

**Shirley Loder**

---

**From:** Andy Cole  
**Sent:** 03 November 2020 14:44  
**To:** Licensing; Shirley Loder; Phil Fitzsimons  
**Subject:** RE: The Old Creamery Hang Loose 8 Hobbs Hill Croyde 2020003396 202003414 and variation to Premises Licence 202003439 Noise compl 202002799  
**Attachments:** Re: Licensing Act 2003 - Application for variation of a premises licence

Hi

I am emailing in relation to concerns raised by Rob Parkinson – as below.

Having reviewed the case history, I can confirm that no additional complaints have been received - other than that which is already identified.

I note that a number of TEN's were issued during September - none of which resulted in complaints of alleged noise disturbance being received by the Council.

Notwithstanding this, I have discussed the wider issues in more detail with the applicant – and am pleased to advise that they have agreed to implement a number of changes to their application and other measures - by way of mitigation - as are detailed in the attached email correspondence.

I would therefore like to withdraw any representation previously made by Environmental Protection relating to this application.

Andy

Andy Cole MSc, CEnvH, MIOA  
Service Lead - Environmental Protection,  
North Devon Council  
PO BOX 379  
Barnstaple  
North Devon  
EX32 2GR  
01271 388762

**From:** Rob Parkinson <Rob.Parkinson@northdevon.gov.uk>  
**Sent:** 27 August 2020 13:50  
**To:** Licensing <licensing@northdevon.gov.uk>  
**Cc:** Andy Cole <Andy.Cole@northdevon.gov.uk>  
**Subject:** The Old Creamery Hang Loose 8 Hobbs Hill Croyde 2020003396 202003414 and variation to Premises Licence 202003439 Noise compl 202002799

The above premises is the subject of a single noise complaint received on 29 July 2020 regarding noise from persons drinking in the rear garden and balcony until the closing time of 22.30. Unfortunately no contact was made to the complainant until I called on 25 August. The complainant alleges that the premises is currently operating more like a pub than its previous operations and that social distancing has not been followed. On 25 August the complainant was requested to provide direct evidence of the disturbance using the Noise App. To date no further contact has been received. I am therefore unable to register formal objections to the two TENs but would express concern as to the extension of the Premises Licence to 31 October due to the potential for disturbance. With my imminent

departure I will keep the noise case open and reallocated back to ARC for any follow up should evidence be received as to unreasonable disturbance.

The commercial team have been advised re the SD allegations.

If you require any further information please contact me

Rob Parkinson  
Environmental Health Officer (Agency)  
Environmental Protection Team  
North Devon Council  
01271 388351 (diverts to mobile)

## Shirley Loder

---

**From:** Ali Poll <...@...>  
**Sent:** 03 November 2020 14:16  
**To:** Andy Cole  
**Subject:** Re: Licensing Act 2003 - Application for variation of a premises licence

Hi Andy,

Thank you for your time today, I appreciate your guidance and advice.

I am happy to confirm the email, except for one detail. We currently have a licence which permits us to sell alcohol from 12.00 to 18.00, extended to 22.00 during the months of July and August.

Many thanks

Alistair

Get [Outlook for Android](#)

---

**From:** Andy Cole <Andy.Cole@northdevon.gov.uk>  
**Sent:** Tuesday, November 3, 2020 12:04:44 PM  
**To:** alistairp <...@...>  
**Subject:** Licensing Act 2003 - Application for variation of a premises licence

Ali

I am emailing you in relation to the above – which I understand was received by the Licensing Authority on 21<sup>st</sup> August 2020 – and the subsequent telephone discussions we had today.

We discussed a number of matters concerning the Public Nuisance objective associated with the Licensing Act 2003. You kindly agreed to implement a number of mitigation measures specifically to address my concerns.

These are detailed below :

- The application is currently to extend the hours which you are able to serve alcohol from 1800-2200 July / Aug - to 1800-2220 from 1<sup>st</sup> April to 31<sup>st</sup> October.  
  
As a result of my concerns, you agreed to change this to 1800 – 2200, 15<sup>th</sup> May – 30<sup>th</sup> September.
- You confirmed that the only music being played will be recorded music at a background level – from midday to 2200 – and that no live music will be being played.
- You advised that in light of concerns having being raised about the noise impact on the neighbouring premises, you would be moving the speaker which was previously placed on this party wall, to an alternative location to mitigate this noise impact.
- In relation to my comments regarding the proximity of neighbouring properties and the need for people noise and associated anti-social behaviour to be proactively managed, you confirmed that you would :

- o Reduce the numbers of customers allowed in the premises from 60 (as is currently allowed in your fire risk assessment) to 50.
- o Install signage in prominent locations within the premises and outside reminding customers of the need to avoid any anti-social behaviour (including excessive noise) which could have a detrimental effect on your neighbours.

You confirmed that you have at least 2 members of staff available outside, who will enforce this as part of their role – and that you have a policy to warn people once before then asking them to leave if their behaviours continues.

- In relation to the potential for a statutory odour nuisance to be caused by odours from your BBQ – considering the proximity of the BBQ to your neighbours – you confirmed that you would be moving the BBQ to an alternative location which is not on the boundary of the neighbouring premises.

I would be grateful if you could confirm by return, that the above is an accurate record of our conversation, the changes you will make, and the measures you intend to implement.

Andy

Andy Cole MSc, CEnvH, MIOA  
 Service Lead - Environmental Protection,  
 North Devon Council  
 PO BOX 379  
 Barnstaple  
 North Devon  
 EX32 2GR  
 01271 388762



For more information go to [www.northdevon.gov.uk/live-love-local](http://www.northdevon.gov.uk/live-love-local)

---

This e-mail has been scanned for all viruses by Claranet. The service is powered by MessageLabs. For more information on a proactive anti-virus service working around the clock, around the globe, visit: <http://www.claranet.co.uk>

---

This e-mail has been scanned for all viruses by Claranet. The