

REPRESENTATION FORM

See NOTES overleaf. Boxes marked * are mandatory, any forms with these incomplete will be automatically refused

*Your full name	Ian Huggins
*Postal address	██████████, Devon, EX34 8LN
*Email address	██████████cloud.com
Contact telephone number	██████████
*Name of the premises you are making a representation about	The Woodpecker Bar and Kitchen
*Address of the premises you are making a representation about	West Down, Ilfracombe, Devon, EX34 8NU
*Which of the four licensing objectives does your representation relate to?	<i>Please detail the evidence supporting your representation. Or the reason for your representation, use separate sheets if necessary</i>
To prevent crime and disorder	My partner and I frequently use the Woodpecker for food and drink and have never found the owner or husband to be anything other than the perfect hosts. They are always polite and courteous and we have never seen them in any way harassing or threatening. They go out of their way to help local organizations utilize their facilities for free to help the community. We have seen local horse riding groups, motor cycle blood bikes and more recently the hospice bear all being supported by Tina and Jamie.
Public safety	
To prevent public nuisance	When parking our car outside of the premises we have never noticed any excessive noise coming from within. When within the premises we are always able to hear one another talk and have never felt the music to be excessive. It is my understanding that the licensee has always adhered to the law under her license - stopping music at the licensed times and closing at the appropriate time. Given a license was granted and operated according to said license these complaints seem to lack substance and fact. We have noted the licensee using a noise monitor and readings are always within the legal requirements set for the establishment.
To protect children from harm	
I/We fully understand that this Representation will be made available to the applicant and included in the Sub Committee's Hearing papers which are publically accessible documents, and any subsequent appeal court proceedings. See NOTES for further information.	
Signed*:	██████████
Date*:	27/03/23
This form must be returned within the Statutory Period, which ends on:	

*Your full name

NOTES

- 1) Data Handling: Persons making representations under the Licensing Act 2003 should be aware that their personal details will normally be disclosed during the hearing process to the licence applicant. They will also appear in any hearing report published on the Council's website. Where an notice of a hearing is given to an applicant, the Licensing Authority is required by regulations to provide the applicant with copies of representations, however in exceptional circumstances where there are fears of intimidation or harassment and the Authority considers that a person has a genuine and well-founded fear of intimidation and may be deterred from making a representation, the Authority may consider alternative approaches. Further information can be found in North Devon Council's Licensing Act 2003 Policy.
- 2) Please complete the form in black ink or type only.
- 3) If you do make a representation, which is considered relevant, you will be expected to attend a meeting of the Licensing and Community Safety Sub Committee and any subsequent appeal proceedings in the Courts. If you don't attend the meeting for any reason the Committee will consider any representations that you have made.
- 4) All representations whether made on this form or not must be returned to this office within the statutory period, starting the day after the application was given to this Authority. The statutory period is 28 days for a full variation or 10 working days for a minor variation.
- 5) The representation must relate to one of more of the four licensing objectives, nothing else can be taken into account. The objectives are:
 1. **The prevention of crime and disorder.** This relates to any crime, disorder or anti-social behaviour at the premises or related to the management of the premises. The licence holder/applicant can not generally be held responsible for the conduct of individuals once they leave the premises;
 2. **Public safety.** This relates to the safety of the public on the premises, i.e. fire safety, electrical circuits, lighting, building safety and capacity, first aid etc.
 3. **Prevention of public nuisance.** This can relate to issues such as, hours of operation, noise emanating from the premises, vibrations, lighting, litter etc.
 4. **Protection of children from harm.** This relates to protecting children from the activities carried out on the premises whilst they are there. The law already provides special protections for children under 18 to buy alcohol.
- 6) Note that it is not acceptable to lobby a councillor who is a member of the Licensing Committee.
- 7) Please return this form when completed with any continuation sheets (which should be numbered 1 of X etc), either to:

Licensing, Environmental Health and Housing, North Devon Council, PO BOX 379,
Barnstaple, Devon, EX32 2GR,

or as an attachment by email to licensing@northdevon.gov.uk

If you have any queries or need advice in this regard, please contact the Licensing Team on 01271 388 870