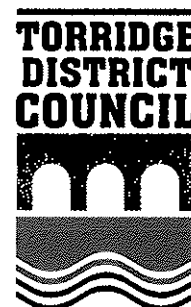


Torrige – a great place to live, work and visit

Riverbank House, Bideford, Devon, EX39 2QG



Mrs Da Silva
The Anchor
11 Honestone Street
Bideford
Devon
EX39 2DJ

Our Ref: TDPR0227

Your Ref:

Date: 28th May 2021

Dear Mrs Da Silva

COMPLAINT – ANTI-SOCIAL BEHAVIOUR

I write to advise you that we have received complaints from members of the public relating to anti-social behaviour outside of your premises. It has been reported that customers at your premises are taking drinks outside, smoking, shouting and swearing during the evening up to and including closing time.

I have contacted our waste and recycling team and they have reported finding empty glasses in the street as well as clearing up broken glass outside your premises.

I remind you of the following conditions of your licence:

- *No customers will be permitted to take open containers of alcoholic or soft drinks from the premises.*
- *The licensee or a member of staff will be responsible for the orderly conduct of customers leaving the premises at closing time.*
- *In the vicinity of the premises, litter directly related to sales will be collected and properly disposed of at the end of each trading day.*

It is a legal requirement that you comply with your licence conditions.

I have also received a copy of a letter sent to you by the Police Licensing Officer detailing a number of breaches in respect of covid regulations. You have already received a Fixed Penalty Notice for previous breaches. We will be reviewing the evidence before deciding what further action will be taken.

I will be in contact with you shortly, please contact me if you have any queries.

Yours sincerely



Chris Parkhouse

Lead Licensing Officer

chris.parkhouse@torridge.gov.uk - 01237 428820

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Riverbank House, Bideford, Devon, EX39 2QG



Mrs Da Silva
The Anchor
11 Honestone Street
Bideford
Devon
EX39 2DJ

Our Ref: TDPR0227

Your Ref:

Date: 30th September 2021

Dear Mrs Da Silva

COMPLAINTS – NOISE AND ANTI-SOCIAL BEHAVIOUR

Further to my visit on 28th September 2021 with the Police Licensing Officer, I write to confirm our discussions and agreed actions.

I advised you that we had received further complaints from members of the public relating to noise and anti-social behaviour, primarily from outside of your premises but also from music/karaoke within the premises. It has been reported that customers at your premises are taking drinks outside, shouting and swearing during the evening and after closing time.

We discussed the conditions of your licence and the action plan you had produced to manage the premises.

You agreed to take further steps to ensure customers will not be allowed to take open drinks from the premises, including those customers leaving temporarily to smoke. You also agreed to ensure customers move away from your premises at closing time and do not congregate outside. You arranged for new notices to be placed on the door prior to us leaving. You advised you would provide further instruction to your staff to ensure they monitor and take sufficient action when you are not at the premises. I suggested that you may wish to consider employing door staff but you advised you would rather manage the situation yourself.

We discussed groups of people congregating at the Pannier Market and you advised you do not believe they had come from your premises. You stated, as an example, that you had closed at 12:30 last Saturday and people were there at 02:00.

We also discussed noise from music and karaoke. You advised you were aware of the noise limits on your licence and had a sound meter to monitor noise levels. I advised that you should take regular readings during the evening and ensure you log them in a diary. This would provide evidence of compliance should we have further complaints.

It is important that you put measures in place to ensure compliance with your conditions of licence. As discussed, if we continue to receive complaints we will need to consider taking your licence to review at a Licensing Sub-Committee hearing. The Sub-Committee have a wide range of powers including imposing additional conditions and, ultimately, have the power to revoke your licence.

We have asked the complainants to maintain a diary of issues arising.

Formal monitoring may be carried out without notice by authorised officers of this Council and may involve the use of sound measuring, sound recording and/or photographic equipment. The complainants may also be asked to assist with the use of this equipment to monitor the noise levels.

Please contact me if you have any queries.

Yours sincerely



Chris Parkhouse

Lead Licensing Officer

chris.parkhouse@torridge.gov.uk - 01237 428820

Please reply to: **Simon Cohen**
Direct Dial: 01237 428991
Email: simon.cohen@torridge.gov.uk

Ms M Da Silva
The Anchor
11 Honestone Street
Bideford
EX39 2DJ

**Environmental Health &
Licensing Team**
Riverbank House
Riverview
Bideford
Devon
EX39 2QG

Our Ref :22/00915/LICOML
Date 11/08/2022

Tel 01237 428700

Dear Ms Da Silva,

**LICENSING ACT 2003 – COMPLAINT ABOUT LICENSED PREMISES
THE ANCHOR INN, HONESTONE STREET, BIDEFORD**

We have received a few complaints relating to noise coming from your premises. If the complaint remains unresolved, we have a duty, under the above legislation, to investigate and to determine whether there is evidence of a breach of your licensing conditions.

As part of this investigation, it may be necessary to monitor noise coming from your property. Monitoring is carried out without notice by authorised officers of this Council and may involve the use of sound measuring, sound recording and/or photographic equipment. The complainants may also be asked to assist with monitoring the noise complained of, monitoring will be concluded within 3 months unless you are notified to the contrary.

Mr Chris Parkhouse has written to you on 2 occasions relating to noise and anti-social behaviour last year: 30/09/21 and 28/05/21. On the 8th March 2022 you varied your licence and I suggest that you refer to the conditions within that licence, especially Annex 2 and the letters you have received.

If we obtain sufficient evidence that you are not complying with your licensing conditions then formal enforcement action will be taken.

If you need any further advice, please do not hesitate to contact me.

Yours sincerely,


Simon Cohen
Neighbourhood Officer

Office Hours
Mon, Tue, Wed, Thu
8:45am - 5:15pm
Friday
8:45am - 4:45pm

Head of Paid Services

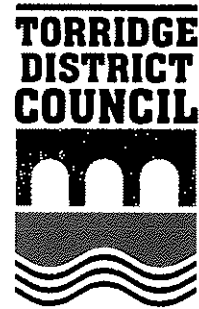
Steve Hearse



100%

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Riverbank House, Bideford, Devon, EX39 2QG



Mrs Da Silva
The Anchor
11 Honestone Street
Bideford
Devon
EX39 2DJ

Our Ref: TDPR0227

Your Ref:

Date: 24th October 2022

Dear Mrs Da Silva

**COMPLAINTS – NOISE AND ANTI-SOCIAL BEHAVIOUR
REVIEW OF PREMISES LICENCE**

I write further to our visit on 7 October 2022 when I met you with Simon Cohen and Paul Butler.

We advised you we had conducted noise monitoring from inside a nearby residential property as detailed in the letter sent to you by Simon Cohen on 11 August 2022. We went through the details of the recordings and discussed various issues around noise and anti-social behaviour. In particular the noise from karaoke and from customers outside of the premises.

We advised that this provided evidence of breaches to licensing conditions and we would review the next step in our enforcement process.

We have had various discussions regarding incidents at your premises since you re-opened in May 2021 following the covid lockdown.

We wrote formal letters to you on 28 May 2021 and 30 September 2021.

The Police Licensing Officer wrote to you on 26 May 2021 where you agreed to produce an action plan. You provided an Action Plan on 4 June 2021. The Police Licensing Officer wrote to you on 10 January 2022 advising that you were not complying with your action plan and he would be writing a Problem-Solving-Profile. He requested you to apply for a minor variation and include additional conditions on your licence.

You agreed to submit a minor variation to include additional conditions to your licence. The conditions suggested by the Police and the Council were amended after discussion with your solicitor. The variation came into force on 8 March 2022.

Despite these interventions we have obtained evidence of breach of licence conditions. As a result, we have decided to progress to a formal review of your premises licence by a Licensing Sub-Committee.

I will advise you of the date of the meeting in due course.

I enclose a notice that you are required to display on your premises.

This notice must be displayed for a period of 28 days and must be clearly visible from the outside of your premises.

I have attached to this letter a list of the conditions that have been breached.

I also enclose the monitoring reports we discussed at the meeting.

Please contact me if you have any queries.

Yours sincerely



Chris Parkhouse

Lead Licensing Officer

chris.parkhouse@torridge.gov.uk - 01237 428820

Condition	Breach
<p>An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details of:</p> <ol style="list-style-type: none"> 1. Any incidents of disorder or of a violent or anti-social nature 2. All crimes reported to the venue, or by the venue to the police 3. All ejections of patrons 4. Any complaints received 5. Seizures of drugs or offensive weapons 6. Any faults in the CCTV system 7. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service. <p>Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.</p>	<p>There is evidence of a patron being ejected without an entry in the incident log.</p> <p>The last entry in the incident book was 30 July 2022.</p>
<p>The designated premises supervisor shall carry out a risk assessment to determine if there is likely to be a need for SIA licensed door supervisors at the entrance to the premises on Friday and Saturday nights (Also on Sunday's when a Bank Holiday precedes) and on Christmas Eve and New Years Eve. The risk assessment log shall be kept and maintained at the premises and will take into account the following factors:</p> <ol style="list-style-type: none"> 1. The likely number of people at the premises that night; 2. Whether an event is taking place at the premises; 3. Whether there is a greater than usual risk of a potential breach of the licensing objectives should a door supervisor not be present on the door; 4. The weather conditions and time of year; and 5. Whether there are other events taking place in the vicinity. <p>A minimum of one (1) SIA licensed door supervisor shall be on duty at the entrance of the premises on Friday's and Saturday's (Also Sundays when a Bank Holiday proceeds) and on Christmas Eve and New Years Eve from 1900 Hours (7.00pm) until the premises have closed and all customers have left the immediate vicinity unless the prior risk assessment determines that the risk of a breach of the licensing objectives is low.</p>	<p>There are no written risk assessments in place. You stated that you only provide door staff for specific events and no specific events have been provided since the variation to the licence.</p> <p>There is evidence of disturbances outside the premises which an SIA licensed door supervisor would have been expected to deal with.</p>

<p>SIA licensed door supervisors will be responsible for ensuring the safe, quiet, and orderly dispersal of customers from the premises and the immediate vicinity of the premises.</p> <p>When SIA licensed door supervisors are not employed, the licensee or a member of staff will be responsible for the orderly conduct of customers from the premises and the immediate vicinity of the premises.</p>	<p>There is evidence that customers are not dispersing in a quiet, orderly manner.</p>
<p>Noise (including vibration) from the premises shall not exceed the following: Commencement until 23.00 hours LAeq (5 minutes): 45 dBA 23.00 hours until termination LAeq (5 minutes): 40 dBA (when measured at the neighbouring domestic properties)</p> <p>Whilst live music, karaoke or DJ's playing recorded music is taking place noise levels will be monitored at the boundary of the nearest domestic properties on at least hourly intervals. If the monitoring reveals noise breakout at a level likely to exceed the limits detailed in these conditions of licence then the volume of music shall be reduced to a level that does not cause disturbance.</p> <p>A record shall be kept of any monitoring, including: -the date, time and location of the monitoring -the name of the person monitoring -any action taken</p>	<p>There is evidence of noise levels in excess of these limits.</p> <p>The sound monitor is not sufficient to provide reliable readings.</p> <p>The recordings in the record book only state below 40 dBA and not a specific level.</p>