



The Licensing Team
Environmental Health & Housing
North Devon Council
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APPLICATION FOR THE REVIEW OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003

Form Ref: LA03/R1

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We may need to share your information with other departments in North Devon Council or external/ third parties, where this is necessary to perform our public functions & services as provided by law.

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If you require this document in an alternative format, please contact us.

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 or typed in black ink. Use additional sheets if necessary. You should keep a copy of the completed form for your records.

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003

I, Mrs Kate Morne
[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
Bunch of Grapes, 36 High Street, Ilfracombe.

Post Town Ilfracombe Postcode ex34 9DA

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

Number of premises licence certificate (if known).PLWA0044

Part 2 – Applicant Details

I am Kate Morne Anti-Social Behaviour Officer at North Devon Council

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)

Title: Mr Mrs Miss Ms Dr Other (please specify)

Surname

First names

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Daytime contact telephone number

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Kate Morne (Environmental Protection/ Anti-Social Behaviour Officer)
 North Devon Council, PO BOX 379. Barnstaple. Ex32 2GR.

Daytime contact telephone number	01271 318556
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E-mail address (optional)	Kate.morne@northdevon.gov.uk
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This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)**Prevention of Crime and Disorder Licencing objective.**

This review is brought by North Devon Council on the grounds that the prevention of Crime and Disorder is being seriously undermined due to the premises failings to manage the Bunch of Grapes effectively. There has been a prevalence of disorder and criminal behaviour on or near the premises between March 2019 and August 2019.

Public Safety Objective

Public safety on or near the premises has been compounded by the lack of management control, for example staff have not been adequately trained, intoxicated attendees have been served alcohol and the safe management of access and egress to the venue has been below acceptable standards due to customers being allowed to congregate outside of the venue resulting in disorder and noise disturbance.

Prevention of Public Nuisance

Serious nuisance to the public has been caused by noise emanating from the premises and by the disorderly conduct of the customers near the premises.

There have been a number of intervention visits made to the premises by the council in conjunction with the police to address concerns raised about the premises and management of them. Despite these interventions from the Police and Council which included an Action Plan and a Community Protection Warning Notice issued in June 2019 complaints continue to be received and in our view the safety and wellbeing of the public continue to be at risk.

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

The Bunch of Grapes is a licensed Public House that is located on 36 High Street, Ilfracombe. It is situated in an area that has both retail premises and also residential properties to the front, side and rear of the business.

The premises is licensed for sale of alcohol between the following hours:

Monday-Wednesday	09:00 – Midnight (Hours open to the public 01:00)
Thursday, Friday Saturday	09:00 – 01:30 (Hours open to the public 02:30)
Sunday	09:00 – Midnight (Hours open to the public 01:00)

There are other licencing activities which include live and recorded music at the premise which have also impacted on the community.

Whilst the authority have dealt with issues under different licensees over a period of time complaints have intensified since the premises have been taken over under new management in March 2019.

The premises are owned by Abbeyvalley Ltd, based in London. The Designated Premises Supervisor is Adam Squires who nominated - - to manage the day to day running of the premises. Mr Squires also has a SIA license and often works the door - - - -.

Since reopening North Devon Council opened a noise investigation in 26th March 2019 shortly after the Bunch Re opened with new management. A number of complaints were made regarding late night disturbance until 3 - 4 am in the morning from customers leaving the premises and concerns of drug dealing from these customers. On meeting the complainants it was clear that this was having a significant impact on their health due to sleep deprivation and anxiety caused by hearing frequent shouting, screaming and fighting from the disorder outside the premises into the early hours. It was alleged that the noise and disturbance was also affecting the - - - -.

North Devon Council work in close partnership with Devon and Cornwall Police to address Anti-Social Behaviour issues and following complaints in relation to this premise, liaised with the Licencing Police Officer Paul Butler, and Howard Bee (North Devon Council Senior Licencing Officer) and shared information under Section 17 of the Crime and Disorder Act 1998.

North Devon Council and the Police Licencing department met with Adam Squires and - - on the 25th April 2019 to address these issues. At this initial meeting it was identified that the Pub was running without the requisite licencing permissions.

Additionally, the premises did not have sufficient door staff during the busiest periods on Friday and Saturday evenings and the activity in the beer garden at the rear was not being closely monitored by staff. Further visits by police identified the premises did not have an incident log book, Drugs Policy or Refusal register. Further communication was made between Paul Butler and Abbeyvalley Ltd regarding these concerns raised.

Further complaints were received on the 7th May 2019 of customers causing noise disturbance from the beer garden area until 2.30 am, glass being smashed and a high volume of music at the premises.

North Devon Council carried out monitoring in relation to the alleged Anti-Social behaviour and noise nuisance from the premises under the Environmental Protection Act 1990. Findings confirmed that the conduct at the premises was having a detrimental effect of a continuing nature on the quality of life of those in the locality. A - - - letter under the - - - - - on the 27th June 2019 to - -, - - - - -. The conditions of the - were:

- Not cause a disturbance to other residents by loud music at any time at this address,
- Not permit any shouting, chanting or other unreasonable noise by persons at this address or customers leaving the premises
- Respond in a reasonable and civil manner to representations that may be made by local residents or officials of this Council or any agency in regard to noise complaints against this address.
- Not to allow any glasses outside the front of the premises at any time.
- To ensure that the rear garden area is closed at 1am.

In addition to the - warning an Action plan was agreed between Police and the proprietors covering steps to be taken to improve the running of the premises.

Further evidence of noise disturbance from the - - was provided to North Devon Council on the 29th June 2019. I contacted -- and advised him of this and potential breach of the- -. - reassured me that they would be using a member of door staff to manage this more closely and shutting the toilets in the garden to prevent further disturbance. - - was advised that North Devon Council could carry out monitoring at any time to determine if a statutory nuisance was present and/ or the Anti-Social Behaviour associated with the premises was continuing.

On the 6th August 2019 the Council received three complaints from separate complainants regarding an incident outside the premises which continued until 1.30am, this was linked to an altercation which had started inside the premises. Complainants advised that they were kept awake by shouting, screaming, swearing which was very upsetting to family members and impacted on their sleep. There were no door man on duty as it was a Monday evening.

I visited - - on Wednesday 8th August 2019 to discuss the alleged breach of the Community Protection Warning letter. - advised that -was not on duty that evening but - - - - - . I asked where the DPS was at this time, - advised that- - - - - . The council has concerns about who was running the premises if the DPS was away and the designated manager - - was not available - - - - - . When asked, - stated that - - - was managing the pub that night.- explained that there was an altercation between two females that started inside the premises. - explained that one female was removed to try and diffuse the situation inside and they allowed the other female to remain inside the premises. This resulted in further disorder outside the premises with the female outside banging on the windows of the premise, shouting and screaming. Other associates of this female then turned up outside the premises resulting in further noise and shouting. The female inside the premise then left and a fight started outside of the premises. - - stated that - believed it to be an 18th Birthday party group present. On advising - - of this breach- stated that it was unfortunate and could not have been predicted for a Monday night but accepted that there was disturbance and this was a breach of- - - - - . I advised - that I would be speaking with my Manager regarding further escalation due to this.

There are further concerns about an individual who frequents this premise. During our initial visit on the 25th April 2019 a - well known to the Police was - - - -. Discussions and concerns were raised with - - , Adam Squires and Abbey Valley Ltd regarding this. As a result of an incident on 30th June 2019 the - individual was banned from the premises after - was involved in disorder and caused damage. On Friday 2nd August 2019 this individual was linked to further disorder outside the premise after - was allowed by - to return to repair the damage - had previously caused to a window. When spoken to about the incident on 2nd August - refused to accept responsibility saying the disorder was not linked to the premises as it had occurred after the banned individual had left.

Further information provided by Adam Squires to PCSO Grant on the 20th August 2019 indicated that this - is still continuing to enter the premise when the DPS is not present as staff are too intimidated to remove - from the premises. This is clearly concerning that staff are unable to manage this situation in conjunction with the licensing objectives.

Following reports of continued noise disturbance and disorder associated with the premises North Devon Council are very concerned that recently two complainants have withdrawn their complaint as they felt threatened because of fears of reprisals if identified.

Devon and Cornwall Police provided a report to the Council of the history of contact that there has been between the police and The Bunch of Grapes Public House during 2019 since the time that it reopened in March 2019.

The table below compares the logs and crimes of pubs in Ilfracombe over the period from March 2019 to August 2019 since the Bunch of Grapes has been reopened and clearly shows that there is a - - - - premises compared to other licenced premises in the area.

Name of Pub	Logs	Crimes

Many of the incidents associated with the premises emanate from alcohol related disorder, either behaviour or assaults.

Please tick <input checked="" type="checkbox"/> yes
Have you made an application for review relating to this premises before <input type="checkbox"/>
If YES please state the date of that application
If you have made representations before relating to this premises please state what they were and when you made them
Representations of concern made to the Police and Council licencing teams resulting in joint visits to the premises.

Part 3 - Checklist	Please tick <input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/>
• I understand that if I do not comply with the above requirements my application will be rejected	<input checked="" type="checkbox"/>

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 4 – Signatures	(please read guidance note 3)
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:	Kate Morne
Date:	21/08/2019
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this notice (please read guidance note 6)	
Name	
Address	
Post Town	Postcode
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail 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.