

REPORT TO: LICENSING (SUB) COMMITTEE

Date of Hearing: Friday 10th January 2020

Report of: Environmental Health and Licensing Manager

Type of Application: To seek a REVIEW of the premises licence trading as The Half Moon held by Hawthorne Leisure (Mantle) Ltd.

Legislation: Licensing Act 2003

Applicant: Local resident of Whipton Village Road, Exeter

Premises: The Half Moon, 68 Whipton Village Road

1. What is the report about?

- 1.1 An application was received on 13th November 2019 (copy attached at Appendix 1) , seeking a review of the premises licence held by Hawthorne Leisure (Mantle) reference EXE-P00251 (copy attached at Appendix 2). The application for review has been advertised on 13th November 2019 circulated by posting a notice, on a lamp post outside of the premises and on the council website.

2. Report details:

- 2.1 The review application strikes at the licensing objectives of the prevention of crime and disorder, and the prevention of public nuisance.
- 2.2 The application for review has been advertised and circulated as required by law. The adverts placed on a sign in close proximity to the premises, and placed on the Exeter city council website, this was completed on 13th November 2019. It has also been circulated to all responsible authorities on the same date. The review application has also been served on the holder of the premises licence.
- 2.3 Representations have been received from five interested parties (attached to Appendix 3) addressing the concerns of local residents and property owners in relation to the licensing objectives of public nuisance and crime and disorder.
- 2.4 A representation has been received from Devon and Cornwall Constabulary as a responsible authority (attached as Appendix 4) in relation to the licensing objectives of public nuisance and crime and disorder.
- 2.5 No representations have been received from any other responsible authorities. However the Licensing Authority do consider the summary of complaints and actions by Environmental Health, attached as Appendix 5 to be the relevant to this application.
- 2.6 Photographs of the premises and a plan of the premise and local area are attached at Appendix 6 and Appendix 7.

3. What are the legal aspects?

- 3.1 The Licensing Sub-Committee are required to have regard to the Statement of Licensing Policy which states in part (paragraph 2.8) that in determining a licence application the Licensing Authority will consider each application on its merits.
- 3.2 Licence conditions will be tailored to the individual application and only those appropriate to meet the licensing objectives will be imposed.
- 3.3 The Licensing Sub-Committee are required to have regard to the Official Guidance issued under section 182 of the Licensing Act 2003 revised April 2018.
- 3.4 The Licensing Sub-Committee must have regard to the relevant representation made; the evidence provided in relation to the premises from the parties involved and the evidence it hears, in reaching its decision.
- 3.5 The Licensing Sub-Committee, having regard to the representation, must take such of the following steps, if any, as it considers appropriate for the promotion of the licensing objectives and either modify conditions by altering, omitting or adding them; exclude a licensable activity; remove the designated premises supervisor; suspend the licence for a maximum of three months or revoke the licence.

4. Recommendations:

- 4.1 The Licensing Sub-Committee are required to identify what steps, if any, need to be taken to determine the application.
- 4.2 Should the Licensing Sub-Committee members be minded to alter or amend the premises licence conditions then it is recommended that the following draft conditions be given consideration:
 - A minimum of (2) SIA licensed door supervisors shall be on duty at the premises between 20:00 until 30 minutes after closing on Friday and Saturday when the premises are open for licensable activities;
 - All SIA licensed door supervisors shall wear distinctive clothing or insignia to clearly identify them as door supervisors. Door supervisors on duty at the entrance(s) shall wear 'high visibility' clothing (such as a jacket or waistcoat).
 - SIA licensed door supervisors will be responsible for ensuring the safe, quiet and orderly dispersal of customers from the premises and the immediate vicinity of the premises.
 - A written drugs policy shall be in place and operated at the premises. It must detail the actions taken to minimise the opportunity to use or supply illegal substances within the premises. The policy must be made available for inspection and copying upon request by an authorised officer of a responsible authority.
 - A clear and legible notice must be prominently displayed at all entrances to the premises advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.

- The performance of live entertainment will be limited to *(one/two)* evenings per week.
- No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.
- A telephone number shall be made available and displayed in a prominent location where it can conveniently be read from the exterior of the premises by the public for local residents to contact in the case of noise-nuisance or anti-social behaviour by persons or activities associated with the premises. The telephone number will be a direct number to the management who are in control during opening hours. A record will be kept by management of all calls received, including the time, date and information of the caller, including action taken following the call. Records will be made available for inspection and copying by an authorised officer of a responsible authority throughout the trading hours of the premises.
- All outside areas must be closed and cleared of customers by (23:00). Adequate notices shall be displayed to inform patrons of this requirement.
- A minimum of 2 members of staff shall be working the bar when the premises are open for licensable activities, at least one of which must be a personal licence holder.
- All staff engaged in licensable activity at the premises will receive training and information in relation to the following:
 - o The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable;
 - o The hours and activities permitted by the premises licence;
 - o How to complete and maintain the refusal register in operation at the premises;
 - o Recognising the signs of drunkenness;
 - o Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 6 monthly intervals. Training records shall be made available for inspection and copying upon request by an authorised officer of a responsible authority.
- An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:
 - i. the date and time of refusal
 - ii. the reason for refusal
 - iii. details of the person refusing the sale
 - iv. description of the customer
 - v. any other relevant observations.

The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority.

All entries must be made within 24 hours of the refusal.

- There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a *Challenge 25* proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

- A photo driving licence
- A passport
- An identification card carrying the PASS hologram

Unless such identification is produced the sale of alcohol must be refused.

This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18.

- Radios will be available to provide two-way communication between licensees, the Police and other licensed premises. The radios will be in working order at all times and will be operational whenever the premises are open to the public, the DPS or other responsible person will monitor the radios. All instances of crime and disorder will be reported to the police.

Environmental Health and Licensing Manager

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:
Democratic Services (Committees)
Room 2.3
01392 265275

APPENDIX 1

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure
that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club
premises certificate under section 87 of the Licensing Act 2003 for the premises described in
Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description
The Half Moon, 68 Whipton Village Road

Post town Exeter

Post code (if known) EX4 8AW

Name of premises licence holder or club holding club premises certificate (if known)
Not known

Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)

x

2) a responsible authority (please complete (C) below)

☐

3) a member of the club to which this application relates
(please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☒ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

☒

Current postal
address if
different from
premises
address

Post town

Exeter

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

x
<input type="checkbox"/>
x
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

I am writing to you today on behalf of numerous residents and local businesses in Whipton Village, with regard to the closure and potential re-opening of the Half Moon pub.

The discussions that have taken place cover all of the following complaints and reasoning as to why the pub should not re-open. All agree that the pub has been notorious over the years, but has seriously deteriorated in the last 5 or so years, with many neighbours such as myself regularly making calls to the police. It is also worth noting that the pub was recommended to employ security to try and combat some of this behaviour, but chose to ignore the advice.

The types of behaviour witnessed on regular occasions are:

Drug dealing

Drug taking

Large and small scale fighting (every weekend without fail there is some sort of altercation) and witnessing people being seriously assaulted

Excessive noise, shouting, swearing etc.

Damage to properties including business premises

Fighting occurring not just at the pub, but also quite literally on our doorsteps.

People urinating in not so secluded places (for example steps of entrances to flats)

Intimidating behaviour from the minority of people and also their pet dogs.

Whilst there are the regulars who will always love this establishment, it is well documented through experiences or police calls just how much trouble this pub attracts.

We should not have to watch, listen, and bring our children up around this quite frankly disgusting behaviour. This good use of space is being used to attract drugs, fighting, anti social behaviour and should be stopped whilst we have the opportunity. I am even writing to you today with fear of the consequences of my actions, but sooner or later, action must be taken as it's become wildly out of control. The pub has had numerous changes of management over the years, but it still attracts the same individuals and consequently the same trouble.

This space would be far suited to simply anything but a pub, whether it be a pay and display car park for local businesses, housing, or more local business.

On behalf of myself and others opposing to the potential re-opening of this establishment, we are prepared to object and fight this until action is taken to resolve this situation one way or another.

Thank you for taking the time to read/consider this. We very much look forward to your reply and any further advice/steps to be taken regarding this matter.

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

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day		Month		Year	

If you have made representations before relating to the premises please state what they were and when you made them

yes

Please tick ✓

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☐
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date 13/11/2019

.....

Capacity Resident

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

APPENDIX 2



Exeter City Council

Licensing Authority
Exeter City Council
Civic Centre
Paris Street
Exeter
EX1 1RQ

Tel: 01392 265702
Fax: 01392 265853
e-mail: licensing@exeter.gov.uk

Licensing Act 2003

Premises Licence

EXE-P00251

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

The Half Moon

68 Whipton Village Road, Whipton, Exeter, Devon, EX4 8AW

Telephone 01392 467395

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- the supply of alcohol





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THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Thursday	11:00am	Midnight
	Friday & Saturday	11:00am	12:30am
	Sunday	Noon	Midnight
	New Years Eve	10:00am	11:00pm
	New Years Day (if Sunday 22:30)		
	Non Standard Timings: An additional hour to be added on Christmas Eve, Boxing Day, Fridays, Saturdays, Sundays & Mondays of each May Bank Holiday, Spring/Whitsun Bank Holiday & August Bank Holiday weekends, and each Thursday, Friday, Saturday, Sunday & Monday of the Easter Bank Holiday weekend.		
F. Playing of recorded music (Indoors)	Monday to Thursday	11:00am	Midnight
	Friday & Saturday	11:00am	12:30am
	Sunday	Noon	Midnight
	New Years Eve	10:00am	11:00pm
	New Years Day (if Sunday 22:30)		
	Non Standard Timings: An additional hour to be added on Christmas Eve, Boxing Day, Fridays, Saturdays, Sundays & Mondays of each May Bank Holiday, Spring/Whitsun Bank Holiday & August Bank Holiday weekends, and each Thursday, Friday, Saturday, Sunday & Monday of the Easter Bank Holiday weekend.		
G. Performance of dance (Indoors)	Monday to Saturday	11:00am	11:00pm
	Sunday	Noon	10:30pm
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Thursday	11:00am	Midnight
	Friday & Saturday	11:00am	12:30am
	Sunday	Noon	Midnight
	New Years Eve	10:00am	11:00pm
	New Year Day (if Sunday 22:30)		
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THE OPENING HOURS OF THE PREMISES

	Description	Time From	Time To
-1	Monday to Thursday	7:00am	12:30am
-1	Friday & Saturday	7:00am	1:00am
-1	Sunday	7:00am	12:30am
-1	New Years Eve	7:00am	11:30pm
-1	Non Standard Timings:		

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

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Hawthorn Leisure (Mantle) Limited

16 Burlington Place, London, W1S 2HX.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Hawthorn Leisure (Mantle) Limited

09682036

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. MDVPE0930

Issued by Mid Devon





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ANNEXE 1 - MANDATORY CONDITIONS

There shall be no sale or supply of alcohol when there is no Designated Premises Supervisor (DPS) in respect of this premises licence or at a time when the said Premises Supervisor does not hold a personal licence or when his/her licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Any person used to carry out a security activity must be licensed by the Security Industry Authority.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

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

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

- (a) a holographic mark, or





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(b) an ultraviolet feature.

The responsible person must ensure that-

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 2. For the purposes of the condition set out in paragraph 1-
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula-
$$P = D + (D \times V)$$
 where-
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

ANNEXE 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

The maximum level of music emanating from the premises shall not exceed 42(dB) measured at any point





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beyond the site.

CCTV

CCTV will be installed, maintained and operated to the satisfaction of the Chief Officer of Police.

Recordings will be in colour and kept for one month.

If the CCTV equipment is inoperative, the Police will be informed as soon as possible and immediate steps will be taken to put the equipment back into action.

A notice will be displayed at the entrance to the premises advising that CCTV is in operation.

General

The premises will be a member of Pubwatch and a representative will attend meetings and participate in Pubwatch initiatives.

ANNEXE 3 - CONDITIONS ATTACHED AFTER A HEARING

An operational policy will be written and implemented at the premises. A copy of this policy will be forwarded to the Police Licensing Officer and the Licensing Authority; and

An incident book will be kept and all instances of public disorder will be recorded.

ANNEXE 4 - PLANS

Copy attached to Licence.





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The Half Moon

68 Whipton Village Road, Whipton, Exeter, Devon, EX4 8AW

Telephone 01392 467395

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

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- a performance of dance
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	Monday to Thursday	11:00am	Midnight
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	Sunday	Noon	Midnight
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	New Years Day (if Sunday 22:30)		
	Non Standard Timings:		
	An additional hour to be added on Christmas Eve, Boxing Day, Fridays, Saturdays, Sundays & Mondays of each May Bank Holiday, Spring/Whitsun Bank Holiday & August Bank Holiday weekends, and each Thursday, Friday, Saturday, Sunday & Monday of the Easter Bank Holiday weekend.		
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G. Performance of dance (Indoors)			
	Monday to Saturday	11:00am	11:00pm
	Sunday	Noon	10:30pm
J. Supply of alcohol for consumption ON and OFF the premises			
	Monday to Thursday	11:00am	Midnight
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Non Standard Timings:		

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

- J. Supply of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Hawthorn Leisure (Mantle) Limited

16 Burlington Place, London, W1S 2HX.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Hawthorn Leisure (Mantle) Limited

09682036

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

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

Restricted only by the Licensing Act 2003.



APPENDIX 3

20 NOV 2019

Dear Mr Harvey

I am writing to you regarding your recent letter about incidents of anti social behaviour within the Half Moon Inn. My name is [REDACTED] Village Road. I have lived here since June 2015. When me and my son first moved here the pub was fine. We never had any issues with noise, behaviour or anything threatening in the slightest. However, the past 2 years have been the opposite.

Since one of many changes of hands within the landlords, the behaviour and standards have decreased. I can't put a number on how many times the police have made a visit. Fights, screaming, shouting and drug use has been ever so common the past two years. It's something that has ruined the community as well as the pub. Since January my son moved out, I am now living alone in [REDACTED], he worries for my safety and sometimes I worry about my safety as well. The point of moving to this property was so I had shops on my door step and facilities to suit my needs. When we moved in 2015 we were very happy with how everything was. The landlords were very no nonsense and due to this it made the pub respectable. I sadly can't say this now and in recent months debated whether or not my time has come within Whipton on this soul reason.

With the pub closing, I've noticed the day to day life being a lot better within the community, a lot friendlier atmosphere and a safer environment. Something that should be key within a community. I feel as though the pub being closed it makes the community a lot better and I see no positives in reopening something that causes more cons than pros. In today's world, the emergency services have next to nothing funding. Why waste police time and have them visit this place again and again over people not handling their drink, their responsibilities and their lives. There is a pub 100 metres up the road which is chalk and cheese with this one. No trouble, no arguments and most importantly no drugs.

Over the two years, I've heard multiple arguments, I've seen multiple fights. This isn't at a common time or period. It's something that happens day and night. I've had eggs thrown at my window, I've had people kicking and screaming in the middle of the night. As someone who works early mornings at the hospital, I often find myself leaving at 6am for work and seeing smashed glasses, rubbish across the streets and food waste all over the tables. It's not a hygienic environment and it's not the landlords who clean it, it's the council.

I feel as though if the pub reopens I will have to consider moving. This isn't something I want to do as I love the community but I have to think of my own safety. I find it sad in 2019 I have to think about my safety all because of a pub not being run efficiently.

I hope my input helps you look at how the residents and community feel. Safety should be your priority.

Kind regards,

[REDACTED]

21 NOV 2019

20/11/19

~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Dear Sir,

I have lived at above address for 2 $\frac{1}{2}$ years, and I love living here, but as the Half Moon pub reopens this time I'm seriously thinking of moving. I have seen 3 Landlords come and go all trying to make Half Moon respectable to NO Avail!!! I have seen fights in the street, Drug exchanges in Broad Daylight!! arguing, Loud music and Heated Discussions which is just not acceptable in this sort of Community!! The pub attracts every low life who see nothing wrong in the way they

Numerous times! but again as far as
I know No arrests were made, probably
just got a slap on the wrists!!
We are all begging you not to allow
this pub to Reopen - it would be
a huge mistake!!

I think I speak for a few of us and say
we cant keep going through this its
very stressful!!

Since they have been closed its been
Heavenly. peace quite, no ear plugs
to get to sleep! and able to leave windows
open to fresh air instead of Drugs
Smells!! I am a easy going
person! but there is no place for
a public bar in such a small
village. I hope you will do your
best for the Whipton community.

Yours sincerely

 (Mr)

Mulvihill Property

2. A W. [REDACTED] VILLAGE ROAD, [REDACTED] EXH 3A W. 1. 01300 269004

Lee Staples
Licensing Section,
Exeter City Council,
Civic Centre,
Paris Street,
Exeter,
EX1 1RQ.

Dear Sirs

Ref: HALF MOON, WHIPTON VILLAGE ROAD, EXETER

With reference to the pending licence review of the above premises I would be grateful if you could bring the following comments to the Licensing Committee's attention.

We operate a number of residential and commercial properties which directly face the above premises. In the recent past when the pub was open the level of anti social behaviour in and outside the premises has reached intolerable levels.

To date we have had residential tenants move out of the properties after the initial six months because of the anti social behaviour and have been advised that, should the pub re-open, others will also leave at the end of their lease.

We manage our properties to a high standard and have recently renewed all the double glazing to the front of the properties at some considerable expense. This has helped to reduce the noise levels in the winter months but as the better weather approaches it is not unreasonable for the tenants to want to open their windows.

The poor management of the pub has not been restricted to one landlord, it has been a succession of landlords all of whom have failed in their duties. Our tenants have complained to us of unacceptable noise levels until the early hours of the morning, way past the licensing hours, of fighting outside the pub and of the open sale and use of drugs.

This is not a pub that is being operated as a community or family pub, rather as a city centre nightspot.

There is another pub less than 100 yards away that seems to be capable of operating without causing offence.

Yours faithfully

CC Neil Harvey, [REDACTED]

██████████ HILL SERVICE ADDRESS AS ABOVE

- 9 DEC 2019

VICKI Best

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dear Niel,

Please please please dont let the
Half Moon pub in Whipton reopen! Mine and my
partners life has been a misery since we moved
in, Music blaring till 4am and fights, Not to
mention the drug dealing going on in the car
park. Riot vans and police cars every weekend
are a norm. All the people who drink there know
we complain and are intimidating us when
we leave the house. We have children here
and i wont let them walk past the pub alone.
I have even been prescribed pills for the
Anxiety its given me. Since the pub has
been closed life is so much better, Since the
news its going to reopen we have been trying
to find somewhere else to live. I honestly cant
go through it again. Yours faithfully

[REDACTED]

Neil Harvey

From: [REDACTED] on behalf of Licensing Team
Sent: 05 December 2019 10:10
To: Neil Harvey
Subject: Incident in the Half Moon public house car park

--Original Message-----

From: [REDACTED] <[REDACTED]@exeter.gov.uk>
Sent: 05 December 2019 21:05
To: Licensing Team <licensing.team@exeter.gov.uk>
Subject: Incident in the Half Moon public house car park

whom it may concern,

Wednesday 12th June 2019 at approximately 19:00hrs I was in Summer Lane, Exeter nearing the junction with Nipton Village Road. I had to stop because of a delay ahead at the junction and whilst waiting noticed a small hatchback car parked in the car park of the Half Moon public house. The vehicle contained 3 or 4 young males who I suspected were dealing drugs to a string of people both on foot and bicycles who were visiting the vehicle for a few seconds, a quick exchange would take place before the purchaser walked/cycled away. I witnessed 2 - 3 deals take place within a minute or two. As the road cleared ahead the small car exited the car park and drove off up Summer Lane in the opposite direction. I was unable to see its registration plate or describe any of the occupants.

Submitted for your information.

[REDACTED]
[REDACTED] Bad

APPENDIX 4

Representation Form for Responsible Authorities

Responsible Authority

Devon & Cornwall Constabulary

Full Name	David ADAMS-LEACH	Job Title	Alcohol Licensing Officer
Postal and email address	Police Station Heavitree Road Exeter EX1 2LR		
Tel No.			

Name of the premises you are Making a representation about.	The Half Moon
Address of the premises you Are making a representation About.	68 Whipton Village Road Whipton Exeter EX4 8AW

Which of the four Licensing Objectives does your representation Relate to?	Y/N	Please detail the evidence supporting your representation, or the reason for your representation. Please use separate sheets if necessary.
Prevention of Crime & Disorder	Y	<p>I am writing to record my representations regarding The Half Moon in support of the representations made by local residents.</p> <p>Between March and the current date there have been 18 incidents where violence, criminal damage and Anti-social Behaviour have taken place. The majority of the incidents involve persons who are "drunk".</p> <p>10 crimes have been recorded in the same period as usually there is no complaint forthcoming once police attend.</p> <p>There have been 4 changes of DPS in this time, 2 occasions the premises have been left in the hands of bar managers. There were slight improvements initially, however over weeks the incidents would increase.</p>

This form must be returned within the statutory Period.
Please check with the Licensing Section on 01392 265434

Representation Form for Responsible Authorities

		<p>Interventions have been attempted with little success. Last attempt was on the 02/10/2019.</p> <p>Devon and Cornwall police have received emails from the local community explaining the impact the premises has had on their lives. Residents report glass in the street, bushes and shop door ways.</p> <p>The noise and associated anti-social behaviour has been unbearable as well as feeling intimidated not only at night but during the day when the premises is open.</p> <p>A Community Impact Assessment has been conducted to show how the premises effects the community as a whole.</p>
Public Safety	Y	See above due to reported glass is street, bushes and driveways. Fear of repercussions from those frequenting the premises which in turn demonstrates the fear locally that the premise has generated in those that live close by.
Prevention of Public Nuisance	Y	See above
Protection of Children from Harm		
<p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary</p>		None

This form must be returned within the statutory Period.
Please check with the Licensing Section on 01392 265434

Devon and Cornwall Police

Disclosure

The Half Moon Public House, 68 Whipton Village Road, Exeter,

EX4 8AW.

EXE-P00251

Contents

1. Report from Devon and Cornwall Police regarding the premises.
2. Incident Logs
3. Recorded Crime Log
4. Intervention Letter dated 31st July 2019
5. Community Impact Statement
6. Statement 1
7. Statement 2
8. Statement 3
9. Email to Mr Greene(Hawthorn Leisure) dated 10th December 2019

DEVON AND CORNWALL CONSTABULARY

From: David Adams-Leach
Alcohol Licensing Officer
Devon and Cornwall
Police

Exeter City
Council
Licensing
Department

Ref:	Your Ref.:	Date: 18/12/2019
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Application to review Premises Licence The Half Moon Public House 68 Whipton Village Road, Exeter, EX4 8AW

This report is made regarding my representations about the above premises in support of the representations made by local residents.

My first dealings with the premise was on the 27th March 2019 where I was asked to attend The Half Moon with Environmental Health Officer Mr Westcott due to a number of complaints regarding noise. Within these complaints Anti-Social Behaviour, fighting and criminal damage were cited. We spoke with the bar manager who was running the Premises and agreed to have a meeting on the 10th April 2019. I spoke with the DPS Mr Francis Sprackman at the time by telephone and advised him of the meeting, which he advised could not attend.

We met on the 10th April 2019. In attendance was myself, E. [REDACTED] Westcott, the bar manager and a representative from Elite Pub Estate Company based in Weston Super Mare Becky Rowlands. We discussed the ongoing issues and complaints. Becky Rowlands advised us that the bar manager was new in post due to problems with the previous manager. A Licensing check was made and found in order. Toilets were swabbed and there was a positive indication of cocaine. The bar manager was encouraged to take steps to disrupt the possibility of drugs on the premise. It was agreed the bar manager would notify me of incidents at the premise. Details were left of Best Bar None and the LVA for her to attend. It was agreed that the staff at the bar would contact me to discuss any incidents over the coming weeks. From the call log incidents were called to the police via 999 on the 12th April, 20th April, 20th April and 10th May. I received no calls from staff at the premise.

On the 17th May 2019 I was made aware of an incident occurring at the premise by a concerned member of the public. 6/7 people were reported to be fighting, the bar manager had called the police via 999 as customers were refusing to leave the premises. I made a visit to the premises on the 22nd May 2019. The Bar manager was not there but a member of staff called her and she made her way to the premises. When she arrived it was clear she was under pressure. The atmosphere in the premises can be described as hostile and not welcoming. We discussed the incident. I requested to see the incident book but nothing had been recorded covering the last two months. I also asked if the DPS Mr Sprackman had been informed. The Manager told me he was not interested and gives no support to the premises.

The next day, 23rd May, I telephoned the premises licence holder, [REDACTED] who put me in contact with Mr [REDACTED] Greene. He was not aware of any problems at the premises. I informed him that there were multiple crimes and incidents of disorder. He assured me he would get hold of the DPS [REDACTED] and restructure the management. I spoke with the DPS Mr Sprackman on the 24th May. He informed me that [REDACTED] had spoken to him. I asked if he was aware of incidents occurring at the premises and he could only inform me of two out of the ten incidents in the last 6 weeks. He agreed to a meeting on the 29th May at Heavitree Road police station.

At the meeting on the 29th May, [REDACTED] Sprackman and Becky Rowlands attended with myself. They were unaware of the incidents at the premises despite being able to show me weekly meetings with the staff at The Half Moon. It was clear that Mr Sprackman did not have day to day control of the premises. He informed me that they had taken the decision to temporarily close the premise while they employ a new DPS who would be based at the pub.

On the 4th June 2019 I received a phone call from a [REDACTED] who identified himself as the new DPS for the Half Moon. He made the call to introduce himself and get an insight into the premises. We discussed the conditions of the premise licence as well as the current issues and he told me he had a lot of experience dealing with troubled premises. The premise was due to reopen on the 6th June.

I met with Mr [REDACTED] at The Half Moon on the 7th June and he engaged well and keen to help calm the premise down. He was taking steps to introduce himself to the community to provide reassurance. On the 14th June I received an email from the local neighbourhood team informing me that they had met with [REDACTED] and he appeared to be keen to work with the police and was happy with regular engagement.

On the 02nd July 2019 I received an email from the neighbourhood team informing me that [REDACTED] has left the premises suddenly with no warning and that The Half Moon was left being run by an untrained bar manager. On the 10th July we received notification that the DPS was going to be Mr Francis Sprackman again. I left a message on his phone to contact me and discuss the premises. We spoke on the 11th July and he gave me assurances he would have control of the premises.

On the 29th July I was informed of incident 1001 occurring on the 27th July reference a criminal damage where a male had punched and broke a window. In this incident a concern for welfare reference a drunk women accompanied by a young child was reported by the bar manager. A visit was made to the premises and CCTV viewed. The Bar manager had not recorded the incident. I discussed this incident with Licensing [REDACTED] and it was agreed to send the DPS a letter to judge engagement asking for a variation to be made to the licence so the licensing objectives can be fulfilled. The letter was sent on the 31st July which is attached.

On the 1st August I was contacted by [REDACTED] and he said he had read the letter that was sent. He informed me he was unaware of anything happening at the premises. He went on to say he was going to overhaul the whole management structure again with a new DPS.

A new DPS was installed on 14th August and we had a meeting on the 21st August. [REDACTED] informed me that she had worked at the premise in the past and was well aware of the issues at the premise. I showed her the letter that was sent to the previous DPS [REDACTED] so she was aware of the incidents and issues occurring at the premise.

On the 30th September 2019 I was informed of an incident on the 27th September where there were reports of fighting in the street where a male had been knocked unconscious. On police arrival no one was willing to say what had happened which is a common theme. I was also made aware of incidents from a member of the community that on the 22nd September there had been an outside function which was very loud. He further informed me that glasses were being thrown across the street as well as associated Anti-social behaviour.

I spoke with the DPS [redacted] on the 02nd October and I requested an action plan to set out the steps to maintain control of the premise. In this initial conversation we discussed limiting the use of the outdoor area which was being met with resistance.

Before this could be completed I was informed by the DPS [redacted] on the 15th October the premises was going to close due to a burglary that occurred on the 13th October where a substantial amount of cash and the CCTV hard drive was taken, this investigation is still current.

I spoke with [redacted] on the 7th November to enquire as to what was happening with the premise. He informed me that he is looking for a new tenant. I have advised him of my concerns with the premise and there has been a noticeable drop in crime since the closure. He did say he will be in touch when he had found a new tenant.

On the 13th November 2019 Devon and Cornwall police were informed an application for review of the above premises called by local residents.

Three statements have been obtained from the community describing their experiences with the operation of this premises. It is worthy of note that none of the residents providing this information is willing to be publicly identified for fear of retribution from customers who have intimidated by gesture and verbal abuse when previously identified as engaging with the police. The three statements have been included with this report.

The following emails have been received from concerned residents. A summary of the contents of the emails are below. The residents have indicated they also do not want to be identified due to possible retributions.

Email 1, 05/12/2019 10:28

Drug dealing, fighting

Email 2, 16/11/2019 17:35

Drug dealing, anti-social behaviour, fighting

Email 3, 01/12/2019 14:48

Noise, anti-social behaviour.

Email 4, 01/12/2019 22:21

Noise, anti-social behaviour, fighting, drug dealing, intimidation

Email 5, 15/11/2019 14:07

Anti-social behaviour, fighting, noticeable drop in incidents since closure

Email 6, 04/12/2019 15:58

Noise, fighting, anti-social behaviour, drug dealing, intimidation, noticeable difference since closure.

Email 7, 08/12/2019 18:22

Noise, fighting, broken glass, drug dealing / taking, intimidation.

Email 8, 05/12/2019 18:10

Anti-social behaviour, urinating in public, intimidation

Email 9, 18/11/2019 23:04

Noise, violence, criminal damage, broken glass, noticeable difference since it was closed.

Email 10, 04/12/2019

Drug dealing, drug taking, fighting, noise, anti-social behaviour, urinating in public, intimidation.

The response from the community enabled PC Stoner a Neighbourhood Beat Manager to conduct a community impact statement which is included with this submission.

It should be noted at this point that the level of crime has dramatically decreased.

On the 3rd December I received a telephone call from a proposed DPS. They were unaware of the review on the premises. A meeting was arranged for 10th December at Heavitree Road Police Station. On the same day I spoke with M. [REDACTED] who was also unaware of the impending review. He was also going to attend.

In attendance at the meeting on the 10th December was myself, Police Licensing Officer M. [REDACTED], PC [REDACTED], PC [REDACTED] and M. [REDACTED] for the licence holder. At this meeting the concerns of the premises was discussed. Also discussed was information had been received regarding the proposed DPS. The proposed DPS would not be suitable and M. [REDACTED] was made aware. An email sent to M. [REDACTED] after the meeting records the details of the meeting. The Email has been included with this submission. M. [REDACTED] was asked to submit a new business plan and policy regarding the premises.

I have concluded that the previous efforts of intervention by the police and the efforts of the licence holder and DPS together with their predecessors have all failed to satisfactorily resolve the situation. Despite different DPS's, different managers, additional conditions, numerous police interventions and negotiations over this last year, nothing has worked.

The Devon and Cornwall police feel that all previous attempts at finding a suitable resolution have failed and we cannot think of any appropriate conditions that would address the identified issues. We feel that the only remedy available is revocation of this premises licence.

This report is submitted for your consideration.

David Adams [REDACTED]

Alcohol Licensing Officer
Devon and Cornwall Police.

Incident Log The Half Moon

March until October

dent Number	Date	Time	Brief Details of Incident
P-20190323-0005	23/03/2019	00:01	Fighting Approx. 20 Persons involved
P-20190325-0741	25/03/2019	19:32	Male refusing to leave
P-20190330-0118	30/03/2019	02:56	Male been attacked
P-20190412-0965	12/04/2019	23:51	Male Kicking Off ASB, Fight
P-20190420-0060	20/04/2019	01:27	ASB,
P-20190510-1062	10/05/2019	23:24	Drunk People on roof
P-20190511-1020	11/05/2019	23:12	Violence, Female assaulting people
P-20190517-1067	17/05/2019	23:19	ASB, Violence, Fight
P-20190519-1009	19/05/2019	22:54	Domestic, Fight
P-20190523-1063	23/05/2019	22:54	Males kicking off, ASB, Violence, Fight
P-20190605-0842	05/06/2019	21:07	ASB 10 people attempting to gain entry
P-20190608-0013	08/06/2019	00:02	Large fight 8 people involved
P-20190628-0869	28/06/2019	18:41	Banned persons refusing to leave, Fight
P-20190704-1086	04/07/2019	23:01	Males trying to get in ASB, Violence
P-20190727-1001	27/07/2019	21:14	ASB Violence, Fight
P-20190927-1035	27/09/2019	23:12	Ongoing fight, violence
P-20191004-913	04/10/2019	23:02	5 people fighting nearby linked to Pub
P-20191013-795	13/10/2019	21:05	Burglary

The Half Moon
Whipton Village Road

Recorded crime since March 2019

Last recorded crime prior to this was 04 August 2018

Theft 18/03/2019 at 00:00

UNKNOWN OFFENDER HAS GAINED ACCESS TO THE OFFICE AREA OF PUBLIC HOUSE BY SMASHING A WINDOW. AN UNTIDY SEARCH HAS TAKEN PLACE UNDERNEATH THE WINDOW AND A CASH TILL DRAW HAS BEEN DISTURBED AND MONEY HAS BEEN STOLEN TO THE VALUE OF £2000.

No suspect identified, No further action

ABH 30/03/2019 at 00:00

MALE HAS STATED THAT HE HAS BEEN OUTSIDE OF HALF MOON WHIPTON VILLAGE ROAD WHEN ANOTHER MALE HAS COME UP TO HIM AND HIT HIM WITH A KNUCKLEDUSTER CAUSING A LUMP TO THE RIGHT SIDE OF HIS FACE.

No complaint given, No further action

Criminal Damage 17/05/2019 at 23:00

YOUNG MALES HAVE SMASHED GLASSES AND CAUSED DAMAGE TO DOOR

1 offender arrested.

Section 5 public order 17/05/2019 at 23:15

MALE OFFENDER WAS HEAVILY INTOXICATED, BEING VERBALLY ABUSIVE AND AGGRESSIVE IN PUBLIC FOLLOWING A FIGHT WITHIN A PUB. MALE OFFENDER WAS SHOUTING AND SWEARING CONTINUOUSLY IN A PUBLIC PLACE REFUSING TO COOPERATE WITH POLICE.

1 offender arrested.

Possess a controlled drug 17/05/2019 at 23:15

MALE OFFENDER WAS HEAVILY INTOXICATED, BEING VERBALLY ABUSIVE AND AGGRESSIVE IN PUBLIC FOLLOWING A FIGHT WITHIN A PUB. MALE WAS ARRESTED FOR SECTION 5 PUBLIC ORDER. DURING SEARCH IN CUSTODY CANNABIS LOCATED IN TRACKSUIT BOTTOM POCKET.

1 offender arrested

Criminal Damage 23/05/2019 at 22:50

FEMALE VICTIM IS LANDLORD OF PUB, MALE SUSPECT HAS BEEN BANNED FROM PUB RECENTLY, BUT ATTENDED THIS EVENING AND DEMANDED TO BE SERVED, WHEN REFUSED, HE JUMPED ON AND OVER THE BAR AND TURNED A BEER TAP ON. MALE THEN LEFT LOCATION AND KICKED DOOR OPEN WHICH CAUSED DAMAGE.

No complaint forthcoming, no further action

ABH 07/06/2019 at 23:50

KNOWN MALE OFFENDER PERCEIVED TO BE IN DRINK AND DRUGS HAS ASSAULTED MALE AGGRIEVED OUTSIDE OF PUB THIS HAS CAUSED INJURY AND LUMP TO THE HEAD THERE ARE WITNESSES AND CCTV

No complaint forthcoming, no further action

Criminal Damage 27/07/2019 at 21:00

MALE OFFENDER HAS SMASHED THE PREMISES WINDOW AFTER A VERBAL ARGUEMENT WITH OTHER CUSTOMERS INSIDE THE PREMISES.

No complaint forthcoming, no further action

ABH 04/09/2019 at 22:00

MALE OFFENDER KNOWN TO MALE AGGRIEVED MALE AGGRIEVED HAS BEEN LEAVING THE TOILET AREA AND MALE OFFENDER HAS THEN PUNCHED HIM IN THE FACE UNPROVOKED

No complaint forthcoming, no further action.

Burglary, 13/10/2019 at 20:00

UNKNOWN PERSON HAS GAINED ACCESS THROUGH INSECURE DOOR OFF OF A FLAT ROOF TO REAR OF THE PUB GIVING ACCESS TO THE LIVING ACCOMMODATION. ONCE INSIDE THEY HAVE FORCED THE DOOR TO THE OFFICE LOCATED OFF OF THE LOUNGE AND CONDUCTED AN UNTIDY SEARCH. £5700 IN CASH AND THE CCTV HARD DRIVE HAS BEEN STOLEN. OFFENDER HAS THEN LEFT THROUGH SAME ENTRY POINT.


Enquiries ongoing

Police Licensing Department
Police Headquarters Middlemoor

Exeter

EX2 7HQ


31st July 2019


I am writing to you in your capacity of Designated Premises Supervisor for The Half Moon, 68 Whipton Road, Exeter, EX4 8AW.

On the 27th July 2019 at around 2100 hours there was an incident at the premises which again highlights my concerns that we have discussed previously. The incident involved a male who punched the window of the premise causing it to shatter and leave him with deep lacerations also injuring a customer inside the premises.

While this incident is ongoing the caller reports to the police they have concern for a female and young child who have just left the premises. She was described as being "very much in drink with her 1 year old child in the pub" when the incident initially happened.

I made a visit to The Half Moon on the 30th July to make enquiries as to the events leading up to this. The mother and child are clearly seen on CCTV inside and outside of the premises. I have concerns that staff were serving alcohol to her allowing her to become "drunk" while being in care of her child.

I asked to see the refusal register and this could not be produced. The incident book had not been filled in since the previous DPS had left and the some cameras on the CCTV were inoperable.

Being the designated supervisor you are responsible for ensuring that these tasks are being fulfilled and it is evident that it is not being done.

I am disappointed we have not managed to deal with these situations by internal management intervention. Having examined your Premises Licence I do not believe the current conditions attached to the licence are sufficient to deal with these matters. To that end the premises is now identified as a problem premise and I am going to request you to make a variation to the premises licence, in order that the licensing objectives can be fulfilled. Below is the conditions I would like to see added:

The Licensee shall ensure that between 20:00 and 30 minutes after closing on Friday and Saturday when the premises are open for licensable activities there are employed on the premises a Minimum of two Door Supervisors.

A minimum 2 members of staff working the bar, one of which must be a personal licence holder.

All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.

Intervention Letter

The hours and activities permitted by the premises licence.

How to complete and maintain the refusal register in operation at the premises.

Recognising the signs of drunkenness.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 6 monthly intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Please be advised that should you decide that you do not wish to make this application, any further incidents involving ASB or alcohol related violence will trigger an escalation in our response and consideration will be given to making an application to Exeter City Council for a review of the premises licence.

Yours Sincerely

A black rectangular redaction mark covering the signature of the Alcohol Licensing Officer.

Alcohol Licensing Officer

Devon and Cornwall Police

Witness Statement

Page 1 of 1

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN:

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Statement of: [REDACTED]

Age if under 18 (if over insert "over 18"): Over 18

Occupation: Police Constable [REDACTED]

This statement (consisting of1..... Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: [REDACTED]

Date: 23/11/2019

I am Police [REDACTED] of Devon and Cornwall Police. I am stationed at Exeter Police station and am the Neighbourhood Beat Manager within the North and East Exeter team.

As a part of my role I focus on community issues and neighbourhood disputes and primarily work to resolve these issues working collaboratively with members of the public and partner agencies.

Through my role I am keen to identify areas and locations of concern and try to engage positively and proactively so they can be addressed.

The HALF MOON INN at 68 WHIPTON VILLAGE ROAD, EXETER is a place which has been having a significant negative impact on the community around its location. It is a public house under the management umbrella of THE ELITE PUB ESTATE COMPANY based in WESTON-SUPER-MARE. It is a large public house and located in an area where any negative activity or behaviour has a significant impact on local community and residents.

In my role as the police officer responsible for this location I have made attempts to engage with staff managing this premises on numerous occasions due to a history of anti-social behaviour and disruption from its customers and license holders.

I was first aware of the concerns regards this premises around three years ago in early 2017 when I first worked as a response police officer in EXETER and would frequently be made aware of incidents involving violence or anti-social disturbances.

Information received by police previously has included assaults taking place within the premises where staff have assaulted each other and that previous landlords have allowed patrons to engage in recreational drug abuse on the premises.

Signature: [REDACTED]

Signature Witnessed by: N/A

Witness Statement

Page 2 of 5

Continuation of Statement of Tim O'NEILL

I became a neighbourhood officer in June 2019 and one of my first priorities was to attend the HALF MOON INN and introduce myself with DAVID BROWN. The manager at that time was called JOHN and stated that he had been placed at the premises as he was renowned for being able to turn problem pubs into more respectable establishments.

The conversation with JOHN was very positive and encouraging, he was keen to work with police and ensure that trouble makers would not be tolerated within the pub. Unfortunately, JOHN ceased working at the premises just a few weeks later. JOHN stated that he was unable to control the behaviour of locals attending the pub and that they had 'taken over'.

In August 2019 I visited the premises again and spoke with ROBERT who had been the assistant manager to JOHN, he stated that alongside the departure of JOHN he would now be applying for the role of manager. I reiterated my willingness to engage with the premises and staff there to ensure that there was no deterioration in relation to anti-social behaviour linked in and around the pub. ROBERT assured me that he welcomed this approach and engagement.

I returned there a few weeks later in September 2019 and spoke with JOHN however he did not engage or demonstrate any positivity towards police presence. Instead he was dismissive of any potential issues and stated that if police were required he would have called. This was in stark contrast to the previous visit I had. The lack of willingness to engage with police concerned me.

Over a 12 month period, prior to this statement being written, there have been twenty five calls to police regarding the premises with the vast majority being linked to violence and disorder. In comparison to this figure, in the same road there is another independent public house called THE VILLAGE INN, 56 WHIPTON VILLAGE ROAD, EXETER which had one call to police over the same period. The calls relating to the HALF MOON INN were made both by staff and also members of the public. Although the calls from staff previously show a willingness to call police when required it also demonstrates that they have been unable to control the behaviour within and outside the pub.

Some of the most recent police logs are detailed below:

On Wednesday 5th June 2019 at 2107 hours police were called to a group of males causing problems in the pub who then moved outside the pub.

Signature: Tim O'NEILLSignature Witnessed by: N/A

Witness Statement

Continuation of Statement of ~~THE STONER~~

On Saturday 8th June 2019 police received several calls stating that 7-8 customers were fighting in the pub car park. Police attended and dispersed a group.

On Friday 28th June 2019 police were called to a male who would not leave the pub.

On Thursday 4th July 2019 police were called at 2301 hours to reports that a group were trying to get into the pub, they were not happy that the pub was closing for the night and tried to get back in.

On Saturday 27th July 2019 police were called at 2114 hours to the pub to reports that a window had been smashed and 2 males fighting outside the pub.

On Friday 27th September 2019 Police were called at 2312 hours to reports of an unconscious male following a fight outside the pub, a further call to the location was also received by the ambulance service. Police attended, and present were several males with injuries, however they were not forthcoming with details about what had happened though it was clear an assault had taken place. Since the closure of the pub there has been a reduction of calls to police regarding anti-social behaviour in the local area.

On the 15th October 2019 the Exeter Police Neighbourhood team were made aware that the HALF MOON INN had ceased trading and that the premises was being boarded up and a formal review of the licence for the pub was being made by the Council. As a result, ~~THE STONER~~ sent a letter to local residents in the area of the pub seeking to collate views from the community as to how the pub has impacted upon them when it was trading. A number of residents have responded via email to the Neighbourhood team about their experiences of the pub and the anti-social behaviour linked to it. Out of approximately 20 email replies only one email detailed a positive response of the pub and potential re opening.

A common theme in the emails received from members of public is how much quieter and nicer the local area has become since the closure of the pub and that many of the residents would like it to remain this way as they do not want a repeat of the previous anti-social behaviour that has been blighting the area due to the pub. Many of the local residents who have provided their views have asked to remain anonymous as they are very worried about possible repercussions from those that were frequenting the pub. This demonstrates the fear locally that the pub has generated in those that live close by.

One resident who lives in close proximity to the pub has detailed being woken by loud and disorderly individuals coming from the pub, acting in a threatening and volatile manner whilst drinking in the street around closing time. They would also find bottles, used glasses and cigarette ends in front of their property

Signature: ~~THE STONER~~

Signature Witnessed by: N/A

Witness Statement

Page 4 of 5

Continuation of Statement of [REDACTED]

but all of this including the disorder has not been a problem since the closure of the pub. The resident stated that the incidents of anti-social behaviour from the pub caused them distress and resulted in them feeling unsafe walking in the locality in the evenings.

Another resident who has lived many years in the local area stated that within the last three to five years that anti-social behaviour has increased significantly in the area due to those who drink in the pub and that on Friday and Saturday nights it was a regular occurrence to see police in the area of the pub. They also feel too intimidated to walk past the pub and have experienced damage to their vehicles which they attribute to being committed by those that are coming and going from the pub.

A further resident has stated that they had lived near the pub for 27 years and regularly observed, late night loud noise, aggressive fighting, swearing, broken glass, glasses thrown in gardens and large groups of disorderly youths (many under age) have been common place over the whole time they have lived there. They describe a significant increase of verbal abuse, groups of people sat outside smoking drugs, drug dealing, racist and homophobic comments openly shouted out and they generally feel intimidated of approaching anywhere near the establishment when it is open. Their family have been subjected to vulgar, homophobic abuse and will walk an alternative route home to avoid the crude and intimidating comments made by some of the customers and to avoid the groups of youths. There is daily swearing and offensive language, sat outside they make no exception for women, pensioners or when the young children are going past on their way home from school. All you can smell as you walk past is cannabis being smoked and it is common knowledge locally that drug dealers frequent the pub. Like many other residents they have confirmed that the area is transformed when the pub is closed with no issues noted and a normal, peaceful balance restored. They have pleaded that this pub remains closed in order that they do not have to suffer or be subjected to this behaviour further.

Other residents have detailed groups coming from the pub and fighting in the street late at night with loud shouting and swearing and again have said that these problems have become non-existent since the pubs closure. A number of residents have said that the issues and anti-social behaviour from the pub had led them to contemplating moving out of the area as the situation had become so awful. Many felt unable to use their own gardens during the summer months due to the abusive language of those using the pub.


Several residents made mention of the VILLAGE INN pub and how different and better the behaviour is in and around this pub compared to the HALF MOON.

Signature: [REDACTED]

Signature Witnessed by: N/A

Witness Statement


Page 5 of 5

Continuation of Statement of 

There is a suggestion from several residents that if the pub were to re-open that it will lead to an increase in drug dealing in the area which has subsided since it's closure. Some residents have stated that they often saw drug deals occurring outside the pub in the car park, in the street and outside their properties which they believe was linked to the people drinking inside the pub. Many of the residents have also stated that each time the pub re-opens with new management, the same problems occur within a very short time and the issues return.

It is clear from also speaking in person to some of these residents that many strongly feel that the pub should remain closed for the safety and peace of the residents. They reported feeling a sense of relief and real freedom of being able to live in and walk around the village as you should be able to.

Taking into account the number of calls to service for police and use of police resources combined with the strong feelings of the community, it is the Neighbourhood Police teams' position that we believe that the HALF MOON should not be granted a licence and should not re-open. If it was to re-open and begin trading again as a public house I believe there will be further incidents of anti-social behaviour and unlawful activity which will have a significant negative impact on the wider local community.

Signature: 

Signature Witnessed by: N/A

05/2012

OFFICIAL-SENSITIVE

Neil Harvey

From: [REDACTED]
Sent: 10 December 2019 16:56
To: [REDACTED]
Subject: RE: The Half Moon, Whipton, Exeter

Thanks David, we will come back to you asap with regards to a full operating plan.

Many thanks.

[REDACTED]
Business Development Manager

[REDACTED]



Hawthorn Leisure
Tearstone, Pinewood Business Park, Galeshill Road
Malden, Surrey KT21 1HG
t: 0181 601 7700
h: [REDACTED]
[REDACTED]

A NewRiver Company

We're proud to support the Trussell Trust and help stop hunger in the UK

From: ADAM TEACH David 150710 - David ADAM TEACH@devonandcornwall.pnn.police.uk
Sent: 10 December 2019 13:27
To: Clive Clive@clive.green@hawthornleisure.com
Subject: The Half Moon, Whipton, Exeter

Good Afternoon Clive,

Thank you for attending today's meeting.

We discussed the concerns of the above premise.



- Lack of management
- Lack of engagement of the Licensing Objectives
- Community concerns
- Number of fights
- Anti social behaviour
- Lack of engagement to the police licensing Department by DPS
- Number of DPS employed over a 12 month period
- Lack of response to concerns raised by police over a 6 month period
- Concerns Re the effect the operation of the premises is having over the community specifically the feeling of aggression and intimidation displayed by both staff and customers
- Lack of door supervisors

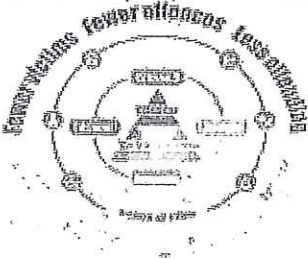
As discussed the management and tenancy arrangements are for you and your company to deal with. On this subject we did advise that the proposition that you were making to install a new DPS and her partner would attract a robust objection from the Devon and Cornwall police due to information held that cannot be divulged at this point due to the data protection act.

After the conclusion of our discussion you undertook to arrange for a new business plan and policy to try and deal with our concerns.

Look forward to hearing from you.

Kind Regards


Drug and Alcohol Harm Reduction
Alcohol Licensing Prevention Department
Devon and Cornwall Police
Exeter
Tel: 



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Witness Statement

Page 1 of 3

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN:

Statement of: [REDACTED]

Age if under 18 (if over insert "over 18"): Over 18

Occupation: [REDACTED]

This statement (consisting of3..... Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: _____

Date: 05/12/2019

This is my statement which refers to a public house called the HALF MOON INN pub in WHIPTON VILLAGE, EXETER.

I have lived at [REDACTED] for a number of years and in that time the HALF MOON INN has been a near constant cause of stress, disruption and tension to myself and the surrounding community. The pub is in very close proximity to my house being approximately 40 metres away so any disturbance or issues there or arising from it have a significant detrimental impact on me. Whilst I am able to acknowledge and fully accept that this public house has always had a reputation and could be considered notorious, I am of the view that it has deteriorated considerably over the past 5 years. I am also mindful that at times any pub can be a bit noisy or have some isolated issues and have no objection to this as would consider it to be both normal and acceptable.

The HALF MOON INN however is not somewhere safe or pleasant and relaxing, to go and have a quiet drink or socialise with neighbours or the community. It is a pub which attracts and seems to encourage a lawless type of attitude and associated behaviour from its customers which is totally unacceptable.

The types of incidents and issues arising from this establishment being opening and trading have been unlawful, anti-social and at times simply sickening.

I have made several calls to the police to deal with these incidents, unfortunately by the time the police are able to arrive, the trouble or incident has often stopped, or people involved will not provide the police with any information.

I am aware that there have been recommendations for the managers to employ their own security, but this has never happened and so the issues have continued.

The types of behaviour witnessed on the premises of the HALF MOON INN on regular occasions are:

Signature: _____

Signature Witnessed by: _____

Witness Statement

Page 3 of 3

Continuation of Statement of [REDACTED] N

The pub has had a very negative impact on the community where I am living and raising my family. I am aware that other residents are like myself and would like to move because of the pub due to the negative impact it has whilst open. I do not want to be forced to move my home and family simply because this type of behaviour can continue by the fact this pub is permitted to continue trading. It is not acceptable that this can cause such a significant impact to people's lives and not be dealt with appropriately. I work hard and try to provide a safe home environment for myself and family, the pub ensures that this is challenged on an almost basis by the incidents and people who frequent it. I do not feel that the area is safe or can be enjoyed as it should be, and this is as a direct result of this pub being allowed to remain open for business.

I feel very let down by the local authority and any other persons responsible for allowing this to continue, clearly any management team who have been in post have not wanted to improve the situation as any recommendations such as security staff have been ignored and the issues just continue.

Like many other residents, I am not just tired and frustrated by the fact this pub is allowed to be open and attract the issues mentioned, I am fearful of someone being very badly hurt or injured, potentially worse. If this pub re-opens and operates as it has been, I feel it would be a complete disregard to the peace and wishes of the community which surrounds it.

The trading of this premises as a public house compromises the peace of our community and cannot provide an acceptable standard of behaviour in a law-abiding society and should not be allowed to continue to operate and ruin people's lives as it has done.

Since it has been closed, it has been blissful, the peace and quiet has been such a welcome change from the normal noise and violent behaviour we are subjected to.

Signature: _____

Signature Witnessed by: _____

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: [REDACTED]

URN [REDACTED]

Age (if under 18): N/A

Occupation: [REDACTED]

This statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature of witness:

Name: [REDACTED]

Date: 09-12-2019

I am the above named person and this is my statement in relation to The Half Moon Public House on Whipton Village Road in Exeter.

I live on my own in [REDACTED] 1. This is a ground floor flat and [REDACTED]

I have lived at this address for 4 years. When I moved in I was aware I was going to be living opposite a pub and that there might be some noise however at the time was living with my son so thought it would not be a problem.

For the first couple of years the pub did not cause me any issues however over the last two years I have started to notice an increase in incidents of anti-social behaviour, what I believe to be drug dealing, and violence.

The first example of anti-social behaviour I can remember happened around 2 and a half years ago during the summer. I had gone to bed at around 22:00 hours and was woken up at midnight by loud music coming from the pub and shouting coming from outside. I looked out my window and could see around 15 people outside the pub shouting and singing. This went on until around 01:00 the following morning.

Then about a year ago at 16:00 o'clock my attention was drawn to what sounded like people arguing outside of the pub. I looked out the window and saw a male and female who are not known to me, walking past the front of the pub. As they did this two males who were sat drinking outside the pub have approached the couple and one of the males then punched the female knocking her to the ground. She fell over onto the pavement and the two males went back into the pub. One of the barmen who I believe is called Alan then came out and helped the woman to her feet. I then saw Alan appear to urge the couple to

Witness name: [REDACTED]

Signature witnessed by:

Statement started: 09-12-2019 15:07

walk away up Whipton Village Road. The two males then appeared to high five each other before going back to their drinks. It seemed like Alan did not say anything to the two males.

What I do believe is getting worse is what I suspect to be drug dealing. This started around 18 months ago when I noticed what I believe to be exchanges taking place between customers and cars that would drive into the pub car park. This would happen during the afternoons when cars would pull into the pub car park and customers would come out of the pub and approach the car. I then saw some kind of brief exchange take place between the pub customer and the occupants of the car before the car drove off. This type of activity was happening right up until the pub shut a couple of months ago.

When the pub was open it seemed to attract the same type of customer. This was either the elderly locals who would sit outside waiting for it to open at 12:00 each day, and then the younger males in their late teens, early twenties who would attend in the early afternoon. I do not think it is the type of pub that would attract families due to its reputation. I think that at the time of closing the pub had a reputation of being very unfriendly. An example of this is when I saw two males who I think were students or tourists, buy a couple of drinks and sit outside the pub on one of the tables. At this time there was no one else sat outside and all the tables were empty. Two males who I recognise as being locals have then come out of the pub and sat directly opposite the other males. I took this as the locals being deliberately intimidating. I could not hear what was said however the two students then got up and left leaving their drinks on the table.

Since the pub has been closed the area has been much quieter. I am also no longer worried about walking to the shop around the corner whereas when the pub was open I would not do this when the locals were sat outside drinking. This was because I was always wary of what might happen. I was never targeted by the locals myself however due to what I had seen them do in the past I was always worried about what they might do.

Also since the pub has been shut the cars have not been turning up and making exchanges as there have not been any customers in the pub.

If the pub were to open again I would be worried about the above issues happening all over again. Although there have been various licensee's over the years the group of local drinkers has not changed. I feel they are the real issue and are the ones that behave like they can get away with anything.

If it were to reopen I feel it would need an owner that is strong enough to control the customers that have been causing the problems over the years. I have been told that licensee's have tried to ban specific customers before however they have been unable to do so with any authority and so the same drinkers have been back inside within a few days.

I enjoy living in this area and love my flat however should the pub reopen and the above problems start again I would consider moving away.

There is another pub just up the road called The Whipton Inn and I have never known there be any issues there.

Signature witnessed by:

Statement started: 09-12-2019 15:07

Not Disclosable

Witness contact details:

URN

Name: [REDACTED]

Home address: [REDACTED]

Postcode: [REDACTED]

Home telephone :

Work telephone :

Mobile : [REDACTED]

Email:

Preferred means of contact(specify details for vulnerable/intimidated victims and witnesses only): Mobile

Best time to contact: n/a

Gender: Female

Date of Birth: [REDACTED]

Place of Birth: [REDACTED]

Ethnicity code:

Dates not available:

Witness Carea) Is the witness willing and likely to attend court? **Yes** If 'No', include reason(s) on form **MG6**

b) What can be done to ensure attendance? n/a

c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? (*youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case*). If 'Yes' submit MG2 with file in anticipated not guilty, contested or indictable only cases.**No**

d) Does the witness have any particular needs?

If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent - For witness completion

a) The Victim Personal Statement Scheme (victims only) has been explained to me

No

b) I have been given the Victim Personal Statement leaflet

No

c) I have been given the leaflet "Giving a witness statement to the police..."

No

d) I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice)

N/A

e) I consent to my medical record in relation to this matter being disclosed to the defence

N/A

f) I consent to the statement being disclosed for the purposes of civil, or other proceedings if applicable, e.g. child care proceedings, CICA

N/A

I am able to read the statement I have given.

Yes

I understand that the information recorded above will be passed on to the Witness service, which offers help and support to witnesses pre-trial and at court

No

Witnessed by: [REDACTED]

Signature witnessed by:

Statement started: 09-12-2019 15:07

Statement completed: 10-12-2019 12:40

OFFICIAL

MG11

Not Disclosable

Signature of witness:

Date: 09-12-2019

Name:

Statement taken by:

Station:

Signature witnessed by:

Statement started: 09-12-2019 15:07

Statement completed: 10-12-2019 12:40

OFFICIAL

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: **[REDACTED]**

URN

Age (if under 18): N/A

Occupation: **[REDACTED]**

This statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature of witness:

[REDACTED]

Date: 25-11-2019

Name: **[REDACTED]**

This my statement which refers to the ongoing issues and incidents I have suffered in the area I live due to the presence of a local public house called, THE HALF MOON INN, WHIPTON VILLAGE ROAD, EXETER.

I have lived at **[REDACTED]** with my husband **[REDACTED]** since **[REDACTED]**. When we first moved into our house I was very aware that the pub was there and that it had a reputation for being quite rough. I was of the view that I would not be likely to be a customer there and assumed that any issues would be well managed and so as a resident would be largely unaffected by poor behaviour or any criminal activity.

My house is number 76 and the HALF MOON INN, is situated on the same side of the road as my house. It is so close to that I can walk to it within 30 seconds.

Within the first year of living there, I was returning home in my car one evening when as I pulled onto the lane from PINHOE ROAD, I could see a large fight taking place involving around 30 people. There was a mix of males and females all fighting and there was very quickly a large police presence. I was absolutely horrified by what I had seen, I felt frightened and intimidated by the number of people and level of violence being displayed. My initial thoughts were that I had made a huge mistake by buying a house in this area. Over the following years there have been numerous incidents which have deeply affected the peace of me living in my house and home. On one occasion I returned home late in the evening and as I pulled into my drive in my car I noticed a man walking out of my garden. As the man was doing this he was doing up his trouser flies and when confronted by me, a female with the male said he had been urinating in my garden. I was upset by this and the male who was with another male as well as the female all started to become aggressive towards me. All three of them appeared to be heavily under the influence of alcohol and I felt intimidated by the fact that drunk people were on my property and being aggressive. I could not say for certain that they had come from the HALF MOON INN but I quickly moved away and went inside my property. On a separate occasion there was an incident where the kebab shop also nearby had the windows of this being smashed following a fight, which had spilled out from the pub. I witnessed this and was again seriously alarmed.

Witness name: **[REDACTED]**

Signature witnessed by:

Statement started: 25-11-2019 19:10

Statement ended: 25-11-2019 20:57

There was one particular incident which I found extremely disturbing. I was aware of an argument outside of my house, there were two males arguing and shouting at each other. One male was more aggressive than the other and one was attempting to diffuse the situation. They both walked towards the HALF MOON INN and I noticed that the aggressive male had removed his shirt. I opened my door to see what was going on and as I walked onto the lane I also saw that one of my neighbours had also come outside to see what was happening. As I turned away to speak to the neighbour I heard a very loud sound like a thud which was very chilling and I instantly knew something horrible had happened. I looked back towards the pub and could see that another male not involved in the argument was now laid unconscious on the floor. The aggressive male was now putting his shirt back on and trying to walk away. I was genuinely so frightened by what I saw that I did not want to approach even to try and help the unconscious male. I immediately called an ambulance and the police awaiting their arrival. There was a lot of commotion and several other fights breaking out in the pub car park. At a different time there was another incident where fighting had broken out with males who had come from the HALF MOON and there was a group who were trying to restrain another aggressive male. This resulted in the aggressive male being pushed into an alleyway opposite my house where he was then assaulted by at least two of the males in the group. I witnessed him be repeatedly punched and kicked relentlessly. This was so alarming and horrific to me that it caused me to feel physically sick and extremely afraid. Again I called the police and an ambulance.

There have been so many events of this nature and linked to customers from the HALF MOON INN that I have lost count. I have only ever been in the HALF MOON as a customer once in all the time I have lived there where I witnessed a male go into the toilets and when he came out a short while later covered in blood, he had clearly been seriously assaulted. My main worry was that this caused no concern to any persons including staff within the pub which led me to feel this was most likely quite normal behaviour within the pub and certainly reflective of what I saw outside the pub on a very regular basis. The HALF MOON INN never seem to have any operational or reviewable CCTV footage of any incidents and do not ever seem to employ any security or door staff. I understand this had been a recommendation yet had never been implemented. I simply do not understand how this pub has been able to continue to operate with this type of behaviour and activity without any positive intervention from any authority to bring it to a stop. The HALF MOON INN and its patrons have made it very unpleasant for me to live where I do and made me feel afraid in my own home. The examples I have given are not exhaustive, there are similar incidents varying in severity on a very regular basis. It has become very normal to have loud music played from the premises way after midnight and have all kinds of anti social type behaviour in addition to the violence. An example of this would be general noise nuisance, glasses and bottles being strewn in the road and discarded in my garden. I would estimate that there is a significant disturbance at least every other week. I am often away at weekends and so am not aware of what else may be going on during the time I am not at home.

The HALF MOON INN has caused me to want to move house, I understand that it is a public house and there will be some noise from customers or music. However I consider the impact of the HALF MOON to be extremely offensive and totally unacceptable. There have been numerous different managers and landlords yet no one is ever able to manage it appropriately and in a way where it is not having a negative impact on the people who live near it. There is another public house also nearby called the VILLAGE INN, there does not appear to be anything like the same type of issues caused from here and seems to be a different type of customer here where there is minimal impact to residents.

My main concern is that should the HALF MOON INN re-open and these sort of incidents continue there will be an incident where someone could be seriously injured or worse. There is also an escalation of other criminal activity in this area which is causing more and more concerns and I would urge that there should be CCTV installation in order to mitigate these issues and help the community to feel safer. I feel that the HALF MOON INN should not be operating as a public house as it is not fair for the

Witness name:

Signature witnessed by:

Statement started: 25-11-2019 19:10

OFFICIAL

MG11

residents who live here let alone the level of criminal activity which occurs as a result. As I have mentioned in my statement, the examples given are a small snapshot of the amount of incidents we have had to endure during our time living here since 2006.

Witness name:

Signature witnessed by:

Statement started: 25-11-2019 19:10

OFFICIAL

APPENDIX 5

- 27th September 2019: Noise from People outside of the premises. Standard noise complaint letters issued (diary sheets not returned), monitoring visit conducted but noise nuisance not substantiated at that time;
- 12th September 2019: Noise complaint regarding loud music emanating to the premises. Standard noise complaint letters issued (diary sheets not returned);
- 21st Jan 2019: Multiple source complaints regarding noise and antisocial behaviour emanating from the Half Moon (6 separate complainants). Diary sheets returned and numerous joint visits by Environmental Health and Police Licensing conducted, as well as evening monitoring visits by Environmental Health. Complaints continued until August 2019 despite numerous meetings by Environmental Health/ Police Licensing with the premises management. Statutory noise nuisance not established despite comprehensive investigation;
- 11th June 2018: Complaint regarding noise from patrons in beer garden. Standard noise complaint letters issued (diary sheets not returned);

APPENDIX 6

THE
HALF MOON

THE
HALF MOON

Call us
on 01902 216078
to find out more

COULD YOU RUN THIS PUB?
TOILET
Call us now on 01902 216078 to find out more

THE HALF MOON
PUB
ALCOHOL
18+ ONLY
NO DRUGS
NO VIOLENCE
NO SMOKING













APPENDIX 7

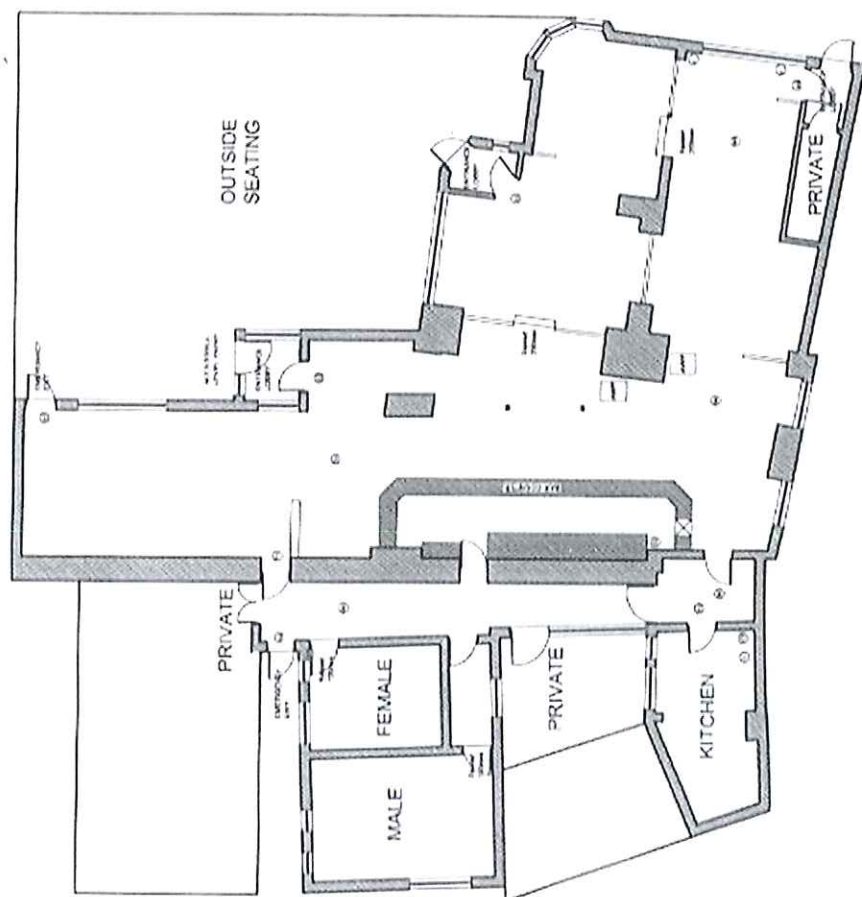
The map shows a residential area with several streets and buildings. Key features include:

- Streets:** Summer Close, Westbrook Court, Whipton Village Road, High Bank.
- Buildings and Landmarks:** Whipton Inn (PH), Half Moon (PH), Payne Court, Whipton Community Hall, Sunny Bank, The Whipton Wash hub, Lych Gate, Pebbles.
- Other Labels:** 32.6, 32.3, TCB, PC, PC, El St, Sub St, LB, Shelters, 84a, 84b, 84, 8, 2, 78, 75a, 73b, 80, 80a, 82, 82a, 74, 352, 355, 355a, 358, 358a, 358b, 358c, 358d, 358e, 358f, 358g, 358h, 358i, 358j, 358k, 358l, 358m, 358n, 358o, 358p, 358q, 358r, 358s, 358t, 358u, 358v, 358w, 358x, 358y, 358z, 359, 359a, 359b, 359c, 359d, 359e, 359f, 359g, 359h, 359i, 359j, 359k, 359l, 359m, 359n, 359o, 359p, 359q, 359r, 359s, 359t, 359u, 359v, 359w, 359x, 359y, 359z, 360, 360a, 360b, 360c, 360d, 360e, 360f, 360g, 360h, 360i, 360j, 360k, 360l, 360m, 360n, 360o, 360p, 360q, 360r, 360s, 360t, 360u, 360v, 360w, 360x, 360y, 360z, 361, 361a, 361b, 361c, 361d, 361e, 361f, 361g, 361h, 361i, 361j, 361k, 361l, 361m, 361n, 361o, 361p, 361q, 361r, 361s, 361t, 361u, 361v, 361w, 361x, 361y, 361z, 362, 362a, 362b, 362c, 362d, 362e, 362f, 362g, 362h, 362i, 362j, 362k, 362l, 362m, 362n, 362o, 362p, 362q, 362r, 362s, 362t, 362u, 362v, 362w, 362x, 362y, 362z, 363, 363a, 363b, 363c, 363d, 363e, 363f, 363g, 363h, 363i, 363j, 363k, 363l, 363m, 363n, 363o, 363p, 363q, 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 364, 364a, 364b, 364c, 364d, 364e, 364f, 364g, 364h, 364i, 364j, 364k, 364l, 364m, 364n, 364o, 364p, 364q, 364r, 364s, 364t, 364u, 364v, 364w, 364x, 364y, 364z, 365, 365a, 365b, 365c, 365d, 365e, 365f, 365g, 365h, 365i, 365j, 365k, 365l, 365m, 365n, 365o, 365p, 365q, 365r, 365s, 365t, 365u, 365v, 365w, 365x, 365y, 365z, 366, 366a, 366b, 366c, 366d, 366e, 366f, 366g, 366h, 366i, 366j, 366k, 366l, 366m, 366n, 366o, 366p, 366q, 366r, 366s, 366t, 366u, 366v, 366w, 366x, 366y, 366z, 367, 367a, 367b, 367c, 367d, 367e, 367f, 367g, 367h, 367i, 367j, 367k, 367l, 367m, 367n, 367o, 367p, 367q, 367r, 367s, 367t, 367u, 367v, 367w, 367x, 367y, 367z, 368, 368a, 368b, 368c, 368d, 368e, 368f, 368g, 368h, 368i, 368j, 368k, 368l, 368m, 368n, 368o, 368p, 368q, 368r, 368s, 368t, 368u, 368v, 368w, 368x, 368y, 368z, 369, 369a, 369b, 369c, 369d, 369e, 369f, 369g, 369h, 369i, 369j, 369k, 369l, 369m, 369n, 369o, 369p, 369q, 369r, 369s, 369t, 369u, 369v, 369w, 369x, 369y, 369z, 370, 370a, 370b, 370c, 370d, 370e, 370f, 370g, 370h, 370i, 370j, 370k, 370l, 370m, 370n, 370o, 370p, 370q, 370r, 370s, 370t, 370u, 370v, 370w, 370x, 370y, 370z, 371, 371a, 371b, 371c, 371d, 371e, 371f, 371g, 371h, 371i, 371j, 371k, 371l, 371m, 371n, 371o, 371p, 371q, 371r, 371s, 371t, 371u, 371v, 371w, 371x, 371y, 371z, 372, 372a, 372b, 372c, 372d, 372e, 372f, 372g, 372h, 372i, 372j, 372k, 372l, 372m, 372n, 372o, 372p, 372q, 372r, 372s, 372t, 372u, 372v, 372w, 372x, 372y, 372z, 373, 373a, 373b, 373c, 373d, 373e, 373f, 373g, 373h, 373i, 373j, 373k, 373l, 373m, 373n, 373o, 373p, 373q, 373r, 373s, 373t, 373u, 373v, 373w, 373x, 373y, 373z, 374, 374a, 374b, 374c, 374d, 374e, 374f, 374g, 374h, 374i, 374j, 374k, 374l, 374m, 374n, 374o, 374p, 374q, 374r, 374s, 374t, 374u, 374v, 374w, 374x, 374y, 374z, 375, 375a, 375b, 375c, 375d, 375e, 375f, 375g, 375h, 375i, 375j, 375k, 375l, 375m, 375n, 375o, 375p, 375q, 375r, 375s, 375t, 375u, 375v, 375w, 375x, 375y, 375z, 376, 376a, 376b, 376c, 376d, 376e, 376f, 376g, 376h, 376i, 376j, 376k, 376l, 376m, 376n, 376o, 376p, 376q, 376r, 376s, 376t, 376u, 376v, 376w, 376x, 376y, 376z, 377, 377a, 377b, 377c, 377d, 377e, 377f, 377g, 377h, 377i, 377j, 377k, 377l, 377m, 377n, 377o, 377p, 377q, 377r, 377s, 377t, 377u, 377v, 377w, 377x, 377y, 377z, 378, 378a, 378b, 378c, 378d, 378e, 378f, 378g, 378h, 378i, 378j, 378k, 378l, 378m, 378n, 378o, 378p, 378q, 378r, 378s, 378t, 378u, 378v, 378w, 378x, 378y, 378z, 379, 379a, 379b, 379c, 379d, 379e, 379f, 379g, 379h, 379i, 379j, 379k, 379l, 379m, 379n, 379o, 379p, 379q, 379r, 379s, 379t, 379u, 379v, 379w, 379x, 379y, 379z, 380, 380a, 380b, 380c, 380d, 380e, 380f, 380g, 380h, 380i, 380j, 380k, 380l, 380m, 380n, 380o, 380p, 380q, 380r, 380s, 380t, 380u, 380v, 380w, 380x, 380y, 380z, 381, 381a, 381b, 381c, 381d, 381e, 381f, 381g, 381h, 381i, 381j, 381k, 38

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Scale 1:50



KEY

- 1. SERVICE ENTRANCE
- 2. PUBLIC ENTRANCE
- 3. PRIVATE ENTRANCE
- 4. SERVICE ENTRANCE
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