

South Hams Licensing Sub-Committee



Title:	Agenda
Date:	Thursday, 22nd April, 2021
Time:	2.00 pm
Venue:	TEAMS Meeting
Full Members:	<p style="text-align: center;">Chairman Cllr Brown</p> <p style="text-align: center;">Vice Chairman</p> <p><i>Members:</i> Cllr Reeve Cllr Smerdon</p>
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
Committee administrator:	Democratic.Services@swdevon.gov.uk

1. Division of Agenda

2. Declaration of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests; they may have in any items to be considered at this meeting;

3. Application for a new Premises Licence at Ivybridge RFC Ltd, Ivybridge Rugby Club, Exeter Road, Ivybridge, PL21 0LR

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Report to: **Licensing Sub-Committee**

Date: **22nd April 2021**

Title: **Application for a new Premises Licence at Ivybridge RFC Ltd, Ivybridge Rugby Club, Exeter Road, Ivybridge, PL21 0LR**

Portfolio Area: **Customer First**

Wards Affected: **Ivybridge East**

Relevant Scrutiny Committee:

Urgent Decision: **N** Approval and clearance obtained:

Author: **Naomi Stacey** Role: **Specialist - Licensing**

Contact: **01803 861268 / naomi.stacey@swdevon.gov.uk**

Recommendations:

That the Sub-Committee consider the application for a new Premises Licence and make determinations in respect of this application, namely to:

- i) grant the application as submitted, subject to any Mandatory Conditions required;**
- ii) modify the conditions of the licence;**
- iii) exclude any of the licensable activities to which the application relates;**
- iv) to refuse to specify a person in the licence as the premises supervisor;**
- v) reject the application,**

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

The decision must be in line with the licensing objectives contained within the Licensing Act 2003.

1. Executive summary

- 1.1 The purpose of the Licensing Sub-Committee meeting is to determine an application for a new Premises Licence at **Ivybridge RFC Ltd, Ivybridge Rugby Club, Exeter Road, Ivybridge, PL21 0LR** in accordance with Section 18 of the Licensing Act 2003.
- 1.2 The Licensing Authority received an application from Ivybridge RFC Ltd for a new Premises Licence on 23rd February 2021. The application is for:
- Live and recorded music (indoors):
 - Saturday and Sunday from midday to midnight;
 - Players Annual Award Event (one Friday or Saturday per year) midday until 12.30am;
 - Christmas Eve from midday to 11.30pm;
 - New Year's Eve from midday until 1am.
 - Sale of alcohol for consumption on and off the premises:
 - Sunday to Thursday from 10am to 11pm;
 - Friday and Saturday from 10am to midnight;
 - Players Annual Award Event (one Friday or Saturday per year) from 10am to 1am;
 - Christmas Eve from 10am to 11.30pm;
 - New Year's Eve from 10am to 1am;
 - When Rugby World Cup and British & Irish Lions games are held in Australia or New Zealand, due to the time difference, alcohol will be sold from 8am to midnight. Each of these events are held every four years and last up to one month.

A copy of the application and plan is attached at **Appendix A**.

- 1.3 The premises is a rugby club and currently has in place a club premises certificate, restricting the use of the premises to club members and their guests. A copy of the club premises certificate is at **Appendix B**. By applying for a premises licence, the club will be permitted to allow members of the public (non-members) to also use their facilities.

2. Background

- 2.1 The premises is located in the Filham area of Ivybridge, close to the junction of Godwell Lane and the B3213 (also known as Exeter Road). It is in a semi-rural location, in close proximity to residential properties. A map of the location is attached at **Appendix C**.
- 2.2 During the consultation period, five relevant representations were received from local residents in objection to the application. No representations were received from any of the Responsible Authorities or local Councillors. Copies of the representations are attached at **Appendix D**.
- 2.3 Issues raised relate to all four of the licensing objectives, with particular concern in relation to the prevention of public nuisance

and prevention of crime and disorder licensing objectives. Concerns include the disturbance which may arise from the noise of amplified music and from customers of the rugby club leaving the premises at night. Other concerns relate to the potential anti-social behaviour of customers under the influence of alcohol and the possibility that customers may take off-sales of alcohol to consume in the local area.

- 2.4 The Live Music Act 2012 and subsequent amendments, allow the provision of live and recorded amplified music at any premises licensed for the sale of alcohol for consumption on the premises between the hours of 08:00 and 23:00. There is no way to restrict these activities through the premises licence during these hours, other than through the review process once a licence has been granted. Music played in the background (at a level where a conversation can be easily held) is never licensable. Should a licence be granted to include the sale of alcohol for consumption on the premises as requested, live and recorded amplified music will automatically be permitted until 11pm on any day, in all areas where alcohol may be consumed on the premises, as shown on the premises licence plan.
- 2.5 Therefore the concerns relating specifically to noise from amplified music should only be taken into consideration when the activity will be 'licensable', which in this case would be on Friday and Saturday between 11pm and midnight and after 11pm during non-standard timings.
- 2.6 Any references within the representations to the 'need' for the supply of alcohol at the premises or the number of other licensed premises in the local area are not relevant and cannot be taken into consideration.
- 2.7 As relevant representations in respect of this application have been received, which have not been withdrawn and mediation has not been possible, the Licensing Sub-Committee acting on behalf of the Licensing Authority must make a determination on this application. When coming to a decision, the Licensing Sub-Committee must give consideration to the Council's Statement of Licensing Policy (the Policy) and Home Office guidance issued under Section 182 Licensing Act 2003 (revised April 2018).
- 2.8 Section 3.1 of the Policy states: The Licensing Authority has a duty under the Act to carry out its licensing functions with a view to promoting the four licensing objectives.
- 2.9 The four licensing objectives are:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm

- 2.10 Section 3.2 of the Policy states: These objectives are the only matters to be taken into account in determining the application and any conditions attached must be appropriate to achieve the licensing objectives. Each objective is of equal importance. A licence will only be granted where the Licensing Authority is satisfied that these objectives have been met.
- 2.11 Section 2.4 of the Policy sets out additional legislation, strategies, policies and guidance to which the Licensing Authority will have regard.
- 2.12 The Guidance issued under Section 182 of the Licensing Act 2003 which was revised and re-published in April 2018 state: The Licensing Authority may not impose conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives (paragraph 10.8 of the guidance).
- 2.13 The following responsible authorities are statutory consultees under the Licensing Act 2003:
- Devon and Cornwall Police
 - Devon and Somerset Fire and Rescue Service
 - Devon Safeguarding Children’s Board
 - Devon County Council Trading Standards
 - Devon Drug and Alcohol Action Team, NHS Devon
 - South Hams District Council Planning Department
 - South Hams District Council Environmental Health (Health & Safety)
 - South Hams District Council Environmental Health (Pollution Control)
- 2.14 No representations have been received from any of the responsible authorities.
- 2.15 In addition to the above responsible authorities, any person may make a representation in relation to a premises licence application.

3. Outcomes/outputs

- 3.1 When determining an application for a premises licence, particularly when considering appropriate conditions and operating hours, the following sections of the Statement of Licensing Policy (the policy) and Section 182 Guidance (the guidance) are especially relevant:
- 3.2 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave (paragraph 2.19 of the guidance).

- 3.3 Sections 5.5.1 and 5.5.2 of the policy states: The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application, but the presumption will be to grant the hours requested unless there are relevant objections to those hours raised on the basis of the licensing objectives.
- 3.4 However, when issuing a licence with hours beyond midnight it is more likely that relevant representations will be made unless there are higher standards of control within operating schedules in order to promote the licensing objectives, especially for premises which are situated near residential areas or in areas where anti-social disorder takes place.
- 3.5 Section 5.5.5 of the policy states: The terminal hours will normally be approved where the Applicant can show that the proposal would not adversely affect the licensing objectives unless, after hearing relevant representation the Licensing Authority believe it appropriate to restrict the hours required due to the nature of the activities and the amenity of the area. If the Licensing Committee or a sub-committee believes that granting longer hours would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 3.6 Section 3.8.1 of the Policy states: The Authority recognises the great variety of premises for which licences may be sought. These include theatres, members' clubs, sports clubs, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls, schools and off-licences. The Authority will not restrict access by children to any particular type of premises unless it is considered appropriate to do so in order to protect them from harm.
- 3.7 Section 3.8.6 of the Policy states: When deciding whether or not to limit access to children the Licensing Authority will judge each application on its own individual merits. Examples which may give rise to concern in respect of children would include premises: -
- where entertainment of an adult or sexual nature is provided
 - where there is a strong element of gambling taking place
 - with a known association with drug taking or dealing
 - where there have been convictions of the current management for serving alcohol to those under 18 years
 - where the supply of alcohol for consumption on the premises is exclusive or primary purpose of the services provided at the premises
 - where there are unsupervised areas (for example toilets, beer gardens, play zones).
- 3.8 The desired outcome is a determination of the application with reasons provided which relate to the four licensing objectives and

when conditions are imposed, that these are appropriate to address the licensing objectives.

4. Options available and consideration of risk

- 4.1 The Licensing Authority may decide to impose additional conditions to address the four licensing objectives, or to amend or remove requested licensable activities. When coming to their decision the Licensing Sub-Committee must give consideration to the Section 182 Guidance and the Statement of Licensing Policy. Reasons must be given which relate to the licensing objectives for any decision made.
- 4.2 The Sub-Committee will need to consider the hours of operation proposed, the effectiveness of the operating schedule proposed by the applicant, the representations received, the location of the premises in relation to residential properties, the history of the management of the premises (if applicable), the evidence provided of any problems in the past, the likely impact of any extension of hours and activities, public transport, taxi availability, the right the applicant has to operate a business and balancing the rights of residents to the quiet enjoyment and privacy of family life. The South Hams relies on tourism, with the population in the district doubling in the summer months with holidaymakers both from this country and international visitors who are, in the main, families with young children and retired people – the very segment of society who would perhaps be deterred by anti-social behaviour. These, and any other relevant issues, may be explored at the hearing in so far as it reflects the four licensing objectives.
- 4.3 A decision made by the Licensing Sub-Committee may be appealed by the applicant or any person who has made relevant representations. The right of appeal is to the Magistrates' Court by virtue of Section 181 and Schedule 5 of the Licensing Act 2003. The Magistrates' Court may dismiss the appeal, or substitute its own decision, or send back the case to the Licensing Authority with directions as to how the case is to be dealt with. The Magistrates' Court may make any costs order it thinks fit.
- 4.4 The Licensing Act 2003 contains a provision which enables a responsible authority or any other person to apply to this Licensing Authority for a review of the premises licence once granted. A hearing follows which enables the Sub-Committee to use the normal powers available, but also to suspend the licence for a period of up to three months or to withdraw it.

5. Proposed Way Forward

- 5.1 That the Sub-Committee consider the application for a new Premises Licence and make a determination in respect of this application, namely to:

- i) grant the application as submitted, subject to any Mandatory Conditions required;
- ii) modify the conditions of the licence;
- iii) exclude any of the licensable activities to which the application relates;
- iv) to refuse to specify a person in the licence as the premises supervisor;
- v) reject the application, in line with the licensing objectives (Section 4) contained within the Licensing Act 2003.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>The Licensing Act 2003 gives Licensing Authorities the responsibility for determining applications submitted under this provision. This is a statutory obligation.</p> <p>As there have been relevant representations in respect of this application which have not been resolved, this hearing must be held. Relevant representations are about the likely effect of the grant of the application on the promotion of the licensing objectives, by responsible authorities or any other person. The Licensing Sub-Committee must disregard any information or evidence not relevant to the licensing objectives.</p> <p>The Licensing Sub-Committee must consider this application in accordance with Section 4 of the Licensing Act 2003, which requires that licensing functions must be carried out with a view to promoting the four licensing objectives. The Licensing Authority must also have regard to its own licensing policy and the Secretary of State's guidance, but may depart from both if it has good reason to do so. Those reasons should be stated.</p> <p>The Act requires (Section 18) that in dealing with a new premises licence application, the committee takes any of the following steps which are appropriate for the promotion of the licensing objectives:</p> <p>(a) to grant the licence subject to:-</p> <ul style="list-style-type: none"> i) the conditions mentioned in section 18 (2)(a) [ie as applied for] modified to such an extent as the authority considers necessary for the promotion of the licensing objectives, and

		<p>ii) any conditions which must under section 19, 20 or 21 be included in the licence;</p> <p>(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;</p> <p>(c) to reject the application</p> <p>The Sub-Committee must give its reasons for its decision to take any of these steps. Similarly, if the application is rejected, the Sub-Committee must give its reasons.</p> <p>The applicant or any person who has made relevant representations has the right to appeal a decision made by the Licensing Sub-Committee to the Magistrates' Court by virtue of Section 181 and Schedule 5 of Licensing Act 2003.</p> <p>On appeal, the Magistrates' Court may:</p> <ul style="list-style-type: none"> a) dismiss the appeal; b) substitute for the decision appeal against another decision which could have been made by the Licensing authority; c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.
Financial	N	<p>There are no direct financial implications to the Council from this Report. However, should a decision be challenged this could result in the Council facing an appeal to the Magistrates Court with the risk of costs being awarded against the Council.</p>
Risk	Y	<p>The Licensing Authority must follow strict legislation in accordance with the Licensing Act 2003 and adhere to the statutory instruments contained within the Act.</p> <p>All decisions must be taken in consideration of the four licensing objectives (section 2.9). These objectives are in place to give protection to the public from the potential negative impacts caused by licensed premises.</p> <p>Decisions may be appealed (see financial and legal/governance sections above).</p>
Comprehensive Impact Assessment Implications		
Equality and Diversity		<p>Compliance with the Human Rights Act 1998 – Article 6: right to a fair trial.</p>

Safeguarding		All decisions must take into consideration the 'protection of children from harm' licensing objective.
Community Safety, Crime and Disorder		Section 17 Crime and Disorder Act 1998 applies. Decisions made must relate to the four licensing objectives as detailed in section 2.3 of this report.
Health, Safety and Wellbeing		All decisions must take into consideration the four licensing objectives, including 'public safety' and 'protection of children from harm'.
Other implications		

Supporting Information

Appendices:

- Appendix A(i) – premises licence application
- Appendix A(ii) – premises licence plan
- Appendix B – copy of current club premises certificate
- Appendix C – location plan
- Appendix D - representations

Background Papers:

[under provisions of the Local Government Act 1972]

The Licensing Act 2003

Guidance issued under Section 182 of the Licensing Act 2003

South Hams District Council's Statement of Licensing Policy

Responses to Notices of Hearing

Consent to be DPS form

Process checklist	Completed
Portfolio Holder briefed	Yes/No
SLT Rep briefed	Yes/No
Relevant Exec Director sign off (draft)	Yes/No
Data protection issues considered	Yes/No
If exempt information, public (part 1) report also drafted. (Committee/Scrutiny)	Yes/No

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APPENDIX A(i) - Premises Licence Application



South Hams Application for a premises licence Licensing Act 2003

For help contact
licensing@southhams.gov.uk
Telephone: licensing@southhams.gov.uk

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

Ivybridge RFC 210128

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

John

* Family name

Belcher

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

07592665

Business name

Ivybridge RFC Ltd

If your business is registered, use its registered name.

VAT number

GB

354 8459 22

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Ivybridge RFC Ltd an incorporated private members Rugby Club as a Private Company Limited by Guarantee without share capital.

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

The premises consists of a modern (1998) two storey building with the bar facilities on the top floor with bar seating area and adjacent dance/dining area, kitchen and toilets, this area is accessed on the level from the car park and from a spiral staircase from the patio and playing areas. The lower floor is used for changing rooms, of which there are 7, plus toilets, shower rooms and a storage area.

The on-sales will be consumed within the boundaries of the site, the normal areas for consumption are marked on the

Continued from previous page...

drawing, these include the patio, playing pitch boundaries and Training Pitch/Events area. The Training Pitch/Events area will be used mostly during the summer months. We intend to run a limited portable bar from the patio area to reduce pressure on the main bar area during busy periods. The area at the rear of the clubhouse, the patio and adjacent areas may also be used for live or recorded music on occasions.

The building is in the centre of the playing areas and car park, with the capacity of around a 100 vehicles. It is situated on the eastern extent of the housing area of Ivybridge, the nearest housing being approximately 60 metres from the main building. There are no other commercial activities in the area, but the Ivybridge train station is opposite some 300 metres away.

The extended licenced hours from 10am is to allow us the option of hiring out the facilities eg for funeral parties, and other events taking place during the day, the scheduled club opening times indicate the normal licencing hours extended at closing time by 30mins to allow patrons to vacate the premises.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Playing of live music by invited musicians which will probably be amplified, this can be during a hiring or for a club social event.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Players Annual Awards Event (normally Friday or Saturday in May) until 00:30
Christmas Eve until 23:30
New Year's Eve until 01:00

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Playing of amplified recorded music by hired supplier, eg Disco with DJ, or by club internal sound system.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Players Annual Awards Event (normally Friday or Saturday in May) until 00:30
Christmas Eve until 23:30
New Year's Eve until 01:00

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Players Annual Awards Event (normally Friday or Saturday in May) until 0100
Christmas Eve until 2330
New Year's Eve until 0100
Rugby World Cup & British & Irish Lions games morning opening extension 08:00 to 10:00 Saturday & Sunday only. These events are both held every 4 years and last up to a month. The extensions are only required when the tournaments are held in New Zealand or Australia, because of the time difference. Next requirement Lions in Australia earliest 2025, World Cup venue not set, earliest possible 2027

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

Electronically, by the proposed designated premises supervisor

Continued from previous page...

As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Players Annual Awards Event (normally Friday or Saturday in May) until 01:30
Christmas Eve until 2400
New Year's Eve until 0130
Rugby World Cup & British & Irish Lions games morning opening extension 08:00 to 10:00 Saturday & Sunday only. These events are both held every 4 years and last up to a month. The extensions are only required when the tournaments are held in New Zealand or Australia, because of the time difference. Next requirement Lions in Australia earliest 2025, World Cup venue not set, earliest possible 2027

Section 18 of 21

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

We are a large amateur community based members rugby club incorporating a running club, Erme Valley Harriers, with a membership across all sections of society without favour or discrimination. Our Objectives as noted in our Articles of Association are the promotion of rugby football for all. We are structured as a Public Company Limited by guarantee. We have worked hard over a number of years to develop our club and facilities and build a good reputation within the community, which we value highly. We consider ourselves a community stakeholder with responsibilities beyond the confines of the club, to the community as a whole. We will work with all local agencies to achieve our shared aims.

b) The prevention of crime and disorder

The premises will be open primarily for club members and guests for sports and social purposes. Public attendance of activities, events and functions at the premises can be expected, especially during external hirings.

Public attendees are charged a premium on their drinks and cost of entry to events, this promotes the benefits membership.

Use of plastic containers for all match days and larger events, during these times glass may not be taken beyond the confines of the upper floor area.

Off-Sales will be sold in sealed containers only.

We have club disciplinary system with sanctions which can be applied to members for poor behaviour, guests and non-

Continued from previous page...

members can be subject to sanctions.

All staff will be trained in the requirements of the Licensing Act 2003 as soon as they are recruited, along with regular training and updating. This will include use of the mobile bar on the patio area and control of consumption of alcohol in the outside areas. Additional suitably trained stewards may be required during busy periods to monitor the outside areas.

All staff responsible for alcohol sales shall be suitably trained for their job function in the operating standards for the premises. The training shall be under constant review having regard to newly employed staff.

All staff shall be suitably trained in the operating procedures for refusing service to any person who is drunk or is under-age or appears to be under-age.

Training shall be recorded in documentary form that will be available for inspection at the request at all reasonable times by an authorised officer from a relevant responsible authority. The records will be retained for at least 12 months.

All staff shall be trained in the requirements of the Challenge 25 policy

An incident book will be kept to record the details of all instances of refused sales together with the description of the customer and reason for refusal must be recorded. The incident book must be made available to the Police and Weights and Measures (Trading Standards).

CCTV system is installed and operative at all times while the premises are trading and the equipment must be maintained to the satisfaction of the chief of police. Recorded images will be retained for 31 days and made available to Police Officer on request, at any reasonable time. If the CCTV equipment is inoperative the Police and Licensing Authority will be informed as soon as possible and immediate steps must be taken to put the equipment back into action. A notice will be displayed at the entrance to the premises advising that CCTV is in operation.

c) Public safety

There will be adequate arrangements for first aid provision. A first aid box with an adequate and appropriate supply of first aid equipment and materials will be available for the use of patrons. We have a Defibrillator available on site for emergency use.

Suitable protective equipment must be provided to deal with hypodermic needles, blood spillages and other body fluids. Procedures will be in place to ensure that body fluids are dealt with in a safe manner to avoid the risk of communicable disease.

The electrical system, including portable appliances, will be inspected visually annually by a competent person to ensure safety.

The gas system including appliances will be inspected and tested by a Gas Safe Registered engineer annually and a satisfactory gas safety certificate will be obtained, all safety certificates and inspection reports will be kept on site and made available for inspection by officers of relevant statutory bodies.

When disabled people are present, adequate arrangements will exist to enable their safe evacuation in the event of an emergency, this is noted on our Fire Risk Assessment.

Gangways, exit routes and steps must be maintained in good order with non-slippery and even surfaces, edges of steps and stairways must be conspicuously marked.

d) The prevention of public nuisance

Continued from previous page...

Noise or vibration will not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed.

Suitable signage will be provided at relevant exits requesting patrons make as little noise as possible when leaving the premises and vicinity as quietly and quickly as possible. Staff will ensure the outside areas within our boundary are also vacated after the closure of the premises.

External doors and windows can be shut, other than for access and egress, in all rooms, when events involving amplified music or speech or other entertainment gives rise to noise liable to affect local residents. There is an air extraction system which is sufficient to provide the air change needed provided some windows are partially open.

The volume of amplified sound used in connection with the entertainment will at all times be under the control of the management.

A senior member of staff will assess the impact of any noisy activities on neighbouring residential premises at the start of the activity/entertainment and periodically throughout the activity/entertainment.

Any rubbish stored outside and produced by the premises awaiting collection for disposal, will be stored securely in a designated area, to prevent litter being blown around.

The delivery of goods will be restricted to between 07:00 and 19:00.

Rubbish bins outside the premises will be kept to a minimum and only be emptied during opening times.

Ventilation equipment will be regularly cleaned and maintained to minimise the levels of odour generated by the premises.

e) The protection of children from harm

Under the Challenge 25 policy any person who appears to be under the age of 25 years will have to provide valid identification before they are allowed to purchase alcohol or consume alcohol on the premises. The only forms of identification accepted will be a valid photo driving licence, passport or recognised PASS Scheme ID.

Children are allowed on the premises only with adult supervision. We have an appointed Safeguarding Officer and support team as part of the requirements by the RFU to provide rugby training to minors. We follow the safeguarding procedures set down the RFU including use of the Disclosure and Barring Service (DBS).

As noted on the licence application Section 16 we will have no activities which may give rise to concern in respect of children.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

I/We understand that it is an offence, under section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

The information provided will be held securely by this Council in accordance with current Data Protection legislation. We must protect the public funds that we handle, so we may use the information provided to prevent and detect fraud. We may also share this information with other organisations that handle public funds. Information provided may also be used to check the accuracy of records held elsewhere in the council. See www.southhams.gov.uk for further information.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/south-hams/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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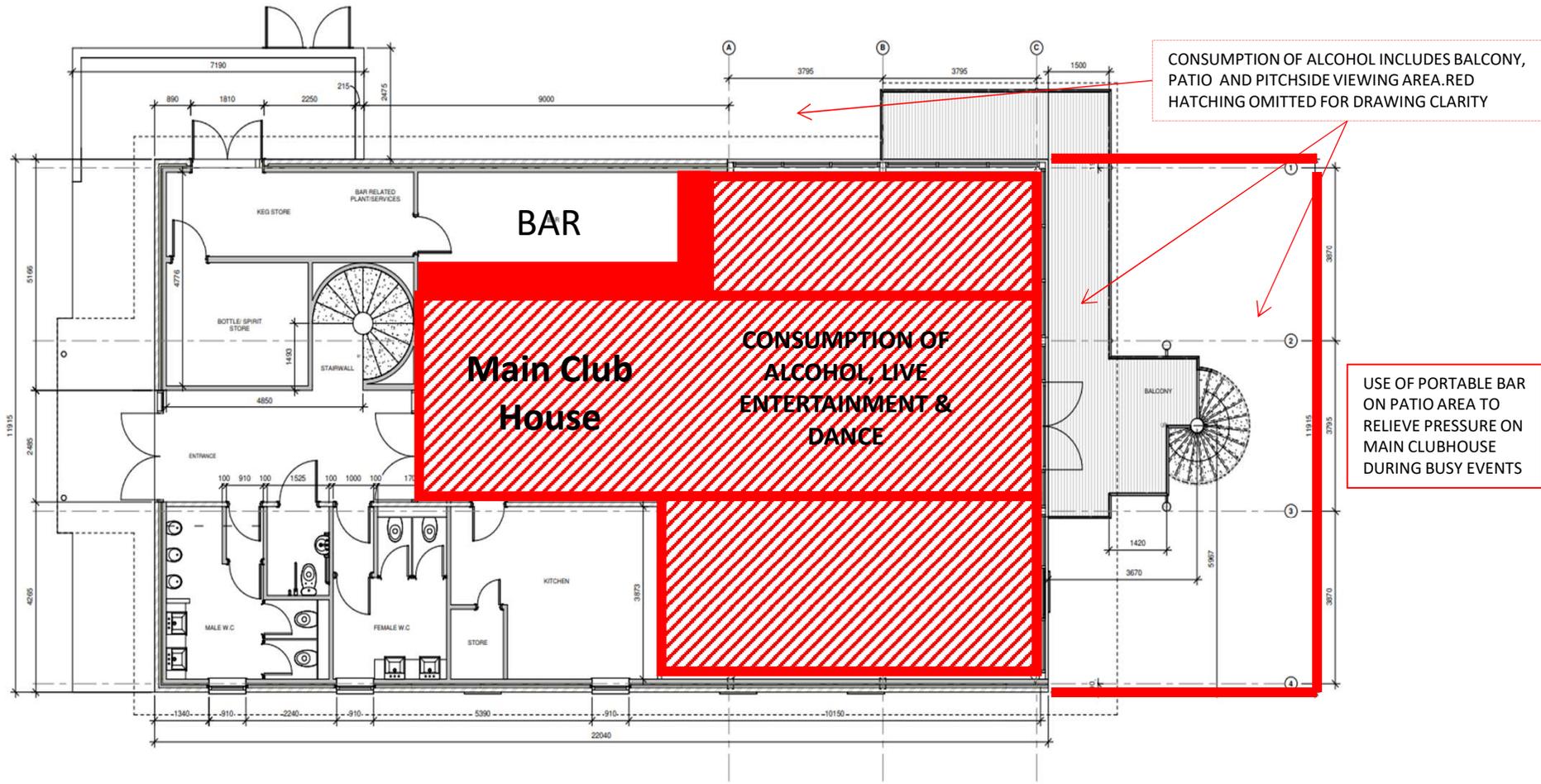
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

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IVYBRIDGE RFC
FIRST FLOOR LAYOUT
SCALE 1:50 @ A1, SIZE IN MM

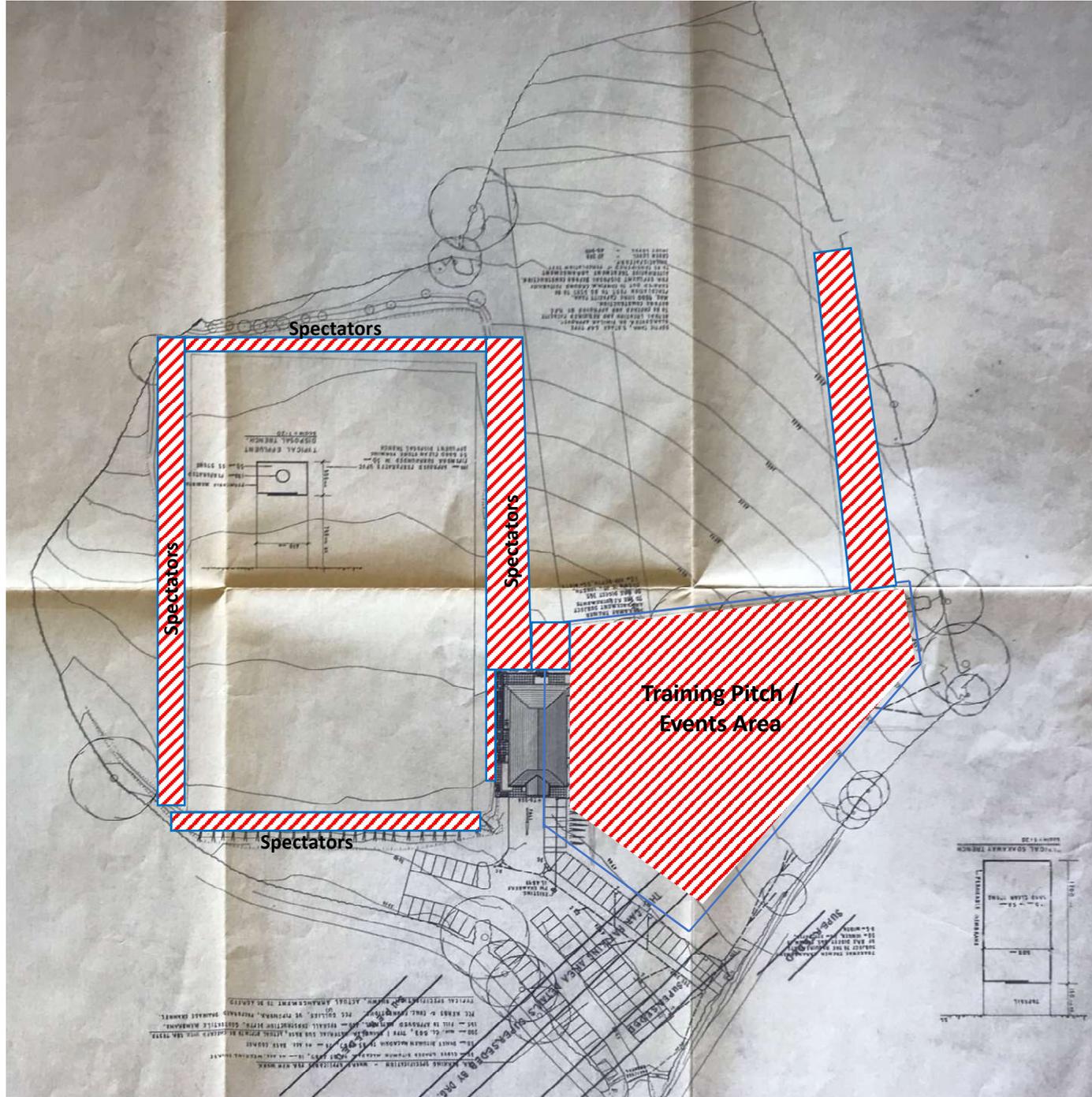
KEY
AREA OF
ALCOHOL SALES



IVYBRIDGE RFC
OUTSIDE AREAS
SCALE UNKNOWN

DURING MATCH EVENTS
SPECTATORS MAINLY USE
OUTSIDE AREAS AROUND THE
PITCHES AS SHOWN FOR
CONSUMPTION OF ALCHOL IN
PLASTIC GLASSES OR CANS.

CONSUMPTION OF ALCOHOL
WILL BE LIMITED TO THE
BOUNDARIES OF OUR SITE



Licensing Act 2003
Club Premises Certificate

CA0042

LOCAL AUTHORITY



**Licensing Section
 South Hams District Council
 Follaton House
 Plymouth Road
 TOTNES
 TQ9 5NE**

Club Details

NAME OF CLUB IN WHOSE NAME THIS CERTIFICATE IS GRANTED AND RELEVANT POSTAL ADDRESS OF CLUB

Ivybridge Rugby Football Club Ltd

Cross-in-Hand, Exeter Road, IVYBRIDGE, Devon, PL21 0LR.

Telephone 01752 894392

IF DIFFERENT FROM ABOVE THE POSTAL ADDRESS OF CLUB PREMISES TO WHICH THE CERTIFICATE RELATES, OR IF NONE, ORDINANCE SURVEY MAP REFERENCE OR DESCRIPTION

Not applicable

WHERE THE CLUB PREMISES CERTIFICATE IS TIME LIMITED THE DATES

Not applicable

QUALIFYING CLUB ACTIVITIES AUTHORISED BY THE CERTIFICATE

- a performance of live music
- any playing of recorded music
- the supply of alcohol
- the sale by retail of alcohol

THE TIMES THE CERTIFICATE AUTHORISES THE CARRYING OUT OF QUALIFYING CLUB ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Thursday	7:00pm	11:00pm
	Friday & Saturday	7:00pm	12:30am
	Sunday	7:00pm	10:30pm
	New Year's Eve	7:00pm	1:30am
	Non Standard Timings: Annual Player's Dinner	7:00pm	1:30am
F. Playing of recorded music (Indoors)	Monday to Thursday	7:00pm	11:00pm
	Friday & Saturday	7:00pm	12:30am
	Sunday	7:00pm	10:30pm
	New Year's Eve	7:00pm	1:30am
	Non Standard Timings: Annual Player's Dinner	7:00pm	1:30am
I. The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption ON and OFF the premises	Monday to Thursday	7:00pm	11:00pm
	Friday	7:00pm	Midnight
	Saturday	Noon	Midnight
	Sunday	Noon	10:30pm

THE TIMES THE CERTIFICATE AUTHORISES THE CARRYING OUT OF QUALIFYING CLUB ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
I. The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption ON and OFF the premises continued ...	New Year's Eve	Noon	1:00am
	Non Standard Timings:	7:00pm	1:00am
	Annual Player's Dinner		
J. The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place	Monday to Thursday	7:00pm	11:00pm
	Friday	7:00pm	Midnight
	Saturday	Noon	Midnight
	Sunday	Noon	10:30pm
	New Year's Eve	Noon	1:00am
	Non Standard Timings:	7:00pm	1:00am
	Annual Player's Dinner		

THE OPENING HOURS OF THE CLUB

Description	Time From	Time To
Monday to Thursday	7:00pm	11:30pm
Friday & Saturday	Noon	12:30am
Sunday	Noon	11:00pm
New Year's Eve	Noon	1:30am
Non Standard Timings:	7:00pm	1:30am
Annual player's Dinner.		

WHERE THE CERTIFICATE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- I. The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption ON and OFF the premises
- J. The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

- Any supply of alcohol must be made at a time when the premises are open for the purpose of supplying alcohol, in accordance with this certificate, to members of the club for consumption on the premises.
Source S.73(3) Licensing Act 2003
- Any alcohol supplied for consumption off the premises must be made in a sealed container.
Source S.73(4) Licensing Act 2003
- Any supply of alcohol for consumption off the premises must only be made to a member of the club.
Source S.73(5) Licensing Act 2003

Irresponsible drinks promotions

- (1) The responsible person shall take all reasonable steps to ensure that staff on relevant

ANNEXES continued ...

premises do not carry out, arrange or participate in any irresponsible drinks promotions in relation to the premises.

- (2) In this paragraph, an irresponsible drinks 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-
- (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.

No alcohol to be dispensed directly into the mouth of another person

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

Free drinking water

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Age verification policy

- (1) The premises licence holder or club premises certificate holder shall ensure that an age

ANNEXES continued ...

verification policy applies to the premises in relation to the sale or supply of alcohol.

- (2) 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 a holographic mark.

Minimum measures for alcoholic beverages

The responsible person shall 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; and

(b) customers are made aware of the availability of these measures.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

General

A sign must be put in place to explain the club's requirements in relation to alcohol and behaviour and the responsibility to the general public.

Public safety

- Facilities and equipment suitable for the number of patrons and the type of event undertaken must be provided to enable first aid treatment to be given promptly in the event of an injury to patrons or staff.
- A steward, or other responsible committee member, must be designated to take charge of the situation (call an ambulance and administer first aid) in the event of any patron or member of staff being badly injured or becoming seriously ill whilst on the premises.
- In the event of any accident causing injury to any person or property within the licensed premises, a steward or other responsible committee member must record any particulars, in respect thereof, required by the Licensing Authority (this requirement is without prejudice to any statutory requirements). The date of which staff have obtained first-aid qualifications or received refresher training must be recorded and kept with the log book.
- Fire routine appropriate to the premises must be devised.
- All persons employed to work, bar stewards and persons assisting bar stewards must be given instruction and training in what to do in case of fire.
- The secretary must ensure that one specific person be made responsible for organising training bar stewards that may be used and the same person must be responsible for co-ordinating the actions to be taken in the event of fire. Effective arrangements must be

ANNEXES continued ...

- made for a nominated deputy to carry out the above duties.
- A log book must be kept in which details of tests and maintenance of fire fighting equipment, fire warning system (where applicable) and emergency lighting and the date on which staff, stewards or other ushers received training in the action to be taken in case of fire.
 - The Fire Officer's recommendations (if any) must be strictly observed.
 - All fire fighting equipment, with which the premises are provided, must be maintained in efficient working order.
 - The fire warning system (if provided) must be maintained in efficient working order.
 - Gas system - the gas system, including appliances must be inspected and tested by a Gas Safe registered gas engineer annually and a satisfactory gas safety certificate obtained. All safety certificates and inspection reports must be kept on site and made available for inspection by officers of relevant statutory bodies.
 - Disabled people - When disabled people are present, adequate arrangements must exist to enable their safe evacuation in the event of an emergency.
 - Sanitary accommodation - the sanitary accommodation to consist of Female WC's 2, wash h/b's 1; Disabled WC's 1, wash h/b's 1; Male WC's 2, urinals 3, wash h/b's 2.
 - Air Management - the air management system within the premises must be used during entertainment, as there will be insufficient ventilation if all windows and doors are closed, to prevent noise breakout.
 - The use of apparatus or other devices for the production of smoke, coloured smoke or firework-like effects and the use of naked lights or flames during performances is prohibited as is the use of laser lighting.

Prevention of public nuisance

- The volume of any apparatus used must not cause a nuisance to nearby residents and must be under the control of the management.
- The delivery/collection/storage facility activities are restricted to between 09.00 and 16.00hrs.
- Staff must monitor the use of the car park to ensure patrons do not congregate in this area and cause annoyance.
- Control of light pollution - The use of lighting in gardens and external areas must cease at midnight, except of health and safety or security reasons.

Protection of children from harm

- A proof of age policy agreed by the Police and Local Authority must be enforced.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

ANNEXE 4 - PLANS (AS EXISTING)

ANNEXES continued ...

Graham Munson
Licensing Manager
On behalf of the Licensing Authority

LOCAL AUTHORITY



Licensing Section
South Hams District Council
Follaton House
Plymouth Road
TOTNES
TQ9 5NE

Club Details

NAME OF CLUB IN WHOSE NAME THE CERTIFICATE IS GRANTED AND RELEVANT REGISTERED POSTAL ADDRESS OF CLUB

Ivybridge Rugby Football Club Ltd

Cross-in-Hand, Exeter Road, IVYBRIDGE, Devon, PL21 0LR.

Telephone 01752 894392

IF DIFFERENT FROM ABOVE THE POSTAL ADDRESS OF CLUB PREMISES TO WHICH THE CERTIFICATE RELATES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Not applicable

WHERE THE CLUB PREMISES CERTIFICATE IS TIME LIMITED THE DATES

Not applicable

QUALIFYING CLUB ACTIVITIES AUTHORISED BY THE CERTIFICATE

- a performance of live music
- any playing of recorded music
- the supply of alcohol
- the sale by retail of alcohol

THE TIMES THE CERTIFICATE AUTHORISES THE CARRYING OUT OF QUALIFYING CLUB ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Thursday	7:00pm	11:00pm
	Friday & Saturday	7:00pm	12:30am
	Sunday	7:00pm	10:30pm
	New Year's Eve	7:00pm	1:30am
	Non Standard Timings: Annual Player's Dinner	7:00pm	1:30am
	F. Playing of recorded music (Indoors)	Monday to Thursday	7:00pm
Friday & Saturday		7:00pm	12:30am
Sunday		7:00pm	10:30pm
New Year's Eve		7:00pm	1:30am
Non Standard Timings: Annual Player's Dinner		7:00pm	1:30am
I. The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption ON and OFF the premises		Monday to Thursday	7:00pm
	Friday	7:00pm	Midnight
	Saturday	Noon	Midnight
	Sunday	Noon	10:30pm

THE TIMES THE CERTIFICATE AUTHORISES THE CARRYING OUT OF QUALIFYING CLUB ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
I. The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption ON and OFF the premises continued ...	New Year's Eve	Noon	1:00am
	Non Standard Timings:	7:00pm	1:00am
	Annual Player's Dinner		
J. The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place	Monday to Thursday	7:00pm	11:00pm
	Friday	7:00pm	Midnight
	Saturday	Noon	Midnight
	Sunday	Noon	10:30pm
	New Year's Eve	Noon	1:00am
	Non Standard Timings:	7:00pm	1:00am
	Annual Player's Dinner		

THE OPENING HOURS OF THE CLUB

Description	Time From	Time To
Monday to Thursday	7:00pm	11:30pm
Friday & Saturday	Noon	12:30am
Sunday	Noon	11:00pm
New Year's Eve	Noon	1:30am
Non Standard Timings:	7:00pm	1:30am
Annual player's Dinner.		

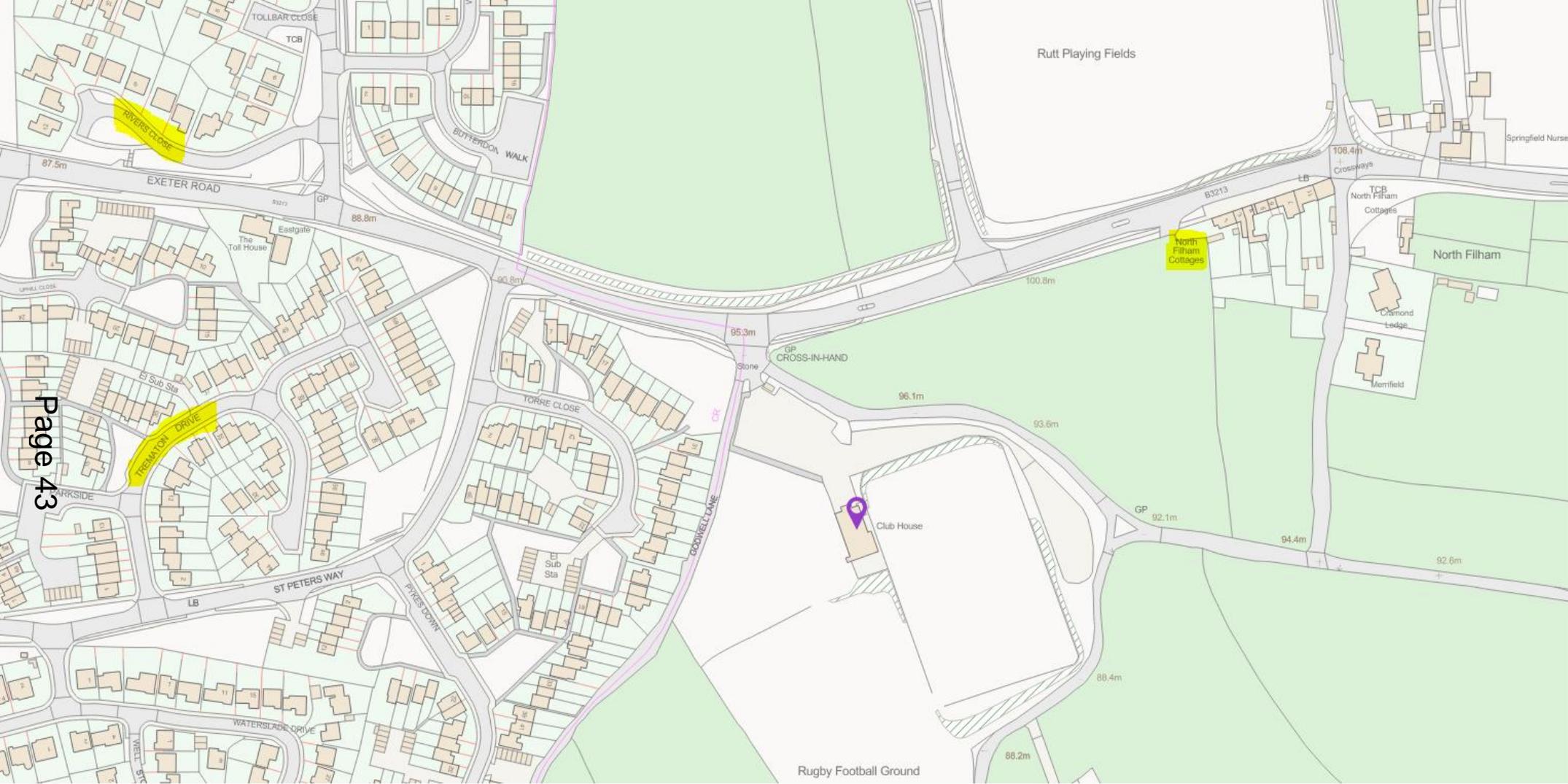
WHERE THE CERTIFICATE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- I. The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption ON and OFF the premises
- J. The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place

STATE WHETHER ACCESS TO THE CLUB PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

There are no restrictions on children

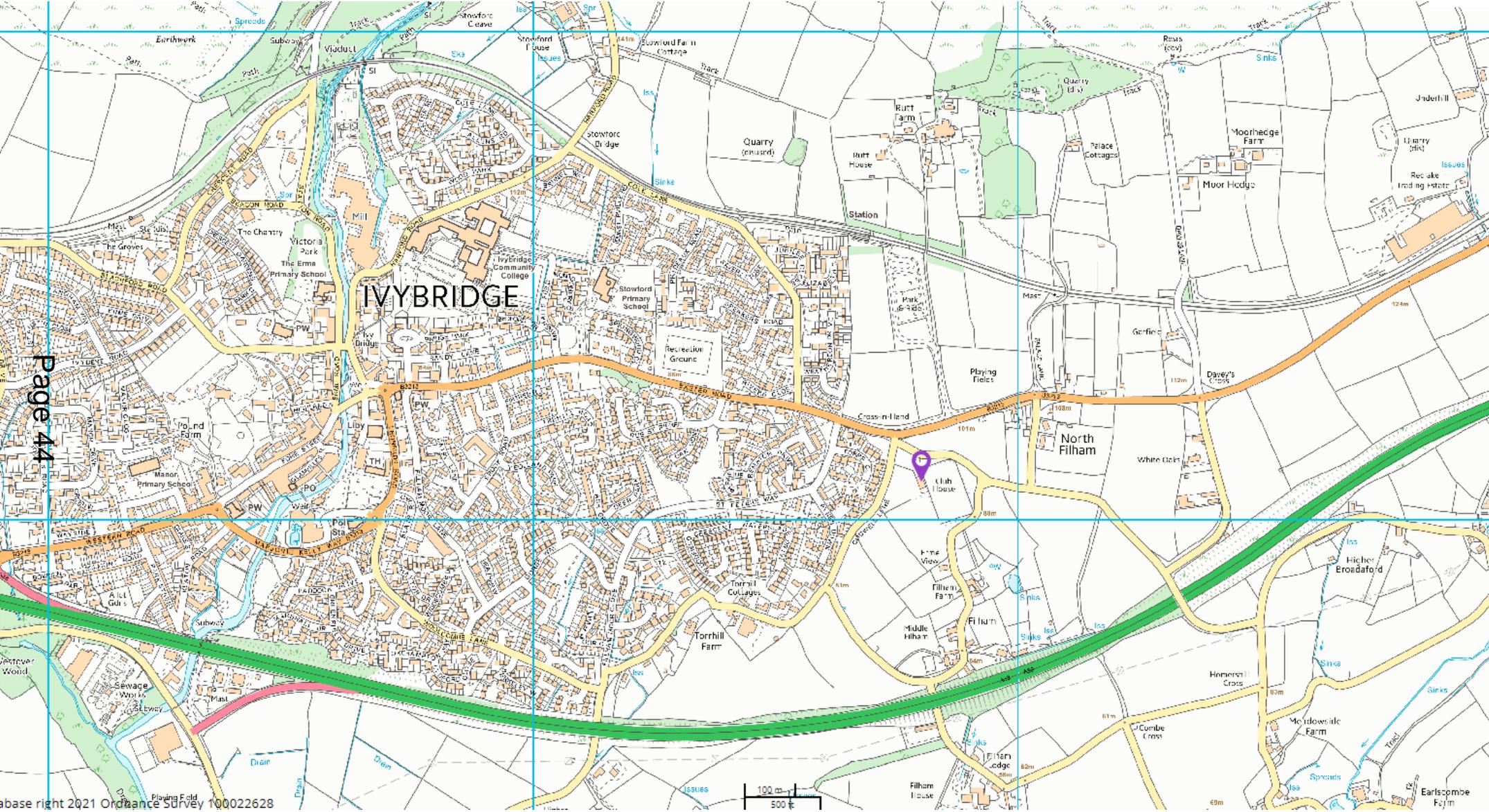
APPENDIX C – Location Plan



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Areas where objections received highlighted in yellow.

APPENDIX C – Location Plan



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APPENDIX D - Representations

Objection 1.

Dear Sir/Madam,

I am contacting you to express my objections to the application by Ivybridge Rugby Club for live and recorded music (indoors) Saturday and Sunday from midday to midnight.

Also, the sale of alcohol for consumption on and off the premises Friday and Saturday from 10am to midnight.

I have no objections to the other proposals.

My reasons for objecting are as follows:

I have lived in the vicinity of the junction of Exeter Road and Cole Lane for 18 years.

We purchased this house on the understanding that it would not be affected by being close to any Licensed premises.

After moving in we realised that we were occasionally affected by noise coming from revellers leaving events at Ivybridge Rugby Club, where late night extensions had been granted. Some attendees would walk home down Exeter Road, towards the town centre, in a drunken state. This would lead to them shouting and talking loudly as they went.

I was working weekends and shifts at the time and found myself having to confront such revellers, asking them to quieten down.

On a couple of occasions I had to report the matters to Ivybridge Police, where it was passed onto the Licensing Dept. This was exacerbated in the summer when people generally sleep with their windows open.

The occasional noise problem coming from the Rugby Club has continued over the years.

I am however concerned that the proposed, regular extended drinking hours, will lead to increased noise and anti social behaviour.

I am more than happy to accept regular opening until 2300hrs but not midnight.

Surely this late night drinking should be reserved for special occasions, where extensions can be applied for in the traditional way.

In addition to my objections, you will know that there are a large number of new dwellings being built in the vicinity of the rugby club. The new owners of these houses will have young families and therefore be affected by late night drinking and music coming from a location that they won't be expecting it.

I am sure that the staff at the Rugby Club will do their best to ensure the conditions of the proposed licence are complied with at the club itself.

My concerns are intoxicated persons leaving the club late at night and slowly walking down Exeter Road, in groups and speaking loudly/shouting, through residential areas, as is commonplace with persons who are "under the influence".

I am far from a killjoy but I strongly feel that 2330hrs is sufficiently late for the club to close, other than special events such as the occasional party.

APPENDIX D - Representations

Objection 2.

OBJECTION TO IVYBRIDGE RUGBY CLUB APPLICATION FOR LIVE AND RECORDED MUSIC AND SALE OF ALCOHOL

Dear Licensing Department,

I understand that Ivybridge Rugby Club have made an application:

1. to play live and recorded music on Saturdays and Sundays from Midday to midnight
2. for the sale of alcohol for consumption on and off the premises
Sunday to Thursday 10am-11pm and
Friday and Saturday from 10am to midnight

I am a near neighbour of Ivybridge Rugby Club at Filham Cottages. My purchase of my cottage at North Filham in 2014 was based on several criteria including the choice to live in a peaceful environment, out of town, away from noise and disturbance, on the edge of the moor. The proposed license puts much of this under threat.

I strongly object to the application made by Ivybridge Rugby Club on the following grounds:

1. The proposed license to play music from midday to midnight on Saturdays and Sundays would result in unacceptable noise pollution for potentially 24 out of 48 hours every weekend. This would significantly reduce the quality of life for residents of Filham Cottages. Weekends provide essential 'down-time' from busy working lives when residents expect to be able to enjoy peace in their indoor and outdoor home environment to maintain a healthy balance of mental and physical well-being. This would be severely impacted by the proposed license.
2. The proposed sale of alcohol is likely to bring increased (foot and vehicle) traffic to the Rugby Club site throughout the week and at weekends. Research demonstrates that common effects of alcohol include anti-social behaviour, increased noise levels and trespass. While town houses commonly feature secure boundaries 200 year old rural cottages do not. The proposed sale of alcohol for consumption on or off site therefore poses potential risk of trespass and, raises fears about personal safety and mental well-being of local residents.
3. Ivybridge rugby club boasts 'a family atmosphere'. The club is rightfully proud of it 'Colts 15', and Junior and Mini rugby claiming to be 'one of the strongest junior organisations within the South West'. Age groups include six to sixteen year olds. It's core purpose is to train and coach young people in a popular sport providing them with physical skill and dexterity and to role model positive behaviours to the youngsters in its charge. There is a legal requirement for Safeguarding to be at the heart of any organisation, charitable or otherwise, that works with children on a daily basis. The proposal to significantly increase the availability and sale of alcohol on this premises fundamentally changes the function of the site and the environment into which parents entrust their children. This needs to be properly addressed.
4. The rugby club is close to an un-staffed railway station. As the proposed license permits the sale of alcohol which may be consumed off site, it is likely that some of this alcohol may be taken to the railway carpark which has no CCTV. As the station is unstaffed there is increased risk of dangerous behaviour - with potentially fatal outcomes. Clearly no-one would wish for any such occurrences, but it is a risk factor that should be considered in relation to this application.

APPENDIX D - Representations

I would be grateful if you could provide a written response to me via email and ensure that your response is also available to others who have objected to the application made by Ivybridge Rugby club.

Thanks for getting back to me with your response.

Please accept my objections above as a relevant representation from a nearby neighbour of the Rugby Club.

I am concerned that the license the Rugby Club has applied for would open the premises up to the public, rather than restricting alcohol sales and access to club members. This proposed change makes the points made in my objections above even more pertinent.

In terms of conditions I would suggest that may help mitigate the planned activities:

- amplified music must be kept below a certain volume/decibel range so that it cannot be heard by neighbours
- alcohol sales are limited to consumption on site
- regular police presence
- parking must be on site
- anti-social behaviour will be discouraged and acted upon by rugby club staff

Objection 3.

I strongly object to this application.

The rugby has a large outdoor area and terrace.

When they have previously had parties and weddings the noise of drunken people can be heard far away.

There are some very very loud people that attend these late night events.

If this were to be regular, which it will be, it will be intolerable for all of the local residents.

The club should be promoting healthy living, not beer and burgers!!

Strongly object to this

Objection 4.

OBJECTION TO IVYBRIDGE RUGBY CLUB APPLICATION FOR LIVE AND RECORDED MUSIC AND SALE OF ALCOHOL FOR CONSUMPTION ON AND OFF THE PREMISES

Our property will be affected by any changes to the licensing arrangements in respect of the Ivybridge Rugby Club and as such we wish to object to the application.

We fully endorse all the points raised in **Objection 2** on 17/3/2021 (see above) and as such do not intend to repeat them here. We note also your response to **Objection 2** but feel that it goes no way to alleviating our concerns.

We would like to add some further points in support of our objection.

APPENDIX D - Representations

There are 4 pubs in Ivybridge, all of which are struggling to survive. There are a further 4 pubs within 2-3 miles of the rugby club (Bittaford, Ugborough, Turtley Mill) all of which, again, could be seriously affected by the rugby club bar being made available to non-members. The sale of what will inevitably be cheap alcohol for consumption on or off the premises will draw custom away from these pubs. They are already facing fierce competition from the 5 supermarkets in Ivybridge and Lee Mill.

We hope you will take these additional comments into consideration alongside the excellent case made by **Objection 2**.

Objection 5.

Dear sir/madam,

With reference to the application from Ivybridge Rugby Club for a licence for indoor and outdoor music at weekends and to sell alcohol for consumption on and off the premises seven days a week up to midnight:

We would like to express that we are rather concerned about this for several reasons as residents living close to the club.

The rugby club is very close to several housing estates eg Pykes Down, St. Peter's Way, Trematon Drive, Rue St. Pierre, so the likelihood of increased noise disturbance from the live and taped music as well as the revellers attending is very high. Another new estate is currently being started off Godwell Lane, the Barrett homes at Lucerne Fields and two more estates are being built at North Filham (Bloor Homes and Wain Homes) either side of the Bittaford-Ivybridge road. Even more people living nearby.

We have to ask if it is necessary for the club to be open every night bringing the increase in cars, people and noise to busy housing estates. The disturbance is already great enough. We feel there is a serious likelihood of drunken behaviour around the local estates if alcohol is sold for drinking off the site. We thought there were now bye-laws in Ivybridge banning the drinking of alcohol in the streets. This will not help. It will merely bring more disturbance to the people who live in the area, a number which will be considerably higher in the next twelve months. There is also the concern of the extra quantities of litter that could be deposited in the streets and hedgerows as cans, bottles and glasses are thrown away – unsightly and dangerous to animals and the public.

For these reasons we feel this application should not be granted in its present form.