

BEFORE THE EXETER CITY COUNCIL

LICENSING SUB-COMMITTEE

Timepiece Nightclub, Little Castle Street, Exeter, EX4 3PX

Written submissions on behalf of the Applicant for Review

Part 1 – Background, the premises and general issues

- The premises is a long-standing club venue attended by local people and students at the nearby University.
- The premises licence for Timepiece includes the following requirements:
 - CCTV must be installed, maintained, and operated to the satisfaction of the Chief Officer of Police and the Licensing Authority, with recordings kept for one month.
 - An incident book must be kept and all instances of public disorder recorded.
 - An anti-drug policy agreed by the Police must be operated.
 - All staff must be trained in licensing law, emergency procedures, and health and safety.
 - Door supervisors must be positioned at exits at closing times to assist in moving patrons on.

Part 2 – Incidents and public complaints re the premises – weight and relevance

2.1 Main Incident (19-20 September 2025, around 23:00 to the following day):

A young female patron (Complainant A) became acutely unwell inside Timepiece, collapsing initially in Timepiece and again outside near to the premises and within sight of SIA staff. Witnesses, including medical students, observed signs of a life-threatening emergency (shallow breathing, foaming at the mouth, eye rolling and loss of

consciousness). Security staff allegedly refused to call an ambulance, would not assist, and instructed that the complainant be moved away from the premises. The incident is under police investigation [REDACTED]

2.2 Incident 2 (19 September 2025):

A young woman fell down the bathroom stairs, hitting her head and was ejected by security despite needing first aid. She was left outside, repeatedly losing consciousness and vomiting, and only received help from other students and friends. An ambulance was called and attended to her. Security did not check her ID or assist her, and only one staff member checked on her just before the ambulance arrived.

- Incident 3 (16 September 2025):

A woman was forcibly removed by security, accused of having a fake stamp despite having paid for entry. She was not intoxicated, was not warned, and a female security guard used excessive force, pulling her hair and dragging her outside. When she asked staff to check CCTV, she was told they “couldn’t be bothered.” Some security staff were not wearing SIA badges, and she was threatened with a ban if she complained. Friends who tried to intervene were shouted at and pushed by security.

2.4 Incident 4 (September 2024):

A man was ejected by security for being too drunk. His friend tried to follow to assist him on his journey, but the door staff advised he was already being helped by someone and to let him be. However, the man was not being assisted and was on his own, and suffered a fall 500 meters from the premises. The man suffered multiple brain bleeds and jaw, skull and other fractures and instantly fell into a coma. He laid in the street for hours until a passer-by called an ambulance. He was transferred to hospital and remained in a coma for 10-days. His injuries were such that he had to leave university to recover and re-attend one year later. The university paid for his parents accommodation in Devon whilst he remained in hospital for one month. This was reported to the police.

2.5 Incident 5 (29 January 2025):

A woman was subjected to abuse by a member of the security team. He used excessive force to take her phone and used facial recognition to unlock it and deleted the video evidence she had recorded of him shouting at and pushing her friend. He then continued to swear at her, isolated her, called her derogatory names and kicked her out of the club. She was left outside the club on her own segregated from her friends, and without her keys. She reported this to the Police after the incident as she was terrified.

- Additional Public Comment (September 2025):

A former staff member reports inconsistent ID checks and a culture of unethical conduct among security staff, including excessive force, bullying of patrons, lack of SIA badge display, and ejection of vulnerable patrons without appropriate checks or first aid.

2.7 From reading the various complaints and speaking with those people, it would appear that Timepiece have been selling and supplying Tiki Fire Rum as “shots” and customers have been unaware of its strength. Tiki Fire is 75.5% ABV, whereas the standard strength for shots (vodka, gin, rum, tequila, whiskey is 40% ABV).

Part 3. General principles of law

3.1 The Home Office s.182 Guidance and police policy both make clear that venues must take all reasonable steps to keep people safe, especially when someone is in distress or at risk. The police are expected to work in partnership with the council and other authorities to ensure these standards are met and to intervene where there are serious concerns.

3.2 Section 4 of the 2003 Act requires the Sub-Committee to carry out its functions with a view to promoting the licensing objectives. In doing so it must have regard to its statement of licensing policy and to the Secretary of State’s Guidance issued under section 182.

The following submissions outline a range of general legal principles relevant to the committee’s deliberations. They are presented for consideration without any particular

order of priority and will be amplified as necessary in the course of argument. Their purpose is to provide a framework of established law, guidance, and good practice within which the committee's decision-making should be approached.

- 3.3 The committee must give clear and detailed reasons for its decisions. These reasons should explain how the committee has followed the law, the guidance, and its own policy.
- 3.4 Guidance (11.10) states, inter alia, that where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to take enforcement action.
- 3.5 The Metropolitan Police Service "Safe and Sound" guidance says, inter alia, 'Licensees and Managers have responsibility for the effective and safe management of their premises. However, you are not expected to deal with all the problems alone. Licensees, management, door supervisors, police and local authorities all have a collective responsibility to work together to address these issues... It is vital that all parties have the confidence to communicate openly and honestly with each other.'
- 3.6 The powers of a licensing authority on the determination of a review as follows, inter alia (emphasis added):

'In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response', and ... 'The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.'(Guidance 11.20 and 9.43 respectively).
- 3.7 As will be apparent, it is not part of the Licensing Authority's function to punish anyone. Section 4(1) of the Licensing Act 2003 imposes a duty on the authority to exercise its functions "with a view to promoting the licensing objectives" while each of the

licensing objectives themselves is framed in terms of prevention or protection, not retribution.

- The review process is regulatory, not punitive (para 11.25) and licensing authorities are not there to determine criminal guilt or innocence, but to ensure the promotion of the licensing objectives (para 11.24).

Conclusion

The Sub-Committee is respectfully invited to determine this application for review on the basis of the evidence before it, applying the Licensing Act 2003, the Section 182 Guidance, and relevant case law.

In light of the above, we respectfully submit that the application for review should be upheld and robust conditions are added to the premises licence to ensure the venue is a safe environment for all students and customers alike who attend the premises. The safety of young persons, especially women and girls is of great importance.

Applicant for the review
David Dadds
5th November 2025