

10 July 2020

LICENSING ACT 2003 SUB-COMMITTEE 2

A meeting of the **Licensing Act 2003 Sub-Committee 2** will be held on **Monday, 20th July, 2020** at **10.30 am**. This will be a virtual meeting and you can attend the meeting via the following link <https://m.youtube.com/user/TeignbridgeDC/videos>

PHIL SHEARS
Managing Director

Membership:

Councillors Rollason (Chairman), Nuttall and Russell

Please Note: The meeting will be live streamed with the exception where there are confidential or exempt items, which may need to be considered in the absence of the media and public.

A G E N D A

Part I

1. **Apologies for Absence**
2. **Minutes** (Pages 3 - 8)
To approve and sign the minutes of the meeting held on 19 September 2019
3. **Declarations of Interest**
4. **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

It is considered that the Committee would be unlikely to exclude the press and public during consideration of the items on this agenda, but if it should wish to do so, the following resolution should be passed:-

RECOMMENDED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting of the particular item(s) on the grounds that it involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A of the Act.

5. **Application for a Variation of the Premises Licence - Ferry Boat Inn, 4 Strand, Shaldon, TQ14 0EH** (Pages 9 - 88)

If you would like this information in another format, please telephone 01626 361101 or e-mail info@teignbridge.gov.uk

LICENSING ACT 2003 SUB-COMMITTEE 2

19 SEPTEMBER 2019

Present:

Councillors Nuttall and Russell

Apologies:

Councillors Clarence

Officers in Attendance:

Trish Corns, Democratic Services Officer

Marie Downey, Solicitor

Debbie Rosenveldt, Licensing Assistant

1. ELECTION OF CHAIRMAN

Resolved

That Councillor Russell be elected Chairman for the meeting.

2. MINUTES

The Minutes of the meeting held on 1 August, 2019 were approved as a correct record and signed by the Chairman.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. BREMRIDGE FARM, ASHBURTON - APPLICATION FOR A NEW PREMISE LICENCE

4.1 Introductions

The Chairman introduced the Members of the Sub Committee, Legal Adviser, Licensing Officer, Democratic Services Officer and explained their respective roles.

The Chairman advised that the Sub Committee would take into account the merits of the application against the four licensing objectives: the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm, in addition to the Home Office Guidance and the Council's Licensing Policy.

4.2 Procedure to be followed

The Legal Adviser referred to the procedure to be followed for the Hearing and those present wishing to make verbal submissions. There had been no requests from any other party to speak at the hearing. The procedure was as previously circulated to all interested parties with the Notice of Hearing. All parties had been sent an agenda.

4.3 The Council's Licensing Officer's report

Consideration was given to an application for a new premise licence at Bremridge Farm, Ashburton for the provision of regulated entertainment to include the playing of live and recorded music, and performance of dance, the retail sale of alcohol and late night refreshment at Bremridge Farm, Ashburton. The hours sought are set out in the report circulated with the agenda, and as amended by the circulated revised operating schedule. A map detailing a revised outside area in the garden rather than at the Lodge, and a review of representations were also circulated at the Hearing.

The Council has received 18 letters of objection, objecting to the application on the grounds of public nuisance, and in particular noise from music being clearly audible from neighbouring dwellings; disturbance from customers in the outside smoking area throughout the evening, and when leaving the premises; vehicle doors closing, and the noise from vehicle tyres along the unmade track. The Environmental Health Officer has also objected on the grounds of public nuisance.

4.4 Address by interested parties

4.4.1 Objectors representatives

The objectors' representatives submitted that the residents are not a community wishing to prevent the use of the premises, but it was more a case of how the site is managed. The application is for events with up to 120 seated theatre style and 200 people standing for concerts. The area is rural, very quiet with any noise travelling along the valley. Birds can clearly be heard, as can neighbours conversations. Events at the premises will create a noise nuisance, which will detrimentally affect the character of the area and residents' quality of life. The approval of the external area would result in greater noise nuisance. The Parish Meeting has objected to the application because it is at odds with the Licensing objectives. The revised operating schedule provides a worse situation for residents because it introduces an outside smoking area. Council officers and Ward Members have raised concerns. There is no limit offered on the number of events. Residents have chosen to live in the area for the peace and tranquillity and for health reasons. No specialist sound insulation has been fitted to the building to address noise nuisance. Three events have been held to date and all have resulted in noise nuisance from music and event goers, and other noise associated with the events, being heard from within residents' homes. Residents all need adequate sleep for their physical and mental wellbeing, particularly the elderly and young children, and those working shifts. Residents have no issue

with the current use of the premises for medical training and research. However, the application activities are not appropriate for the location.

The applicant referred to an objection based on the noise emanating from an event on 17 July 2019. The windows were opened during this event. The premises has had an expensive air conditioning system fitted so there is no need to open the windows, and these will be kept closed during future events. The applicant added that the amended outside area for smokers has been identified in response to some representations. The revised garden area as opposed to an area around The Lodge has been suggested because the area is lined with trees which would act as a sound buffer.

4.4.2 Environmental Health Officer

The Environmental Health Officer (EHO) advised that background noise levels experienced at Woodland Village in the early hours of the morning are around LA90 26 dB, so music levels at the premises would need to be contained within the structure of the building. Sound levels arising from a recent live music event held at the premises were stated as being LAeq 80dB within the hall at Brembridge, whilst being recorded at LAeq 110 elsewhere inside the premises. Noise monitoring carried out external to the building and on the boundary of the nearest residential dwelling were found to LAeq 32dB, at 8pm and indicated that complaints were likely to be received. A noise limiter is unable to control live music as the instruments act independently of any amplifier and are therefore difficult to attenuate (for example, drums). Therefore the number of live music events should be limited to 6 per annum, equally spaced by 4 weeks. Windows and doors can also be kept closed to control noise emanating from the premises. Controlling the noise of people in the outside area is difficult and residents' concerns about this is valid. Therefore the outside area should be closed at 2100hrs.

In response to questions, we heard from the applicants who advised that: customers leaving the premises could exit the site via the garage to reduce the noise of vehicles on the unmade track. They did not wish to tarmac this drive because it crossed a field; and doors to the outside area would be closed to prevent access after 2100hrs.

In response to a further question from the residents, the EHO advised that the trees surrounding the outside area would be ineffective as a sound buffer. Noise emanating from the premises would be controlled through the Environmental Protection Act, with the evidence of a statutory nuisance. This with additional conditions could control the situation. Live events would be limited to 6 per annum, and events with controlled amplified music could be unlimited.

4.4.3 Applicants

The applicants submitted that they hosted a limited number of parties or weddings and the events would mainly be music and charity concerts. They had made the application because they would like an alcohol licence. They would conform to all conditions, and they would work with the EHO to alleviate any

statutory noise nuisance. There was some noise associated with the medical training centre at the site such as surgeons arriving by helicopter.

The meeting noted that the Live Music Act allowed premises to have live music until 2300hrs without a licence, and plays for less than 500 people.

In response to further questions, the applicants advised that: there was parking provision on site for some 30-40 vehicles; the nature of the building enable events and the two medical businesses to run from the premises compatibly.

The Legal Advisor confirmed that where a premises has both planning conditions and Licensing conditions, the most restrictive prevails.

4.5 Decision

We have carefully considered all the written material, and also all the oral submissions today, on behalf of the Interested Parties and Applicant.

On the evidence we have before us we consider there is a strong likelihood that a public nuisance will occur, and given the surrounding area, a significant number of people would be detrimentally affected.

We are agreed that the application, if granted, would interfere with the reasonable comfort and convenience of life of those living in the neighbourhood. In addition there is no structure of conditions that we could impose to guarantee the prevention of public nuisance.

This application is therefore refused.

Rights of Appeal

This decision does not take effect until the period for making an appeal has expired, or if an appeal is made, until that appeal has been determined. An appeal may be made by the applicant for the review, the licence holder or any person who made relevant representations in relation to the application.

If you wish to appeal you must give notice of appeal to the Clerk to the Justices at the South Devon Magistrates' Court, 1st Floor, Riviera House, Nicholson Road, Torquay TQ2 7TT, within the period of 21 days beginning with the day on which you were notified of the decision.

CLLR S RUSSELL
Chairman

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TEIGNBRIDGE DISTRICT COUNCIL

LICENSING ACT 2003 SUB-COMMITTEE

CHAIRMAN: Cllr David Cox

DATE: 20 July 2020
REPORT OF: Licensing Officer
SUBJECT: **Application for a Variation of the Premises Licence –
Ferry Boat Inn, 4 Strand, Shaldon, TQ14 0EH**

PART I

RECOMMENDATION

That the Licensing Act 2003 Sub-Committee is requested to consider this application.

PART I

1. THE APPLICATION

Applicant: **Enlighten Inns Ltd**

Premises: **Ferry Boat Inn**

The application is for the variation of a Premises Licence to be granted under the Licensing Act 2003 to allow the removal of the following parts of Annex 2:

- On licence with supper hours – all parts 1 to 9.
- Public entertainments licence conditions – parts 1 to 42.

Removal of the following part of Annex 3:

- No amplified music to be played in the beer garden.

Addition of the following to Annex 2:

- That the performance of live amplified music be permitted up to 12 times per year in the outside beer garden.
- These performances must not commence weekly but will be allowed to commence bi weekly (every other week).

Attached is a copy of the location plan and plan of premises (Appendix A).

TEIGNBRIDGE DISTRICT COUNCIL

The operating schedule shows:-

Relevant licensable activities:

- Provision of regulated entertainment: live music and anything similar.

Hours of licensable activities:

Performance of Live Music: Monday to Sunday 12 noon to 7pm – Beer Garden Only

Designated premises supervisor: Matt Ford

Steps to promote licensing objectives:

- General
That training on all aspects will be given to all staff. Liaise with Teignbridge District Council and Environmental Health.
- The Prevention of Crime and Disorder
CCTV in operation 24 hours a day.
Outside area is policed by management and staff.
Liaise with local Police.
- Public Safety
Health and safety at work.
Liaise with Environmental Health.
Use of plastic glasses outside.
Clearly displayed signage.
- The Prevention of Public Nuisance
To limit the performance of amplified music to a 3 hour window between 12 noon and 7pm.
To adhere to all guidance given by Environmental Health.
- The Protection of Children from Harm
CCTV in operation 24 hour a day.
Gated outside area.
Use of plastic glasses.

Conditions Agreed – Environmental Health: Omitted from application but agreed by applicant.

- That we provide a sound limiter that be set at a level agreed by Environmental Health.
- We in turn will also look at our live music bookings and put suitable entertainment in the garden, such as quieter duo's & trio's that don't use drum kits to help prevent any disturbances to local residents.

TEIGNBRIDGE DISTRICT COUNCIL

2. RELEVANT REPRESENTATIONS

Responsible authorities:

Police – no objection.

Environmental Health Officer – no objection as conditions agreed.

Fire Officer – no objection.

Planning Officer – no representation received.

Food and Safety - no representation received.

Child Protection Agency - no representation received.

Weights & Measures – no representation received.

Health Authority - no representation received.

Interested parties – Appendix B

28 representations received on the grounds of Public Nuisance.

30 representations received in support of the application.

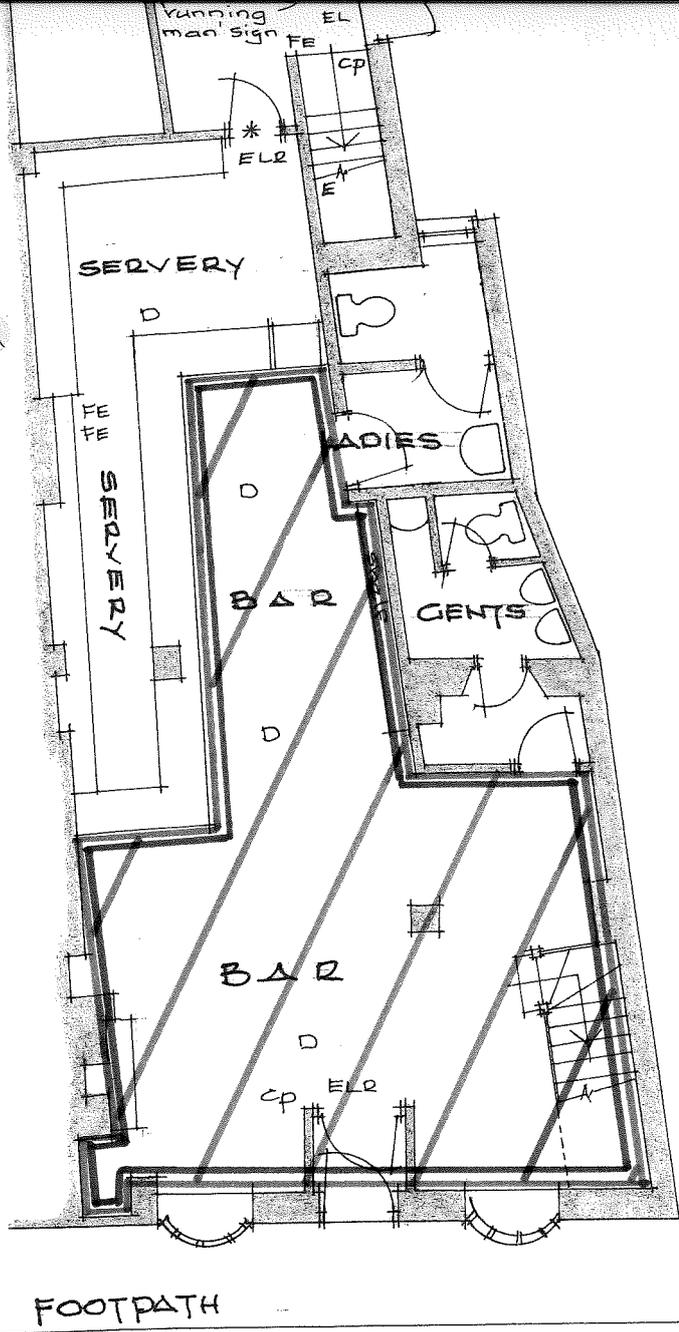
Note: Relevant extracts from D.C.M.S. Guidance and the Council's own Licensing Policy are attached at the end of the report to assist members consider these representations.

Name: Debbie Rosenveldt

Title: Licensing Officer

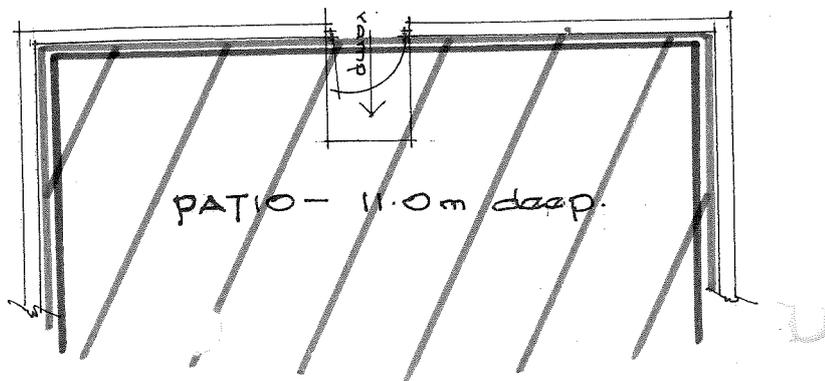
Wards affected	<i>Shaldon and Stokeinteignhead</i>
Contact for any more information	<i>Debbie Rosenveldt</i>
Background Papers (For Part I reports only)	<i>Licensing Act 2003 Section 182 Guidance for Police and Licensing Authorities and Statement of Licensing Policy</i>
Key Decision	<i>No</i>
In Forward Plan	<i>No</i>
Community Impact Assessment attached:	<i>No</i>
Appendices attached:	<i>Appendix A – location plan and plan of premises Appendix B – Representations</i>

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THE STRAND

GROUND FLOOR.



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Ferryboat, Shaldon - Beer Garden



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[REDACTED]

From: [REDACTED]
Sent: 12 June 2020 10:56
To: Ext Mail: Licensing
Cc: environmentalhealth@teignbridge.gov.uk
Subject: application by Ferryboat Inn

DAV:abstract: [REDACTED]

Dear Council Officers,
it has come to my notice that an application has been made to permit the playing of amplified music in the garden of the Ferryboat Inn.

As a near neighbour, and permanent resident of Shaldon, I would be very much against this proposal.

Houses are very close together here, and the area around the pub is densely populated, as I am sure you know. In the summer months the beach and Strand are also very busy with visitors.

During summer, especially during Water Carnival and Regatta, we are accustomed to amplified music being played for prolonged periods in Teignmouth and Shaldon, and this can be very intrusive, but since we live in a village which depends for its survival on tourism, we accept it as necessary. However, any extension of this noise pollution would certainly be detrimental to the enjoyment of our homes, gardens, and the surrounding beach and Strand.

I also imagine that many visitors to the village would prefer to enjoy the beach quietly, without being forced to listen to music which they have not chosen and may well not appreciate. As I say the music from Teignmouth is already enough.

I believe there will be few residents living in the vicinity of the Ferryboat Inn, who would support the playing of amplified music outdoors in the pub garden, and I am sure that our views will be taken into account when considering this proposal.

Yours sincerely,

[REDACTED]

From: [REDACTED]
Sent: 12 June 2020 12:16
To: Ext Mail: Licensing
Cc: environmentalhealth@Teignbridge.gov.uk; Bernard.howard@btconnect.com
Subject: Licensing application

DAV:abstract: [REDACTED]

I would like to register my objection to the variation to the license allowing amplified music in the Ferryboat Garden at Shaldon. [REDACTED]

This music might be popular with a small minority but would prove to be highly offensive to the majority of residents.

Our peaceful summer Sunday afternoons are already ruined by loud music from across the harbour by music from The Ship public house in Teignmouth.

[REDACTED] Shaldon

[REDACTED]

From: [REDACTED]
Sent: 12 June 2020 16:42
To: Ext Mail: Licensing
Cc: environmentalhealth@Teignbridge.co.uk
Subject: Amplified Musical Entertainment at the Ferryboat Inn Shaldon

DAV:abstract: [REDACTED]

I would like to strongly object to the possibility of granting a variation of the licence allowing amplified music in the Ferryboat Garden.

The playing of loud music outdoors in a small confined village is extremely intrusive and materially effects the quiet enjoyment of our home, a prime reason for settling in Shaldon 20 years ago.

This is particularly the case in the summer when these events typically take place.

In the time we have lived in Shaldon it has been our experience that such entertainment is followed by an extended period of disruption as attendees at the event make their way out of the village usually late at night.

Regards

[REDACTED]

From: [REDACTED]
Sent: 13 June 2020 13:50
To: Ext Mail: Licensing; environmentalhealth@teignbridge.gov.uk
Subject: Ferryboat Inn Shaldon

DAV:abstract: [REDACTED]

To Whom it May Concern:

As permanent residents of Shaldon village we wish to submit our official objection to a change of licence being granted to the FerryBoat Inn Shaldon to enable them to play amplified music in the beer garden.

Thank you

[REDACTED]
[REDACTED]
Dagmar Street
Shaldon

[REDACTED]

From: [REDACTED]
Sent: 13 June 2020 14:43
To: Ext Mail: Licensing
Cc: environmentalhealth@Teignbridge.gov.uk
Subject: license variation Ferryboat Inn garden

DAV:abstract: [REDACTED]

To whom it may concern,

I would like to put in writing my concerns re the application of variation to the license allowing amplified music in the Ferryboat Inn Garden in Shaldon.

I live in the area and find the loud music from the garden to be intrusive and also the crowds of people this music attracts who block the road making it difficult for cars to get through.

I accept that at Water Carnival and Regatta that loud music is part of the occasion but I strongly disagree to amplified music on a regular basis.

Many thanks for your time on this matter
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 14 June 2020 17:45
To: Ext Mail: Licensing
Cc: enviromentalhealth@teignbridge.gov.uk
Subject: Ferryboat Inn. Shaldon

DAV:abstract: [REDACTED]

We are very concerned about a variation allowing Amplified Music in the Ferryboat Inn , garden {Shaldon}.
we are not against music, but not Amplified outside which goes on tiil midnight.
We live in Ferrymans Reach And the noise affects people in our retirement flats [150 yards away]
Neighbours and visitors are annoyed this amplified noise is to carry on ,spoiling the local environment.
From [REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 15 June 2020 09:47
To: environmentalhealth@teignbridge.gov.uk
Cc: Ext Mail: Licensing
Subject: Amplified music at The Ferryboat Inn, Shaldon

I understand that application has been made for grant of variation to Annex 2 and 3 of the Premises Licence of The Ferryboat Inn and that this could allow for up to 12 sessions of amplified music a year.

My husband and I live a short distance behind The Ferryboat Inn. We find that the sound of amplified music carries strongly on the wind (particularly if it's in the right direction) to affect the peace of sitting in our garden. This can even come from over the river when amplified music is played outside The Ship or Newquay Inns. We accept that music is a form of entertainment that can boost the trade of The Ferryboat Inn but would suggest that amplification so that the whole neighbourhood can hear it is beyond what is required. Furthermore, on occasions amplified music being playing simultaneously on both Teignmouth's Back Beach and at Shaldon's Ferryboat Inn becomes something of a 'battle of the bands' - it takes over from the pleasure sitting on the beach or a bench watching the comings and goings of the estuary.

I hope you will take our views into account in making your decision.

With regards
[REDACTED]
Dagmar Street
Shaldon. TQ14 0DU



Virus-free. www.avast.com

[REDACTED]

From: [REDACTED]
Sent: 15 June 2020 10:20
To: Ext Mail: Licensing
Subject: The ferryboat inn shaldon

DAV:abstract: [REDACTED]

Dear Sir/madam,

My name is [REDACTED]. My family and family home in Shalfon dates back at least 250yrs. I currently reside with my partner in [REDACTED] Shaldon, and my mother lives in the family home, two doors away from The Ferryboat Inn.

I am writing regarding the proposed amendments to the license agreement for the aforementioned property. I believe that to allow amplification and extend the outside entertainment to twelve weeks, albeit fortnightly, would have a detrimental effect on the well being of the neighbouring residents, alot of whom are quite elderly. Its inconceivable to expect these people to have to remain inside with the windows shut against the noise from the pub garden, especially during the summer months.

I am also concerned that whilst there are no real certainties about how pubs will be trading safely regarding COVID 19, there is a good chance that the general public would be taking more advantage of the beach by the beer garden, bringing along with them a considerable amount of extra waste. On who's head will the responsibility fall for clearing it up?

I would like to point out, that the pub has successfully managed for years with the current license, to which the neighbouring residents have been more than accommodating. There has been no problem with music being played acoustically outside on the odd occasion (regatta, water carnival) during the summer months, and equally music inside the pub almost every weekend despite not always adhering to the "closed door and windows" clause.

I would like my letter to be given due care and consideration in this matter.

Yours sincerely,
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 15 June 2020 12:24
To: Ext Mail: Licensing
Cc: environmentalhealth@Teignbridge.gov.uk
Subject: Amplified Musical Entertainment in the Ferryboat Garden

I wish to register my objections to the removal and additions to Annex 3. The noise and nuisance caused would adversely affect the enjoyment of my property at Ferrymans Reach

[REDACTED]

Sent from myMail for iOS

[REDACTED]

From: [REDACTED]
Sent: 16 June 2020 11:06
To: Ext Mail: Licensing; environmentalhealth@Teignbridge.gov.uk;
[REDACTED]
Subject: Noise - Ferry Boat Inn, Shaldon
DAV:abstract: [REDACTED]

[REDACTED]

I am writing as a resident of Shaldon with regards to my grave concerns for changes to the Premises Licence at the Ferryboat Inn, Shaldon.

The siting of the Inn is such that any noise of any sort, other than behind closed doors/windows, will be heard by others and inevitably cause concern and angst to the many nearby residents - this is exaggerated in the warmer summer months when residents have reason to keep their windows open. The 'cocktail' of alcohol and music will always amplify, and if permission were granted then it subsequently becomes nigh impossible to control 'on the night', by which time the residents would have been exposed to the inconsiderate inconveniences.

There are plenty of venues elsewhere which are designed to be suited to live music - whereas a historic pub + garden in a densely built residential area is inappropriate.

The commercial gain for the management of the Ferryboat (being one party) should not be at the inconvenience of multiple residents and their neighbours.

On this matter, and others, I trust that Teignbridge will act on behalf of their compliant citizens, rather than for the benefit of one party attempting to increase their income.

Regards

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 16 June 2020 21:09
To: Ext Mail: Licensing
Cc: environmentalhealth@Teignbridge.gov.uk
Subject: Amplified music at The Ferry Boat Inn, Shaldon.

DAV:abstract: [REDACTED]

Dear [REDACTED]

Please, please, PLEASE do not approve the application for amplified music to be played in the beer garden at Shaldon's Ferry Boat Inn. I don't impose my tastes in music on the people there, so why should they have the right to impose their taste in 'music' upon me? I have no objection to music being played there on the evening of Water Carnival, which is usually on the first Saturday in August, nor do I object during Regatta Week at the end of August. These are special jolly events on the Shaldon Calendar, but please, please, not all year round.

Currently, loud music can be played until late within the hostelry, with the pub's doors and windows kept shut. Even so, we feel the incessant beat in our house, which is about 80 to 100 yards away. The pub is mid terrace. I know it is hell for the more immediate neighbours.

We live in a smokeless zone, so there must be no smoke coming from the chimneys and no garden bonfires. This house, and those neighbouring dwellings, with installations of living gas fires, have the compulsory metal linings in the chimneys. These are highly successful in amplifying noise. There is already quite loud music played in the pub garden on summer evenings.

Very amplified music comes across the harbour from a Teignmouth waterside pub. The two pubs, one here and one over there, are of course not playing the same music, so there is a cacophony of noise. Our windows have to be shut tight on lovely summer evenings. Telephone conversations can be difficult and enjoying any television programme or listening to a concert on the radio is out of the question.

I was a student at music college. My career, here and in Canada, was music based. I despair at some of the players in The Ferry Boat Inn garden. Do they not know any chords other than the basic 1...4...and 5? And they get paid for this?

Please do not grant this application.

Yours trustingly,
[REDACTED]

Sent from my iPad

[REDACTED]

From: [REDACTED]
Sent: 17 June 2020 10:03
To: Ext Mail: Licensing
Cc: environmentalhealth@teignbridge.gov.uk
Subject: Variation to license

DAV:abstract: [REDACTED]

I object most strongly to an application made by The Ferry Boat Inn at Shaldon to a Grant of a Variation of a Premises License. I live on Riverside Shaldon and any noise made in the vicinity of the Harbour echoes all over. We already hear loud music on a regular basis from Teignmouth. Music from The Ferry Boat would adversely affect many more people than it would benefit. [REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 17 June 2020 15:30
To: Ext Mail: Licensing
Cc: Ext Mail: Environmental Control
Subject: The Ferryboat Inn, Shaldon

DAV:abstract: [REDACTED]

Dear Sir

I understand that the above have applied for a grant of a Variation of a Premises Licence, removing sections of Annex 2. I am a resident of Shaldon, living a few doors away from the Ferryboat Inn, and have had cause to complain about the noise and public nuisance from the music played and amplified outside in the pub garden on a Sunday night. If this is to continue, I must insist that this Variation is not granted. The noise is so loud that I cannot open my windows on a hot day, as it is not possible to hear a normal conversation or the TV. The beat of the music reverberates right along the road in both directions.

I am not the only local resident who makes this complaint. There are a significant number of people, including holiday makers who feel the same. It seems that the local residents have to suffer, so that the Ferryboat can make more profit. Surely we are entitled to peace and quiet in the summer months, when most of us want to open our windows or enjoy our gardens.

Yours sincerely

[REDACTED]
Sent from my iPad

[REDACTED]

From: [REDACTED]
Sent: 18 June 2020 15:06
To: Ext Mail: Licensing
Cc: environmentalhealth@teignbridge.gov.uk
Subject: Licence application for Ferryboat Inn Shaldon Amplified musical entertainment in the garden

DAV:abstract: [REDACTED]

Dear Sirs,

we write to object to the application of the Ferryboat Inn, Shaldon to amend its licence to allow AMPLIFIED music to be played in the Ferryboat Inn garden on 12 occasions during the year. Whilst we have no objection to acoustic music being played outdoors in the Ferryboat Inn gardens we have found that the playing of amplified music outdoors in the gardens is invasive, adversely affects our enjoyment of our domestic leisure space and alters the character of the village so it is less peaceful.

Currently from our position we can clearly hear amplified music being played across the harbour at the Ship Inn. On those occasions when the Ferryboat Inn has had live amplified music outdoors at the same time, the combination has been confusing and unpleasant; noise pollution. It is the impact of the nearby playing of amplified music from the Ferryboat Inn garden which is excessive.

Regarding the outdoor music licence we support the existing arrangements of acoustic music being played in the Ferryboat Inn gardens with occasional Temporary Entertainment Licences being allowed for specific village events such as the Water Carnival or Regatta.

Yours faithfully

[REDACTED]

[REDACTED] Horse Lane, Shaldon

COPY, PLEASE, TO THE ENVIRONMENTAL HEALTH OFFICER



[REDACTED]
Middle Street,
Shaldon
TQ14 0DR
14/6/20

Dear [REDACTED],

Re: Amplified Entertainment in the Ferryboat Garden

As you will see from my address, I live in very close proximity to the Ferryboat Inn, Shaldon. I am very concerned about amplified music being allowed from the Ferryboat on a regular basis. It is one thing behind closed doors but, as you will appreciate, quite another when it emanates in the open air. In the past, it has on occasion, been so loud that listening to the radio or TV in my house has been almost impossible. I do not want to appear a 'killjoy' and feel that the amplified music should be allowed for special occasions such as the Water Carnival or Regatta, but strictly for those times only. The thought of the noise coming regularly without restriction is, quite frankly, a nightmare.

Yours sincerely,

[REDACTED]

[REDACTED]
Teignmouth
Devon [REDACTED]
[REDACTED]

16th June 2020

[REDACTED]
Licensing Officer
Teignbridge District Council
Forde House
Brunel Road
NEWTON ABBOT
TQ12 4XX



Dear [REDACTED]

I have seen the Application for the Grant of a Variation of Premises Licence displayed in the window of the Ferryboat Inn, Shaldon and would like to register my objection to the altering of the regulations concerning apologies music.

Although I live in Teignmouth, on occasions last summer, the Ferryboat had music in their beer garden and the sound travelled across the harbour. The noise could be heard clearly in Inverteign Drive and the thought of this happening regularly is horrifying.

I moor a boat in Shaldon and have also noticed how noisy it can be on the beach and walking on The Strand if music is being played. Also if there is a large party in the beer garden their customers spill onto the beach with their drinks which is undesirable for an area frequented by children.

I am happy to accept that during the annual Water Carnival and Regatta a temporary licence for live entertainment could be granted but would not want any music allowed at other times.

I enclose an addition copy of this letter and would be grateful if you could pass it to the Environmental Health Office.

Yours sincerely
[REDACTED]
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 18 June 2020 15:54
To: Ext Mail: Licensing
Cc: environmentalhealth@Teignbridge.gov.uk
Subject: Application for the Grant of a Variation of a Premises License- Ferryboat Inn Shaldon

DAV:abstract: [REDACTED]

I understand that the above licensed premises has made an application to seek the removal of sections of Annex 2 & additions to Annex 3.

The current license clearly states that no amplified music can be played in the Beer Garden. It also states that any amplification that takes place other than in the Beer Garden shall only take place behind closed doors & windows.

There have been instances in the past 12 months where amplified music has been played in the beer garden & frankly the sound level was way beyond that which neighbours, like myself, should have to tolerate.

On those occasions we, as a family, did not complain, just removed ourselves from our garden to the rear of our house.

We accept that there may be special occasions when amplified entertainment may be acceptable ie Water Carnival & Regatta.

Amplified music in the Beer Garden would severely impact on the lives of my family and the rest of the community and I therefor wish to register my objection to this.

[REDACTED]

Sent from my iPad

[REDACTED]

From: [REDACTED]
Sent: 19 June 2020 12:12
To: Ext Mail: Licensing
Cc: environmentalhealth@Teignbridge.gov.uk
Subject: Application for amplified music Ferryboat Inn Shaldon

DAV:abstract: [REDACTED]

Dear [REDACTED]

We understand that the Ferryboat Inn, Shaldon has applied to increase it's music licence from acoustic to amplified. The increase in noise from an already intrusively noisy public house would be most objectionable. The landlord has already decided to serve a minimum amount of food creating a mainly drinking pub and making the behaviour of departing customers a public nuisance through the main and back streets of Shaldon. If you add to this an increased level of noise from amplified music then you create an unacceptable level of noise throughout the local vicinity. We already hear the music indoors with all the triple glazed windows shut. Teignbridge has always offered up Shaldon as the jewel in its crown but if applications like this are allowed then you are sending this village into the path of oblivion.

Yours Sincerely
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 22 June 2020 08:19
To: Ext Mail: Licensing
Cc: environmentalhealth@teignbridge.co.uk
Subject: Variation of Premises Licence Ferry Boat Inn Shaldon

Strand
Shaldon
TQ14 0DL

Licensing Officer,
Teignbridge District Council
Forde House, Brunel Road
Newton Abbot TQ12 4XX

21st June 2020

Variation of Premises Licence for The Ferry Boat Inn Shaldon

I wish to express my concern about the request for a Variation of Premises Licence for the Ferry Boat Shaldon and in particular the request for the performance of live amplified music up to 12 times a year outside in the Beer Garden.

I have lived next door to the Ferry Boat for the past 10 years and on occasions have found the live amplified music played in the beer garden to be extremely intrusive to the point where I could not carry on a conversation with friends.

I enjoyed some of the acoustic music played last summer which felt entirely suitable for the setting and the current licensee has always sought to work with the residents; however, I do feel that outdoor amplified music is too much. I do accept that special village occasions such as Regatta and Carnival should be treated differently.

Yours faithfully,

[REDACTED]
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 22 June 2020 08:47
To: Ext Mail: Licensing
Subject: Ferry Boat Inn Shaldon

Strand
Shaldon
TQ14 0DL

[REDACTED]

Licensing Officer,
Teignbridge District Council
Forde House, Brunel Road
Newton Abbot TQ12 4XX

21st June 2020

Variation of Premises Licence for The Ferry Boat Inn Shaldon

I am writing to express my concern about the request for a Variation of Premises Licence for the Ferry Boat Shaldon and in particular the request for the performance of live amplified music up to 12 times a year outside in the Beer Garden.

Living in the adjoining property, with a garden immediately next to the Beer Garden my experience in recent years of live amplified music is that it has been a significant nuisance to local residents. I, and others, have been literally driven from our gardens on summer afternoons. Closing windows and doors has not been effective against the noise.

In additions to concern about the volume, on numerous occasions, in the past, the nature of music played has been totally inappropriate to a family beach setting and I personally know of many with young families who have felt unable to use the section of public beach near the Ferry Boat on Sunday afternoons for this reason.

I recognize we are blessed to live in a desirable holiday village and that local businesses are dependent upon summer income for survival. I have no objection in principle to music being played in the Beer Garden; it is the amplification that has caused significant problems in the past. I do believe that the provision of outdoor amplified live music at the Ferry-Boat Inn on occasions such as Carnival and Regatta has the potential to enhance life for villagers and visitors and therefore have no objection to Temporary Entertainment Licences being granted for these occasions.

In summary I request that the application to amend the licence to allow live amplified music in the beer Garden, on 12 occasions each year, be refused.

Yours truly

[REDACTED]

From: [REDACTED]
Sent: 22 June 2020 11:02
To: Ext Mail: Licensing
Subject: Application for variation of the Premise Licence for the Ferryboat Inn, Shaldon

For the attention of [REDACTED] Licensing Officer, Teignbridge District Council.

Re: Application for Variation of the Premise Licence for the Ferryboat Inn, Shaldon.

Dear [REDACTED]

The purpose of this email is to object to the proposed application for an extension to the public entertainment licence (changes to annex 2 and 3) at the Ferryboat Inn, Shaldon. I understand that for any representation to be valid it must address the impact of the change against the following criteria: 1. Prevention of crime and disorder. 2. Prevention of public nuisance. 3. Public safety. 4. Protection of children from harm.

Firstly, I would like to compliment the new landlord at the Ferryboat on the significant improvements made in the last year to the facilities, atmosphere, cleanliness and overall management of the pub, these are much appreciated and it is now good to see that the business is aimed towards an inclusive family pub. I am sure the whole community recognises the attraction of a riverside pub in our village and understand that compromises must be made for all types to enjoy this special asset.

To my knowledge, the current licence conditions were negotiated and agreed between previous Ferryboat management, the Licensing Authority and local residents and summarised it allows for amplified music within the Pub and unamplified music in the beer garden, stipulating the allowed frequency of these events. There is also the facility for a Temporary Entertainment licence, for amplified music in the garden, to cover village festivals and occasions such as the Regatta, Carnival and Anniversaries and this is required and very reasonable.

The Ferryboat Inn is inherently disadvantaged in terms of risk reduction and control for all the criteria (numbers 1 to 4 listed above) as it has limited capacity. The Pub is a small terraced property with inside toilets, it opens out onto the road, which when crossed enters directly into the small beer garden with neighbouring gardens either side. In this confined space managing the risk from road traffic, customer confrontation and nuisance to the neighbourhood is a challenge at any time and is exponentially increased with the volume of customers, people and vehicles. It is also relevant that the Landlord does not live on site, this deterrent to the risk of late-night nuisance from disturbing arguments and scuffles no longer exists.

The major objection to this extension concerns amplified music in the garden and the exceptionally loud noise levels which this always involves, aimed at attracting a large number of people. Music in the garden should be to address and entertain the customers in the garden however the level of volume used always addresses the whole of Shaldon beach, the village and Teign estuary, indeed it is impossible in the village to escape this noise on a Sunday afternoon.

In addition and very importantly (re risk criteria 2 and 4), the noise and vibration caused by loud music, amplified voices, audience shouts and arguments causes anxiety and distress both to the large proportion of older people living in the vicinity of the Ferryboat, who may not be too mobile and able to escape the noise, and is also upsetting for children and their families who have chosen to spend their afternoon on the beach. These people have a right to quiet enjoyment of their homes and Shaldon beach.

No doubt it was in this light that the current licence was negotiated and agreed and with the general increase in population and traffic in Shaldon and Teignbridge, the current licence restrictions are even more relevant today.

The proposed changes to the licence are for 12 amplified bi weekly sessions per year, which is effectively amplified music fortnightly for six months of the year. This is extreme and unacceptable; fortnightly sessions at an acceptable sound level, for 3 months (6 per year) in line with summer holidays, would have been easier to understand, the management would still have the facility to apply for a Temporary Entertainment Licence for village festivals. In addition, the proposed amplified session should be limited to a maximum of 2 hours within the 4 hour window. The current proposal with the potential of 4 hours of loud amplified music in the Village on an afternoon is very distressing to even contemplate.

I would be please if you would take the above points into consideration when you assess the proposed changes to the licence and the increased risks involved. Could you please confirm receipt of this email.

With thanks and kind Regards

[Redacted signature]

the Strand, Shaldon



Virus-free. www.avast.com

[REDACTED]

From: [REDACTED]
Sent: 22 June 2020 11:42
To: Ext Mail: Licensing
Cc: enviromentlhealth@teignbridge.gov.uk
Subject: Proposed changes for amplified music in the Ferryboat inn The strand Shaldon

Dear sir/madam

My names [REDACTED] my parents live in [REDACTED] Strand Shaldon next door to the afore mentioned pub so I am writing on behalf of them and myself. We have all been affected by different changes over the years wether noise related ,unsocial behaviour ,kitchen/barbecue smells and messy alleyways. My parents have lived there for nearly fifty years my father suffers from Alzheimer's and my mother's health is not great being 85yrs old ! They now live with there lovely view and there garden they tend to most days ! I personally love the pub and treat it as my local although outside amplified music has been played at an unacceptable levels for some time flouting the existing license! They already have live music three days a week supposedly inside which I enjoy regularly being a pub person. However close locals and others are often forced to tolerate this noise when they shouldn't have to ! A great number of people support the music played but they neither live in the village or close by. Surely those people who do reside close by deserve more consideration to live there lives in reasonable peace . If only they would play acoustic music outside that would be acceptable.

Please give this matter the attention local people deserve .

Many Thanks

[REDACTED]

Sent from my iPad

[REDACTED]

From: [REDACTED]
Sent: 22 June 2020 12:17
To: Ext Mail: Licensing
Cc: Cllr Andrew Macgregor
Subject: Re: Ferry boat inn application

Hi [REDACTED]
I consider that amplified music will cause a public nuisance due to the noise which will travel across the water to tinny and will be muffled and out of tune and therefore unpleasant
This is what happens with the music weekends at the ship hence my objection

It will also encourage more public drinking that will have a detriment on family life and could expose children to foul language and urinating on beach and boats etc as the toilet facilities are limited in the ferry boat

Some of these issues could be addressed with portable toilets and sound barriers and security and if this were to happen I would of course withdraw my objections

I am not against Acoustic music that is not amplified and am in favour of promotion of local artist

I've copied in my representative

Kind regards [REDACTED]
Beech hut renter and owner of [REDACTED] higher woodway rd Teignmouth tq149nr

Sent from my iPad

On 22 Jun 2020, at 10:20, "Ext Mail: Licensing" <licensing@Teignbridge.gov.uk> wrote:

Good morning

Thank you for your email regarding the Ferryboat Inn. In order for us to accept a representation as valid, it has to meet one or more of the following Licensing objectives and relate to what is applied for in the application:

Prevention of Crime and Disorder
Public Safety
Prevention of Public Nuisance
Protection of Children from Harm

The application is for amplified music to take place in the beer garden no more than 12 times per year (approx. one or two events per month) and will be for a 4 hour period during the hours of 12 noon and 7pm.

If you would like to make your representation more specific to the objectives we will be happy to look at it again.

Kind regards

[REDACTED]
Licensing Officer
Licensing Section
Teignbridge District Council

Forde House
Brunel Road
Newton Abbot
TQ12 4XX

Email: licensing@teignbridge.gov.uk
www.teignbridge.gov.uk

|| Before printing, think about the environment

-----Original Message-----

From: [REDACTED]
Sent: 19 June 2020 20:53
To: Ext Mail: Licensing <licensing@Teignbridge.gov.uk>
Cc: [REDACTED]
Subject: Ferry boat inn

I do not agree with any variation
There is enough loud music in tinny and Shaldon Low key accostic music is great and more
family friendly and ask that u encourage this Regards [REDACTED]

Sent from my iPhone

Save time and do it online www.teignbridge.gov.uk

We are committed to protecting the privacy of the information provided to us. If you would like
to know what we do with your personal data please see our privacy policy at
www.teignbridge.gov.uk/privacy.

[Email disclaimer](#)

[REDACTED]

From: [REDACTED]
Sent: 22 June 2020 13:27
To: Ext Mail: Licensing
Subject: Ferryboat Inn - variation to licence

Licensing Officer Teignbridge district council

Application for Variation of the Premises Licence for the Ferryboat Inn Shaldon

I am aware that the Ferryboat Inn in Shaldon is applying for a variation to the entertainment licence to allow amplified music in the Ferryboat garden.

I live at [REDACTED] Strand Shaldon TQ140DL, next door but one to the Ferryboat and appreciate that I have chosen to live near a pub which others have the right to enjoy. The Ferryboat Inn was originally a traditional 'village pub', but this friendly feel has gradually disappeared with previous owners. I am therefore, pleased to see the physical improvements the current Landlord (Designated Premises Officer) has made to the property which hopefully will bring the local community back to the pub. I also appreciate that everybody should have the right to take advantage of Shaldon beach, and am aware that not all families on the beach are looking for loud music and the accompanying commentary by the entertainers.

The pub hosts live music on Thursday and Friday nights and Sunday afternoons and occasionally at other times. With regard to the amplified music inside the Ferryboat, the music on Thursdays and Fridays is loud enough to be heard inside our house with the windows shut, especially the strong bass vibrations. In fairness the new Landlord has ensured the music finishes, usually by 11 pm and not later than 11.30, however the revellers leaving the pub are often creating a disturbance much later than this, after the Landlord and staff who do not live on the premises have left.

Sunday afternoons, especially in the summer months, are a trial to the residents and to other cafes/businesses in the vicinity. The amplified music from the beer garden is so loud in our garden that it is not possible to have a conversation with a person next to you; I no longer feel able to invite friends and family to tea or a BBQ. In the past, requests to the Landlord for consideration have been relayed by the band to the crowd in such a way as to make us feel intimidated in asking. Many Sundays I have decided to 'take a walk' to escape the noise only to find our neighbours in a similar pursuit. A Sunday afternoon cream tea partaken by customers in the Strand cafe garden is also severely affected by the music.

My view is that amplified entertainment in the ferryboat garden in summer severely impacts on my and my neighbours' lives and also families on the beach and would strongly object to the licence being extended in this way except for supporting local festivals such as the Sea Shanty or Jazz festival or Shaldon Regatta. I recognise that pubs and village inns perhaps in these days may have need to provide entertainment but I have long been concerned about the intrusive noise of amplified sound and its affect on those living in the vicinity, old and young.

Please will you take the above points into consideration when you assess the application from the Ferryboat Inn.

Please could I ask you to confirm receipt of this representation

Regards

[REDACTED]

Application for Variation of a Premises Licence for The Ferryboat Inn 4 Strand Shaldon
Devon TQ14 0DL

To The Licencing Section Teignbridge District Council.

I am writing to express my concerns regarding the application submitted by Enlighten Inns Limited, to vary the current licence to allow amplified music up to 12 times per year commencing every other week.

As you are aware I took part in the public hearing when the current licence was granted. I represented those who lived within a 100 yard radius of the Ferryboat. At that time and after considerable public debate the present Licence was agreed. In the interim nothing has changed which would negate the arguments made at that hearing. Nobody objects to occasional TENs supported through the Parish Council.

I and many others are isolating or have restricted movement due to the pandemic. I was recently made aware of the current application by a third party and was sent an image of the notice posted in the Ferryboat. Last year I accepted a request from those living within 100 yards of the Ferryboat to keep them informed if an application was made. Due to the pandemic restrictions few people were aware of the Notice posted in the Ferryboat and I was informed by a third party. As requested I informed others who are concerned that the Licence might be altered.

Our Ward Councillor has kindly kept me informed of correspondence that he has had with you. I understand that the Environmental Health Department has been in private discussion with the applicant. My understanding is that some form of pre-application agreement on conditions that would allow amplified music has been negotiated with Environmental Health. I do not need to point out that this is perceived as highly undemocratic.

I understand that you have rejected representation from a number of residents. I have emailed your office on 8th, 15th, and 17th June for clarification. It is disappointing that I have not received a response. I assume that common sense now prevails and that you have accepted representation made where reference is made to amplified music or noise which is clearly perceived as a nuisance.

The Ferryboat is a small pub that has the benefit of a beach-side beer garden. The garden is a great asset and provides considerable enjoyment to patrons of the Ferryboat.

The major concern driving representations is the proposal to vary the existing conditions and allow amplified music which by definition constitutes noise and nuisance. In the context of the representations made and the various relevant Acts granting the variations to the existing licence gives official approval to nuisance. In addition the knock on affects of an amplified music event attended by a large number of people are blocked roads, anti-social behaviour, rowdiness, brawls which tend to increase after the music stops

The Teignbridge Website defines licencing objectives as:

- the prevention of crime and disorder
 - *(Rowdiness and brawls on the streets, beach and highway)*
- public safety

- *(Rowdyism on the streets beach and highway, litter and glass left on the beach and streets, increased traffic density)*
- the prevention of public nuisance
 - *(Noise - reference to noise and nuisance, amplified music)*
- the protection of children from harm
 - *(All of the above)*

The primary objection is amplified music which constitutes nuisance which in turn is the vehicle to catalyse undesirable reaction pertinent to each of the licencing objectives.

A **statutory nuisance** is something that, under the Environmental Protection Act 1990, affects a person's health or causes disturbance to them in their property. ... To be a **statutory nuisance** a **noise** must occur regularly and continue for a period of time that makes it unreasonable Pt 111 79 g - noise emitted from premises so as to be prejudicial to health or a nuisance.

The current Licence was granted after much public discussion and as a result amplified music was not permitted at any time in the Beer Garden. This decision was made to safeguard residents, many of whom have lived, many through many generations, in the same premises for the majority of their lives. We have seen the changes in the licenced trade that has encouraged public houses and Inns to morph into places of entertainment where bands, requiring amplifiers, are advertised to attract the drinking clientele. However there has been no change in circumstances that would warrant relaxing the current licencing rules.

I do not believe that anybody objects to music in the Ferryboat Garden per-se. However amplified music is totally unacceptable. Home owners and the community in general have a right not to suffer nuisance and expect that premises Licences protects the mental and physical health and wellbeing of themselves and their families and allows them to enjoy their property.

It would not be right for the Licencing Authority to grant a variation that forced home owners to stay indoors with their windows shut on hot sunny afternoons in the summer or indeed at any other time imprisoning them in their homes. Indeed there may be an argument that granting such a Variation could in itself breach protective legislation in the UK and potentially Article 8 of the Human Rights Act.

I would respectfully suggest the Licence is left as it but allowing for occasional TEN's supported by the Parish Council.

Despite the strong objection to granting this Variation we do applaud the work that the present Landlord has carried out in transforming the Ferryboat into a genuine asset to the Village and promoting a family orientated Public House. Which would be compromised if this amendment is granted.

██████████ 20th June 2020

[REDACTED]

From: [REDACTED]
Sent: 24 June 2020 14:11
To: Ext Mail: Licensing
Cc: environmentalhealth@teignbridge.gov.uk
Subject: Ferryboat Inn, Shaldon

Sirs

We understand that the Ferryboat Inn is looking for approval for amplified music in the Beer Garden. As close neighbours we sincerely hope that this will be refused.

Shaldon is a SMALL village and the cacophony of sound at times is overwhelming.

We enjoy music in our home but wouldn't inflict our taste on the rest of the Strand and would hope that they would afford us the same courtesy.

Please keep it behind closed doors.

Yours faithfully

[REDACTED]
[REDACTED] Strand

[REDACTED]

From: [REDACTED]
Sent: 24 June 2020 15:36
To: Ext Mail: Licensing
Subject: Fwd: Application for the Variation of a Premises Licence for the Ferryboat Inn Shaldon

[REDACTED]

Begin forwarded message:

From: [REDACTED]
Subject: Fwd: Application for the Variation of a Premises Licence for the Ferryboat Inn Shaldon
Date: 24 June 2020 at 15:22:00 BST
To: [REDACTED]

Begin forwarded message:

From: [REDACTED]
Subject: Application for the Variation of a Premises Licence for the Ferryboat Inn Shaldon
Date: 24 June 2020 at 12:54:13 BST
To: "Ext Mail: Licensing" <licensing@Teignbridge.gov.uk>, envc@teignbridge.gov.uk
Cc: phil.shears@teignbridge.gov.uk

To the Licencing and Environmental Health Officers

I would like to lodge formal objection to the Ferryboat Inn application for Amplified Music in the Beer Garden which if granted would lead to substantial Nuisance.

I have lived in Shaldon since the 1960's and in Crown Square since 1975. I have seen many Landlords come and go over over the years. Since the relinquishing of the current licence by Peninsular Inns, landlords have knowingly ignored the terms of the Licence agreement putting on advertised events in the Beer Garden that employ amplified 'music'. Many view this a complete mockery of the Licencing process.

Quite apart from the extremely loud music which is totally unsocial and unacceptable, these events generate a large influx of drinkers that the Ferryboat Inn has neither the space nor infrastructure to manage. Many arrive by car, park on the pavements, over yellow lines and do not disperse until well after closing time. Inevitably the culmination of an event is accompanied by anti-social behaviour, rubbish and broken glass and noise.

Granting a licence to employ amplified music would affectively acknowledge this

public nuisance and the knock on consequences would send out a message that the laws designed to protect individuals and the community are not worth the paper they are written on. The Landlord may argue that he/she can control the event. However history demonstrates that this is not the case and they are powerless to provide effective control. Clearly it is not acceptable by any standards.

I offer holiday accommodation in the Village to guests from all over the UK and the World. Day visitors, holiday makers and tourists form a major part of the local economy. Our visitors come to enjoy Shaldon, the superb environment, beaches, walks, restaurants, local pubs and quality accommodation. They do not book for a 'Glastonbury' experience neither do they expect it. We have many complaints that the beach is no place to take children when the loud speakers are blasting out and the pavements and roads are blocked.

I believe that I, residents and the community in general should be protected from nuisance that turns the Ferryboat area of the Village into a festival site. We should be able to sit in our gardens with our families on a sunny afternoon in the knowledge that the law protects us from Nuisance.

We should be protected from Licences that inevitably lead to disorder; fights, rowdyism and bad language being common place.

Public safety cannot be guaranteed when an open air amplified "gig" is in full swing, adjacent roads and pavements become increasingly unsafe.

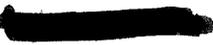
Shaldon has always welcomed families with young children. I have nine grandchild who love to spend the weekends on the beach or in our garden. Their health and safety is compromised by the noise, traffic, rowdyism, and bad language that inevitably develops when an amplified event takes place and continues into the night after a performance has 'finished'

I very much hope that the Environment Health and Licencing departments recognise the vital significance of the application and do not grant this licence.

The only exception being TENs that might be approved, dealing specifically with special events such as the Regatta, Water Carnival and community events organised with the knowledge of the Parish Council.

Please acknowledge receipt of this email

Regards



[REDACTED]

From: [REDACTED]
Sent: 24 June 2020 15:48
To: Ext Mail: Licensing

For the attention of [REDACTED]
I wish to lodge my objection to The Ferry Boat pubs application for a change in their license to allow amplified music. I live immediately behind the Ferry Boat and amplified music would impact on the quality of my life and that of my neighbours.

[REDACTED]
[REDACTED]
Horse Lane
Shalom
TQ14 0BW

Sent from my Huawei Mobile

[REDACTED]

From: [REDACTED]
Sent: 12 June 2020 20:20
To: Ext Mail: Licensing
Cc: [REDACTED]
Subject: Shaldon Ferryboat Inn Music Licence application - letter in support

DAV:abstract: [REDACTED]

[REDACTED]

I have received a door-drop letter from Bernard [REDACTED] informing me that the Ferryboat Inn, Shaldon has applied for a Variation of Premises License. As a local resident within earshot of pub, I feel compelled to write to you as I do not share his opinion opposing the application. My husband and I are very concerned that he is seeking to represent a view that is not widely held in Shaldon, at least not amongst the under 55's.

We live on Broadlands where we can hear live music played outside the Ferryboat Inn, The London Inn and the pubs and special event stages on the Back Beach in Teignmouth. All events are respectful of the 11pm cutoff and although audible in our bedroom, does not cause a nuisance for that reason.

In the case of the application for a Variation of Premises License from the Ferryboat Inn, Shaldon we support the application of the following grounds:

1. The live music events have previously been 3-5 pm on Sunday evening during July and August. This is not excessive nor intrusive for neighbours for such a short period and avoiding the evenings where they might interfere with sleep. The current licence holders have been very respectful to the neighbours in that way. We would support such Sunday events over the summer period with the addition of a few weekend evening events again over the summer period. It seems excessively onerous for the pub to apply for such regular summer events on an individual basis. Additional performances for special events such as the the 3-legged race will also benefit the village.
2. We as have very much enjoyed previous Sunday afternoon events as focal point to meet other village residents and friends on the beach or the pub garden. Where previous licensees have not always managed to create a family friendly and welcoming atmosphere in the garden during music events, this has been resolved by the current licence holders.
3. Daytime outdoor local music events have been a treasured resource for introducing our children to live music appreciation and provide a valuable additional music venue for aspiring local musicians for whom an in-door nighttime gig is still too daunting.
4. The small scale outdoor performances enhance the atmosphere and footfall in the village and benefit local businesses without creating un-manageable crowds

It would be a great loss to the village not to have outdoor live music performances which, from experience, are much appreciated and mainly attended by villagers and their friends.

Yours sincerely

[REDACTED]

From: [REDACTED]
Sent: 12 June 2020 20:31
To: Ext Mail: Licensing
Subject: Shaldon Ferryboat Inn premises licence application - letter in support!

DAV:abstract: [REDACTED]

Dear [REDACTED]

For clarification we fully support the application in it's current form with 12 events per year between 12-7pm. The examples given in the main support email are what the we have previously enjoyed and additions we would like to see in the future.

Yours sincerely

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 13 June 2020 08:47
To: Ext Mail: Licensing
Subject: Ferryboat Inn shaldon

DAV:abstract: [REDACTED]

Dear [REDACTED]

I am emailing you in your capacity as Licensing Officer for Teignbridge council to support the Ferryboat Inn in its application to play amplified music in the beer garden.

As a local resident I have been made aware of an active campaign to generate opposition but, like many others living in the village, we feel that the live music provided by the Ferryboat (inside & out) is an integral part of village life & it would be damaging to the village if it were not supported.

As someone who previously owned a business in the village I know it is beneficial for the whole village economy bringing people into the village & the infrequent/ time limited nature meant it was minimally disruptive for those who did not appreciate it.

The audience is predominantly locals but I am aware of many people who come to Shaldon solely to enjoy the music on the beach with a significant number 'picnicking' on the beach often with food & drink bought from other local establishments.

There are very few places in the UK with such a venue right on the beach, living in Shaldon we all know that it is part of village life & it would be an exceptionally retrograde decision for the village to restrict the usage & the enjoyment of such an extraordinary location.

I hope this assists your decision making.

Kind regards

[REDACTED]

[REDACTED]

Commons Old Rd
Shaldon, Devon

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 13 June 2020 09:37
To: Ext Mail: Licensing; environmentalhealth@teignbridge.gov.uk
Subject: FAO Teignbridge Licensing Officer Re: Ferryboat Inn - Outdoor music licence

DAV:abstract: [REDACTED]

Re: Ferryboat Inn - Outdoor music licence

Dear [REDACTED]

I trust this email finds you well

I would like to offer my support to the Ferryboat Inn in its application to play amplified music 12 times a year in the beer garden.

I consider the live music scene in Shaldon and Teignmouth to be quite unique, offering diverse entertainment for residents and visitors alike while contributing to local business in many different ways.

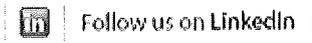
The opportunity to see live music during the day and on the beach is all the more special, not least because it allows our children to benefit from the experience too.

I would hate to think that the pleasure and enjoyment of so many would be prohibited by the few.

Kind Regards

[REDACTED]
Shaldon Resident

[REDACTED]



[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 13 June 2020 09:51
To: Ext Mail: Licensing
Subject: Ferry boat outside music liscence

DAV:abstract: [REDACTED]

Dear Sirs,

I am writing to you in regards to the application for an outside music licence to be granted for Ferry Boat Inn Beer garden Shaldon.

As a local resident ,I fully support this request and know first hand the benefits that having music playing between reasonable hours in the FBI garden brings to the community.

As well as local residents who enjoy this, I know many people that travel into the area when there is music playing to enjoy time on the beach, spend money and support our local business and relax with friends and family on the beach whilst being entertained by local musicians/artists.

As the music being played outside will only take place between reasonable hours I see no reason or justification to not grant this licence.

Yours Sincerely

[REDACTED]
Middle Street
Shaldon
[REDACTED]

Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: 13 June 2020 10:44
To: Ext Mail: Licensing
Cc: environmentalhealth@Teignbridge.gov.uk
Subject: Outdoor License Application, Ferryboat Inn, Shaldon

DAV:abstract: [REDACTED]

Dear [REDACTED]
I write to express my unequivocal support for the application for a live, amplified music license for the Ferryboat Inn. As a local resident I, and many others in the village, recognise the vital importance of such events for the social and economic health of our community.

The Ferryboat Inn has a long and iconic role in hosting the live music events that have been a keystone of Shaldon's cultural heritage. I believe this makes it worthy of support per se but also, crucially, it's experience and unique beachfront location, make it a responsible choice for leading the gradual recovery of such activity in the wake of the COVID pandemic.

Many thanks for your consideration of this matter.

Kind regards,

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 13 June 2020 11:48
To: Ext Mail: Licensing
Subject: Ferry Boat Inn Shaldon

DAV:abstract: [REDACTED]

Dear [REDACTED]

I understand that you are looking at the Ferry Boat Inn's application for a license to play amplified live music in the pub garden.

I wholeheartedly and unreservedly support the application.

I hope that you will see how important it is for the Council to consider the economic, social and cultural value of live music.

This is a critical and once in a generation moment for the Council, given the post-Covid catastrophe facing the arts, leisure and hospitality sectors.

Teignbridge District Council could be a shining light in actively supporting local talent, promoting mental and physical wellbeing through engagement in the arts and enriching the creative and cultural appeal of Shaldon.

Yours sincerely,

[REDACTED]
[REDACTED]
Combe Rd
Shaldon
[REDACTED]

Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: 14 June 2020 07:27
To: Ext Mail: Licensing
Subject: Ferry Boat Inn

DAV:abstract: [REDACTED]

I write with regard to the changes applied for in relation to amplified music at the pub.

Please take this email as support for the application. The Ferry Boat gives young bands great opportunities to play within a safe and receptive environment. This is usually on a Sunday afternoon when family and friends often meet up to catch up with each other. The atmosphere created is great and often brings in tourists to listen. By having bands it increases revenue for the village because of increased interest in who is playing.

It would be a great shame to restrict the quality of bands playing by not allowing amplification.

Regards

[REDACTED]
Broadlands
Shaldon

[REDACTED]

From: [REDACTED]
Sent: 15 June 2020 15:27
To: Ext Mail: Licensing
Subject: Outdoor music licence at The Ferry Boat Inn Shaldon
Attachments: 33F0B0EA-1CCB-4AB8-A18E-7AB02E759AE2.jpeg; E9958ED1-B356-4DB6-B598-A978AC224079.jpeg

DAV:abstract: [REDACTED]

Dear [REDACTED]

Regarding the following application:-

<https://www.teignbridge.gov.uk/licensing/current-licensing-applications/ferryboat-inn/>

It has come to my attention, as a resident of Shaldon, that a letter (attached) has been making its way to other residents trying to stop the enjoyment of both residents and visitors to Shaldon who simply love the village and its atmosphere. The same enjoyment is true of just about every seaside town, including our neighbours, Teignmouth.

Music is just one of the attractions we have to encourage visitors and ensure they have a lovely holiday here. Why, in these COVID-19 desperate times when hospitality business are literally on their knees, Mr Howard is trying his level best to let them die, I have absolutely no idea.

I moved here seven years ago as a permanent residence, not holiday home, and live in Broadlands. In fact, directly above The Ferry Boat Inn. The new management have been very supportive of life in the village and actually live in the village themselves, so they are very aware of the needs of local residents. In fact they have now tailored the outside music to avoid loud and noisy bands.

There must only be about 6-8 weekends a year that live music in the beer garden on a Sunday afternoon (regatta and water carnival excepting) when the weather permits any music to be outside anyway. Surely even the most curmudgeonly amongst us can tolerate that?

I am also wondering why this vendetta appears to be personal as this letter doesn't seem to be applied to all the pubs in Shaldon with outdoor music available on occasion in The London Inn, Shipwrights and The Ness which actually has an annual festival. Why? Are there no residents or holiday makers in those locations?

Across the water in Teignmouth there are many outdoor music events. The excellent music festival at The Ship goes on for days and I can certainly hear that much more than the music at The Ferry Boat.

We vote definitely **FOR** the application for live music to be played in and outside The Ferry Boat Inn and everywhere else for that matter. It is a well-known fact that music cheers people up and we need as much of that as possible in these troubled times!

Perhaps we should actually spend more time praying for the survival of these wonderful historic establishments and actually giving them some support.

[REDACTED]
Broadlands
Shaldon

Amplified Musical Entertainment in the Ferryboat Garden

Dear Neighbour,

You will recall that in September last year I wrote to you raising the probability that an Application for the Grant of a Variation of a Premises Licence might be made on behalf of the Ferryboat Inn. On the 27 May, last month, a notice to this effect was placed in the Ferryboat Inn. So that we are reminded of the issues I attach my previous correspondence.

The current application is seeking the removal of sections of Annex 2. I am advised by the Licensing Officer that these deletions have no bearing on the application for amplified music.

The removal and additions to Annex 3 could have a dramatic and undesirable effect on your lives and demands your serious attention.

The current Premises Licence was granted after considerable consultation with the then owners of the Ferryboat, local residents and the Licensing Authority. The Licence granted clearly states that no amplified music can be played in the Beer Garden. It also states that any amplification that takes place other than in the Beer Garden shall only take place behind closed doors and windows. The Licence is designed to protect the quality of life of residents who live in close proximity to the Ferryboat and those that enjoy the open spaces, beach and restaurants for which Shaldon has an enviable reputation.

I have been approached by a significant number of Shaldon residents and holiday makers who feel very strongly that the quality of the environment and the quality of their lives must continue to be protected and respected by the owners and management of the Ferryboat Inn.

The prospect of amplified music, designed to generate profit for the Ferryboat business, at the expense of people who live nearby is not acceptable and is dreaded by residents.

Noise and nuisance not only affects residents but also families and visitors enjoying the beach, walks and facilities of the local restaurants.

Statutory Nuisance and the Right for Quiet Enjoyment of one's home is supported by legislation designed to protect against the damaging effects of noise and nuisance. This will be taken in account by the Environmental Health Department who will be consulted by the Licensing Officer who will take into account your views.

Please note that this Variation is not a temporary revision. If granted it will in affect be a new and permanent Licence which would prove very difficult to revoke.

My understanding remains as it was at the time the current license was granted, following the public hearing, and reiterated in my letter of September 2019.

Below is copy of the letter I sent to home owners in the vicinity of the Ferryboat in September 2019

Dear neighbour,

You will recall that some years ago The Ferryboat Inn requested a licensing hearing seeking approval for amplified music in the Ferryboat Garden.

On that occasion I attended the hearing at Forde House to represent the community that would be affected by any decision taken by the Licensing Officer. The Ferryboat was granted a licence that specifically only allowed amplified music on the premises with doors and windows closed at all times.

We are all aware that over subsequent changes of Landlord (Designated Premises Officer) the conditions of the licence have been ignored and we have on many occasions been forced to tolerate amplified performances staged in the Ferryboat Garden, perceived by many in the community as unacceptably intrusive.

You will be aware that the new Landlord is making every effort to improve the Ferryboat Inn which is to be applauded. However, we understand that it is intended to apply for a variation to the Ferryboat Inn entertainment licence to allow amplified music without restriction in the Ferryboat Garden.

If the Designated Premises Officer decides to apply for a variation to the licence, it will be a requirement to issue a public notice which will be posted locally on the premises, in local papers and on the Teignbridge website. Those affected will have the right and opportunity to express their views on the proposed application.

If you are concerned that a variation to the Licence allowing amplified music in the Ferryboat Garden would have an adverse effect on you or the community, it is very important that you convey your concerns to the Licencing Officer.

My understanding of the general consensus of opinion:

Allowing amplified music on a regular basis would severely impact upon the lives of the community and would be vigorously resisted. It is recognised that in common with many public houses the Ferryboat has evolved from a Village Inn to a place offering public entertainment. However intrusive forms of entertainment, promoted to boost the profitability of the business, jeopardises the wellbeing of residents and quiet enjoyment of their homes, which is totally unacceptable.

From time to time it may be reasonable to grant a Temporary Entertainment Licence (TEN) to allow amplified music in the Ferryboat Garden for specific occasion such as the Regatta or Water Carnival.

It would seem that most residents accept that during the Water Carnival and Regatta, live amplified entertainment is part of the 'Shaldon Experience'; and during this period a temporary licence may be appropriate.

If you want to ensure that the Teignbridge Licensing Officer is aware of your views you must write to Teignbridge. It is likely that the Licencing Officer will take into account your reaction to live events that have taken place in the past when taking a decision on an application for a Variation.

If you consider amplified entertainment in the Ferryboat Garden to be an issue, let me know your views so that if called upon I can make a meaningful and balanced representation on your behalf to the Licencing Authority.

It is very important that you personally in writing or by email convey your thoughts to the Teignbridge Licencing and Environmental Health Officers

[REDACTED]
Licensing Officer
Teignbridge District Council
Forde House
Brunel Road
Newton Abbot
TQ12 4XX

If writing please request that your letter is copied to the Environmental Health Officer

Or email:
licensing@Teignbridge.gov.uk

emailing please copy to:
environmentalhealth@Teignbridge.gov.uk

[REDACTED] 11 June 2020

mobile: [REDACTED]

mail: [REDACTED]

**you would like this written in larger text covering more pages please call me or email me.
Thank you for taking the time to read this note and please convey your thoughts to the Licensing Officer now.**

The deadline for your response is 24th June 2020

[REDACTED]

From: [REDACTED]
Sent: 16 June 2020 13:03
To: Ext Mail: Licensing
Subject: Ferryboat Inn Licensing Application

DAV:abstract: [REDACTED]

Dear Sir/Madam,

I would like to express my strong support for this application.

Yours Sincerely,

[REDACTED]
Broadlands
Shaldon
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 16 June 2020 14:39
To: Ext Mail: Licensing
Subject: Ferry Boat Inn variation time licence

I would like to support the application of the Ferry Boat Inn to be able to play music between the hours stipulated on a bi weekly basis in the beer garden.

We are in a time of previously unknown restrictions and businesses are failing. We need to do everything we can to ensure they survive. The Ferry Boat Inn has been run professionally and respectfully every time I have visited and the proposals are not anti-social nor would they deprive local residents of a peaceful home life for the majority of the time. The business is an asset to the local community and locals should be encouraging the business to succeed, not doing everything they can to bring it down.

Please support and approve their application for changes to the licence.

[REDACTED]

Sent from my Phone

[REDACTED]

From: [REDACTED]
Sent: 16 June 2020 16:48
To: Ext Mail: Licensing
Subject: Support for amplified music ferry boat inn beer garden Shaldon

DAV:abstract: [REDACTED]

To whom it may concern,

As a resident of Shaldon I would like to lodge my support for removal and additions to annex 3 To be clear, I fully support an application that allows amplified music to be played at the ferry boat inn Shaldon up to twelve times per year.

Kind Regards

[REDACTED]
[REDACTED] Platway Lane
Shaldon

[REDACTED]

From: [REDACTED]
Sent: 16 June 2020 16:58
To: Ext Mail: Licensing
Subject: Ferry boat Inn Shaldon

DAV:abstract: [REDACTED]

To whom it may concern,

As a resident of Shaldon I would like to lodge my support for removal and additions to annex 3
To be clear, I fully support an application that allows amplified music to be played at the ferry boat inn
Shaldon up to twelve times per year.
Kind Regards

[REDACTED]
Palk Close
Shaldon

[REDACTED]

From: [REDACTED]
Sent: 16 June 2020 17:05
To: Ext Mail: Licensing
Subject: Ferryboat licence amendment

DAV:abstract: [REDACTED]

Hi there and to whom it may concern,

As a resident of Shaldon I would like to lodge my support for removal and additions to annex.

To be clear, I fully support an application that allows amplified music to be played at the ferry boat inn Shaldon up to twelve times per year, at the times set out in the application.

I am of course cognisant of my neighbours, and my, concerns regarding loud music; I live here too.

However, I live ~50 metres behind the Ferryboat Inn and have never been bothered by live music.

In reality, I hear the music from the Ship festival in Teignmouth more clearly than any music that has been played at the Ferryboat Inn.

Thank you for your time.
Yours faithfully

[REDACTED]
Crown Square
Shaldon

[REDACTED]

From: [REDACTED]
Sent: 16 June 2020 17:16
To: Ext Mail: Licensing
Subject: Support for the ferry boat inn, Shaldon

DAV:abstract: [REDACTED]

To whom it may concern,

As a resident of Shaldon I would like to lodge my support for removal and additions to annex 3

To be clear, I fully support an application that allows amplified music to be played at the ferry boat inn Shaldon up to twelve times per year (or more if they're allowed!).

It brings business, tourism and happiness to the village and has done for many years before [REDACTED] was on a rampage to ruin it.

I live very close to the pub and it has never bothered me or any family I have had at the house too, including elderly relatives. In fact, it's something they love about the village and have done for years.

Matt Ford is strict with bands on times they perform and volumes and there is never trouble whilst or after bands have played. The outside music NEVER goes into the night or late at all. So the people objecting will still be able to have their ovaltine and get off to sleep at their usual time.

Kind Regards

[REDACTED]
Broadlands
Shaldon
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 16 June 2020 17:29
To: Ext Mail: Licensing
Subject: Ferry boat inn

DAV:abstract: [REDACTED]

I would like to support the Ferry boat inn's application for amplified music to be played outside 12 times a year.

Regards

[REDACTED]

Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: 16 June 2020 18:24
To: Ext Mail: Licensing
Subject: Ferryboat inn

DAV:abstract: [REDACTED]

To whom it may concern,

As a resident of Shaldon I would like to lodge my support for removal and additions to annex 3 To be clear, I fully support an application that allows amplified music to be played at the ferry boat inn Shaldon up to twelve times per year.

Kind Regards

[REDACTED]

[REDACTED] Ringmore Rd
Shaldon

[REDACTED]

Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: 16 June 2020 21:22
To: Ext Mail: Licensing
Subject: Ferryboat Inn Shaldon.

DAV:abstract: [REDACTED]

Can everyone please take 1 minute to click the link above and lodge your support for amplified

If it's easier please copy and paste the below onto the licensing link changing my name and address for your.

To whom it may concern,

As a resident of Teignmouth I would like to lodge my support for removal and additions to annex 3
To be clear, I fully support an application that allows amplified music to be played at the ferry boat
inn Shaldon up to twelve times per year.

Kind Regards

[REDACTED], Teign View Place, Teignmouth, Devon.

Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: 17 June 2020 05:47
To: Ext Mail: Licensing
Subject: The Ferry Boat Inn Shaldon

DAV:abstract: [REDACTED]

Dear Sir or Madam

I write in support of the current application of Variation of Premises Licence for the Ferry Boat Inn, Shaldon.

The Ferry Boat Inn is an integral part of village life. It enjoys the support of everyone I know in the village without exception and brings people to Shaldon from the surrounding areas.

The proposed changes are in the best interests of the pub and the village.

The Council needs to be promoting local businesses so I trust it will agree to the Variation.

Regards

[REDACTED]
Dagmar St
Shaldon
[REDACTED]

Sent from my Huawei phone

[REDACTED]

From: [REDACTED]
Sent: 17 June 2020 09:40
To: Ext Mail: Licensing
Subject: Music at the Ferryboat Inn, Shaldon.

DAV:abstract: [REDACTED]

To whom it may concern,

As a resident of Shaldon I would like to lodge my support for removal and additions to annex 3 To be clear, I fully support an application that allows amplified music to be played at the ferry boat inn Shaldon up to twelve times per year.

Kind Regards,

[REDACTED]
[REDACTED]
[REDACTED] Bridge Road
[REDACTED] Shaldon
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 17 June 2020 10:02
To: Ext Mail: Licensing
Subject: Ferryboat inn shaldon

DAV:abstract: [REDACTED]

To whom it may concern,

As a resident of Shaldon I would like to lodge my support for removal and additions to annex 3
To be clear, I fully support an application that allows amplified music to be played at the ferry boat inn
Shaldon up to twelve times per year.

Kind Regards,

[REDACTED]

Your address. [REDACTED] shaldon

[REDACTED]

From: [REDACTED]
Sent: 17 June 2020 11:39
To: Ext Mail: Licensing
Subject: Ferryboat inn license

DAV:abstract: [REDACTED]

Hi
Speaking as a Born & Breed Local, a Regular of The Ferryboat Inn & a fellow business owner in the village of Shaldon I would like to Fully Support the application for up to 12 outdoor amplified music events per year.
The Ferryboat Inn is a fantastic beachfront pub that in the last 18 months has improved dramatically, the effort that Matt & Michelle put in to creating a lovely, Family friendly, sociable & enjoyable environment is amazing, they deserve all the help & trade they can get & these music events will just give them that extra bit of help they need to get through each winter, this year particularly more than ever.
We all love the music events and it will give us all something to look forward to especially as the pubs may only be able to open the outdoor areas this year.
This is even more reason to allow this license to be granted.

Kind regards

[REDACTED]

Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: 17 June 2020 15:07
To: Ext Mail: Licensing
Subject: Ferry boat inn

DAV:abstract: [REDACTED]

To whom it may concern,

As a resident of Shaldon I would like to lodge my support for removal and additions to annex 3
To be clear, I fully support an application that allows amplified music to be played at the ferry boat inn
Shaldon up to twelve times per year.

Kind Regards

[REDACTED]
Riverside
Shaldon

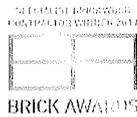
[REDACTED]
Teigharvey
[REDACTED]

Sent from my iPhone

Kind regards

[REDACTED]

[REDACTED]



[REDACTED]

From: [REDACTED]
Sent: 18 June 2020 14:44
To: Ext Mail: Licensing
Subject: Ferryboat Inn

DAV:abstract: [REDACTED]

To whom it may concern,

As a local resident I would like to lodge my support for removal and additions to annex 3 To be clear, I fully support an application that allows amplified music to be played at the ferry boat inn Shaldon up to twelve times per year.

Kind Regards

[REDACTED]
Teignmouth

Sent from my iPhone

[REDACTED]

From: Teignbridge District Council <noreply@teignbridge.gov.uk>
Sent: 19 June 2020 09:30
To: Ext Mail: Licensing
Subject: Contact us - enquiry received FS-Case-218983044

DAV:abstract: [REDACTED]

Hello Licensing,

You have received a new Licensing enquiry from: [REDACTED]

Please reply to them within 10 working days, or let them know if you need longer for a full response at:

[REDACTED]

[REDACTED]

Enquiry subject: Ferryboat inn shaldon

Enquiry details:
To whom it may concern,

As a resident of Shaldon I would like to lodge my support for removal and additions to annex 3
To be clear, I fully support an application that allows amplified music to be played at the ferry boat inn Shaldon up to twelve times per year.

Kind Regards

[REDACTED] bridge road
Shaldon [REDACTED]

Reference number if applicable:

Any uploaded documents will be attached to this email.

[REDACTED]

From: [REDACTED]
Sent: 22 June 2020 20:09
To: Ext Mail: Licensing
Subject: Amplified music in the ferry boat Inn

Good evening,

With reference to a recent application by my local public house to be able to hold amplified music in their beer garden I wish to express my Full support. The new owners of the ferry boat have made a success of the establishment where many others before them have failed however publicans are going to need all the help they can get in these difficult times to get their business's back on track and profitable again. They ferry boat has a good reputation as somewhere to watch a live band and the location by the beach makes it the best place in shaldon to do this and attracts many visitors as a result. I understand that the outside music would usually be held in the daytime not in the evening and having lived in shaldon for most of my life I feel there are far greater nuisances than the sound of live music being performed for a couple of hours (including seagulls, delivery trucks reversing, beach parties, cars driving too fast and motor bikes roaring across the bridge amongst others!!). The pub has been a popular feature of the village for hundreds of years and property owners need in my view to accept the good and the bad aspects of central village living during what is usually only a very short summer. I feel the risk of losing this village asset is a real possibility unless we support all they are proposing to make their business profitable.

Kind regards

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 23 June 2020 16:54
To: Ext Mail: Licensing
Subject: Ferryboat Inn - Shaldon. Variation for Amplified Music.

DAV:abstract: [REDACTED]

Dear [REDACTED]

I find it indignant that those who purchase a property within close proximity to a public house attempt to enforce their will to prevent the premises from being used as such. I cannot understand how we have allowed self-righteous opinions to be thrust on the general community at large with a one-man crusade to oppress this establishment from conducting its business. This variation is not unreasonable and demonstrates that the proprietors are already sympathetic to the neighbouring residents as all amplified music will be ceased by a reasonable hour. I implore you to see sense and not be swayed by the will of one man who wishing to have his cake and eat it. Please note that these premises have been used as a public house long before this authoritarian came into existence and will be used as such long after he has passed. As I'm sure you are all too aware, these kinds of businesses have been hit hardest in the wake of Covid-19 and whilst a time-restricted variation is not what is being requested, this measure may allow for a compromise on both sides. This option would allow a struggling business to regain their footing and an annual review maybe something that will quell the one-man rebellion (although I have my doubts).

Kind Regards,
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 23 June 2020 18:16
To: Ext Mail: Licensing
Cc: environmentalhealth@teignbridge.gov.uk
Subject: Ferryboat Inn - Shaldon: [REDACTED]

Hi [REDACTED]

I write to offer my support of the variation put in place for amplified music in the garden of the Ferryboat Inn.

As you will no doubt be aware businesses are at breaking point across the country as a result of pandemic and resultant forced closures of businesses. We should all be doing all we can to support business and trade and avoid the likely scenario that many businesses will be forced to close. Shaldon has seen many of it's pubs close over the years with only a handful remaining. Of these the Ferryboat is central to the village and a focal point for residents and tourists alike. Enabling it to increase it's trade and thus survive should be first and foremost in any decision being made.

I myself live within earshot of a licensed premise and there is live music on a Saturday night in there. I moved into this premise knowing this was the case, it is part and parcel of living near a pub and helps draw people in. I'd rather that than another empty premise or converted building lining the pockets of the few.

Whilst the amplification of music may prove a mild irritant for some, the draw to the village is immeasurable. In a time where many will be holidaying in the UK, villages across the UK will be competing to capitalise on new faces arriving and spending money in the local businesses. Allowing live music outdoors, twice a week is a sure fire way for people to be attracted to the village, and at the same time enjoy the famous hospitality with which the village is known for.

In 40 years I have seen village businesses close one by one – we are now faced with a situation where we simply must protect the businesses we have and enhance their ability to trade – especially when trade has been taken from them for the bulk of the year. I for one am in full support of such a move and appeal to you to think of the wider village and it's future, not just the voices of the few.

Kind Regards,

[REDACTED]
Dagmar Street
Shaldon
[REDACTED]

Calls may be recorded.

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[REDACTED]

From: [REDACTED]
Sent: 23 June 2020 19:34
To: Ext Mail: Licensing
Cc: [REDACTED]
Subject: Ferryboat Inn live music

To whom it may concern

I am very disappointed to learn of the rather underhand campaign to prevent the grant of a Variation of a Licence for the Ferryboat Inn.

Amplified live music isn't my preference, however we're talking about 48 hour in a year & I believe it's essential that we maintain a variety of entertainment in our village if we wish it to continue to thrive.

Local businesses, many in the hospitality sector, have endured a terrible last four months and some will struggle to make the money needed to see them through the winter months. People's livelihoods are at risk, and I find it depressing to think that some residents don't care about anything but their own tastes.

It's my view, and that of many others in the village, that The Ferryboat Inn is now managed better than at any time in the last 10 or twenty years. The Landlords should be commended. Most of the other local pubs concentrate mainly on serving great food – and good luck to them, but we must not force younger people to travel to Teignmouth and beyond every time they want some entertainment.

We are very fortunate to live in a beautiful and lively village, with shops, a beach, a great school, pubs & restaurants. We must not let Shaldon become a Retirement village, pickled in aspic.

Yours sincerely

[REDACTED]
Albion Street

Sent from [Mail](#) for Windows 10

[REDACTED]

From: [REDACTED]
Sent: 24 June 2020 21:21
To: Ext Mail: Licensing
Subject: Ferryboat inn

To whom it may concern,

I would like to comment on the ferryboat inn's application for a limited amount of live amplified music outside.

Myself and the many friends I have in the village have always enjoyed listening to the live music on a Sunday afternoon whether it be in the pub or the few occasions it is permitted in the beer garden.

I have a 19-year-old daughter who is now old enough to join us with her friends, making it an exceptionally enjoyable family afternoon.

Shaldon is a fantastic village to live in with a mix of all ages, and whether you want to play bowls on the green, go fishing, play bingo or just listen to a live local band, it has something for everybody, Let's keep it that way!!

Your sincerely

[REDACTED]
TQ140DF

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Licensing Act 2003

PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS INFORMATION FOR PARTIES

References in these notes to "the Act" are to the Licensing Act 2003 and references to "the Regulations" are to The Licensing Act 2003 (Hearings) Regulations 2005.

1. Right of attendance, assistance and representation

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority's right to exclude any person from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing or that part of the hearing taking place in public.

2. Representations and supporting information

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party. This authority generally will allow all parties to ask questions of another party present, but this decision will be taken on a case by case basis and in some exceptional circumstances (a reason will be given) cross examination may be prohibited.

3. Consequences if you fail to attend or be represented

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

4. The hearing – general matters

- 4.1 Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chairman may change the order at his/her discretion.

- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the Local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest. If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.3 The Chairman shall identify the elected Members, the Legal Advisor, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4 Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.5 If a party has informed the authority that they will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that they will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.6 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.7 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.8 Applications, relevant representations and/or notices shall have been sent to the authority and to the other parties entitled to receive them prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.9.1 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
 - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.
- 4.10 The four licensing objectives, as given by the Licensing Act 2003, are:
- the prevention of crime and disorder;
 - public safety;
 - the prevention public nuisance; and
 - the protection of children from harm

- 4.11 Each application that comes before this committee will be treated on its own merits, and this licensing authority will take its decision based upon:
- The merits of the application
 - The promotion of the four licensing objectives
 - The policy of the licensing authority, a copy of which can be obtained from Teignbridge District Council's Licensing Section or on the Council's website at www.teignbridge.gov.uk
 - The guidance issued by the Secretary of State for Culture, Media and Sport on 7th July 2004 under section 182 of the Licensing Act 2003.

5. The Hearing – procedure

The procedure of the sub-committee is as follows:

- 5.1 The Chairman will open the meeting, introducing Members of the sub-committee (advising of any substitute members) and officers present to those attending the meeting and explaining the nature of the decision to be taken
- 5.2 The legal advisor will explain the procedure to be followed and ask the parties if they understand the procedure
- 5.3 The sub-committee will consider any request(s) previously made by any party(ies) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld
- 5.4 The licensing officer will outline the application, any relevant representations and relevancies to the local authority licensing policy statement and statutory guidance (optional). This may be done by reference to the report circulated with the Agenda.
- 5.5 Members may ask any relevant questions of the Licensing officer.
- 5.6 The legal advisor will introduce the applicant (if present) and invite him or her, or person representing them, to clarify any information arising from the licensing officer's outline, if necessary. (*See note (a) below).
- 5.7 The legal advisor will invite those parties making representations to address the sub-committee in the following order: (*See note (a) below).
- (1) Responsible authorities
- Police authority
 - Environmental Health
 - Fire Authority
 - Local Planning Authority
 - Health & Safety enforcing authority
 - Body responsible for protecting children from harm
 - Other licensing authority
 - Other
- (2) Interested parties (*See note (b) below).
- 5.8 Members to ask any relevant questions of those parties making representations.
- 5.9 Applicant or person representing them to ask any relevant questions of those parties making representations.

- 5.10 Applicant or person representing them addresses the committee. (*See note (a) below).
- 5.11 Members may ask any relevant questions of the applicant or person representing them.
- 5.12 Parties that made representations to ask any relevant questions of the applicant or person representing them in the same order as set out in 5.7 above. (*See note (a) and (d) below).
- 5.13 The Chairman will invite any parties making representations (in the order set out in 5.7 above), followed by the applicant or those representing them, to briefly summarise their points if they wish. (*See note (a) below).
- 5.14 Members of the committee discuss and make their decision (See notes 8.1 and 8.2 below), and may move into private session to do so.
- 5.15 The Chairman relays the decision and the reasons given for the decision, and any conditions placed upon the licence (if granted) and the licensing objective(s) that they relate to. (*See notes 8.3, 8.4 and 8.5 below).

Notes

- (a) This licensing authority grants a maximum 15 minutes per party in total to make all relevant statements, but respectfully request that all parties keep points pertinent and the discussion moving in the interests of cost and efficiency.
- (b) Where there is more than one interested party speaking either in objection to, or in support of the application, a spokesperson should be agreed to speak on behalf of the objectors/supporters.
- (c) Applicants and persons who have made relevant representations have a right to appeal in various circumstances, details of which can be obtained from the licensing officer.
- (d) It is expected that this will consist of a summary of matters that have already been presented to the Sub-committee. New information will not be accepted at this stage.

6. Evidence

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

7. Legal Advice

- 7.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-
- questions of law;
 - matters of practice and procedure;
 - the options available to the sub-committee in making their decision;
 - any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
 - other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
 - where appropriate to assist the sub-committee in recording the reasons for its determination.
- 7.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.
- 7.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

8. Determination of applications

- 8.1 When all the evidence has been heard, the Members may move into private session and withdraw to make their deliberations. The Legal Advisor may accompany the sub-committee to give legal or procedural advice, but the Members will make the determination.
- 8.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.
- 8.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:
- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
 - Hearing to consider review of premises licence following closure order [s.167(5)(a)]
 - Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]
 - Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
 - Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
 - Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
 - Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]
- 8.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.
- 8.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

9. Quorum

- 9.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members but every effort will be made to ensure that wherever practicable the decision shall be taken by 3 members.
- 9.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

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THE PROCESS FOR VIRTUAL HEARING

The Council have an adopted procedure for hearings and this attached to this report. In so far as is possible and practicable, the Licensing Authority will work in accordance with this procedure.

As a result of the current Coronavirus (COVID-19) pandemic, one of the most significant changes for this hearing is that it will be conducted using the videoconferencing platform 'Zoom' (as opposed to being held in a meeting room at the Council offices).

A link which will take you to the meeting will be provided in the agenda. If there are any issues (or if you are unable to attend the hearing) you should notify the licensing team (licensing@teignbridge.gov.uk) as soon as possible.

A remote Zoom test meeting for speakers will be held on either the 16 or 17 July. A calendar invite will be sent to you. Please send your name, email address, phone number and whether you are an objector or supporter to comsec@teignbridge.gov.uk by 15 July, 2020. A Zoom calendar invitation for the Licensing meeting will be sent following the test meeting.

In theory, attendees can, with the consent of all parties, produce documentary information at the hearing. In practice, and because of how the hearing is now being held, this may be difficult and the Licensing Authority is requesting that if any party has documentary information they wish to provide or rely on, this be sent to the licensing team (licensing@teignbridge.gov.uk) with their response to the Notice of Hearing (which must be submitted 5 working days before the hearing). Also if you are unable to attend but wish to put in writing what you would have said, had you been in attendance, to expand on your submitted representation please send this to the licensing team (licensing@teignbridge.gov.uk) with their response to the Notice of Hearing (which must be submitted 5 working days before the hearing).

In addition, and to try and ensure the hearing runs as smoothly as possible, the following points should be noted and followed during the hearing:

- Parties should ensure that they are in a private, quiet space where they will not be disturbed. Other occupants of the household should be reminded not to interrupt the participant during the hearing. The door to the room in which the participant is based should be closed and, if possible, locked.
- Other noise sources should be silenced including telephones, mobile phones, tablet devices, Amazon Echo & Google Home devices, door bells, dishwashers etc.
- Participants should organise their workspace carefully in advance. Clear it of anything that is not related to the hearing.
- Attendees should, if possible, ensure that they have a plain wall as a background.
- Ensure that you are well lit by natural or artificial light. Avoid sitting with your back to a window or other light source. This can result in only your silhouette appearing on screen.
- Parties should attend the hearing alone, unless they are sat together with another attendee. The room should be one that has a good Wi-Fi/internet connection and has good lighting.
- Participants should dress in a similar manner to the way they would dress if attending a traditional hearing.
- No food should be eaten during a remote hearing. A glass of water or coffee / tea should suffice for refreshment.
- Parties should remain seated during the hearing.
- Parties should check that their microphone, camera and sound settings are working. This should preferably be done as early as possible. This will allow any technical issues to be raised and dealt with without the need to delay the hearing.
- A computer or other device's in-built camera, microphone and speaker will usually suffice.

- Avoid setting your device to the highest volume, since this is likely to cause feedback when you are speaking.
- Participants should log in at least 15-20 minutes before the hearing starts to confirm that they are having no technical difficulties.
- In case of a technological problem concerning the internet or Wi-Fi connection, you should have a telephone on hand. You should ensure that the number for this phone is provided to the licensing team in your response to the Notice of Hearing.
- If there is a technical failure that cannot be fixed, then the hearing may have to be adjourned.
- Parties should mute their audio when they are not speaking. A failure to do so may disrupt the hearing.
- When it is your turn to speak, remember to unmute your microphone. Speak directly into the microphone.
- Parties should keep their video cameras on at all times if possible. They should be aware that many video-platforms will show your entered name and (if chosen) picture if the camera is turned off. Parties should check their name is correct and their picture is appropriate.
- When speaking, maintain eye contact with the camera. This will ensure you appear to be looking at your audience.
- Ensure that you are clearly visible by maintaining a reasonable distance from the camera, to show your head and upper body. Too close and your image may blur and fill the screen, too far and you will appear distant and detached from the hearing.
- Be mindful that the camera records a wider area than one sees on one's own screen.
- Remember that others are watching even if you cannot see them. In cases involving multiple participants, thumbnail video images may appear on screen, but these thumbnails often move off screen to allow participants to see the face of the person talking, or the document being shared. Observers may also be present. As such, often there are people present at the hearing who are not visible.
- Oral submissions should be structured, relevant to the issues, and not repetitive.
- Concentrate on the substance. Brevity and precision are key. Aim to present your case in a low-key, courteous and measured way.
- In a remote hearing, a brief delay typically occurs between the video image of the person speaking and their voice being heard by the others. This connection delay may lead participants to believe a person has finished speaking before they have, in fact, done so and is liable to result in participants inadvertently speaking over one another.
- Do not interrupt. Let a speaker finish before speaking. Be especially careful not to interrupt another speaker.
- After each party is finished speaking the video hearing should always revert back to the Chair to invite the next speaker. No one should speak without being invited to do so by the Chair.