

**LICENSING ACT 2003**

**NOTICE OF DETERMINATION**

<b>Date of Hearing:</b>	17 <sup>th</sup> November 2025
<b>Application:</b>	Review of a Premises Licence
<b>Name of Premises:</b>	Timepiece
<b>Address:</b>	Little Castle Street, Exeter, Devon, EX4 3PX
<b>Licensing Sub-Committee:</b>	Cllr M Snow (Chair) Cllr P Holland Cllr A Fullam
<b>Committee Legal Advisor(s):</b>	Matthew Hall Max Murphy
<b>Licensing Officer(s):</b>	Nigel Marston Julie Bennett
<b>Democratic Services Officer:</b>	Josie McDonald
<b>The Applicant:</b>	David Dadds (Dadds LLP)
<b>Premises Licence Holder:</b>	Rob Skinner (Licence Holder) Sam King (Director) Jerry Ebdon (Head of Operations) Christopher Rees-Gay (Woods Whur Ltd)
<b>Representations:</b>	David Flynn Police Licensing Sergeant Karen Davenport Police Alcohol Licensing Officer
<b>Hearing Duration:</b>	09:30 to 15:50 hrs

That the Licensing Sub-Committee convened on 17<sup>th</sup> November 2025 to determine the application to review a premises licence has resolved to modify the conditions in accordance with section 52 of the Licensing Act 2003 and as set out in this notice.

**THE SUB-COMMITTEE'S DECISION**

In determining this application, the Licensing Sub-Committee took into account all the relevant evidence and information presented to it both written and oral, and took account of all the matters it is bound to take account of, in particular the following:

- Licensing Act 2003
- Statutory Guidance
- Exeter City Council Statement of Licensing Policy
- Human Rights Act 1998
- Any equality and diversity considerations

**REASONS FOR DECISION**

The Licensing Sub-Committee considered as a preliminary matter whether to exclude the press and public for part or parts of the hearing and invited submissions from the parties. The Applicant submitted that in the interests of transparency the press and public should not be excluded from any part or parts of the hearing. The Respondent requested that the press and public be excluded from the hearing in relation to viewing CCTV and body cam footage to protect the identity of individuals who appear.

The Licensing Sub-Committee held that the press and public should not be excluded from any part of the proceedings. The Licensing Sub-Committee considered that they had not heard compelling reasons to exclude the press and public and considered that the footage would give context to the written statements. The Licensing Sub-Committee noted that the hearing was not being broadcast externally and requested that if the identity of any individual became apparent it should not be reproduced by anyone in attendance.

The Licensing Sub-Committee were clear that they were not determining whether or not Complainant A had been 'spiked' at the Premises but examining the measures in place at the Premises and actions taken by the Respondents staff in response to intoxicated and vulnerable patrons.

The Licensing Sub-Committee carefully considered the written and oral submissions put forward by the parties and determined that the Respondent had demonstrated that it operates the Premises in a professional manner and in a way that protects vulnerable individuals. The Licensing Sub-Committee noted that the Premises attracts a large number of young people, particularly the student population in the city, and has operated for a number of years without issues being brought to the attention of the Licensing Authority.

The Licensing Sub-Committee carefully considered the incidents numbered 1 to 5 in the Applicants evidence, in particular the Licensing Sub-Committee considered the following:

#### Incidents 1 & 2: 19<sup>th</sup> September 2025

The Applicant alleged that the Respondent's conduct did not promote the Licensing Objectives by failing to properly assess the welfare of Complainant A and refusing to assist or call an ambulance. The Licensing Sub-Committee considered that on the balance of probabilities the CCTV and body cam footage supplied by the Respondent provided accurate footage of the incident that occurred on the evening of 19<sup>th</sup> September 2025 and that the written witness evidence submitted by the Applicant did not accurately reflect what had occurred. On considering the evidence presented the Licensing Sub-Committee found as a matter of fact that:

- the security officer helped stand up Complainant A following her fall down the steps. The security officer's decision in that moment to get Complainant A back on her feet was appropriate. It was noted that Complainant A was moving her arms which indicated she was able to be assisted and she did not state she was in any pain throughout her interactions with the security team.
- the security team's decision to guide Complainant A through the fire exit doors was reasonable to avoid taking Complainant A through the busier areas of the Premises;
- the security team's action of taking Complainant A to an outside bench so that they could make a welfare assessment and offer Complainant A water was considered appropriate;
- the security team were informed by Complainant A's friends that they were making arrangements for a taxi to take her home and that she would be accompanied by them;
- the overall conduct of the female security officer towards Complainant A was firm, but considerate when making enquiries into the Complainant's wellbeing and when assisting her in leaving the Premises. It was clear from the evidence that the female security officer was assisting Complainant A;
- after the welfare assessment the female security officer was satisfied that Complainant A needed to be taken home and acted reasonably, assisting her by confirming the collection of Complainant A with the taxi driver over the phone and

observing the Complainant and her friends as they left the Premises. It was noted that the Complainant's friends thanked the female security officer as they left the Premises;

- whilst collecting waste near the Premises on the corner of Little Castle Street and Bailey Street, the female security officer saw Complainant A with friends further down the road on Bailey Street. The female security officer went over to check on Complainant A who was at this point lying face down on the pavement. The female security officer checked on the welfare of the Complainant. The Complainant's friends assured the female security officer that Complainant A was okay. The Licensing Sub-Committee considered that the body cam footage of the conversation between the female security guard identified inconsistencies when compared with the witness statements submitted in the Application. It did not show the witnesses were panicking or in distress nor that there was any requirement for an ambulance. The Licensing Sub-Committee observed that the female security officer was assured by the Complainant's friends that Complainant A was okay and not in need of medical attention. The female security officer then discussed her concerns with the 'street pastors' who were present. The body cam footage confirmed this conversation and the street pastors stated that they had already assessed the Complainant, given her water, and that she was with her housemates who were the right people to assist taking her home.

The Licensing Sub-Committee considered that the conduct of the security officers was sufficient to promote the licensing objective of public safety.

#### Incident 3: 16<sup>th</sup> September 2025

The Licensing Sub-Committee noted that they did not have evidence detailing the initial events leading to the removal of an individual from the Premises for having a fake stamp and for being rude to door staff. Having heard the submissions of both the parties, and considering the written evidence and body cam footage, the Licensing Sub-Committee held that the conduct of security officers was reasonable in the circumstances. Upon viewing the body cam footage provided by the Respondent, the Licensing Sub-Committee held that the female security officer used reasonable force to remove the individual from the Premises and the allegations of excessive force being used were rejected.

#### Incident 4: 2<sup>nd</sup> October 2024

The Licensing Sub-Committee heard that an individual who was ejected from the Premises was later found seriously injured. The Licensing Sub-Committee considered that the submissions and evidence provided by the Applicant and Respondent did not show unreasonable conduct by the Respondent who fully co-operated with the Police investigation into the matter.

#### Incident 5: 29<sup>th</sup> January 2025

The Licensing Sub-Committee noted the written evidence from both parties.

The Licensing Sub-Committee noted the written representation from the Devon and Cornwall Police ('the Police') as the main source of advice on crime and disorder. The Police had visited the Premises and considered that nothing of concern was identified in relation to the alleged incidents in the review application. The oral submissions of the Police included new evidence which had not been submitted in accordance with the Licensing Act 2003 (Hearing Regulations) 2005 therefore was not given any evidential weight by Licensing Sub-Committee in reaching their decision.

The Licensing Sub-Committee welcomed the liaison between the Respondent and the Police following receipt of the Application for Review and considered there should be regular co-operation between responsible authorities and the Respondent. Steps taken by the Respondent following liaison with the Police including the removal of high strength (75% ABV) spirits being made available for sale in the form of individual shots would promote the licensing objective of public safety. Updating the conditions of the licence was also important to ensure the Premises licence maintains the standards required for an effectively operated premises.

When considering its powers under section 52 of the Licensing Act 2003 the Licensing Sub-Committee did not consider that revocation or suspension of the licence nor exclusion of the premises licensable activities was required, nor the removal of the Designate Premises Supervisor.

The Licensing Sub-Committee determined that it was appropriate to modify the conditions of the Licence. The Respondent presented conditions agreed with the Police and the Applicant presented a list of conditions during the hearing all of which were considered by the Licensing Sub-Committee.

The conditions imposed by the Licensing Sub-Committee are in two categories. Firstly, those considered appropriate to be implemented following a hearing (Annex 3) and secondly those agreed by the Respondent and required to update the conditions in the operating schedule (Annex 2). The Licensing Sub-Committee is aware that the Respondent has already been operating in accordance with the majority of the proposed conditions but considered these should be detailed in the licence in order to promote the licensing objectives. It also noted that there was no Premises plan provided at the hearing and an update plan of the Premises should be submitted to the Licensing Authority immediately.

### Annex 3 conditions

#### 1. Policy

A written drugs policy and spiking policy, agreed with the Devon and Cornwall Police, shall be in place and operated at the premises. The policies must detail the actions taken in response to suspected spiking and to minimise the opportunity to use or supply illegal substances within the premises. The policies must be made available for inspection and copying upon request by an authorised officer of a responsible authority.

#### 2. Incident Log

A digital incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details

- i. Any incidents of disorder or of a violent or anti-social nature
- ii. All crimes reported to the venue, or by the venue to the police
- iii. All alleged spiking incidents
- iv. All ejections of patrons
- v. Any complaints received
- vi. Seizures of drugs or offensive weapons
- vii. Any faults in the CCTV system
- viii. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed as soon as possible and in all cases within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

### 3. Training

The management team and all relevant staff at the premises will receive training and information in relation to the following:

- i. The age challenge scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk.
- vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.
- vii. Ask Angela or any equivalent scheme.
- viii. Welfare and Vulnerability Engagement (WAVE)
- ix. Health and safety
- x. The premises anti-drug policy and spiking policy.

Training shall be recorded in documentary form in a staff training register and will include, signature of the member of staff, the DPS or an appropriately accredited training provider and shall be regularly refreshed at no greater than 12 month intervals in respect of i, ii & iii and no greater than 6 month intervals in respect of iv to x inclusive. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Training records will be retained for at least 12 months.

### 4. Refusals register

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 the request of an authorised officer of a responsible authority.  
All entries must be made within 24 hours of the refusal.

## 5. Welfare

A welfare station must be made available and identified on the premises plan. The station will be clearly signposted and available at all times the premises is open to the public. The premises shall employ a customer welfare officer whose role will be to ensure customer care is given to vulnerable persons. The welfare officer will be easily identifiable by customers.

### Annex 2 conditions

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

Alcoholic and soft drinks will be served in plastic glasses.

No customers carrying open bottles or glasses will be admitted to the premises at anytime.

No person will be permitted to take open containers of alcohol, soft drinks or drinking glasses from the premises at any time; except empty reusable plastic Timepiece branded cups.

All empty bottles, containers and drinking glasses will be removed from the public areas as soon as is reasonably practicable.

Any person who appears to be under the age of 25 will be asked for identification if attempting to purchase alcoholic drinks and only a valid Passport, Photo card Driving Licence or ID carrying the PASS logo will be accepted as proof of age. Challenge 25 posters will be displayed in prominent positions near to the bars.

A secure facility will be made available to store drugs seized at the premises until disposed of in line with the agreed policy.

The premise will be a member of Exeter Businesses Against Crime (EBAC) and have a minimum of one working radio in operation at all times during opening hours.

A policy will be in place for the management of large groups, the group will be required to nominate a responsible person to liaise with staff.

A secure area for customer's personal belongings will be made available at the premises.

There will be a 30 minute period prior to the premises closing when alcoholic beverages will not be supplied.

Patrons will be asked to leave the area quietly and not congregate outside the premises talking. Door supervisors will be positioned at exits at closing times to assist in moving patrons on.

A counting device shall be, operated and maintained to the satisfaction of the Devon and Cornwall Police.

#### Door Supervisors

Door supervisors will display their SIA badge at all times they are on duty.

Door supervisors will be used at a ratio to be agreed with the Premises licence holder and the Police (currently 1:100).

A female door supervisor will be available if searches are to be conducted on female customers, less bag searches which can be undertaken by male door supervisors.

Door supervisors will be in attendance at the entrance of the premises from 20:00, or when the premises opens, until the main exit doors to the premises are closed and at anytime when patrons may be queuing for access.

#### **RIGHT OF APPEAL**

All parties are reminded of their right to appeal against this decision to the Magistrates' Court by virtue of Section 181 and Schedule 5 Part 1 of the Licensing Act 2003. Any appeal must be made within the period of 21 days beginning with the date on which you are notified of the decision.

#### **Any Appeal is commenced by a notice addressed to:**

The Clerk to the Justices, North and East Devon Magistrates' Court Office, Southernhay Gardens, Exeter, EX1 1UH Telephone 01392 415300.

Parties are advised to contact the court office to check the form of notice required and the fee payable.

**The Chair of Licensing Sub Committee**



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