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19 March 2024

LICENSING AND REGULATORY SUB-COMMITTEE

A meeting of the **Licensing and Regulatory Sub-Committee** will be held on **Wednesday, 27th March, 2024** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **2.00 pm**

PHIL SHEARS
Managing Director

Membership:

Councillors Hayes (Chair), Jackman and Peart

Please Note: Filming is permitted during Committee meeting with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public. By entering the meeting room you are consenting to being filmed.

A G E N D A

Part I

1. **Apologies**
2. **Declarations of Interest (if any)**
3. **Minutes** (Pages 3 - 8)
To approve and sign the Minutes of the meeting held on 8 February 2024.
4. **Application for a New Premises Licence - Hearn Field and Pavilion** (Pages 9 - 54)

5. **Request for Private Hire Vehicle Licence for Vehicle over 5 years and small plate request - LM06 HUM** (Pages 55 - 74)
6. **Request for Private Hire Vehicle Extension for further 12 months - KLZ 1117** (Pages 75 - 92)
7. **Review of a small plate for a Private Hire vehicle - CR15 KHO** (Pages 93 - 98)

Part II: Items suggested for discussion with the press and public excluded

8. **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

RECOMMENDED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1,2 and 5 of Part 1 of Schedule 12A of the Act

9. **Application for Combined Hackney Carriage/Private Hire Drivers Licence** (Pages 99 - 116)

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

LICENSING AND REGULATORY SUB-COMMITTEE**THURSDAY, 8 FEBRUARY 2024**Present:

Councillors Atkins, Bradford and Dawson (Vice-Chair)

Officers in Attendance:

Licensing Officer

Legal Assistant

44. APOLOGIES

None.

45. DECLARATIONS OF INTEREST (IF ANY)

None.

46. APPLICATION FOR STRETCHED LIMOUSINE AND THE REQUEST FOR A SMALL PLATE - RR04 LMO

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in August 2024, with no advisories and that the vehicle passed its annual taxi inspection test on 19 January with no advisories. The Applicant's representative was in attendance and answered questions from the committee relating to the maintenance of the vehicle.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

Decision

Accordingly, the Sub-Committee grants the new Private Hire Vehicle Licence for a year along with the small plate request with the additional condition of 6 monthly vehicle inspection tests due to the age of the vehicle.

47. APPLICATION FOR STRETCHED LIMOUSINE AND THE REQUEST FOR A SMALL PLATE - S11 VSK

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in January 2025, with no advisories and that the vehicle passed its annual taxi inspection test on 26 January 2024 with no advisories. The Applicant's representative was in attendance and answered questions from the committee relating to the maintenance of the vehicle.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

Decision

Accordingly, the Sub-Committee grants the new Private Hire Vehicle Licence for a year along with the small plate request with the additional condition of 6 monthly vehicle inspection tests due to the age of the vehicle.

48. REQUEST FOR HACKNEY CARRIAGE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - BJ62 UYS

The Sub-Committee noted the information provided by way of the report. The Applicant was not in attendance. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in February 2025, with three advisories and that the vehicle passed its annual taxi inspection test on 31 January with advisories.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

Decision

Accordingly, the Sub-Committee grants the Hackney Carriage Vehicle Licence Extension as detailed in the report with the additional condition of 4 monthly taxi inspection tests due to the age of the vehicle and to monitor the advisories listed.

49. REQUEST FOR HACKNEY CARRIAGE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - DY13 YRL

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in March 2024, with one advisory and that the vehicle passed its annual taxi inspection test on 2 February with advisories. The Applicant's representative was in attendance and confirmed the oil leak was being monitored by the garage.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

Decision

Accordingly, the Sub-Committee grants the Hackney Carriage Vehicle Licence Extension as detailed in the report with the additional condition of 6 monthly taxi inspection tests due to the age of the vehicle and the advisories listed.

50. REQUEST FOR HACKNEY CARRIAGE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - RO13 HVS

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in January 2025, with two advisories and that the vehicle passed its annual taxi inspection test on 1 February with advisories. The Applicant's representative was in attendance and

answered questions from the sub-committee in relation to the tyre condition and maintenance.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

Decision

Accordingly, the Sub-Committee grants the Hackney Carriage Vehicle Licence Extension as detailed in the report with the additional condition of 4 monthly taxi inspection tests due to the age of the vehicle and to monitor the advisories listed.

51. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1,2 and 5 of Part 1 of Schedule 12A of the Act.

52. REVIEW OF A HACKNEY CARRIAGE DRIVERS LICENCE

The driver attended the meeting in person and was represented by a solicitor. The Sub-Committee sought confirmation from the Solicitor and driver that they had had enough time to review all evidence submitted with the report and were happy to continue with the hearing. Confirmation was duly provided.

Arising from consideration of the report, evidence presented and in accordance with the Council's procedure for hearings, it was moved by Councillor Dawson and seconded by Councillor Bradford, and

RESOLVED that the Hackney Carriage Drivers Licence be revoked with immediate effect under Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976, in order to promote public safety due to the conduct of the Driver as set out in the Report. The Sub-Committee felt there was reasonable cause to support its view that the driver is not a fit and proper person to hold such a Licence.

Reasons for the decision:

Members noted the information set out in the Report. The main complaints made against the driver related to non-use of the meter and charging a fixed fee, swearing and aggressive behaviour and being parked on a Teignbridge taxi rank with a Mid Devon plated vehicle. The Sub-Committee had previously viewed video footage of three of the incidents in question.

The Sub-Committee then heard from the solicitor. The driver has been working for a local firm for at least 2 years and they have been pressuring him to charge a fixed fee, take payment upfront and to not turn on the meter. The shifts were mainly at night which can be a challenging time and the driver has previously been assaulted but no further action was taken by the police.

These difficult work circumstances along with the added pressure from the taxi firm meant the driver felt he had to take a fixed payment upfront. The taxi firm told the driver this was

Licensing and Regulatory Sub-Committee (8.2.2024)

lawful and when recently questioned by the driver they did not reply. Two text messages were shown which detailed jobs for the driver and how much he should charge. Further messages were unable to be retrieved as the driver no longer has access to the firm's app.

The solicitor explained that the driver no longer works for the taxi company as he can now see the problems with how the firm was operating, although he is confident customers were not overcharged. The driver now plans to mainly work from the train station and completing school contracts. The driver has also had CCTV professionally installed in his taxi which will hold recordings for 30 days. This can then be produced for inspections should there be any further complaints or incidents. The driver feels that these adjustments will stop further issues from happening and hopes a way forward can be found.

The allegation of aggressive behaviour whilst on a school run was addressed by the solicitor who explained that the driver believes he was wrongly identified and no further action was taken by Devon County Council. The Licensing Officer clarified for the Sub-Committee that the driver had been named by a parent.

In relation to having a wrongly plated taxi on a Teignbridge rank the driver's solicitor explained that the taxi firm had given this vehicle as a replacement for his usual one which had broken down and he moved the taxi once he was told he could not park there.

The Licensing Officer confirmed that the driver had attended two meetings to address the complaints. The driver had apologised and explained that the taxi firm had told him not to use the meter. The Licensing team have explained to the driver on more than one occasion that the meter must be used. If drivers are unsure then they must come back and check. They have also followed this up with the taxi company who deny that they ask their drivers to not use the meter.

The Committee thanked the driver for appearing before them and for answering their questions. However, all factors combined meant that the Sub-Committee did not consider that the driver was a fit and proper person.

The Sub-Committee were concerned by the number of complaints that had been received since the driver became licensed. The Sub-Committee were concerned that the driver had been told of expectations for using the meter on more than one occasion and yet still charged customers a fixed fee and did not turn on the meter. Whilst the Sub-Committee empathised that the driver said he had been under pressure from his employer, it is up to drivers to behave appropriately, and the Sub-Committee believed the driver should have spoken to the Licensing Team to report his concerns and could even have looked for alternative employment as he is now doing.

In relation to the wrongly plated vehicle on the taxi rank the Sub-Committee accepted that the driver had been given a replacement car by his company and so had not intentionally set out to mislead customers, however he should still have realised this was not acceptable and not parked on Teignbridge taxi ranks.

The Sub-Committee could not ignore the video footage that showed the driver behaving in a way that fell below that expected of a licensed driver. One video showed him refusing to show a customer his badge, swearing and seemingly trying to charge more than what is shown on the meter. A further video showed a customer repeatedly asking the driver to put on his meter and being charged a fixed rate and being asked to pay upfront. Charging a customer more than the legal fare is an offence under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. It is also an offence to not produce the Hackney Carriage Driver's licence when requested.

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Whilst the Sub-Committee appreciated the driver's assurances that these incidents would not happen again, they were concerned by what appeared to be a pattern of behaviour despite meetings with the Licensing Officers and reminders of what is expected from a driver. Though CCTV has now been fitted to the car, this still relies upon the driver ensuring it is turned on and used appropriately. The Sub-Committee were concerned that the driver did not seem to understand the expectations and responsibilities that came with being a licensed driver and working with members of the public. The sub-committee understand it can be a difficult job and that some situations are unavoidable; however, this does not excuse behaving in the manner shown in the footage and repeatedly behaving this way.

Applying the test of whether Members of the Sub-Committee would be happy for a person they cared about or a vulnerable person to travel alone in a vehicle with the driver, it was concluded after significant deliberation that they would not. The Sub-Committee noted its overriding duty to the public, and of the importance of protecting the public and of public safety and considered that, on balance, there was cause to show that the driver was not a fit and proper person to hold a Licence.

The Sub-Committee therefore considered given the circumstances of this case that it be reasonable and proportionate to revoke the driver's Hackney Carriage Driver Licence with immediate effect.

Cllr R Dawson
Chair

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TEIGNBRIDGE DISTRICT COUNCIL

LICENSING AND REGULATORY SUB-COMMITTEE

CHAIR: Cllr Robert Hayes

DATE: 27 March 2024
REPORT OF: Licensing Officer
SUBJECT: **Application for a New Premises Licence**

PART I

RECOMMENDATION

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

PART I

1. THE APPLICATION

Applicant: **Hearn Field Committee**

Premises: **Hearn Field and Pavilion, Shaldon Road, Combeinteignhead, Newton Abbot TQ12 4RR**

The application is for a Premises Licence to be granted under the Licensing Act 2003 is to allow the provision of plays, provision of films, provision of live music, provision of recorded music, performance of dance, provision of anything of a similar description to live music, recorded music or performances of dance and the supply of alcohol. Attached is a copy of the location plan and plan of premises (Appendix A).

The operating schedule shows: -

Hours premises open to the public: Monday to Sunday 8am to 11.30pm.

Relevant licensable activities:

- Supply of alcohol.
- Provision of regulated entertainment: live music and anything similar.
- Provision of plays and films

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Hours of licensable activities:

Provision of plays	Monday to Sunday 10am to 11.30pm
Provision of films	Monday to Sunday 12 noon to 11.30pm
Provision of Live Music	Monday to Sunday 10am to 11.30pm
Playing of Recorded Music	Monday to Saturday 10am to 11.30pm Sunday 10am to 11pm
Provision of Dance	Monday to Sunday 10am to 11.30pm
Anything of a Similar Description	Monday to Sunday 10am to 11.30pm
Supply of Alcohol	Monday to Sunday 12 noon to 11pm

Seasonal variation on all licensable activities – none.

Designated premises supervisor: Disapplied

Supply of alcohol is for consumption on and off the premises.

Steps to promote licensing objectives:

- General

This application is made on behalf of the Haccombe-with-Combe Parish Council, which owns and manages the Hearn Field and Pavilion for its own community. On a day to day basis these facilities are run by a sub-Committee of the Parish Council (The Hearn Field Committee or "H.F Committee"). HF Committee members have had considerable experience in the management of the facilities and the running of events, including those with a TENs licence for the sale of alcohol. This has involved the development of policies and systems for the safe management of facilities and events.

Events at the Hearn Field have been, and will continue to be, mainly family events around a specific entertainment, advertised well in advance. The sale of alcohol is never intended to be a primary activity.

The HF Committee will ensure that at all times when the premises are used for licensable activity, they are in a fit and safe condition,

The HF Committee will have and further develop as necessary Policies and systems to promote the four licensing objectives.

- The Prevention of Crime and Disorder

We intend to deliver community and family-based events which are expected to have a low crime and disorder consequence. Furthermore, events will be mainly advertised in our local community which has a low incidence of recorded crime. However, we will continue to take measures to be aware of and prevent crime and disorder, as follows:

A HF Committee representative has ongoing monthly Police and Communities Together (PACT) meetings at the Hearn Field with our Community Policing Team.

The Hearn Field is open to the public at all times; but vehicles are excluded from the field without permission of the Committee.

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All doors on the Pavilion are secured. Machinery and equipment is locked out of site in one of two sheds.

Tickets for larger events are pre-sold to control numbers attending, and we are able to manage our boundary and gates.

We only engage gate and marshalling staff who are known members of our community. They complete training before events and are identified to attendees with high visibility clothing.

There will also be sufficient trained staff on duty for the purpose of fulfilling the terms and conditions of the licence. Staff serving alcohol will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training.

Staff will be aware of who their supervisor is, who are the committee members managing the event, and a system to contact them without delay should the need arise.

- Public Safety

The HF Committee has current systems to manage, and will continue to implement the following measures to protect public safety:

The Pavilion will be inspected, certified and maintained for safety, including fire and electrical safety.

Appropriate types and numbers of fire extinguishers, and first aid kit are maintained on site. All parts of the facility have a good mobile signal, and emergency services can easily access from the road.

Before events, a written risk assessment will be completed, and control measures will be put in place. Individuals will be identified to implement and check before the event.

Staff training before events to include issues of public safety. Staff identified to the attendees by wearing high visibility clothing.

The above will include issues associated with alcohol consumption. Staff will know that it is an offence to sell alcohol to a person who is drunk or underage.

Larger events will have identified first aiders and a local doctor as appropriate.

Numbers attending larger events will be managed in the interests of public safety. This will include as appropriate ticket sales and/or controlling access through the boundary gates.

Provide and service appropriate glass and other waste disposal facilities during events.

Discernibly quieter music for the last half an hour.

- The Prevention of Public Nuisance

Noise Prevention - We will keep any speakers within the premises and won't position them close to entrances or exits. We will not deliberately play or direct music outside the premises. We will not remove bottles or waste late at night. We will take all reasonable steps to ensure that noise does not cause an unreasonable disturbance to the wider public, such as passers-by. We will ensure all staff and volunteers understand our noise control requirements.

Odour Control - We use sealed waste bins with close fitting lids. The waste is collected on a regular basis by the council. The waste storage area has adequate drainage and can be properly cleaned. We have a regular programme of cleaning and maintenance. We recycle waste wherever possible. We have clean and accessible toilets that are open to the public during events and when the coffee bar is open. Members of the committee regularly walk

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the field and can report back and deal with any litter problems. During an event, members of the public are encouraged to dispose of their litter responsibly by having well signed bins.

Light Pollution - There is a thick hedge separating the road and Wellings from Hearn Field. There is lighting on the pavilion which is only used during events /bookings on the field after dark. They are positioned away from the dwellings and road behind. The security light is activated by sensors and is properly set, ensuring it does not repeatedly come on and off. It is directed away from the dwellings and road. Some temporary lighting may be used during an event for practical or atmospheric purposes, but this will be only for a period of a few hours and will be positioned away from dwellings.

- The Protection of Children from Harm

As previously stated, it is the intention to use the Premises Licence to continue to deliver community and family-oriented activities. In this context children will normally be expected to attend events appropriate for their age and in the company of a responsible adult or family member.

Furthermore, procedures will be in place to ensure:

If an age restriction applies, then this will be clearly advertised in advance of the event. Staff serving alcohol will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to Challenge 25, drunkenness and underage persons. Records will be kept of training.

Entertainers or others working closely with children will be asked to supply a current copy of their DBS certificate.

Information will be made available to the public about child safeguarding issues including flyers/signage to remind adults of their responsibilities in relation to children and responsible drinking.

We will ensure that the relevant events staff (promoters/presenters) are briefed so that age appropriate family friendly language and material is used and that communications are responsible and do not encourage inappropriate or irresponsible behaviour.

Conditions Agreed – Environmental Health

The following conditions that would need to be added to the event booking form to protect the residents from any potential disruption.

- Residents who are potentially going to be disturbed should be sent a letter / leaflet outlining the nature of the event, the date, the start and finish times. This could also include a post on the local social media platform or notice boards, people are less likely to complain if they are aware of what is happening.
- Please consider the orientation of the sound equipment, face them away from noise sensitive premises.
- Your application states that the music will end no later than 11pm, I think it would be wise to advise that as part of your booking process you request that music should be reduced in volume for the final hour of the event.

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- Please can you ensure that you place signs around the pavilion advising users to leave the site quietly and respectfully as it is a residential area.

2. RELEVANT REPRESENTATIONS

Responsible authorities:

Police – no objection.

Environmental Health Officer – no objection – advice given.

Fire Officer – no objection.

Planning Officer – no objection.

Food and Safety - no representation received.

Child Protection Agency - no representation received.

Weights & Measures – no representation received.

Health Authority - no representation received.

Interested parties:

18 representations received on the grounds of Public Nuisance.

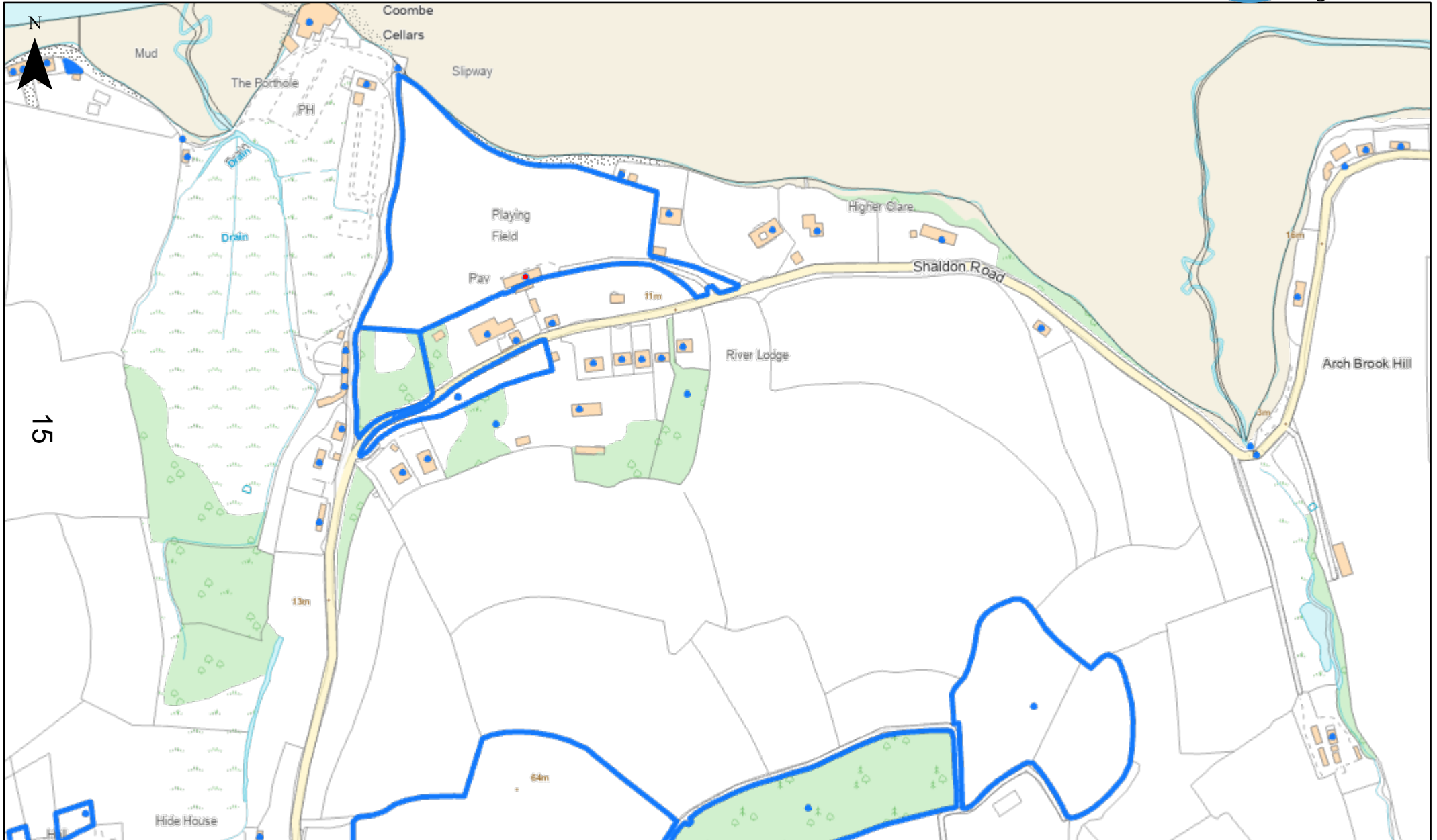
Note: Relevant extracts from D.C.M.S. Guidance and the Council’s own Licensing Policy are attached at the end of the report to assist members consider these representations.

Name Debbie Rosenveldt

Title Licensing Officer

Wards affected	<i>Kerswell-with-Combe</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 map Appendix B – Premises plan Appendix C – National guidance Appendix D - Policy</i>

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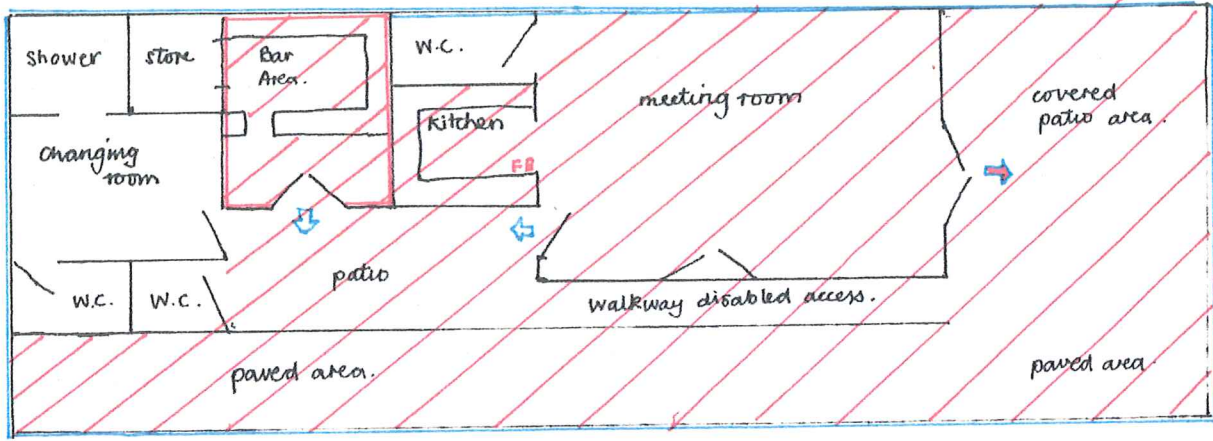
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Hearn Field Pavillion

Scale 1:100.

➔ FIRE ESCAPE

grass

➔ ENTRANCES

F.E. FIRE EXTINGUISHER.

/// ALCOHOL CONSUMPTION

□ SUPPLY OF ALCOHOL.

Hearn Field Scale Plan

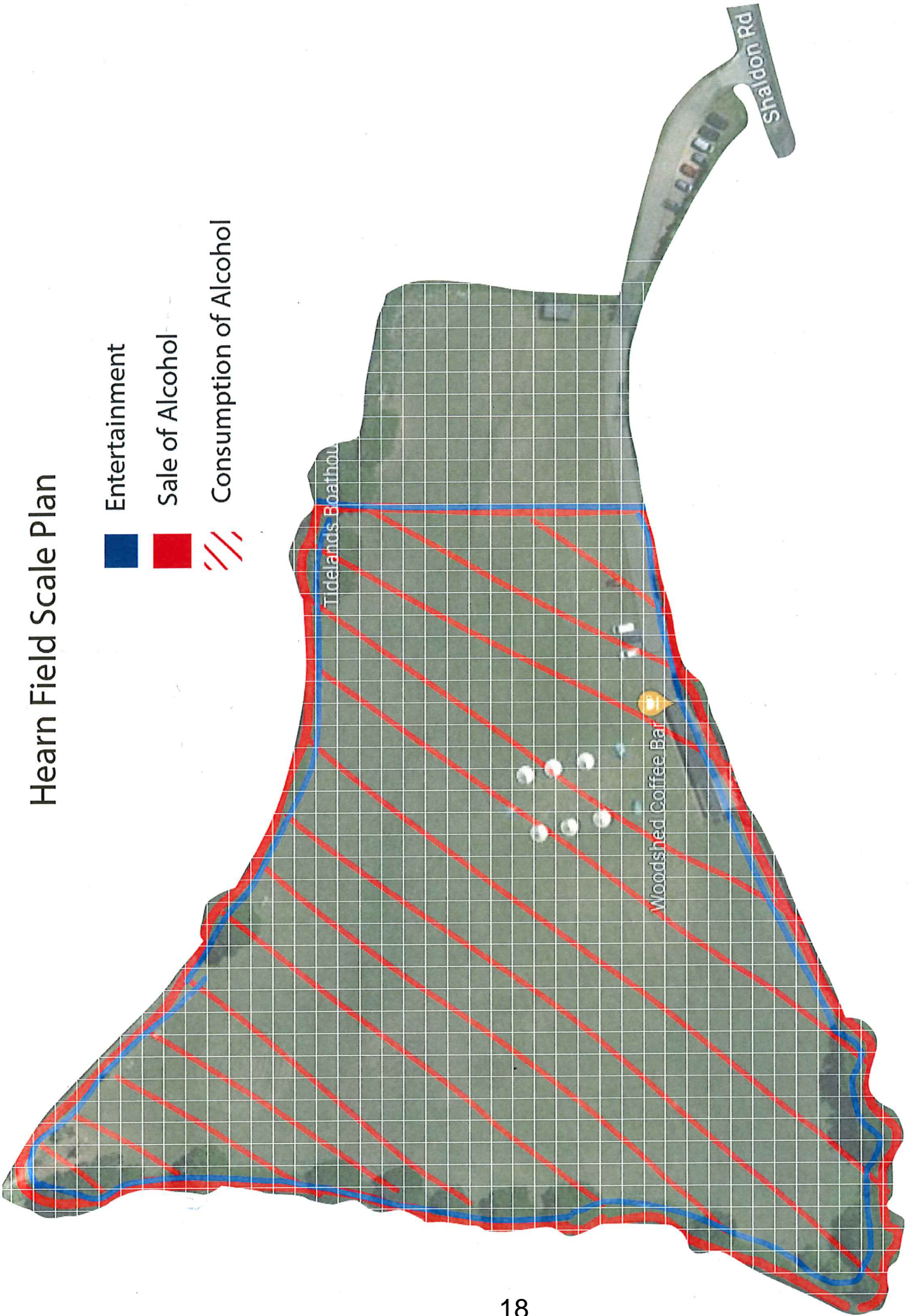
Entertainment



Sale of Alcohol



Consumption of Alcohol



National Guidance

National guidance regarding premises is as follows:-

- ‘14.9 All statements of policy should begin by stating the four licensing objectives, which the licensing policy should promote. In determining its policy, a licensing authority must have regard to this Guidance and give appropriate weight to the views of consultees.*
- 14.10 While statements of policy may set out a general approach to making licensing decisions, they must not ignore or be inconsistent with provisions in the 2003 Act. For example, a statement of policy must not undermine the right of any person to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its individual merits.*
- 14.11 Similarly, no statement of policy should override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.*
- 14.12 Statements of policies should make clear that:*
- licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act; and*
 - conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity.*
- 14.13 A statement of policy should also make clear that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres.*
- 14.24 A cumulative impact assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.*
- 14.29 As noted above, there should be an evidential basis for the decision to publish a Cumulative Impact Assessment. Local Community Safety Partnerships and responsible authorities, such as the police and the environmental health authority, may hold relevant information which would inform licensing authorities when establishing the evidence base for publishing a CIA. Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Information which licensing authorities may be able to draw on includes:*
- Local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;*
 - Statistics on local anti-social behaviour offences;*

- Health-related statistics such as alcohol-related emergency attendances and hospital admissions;
- Environmental health complaints, particularly in relation to litter and noise;
- Complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
- Residents' questionnaires;
- Evidence from local and parish councillors; and
- Evidence obtained through local consultation.

14.30 The licensing authority may consider this evidence, alongside its own evidence of the impact of licensable activities within its area and consider in particular the times at which licensable activities are carried on. Information which may inform consideration of these issues includes:

- Trends in licence applications, particularly trends in applications by types of premises and terminal hours;
- Changes in terminal hours of premises;
- Premises capacities at different times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times.

14.33 After considering the available evidence and consulting those individuals and organisations listed in section 5(3) of the 2003 Act and any others, a licensing authority may be satisfied that it is appropriate to publish a CIA. The CIA should also be considered alongside local planning policy and other factors which may assist in mitigating the cumulative impact of licensed premises, as set out in paragraph 14.47.

14.40 In publishing a CIA a licensing authority is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described. Having published a CIA a licensing authority must have regard to the assessment when determining or revising its statement of licensing policy. It is therefore expected that, in respect of each relevant application in the area concerned, the licensing authority will be considering whether it is appropriate to make a representation to its committee as a responsible authority in its own right. The CIA does not, however, change the fundamental way that licensing decisions are made. It is therefore open to the licensing authority to grant an application where it considers it is appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and a licensing authority decides to grant an application it will need to provide the applicant, the chief officer of police and all parties who made relevant representations with reasons for granting the application and this should include any reasons for departing from their own policy.

14.41 The CIA must also stress that it does not relieve responsible authorities (or any other persons) of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing objectives. Anyone making a representation may base it on the evidence published in the CIA, or the fact that a CIA has been published. It remains incumbent on all responsible authorities and other persons to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing. As with all licensing applications under the 2003 Act, if there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

14.44 A CIA should never be absolute. Statements of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its CIA in the light of the individual circumstances of the case. The impact can be expected to be different for

premises with different styles and characteristics. For example, while a large nightclub or high-capacity public house might add to problems of cumulative impact, a small restaurant or a theatre may not. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one or more of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

- 14.46 *CIAs must not impose quotas based on either the number of premises or the capacity of those premises. This is because quotas that indirectly have the effect of predetermining the outcome of any application would have no regard to the individual characteristics of the premises concerned.'*

National guidance regarding licensing hours is as follows:-

'14.51 With regard to licensing hours, the Government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

14.52 *Statements of licensing policy should set out the licensing authority's approach regarding licensed opening hours and the strategy it considers appropriate for the promotion of the licensing objectives in its area. The statement of licensing policy should emphasise the consideration which will be given to the individual merits of an application. The Government recognises that licensed premises make an important contribution to our local communities and has given councils a range of tools to effectively manage the different pressures that licensed premises can bring. In determining appropriate strategies around licensed opening hours, licensing authorities cannot seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives to do so.'*

National guidance regarding non-duplication of other regimes is as follows:-

'14.14 Statements of licensing policy should reflect the general principles regarding licence conditions set out in Chapter 1 of this guidance.

14.65 *The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa. However, as set out in chapter 9, licensing committees and officers should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.*

14.66 *There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.'*

National guidance regarding standardised conditions:-

'10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to

implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. copy of any document checked or a clear copy of the online right to work check) is retained at the licensed premises. Licensing authorities may also wish to consider placing additional conditions on licences to safeguard patrons against spiking, if deemed appropriate and proportionate for a specific venue where there is evidence to justify such action (a definition of spiking can be found in para 2.7). Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.'

APPENDIX

Licensing Policy Considerations

It is considered that the following have a bearing upon the application:

- 3.1 The Council, as the Authority, has a duty under Section 4 of the Act to carry out its licensing functions with a view to promoting the four licensing objectives. Each objective is of equal importance and there are no other licensing objectives. The licensing objectives are:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance and
 - the protection of children from harm
- 3.2 These objectives are the only matters to be taken into account in determining applications and any conditions attached must be necessary to achieve the licensing objectives. If there are no relevant representations then an application must be granted and will be subject only to the mandatory conditions and the applicant's operating schedule.
- 4.1.1 The licensing function is only one means of delivering the licensing objectives and should not be seen as a panacea for solving all alcohol and entertainment-related problems within the community. The Authority recognises that as well as the licensing function there are a number of other mechanisms for addressing alcohol-related crime and disorder such as:
- planning controls
 - Community Alcohol Partnerships
 - installation and/or expansion of CCTV systems in problem areas
 - Public Spaces Protection Orders (Crime and Policing Act 2014)
 - S.27 and s.30 Dispersal Orders (Anti-Social Behaviour Act 2003)
 - police powers to close some premises for up to 24 hours in extreme cases of disorder or excessive noise (Licensing Act, ss.160 & 161)
 - the power of Responsible Authorities and other persons to apply for a review of the licence (see 9.2)

The Authority will therefore continue to work in partnership with other licensing authorities, the Responsible Authorities, other agencies such as South Devon and Dartmoor Community Safety Partnership and with local businesses and residents in a co-ordinated approach to tackling alcohol-related crime and anti-social behaviour.

- 4.1.3 In discharging its licensing function, the Authority will comply with relevant legislation Section 17 Crime and Disorder Act 1998, The European Convention on Human Rights, which is applied by the Human Rights Act 1998, The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000 and Equality Act 2010.

The licensing authority will also have regard to other legislation, strategies, policies and guidance in its decision making.

- 4.1.4 The central purpose of the licensing function is to promote the licensing objectives through the effective regulation of licensed premises, qualifying clubs and temporary events. The Authority is keen to foster a safe and vibrant leisure economy and will work with applicants and licence holders to encourage and sustain well managed premises which make a positive contribution to the community. The Authority will expect applicants and licence holders to demonstrate that they have given thought to and have in place adequate measures to ensure that the operation of their premises will not have an adverse effect on the quality of life of persons living and/or working in the vicinity of the premises.
- 4.3.3 The Authority recognises that it is a fundamental principle of the Act that the licensing function should not duplicate other statutory regulation.
- 5.3.1 When determining a licence application, the overriding principle adopted by this Authority will be that each application will be determined on its merits. The Authority will have regard to any guidance issued by the Home Office, this Statement of Licensing Policy and any measures it deems necessary to promote the licensing objectives. The Authority may depart from the guidelines in this Policy if it has justifiable and compelling reasons to do so. The Authority will give reasons for any such departure from policy.
- 5.3.2 The Authority will expect applicants to demonstrate in their applications active steps for the promotion of the licensing objectives. When determining an application, a key consideration for the Authority will be the adequacy of measures proposed in the Operating Schedule to promote the licensing objectives having regard to the type of premises, the licensable activities to be provided, the nature of the location and the needs of the local community.
- 5.3.3 The Authority will also have regard to wider considerations affecting the residential population, businesses and the amenity of an area. These include alcohol-related violence and disorder, anti-social behaviour, littering, fouling, noise and the capacity of the infrastructure and police resources to cope with the movement of large numbers of people, particularly late at night and in the early morning.
- 5.3.4 Since the introduction of the Act, the Authority's experience is that the vast majority of complaints about licensed premises are caused by public nuisance, in particular excessive noise from live and recorded music and disturbance caused by customers congregating outside licensed premises. The Authority will expect applicants to have particular regard to these issues and to include in their Operating Schedules adequate and effective steps to control noise and disturbance from their premises. Existing licence holders will also be expected to demonstrate – through the effective management of their premises – that they are taking appropriate and reasonable steps within their control to minimise disorder, anti-social behaviour and public nuisance.
- Public nuisance is not defined in the Licensing Act 2003 and retains its broad common law meaning. It should be noted that public nuisance can include low-level nuisance affecting a few people living locally as well as major disturbance affecting the whole community. It may also include the reduction of the living and working amenity and environment of persons and businesses in the area of licensed premises. (Home Office Guidance 2.16 (S182 April 2018))*
- 5.3.5 When deciding whether to grant a licence, the Authority may take account of any non-compliance with other statutory requirements brought to its attention, if these undermine the licensing objectives. This is because any non-compliance with other statutory requirements may demonstrate that the premises are unsuitable for the activities

proposed, or that the management of the premises is not sufficiently competent to protect the public from harm or nuisance.

5.3.6 When determining an application, the Authority will consider all relevant evidence, both oral and written, provided by parties to a hearing. Evidence which is irrelevant may be disregarded. The Authority encourages applicants and persons making representations to attend hearings so that they can give evidence. Where an individual fails to attend the hearing, the Authority will consider their application or representation but may attach less weight to it.

5.3.7 It should be noted that, when determining an application, the Authority is making a judgement about risk. A key purpose of the licensing function is not to respond to crime and disorder, nuisance or public harm once it has happened but to make an informed assessment of the risk of such things occurring if a licence is granted and to take such steps as it considers appropriate to prevent or minimise such risks.

3.5.1 Public nuisance can include low level nuisance affecting a few people living locally, as well as a major disturbance affecting the wider community. Nuisance is generally attributable to noise (from loud music or from rowdy customers), vibration, light pollution, noxious smells and litter. Applicants will be required to demonstrate that they have adequate measures in place in their applications to prevent nuisance and disturbance.

3.5.2 Noise from people entering and leaving licensed premises, particularly late at night or in the early hours of the morning, can be a significant problem. Customers under the influence of alcohol are often less inhibited about their behaviour and may be unaware of the noise they are creating. As background noise levels are lower at night, any noise is more intrusive for residents trying to sleep.

3.5.3 The Authority will require applicants to take appropriate and proportionate measures for the prevention of public nuisance. Such measures may include those listed in the [Authority's Information Pack – Pool of Licensing Conditions](#)

6.1 In general, the Authority will deal with the issue of licensing hours on the individual merits of each application. However, when issuing a licence with hours beyond midnight higher standards of control and supervision will be expected in order to promote the licensing objectives - especially for premises situated in or near residential areas.

6.2 The Act does not provide for standard closing times. Licensed premises will generally be permitted to sell alcohol during the hours they intend to open provided they can demonstrate to the satisfaction of the Authority that the premises will be operated in a manner consistent with the licensing objectives, Home Office guidance (S182) and this Policy. However, there is no presumption that applications for extended hours will take precedence over the human rights of local residents and businesses.

6.3 The licensed hours will normally be approved where the applicant can show that the proposal would not adversely affect the licensing objectives. The Authority may, however, set an earlier terminal hour where it considers this is appropriate to the nature of the activities and the amenity of the area or is necessary to achieve one or more of the licensing objectives.

Home Office Guidance 10.14 (S182 April 2018). If the Licensing Committee or a sub-committee believes that granting longer hours would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.

6.4 The Authority recognises that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people tend to leave licensed premises at the same time. Flexible licensing hours in relation to the sale of alcohol may therefore be considered as a potential means of reducing friction at late night food outlets, taxi ranks and other 'flashpoints' in areas where there have already been incidents of disorder and disturbance.

6.5 In considering licence applications, the Authority will consider the adequacy of measures proposed to deal with the potential for crime, disorder and/or nuisance having regard to all the circumstances of the case. The Authority strongly encourages the adoption of best practice. This includes the expectation, as an item of best practice that CCTV will be provided in those premises that wish to trade in the sale of alcohol beyond midnight for the purpose of preventing crime and disorder and public safety. Applicants should carry out a risk assessment with regard to CCTV and are expected to include CCTV in their operating schedule. Where they elect not to do so, they are strongly advised to provide information explaining that omission. For example, that the risk assessment has shown CCTV to be unnecessary.

7.1 Conditions attached to a premises licence or club premises certificate are a key element of the regulatory framework established by the Act. There are three types of conditions:

- mandatory conditions set out in the Act,
- conditions consistent with the operating schedule, and
- conditions imposed by the Authority.

The Licensing Authority may only impose conditions on a premises licence or club premises certificate where it has received a relevant representation about an application. The application will then be determined at a hearing by a Licensing and Regulatory Committee. If no relevant representation is received, the application must be granted on the terms applied for subject only to the mandatory conditions and conditions consistent with the Operating Schedule.

7.2 Conditions are crucial in setting the parameters within which premises can lawfully operate. Any contravention of a condition on a premises licence or club premises certificate is a criminal offence so it is essential that conditions are worded clearly, precisely and unambiguously. In addition, conditions must:

- be appropriate, reasonable and proportionate
- be enforceable
- not duplicate other statutory requirements
- be relevant to the particular type, location and character of the premises concerned
- not be standardised
- not replicate offences set out in the Act or in other legislation
- be written in a prescriptive format

7.3 The Authority encourages applicants to seek technical advice from the appropriate Responsible Authorities when preparing their Operating Schedules as this will enable any problems to be resolved at an early stage and will reduce the likelihood of representations.

7.4 Experience has shown that many of the conditions volunteered by applicants are poorly worded, unclear or ambiguous and therefore unenforceable. As an aid to applicants, the Authority has prepared a menu of suggested measures to promote the licensing objectives which applicants are encouraged to consider when preparing their operating

schedules. These measures are not prescriptive but will help to ensure that licence conditions are expressed clearly and consistently and enable enforcement to be carried out equitably. The conditions can be viewed within the [Information Pack](#). The Authority, in consultation with the applicant, may amend the wording of proposed conditions where this is unclear, ambiguous or unenforceable.

Home Office guidance 10.5 (S182 April 2018) states that it is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

- 7.5 The Authority will pay particular attention to the effect – potential or actual - of licensable activities on those living, working or otherwise engaged in the area concerned and, where relevant representations are received, may attach conditions if it considers it appropriate for the promotion of the licensing objectives.
- 7.6 Conditions attached by the Authority to Premises Licences and Club premises certificates will relate to matters falling within the control of individual licensees. It is recognised that the licensing function cannot be a mechanism for the control of disorderly behaviour by individuals once they are beyond the direct control of the licence holder. However, the Authority and Responsible Authorities may take action where it can be established that there is a clear linkage between disorderly behaviour and a specific premises.
- 7.7 The Authority will not impose inappropriate or over-burdensome conditions on licences. The Authority may, however, impose conditions where existing legislation does not provide adequate controls and additional measures are considered to be appropriate for the promotion of the licensing objectives.
- 7.8 Although it is not a legal requirement, the Authority recommends as good practice - in respect of premises licensed to sell or supply alcohol for consumption on the premises – that a Personal Licence holder is on the premises at all times to make or authorise such sales or supplies. The Authority is keen to encourage the presence of properly trained staff on licensed premises. Applicants may wish to consider including this as a condition of licence, where appropriate, as a measure to promote the licensing objectives. Where this is not possible (because the premises is too small or because staffing levels do not permit) or when the Premises Supervisor/Personal Licence holder will be absent for a significant length of time, a responsible person should be authorised to oversee the sale of alcohol in the place of the Premises Supervisor/Personal Licence holder. The Authority will expect the authorisation to be made in writing, kept securely on the premises and made available for inspection by an authorised person if requested. Copies of the authorisation should be sent to the Authority and the police.

NB. 'Authorisation' does not mean direct supervision. The government recommends that Personal Licence holders give specific written authorisations to individuals they are authorising to sell or supply alcohol and that such individuals are clearly identified (Home Office Guidance 10.29 - 10.35 (S182 April 2018))

- 8.1 Cumulative impact assessments (CIA) were introduced by the Policing and Crime Act 2017, with effect from 6 April 2018.
- 8.4 If the Authority receives relevant representations suggesting that the cumulative impact of new licences is leading to an area becoming saturated with premises of a particular type and thereby creating problems of disorder and nuisance over and above the impact from the individual premises themselves, the Authority may consider the issue of cumulative impact when determining an application. The onus is on any person, or

organisation, making such representations to prove the assertion that the grant of the licence would cause the cumulative impact claimed.

- 8.5 The Authority does not propose to operate a quota system of any kind, which would have the effect of pre-determining any application; nor does it seek to impose general limitations on trading hours in particular areas. The Authority recognises that pubs, clubs, restaurants, hotels, theatres, concert halls and cinemas have contrasting characteristics and styles of operation. Proper regard will be given to those differences and the impact they are likely to have on the promotion of the licensing objectives
- 11.1 The Authority recognises that drug use is not something that is relevant to all licensed premises. However, where relevant representations are received, the Authority may need to impose special conditions for certain types of venues in order to reduce the sale and consumption of drugs and to create a safer environment for customers using the premises. The conditions to be imposed in such cases will be taken from the Government Department pool of conditions which take into account the report "Safer Clubbing" published by the Home Office. The sale or use of new psychoactive substances (NPS) (so called Legal Highs) the Authority will consider any issue with NPS in line with current legislation and government policy. Where the Authority deems such conditions to be appropriate for the promotion of the licensing objectives, it will seek advice from the local Drugs Action Team and the Police.
- 12.1 Whenever any persons are employed at licensed premises to carry out any security activity, all such persons must be licensed by the Security Industry Authority. The Authority recognises that certain premises, because of the nature of their operation, their capacity, their licensed hours and the licensable activities provided, may require stricter supervision for the purpose of reducing crime and disorder and public nuisance. In such cases, where relevant representations are received, the Authority may impose a condition that licensed door supervisors must be employed at the premises either at all times or at such times as certain licensable activities are being carried out.
- 12.2 The Authority recognises that Door Supervisors have an important function in terms of supervising customers not only inside premises but also outside. Door Supervisors will therefore be expected to take a pro-active role in managing the behaviour of customers outside premises in order to minimise any disturbance and nuisance to nearby residents. Licence holders should ensure in particular that, at closing times, they have sufficient Door Supervisors to effectively control 'surges' of customers leaving premises.
- 12.3 Whenever security operatives are employed at licensed premises to carry out any security function such operatives must be licensed by the Security Industry Authority (SIA). Competent and professional door supervisors are key to public safety at licensed premises and the provision of door supervisors is an action point for the leisure industry to consider in the Home Office Alcohol Strategy.

It is a mandatory condition of a Premises Licence that where the licence requires personnel to carry out security activity (e.g. screening of customers, dealing with conflict management, crowd control) such personnel are licensed by the Security Industry Authority. (Licensing Act 2003, s.21).

[REDACTED]

From: Sandra Robinson [REDACTED]
Sent: 26 February 2024 15:09
To: Ext Mail: Licensing
Cc: Anthony Robinson
Subject: 24/00129/LPRNEW Application for Premises licence for Hearnfield & pavilion, Shaldon Road, Combeinteignhead TQ12 4RR

License number : TEIP000

We write to express our concerns with the above application and submit this representation.

1. Currently the Hearn field organising committee try to ensure that all events, weddings and parties are finished by 22.30. In the last few years this has been better managed, though in the past events have carried on until the early hours of the morning. In previous years, we have had to go down to the field at 1am and 3am to request that the music is turned off.

In a recent note to the users of the Hearn Field, they say they plan to maintain this, we do not understand why the licence being applied for has a finishing time of 23.30 rather than 22.30.

2. Noise pollution: The Hearn field pavilion has a very small entertainment area, which can not accommodate more than about 30 people without people spilling outside. It was designed as a cricket pavilion not an events location, and it is not possible to get from the bar to the main accommodation without going outside. The bar area is also small and would not accommodate more than about 10 people queuing without again going outside – this invariably creates noise.

In the event of live music performances these again are almost always outside. When the field is used for a wedding party, the music is often located in a marquee that has no sound barrier at all. Performances of plays are always open air, as are the music festivals.

In all these instances sleep is almost impossible for the neighbouring properties until the event has finished.

The application states, "We will keep any speakers within the premises, and won't position them close to entrances or exits. We will not deliberately play or direct music outside the premises" If by premises the applicant is referring to the Pavilion then this policy cannot be applied to outdoor events which is a large proportion of the events organised. If by premises the applicant means the field, then keeping speakers away from entrances and exits will not have any effect on reducing the noise nuisance to neighbours. The applicant states, "We will take all reasonable steps to ensure that noise does not cause an unreasonable disturbance to the wider public, such as passers by". There are approximately 20 houses in proximity to the field whose quality of life and peace has not been considered – only passers by!!

Local residents have not had the opportunity to discuss the licence with the Hearn Field Committee nor the Parish Council and our views have not been taken into consideration.

The current Committee have overseen an ever increasing commercialisation of the village green and this cannot be allowed to continue. It is feared that possession of a licence will only encourage further commercialisation of this space that was bequeathed to the parishioners of Haccombe With Combe for their enjoyment.

We consequently strongly urge you not to grant a licence that will allow the Hearn Field and pavilion to run unlimited numbers of events until 23.30.

With Regards,

Anthony and Sandra Robinson

[REDACTED]

From: Andrew Cooper [REDACTED]
Sent: 23 February 2024 13:34
To: Ext Mail: Licensing
Subject: Hearn Field - Premises License Application

RE: Hearn Field Premises Licence Application 24/00129/LPRNEW / TEIP000

I wish to strongly object to this application on the grounds of prevention of crime and disorder and prevention of public nuisance.

The Teign Estuary is a significant Area of Great Landscape Value that should be respected as such. Hearn Field is also a designated Village Green offering exceptional access for all to enjoy the natural amenity that the site has to offer. This is not a venue for multiple entertainment events with the inevitable increase in litter, light, and sound pollution.

Yours faithfully,

Andrew Cooper

Church Farm
Hacombe
Newton Abbot
Devon
TQ12 4SJ
[REDACTED]

Websites: www.wildlink.org

[REDACTED]

From: Beverley Atkin [REDACTED]
Sent: 24 February 2024 22:49
To: Ext Mail: Licensing
Subject: 24/00129/LPRNEW / TEIP000 - Hearn Field Premises Licence Application8

Dear Teignbridge Licensing

I would like to object to the Hearn Field Premises Licensing Application on the following grounds.

The prevention of crime and disorder
Public Safety
The prevention of public nuisance
The protection of children from harm

Hearn Field was bequeathed by Percy Hearn in 1983 for the enjoyment of the parishioners of Haccombe with Combe. It has also been given village green status.

I feel that granting a premises licence would be detrimental to the local community. This premises license application is for outdoor use in Hearn Field which has a greater public nuisance impact on neighbouring properties, than if it was inside a building.

We are on the whole a quiet sleepy village and would very much like it to remain that way.

Ticketed events whereby by local residents cannot access their "village green" are advertised widely bringing in people who do not live in the local community. This causes chaos on our very narrow country lanes posing a risk to public safety.

By granting this licence, events and activities would most definitely increase. This, as with any licensed premises would increase the risk of crime and disorder taking place.

There is already a significant impact upon the residential properties bordering the field and those on the access road.

My fear is, this premises licence application, coupled with the ever increasing clear commercial position being taken by the Parish Council, will spiral matters out of control and make life unbearable and problematic for both the neighbouring local residents and the community.

Any increase in family events poses a higher risk of harm to children due to Hearn Field having an unfenced drop to the Teign Estuary foreshore.

I have no objection to the odd temporary community event in Hearn field but feel by granting a premises licence, it would open the flood gates to increased crime and disorder, public safety, public nuisance and harm to children.

Beverley Atkin
Combeinteignhead resident.

Sent from my iPad

[REDACTED]

From: christopher bennett [REDACTED]
Sent: 25 February 2024 20:37
To: Ext Mail: Licensing
Subject: 24/00129/LPRNEW / TEIP000 - Hearn Field Premises Licence Application

Dear Teignbridge Licensing

Ref 24/00129/LPRNEW / TEIP00

I am objecting to the granting of a premises licence allowing Hearn Field to sell alcohol and host events during any evening later than 2200 hours. Restricting permission to end at 2200 hours would limit the unavoidable nuisance these events cause to the local community

The application made fails to indicate any limit to the number of events to be permitted nor any limit to the level of amplified sounds reaching properties in the neighbourhood.

Previous events at these premises have not always been well managed, in terms of attendance, behaviour and traffic management, despite best efforts of the organisers.

This field belongs to the village and when gifted was intended as a green space for the quiet enjoyment of the village community. I don't think the licence applicant's have adequately considered how the village community will be affected.

While a few well managed occasional community events may be acceptable, the licence now requested could permit the venue to be used as a regular commercial enterprise and a magnet attracting outsiders whose behaviour could be to the detriment of the village community.

Unless a regular premises licence could include restriction to occasional use for specific events, the applicants should best continue to make separate application for each planned event.

Thank you for your consideration

Christopher Bennett

Old Rectory, Combeinteignhead, TQ12 4RF
[REDACTED]

The Licensing Section
Teignbridge District Council
Forde House
Brunel Road
Newton Abbot
TQ12 4XX

David & Barbara Hawkins
1 Holywell Cottages
Combeinteignhead
Newton Abbot
TQ12 4RT

27-Feb-24

Dear Sir/Madam

24/00129/LPRNEW/TEIP000
Hearn Field Premises Licence Application

We write to object to the licensing application on the grounds of prevention of public nuisance. We are not opposed to the principle of a permanent licence being granted but do object to the scope of this application.

This application effectively gives the Parish Council the right to have live and amplified music playing until 11.30 p.m. 365 days per year! Whilst we recognise this is unlikely to happen there is the scope for the Parish Council to significantly increase the number of events with impunity.

It is notable that the Parish Council has posted a notice on the gates to Hearn Field an explanatory note saying that this licence will remove the need for temporary licences being applied for, and that there is no intention to significantly increase the number of events being held, specifically stating that wedding celebrations will be capped at 4 per year, that amplified music must stop by 10.30 p.m. and the field must be vacated by 11 p.m..

We have no objection to this, and do not doubt the integrity of the current Parish Council, but do wonder why an application is being put forward for amplified music etc. until 11.30 p.m. If this licence is approved a future Parish Council will not necessarily feel bound to adhere to promises made by the current Parish Council, especially promises that are not legally enforceable.

As previously stated we are not opposed to the granting of a more restricted licence, e.g. one for live/amplified music until 10.30p.m., sale of alcohol until 11.00 p.m. on a specified number of occasions per year (if it is possible to grant such a licence,) or alternatively limited to Friday & Saturdays.

We understand that if there is a need for a licence on rare occasions on days other than Friday or Saturday a temporary licence can still be applied for

Yours faithfully

David Hawkins
(
Barbara Hawkins

[Redacted signature area]

[REDACTED]

From: David Atkin [REDACTED]
Sent: 26 February 2024 13:13
To: Ext Mail: Licensing
Cc: David Atkin
Subject: : 24/00129/LPRNEW / TEIP000 - Hearn Field Premises Licence Application

Dear Licensing,

I write in regard of the above mentioned application which I feel I must strongly object to on the following grounds.

The field was bequeathed in 1983 by local landowner Percy Hearn for " the enjoyment of the Parishioners of Hacombe-with Combe " and furthermore accessible all year round to all.

1. Prevention of Public Nuisance

I am one of the 5 residents whom adjoin the immediate boundary of the field. None of us were contacted prior to this application being submitted. This is extremely poor in my opinion and leads to mistrust with the Parish Council in respect to how such a Licence extension will be pursued as they endeavour to become more and more commercialised and move further away from the spirit of what Percy Hearn bequeathed the field for.

We are all significantly impacted to varying degrees by the current event usage of the field however supportive of the current general local community events. However, for this to be potentially expanded to facilitate with far greater ease utilisation 7 days per week, 365 days per year, 1000hrs to 2330hrs is unthinkable and grossly unfair on both the immediately affected residents as well as local village residents.

The PC are there to manage the field and to represent and protect the views of local residents yet they didn't even engage prior ?

2. The Prevention of Crime and Disorder

In my opinion the Licence Application especially the " Sale of Alcohol " from 1200hrs to 2300hrs will facilitate disorder both on and around the field and the village.

The facility is not "normal " insofar that it isn't encased by 4 walls etc and easier to control behaviour. The field covers some 6.5 acres hence control of behaviour / noise pollution/ alcohol induced problems etc is much more difficult. Who will manage such events with an on-site presence to ensure no such unruly behaviour occurs ? It isn't acceptable to simply pass on such responsibility to the hirer and leave local neighbours to suffer and then complain after the event as is the case currently. The more the field is commercialised the greater the risk of crime and disorder on a much more regular basis.

3. The protection of children from harm

The Northern boundary of the field is unfenced and has a sheer drop of c 10 feet onto the River Teign foreshore / water which represents a significant risk to life of young unsupervised children. If this Licence Application proceeds it is highly likely the number of events involving children will increase significantly too which unless appropriately supervised will result in incidents.

I personally pursued the Parish Council for at least a year regarding an open live plug socket just inside the car park entrance gate. The plug represented a high risk danger especially to young children and was open to all the elements. My concerns were repeatedly ignored and eventually I was told the socket wasn't live. Knowing it was I plugged in a phone charger and took pictures which I then went back to the PC . Eventually the socket was repaired ! It isn't acceptable for the Parish Council to simply state on their Rules that " They do not accept any responsibility or liability for the death or injury to any person or animal upon the field and that all persons visiting the field do so entirely at their own risk "

The Parish Council have a legal duty of care and the more commercialised they become they need to ensure all necessary steps specifically in relation to H&S matters are completely covered. I do not believe the Parish Council are in a position to manage such responsibilities/ liabilities/ risk with a much wider Licence.

The application is totally inappropriate for this location and should never have been submitted without local consultation. The Parish council should act responsibly and withdraw the Application .
In the meantime I urge Teignbridge to refuse this application.

Regards
David Atkin

Sent from my iPad

'Tides',
Shaldon Road.
Combeinteignhead.
Newton Abbot. Devon.
TQ12 4RR

24.02.24

Re: Hearn field premises licence application 24/00129/LPRNEW/TEIPOOO

To Whom It May Concern.

We strongly oppose any proposed changes to the premises license for Hearn Field and Pavilion.

We have been residents for 40 years and my wife has lived here since 1964 excepting (for 5 years 1979-1984).

We do not object to the occasional use that presently stands, however, please note that we have problems each firework night and during some wedding receptions with people parking on our property, requiring us to try and move them on, as they're restricting access. People park each side of the road and on the roadside grass bank opposite our house. This section of road is unlit and this irresponsible parking is dangerous. On occasion, we have witnessed bad language. There is litter alongside the roadside, which is also thrown into our property. These factors are already an issue with the current usage.

On a personal level, there are two adults living here with long term illnesses as well as an autistic child, who is very sensitive to noise. Should the emergency services be required at our residence, which happens frequently, these obstructions could delay urgent medical treatment. Having two granddaughters that reside with us, any further increase of discarded used needles and used condoms would be totally unacceptable.

Hearn field was left for the use of village people.

A licence for 365 days a year is not acceptable and could be easily exploited. There are two local pubs in the village, where is the support for local businesses that are already at jeopardy? The village hall also has a licence for functions.

ON ALL OF THE ABOVE WE STRONGLY OPPOSE ANY CHANGE TO THE EXISTING USE AND LICENCE FOR HEARNE FIELD.

Yours Faithfully,

Mr and Mrs Frederick Westlake.

[REDACTED]

From: [REDACTED]
Sent: 26 February 2024 09:28
To: Ext Mail: Licensing
Subject: FW: 24/00129/LPRNEW/TEIP000

HEARN FIELD PREMISES LICENCE APPLICATION
REF: 24/00129/LPRNEW/TEIP000

We would like to make this representation against the above application which does not conform to the following licensing conditions.

- Prevention of crime and disorder
- Public Safety
- Prevention of nuisance

Background

The Hearn Field and Pavilion is a registered Village Green in a rural and unlit area, bordered on one side by the Teign Estuary and on the other three sides by residential properties. There are four access points into the field; three pedestrian and one vehicular, although the latter is by definition restricted, by virtue of Village Green status.

The application proposes that the Hearn Field Committee (all of whom are volunteers) should be licence holders for a licence that would permit indoor and outdoor performances for 13 ½ hours per day and sale of alcohol on and off premises for 11 hours per day, seven days a week, therefore 365 days a year. Previous events have taken place under TENS licences.

Prevention of Crime and Disorder

This licence is being applied for because the applicants wish to stage events which allow greater numbers of attendees than that permitted under a TENS licence. They have specifically stated – on direct verbal questioning following the publication of the licensing application - that they wish to be allowed to have more than 500 people attending events. This will result in unlimited numbers of attendees, which, combined with the availability and sale of alcohol, could result in a high risk of criminal behaviour. Furthermore, the sale of alcohol for consumption off premises will facilitate the availability and consumption of alcohol in the surrounding public areas, with resultant antisocial behaviour beyond the confines of the premises.

The applicants are a small group of volunteers and therefore cannot be deemed to possess the training, skills and experience to deal with or prevent any criminal behaviour.

Public Safety

The premises are accessed along very narrow roads, mostly single track and with no street lighting, pavements or footpaths. Residents must walk along the road between residential properties and the increased traffic resulting from the proposed large events would present a very significant danger to pedestrians. The approaching roads are mostly single track, thus necessitating frequent reversing of vehicles which is an added traffic hazard, especially, but not limited to, during the hours of darkness. In the event of an emergency, it would be very difficult for emergency vehicles to safely access the premises.

Prevention of Nuisance

The licence seeks approval for playing of live and recorded music from 0800h to 2330h on any day of the year. The premises is adjacent to approximately twenty residential properties, the residents of which are entitled to the peace and quiet of the rural area in which they live. The proposed licence would undoubtedly result in an unreasonable and substantial interference in the use and enjoyment of our own homes and gardens. Events that have already taken place at the premises have caused significant disruption to our lives, with loud music being played late into the night well beyond the supposed time restrictions, noise from attendees and severe inconvenience from vehicles. We have had many instances of access being blocked to our house, together with damage to our walls and gates from manoeuvring cars. Furthermore, the unique location of the premises - being on the edge of a large body of water – amplifies the effect of loud music as the sound travels exceptionally well across the water. For this reason, it would be expected that the population of Bishopsteignton will also be adversely affected. They will not have been alerted to the application by local signage and thus may not be making representation when they might wish to do so.

The restricted access due to the nature of the roads in the vicinity will lead to extensive traffic build up and gridlock. This frequently happens if there is an accident or road closure, so we, as residents are very experienced at the alarming speed with which complete traffic standstill occurs in these cases. A large event in the Hearn Field, where there is only one vehicle gateway for entering and exiting the premises will cause complete chaos for vehicles wishing to enter and exit their own properties, or indeed others who need to use the road for normal reasons. By applying for a licence which allows events 365 days a year, we could potentially be prevented from accessing and leaving our properties on a very frequent basis.

Conclusion

It is notable that the applicants have given no consideration to the views of local residents. The application does not mention any mitigation that will be implemented to prevent residents being affected by the noise of the music nor the impact of the traffic. Furthermore, there has been no engagement with the community regarding the application. The agendas for the Parish Council and Hearn Field Committee meetings have not included this as a topic, nor has it been formally minuted as a resolution. Since the Notice of Application was displayed, which was the first time that residents were alerted to the licence application, residents have asked the applicants for a public meeting to discuss the application, but this has been steadfastly refused. This is very worrying to us in terms of setting a precedent with regards to how much collaboration and cooperation from the licence holders will be forthcoming should the licence be approved.

We respectfully request that you do not grant approval of this licence in view of the many reasons it will have a negative impact on the community and its residents.

Guy and Harriet Langworthy

[Redacted signature block]

[REDACTED]

From: Ian Boorer [REDACTED]
Sent: 26 February 2024 17:57
To: Ext Mail: Licensing
Subject: Hearn field premises licence application 24/00129/LPRNEW/TEIP000

To whom it may concern,

I am writing to **OBJECT** to the proposed changes to Hearn Field and the premises on it.

I have lived 4 doors along from Hearn Field for forty years. The field itself was left to the people of the parish by Percy Hearn not the Parish Council. Despite this in 2005, it was handed over to the PC to manage as custodians for this natural resource giving it village green status...Therefore, it is our village green as the villagers of Combeinteignhead.

Under the current licensing we are affected each firework night with people parking in our driveway and along both sides of the unpaved road as well as the grass bank opposite our home. My husband has to take on the task of asking these people parking on our premises to politely move on. This has led to abusive language, which in this day and age could easily escalate to a very dangerous situation! Therefore, I believe that this will impact on public safety.

Further to this my daughter is autistic and is very susceptible to noise. We can with ear defenders cope with fireworks whilst inside our house and this lasts little more than 15 minutes. The occasional wedding reception also has loud music, which often doesn't end by the specified time.

As a result we have to deal with the horrendous consequences of these noise levels on our daughter, which lead to self harming. Further extensions to licensing will lead to this increasing, resulting in my child experiencing additional harm.

After such events under the current licence, we experience rowdy behaviour, increased litter as well as smashed glass in our driveway, to which an autistic child doesn't see the danger it can present. This also being the case regarding used needles and condoms!! Which is frankly disgusting!!

Since the pavilion on the field has been used to hold functions and as a coffee shop, there have been break ins, demonstrating a level of crime and disorder.

There are two people living in our property with extremely chronic health conditions. The blocking of our driveway and the double parking along the roadside would make it very difficult for emergency services to attend our address. Such services are required frequently!

I MOST STRONGLY OPPOSE THIS APPLICATION TO CHANGE THE LICENSE CURRENTLY HELD FOR HEARN FIELD!!

Yours Faithfully,

Mr Ian Boorer.

Sent from my iPhone

Sent from Outlook for iOS

River Lodge
Shaldon Road
Combeinteignhead
Newton Abbot
TQ12 4RR

22 February 2024

The Licensing Section
Teignbridge District Council
Forde House
Brunel Road
Newton Abbot
TQ12 4XX

Dear Sir or Madam,

**PREMISES LICENCE APPLICATION – HEARN FIELD, COMBEINTEIGNHEAD
DATED 1 FEBRUARY 2024**

I was shocked to see the above notice displayed and wish to object to this.

If this application is allowed to succeed then I believe that there will be many problems, but I have kept my comments to the areas that I believe apply for valid objections.

Public nuisance is a major problem for many of us living nearby. We have periodically put up with very loud live and recorded music which affects rest and sleep for us – we cannot enjoy our garden, near countryside or the Hearn Field when this is going on and allowing this licence will make the situation worse as it is so far reaching.

I believe that there has been crime in the field related to the numbers periodically allowed in, particularly from some of those returning or not leaving after an event has finished. Drug paraphernalia and disgusting litter have been found.

For the sake of making money, those of us affected are completely disrupted and our peace destroyed and nobody will take responsibility at the time probably because we are a small village with a small number of volunteers ill prepared for dealing with situations that arise.

The Hearn Field, on my opinion is not suited for open air loud events – it is just a field for the villagers.

I understand that the application was made with no consultation with the villagers which is a shame and could have prevented much anguish and bad feeling over this.

Yours faithfully,



Mr Jack Toulson

[REDACTED]

From: Heather Nash [REDACTED]
Sent: 27 February 2024 15:31
To: Ext Mail: Licensing
Subject: Ref: 24/00129/LPRNEW/TEIP000 HEARN FIELD

Hearn Field Premises Licence Application
Ref: 24/00129/LPRNEW/TEIP000

We wish to formally object to the above application for a Premises Licence at Hearn Field, predominately on the basis of Prevention of Public Nuisance, but also on Public Safety and Prevention of Crime and Disorder.

Our home is one of many properties that borders in close proximity to the open space of Hearn Field. Hearn Field is a registered Village Green in the small community of Combeinteignhead. We chose to live here to enjoy the peace, tranquility and rural open aspect of the location.

We have 'tolerated' the few community based events per year that take place on Hearn Field, as to date they have been limited in frequency and have had a cap on the numbers of attendees at 499 using a TENS licence per event.

The prospect of a full Premises Licence being granted, giving Hearn Field Committee the ability to; hold increased music / performance based entertainment events, the availability and sale of alcohol on and off premises and the potential to cater to a maximum of 5,000 attendees for up to 13.5 hours per day, 7 days a week, therefore 365 days per year seems excessive and is not welcome by us.

By nature of the location, and the small limited indoor facilities on offer , events that have been held to date are outdoor open air gatherings planned mostly to take advantage of the lighter, longer days and evenings.

Amplified noise from either live or recorded music, PA speaker systems, theatre productions with encouraged audience participation and other such gatherings carries loudly in the environment, overspilling the boundaries of the field into the neighbourhood on every occasion.

For us, this noise is audible both inside and outside of our home meaning we are 'obliged' to listen to any performance or event taking place. There does not appear to be any provision for the rights of the residents in the immediate vicinity to enjoy their peace and quiet.

The noise volume can increase significantly over the duration of time as event attendees voices tend to increase in volume as the event goes on. This does appear, in part, to be alcohol-led. There have been times on a beautiful summers evening where we have had to sit inside our home with the windows shut as the noise from a live music band playing, or groups of attendees loudly singing and shouting to each other, has been too intrusive - especially in the later parts of an evening when we wish to relax.

To summarise , we are currently adversely affected by public noise nuisance and general disturbance on every event. A full Premise licence completely opens the door to a further increase in both these aspects should more events be planned throughout the year, with a significant uplift in attendee numbers travelling from outside of the immediate area. A worry would be the impact of any anti-social behaviour both within the confines of Hearn Field or the surrounding area if an event is giving access to all day, outside alcohol drinking.

There have already been incidences with past events not finishing at their allocated time, with excessive revelry continuing after the live music has finished and low level disturbances, disorder taking place when guests departed.

The final concern is one of safety management of an excess of traffic in the area when an event is running as the nature of the small single track roads in the vicinity and narrow singular access into Hearn Field itself can allow traffic gridlock to build up quickly. There can be short term chaos while the attendees manoeuvre themselves in and out of the event alongside the public on foot on roads that are unlit and have no pavements. This happens on a limited ticket sale of 500 or less. It could be a far bigger safety concern if the numbers for each event were to increase significantly.

Finally it is disappointing to note that there has been no engagement with the community regarding the application. The topic of the application has not been documented in either the Parish Council or Hearn Field Committee agendas or minuted meeting notes and a request from residents for a public meeting to discuss the application was refused.

We appreciate you taking this information into consideration and respectfully request that you do not grant approval of this licence in view of the reasons outlined and the negative impact it will have on the community and its residents.

Lee and Heather Nash

Treetops : TQ12 4RR

[REDACTED]

From: Lynn Norrish [REDACTED]
Sent: 27 February 2024 17:00
To: Ext Mail: Licensing
Subject: 24/00129/LPR NEW LICENSING OBJECTION

Dear Sir/Madam,

As the nearest neighbours affected by the above Licencing application at Hearn Field, Combeinteignhead, TQ121 4RR I would like to object to the licence on the following grounds:

Although the committee members applying for the licence are doing a great job as members for the local community (The Haccombe with Combe Parish Council and the Hearn Field Sub committee) and I am sure they will comply with all the comments attached to the application.

However, it is a cause for concern that in the future these current committee members will no doubt be replaced by persons as yet unknown, who may see the full licence perimeters and think that the hours on the licence, the number and type and number of events, could be exploited to turn what is a registered open space with a few well organised events each year, into a heavily commercialised over used entertainment venue.

I have been disturbed on a few occasions during the past 17 years that we have lived adjacent to the Hearn Field Pavilion (the site of the application), when private party goers have not adhered to the terms of the renting of the space, we do not wish this disturbance to increase, which if the new full licence were granted could happen. It is very difficult to end a party at 10.30pm when it is often in full flow.

The applicants may also have trouble enforcing the hours of the licence to private parties, who when viewing the closing times on the licence (23.30) may prefer to abide by this ruling as opposed to the actual terms set by the HwC PC and HF committees.

Parties that end at 10.30 often results in closing up activity for a period of time afterwards, followed by additional noise in the car park, up to one hour after the official ending time of the event, although this does not affect me directly it is not desirable for those living nearer the car park to have to endure an increase in these occurrences.

I understand that one of the reasons for the licence opposed to applying for a Temporary Event Notice is to save applying individually for each event, but there have been several people who have volunteered to assist the applicants with this task.

Regards

Lynn Norrish

[REDACTED]

From: [REDACTED]
Sent: 26 February 2024 17:46
To: Ext Mail: Licensing
Subject: Hearn Field Premises Licence Application 24/00129/LPRNEW/TEIP000

To whom it may concern,

I am writing to **OBJECT** to the proposed changes to Hearn Field and the premises on it.

I have lived 4 doors along from Hearn Field for forty years. The field itself was left to the people of the parish by Percy Hearn not the Parish Council. Despite this in 2005, it was handed over to the PC to manage as custodians for this natural resource giving it village green status...Therefore, it is our village green as the villagers of Combeinteignhead.

Under the current licensing we are affected each firework night with people parking in our driveway and along both sides of the unpaved road as well as the grass bank opposite our home. My husband has to take on the task of asking these people parking on our premises to politely move on. This has led to abusive language, which in this day and age could easily escalate to a very dangerous situation! Therefore, I believe that this will impact on public safety.

Further to this my daughter is autistic and is very susceptible to noise. We can with ear defenders cope with fireworks whilst inside our house and this lasts little more than 15 minutes. The occasional wedding reception also has loud music, which often doesn't end by the specified time.

As a result we have to deal with the horrendous consequences of these noise levels on our daughter, which lead to self harming. Further extensions to licensing will lead to this increasing, resulting in my child experiencing additional harm.

After such events under the current licence, we experience rowdy behaviour, increased litter as well as smashed glass in our driveway, to which an autistic child doesn't see the danger it can present. This also being the case regarding used needles and condoms!! Which is frankly disgusting!!

Since the pavilion on the field has been used to hold functions and as a coffee shop, there have been break ins, demonstrating a level of crime and disorder.

There are two people living in our property with extremely chronic health conditions. The blocking of our driveway and the double parking along the roadside would make it very difficult for emergency services to attend our address. Such services are required frequently!

I MOST STRONGLY OPPOSE THIS APPLICATION TO CHANGE THE LICENSE CURRENTLY HELD FOR HEARN FIELD!!

Yours Faithfully,

Mrs Marie Boorer.

Sent from my iPhone

Sent from my iPhone

[REDACTED]

From: Philip Burgess [REDACTED]
Sent: 27 February 2024 14:25
To: Ext Mail: Licensing
Subject: Fwd: REF: 24/00129/LPRNEW/TEIP000

Good afternoon Debbie

Please see my resent representation

Thank you

Philip
[REDACTED]

From: Philip Burgess [REDACTED]
Date: 26 February 2024 at 13:51:01 GMT
To: licensing@teignbridge.gov.uk
Subject: Fwd: REF: 24/00129/LPRNEW/TEIP000

Hearn Field Premises License Application

REF: 24/00129/LPRNEW/TEIP000

I would like to make my representation as an objection against the above application which does not conform to the following licensing conditions.

- 1) Prevention of crime and disorder
- 2) Public Safety
- 3) Prevention of nuisance

Prevention of crime and disorder:

The license is being applied to upgrade from the current TENS license. They wish to have the flexibility to increase their numbers attending events from 500 to 1000 people, with no restriction to the number of events. I am so very concerned that should the license be granted this will have a direct impact to all neighbors with the potential of 1000 people per event being under the influence of alcohol served for up to 11 hours in the day which will inevitably result in

potential loud and unsociable behavior and potentially criminal activity whilst under the influence of alcohol. This puts us all at significant risk, not withstanding a significant invasion of our privacy.

Public Safety:

Hearn Field is accessed on the very narrow Shaldon Road, which is predominately single track and has no pathways nor street lighting. Should there be an emergency at one of these events ie "A Fire" thus requiring Emergency Service Vehicles, their direct access will be severely compromised accessing the Emergency due to the excessive amount of vehicles as the Hearn Field car parking area is so very limited. This in turn could put many casualties at risk potentially even death if they were not reached in time. Also people / pedestrians from these events will also be putting themselves at risk as undoubtedly they will need to walk to and from the events along Shaldon Road due the significant lack of parking. Not withstanding just the events but should any of us in the area require our own Emergency call out and being of an older generation we are paranoid for our health and wellbeing so in the event of say Heart Attack and the Emergency Services were unable to reach us in time this could well result in a death. Doesn't bear worth thinking about.

Prevention of Nuisance:

The license seeks approval for playing live and recorded music from 0800h to 2330h on any day of the year. My property is directly adjacent to Hearn Field along with approximately twenty other neighboring properties. The proposed license will undoubtedly result in unreasonable loud music for many hours thus impacting on the peace and quiet of our tranquil village. The events that have already taken place to date have

caused significant disruption with curfew hours not being adhered to. We have also experienced many issues with cars parking directly in front of our gates therefore blocking our access. Should this license being granted with the potential doubling of attendees to the events this will undoubtedly add considerably more inconvenience and danger. There has been no consideration made in the application dealing with the excess traffic coupled with the Hearn Field car park holding nor more than 25 cars. An event with capacity 1000 people could equate to potentially 500 cars to which will cause complete chaos on Shaldon Road and be significantly dangerous putting many lives at risk.

Conclusion:

The Hearn Field Committee have given no consideration whatsoever to local residents and have failed to protect the current harmony of our tranquil village should the license be granted. The fact that there has been No notification of their application other than the notice stapled to the Hearne Field pedestrian gate. In my opinion it shows there are ulterior motives behind their application as the license application has not even appeared on the agendas for the Parish Council nor Hearn Field Committee. We have asked the applicants as residents for a public meeting to discuss their application, to which they are adamant in their refusal.

I would respectfully request upon receiving our grave concerns and objections that you do not consider this application for approval.

Thank you

Philip Burgess

[REDACTED]

From: Paul Norrish [REDACTED]
Sent: 27 February 2024 12:09
To: Ext Mail: Licensing
Subject: 24/00129/LPR NEW LICENCING OBJECTION

Dear Sir/Madam,

As the nearest neighbours affected by the above Licencing application at Hearn Field, Combeinteignhead, TQ121 4RR I would like to object to the licence on the following grounds:

Although the committee members applying for the licence are doing a great job as members for the local community (The Haccombe with Combe Parish Council and the Hearn Field Sub committee) and I am sure they will comply with all the comments attached to the application.

However, it is a cause for concern that in the future these current committee members will no doubt be replaced by persons as yet unknown, who may see the full licence perimeters and think that the hours on the licence, the number and type and number of events, could be exploited to turn what is a registered open space with a few well organised events each year, into a heavily commercialised over used entertainment venue.

I have been disturbed on a few occasions during the past 17 years that we have lived adjacent to the Hearn Field Pavilion (the site of the application), when private party goers have not adhered to the terms of the renting of the space, we do not wish this disturbance to increase, which if the new full licence were granted could happen. It is very difficult to end a party at 10.30pm when it is often in full flow.

The applicants may also have trouble enforcing the hours of the licence to private parties, who when viewing the closing times on the licence (23.30) may prefer to abide by this ruling as opposed to the actual terms set by the HwC PC and HF committees.

Parties that end at 10.30 often results in closing up activity for a period of time afterwards, followed by additional noise in the car park, up to one hour after the official ending time of the event, although this does not affect me directly it is not desirable for those living nearer the car park to have to endure an increase in these occurrences.

I understand that one of the reasons for the licence opposed to applying for a Temporary Event Notice is to save applying individually for each event, but there have been several people who have volunteered to assist the applicants with this task.

Regards

Paul Norrish

[REDACTED]

From: MIKE bond [REDACTED]
Sent: 26 February 2024 20:46
To: Ext Mail: Licensing
Subject: 24/00129/LPRNEW

Dear Sir/Madam

I am writing to object to the request for licensing made by Haccombe-with-Combe parish council for Hearn field, Combeinteignhead- Reference 24/00129/LPRNEW.

The 6.5 acre rural site concerned is in an Area of Outstanding Natural Beauty, part of the Coastal Preservation Area and within a conservation area and was bequeathed to parishioners by Percy Hearn - "for the enjoyment of the Parishioners of Haccombe-with-Combe". It is not owned by the parish council, they are custodians for the parishioners.

The granting of such a licence would cause issues with crime and disorder, public safety, public nuisance and protection of children from harm.

It appears the application is being made on the basis of having a 'Designated Premises Supervisor', as otherwise the responsibility would be undefined and uncontrolled if it were a 'Management Committee', due to the turnover and lack of continuity of the parish council. Even so, I do not have faith that the requisite training and appropriate staffing will be applied to ensure legality, safety, lack of nuisance and safety for children. I believe there is no CCTV, insufficient lighting, as well as the site having dated and limited facilities to accommodate regular functions, especially if in excess of 500 people.

A previous application for a licence in 2020 was denied. I believe the fundamental reason for that decision has not changed.

There have been reports of drug use and possible drug dealing, as well as drunken behaviour by minors on the premises, minuted by the parish council meetings.

If it was believed that alcohol was stored on the premises, due to its remote location and probable long response time for law enforcement I believe the mainly wooden pavilion with little security would be seen as a soft target for crime.

The intention and bequest of this premise and 6.5 acre site was not intended to produce revenue, especially from the sale of alcohol with its possible associated anti social repercussions, it is "for the enjoyment of the Parishioners of Haccombe-with-Combe".

I live near the village hall in Combe and we overhear any activities there as sound travels easily here. But we tolerate these as we chose to live here. Residents next to Hearn field should not have to suffer noise and lighting pollution from excessive events at the pavilion as it is a designated 'Village Green', not a bar venue.

Noise easily travels uphill from activities at the pavilion to many residents.

There are events held that are suitable for families and children to attend, to ensure safety of a 6.5 acre intangible, insecure site would require more appropriately qualified staff than would be practical on a regular basis.

There are two excellent pubs in Combeinteignhead and the village hall is fully licenced, all suitable and capable of catering for functions requiring alcohol. With a Parish of only approx 800 inhabitants there is no requirement at parishioners inconvenience for regular events requiring a full licence.

The village does not have the amenity to cope with regular large events, Combe Cellars have complained when their car park has been used for Hearn field events. Lack of car parking and pedestrians on the narrow lanes, especially at night with no lighting, causes many issues of safety.

The present TEN's applications are sufficient for welcome village events.

Please deny this application.
Thank you

Mrs Susan Bond
(Parishioner Haccombe-with-combe)

[REDACTED]

From: Sue Hayter [REDACTED]
Sent: 27 February 2024 16:31
To: Ext Mail: Licensing
Subject: 24/00129/LPRNEW/TEIOOO-Hearn Field Licence Application

I wish to object to the above application on the following grounds.

The prevention of public nuisance

My primary concern is that to issue a premises licence for this location is inappropriate. It is a registered Village Green(designated by Devon County Council in 2005) and as such is an area which should be available to local residents to enjoy at all times.A licence would have the potential to limit this access. The field and pavilion are used and enjoyed though out the year both on an informal basis and for organised events. The later have been given under temporary licence which better fits the ethos of the space. It is not and should not be made into a location for frequent activities which would impact free access and have consequences for the surrounding residents in the form of increased noise levels and traffic congestion.

I feel that before this application was submitted parishioners should have been consulted so that parameters could have been set to limit the inevitable problems with noise and nuisance. This application should be turned down so that informed consultation can take place.

Sincerely Sue Hayter Sent from my iPad

[REDACTED]

From: Wendy Toulson [REDACTED]
Sent: 22 February 2024 16:41
To: Ext Mail: Licensing
Subject: 24/00129/LPRNEW / TEIP000 - Hearn Field Premises Licence Application

Dear Licensing, we write to object to the above on the following grounds -
The prevention of crime and disorder
Public safety
The prevention of public nuisance
The protection of children from harm.

The 6.5 acre field in question is in the middle of a residential area with hedgerow bordering 3 sides and the Teign Estuary on the 4th with 4 entrance points. As such it is and has been very accessible meaning easy entry has generally been made not just by local people but those intent on anti-social behaviour and who have previously left used condoms, needles and rubbish eg portable barbecues to be cleaned up by locals. Extensive, mainly plastic, debris has also been found on the foreshore from the field use. There has also been at least one break in to the Pavilion building on site in recent times.

This field, Hearn Field, is a registered Village Green - agreed designation by Devon County Council in 2005, which means that access to parishioners cannot be prevented to enjoy the open space so it is undesirable, impractical and illegal, we believe, to restrict entry. Therefore it is not possible to protect the field from entry by the wider public including those who wish to carry out anti-social behaviour. We are not against community events and have enjoyed many of these over the years, but the fact is that the more the field is commercialised, the higher the profile of the field is raised and the higher the likelihood of increased anti-social behaviour. Other events held elsewhere in the village have had to cease due to over commercialisation over what is a small community - a parish of approximately 800 encompassing Combeinteignhead village and the hamlets of Haccombe, Netherton, Lower Netherton and Buckland Barton, as well as encompassing areas in Milber and Buckland. Combeinteignhead therefore has a population of much less than this overall figure but the last major event attracted 460 attendees!

We already have two village pubs and a licensed village hall within Combeinteignhead to support.

During large events or activities our lanes, which have no pavements, become congested creating issues for horse riders, cyclists, walkers, etc and has meant vehicles parked on private properties and driveways. There is no provision for off street parking and the Hearn Field only has a small car park for about 25 vehicles - parking on the Hearn Field can be a legal issue regarding the Village Green registration.

Often these events take place "out of hours" so it can make contact with the authorities difficult (there has been no designated Parish Councillor taking responsibility out of hours) and many of our residents are elderly and/or unwell meaning that many do not feel able to or have the energy to challenge those disrupting their otherwise peaceful existence - but of course it does not mean that they are unaffected.

The field is essentially managed by a limited number of village volunteers not professional managers and so are naturally restricted and not equipped to deal with issues such as anti social behaviour, underage drinking, safeguarding of children and highway issues, etc. The area and accessibility of the field mean it is

not practical particularly once it is dark to effectively monitor what is going in the field which has no field lighting. Previous events have led to open disagreement within the Parish.

This licence allows for 7 days a week, 365 days a year, events from 8 am/10 am to 11.30 pm. This is unfair on surrounding locals and in particular near neighbours, some of whom came to live here when the field was an agricultural one before it was gifted to the village.

Loud music played in to the open air, whether facing away or not from those affected, is highly intrusive – the pavilion itself is small and wooden built – much smaller for example than our more suitable Village Hall which already holds events which are generally held within a building of standard construction so with much more insulation.

Complaints, particularly noise, have been made before from us and others about events, but unfortunately the PC have not dealt with these, simply dismissing us as spoilsports, sleeping in their beds while we cannot in ours.

Previously, even under a limited number of events, surrounding locals and near neighbours have had to listen to someone else's choice of music played at high volume and to have this able to be extended to 7 days a week,.....is grossly unfair and disrespectful of our right to be able to enjoy our homes in peace. We feel this would be a gross public nuisance. In the past such public nuisance has led to parishioners threatening to disrupt events, disconnecting power (for music) and generally has created hostility and bad feeling which we feel would be increased if this licence giving such far reaching powers, is permitted. The PC have advised that one reason for the application is flexibility regarding events, etc, but we do not want this wide scope of flexibility over our Village Green.

We have offered voluntary completion of future TENS forms - given as the other reason for this application- but this offer appears to have been dismissed as has ours and others concerns over this licence.

We have requested clarification on a number of issues, but to date only a limited number of these concerns have been (poorly) addressed - if the PC cannot even engage with those it is supposed to represent, how can they manage the terms of such a far reaching licence?

The PC has been contacted by parishioners to withdraw the licence but this has not materialised and even the previously placating contact has now ceased despite assurances to sort. If the PC can dismiss concerns in such a way, we do not believe they can manage the field under such an all encompassing licence.

Please do not allow this licence to be granted.

Regards,

Wendy Toulson

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████████████████████

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TEIGNBRIDGE DISTRICT COUNCIL

LICENSING AND REGULATORY SUB COMMITTEE

27 March 2024

PART I

Report Title	Request for Private Hire Vehicle Licence for Vehicle over 5 years and small plate request. LM06 HUM Black Hummer
Purpose	For the Committee to consider the request included in this report, representations made by the owner of the vehicle and to determine whether the vehicle is fit for purpose and should be issued with a licensed plate.
Applicant	Mr K Lynn
Options	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Applicant Request B: MOT history C: Photographs D: Vehicle Inspection Sheet E: Example of small plate

1. APPLICATION DETAILS

- 1.1 Vehicle first registered – 1 March 2007
Age of vehicle, if granted - 17 years and 1 month

The vehicle does not meet the Council’s licensing policy as it is over 5 years of age.

- 1.2 MOT expires on 18 February 2025 with no advisories.

- 1.3 Vehicle inspection passed on 19 February 2024 with no advisories.

1.4 **Licensing Officer:**

Vehicle inspected -

At the time of writing this report the vehicle had not been inspected by a licensing officer.

Recommendation:

Members to determine the granting of a licence with a small plate. In addition, Committee members may wish to consider allowing this vehicle to be re-licensed for up to 5 years without being presented on an annual basis.

2. RELEVANT POLICY AND LAW

- 2.1 Paragraph 5.2 of the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy states that:

A vehicle being presented for initial licensing is required to be under five years old at first registration.

- 2.2 All vehicle licences are issued annually.

- 2.3 Section 48(4)(c) of the Local Government (Miscellaneous Provisions) Act 1976 states that:

'Every licence granted under this section shall— (c) remain in force for such period not being longer than one year as the district council may specify in the licence'.

- 2.4 Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 states that:

'A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.'

- 2.5 The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use by members of the public. The Committee has the discretion to license a vehicle if it is of the view that the vehicle is safe, fit for use and is in an acceptable condition.

- 2.6 The decision of the Committee following a complete review of the Hackney Carriage and Private Hire Policy in April 2009, after taking into account the views from the trade, were as follows:

"The Committee decided that vehicles being presented for initial licensing must be under five years old."

- 2.7 Section 50(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides:

'that a district council shall not under the provisions of this subsection require a proprietor to present the same hackney carriage or private hire vehicle for

inspection and testing on more than three separate occasions during any one period of twelve months.'

FINANCIAL IMPLICATIONS

The cost of defending the appeal if the application is refused and the applicant appeals to the Magistrates' Court.

4. LEGAL

The Committee are required only to ensure that Public Safety is not compromised by the granting of the licence. If they are satisfied that safety is reasonably assured, they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

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HUMMER4U

THE MOST EXOTIC LIMOUSINE RENTAL
COMPANY V.I.P / WEDDINGS / BIRTHDAYS /
PROMS / SPECIAL OCCASIONS

TEL: 01626 356625

For The Committee

15/03/2024

We would like to ask the committee to consider plating this limousine registration LM06 HUM (GX07 AAK).

This vehicle will be for private hire use only.

We would also like a small plate as this will be used for wedding etc.

This is a low mileage limousine in excellent condition.

YOURS FAITHFULLY

KEVIN LYNN (DIRECTOR)

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Check MOT history

This is a new service – [Complete a quick survey \(https://www.smartsurvey.co.uk/s/GIZZX?vrm=LM06HUM&make_result=HUMMER&model_result=&mot_first_used_date=2007-03-01&vehicle_age=6223&mot_expiry_date=2025-02-18&mot_expiry_date_days_left=341&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV\)](https://www.smartsurvey.co.uk/s/GIZZX?vrm=LM06HUM&make_result=HUMMER&model_result=&mot_first_used_date=2007-03-01&vehicle_age=6223&mot_expiry_date=2025-02-18&mot_expiry_date_days_left=341&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV) to help us improve.

[< Back](#)

LM06 HUM HUMMER

[Check another vehicle \(/\)](#)

Colour
Black

Fuel type
Petrol

Date registered
1 March 2007

MOT valid until
18 February 2025

[Get an MOT reminder \(https://www.gov.uk/mot-reminder\)](https://www.gov.uk/mot-reminder) by email or text.

[Download test certificates \(/enter-document-reference?registration=LM06HUM\)](/enter-document-reference?registration=LM06HUM)

If you think the MOT expiry date or any of the vehicle details are wrong: [contact DVSA \(https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes\)](https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes).

[Show all sections](#)

MOT history

Check mileage recorded at test, expiry date, and test outcome

[Hide](#)

Date tested
19 February 2024

Mileage
118,756 miles

MOT test number
8291 2082 9038

PASS

Test location

Expiry date
18 February 2025

[View test location](#)

Date tested
9 August 2019

Mileage
172,369 miles

MOT test number
2155 8587 4234

PASS

Test location

▶ [View test location](#)

Expiry date

8 August 2020

Date tested
18 June 2018

Mileage
161,603 miles

MOT test number
1445 9311 1951

PASS

Test location

▶ [View test location](#)

Expiry date

17 June 2019

The MOT test changed on 20 May 2018

Defects are now categorised according to their severity - dangerous, major, and minor. [Find out more \(https://www.gov.uk/government/news/mot-changes-20-may-2018\)](https://www.gov.uk/government/news/mot-changes-20-may-2018).

Date tested
9 September 2010

Mileage
38,411 miles

MOT test number
3913 7245 0491

PASS

Test location

▶ [View test location](#)

Expiry date

8 September 2011

Advisory notice item(s)

- **rear discs corroded.**
- **n/s/f tyre is worn uneven but still within the legal requirement.**

▶ [What are advisories?](#)

Check for vehicle recalls

See if HUMMER LM06HUM has outstanding recalls

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OGI

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Teignbridge District Council - Vehicle Inspection Sheet

Annual / 6 Monthly / 4 Monthly / MOT

Hackney Carriage/Private Hire

Owner HUMER LIA

Date 19/2/24

Plate No _____

Mileage 118756

No. Passengers 8

Registration No GX07AAK

	Pass	Fail	Re-Tested	Comments
Steering and Suspension				
1	Steering Control	✓		
2	Steering Mechanism/System	✓		
3	Power Steering	✓		
4	Transmission Shaft	✓		
5	Wheel Bearings	✓		
6	Front Suspension	✓		
7	Rear Suspension	✓		
8	Shock Absorbers	✓		
Lighting Equipment				
9	Front and Rear Lamps etc.	✓		
10	Headlamps	✓		
11	Headlamp Aim	✓		
12	Stop Lamps	✓		
13	Rear Reflectors	✓		
14	Direction Indicators	✓		
15	Hazard Lamps	✓		
Braking System				
17	ABS Warning System/Controls	✓		
18	Condition of Service Brake System	✓		
19	Conditions of Parking Brake System	✓		
20	Service Brake Performance	✓		
21	Parking Brake Performance	✓		
22	Efficiency - Footbrake <u>71</u> %	✓		
23	Efficiency - Handbrake <u>72</u> %	✓		
Tyres & Wheels				
24	Tyre Type & Condition	✓		
25	Road Wheels	✓		
General				
26	Compliance with current MOT reqs.	✓		
27	Seatbelts Mountings/Operation	✓		
28	Horn	✓		
29	Exhaust Systems	✓		
30	Exhaust Emission (Printout)	✓		
31	Vehicle Condition Interior	✓		
32	Vehicle Condition Exterior	✓		
33	Seat condition	✓		
34	Luggage space	✓		
35	Doors/Locks operational	✓		
36	Mirrors & View of the road	✓		
37	Fuel System	✓		
38	Speedometer operational	✓		
39	Excise Licence/Date	✓		
40	Fire Extinguisher with Sticker	✓		
41	First Aid Kit with Sticker	✓		
42	No Smoking Stickers	✓		
43	Rooflight Operational	✓		
44	Current MOT/Date	✓		
45	Meter Fitted & Tested	N/A		
46	Fuel & Oil Leaks	✓		
47	Tariff Card Displayed	N/A		
48	Livery Compliant	✓		
49	Windows Operational	✓		

Brake Test Results	
NSF <u>961</u>	OSF <u>910</u>
NSR <u>774</u>	OSR <u>785</u>
NSH <u>703</u>	OSH <u>409</u>
Brake Weight	<u>1852</u>
Emission Test Value	
Re-show Items	
Date due by	

Certificate

I hereby certify that I have carried out the various examinations of the vehicle as scheduled and the vehicle has **PASSED / FAILED**

I have also checked the fare/meter over a prescribed distance and it is correct

Signed: _____
 Print Name _____
 Passed Re-Test _____
 Signed _____

Date 19/2/24
 Date _____

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Teignbridge
DISTRICT COUNCIL
South Devon

PRIVATE HIRE

VEHICLE DESCRIPTION:

REGISTRATION NO:

EXPIRY DATE:

LICENSED TO CARRY:

Printed: 21 FEB 2020 M4 SILVER

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TEIGNBRIDGE DISTRICT COUNCIL

LICENSING AND REGULATORY SUB COMMITTEE

27 March 2024

PART I

Report Title	Request for Private Hire Vehicle Extension for further 12 months KLZ 1117 Chrysler 300 C
Purpose	For the Committee to consider the request, including this report, representations made by the proprietor of the vehicle and to determine whether the vehicle is fit for purpose and should be issued with an extended licensing plate.
Applicant	Mr K Lynn
Options	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for extension B: MOT history C: Photographs

1. APPLICATION DETAILS

- 1.1 Vehicle first registered – 2 March 2006
Age of vehicle, if granted - 18 years and 1 month
Private Hire licence expires – 8 April 2024

The vehicle will no longer meet the Council's licensing policy as it is now being more than 10 years old.

- 1.2 MOT expires on 12 November 2024 with no advisories.
- 1.3 Vehicle inspection – details to be provided prior to the hearing.
- 1.4 **Licensing Officer:**
Vehicle inspected -
Officer comments.
At the time of writing this report the vehicle had not been inspected by a licensing officer.

Recommendation:

If the Committee resolves to license the vehicle, a condition requiring the vehicle to have six or four monthly vehicle inspections be imposed. In addition, Committee members may wish to consider allowing this vehicle to be re-licensed for up to 5 years without being presented on an annual basis.

2. RELEVANT POLICY AND LAW

- 2.1 Paragraph 5.2 of the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy states that:

A vehicle being presented for initial licensing is required to be under five years old at first registration.

A vehicle being presented for subsequent licensing is required to be under 10 years old with the exception of purpose built cabs. The Council has discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that the vehicle is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six and four monthly testing'.

- 2.2 All vehicle licences are issued annually.

- 2.3 Section 48(4)(c) of the Local Government (Miscellaneous Provisions) Act 1976 states that:

'Every licence granted under this section shall— (c) remain in force for such period not being longer than one year as the district council may specify in the licence'.

- 2.4 Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 states that:

'A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.'

- 2.5 The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use by members of the public. The Committee has the discretion to license a vehicle if it is of the view that the vehicle is safe, fit for use and is in an acceptable condition.

- 2.6 The decision of the Committee following a complete review of the Hackney Carriage and Private Hire Policy in April 2009, after taking into account the views from the trade, were as follows:

“The Committee decided that vehicles being presented for initial licensing must be under five years old.”

2.7 With regard to subsequent licensing, the Committee decided that a vehicle should be under ten years old with the exception of purpose built cabs. However the Committee decided that the Council could exercise discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that it is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six monthly testing. The Committee did not consider it appropriate to introduce an upper age or mileage limit.”

2.8 Section 50(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides:

‘that a district council shall not under the provisions of this subsection require a proprietor to present the same hackney carriage or private hire vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.’

3. FINANCIAL IMPLICATIONS

The cost of defending the appeal if the application is refused and the applicant appeals to the Magistrates’ Court.

4. LEGAL

The Committee are required only to ensure that Public Safety is not compromised by the granting of an extension of the licence. If they are satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

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HUMMER4U

THE MOST EXOTIC LIMOUSINE RENTAL
COMPANY V.I.P / WEDDINGS / BIRTHDAYS /
PROMS / SPECIAL OCCASIONS

TEL: 01626 356625

For The Committee

14/03/2024

Application to private hire plate extension over the 10 year limit
Chrysler 300c KLZ 1117 for executive hire work we currently use the
vehicle as a Wedding Car and it is Private Hire Plated to do additional
School Prom. Can we have a small plate for the vehicle.

YOURS FAITHFULLY

KEVIN LYNN (DIRECTOR)

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Check MOT history

This is a new service – [Complete a quick survey \(https://www.smartsurvey.co.uk/s/GIZZX?vrm=KLZ1117&make_result=CHRYSLER&model_result=300+C&mot_first_used_date=2006-03-02&vehicle_age=6588&mot_expiry_date=2024-11-12&mot_expiry_date_days_left=242&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV\)](https://www.smartsurvey.co.uk/s/GIZZX?vrm=KLZ1117&make_result=CHRYSLER&model_result=300+C&mot_first_used_date=2006-03-02&vehicle_age=6588&mot_expiry_date=2024-11-12&mot_expiry_date_days_left=242&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV) to help us improve.

[< Back](#)

KLZ III7 CHRYSLER 300 C

[Check another vehicle \(L\)](#)

Colour
White

Fuel type
Diesel

Date registered
2 March 2006

MOT valid until
12 November 2024

[Get an MOT reminder \(https://www.gov.uk/mot-reminder\)](https://www.gov.uk/mot-reminder) by email or text.

[Download test certificates \(/enter-document-reference?registration=KLZ1117\)](/enter-document-reference?registration=KLZ1117)

If you think the MOT expiry date or any of the vehicle details are wrong: [contact DVSA \(https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes\)](https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes).

[Show all sections](#)

MOT history

Check mileage recorded at test, expiry date, and test outcome

[Hide](#)

Date tested
13 November 2023

Mileage
86,334 miles

MOT test number
4495 8131 1859

PASS

Test location

[View test location](#)

Expiry date
12 November 2024

Date tested
27 October 2022

Mileage
85,296 miles

MOT test number
2566 9691 1182

PASS

Test location

▶ [View test location](#)

Expiry date

26 October 2023

Date tested
7 October 2021

Mileage
84,015 miles

MOT test number
8390 8631 7795

PASS

Test location

▶ [View test location](#)

Expiry date

6 October 2022

Date tested
13 August 2020

Mileage
82,586 miles

MOT test number
4077 0423 7196

PASS

Test location

▶ [View test location](#)

Expiry date

12 August 2021

Monitor and repair if necessary (advisories):

- **Parking brake efficiency only just met. It would appear that the braking system requires adjustment or repair. (1.4.2 (a) (i))**

▶ [What are advisories?](#)

Date tested
26 March 2019

Mileage
80,249 miles

MOT test number
1852 2570 0240

PASS

Test location

▶ [View test location](#)

Expiry date

28 March 2020

The MOT test changed on 20 May 2018

Defects are now categorised according to their severity - dangerous, major, and minor. [Find out more \(https://www.gov.uk/government/news/mot-changes-20-may-2018\)](https://www.gov.uk/government/news/mot-changes-20-may-2018).

Date tested
29 March 2018

Mileage
78,428 miles

MOT test number
8236 6021 7731

PASS

Test location

▶ [View test location](#)

Expiry date

28 March 2019

Date tested
26 March 2018

FAIL

Mileage
78,405 miles

MOT test number
7616 2241 9468

Test location

▶ [View test location](#)

Reason(s) for failure

- **Parking brake: efficiency below requirements (3.7.B.7)**

Advisory notice item(s)

- **Front Brake pad(s) wearing thin (3.5.1g)**
- **Nearside Front Suspension arm ball joint dust cover deteriorated, but preventing the ingress of dirt (2.4.G.2)**
- **Offside Front Suspension arm ball joint dust cover deteriorated, but preventing the ingress of dirt (2.4.G.2)**
- **Offside front brake fluctuating, but not excessively (3.7.B.3)**

▶ [What are failures and advisories?](#)

Date tested
29 March 2017

PASS

Mileage
75,266 miles

MOT test number
6109 5670 7669

Test location

▶ [View test location](#)

Expiry date
28 March 2018

Advisory notice item(s)

- **Nearside Front Shock absorber has a light misting of oil (2.7.3)**

▶ [What are advisories?](#)

Date tested
10 March 2016

PASS

Mileage
72,383 miles

MOT test number
2820 7214 6125

Test location

▶ [View test location](#)

Expiry date
26 March 2017

Date tested
25 March 2015

PASS

Mileage
69,337 miles

MOT test number
9092 6448 5034

Test location

▶ [View test location](#)

Expiry date
26 March 2016

Advisory notice item(s)

- **Offside Front Track rod end ball joint has slight play (2.2.B.1f)**

- Front Brake pad(s) wearing thin (3.5.1g)

▶ [What are advisories?](#)

Date tested
27 March 2014

PASS

Mileage
65,400 miles

Test location

▶ [View test location](#)

MOT test number
5778 1678 4063

Expiry date
26 March 2015

Advisory notice item(s)

- **Offside Rear Tyre worn close to the legal limit (4.1.E.1)**
- **Offside Track rod end ball joint has slight play (2.2.B.1f)**
- **Offside Front suspension has slight play in a upper suspension ball joint (2.5.B.1a)**

▶ [What are advisories?](#)

Date tested
26 March 2014

FAIL

Mileage
65,399 miles

Test location

▶ [View test location](#)

MOT test number
2284 0598 4044

Reason(s) for failure

- **Nearside Front suspension has excessive play in a track control arm inner bush (2.5.B.2b)**
- **Offside Front suspension has excessive play in a track control arm inner bush (2.5.B.2b)**
- **Parking brake: efficiency below requirements (3.7.B.7)**

Advisory notice item(s)

- **Offside Rear Tyre worn close to the legal limit (4.1.E.1)**
- **Offside Track rod end ball joint has slight play (2.2.B.1f)**
- **Offside Front suspension has slight play in a upper suspension ball joint (2.5.B.1a)**
- **Tyre pressure monitoring system warning lamp does not illuminate (4.1.D.4)**

▶ [What are failures and advisories?](#)

Date tested
19 March 2013

PASS

Mileage
60,695 miles

Test location

▶ [View test location](#)

MOT test number
3097 3837 3069

Expiry date
20 March 2014

Date tested
20 March 2012

PASS

Mileage
56,545 miles

Test location

▶ [View test location](#)

MOT test number
5698 0068 2093

Expiry date
20 March 2013

Date tested
16 March 2012

FAIL

Mileage
56,538 miles

Test location

▶ [View test location](#)

MOT test number
8063 8617 2061

Reason(s) for failure

- **Offside Registration plate lamp not working (1.1.C.1d)**
- **Offside rear brake binding (3.7.B.1)**
- **Parking brake: efficiency below requirements (3.7.B.7)**

Advisory notice item(s)

- **Nearside Front Shock absorber has a light misting of oil (2.7.3)**
- **Nearside Ball joint has slight play (2.2.B.1f)**
- **Offside Ball joint has slight play (2.2.B.1f)**

▶ [What are failures and advisories?](#)

Date tested
21 March 2011

PASS

Mileage
52,879 miles

Test location

▶ [View test location](#)

MOT test number
2792 4048 1074

Expiry date
20 March 2012

Advisory notice item(s)

- **Nearside Front Shock absorber has a light misting of oil (2.7.3)**

▶ [What are advisories?](#)

Date tested
16 March 2011

FAIL

Mileage
52,786 miles

Test location

▶ [View test location](#)

MOT test number
4953 7597 1028

Reason(s) for failure

- **Nearside Front Track rod end ball joint has excessive play (2.2.B.1f)**

Advisory notice item(s)

- **Nearside Front Shock absorber has a light misting of oil (2.7.3)**

▶ [What are failures and advisories?](#)

Date tested
15 March 2010

PASS

Mileage
43,685 miles

Test location

▶ [View test location](#)

MOT test number
2402 1457 0090

Expiry date
15 March 2011

Date tested
18 January 2010

FAIL

Mileage
Unknown

Test location

▶ [View test location](#)

MOT test number
6847 0861 0060

Reason(s) for failure

- **Nearside Track rod end ball joint has excessive play (2.2.B.1f)**
- **Offside Track rod end ball joint has excessive play (2.2.B.1f)**
- **Offside Obligatory mirror missing (8.1.1)**

Advisory notice item(s)

- **Nearside Front Shock absorber has a light misting of oil (2.7.3)**

▶ [What are failures and advisories?](#)

Date tested
16 March 2009

PASS

Mileage
36,694 miles

Test location

▶ [View test location](#)

MOT test number
7413 9567 9081

Expiry date
15 March 2010

Date tested
10 March 2009

FAIL

Mileage
36,694 miles

Test location

▶ [View test location](#)

MOT test number
7011 5986 9062

Reason(s) for failure

- **Offside Headlamp aim too high (1.8)**
- **Offside Front Track rod end ball joint has excessive play (2.2.B.1f) DANGEROUS**
- **Nearside Rear Tyre tread depth below requirements of 1.6mm (4.1.E.1) DANGEROUS**
- **Offside Rear Tyre tread depth below requirements of 1.6mm (4.1.E.1) DANGEROUS**
- **Offside Front Tyre tread depth below requirements of 1.6mm (4.1.E.1) DANGEROUS**

Advisory notice item(s)

- **Parking brake: parking brake efficiency only just met. It would appear that the braking system requires adjustment or repair. (3.7.B.7)**

▶ [What are failures and advisories?](#)

Check for vehicle recalls

See if CHRYSLER 300 C KLZ1117 has outstanding recalls

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TEIGNBRIDGE DISTRICT COUNCIL
LICENSING AND REGULATORY SUB COMMITTEE

27 MARCH 2024

PART I

Report Title	Misuse of a small plate for a private hire vehicle.
Purpose	To consider the revocation of a small plate for CR15 KHO Mercedes EQB350
Applicant	Licensing
Options	The Committee may: a. Grant the continued use of a small plate. b. Re-issue a standard size fixed plate.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Vehicle photographs B: Sample small plate

1. RELEVANT POLICY AND LAW

Section 48 (6)(a) of the Local Government (Miscellaneous Provisions) Act 1976 provides that:

‘Subject to the provisions of this Part of this Act, no person shall use or permit to be used in a controlled district as a private hire vehicle in respect of which a licence has been granted under this section unless the plate or disc issued in accordance with subsection (5) of this section is exhibited on the vehicle in such manner as the district council shall prescribe by condition attached to the grant of the licence.’

The Council’s requirement for the display of licence plates on the rear of licensed vehicles is set out in the Hackney Carriage and Private Hire Licensing Policy, at paragraph 9.4 on page 27.

‘9.4 Licence Plates

*The licensing plate identifying the vehicle as Hackney Carriage or Private Hire shall be securely fixed to the outside rear of the vehicle in a position as approved by the Council whilst the vehicle is being used for hire purposes and shall be kept **fully visible and legible at all times.***

A vehicle identification badge shall be fixed to the front windscreen in a position that meets current MOT regulations. The badge will display the plate number,

vehicle model, registration and number of passengers on the front face with the Council's details and plate number on the rear.'

Small plates have previously been granted for specialist vehicles when the main use has been for weddings and special occasions. **The removal of a plate from a licensed vehicle is not permitted at any time.**

2. APPLICATION DETAILS

- 2.1 The applicant requested and was granted a small plate at committee on 5 April 2022 when it was first licensed. The reason for the request was to add the vehicle to the executive fleet for their business clients. The vehicle has now been seen on 2 occasions by Teignbridge staff without the small plate displayed.

3. MAIN IMPLICATIONS

- 3.1 The main implication is that the plate is a visual aid for the members of the public to show that it is a licensed vehicle. The standard size plate is 240mm x 180mm and the smaller plate is 230mm x 75mm.

4. FINANCIAL IMPLICATIONS

None.



16 May 2023



29 February 2024



Teignbridge
DISTRICT COUNCIL
South Devon

PRIVATE HIRE

VEHICLE DESCRIPTION:

REGISTRATION NO:

EXPIRY DATE:

LICENSED TO CARRY:

Printed: 21 FEB 2020 M4 SILVER

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