcohol (including carry outs) must stop at 11pm. It’s not going to be viable to re-open at all because the running costs here are high given the age and size of the property. Plus, we lost vital income by not opening over the festive period due to stress caused by ongoing complaints and that Saturday night from hell.

It is still our aim to reinstate this wonderful 18th century building to a Hotel with Event space and now in addition (bearing in mind recent anti-social behaviour) a members club. The building is a rare example of an urban coaching inn which is grade II listed and designated as a heritage asset of Brixham. Our patrons love it’s quirkiness and history. But at this time we do not have the funds to complete the vision. So, if it isn’t viable to open as a Pub with Event space, we’ll have to remain closed for the foreseeable future.

9. Appendices

- All emails sent to Rachael Hind and her replies.
- Emails between myself and a security company including quotations for provision of door persons.

- Image of the front of the building, showing the large carriageway doors and to the right, the front Bar and to the left the Lounge
- Plan view of the ground floor .PDF
- Audiovisual .MP4 files are pivotal to our defence. And must be submitted to our hearing.
- Images of glass ware brought into The Old Coaching, by customers from other Pubs. .jpg
- Event advertisement projected on to the back wall.

This is the list of .MP4 files: At the hearing, time will need to be set aside for. through these
Classical music on the piano

Event Advertisement on to the back wall

■■■■■ sounding of to other people and residence Sun 10 Dec 23

■■■■■ Sunday 10th Dec 23 Mobile phone recording

Music Quiz Nights

■■■■■ Birthday Band

Noise On Fore St People Walking up from the front harbour area

Open Music Night with ■■■■■ and friends at the old coaching inn Fore St Brixham tq58ag

■■■■■ Pirate Festival Band 2023

The Bell ringers of St Marys Brixham play their set live and on stage in the old coaching inn brixham torbay devon tq5 8ag

The Old Coaching Inn Brixham Commotion Dogs barking outside and we are closed

Us kicking out ■■■■■

The ■■■■■ Family kicking our door [missing as yet]

Authors: Lesley Jane Warner (DPS) and Roland Butler

Tamar Valley Security Ltd

82 James Carter Road
Mildenhall
Suffolk
IP28 7DE
+44 7879193453



Estimate

ADDRESS

Lesley
The Old Coaching Inn
61 Fore Street
Brixham
Brixham
Devon
TQ5 8AG

ESTIMATE TVSL-E07
DATE 13/12/2023
EXPIRATION DATE 20/12/2023

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
22/12/2023	SIA Security Staff		5	25.00	125.00
23/12/2023	SIA Security Staff		5	25.00	125.00
24/12/2023	SIA Security Staff (Holidays)	Bank Holidays, Christmas & New Years	5	40.00	200.00
29/12/2023	SIA Security Staff		5	25.00	125.00
30/12/2023	SIA Security Staff		5	25.00	125.00
31/12/2023	SIA Security Staff (Holidays)	Bank Holidays, Christmas & New Years	5	40.00	200.00

Services Provided W/C: 18th Dec & W/C: 25th Dec.

TOTAL

£900.00

Invoices are sent out on Monday mornings and are to be paid on Thursday as staff are paid weekly.

Accepted By

Accepted Date

Tamar Valley Security Ltd

82 James Carter Road
Mildenhall
Suffolk
IP28 7DE
+44 7879193453



Tamar Valley Security
Ltd

Estimate

ADDRESS

Lesley
The Old Coaching Inn
61 Fore Street
Brixham
Brixham
Devon
TQ5 8AG

ESTIMATE **TVSL-E08**
DATE **13/12/2023**
EXPIRATION DATE **20/12/2023**

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
22/12/2023	SIA Security Staff		10	25.00	250.00
23/12/2023	SIA Security Staff		10	25.00	250.00
24/12/2023	SIA Security Staff (Holidays)	Bank Holidays, Christmas & New Years	10	40.00	400.00
29/12/2023	SIA Security Staff		10	25.00	250.00
30/12/2023	SIA Security Staff		10	25.00	250.00
31/12/2023	SIA Security Staff (Holidays)	Bank Holidays, Christmas & New Years	10	40.00	400.00

Services Provided x2 Doorstaff W/C: 18th Dec & W/C: 25th Dec.

TOTAL

£1,800.00

Invoices are sent out on Monday mornings and are to be paid on Thursday as staff are paid weekly.

Accepted By

Accepted Date

From: [REDACTED]
Sent: Friday, December 1, 2023 11:19 am
To: [REDACTED]
Subject: FW: Door Supervisor Requirement (Bark Advert)/ over to LJ

hello [REDACTED]
thanks for your time and helping to sort out some cover...
...but I'll dip out of this... and let Lesley [whom is the DPS] will pick this up from here.

Here's To A Better 2023/24... 'roly

From: [REDACTED]
Sent: Thursday, November 30, 2023 6:22 PM
To: [REDACTED]
Subject: Door Supervisor Requirement (Bark Advert)

Good Evening Roly,

It was a pleasure speaking with you earlier, just thought I'd pop you an email so you have my email address.

Also if you can send over any information regarding your needs for the venue that would be great.

Kind Regards,

[REDACTED]
Director - Tamar Valley Security Ltd

Mob: [REDACTED]
Email: [REDACTED]



From: [REDACTED]
Sent: 18 December 2023 10:50
To: [REDACTED]
Subject: RE: Door Supervisor Requirement (Bark Advert)/ over to LJ

Hello [REDACTED]

Sorry to mess you around, but we have decided to close till May 2024. We are waiting for Torbay Council to review our Premises Licence, following 2 incidents which occurred here a couple of weeks ago.

Please keep us on file and we'll be in touch (all being well) next year.

Kind regards
Lesley

From: [REDACTED]
Sent: Thursday, December 14, 2023 12:22 AM
To: [REDACTED]
Subject: Re: Door Supervisor Requirement (Bark Advert)/ over to LJ

Good Afternoon Lesley,

I'm working the night shift over the next few days so I'm free pretty much any time.

My number is in my email signature below.

Kind Regards,

[REDACTED]
Director - Tamar Valley Security Ltd

Mob: [REDACTED]

Email: [REDACTED]



Company Number 15102831

From: [REDACTED]
Sent: Wednesday, December 13, 2023 11:57 pm
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Door Supervisor Requirement (Bark Advert)/ over to LJ

Hello [REDACTED]

We are away for a few days. We are interested in hiring your services but I need to talk with you. We'll be back in Brixham Saturday. I can call you Sunday or if you need to talk before give me a call. 📞

Sent from my phone

----- Original message -----

From: [REDACTED]
Date: Wed, 13 Dec 2023, 12:48
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Door Supervisor Requirement (Bark Advert)/ over to LJ

Good Afternoon Lesley,

I hope you are doing well.

I have attached two quotes to this email:

- TVSL-E07 - Providing x1 Doorstaff
- TVSL-E08 - Providing x2 Doorstaff

These if you are happy with the quotes and would like to go ahead, I will process them to an invoice and split down to each week commencing such as:

W/C: 18th - 22nd, 23rd & 24th Dec
W/C: 25th - 29th, 30th and 31st Dec

Our staff are paid weekly so this would be invoiced on the Monday (25th Dec & 1st Dec) and will need to be paid on the Thursday.

Further to this if you are looking to book in for these shifts, if I could get some notice that would be great as I would like to bring up some radios & body-cameras for use on site.

Kind Regards,

[REDACTED]
Director - Tamar Valley Security Ltd

Mob: [REDACTED]

Email: [REDACTED]



Company Number 15102831

From: [REDACTED]
Sent: Wednesday, December 13, 2023 11:17:29 AM
To: [REDACTED]
Subject: Re: Door Supervisor Requirement (Bark Advert)/ over to LJ

Good Morning Lesley,

I will need some timings for the shifts just so give an estimated quote, then once shifts are finished I'll send an invoice with the correct hours.

I'll send x2 quotes which will include 1&2 door staff.

Kind Regards,

Director - Tamar Valley Security Ltd

Mob: [REDACTED]
Email: [REDACTED]



Company Number 15102831

From: [REDACTED]
Sent: Wednesday, December 13, 2023 10:06 am
To: [REDACTED]
Subject: RE: Door Supervisor Requirement (Bark Advert)/ over to U
Hello [REDACTED]

Thanks for your email. Sorry we haven't come back to you sooner. Please can you give us a quote for 1 and 2 Doormen/Women for Fri. 22nd Dec., Sat 23rd Dec., Christmas Eve, Fri. 29th Dec. Sat 30th Dec. and New Years Eve.

Kind regards
Lesley

From: [REDACTED]
Sent: Friday, December 1, 2023 12:19 PM
To: [REDACTED]
Subject: Re: Door Supervisor Requirement (Bark Advert)/ over to U

Good Morning Lesley,

I hope your well, we have availability to supply Door Staff at weekends for your venue and we will look at providing the same doorman each weekend as required.

Our costings to provide door staff as follows:

- £25 Per Hour
 - Minimum 4 Hours Each Shift
- The price will be the same for Events and Functions.

I hope this helps, please don't hesitate to contact me for further information.

Kind Regards,

Director - Tamar Valley Security Ltd

Mob: [REDACTED]
Email: [REDACTED]



Company Number 15102831

From: [REDACTED]
Sent: Friday, December 1, 2023 11:35 am
To: [REDACTED]
Subject: RE: Door Supervisor Requirement (Bark Advert)/ over to U
Hello [REDACTED]

I am the DPS. Please can you advise me of your charges and availability on Saturday nights and the festive period till end of this year.

Kind regards
Lesley

From: [REDACTED]
Sent: Friday, December 1, 2023 11:24 AM
To: [REDACTED]
Subject: Re: Door Supervisor Requirement (Bark Advert)/ over to U

Good Afternoon Roly,

No problem, it was a pleasure speaking with you and looking forward to hopefully working with you soon.

I will await contact from Lesley regarding next steps.

Kind Regards,

Director - Tamar Valley Security Ltd

Mob: [REDACTED]
Email: [REDACTED]



immediately. The views in this message are personal; they are not necessarily those of Torbay Council.



From: [REDACTED]
Sent: Tuesday, November 7, 2023 2:29 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: The Old Coaching Inn Brixham

You don't often get email from [REDACTED]

Hello Rachael

It was good to meet you today. Please can you just clarify something contained within our Premises Licence.

Our Licenced activities include:

- L. Late Night Refreshments (indoors) Monday to Sunday 11.00pm – 12.30am
- Opening times: 8.00am – 12.30am
- Prevention of Crime and Disorder: (1) There shall be a 30-minute extension of opening hours after the end of the sale of alcohol as the last drink shall be consumed less quickly, with access to the pub's toilet facilities.

So, am I correct in thinking that we can serve alcohol till 12.30am (indoors) and then allow 30 minutes for drinking up time and use of the toilets?

Kind regards
Lesley

2

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: 08 November 2023 11:24
To: [REDACTED]
Subject: RE: The Old Coaching Inn Brixham
Attachments: Noise Management Plans.pdf

Dear Lesley

Thank you for your email. It was very nice to meet you both yesterday.

This is a very strange condition which is likely to have included in the original operating schedule to reflect the licensing hours applied for but should have been removed when the licence was granted.

The condition reflects the actual hours on the licence as you are allowed to open and serve late night refreshments (hot drinks and food) until 00:30 hours but you must stop serving alcohol at midnight and then you have the 30 minutes drinking up time before closing at 00:30 hours.

As discussed during our meeting, please keep records of the monitoring you complete when walking around your premises to ensure the music cannot be heard at the nearest residential properties. I would recommend keeping your front door closed or reducing the levels emanating from the speakers in the corridor to prevent noise escape. There is also very little insulation to the metal roof in the rear event space, so I would recommend reviewing the noise levels in this area. If noise complaints continue, then you may need to provide additional acoustic insulation in this area and consider the use of a sound limiter. I would also recommend you stop live music by 11pm and only play background music after 11pm.

I will advise the complainants that the shouting, screaming and dog noise is unlikely to be caused by your premises following the video you showed us, however please ensure you encourage your clientele to leave the premises as quietly as possible.

I have attached a noise management plan guidance note which you may find useful.

Please do not hesitate to contact me if you wish to discuss this matter further.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

www.torbay.gov.uk

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From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: 15 November 2023 08:47
To: [REDACTED]
Cc: KEMPTON Olivia 31386
Subject: The Old Coaching Inn, 61 Fore Street, Brixham

Dear Lesley

We have received a complaint advising that on Sunday 12th November 2023, the Old Coaching Inn, Fore Street, Brixham was open beyond the licensed hours.

The complainant has advised that there was a lot of noise in the early hours of Sunday morning from people entering and leaving your premises and banging on doors, which woke them up four times. They have advised that there were numerous groups leaving and that the ones that had the lollies were quiet but there were others with takeouts which were louder and there was a girl kicking the doors. They advised they called the police around 1am but doesn't think they attended.

I asked our CCTV department to see if there was any Council CCTV footage in the area and they have sent me footage which shows a group of people leaving your premises at 00:48hours, some 18 minutes after you should have closed.

I would again like to advise you of the current hours and licensable activities you are covered for under your premises licence, as follows:-

Opening hours – Monday to Sunday 08:00 to 00:30 hours

Sale by retail of alcohol for consumption on and off the premises Monday to Sunday 9am – Midnight.

Films: Monday to Sunday 08:00 to 0:00 hours

Indoor Sport: Monday to Sunday 10:00 to 00:00 hours

Live Music: Monday to Sunday 10:00 to 00:00 hours

Recorded Music: Monday to Sunday 10:00 to 00:00 hours

Late Night Refreshment (Indoors): Monday to Sunday 23:00 hours to 00:30 hours.

I would also like to advise you of the following: -

Part 7, section 136 of the Licensing Act 2003.

(1) A person commits an offence if-

- (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
- (b) he knowingly allows a licensable activity to be so carried on.

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

Please ensure that you abide by the conditions of your licence and the above licensing hours, or we will have no choice but to take formal action, which may also include the review of your licence.

Yours sincerely

From: [REDACTED]
Sent: Wednesday, November 15, 2023 6:08 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Cc: [REDACTED]
Subject: The Old Coaching Inn, 61 Fore Street, Brixham

From: [REDACTED]
Sent: Wednesday, November 15, 2023 1:17 PM
To: [REDACTED]
Subject: RE: The Old Coaching Inn, 61 Fore Street, Brixham

Hello Rachel

Thank you for your email. We are preparing a reply covering the specifics, but in the meantime, would just like to provide you with some background information.

As I think we mentioned at our meeting, when we bought the Coaching Inn twelve years ago it had been closed for some time and was in a terrible state both inside and out. Over the years we have faced many challenges setting us back - probably years in total. Nevertheless, we have pushed on with energy, positivity and continued financial investment because we believed in the project. We have almost completed works on the Ground Floor but still have Floor's one and two to finish – which will return the Coaching Inn to its former glory as a Hotel, for both locals, their families and visitors to enjoy.

This is a special place, and a rare example of a late 18th century urban Coaching Inn, with a footprint that has barely changed over the years – it's Grade II listed, in a conservation area, and deemed a heritage asset of Brixham. The local community have been very supportive of our aims and look forward to the project being completed. It's seen as a sort of beacon on Fore Street, as shops, cafes and offices are closing around it.

Yet even with so much support, yet another obstacle presents itself. We are completely exhausted Rachel and have decided for both our mental and physical health that if we can't resolve this situation amicably, we'll abandon the project altogether and move on. This will entail closing the place down completely, boarding it up (for security) and letting it sit unused for the foreseeable future until we have decided what to do with it. We don't want things to come to this but feel we have no choice under the circumstances and the one sided content of your email.

We hope you find this email helpful in understanding our thoughts. We'll send the second one tomorrow.

Kind regards
Lesley

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: Wednesday, November 15, 2023 8:47 AM
To: [REDACTED]
Cc: KEMPTON Olivia 31386 <olivia.kempton@devonandcornwall.pnn.police.uk>

Subject: The Old Coaching Inn, 61 Fore Street, Brixham

Dear Lesley

We have received a complaint advising that on Sunday 12th November 2023, the Old Coaching Inn, Fore Street, Brixham was open beyond the licensed hours.



5

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: 16 November 2023 08:51
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: The Old Coaching-Inn, 61 Fore Street, Brixham

Dear Lesley and Roly,

Thank you for your reply.

I totally appreciate the hardwork and financial investment you have made to the property, however as we discussed at the meeting, you must stick to your licensing hours and conditions and prevent any noise nuisance to local residents.

Unfortunately, the weekend after our meeting, we received a complaint and I was able to substantiate the times on the local CCTV and saw people leaving at 00:48hours.

Please ensure everyone has left the building as quietly as possible by 00:30hours. As Olivia and I discussed with you at the meeting, you may want to consider using door staff if your customers are struggling to leave in an orderly manner.

I look forward to hearing from you.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

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From: [REDACTED]
Sent: Thursday, November 16, 2023 3:08 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: RE: The Old Coaching Inn, 61 Fore Street, Brixham

Hello Rachel

Thanks for your email. There is little point in dwelling on the past, it is what it is but to recap briefly:

On Saturday we were very busy we had a party in the back, our Rugby contingent and some customers we hadn't seen for months. I was on the door and can assure you last orders were called at 11.50pm, but it's hard to get customers out of the door by 12.30am on the dot when they don't want to go. As you know I use the charm offensive – repeatedly saying 'come on you lovely people it's time for you to go home and for me to go to bed' and requesting/taking away their empty glasses. I have found this tactic works, some might say I'm like a nagging aunt in (fine by me) and being more assertive can be perceived as aggressive and potentially create a very negative outcome. I am pleased to say there was no animosity or fights.

As the complainant(s) says we got the lollies, and I handed them out at the door as customers left wishing them a good night and asking them to be quiet and not loiter because this area is residential. I'm not sure what else I can do Rachel short of gagging them. I don't understand why anyone would choose to live on the doorstep of a pub and think there will not be loud noise late at night/early hours as people leave pubs. We live at the front of the building and frequently hear loud noises and dogs barking late at night. It really is unfair. I read that 2 pubs are closing per day in England & Wales, unsurprisingly all things considered.

Further, with regards to the door kicking incident, that was one of the 2 girls Roly mentioned at the meeting, both are underage, and both will not stop trying to get in. They were very drunk and/or had taken something else, maybe both – they are lawless! Olivia is so right we need a police presence in Brixham on Friday & Saturday nights from 9.00pm because more and more trouble is brewing as we see more people coming over from Paignton and Torquay, that blended with the minority 'bad' element in Brixham is toxic and will all end in tears!

There are two reasons why we can't employ a doorman. The first is cost and the second it breaches the terms of our insurance. However, Roly and I will take turns for the time being. We'll remain open till end of the year, and then make some decisions about 2024 and beyond. In the meantime, this weekend we'll call last orders at 11.15pm and off licence orders till 11.30pm. This gives us an hour for us to get them out of the door with their lollipop. Of course, this does mean it will impact our takings (another nail in the coffin) and we believe it will simply displace them to another pub where they can get more alcohol.

One final thing, please can you advise what we/if we need to apply for a late opening licence covering the festive period including New Years Eve?

Kind regards
Lesley



From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: 16 November 2023 16:06
To: [REDACTED]
Subject: RE: The Old Coaching Inn, 61 Fore Street, Brixham

Dear Lesley and Roly

Thank you for your email.

You will need to apply for Temporary Events Notices if you wish to open later hours over the Christmas/New Year period. You can apply online at [Temporary Event Notice - Torbay Council](#). As you have had noise complaints, I would be asking that any conditions on your premises licence are added to the TEN to ensure adequate controls are in place.

I appreciate that it may be hard to get people to leave the premises but you must ensure they have all left by 00:30 hours. As I advised from the feedback by one of the complainants, the lollipops did seem to help with some of the noise so thank you for taking on board our recommendations. Please also ensure that you do not sell off-sales i.e. allow them to leave with their takeout alcoholic drinks after 00:00 hours as your off sales are the same as your on sales and must cease at 00:00 hours.

I am surprised that having door staff will affect your insurance as they would be an added protection to you and your business and I would recommend you appoint SIA door staff. You will also have to risk assess this if you apply for additional hours after midnight for the Christmas and New Year season.

Do you have any images from your CCTV of the girl who has been banging on the door that you can email Olivia Kempton, Police Licensing so that she can share these with her Police colleagues as they may be able to take action with regards to the antisocial behaviour she is causing. Olivia and I have raised the lack of police presence in Brixham to the Neighbouring Policing Inspector and hope that this can be addressed.

Thank you for your suggested change to your timings of last orders and I hope this helps to resolve the issues.

Please do not hesitate to contact me if you wish to discuss this further.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

www.torbay.gov.uk

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[REDACTED]

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: 27 November 2023 10:49
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Importance: High

Dear Lesley

Thank you for your email.

I received emails from a complainant at 00:16 and 00:22 on Sunday morning regarding this issue. They have sent me videos and there are a number of your customers outside being very loud and rowdy and I cannot see yourself or any employees from your premises asking them to be quiet and moving them along.

From the video evidence I have seen, the behaviour of your customers outside of the premises is not acceptable and has caused undue disturbance to the local residents. This is also in breach of your licensing condition which states 'As far as is practical, that persons on or leaving the premises shall be reminded to conduct themselves in an orderly manner and do not in any way cause annoyance to residents or persons passing by'.

Whilst I appreciate you have signage and you have been giving out lollies to try to assist, you still need to be managing your customers as they leave so that they move on and do not congregate outside of your premises. As previously suggested, I would recommend you employ SIA door supervisors to assist you.

Someone who lives near a public house cannot expect silence and there will always be some noise when people leave a building, however they should not have to experience the current noise levels from the patrons congregating outside of your premises.

If this continues, then unfortunately I will have no choice but to review your premises licence.

Please do not hesitate to contact me if you wish to discuss this matter further.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

www.torbay.gov.uk

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From: [REDACTED]
Sent: Sunday, November 26, 2023 2:59 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: [REDACTED]

Hello Rachel

I thought I would write this email, following a complaint about noise outside the building last night (Sat). I received a call from a man who said that there was a group of our customers moving slowly up Fore Street (c.30 yards from the building) and could I move them on (last orders was at 11.30pm - time they left the building was 12.17am). I asked where he was calling from and he said behind the pub. Which I thought was odd because we don't have a rear exit! He said that wasn't the point at which stage I said to him "I'm not sure what you want me to do".

We have an A3 poster on the inside of the exit door telling customers to be quiet which I reiterated as they left with lollipops, I handed out for those who wanted one. I popped my head out of the small inset exit door and saw the group, I didn't hear anybody making lots of noise. The man said that he works long hours and has to get up early. I think by that stage the group had moved along so the phone call ended. The number came up as unknown, so unfortunately I can't provide you with this.

We have heard that certain publicans in town don't want The Old Coaching Inn to succeed so noise and underage drinking complaints are a good tactic. Our view is, this could just be title tattle and the outcome of living in the Brixham bubble, but it does make you wonder.

Finally, we keep coming back to the 'public nuisance' part of Licencing protocol. We think landlords should make their tenants aware that there are lots of hospitality businesses in the town, and many of their customers use Fore Street to get to where they are living/staying especially on a Friday, Saturday, and special events/celebrations. We can understand why don't - they want their flats let. But I'm wondering is there anything the Council can do to 'encourage' landlords to make it crystal clear to their prospective tenants that where they are moving to will get noise some nights?

I would appreciate your thoughts.

Kind regards
Lesley

[REDACTED]

From: [REDACTED]
Sent: 29 November 2023 20:25
To: [REDACTED]
Cc: 'Hind, Rachael'
Subject: RE: Noise - The Old Coaching Inn

From: [REDACTED]
Sent: Monday, November 27, 2023 1:48 PM
To: 'Hind, Rachael' <Rachael.Hind@torbay.gov.uk>
Cc: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

Thank you for your email. With regards to a door person, we are looking into the cost of this in the short-term, and it is true I did not go into the street with our customers. We honestly didn't know that Torbay Council as part of Licence compliance expect us or a representative to escort our customers away from our premises along a public highway telling them to be quiet. And in real terms what would this achieve? Aren't we simply moving the noise to another part of Fore Street where there are more residential dwellings.

We reopened on Thursday 21st June 2022 and until you contacted us, we had received NO complaints of any kind. Now we just open on Fridays and Saturdays and will continue to do so till the Festive period when we will open for 4 days a week till end of the year. Then we will close and rethink our way forward.

We do feel unfairly treated because it seems to us that residents are getting more and more angry with the increasing noise levels outside their dwellings late on Friday and Saturday nights (we have discussed increasing late-night footfall) but can't complain to Torbay Council because they haven't got a specific Business to complain about - it could be one or many of the Pubs and Restaurants around the Harbour. So, they complain about us, when in truth they are really complaining about all hospitality businesses negatively impacting on their state of mind.

I will email you on Sunday with an update of how things have gone Friday and Saturday night.

Kind regards
Lesley

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: Monday, November 27, 2023 10:49 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn
Importance: High

Dear Lesley

Thank you for your email.

shouting and bashed at the door trying to get in. I told the customers to stay calm and not to engage which they did. She then tried to smash one of our windows but couldn't. Roly told me to call the police which I did but no reply. I called Pete Randall but got the answerphone. Things calmed down again. I stayed on the closed door so I could only let in our regulars. There was a knock, I opened the door and it was that mad man again. He said he wanted to come in for a drink. I said I'm sorry but you can't. He then said "I'm going to destroy you" I firmly closed the door. This was now close to closing time, so everybody began to leave. I escorted them out with their lollies. I went out with them as they quietly moved up the road. Roly noticed broken glass in front of our window outside so we cleared this up, went in and locked the door! I can't be totally accurate on times Rachael but the Street cctv should provide that and perhaps the complainant across the road saw things too. I can tell you this, in the 12 years I have been here I have never experienced such madness. Where are these people coming from. Let me know how you would like to move forward Rachael. I am sending this on my phone as my computer has crashed so not sure how it will look your end. Please can you copy in Olivia.

One last thing, we are seriously considering creating a Club next year, so no one apart from Club members and their guests and holiday makers who can buy a pass for the duration of their stay will be allowed access.

Kind regards

Lesley

Sent from my phone

----- Original message -----

From: "Hind, Rachael" <Rachael.Hind@torbay.gov.uk>

Date: Wed, 29 Nov 2023, 20:25

To: [REDACTED]

Subject: Automatic reply: Noise - The Old Coaching Inn

I am out of the office until Thursday 30 November. If your enquiry is urgent please email licensing@torbay.gov.uk. Kind Regards, Rachael Hind

[REDACTED]

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: 30 November 2023 09:01
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your email, although the email you have forwarded is different to the one you sent me on Monday at 13:48 as the last paragraph is completely different.

Whilst there will be noise in the street by passers by from other public houses, which cannot be controlled, I can assure you from the video footage I have seen, that these customers were from your premises and were causing substantial noise nuisance to local residents, waking them up in the early hours of the morning. It is your responsibility as the Designated Premises Supervisor to ensure you manage your customers and do everything you reasonably can to get them to leave the premises quietly and to move them away from outside of your premises. I am pleased that you tried the lollipops, however you need to ensure you check that your customers are not loitering outside and are not causing disturbance as you are in very close proximity to local residents.

I look forward to hearing your feedback from this coming weekend and I will also send you any feedback I receive from the complainants.

Kind regards Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

www.torbay.gov.uk

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From: [REDACTED]
Sent: Wednesday, November 29, 2023 8:25 PM

01803 208028 | rachael.hind@torbay.gov.uk

www.torbay.gov.uk

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From: [REDACTED]
Sent: Sunday, December 3, 2023 1:12 AM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

We called last orders at 11.15pm both nights. Patrons who wanted them got their lollies. And if they wanted more alcohol, they had time to go elsewhere. However, this approach means we are taking a lot less over the bar, and this is a big place (as you know) so we'll get to the end of the year and will have to rethink the future for The Old Coaching Inn. We can't be held hostage by residents, there has to be a middle ground.

Please let me know if you got any complaints.

Kind regards
Lesley

As I think I have mentioned previously once customers from any of the hospitality venues around the harbour come up Fore Street causing disturbance late at night, residents can't/won't complain because they don't know where they have come from.

We can't keep closing early Rachael, it's crippling our takings as we are fairly quiet till 9pm – 10pm, so rely on business after that time. We appreciate that our procedures have appeased the complainant, but what about our livelihood? We can't keep this up as we approach the festive period. There has to be a middle ground. How come we've never had complaints till now. I can only assume the complainant over the road who is the main one (I'm guessing) must have moved in recently and whilst he has a right to expect quiet late at night, he decided to move in across the street

We will carry on with lollipops and escorting customers away from our premises as quietly as possible and that is the most you can expect us to do.

There was no need to call the police because it wasn't a big deal.

I meant to ask you about our Premises Licence which was issued to us by Torbay Council when we bought the building in 2012. Please can you explain why our Licence says one thing and Torbay Council says another?

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>

Sent: Tuesday, December 5, 2023 1:54 PM

To: [REDACTED]

Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your email.

I have contacted the main complainant, who advised that it was quiet on Friday night but there was a fight outside from people within your premises at around 11.30pm. However, I have advised that there will be the occasional fight outside pubs and they are thankful that you have closed earlier and are taking measures to reduce the noise disturbance from people leaving the premises. Did you have to call the police regarding this fight?

Kind Regards Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

[REDACTED]

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: 05 December 2023 13:54
To: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your email.

I have contacted the main complainant, who advised that it was quiet on Friday night but there was a fight outside from people within your premises at around 11.30pm. However, I have advised that there will be the occasional fight outside pubs and they are thankful that you have closed earlier and are taking measures to reduce the noise disturbance from people leaving the premises. Did you have to call the police regarding this fight?

We have a duty to investigate all complaints and ensure that you are managing the premises appropriately and abiding by your licence conditions. If you are complying with the licensing conditions and not causing any unnecessary disturbance, then this should reduce the likelihood of complaints. We always ensure we take into consideration the local area and a person living in an area near a public house cannot expect silence, but they can expect the licensed premises to abide by their opening hours and conditions of their licence.

Thank you for your cooperation with this matter and I will contact you if we get any further complaints.

Kind Regards Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

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From: [REDACTED]

Sent: Sunday, December 3, 2023 1:12 AM

To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>

Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

We called last orders at 11.15pm both nights. Patrons who wanted them got their lollies. And if they wanted more alcohol, they had time to go elsewhere. However, this approach means we are taking a lot less over the bar, and this is a big place (as you know) so we'll get to the end of the year and will have to rethink the future for The Old Coaching Inn. We can't be held hostage by residents, there has to be a middle ground.

Please let me know if you got any complaints.

Kind regards

Lesley

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>

Sent: Tuesday, December 5, 2023 1:54 PM

To: [REDACTED]

Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your email.

I have contacted the main complainant, who advised that it was quiet on Friday night but there was a fight outside from people within your premises at around 11.30pm. However, I have advised that there will be the occasional fight outside pubs and they are thankful that you have closed earlier and are taking measures to reduce the noise disturbance from people leaving the premises. Did you have to call the police regarding this fight?

Kind Regards Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

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From: [REDACTED]

Sent: Sunday, December 3, 2023 1:12 AM

To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>

Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

We called last orders at 11.15pm both nights. Patrons who wanted them got their lollies. And if they wanted more alcohol, they had time to go elsewhere. However, this approach means we are taking a lot less over the bar, and this is a big place (as you know) so we'll get to the end of the year and will have to rethink the future for The Old Coaching Inn. We can't be held hostage by residents, there has to be a middle ground.

Please let me know if you got any complaints.

Kind regards
Lesley

From: [REDACTED]
Sent: Tuesday, December 5, 2023 3:28 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: FW: Noise - The Old Coaching Inn

Hello Rachael

Sorry I'm not having a good day – mega stressed. We actually bought the building in 2011 and moved in, 12th July 2011.

[REDACTED]
Kind regards
Lesley

From: [REDACTED]
Sent: Tuesday, December 5, 2023 2:58 PM
To: 'Hind, Rachael' <Rachael.Hind@torbay.gov.uk>
Subject: FW: Noise - The Old Coaching Inn

From: [REDACTED]
Sent: Tuesday, December 5, 2023 2:46 PM
To: 'Hind, Rachael' <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

Thank you for your email.

It was not a fight on the premises it was lots of men pushing and shoving, the culprits were removed from the Inn by relatives and friends. They moved up the street quite quickly and when I last looked, they were near Brixham Grill.

As I think I have mentioned previously once customers from any of the hospitality venues around the harbour come up Fore Street causing disturbance late at night, residents can't/won't complain because they don't know where they have come from.

We can't keep closing early Rachael, it's crippling our takings as we are fairly quiet till 9pm – 10pm, so rely on business after that time. We appreciate that our procedures have appeased the complainant, but what about our livelihood? We can't keep this up as we approach the festive period. There has to be a middle ground. How come we've never had complaints till now. I can only assume the complainant over the road who is the main one (I'm guessing) must have moved in recently and whilst he has a right to expect quiet late at night, he decided to move in across the street

We will carry on with lollipops and escorting customers away from our premises as quietly as possible and that is the most you can expect us to do.

There was no need to call the police because it wasn't a big deal.

I meant to ask you about our Premises Licence which was issued to us by Torbay Council when we bought the building in 2012. Please can you explain why our Licence says one thing and Torbay Council says another?

[REDACTED]

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: 05 December 2023 15:49
To: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your email.

It is entirely up to you what time you close as long as you keep to your licensing hours as previously discussed. However, you must ensure your customers leave the premises as quietly as possible and not loiter outside.

I am not sure what you mean by 'Please can you explain why our Licence says one thing and Torbay Council says another?'

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)
Community Safety
Town Hall, Torquay TQ1 3DR
01803 208028 | rachael.hind@torbay.gov.uk

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From: [REDACTED]
Sent: Tuesday, December 5, 2023 3:28 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: FW: Noise - The Old Coaching Inn

Hello Rachael

Sorry I'm not having a good day – mega stressed. We actually bought the building in 2011 and moved in, 12th July 2011.

Kind regards
Lesley

From: [REDACTED]
Sent: Tuesday, December 5, 2023 2:58 PM
To: 'Hind, Rachael' <Rachael.Hind@torbay.gov.uk>
Subject: FW: Noise - The Old Coaching Inn

From: [REDACTED]
Sent: Tuesday, December 5, 2023 2:46 PM
To: 'Hind, Rachael' <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

Thank you for your email.

It was not a fight on the premises it was lots of men pushing and shoving, the culprits were removed from the Inn by relatives and friends. They moved up the street quite quickly and when I last looked, they were near Brixham Grill.

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From: [REDACTED]
Sent: Tuesday, December 5, 2023 3:28 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: FW: Noise - The Old Coaching Inn

Hello Rachael

Sorry I'm not having a good day – mega stressed. We actually bought the building in 2011 and moved in, 12th July 2011.

Kind regards
Lesley

From: [REDACTED]
Sent: Tuesday, December 5, 2023 2:58 PM
To: 'Hind, Rachael' <Rachael.Hind@torbay.gov.uk>
Subject: FW: Noise - The Old Coaching Inn

From: [REDACTED]
Sent: Tuesday, December 5, 2023 2:46 PM
To: 'Hind, Rachael' <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

Thank you for your email.

It was not a fight on the premises it was lots of men pushing and shoving, the culprits were removed from the Inn by relatives and friends. They moved up the street quite quickly and when I last looked, they were near Brixham Grill.

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: 06 December 2023 16:54
To: [REDACTED]
Subject: Noise - The Old Coaching Inn

Dear Lesley

Please refer to my email that I sent on 8 November 2023 and copied below which explains your licence times and that the condition merely reflected what it states in your operating hours, which are on the attachments you sent me i.e.

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES			
Activity and Area / premises	Days	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Sunday	8.00am	Midnight
C. Indoor sporting event	Monday to Sunday	10.00am	Midnight
E. Performance of live music (Indoors)	Monday to Sunday	10.00am	Midnight
F. Playing of recorded music (Indoors)	Monday to Sunday	10.00am	Midnight
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday	10.00am	Midnight
L. Late night refreshment (Indoors)	Monday to Sunday	11.00pm	12.30am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	9.00am	Midnight

Printed by LatPac on 30 Jun 2017 at 10:36



PL099948544 Page 1 of 8

You must abide by these operating hours at all times.

As advised in the email below, the condition reflects the actual hours on the licence. You are allowed to open and serve late night refreshments (hot drinks and food) until 00:30 hours but you must stop serving alcohol at midnight and then you have the 30 minutes drinking up time before closing at 00:30 hours.

I hope this clarifies this matter.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

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From: [REDACTED]
Sent: Sunday, December 10, 2023 2:20 PM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: Re: Noise - The Old Coaching Inn

Hello Rachael

I'm checking in with you and it's not all good news I'm afraid. So Friday was fine, nothing to report. Saturday however was not! Things started well. We had a visit from the police about 5/5.30pm. PC 7113 Pete Randall and a colleague from Torbay. It was good to meet them. Pete explained that he would be checking in on us late at night, but unfortunately not this night because he would be off duty at 10/11pm. He gave me a card with his details. We opened at 6pm All started well. Then at about 8.30/9.30pm. I heard women screaming, shouting and hurling abuse at some Romanian men who are in Brixham working on a building project. We know them as they have been in before and there has never been any trouble. I went over to the women, who I had never seen before and managed to usher them out of the building shouting and screaming as they went. The Romanians left shortly after. All was peaceful for a short while then I heard loud male voices shouting in the Carriage Way. I went to investigate and another male stranger was engaged with some of our regulars. I asked what the problem was and this stranger who was quiet and friendly when he came in had said to 2 of our regulars he was going to kill their families. Later the men told me that this mad person had just been released from prison in Birmingham. We managed to get him off the premises and away from the building. Then it was calm for a while. I then locked the big doors. So only the small inset door was available for customers to leave. I was collecting glasses and saw that the mad man had got back in. I asked him to leave he said no I have left my vape charging. So I escorted him to where it was he got it but wouldn't leave he apologised for his behaviour to the regulars, who accepted his apology then eventually we got him out of the door. Then one of the women who had been in earlier causing trouble and was on crutches was screaming and shouting and bashed at the door trying to get in. I told the customers to stay calm and not to engage which they did. She then tried to smash one of our windows but couldn't. Roly told me to call the police which I did but no reply. I called Pete Randall but got the answerphone. Things calmed down again. I stayed on the closed door so I could only let in our regulars. There was a knock, I opened the door and it was that mad man again. He said he wanted to come in for a drink. I said I'm sorry but you can't. He then said "I'm going to destroy you" I firmly closed the door. This was now close to closing time, so everybody began to leave. I escorted them out with their lollies. I went out with them as they quietly moved up the road. Roly noticed broken glass in front of our window outside so we cleared this up, went in and locked the door! I can't be totally accurate on times Rachael but the Street cctv should provide that and perhaps the complainant across the road saw things too. I can tell you this, in the 12 years I have been here I have never experienced such madness. Where are these people coming from. Let me know how you would like to move forward Rachael. I am sending this on my phone as my computer has crashed so not sure how it will look your end. Please can you copy in Olivia.

One last thing, we are seriously considering creating a Club next year, so no one apart from Club members and their guests and holiday makers who can buy a pass for the duration of their stay will be allowed access.

Kind regards
Lesley

Sent from my phone

----- Original message -----

From: "Hind, Rachael" <Rachael.Hind@torbay.gov.uk>
Date: Wed, 29 Nov 2023, 20:25

Community Safety
Town Hall, Torquay TQ1 3DR
01803 208028 | rachael.hind@torbay.gov.uk

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From: [REDACTED]
Sent: Monday, December 11, 2023 11:40 AM
To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

Firstly, I need to give you an update on my previous email. As you know we only open Friday and Saturday nights and will do till nearer Christmas, which is just as well because the mad man was shouting and screaming outside our building around 8.30pm last night. We called PC Pete Randell and he had also received a call from The Blue Anchor (near the Harbour) a little earlier regarding the same man. The Constable has asked us to go through our cctv footage so the Neighbourhood team can see what he looks like. It should also show the mad woman.

Unfortunately, we can't meet tomorrow because we are going away till Friday late afternoon. Have you/Olivia touched base with the Neighbourhood team? Have you both gone through the cctv footage on Fore Street to identify the mad man and the mad woman on crutches? Is there anything we can do to today to move things forward, even if we can't meet up? Because this is scary stuff Rachael and both Roly and I feel anxious and don't want to go outside today in case the mad man is or will be lurking ready to pounce. We have never experienced anything like it before – whatever is happening to/in Brixham!

Kind regards
Lesley

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: Monday, December 11, 2023 10:40 AM
To: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your email.

[REDACTED]

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: 11 December 2023 12:30
To: [REDACTED]
Cc: GIFFORD Olivia 31386; West, Thomas
Subject: RE: Noise - The Old Coaching Inn

Hi Lesley

Thank you for your email. Olivia and I have been discussing this today and our police colleagues are looking into this for you.

However, we are very concerned about some recordings we have been sent by a complainant and we really need to speak to you urgently about this, preferably in person or if not, would you be available for a Microsoft teams meeting (you can download teams on your mobile phone).

I am reviewing all of the evidence with Olivia and it is likely that I am going to have to request a review of your premises licence as you are not adequately controlling your customers and have no door staff to support you.

Please can you advise what time you are available this week so that we can either meet in person or set up an online meeting.

Kind Regards, Rachael

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

Community Safety

Town Hall, Torquay TQ1 3DR

01803 208028 | rachael.hind@torbay.gov.uk

www.torbay.gov.uk

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From: [REDACTED]
Sent: Monday, December 11, 2023 11:40 AM

To: Hind, Rachael <Rachael.Hind@torbay.gov.uk>

Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

Firstly, I need to give you an update on my previous email. As you know we only open Friday and Saturday nights and will do till nearer Christmas, which is just as well because the mad man was shouting and screaming outside our building around 8.30pm last night. We called PC Pete Randell and he had also received a call from The Blue Anchor (near the Harbour) a little earlier regarding the same man. The Constable has asked us to go through our CCTV footage so the Neighbourhood team can see what he looks like. It should also show the mad woman.

Unfortunately, we can't meet tomorrow because we are going away till Friday late afternoon. Have you/Olivia touched base with the Neighbourhood team? Have you both gone through the CCTV footage on Fore Street to identify the mad man and the mad woman on crutches? Is there anything we can do to today to move things forward, even if we can't meet up? Because this is scary stuff Rachael and both Roly and I feel anxious and don't want to go outside today in case the mad man is or will be lurking ready to pounce. We have never experienced anything like it before – whatever is happening to/in Brixham!

Kind regards

Lesley

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>

Sent: Monday, December 11, 2023 10:40 AM

To: [REDACTED]

Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your email.

Olivia and I would like to visit you tomorrow at 11.30am to discuss this with you. I will also bring my new licensing officer, Tom West along with me.

Is this a convenient time for you both?

Kind Regards, Rachael

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Community Safety

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[REDACTED]

From: [REDACTED]
Sent: 11 December 2023 13:52
To: 'Hind, Rachael'
Subject: RE: Noise - The Old Coaching Inn

Hello Rachael

Please see my answers below.

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: Monday, December 11, 2023 12:30 PM
To: [REDACTED]
Cc: GIFFORD Olivia 31386 <olivia.gifford@devonandcornwall.pnn.police.uk>; West, Thomas <Tom.West@torbay.gov.uk>
Subject: RE: Noise - The Old Coaching Inn

Hi Lesley

Thank you for your email. Olivia and I have been discussing this today and our police colleagues are looking into this for you.

Good. This man needs to be sectioned, he showed psychogenic traits. We are currently looking at our cctv.

However, we are very concerned about some recordings we have been sent by a complainant and we really need to speak to you urgently about this, preferably in person or if not, would you be available for a Microsoft teams meeting (you can download teams on your mobile phone).

No need Rachael, given all that has happened over the last couple of months we have decided to close. When we bought this building, our intention was always to reinstate it as a Hotel and that is what we have permission for, so that is what we'll endeavour to do. We have no idea how long that will take and whether we can afford it. If we can't we'll have to sell. But Saturday and last night was scary and we don't want to put through that again. We still don't know whether that mad man will return tonight. If he does, we will be prepared with taking a video. It is a shame, especially for our regular customers but it is what it is. We'll make it known that we have closed to focus on our bedrooms and to reinstate the Hotel.

I am reviewing all of the evidence with Olivia and it is likely that I am going to have to request a review of your premises licence as you are not adequately controlling your customers and have no door staff to support you. Just one thing we would say. Whether we had a Doorman at the entrance or not, the mad man and mad woman would have been allowed entry. They came in earlier in the evening and were fine and we had never seen them before. We just hope Torbay Council and the Police can overcome the growing negativities about Brixham, when it has been doing so well as a destination resort. Do you need us to send you our cctv footage or shall we carry on working with the Police?

Please can you advise what time you are available this week so that we can either meet in person or set up an online meeting.

Kind Regards, Rachael
Dito Lesley & Roly

TORBAY COUNCIL

Rachael Hind | Regulatory Service Manager (Commercial)

[REDACTED]

From: [REDACTED]
Sent: 11 December 2023 16:36
To: 'Hind, Rachael'
Subject: RE: Noise - The Old Coaching Inn

From: Hind, Rachael <Rachael.Hind@torbay.gov.uk>
Sent: Monday, December 11, 2023 2:44 PM
To: [REDACTED]
Subject: RE: Noise - The Old Coaching Inn

Dear Lesley

Thank you for your reply. Are you intending to close with immediate effect?
Definitely. We are going away tomorrow till Fiiday. Then all of January. Other than that we'll be about if you and Olivia want to meet up.

Please send the CCTV images to the Police as they will need these for their investigation. Did you get a police log when you reported it on Saturday night as the police haven't been able to find your log number on their system.
OK. The Police Ref. is DCP-20231209-0959.

I will be reviewing all of the evidence and will notify you of my decision of whether I will be pursuing a review of your premises licence.
OK. And remember when/if we re-open it will be as a Hotel for guests and Club members only so we have control of who's coming and going, and each member will have to sign in themselves and any permitted guests at a manned reception. To be honest much depends on finances and whether we want to remain in Devon. At the moment everything is hanging in the balance.

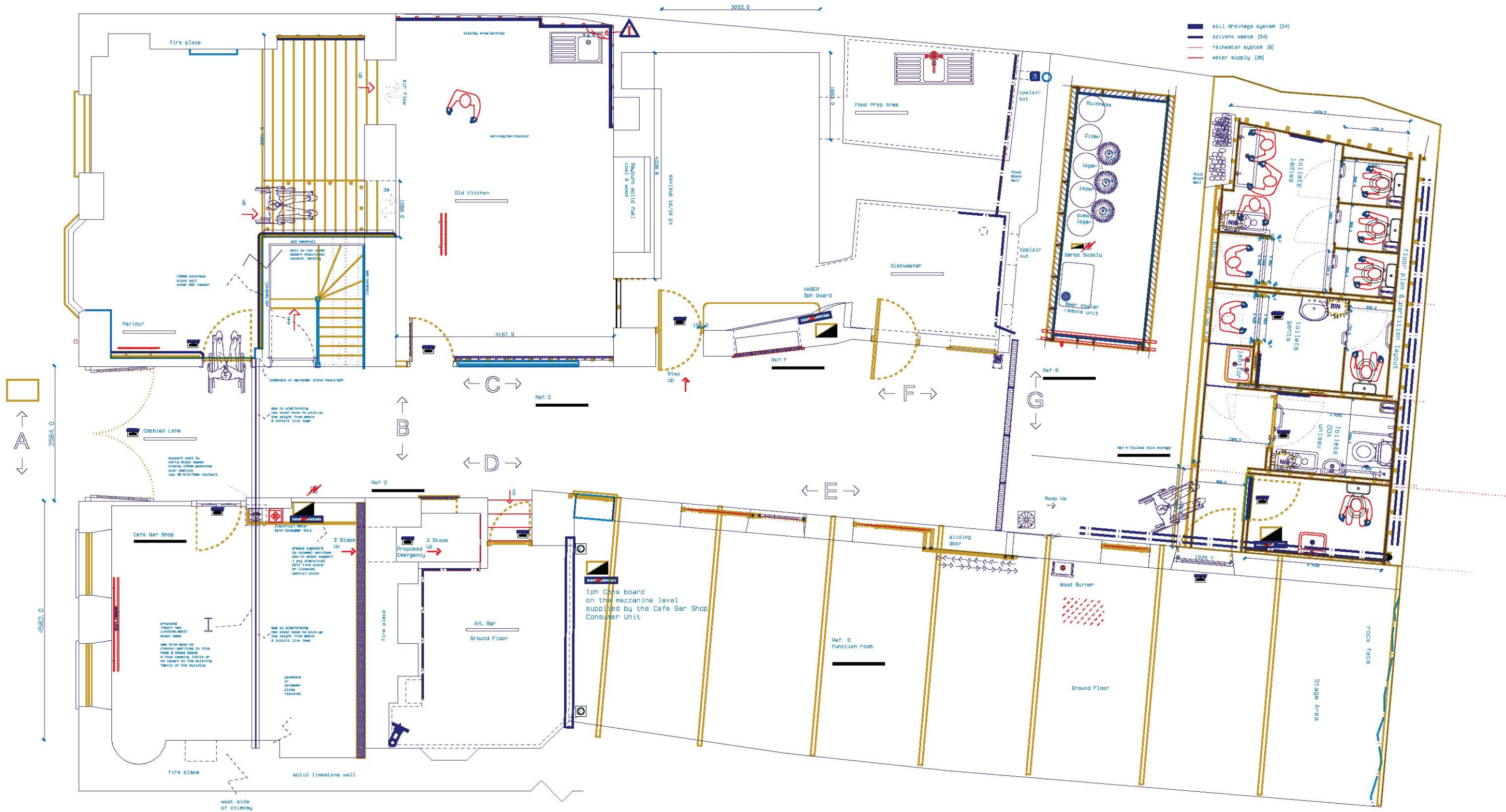
At least you have someone to help you now. You'll need it, given how things seem to be changing in Brixham. We'll be counting on you and your police colleagues to set Brixham back on the right path again as it was doing so well.

Kind Regards, Rachael
Dito
Lesley

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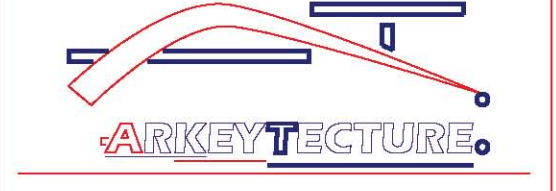


Project: The Old Coaching Inn
 Site: 61 Fore St Brixham TQ5 8AG
 Drawing type: ground floor

Drawing scale: 1:50 @A2
 Text scale: B0 11b Brixham
 Alteration: 13 Nov 2023
 page scale
 1000.0
 2000.0
 3000.0

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 TQ5 8AG

Geographical orientation
 Hotel Front, Fore St, Brixham, TQ5 8AG
 Hotel Front Fore St Brixham TQ5 8AG



The Old Coaching Inn 61 Fore St Brixham



Main
Doors
In & Out



Samsung ROLY's A22