

CITY OF PLYMOUTH

Subject: Albemarle, Whiteleigh Green, Whiteleigh, Plymouth
Review of Premises Licence

Committee: Licensing Sub Committee (Miscellaneous)

Date: 13 October 2009

Cabinet Member: Councillor Brookshaw

CMT Member: Director of Community Services

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Ref: ERS/LIC/PREM

Part: I

Executive Summary:

An application has been received from Devon and Cornwall Police under Section 51 of the Licensing Act 2003 for the Review of the premises licence in respect of the Albermarle, Whiteleigh Green, Whiteleigh, Plymouth.

Corporate Plan 2009 - 2012:

This report links to the delivery of the corporate improvement priorities. In particular:

1. Improving community involvement and engagement.
 2. Widening cultural and leisure opportunities.
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Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

Not applicable.

Other Implications: eg. Section 17 - Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

Recommendations and Reasons for recommended action:

That Members consider this report.

Alternative options considered and reasons for recommended action:

None.

Background papers:

Application.
Licensing Act 2003.
Guidance issued under Section 182 Licensing Act 2003.
Council's Licensing Policy.

Sign off:

Head of Fin		Head of Leg		Head of HR		Head of AM		Head of IT		Head of Strat Proc	
Originating CMF Member											

1.0 BACKGROUND

1.1 On the 28th August 2009 the licensing department received an application from Devon and Cornwall Police under Section 51 of the Licensing Act 2003 for the review of the premises licence in respect of the Albemarle situated at Whiteleigh Green, Whiteleigh, Plymouth.

1.2 Review application.

Devon and Cornwall Police have made application for the review of the premises licence for the purpose of promoting the licensing objectives in relation to the Prevention of Crime and Disorder and the Protection of Children from Harm. Copies of this application have been served by the police on each of the responsible authorities and holder of the premises licence.

The police grounds for the review are based on a series of events in and near the Albemarle on Sunday 22nd March 2009.

In accordance with review proceedings at 11.46hrs on Friday 28th August 2009 a licensing officer from Plymouth City Council attended the premises and spoke to Tracey Trevaskus and requested the site notice be displayed at the premises.

At 14.46hrs the same day a similar notice was displayed on the public notice board at the Civic Centre, Armada Way, Plymouth.

1.3 Licensable Activities.

These premises have the following licensable activities and timings.

Exhibition of Films (Indoors)

Sun 10.00hrs to 23.00hrs
Sundays plus any other 2 days of the week between 10.00hrs and 23.00hrs.

Indoor Sporting Event

Days and times as above

Performance of live music (Indoors)

Days and times as above

Playing of Recorded Music (Indoors & Outdoors)

Days and times as above

Provision of Facilities for Making Music (Indoors)

Days and times as above

Provision of Facilities for Dancing (Indoors)

Days and times as above

Late Night Refreshment (Indoors)

Mon to Sun

23.00hrs to Midnight

Non Standard Timings

December 31st 23.00hrs to January 2nd 02.00hrs

Sale by Retail of Alcohol for Consumption ON and OFF the Premises

Mon to Sun

10.00hrs to Midnight

Non Standard Timings

December 31st 10.00hrs to January 2nd 02.00hrs

Opening Hours of the Premises

Mon to Sun

10.00hrs to 00.30hrs

2.0 RESPONSIBLE AUTHORITIES

2.1 *Environmental Health* – no representations

2.2 *Devon & Somerset Fire & Rescue Service* – no representations.

2.3 *Trading Standards* – no representations

2.4 *Planning Officer* - no representations.

2.5 *Child Protection* – no representations

2.6 *Health & Safety Executive* – no representations.

3.0 INTERESTED PARTIES

6 - letters of representation have been received from residents living within the vicinity of the premises in support of the current designated premises supervisor (Appendices 1 – 6).

4.0 CONSIDERATIONS

4.1 In making its decision the Committee is also obliged to have regard to the application and any relevant representations, take any such steps if any as it considers necessary for the promotion of the licensing objectives, which are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance;
- the protection of children from harm.

4.2 The steps are :

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

Where the committee takes a step in 4.2 (a) or (b), it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.



APPENDIX 1

Lewes Gardens
Whitleigh
Plymouth
PL5

To Whom It May Concern:

I'm writing this letter to you regarding the Albemarle pub in Whitleigh and the landlady Mrs Tracey Trevaskus.

I have known Tracey Trevaskus for the best part of my teenage and adult life through her times of being a publican at the Albemarle, and also the Tiger pub in past years.

Since her time at the Albemarle she has changed things so much, she has redecorated the bar area (this making it more welcoming), made a new enclosed smoking area at the rear of the pub so as not to disturb any of the neighbours living near by, and banned all of the old trouble makers, this making the Albemarle not only a nice pub to frequent but also a nice friendly and safe place where people can also take there children. And since the demise of the Whitleigh community centre this has been a blessing.

I feel Tracey Trevaskus is the best thing that has happened to the Albemarle in a long time. This pub used to have a bad reputation, and I for one never really liked to go in there, but since the turn around I have been there often. Of course you may get the odd bit of trouble in there, that is 1 of the down sides of running such a business, but Tracey Trevaskus deals with any bad situation promptly, this making all the loyal good customers have more faith in her abilities to be a fantastic landlady, and this making a GOOD reputation for the pub.

She has also held charity events at the pub, raising substantial amounts of money for cancer research, and has also held fun days for the community, Tracey Trevaskus you could say is bringing back the community spirit that Whitleigh has lost over the years and so desperately needs.

There is no other place to socialise in the Whitleigh area now, and I feel Tracey is doing an amazing job of turning things around.

Yours truly,

+

31.8.09.

BRENTFORD AVE
PLS

APPENDIX 2

I am writing this letter as a local customer at the Albemarle Public House. I would just like to say how good it is to be able to go back into our local without having to worry about what trouble is going to happen, or what other activities was occurring in there.

Since Tracey has become the new landlady she has entirely turned the Pub around and has made it somewhere enjoyable to visit which has been missing for a number of years, but in the last few months of her taking over she has done her utmost to clear the Pub of all the trouble-makers with which she has succeeded, even down to the hygiene and cleanliness.

Tracey and all the staff are all very warm and caring people and have all a great greeting charm.

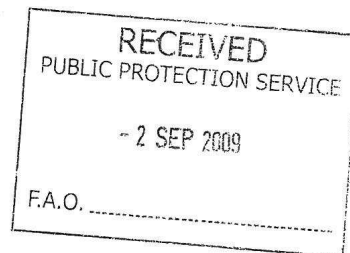
We haven't had our local Pub for a very long time. It became a troublesome place, where

2.

you would not have wanted to socialise in.
It is a pleasure now to visit the Pub and
feel the ambience of Safe Place to meet
with friends and family

On behalf of myself and my Partner we
would like you to consider keeping this lady
as our Publican and keep our Pub a safe
and friendly place to visit, which she has
done working also with the authorities
in doing so, as a long resident in this area
we do not wish for it to go downhill again
which won't happen if she is still there has
our Publican, and I have every faith that she
will not let that happen

Yours Sincerely



RECEIVED
PUBLIC PROTECTION SERVICE
- 2 SEP 2009
F.A.O.

MILFORD LANE,
WHITTLEIGH,
PLYMOUTH,
DEVON
PL5
28/9/2009.

To Whom ever this may concern,
I am writing this letter with regards to The Albemarle Pub in Whittleigh.
I frequently drank in the Albemarle since Tracey Treviskus has taken over the premises.
Since Tracey has been here the pub is a completely different place. She has barred all of the drug addicts and trouble makers and has made the pub a much nicer place to be.
She has re-decorated and that too makes the pub a much nicer place.
I have great respect for Tracey and what she has achieved here.
In just a few months she has re-decorated, held charity events, barred the trouble and brought "community" back to Whittleigh.
She has put in a lot of effort, money, time and hard work and it has paid off.
I feel I speak on behalf of everybody when I say that Tracey has completely turned this pub around and made it more community minded and a happier, safer place to be.

have responded to the changes that have taken place since Mrs Trevaunt has taken over.

I would like to point out that I have been socializing here for over 3 yrs and have known this pub to be full of drug users, fighters and trouble makers.

Fortunately, it is no longer that way. I see, on a daily basis, people coming along and totally enjoying themselves.

The pub has been cleaned, redecorated and emptied of undesirable.

The older and younger generations are able to

RECEIVEDS ALBEMARLE
PUBLIC PROTECTION SERVICE
- 2 SEP 2008 11:21 AM
F.A.O. RYMOBTH
R5-4DD

Dear Sir/Madam:

I am putting pen to paper, in response to the notice placed in the window of the Albemarle public house.

As you can see, I reside at the said pub, and am hoping to help you understand that this pub, has, in the last few months, turned around.

Apart from living here (only recently), I also socialize here. Therefore I have had the pleasure of getting to know how the local people

providing them with.

The pub now thrives on relaxation, laughter, music fun and the writing of the community.

If Mrs Trevaskus was to leave now, it would be a great loss to Whitleigh, as the work she has put into it would soon be overrun.

She is a good lady, with great standards, wonderful morals and a fantastic sense of community.

A true asset to the community and all those who happily live here.

yours sincerely

TREWANT.

now enjoy each others company, in a relaxed happy atmosphere.

A lot of people from the community, who had chosen to stay away over the past years, are now visiting the pub on a more regular basis. More importantly they return and are bringing others with them.

Obviously, word is now getting around, that the Albemarle is clean, tidy friendly and sociable. The place everybody seems to want in their community.

This is down to the efforts that Mrs Trevaskus, and her chosen team, have put into listening and

NORWICH AVE,
WHITFIELD,
SOUTH,
PUBLIC PROTECTION
-2 SEP 2009-
F.A.O.

REF: THE ALBEMARLE
PUBLIC HOUSE
WHITFIELD.

Dear Sirs,

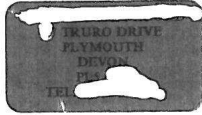
It has been brought to my attention that you have received complaints about the above establishment and the suitability of the present licensee MRS T. TREVASKIS.

Being a regular customer of the ALBEMARLE, I would like to say that since MRS T. TREVASKIS took over the running of the premises some four months ago things have greatly improved. The more troublesome and undesirable clientele have now been removed making the premises more comfortable for all. The interior decor and toilet facilities have been greatly improved again making customers feel better. There have been issues with people smoking outside and "upsetting" nearby residents. MRS TREVASKIS has now established a smoking area at the rear of the Pub and alleviated the chance of upsetting nearby residents.

Mrs Trevasless is fully committed to regenerating a community spirit within the Pub, with various charity fund raising events taking place, and I believe on the whole the present licensee is doing an extremely good job.

Yours Sincerely.

RECEIVED
PUBLIC PROTECTION SERVICE
03 SEP 2009
F.A.O. _____



Friday 28/8/09

Dear Sir or Madam:

Re: Mrs. Tracey Trovaskus
+ Licensing of the Albemarle Public House,
Budshead Road,
Whiteleigh.

I am writing in response to the notice on the window of the Albemarle Public House.

I am writing in support of Mrs. Trovaskus keeping her licence. Since she has taken over the Albemarle, she has made everything inside better, cleanliness, condition and general atmosphere.

There is a small element of the clientele who can be unruly but Mrs. Trovaskus has made it clear that any unacceptable behaviour results in a ban from the premises. Mrs. Trovaskus is a lady in the job for the long-term, not just for short-term profit. She treats all the community with the same attitude — all must abide to the rules of the law, and makes it clear on a regular basis.

2.

The Albemarle is a centre used by many in the local community, including my husband and myself and we are treated with a great deal of consideration by Mrs. Trevasius and her staff. The old folks who used to use the Community Centre (now gone) have tea and bingo each week in the Albemarle and there is nowhere else which will accommodate them.

The Albemarle is a traditional estate pub, with this comes some problems from a small minority of the community. Mrs. Trevasius is making every effort to keep the peace and maintain standards, hopefully she will be allowed to continue to do so for some time to come. Many vulnerable members of the local community get a welcome and support there in the Albemarle. Taking Mrs. Trevasius' licence away can only cause more harm than good - please let her continue her efforts to run a decent public house for the community.

Yours faithfully,

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