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Date: Tuesday, 28 January 2014

Governance Support
Town Hall
Castle Circus
Torquay
TQ1 3DR

Dear Member

LICENSING SUB-COMMITTEE - THURSDAY, 30 JANUARY 2014

I am now able to enclose, for consideration at the Thursday, 30 January 2014 meeting of the Licensing Sub-Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
6.	Licensing Act 2003 – An application for a Premises Licence in respect of (Torquay) New Build, Newton Road, Torquay Edginswell, Torquay Additional Information	(Pages 1 - 25)

Yours sincerely

Teresa Buckley
Clerk

TORBAY COUNCIL
27 JAN 2014
COMMUNITY SAFETY

Our Ref: MH/MAR/TOR9
Contact: Michelle Hazlewood

Torbay Council
Licensing Officer
Licensing and Public Protection
c/o Town Hall, Castle Circus
Torquay
Devon
TQ1 3DR

24 January 2014

For the attention of Mandy Guy

Dear Sirs

**Marston's PLC application for New Build at Edginswell, Torquay.
Hearing: 30th January 2014.**

Further to recent email correspondence please find enclosed five hard copies of the bundle to be relied on by the applicant Marston's Plc at the hearing scheduled for 30th January 2014 for the site known as Edginswell.

We are grateful to you for forwarding the same to the residents.

Should you have any queries in connection with the content or any points arising please do not hesitate to contact myself.

Yours sincerely,

Michelle Hazlewood
John Gaunt & Partners
Email: mhazlewood@john-gaunt.co.uk

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MARSTON'S PLC

PROPOSED NEW BUILD – EDGINSWELL, TORQUAY

HEARING: 30TH JANUARY 2014

	Page Number
1. The F Plan	1 - 6
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6. Proposed Operating Schedule/Conditions	20 - 21

- **FOOD** - focused on becoming market leaders within the pub dining market

Two for One
 (on a 3 Half Hour Course)
 Soups and Sunday Roasts

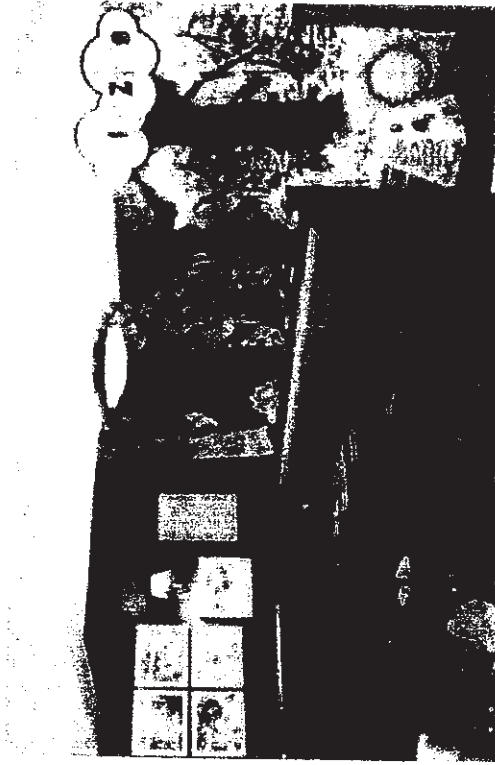
Target Market - The F - Plan

- **FEMALES** - Women now see pubs as much their domain, as the traditional male environment. Design of cosy, homely spaces, ensure customers can find a space to suit them, dining as part of a large group, couple or a family



Target Market - The F - Plan

- **FAMILY** - As family life becomes busier and households increasingly rely on dual incomes, creating an environment that welcomes those with children, has been a focus for Marstons. Recent developments include play zones and our award winning children's menu.



Target Market - The F - Plan

- **FIFTY SOMETHING** - The continued rise of a wealthy, older generation presents new challenges and exciting opportunities. To meet the demands of these customers we offer light bites, smaller portion meals, and all day great value.



MAIN MEALS
ALL DAY MONDAY-FRIDAY

Target Market - The F - Plan



Two for One

Two for One is a leading UK pub chain

with over 1,000 pubs across the country

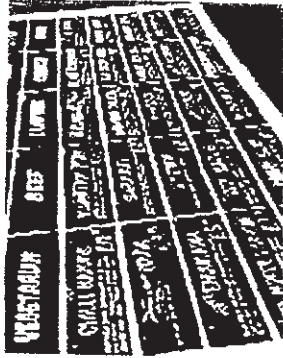
Two for One is a leading UK pub chain with over 1,000 pubs across the country

- Excellent, measured customer satisfaction scores, consistently higher than industry average
- Great customer value offer available all day, every day
- Comfortable yet contemporary surroundings
- Traditional favourites with modern twists
- A range of under 500 calorie dishes





Two for One



- A value driven offer: Two for One on all main courses
 - Supported by Sovereign Club (£8 two courses for two people)
 - And Curry Club (£11 Curry and a drink for two)
- Specials – 25 specials always available, all included in the two for one offer
- Family friendly – 500,000 children's meals a year
 - Children's play zones
 - Children's activity bags



Marston's Inns and Taverns Pub Formats

Creating A High Quality Building serving local communities

Community Facility:

- Creation of 40 – 50 Full and Part Time jobs
- 60% + revenue from Food Sales – Not a traditional wet let pub
- Additional facilities provided – parking, play areas, outdoor terrace
- Customer Base captures visitors, business people and local communities
- Deliberate exclusion of TV & sports coverage, karaoke, dancing etc.





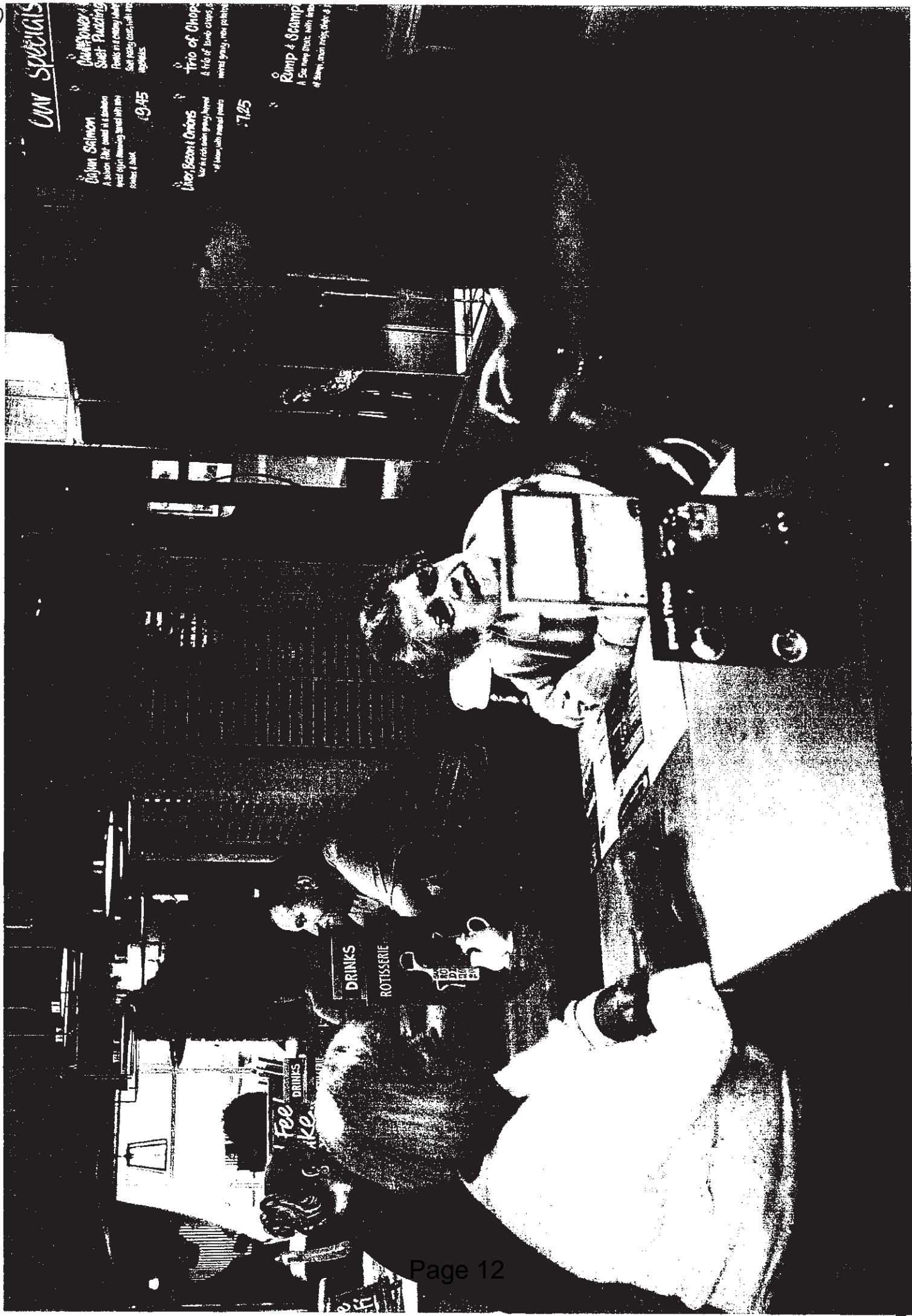
CHICK HOT BEVERAGES

Espresso	1.00	Vanilla	1.10
Delectable	1.25	Hot Coffee	1.25
Latte	1.25	Macchiato	1.25
Hot Chocolate	1.25	Hot Chocolate	1.25

A TROOP CUP OF TEA

Hot Tea	1.25	Hot Tea	1.25
Hot Tea	1.25	Hot Tea	1.25
Hot Tea	1.25	Hot Tea	1.25
Hot Tea	1.25	Hot Tea	1.25

As seating
is the area



CWV Specials

Cajun Salmon
A salmon fillet sautéed in a Cajun
herb oil, served with white rice
and a side of Cajun potatoes.
Price: \$12.95

Trio of Chops
A trio of lamb chops, served
with a rich wine gravy, baked
potatoes, and seasonal vegetables.
Price: \$17.95

Rump & Stamp
A 5oz rump steak, served with
potatoes, mushrooms, and a
rich mushroom sauce.

DRINKS
ROTISSERIE

Feel
like.

Other Hot beverages...

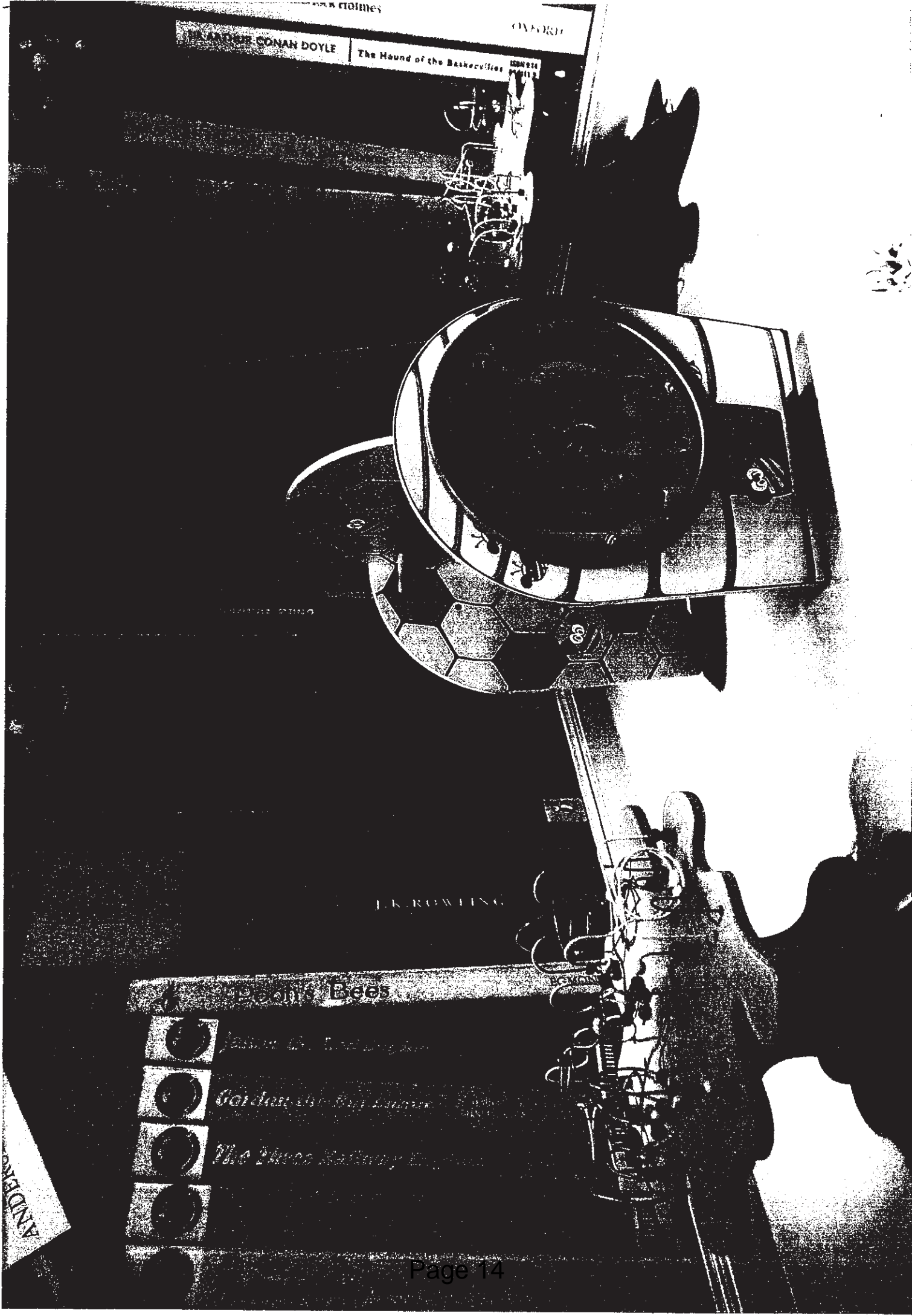
- Espresso \$1.95
- Americano \$1.95
- White Coffee \$2.20
- Mocha \$2.15
- Cappuccino \$2.35
- Latte \$2.35
- Hot Chocolate \$2.35

A proper cup of tea...

- English Breakfast
- Moroccan Mint
- Fruit Punch
- decaffeinated \$2.00
- Earl Grey
- Green Tea

Take Away Coffee





CONAN DOYLE

OXFORD

The Hound of the Baskervilles

J. K. ROWLING

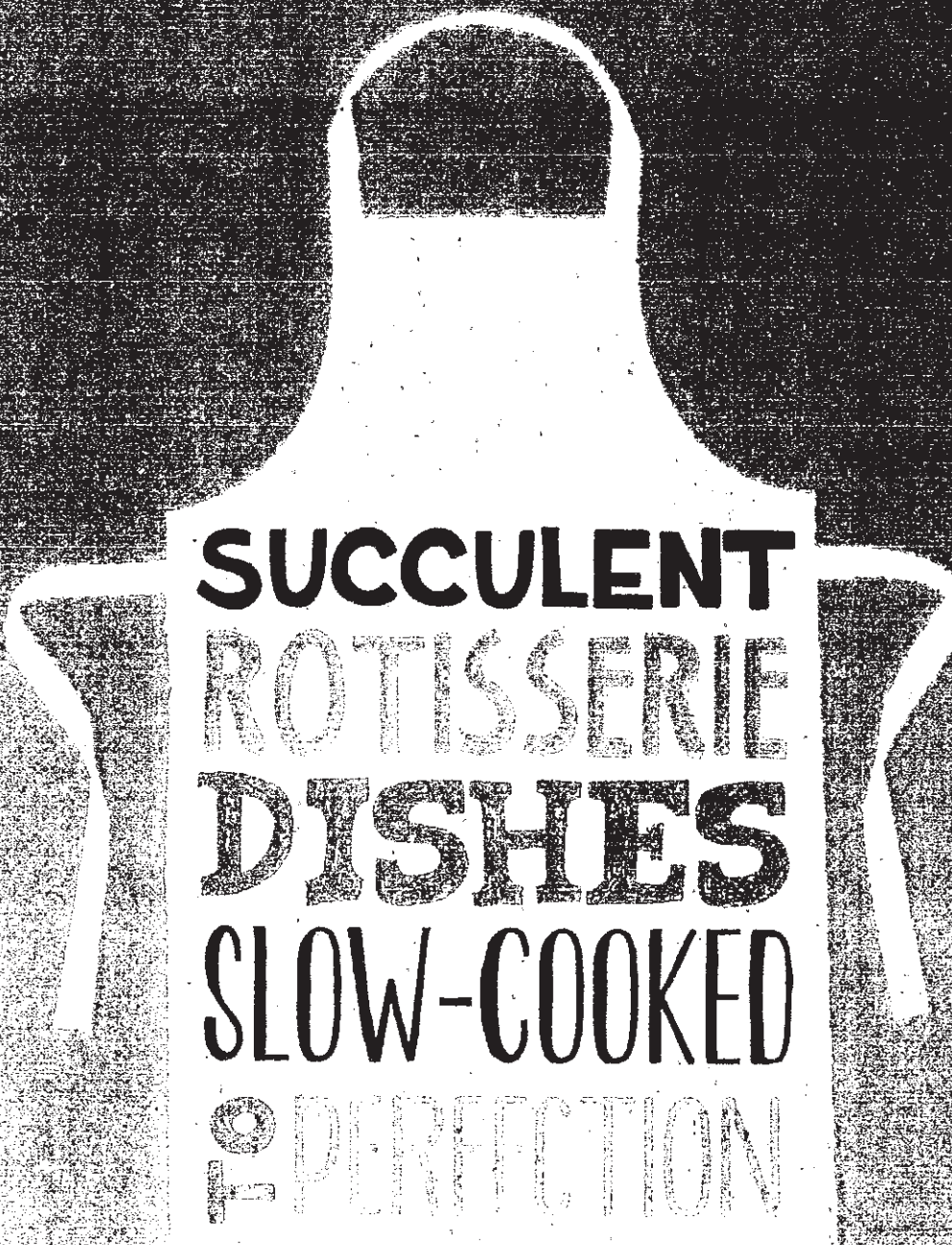
Bees

Jason

Conan Doyle

The Three Railway Engines

ROTISSERIE and main menu




STARTERS

Today's Soup ☑ served with rustic bread and butter.
Please ask for today's choice **£3.10**

Sea Salt, Garlic and Cracked Black Pepper Rotisserie Chicken served with dressed rocket and a Caesar dip **£4.10**

Garlic Mushrooms ☑ whole and sliced button mushrooms in a creamy garlic and parsley sauce, served with rustic bread for dunking **£3.95**

 **Pâté in a Pot** a smooth chicken liver and tarragon pâté in its own mini jar served with dressed rocket, slices of toasted bread and our own Marston's Pedigree caramelised onion chutney **£4.15**

Warm Tomato and Mozzarella Salad ☑ hearts of little gem lettuce lightly grilled, roasted cherry tomatoes and torn mozzarella, on oven baked croutons and topped with Caesar dressing **£3.50**



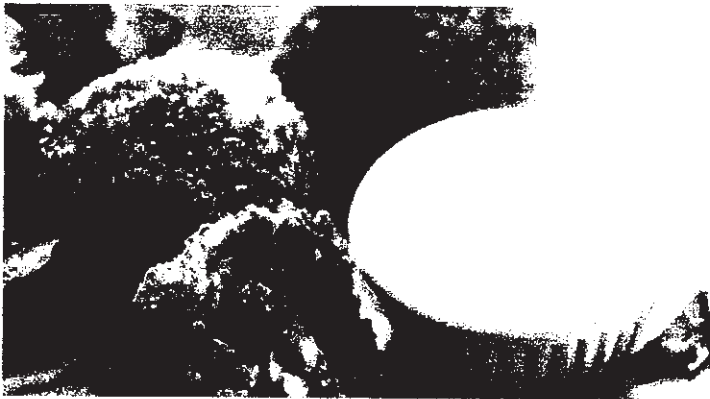
Golden Breaded Mushrooms ☑ whole button mushrooms in crispy golden breadcrumbs, served with a choice of garlic mayonnaise or BBQ dip **£3.95**

Prawn Cocktail Sundae juicy prawns on a bed of crisp gem lettuce, topped with a tangy seafood sauce and served with rustic bread and butter **£4.15**

Towering Onion Rings ☑ a cone of twenty battered onion rings served with BBQ sauce to dunk and dip them in **£3.25**

Rustic Bread and Olives ☑ served with a balsamic vinegar and oil dressing for dipping **£2.95**

Tomato and Mozzarella Bon Bons ☑ the classic Italian combination of tomato and creamy mozzarella cheese hand coated in crispy golden breadcrumbs. Served with dressed rocket and garlic mayonnaise **£3.95**




PUB FAVOURITES

For all of our dishes, we have suggested the accompaniments which work best, but if you'd prefer something else instead you can choose from the following; new potatoes, mashed potatoes, jacket potato, chips, rice or garlic bread, then either vegetables or side salad.

Tagliatelle Marinara ☑ ribbons of egg pasta in a richly flavoured tomato sauce with aubergine, courgette, peppers and onion flavoured with garlic and herbs. Topped with torn mozzarella, olives, rocket, a roasted cherry tomato and served with garlic bread **£7.95**



 **British Beef and Pedigree Ale Pie** one of the finest pies around! A deep-filled shortcrust pastry pie packed with slow-cooked, tender chunks of British beef in Marston's Pedigree gravy. Served with new potatoes and vegetables **£8.55**

Pork and Red Leicester Meatballs generous hand finished meatballs made with pork, chunks of Red Leicester cheese and caramelised onions in a moreish pickle gravy, served with mashed potato and vegetables **£8.95**

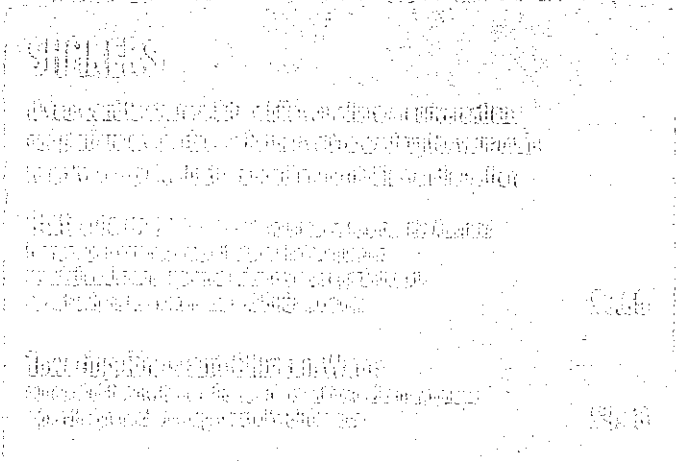
British Beef and Blacksticks Blue [®] Casserole, slow braised British beef in a tangy blue cheese gravy with Portobello mushrooms, served with mashed potato and vegetables **£9.30**

Lasagne our own recipe made with layers of pasta and beef Bolognese, topped with a creamy mornay sauce and melted cheese, served with garlic bread and a side salad **£7.95**

Vegetarian Lasagne ☑ with courgettes, aubergines and red peppers, served with garlic bread and a side salad **£7.70**

British Beef Short Ribs slow-cooked for 14 hours and served in a creamy peppercorn sauce with mashed potato and vegetables **£9.50**

Honey Roast Vegetable and Goat's Cheese Wellington ☑ a puff pastry Wellington filled with goat's cheese, apricots, root vegetables, sweet potato, cashew nuts and spinach, finished with mustard and poppy seeds. Served with new potatoes and vegetables **£8.25**





ALL OF OUR ROTISSERIE CHICKENS ARE RED TRACTOR FARM ASSURED, FRESHLY PREPARED AND SEASONED IN-HOUSE THEN COOKED SLOWLY ON OUR...

ROTISSERIE

OUR SPECIALITY HALF ROTISSERIE CHICKENS ALL COME SERVED WITH EITHER CHIPS, JACKET POTATO, NEW POTATOES, MASHED POTATOES, RICE OR HOMEMADE WEDGES. THEN JUST CHOOSE YOUR SIDE.

Choose from:

- Traditional Rotisserie Chicken £9.25
 - BBQ Rotisserie Chicken Melt £9.95
 - Loaded Wn £9.95
 - Truffle Mushroom Chicken £9.95
 - Chilli Chicken £9.25
- Make your chicken as hot as you like it!

FROM £9.25



Watch them turn golden and crispy... your taste buds won't be able to resist!

Your choice of Side:

- NEW! Baked Potato
- NEW! Jacket Potato
- NEW! New Potatoes
- NEW! Mashed Potatoes
- NEW! Chips
- NEW! Wedges



IF YOU'D LIKE MORE THAN ONE SIDE FROM THIS SECTION ADD AS MANY AS YOU LIKE FOR £1.45 EXTRA EACH.

Fancy a change from chicken?

- Red Tractor Farm Assured** hand-carved rotisserie ham served with two free range fried eggs, chips and a pot of Marston's Pedigree caramelised onion chutney
- NEW! a thick slice of rotisserie ham with homemade bubble and squeak cakes, served with a rich cheese, Herefordshire Hop and Westons Scrumpy cider sauce and garden peas

ROTISSERIE RUBY

Rotisserie Chicken Curry, tender pieces of rotisserie chicken in your choice of sauce. All served with rice, naan bread, a poppadum and mango chutney.

- Tikka Masala** a mild spiced tomato and onion sauce flavoured with coriander £8.65
- Bhuna** a rich, sweet spiced onion sauce with coriander £8.65
- Balchāo** a Goan influenced tangy masala sauce with red peppers, mustard seeds and coconut milk £8.65
- We also do a Sweet Potato and Chickpea Curry with any of the above sauces £8.25

ALL £2

All that's left to do is enjoy!!

GOURMET BURGERS

Our gourmet burgers are a real treat, cooked fresh to order each and every time. Served on a wooden board with chips, battered onion rings, homemade coleslaw and a dip.



OUR FAVOURITES

The Classic Beef Burger a prime 8oz steak burger with slices of tomato and crisp gem lettuce, served with Marston's Pedigree horseradish sauce **£9.55**

Chicken Parmigiano Burger crispy battered chicken fillets topped with shavings of Parmesan, on slices of tomato and crisp gem lettuce, served with a Caesar sauce **£8.55**

Wild Boar and Chorizo Burger full flavoured with spicy chorizo sausage topped with Monterey jack cheese, with slices of tomato and crisp gem lettuce, served with BBQ sauce **£9.75**

Cajun Vegetable Burger delicious combination of mixed peppers, sweetcorn, kidney beans, black beans and mozzarella cheese all flavoured with Cajun spices on slices of tomato and crisp gem lettuce. Served with a garlic mayonnaise dip **£7.50**

OR BUILD YOUR OWN

THINK YOU CAN DO BETTER? Choose a burger then a topping to crown it with, and we'll serve it all in a toasted bun with chips, onion rings and homemade coleslaw.

1. CHOOSE YOUR BURGER

- 8oz Steak Burger **£9.75**
- Two Crispy Chicken Fillets **£8.75**
- Cajun Vegetable Burger **£7.70**
- Wild Boar and Chorizo Burger **£9.95**

2. ADD ONE OF OUR GREAT TOPPINGS

- Spicy Chilli Cheese
- Grilled Field Mushroom
- Monterey Jack Cheese
- Free Range Fried Egg
- Crispy Bacon
- Crispy Fried Onions

WHY NOT? Upgrade to Sweet Potato Fries for just extra

3. CHOOSE YOUR DIP

- Marston's Pedigree Horseradish Sauce
- BBQ Sauce Caesar Sauce Garlic Mayonnaise

ONE OF OUR 3 CHILLI SAUCES:

- Chipotle Chilli Yellow Chilli Birds-Eye Chilli

WHY NOT? Upgrade to Sweet Potato Fries for just extra

FLAME GRILLS

All of our grill dishes come served with half a grilled tomato, a flat mushroom, garden peas and chips unless otherwise stated. Then why not add one of our speciality sauces below to create the perfect combination.



- 8oz Rump Steak **£10.25**
- 8oz Sirloin Steak **£11.95**
- 10oz Gammon Steak simply grilled and topped with a free range fried egg and pineapple, served with chips and peas **£9.25**
- 20oz Mixed Grill a 4oz rump steak cooked to your liking with a 6oz gammon steak, a pork chop, a lamb chop and a Cumberland sausage. Not for the faint hearted! **£13.75**

WHY NOT? ADD 2 KING PRAWN SKEWERS OR UPGRADE TO SWEET POTATO FRIES FOR JUST EXTRA

ADD ONE OF OUR SPECIALITY SAUCES

- Sticky BBQ Sauce
- Herefordshire Hop Cheese and Westons Scrumpy Cider Sauce
- Pepper Sauce
- Diane Sauce
- Wholegrain Mustard and Whisky Liqueur Sauce
- Creamy Garlic Mushrooms

SAVE £1.60

WHY NOT? Upgrade to Sweet Potato Fries for just extra

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LIGHT BITES

For the more modest appetite. The same great taste as our mains, just smaller portions.


Tagliatelle Marinara  nibbons of egg pasta in a warming tomato sauce cooked with aubergine, courgette, peppers and onion flavoured with garlic and herbs. Topped with torn mozzarella, olives, rocket, a roasted cherry tomato and served with garlic bread **£6.25**

5oz Gammon Steak simply grilled and topped with a free range fried egg or pineapple, served with chips and peas **£5.95**


Golden Breaded Scampi seven crispy golden wholetails of scampi, served with chips, garden peas and tartare sauce **£6.25**

Garlic Mushroom Chicken a rotisserie chicken breast smothered in a rich cream sauce with sliced button mushrooms and parsley. Served with chips and vegetables **£6.25**

Beer Battered Fish and Chips a fish fillet, battered in house by our chef in a Marston's beer batter and then deep-fried until golden and crispy. Served with chips, a choice of garden or mushy peas and tartare sauce **£6.20**

 **British Beef and Pedigree Ale Pie** a smaller portion of our deep-filled shortcrust pastry pie packed with slow-cooked, tender chunks of British beef in Marston's Pedigree Ale gravy, served with new potatoes and vegetables **£6.50**

LEAVES

House Salad  our big bowl of healthy salad includes little gem leaves, rocket, cherry tomatoes, cucumber, spring onion, radish and oven baked croutons served with your choice of a vinaigrette or Caesar dressing **£6.45**

WHY NOT BUILD UP YOUR HOUSE SALAD WITH ONE OF THE FOLLOWING:

Rotisserie Chicken and Crispy Bacon **£8.25**

Pesto Crusted Salmon Fillet **£8.35**

SUNDAY LUNCH

Our freshly carved roasts are served with a homemade Yorkshire pudding, new potatoes, homemade roast potatoes and vegetables.

So put your feet up on Sunday and let us do the rest!



£8.45



ADD CAULIFLOWER CHEESE FOR £2

SANDWICHES AND WRAPS


Our delicious sandwiches are wholesome and hearty. Our chefs generously hand out our rustic floury white and wholegrain bread, but if you prefer we can also use Genius bread or swap the bread for a flour tortilla and finish with your choice of the following fillings, all served with chips.

 **Mature Cheddar Cheese and Chutney** sliced Cheddar cheese with Marston's Pedigree caramelised onion chutney and rocket. We also have a vegetarian chutney available  **£5.35**

Prawn Marie Rose a generous helping of prawns in a tangy seafood sauce with gem lettuce and slices of cucumber **£5.75**

BBQ Rotisserie Chicken Melt rotisserie chicken covered in BBQ sauce, sprinkled with Cheddar cheese and grilled until golden **£5.75**

 **Hand Carved Rotisserie Ham** with rocket and a pot of Marston's Pedigree caramelised onion chutney **£5.75**

 **Croque Monsieur** hand-cut toasted bloomer bread filled with hand carved rotisserie ham and topped with a generous helping of our own recipe Cheddar cheese rarebit made with Marston's Pedigree **£6.20**

WHY NOT? WHY NOT TURN IT INTO A REAL MADAME AND TOP IT OFF WITH A FRIED EGG FOR AN EXTRA 50P

CLUBS NOT AVAILABLE AS WRAPS

The Classic Club three slices of toasted rustic bread layered with rotisserie chicken, bacon, gem lettuce, tomato and mayonnaise **£6.45**

Roasted Cherry Tomato and Mozzarella Club  three slices of toasted rustic bread with slow-roasted cherry tomatoes, gem lettuce, mozzarella, rocket and Caesar dressing **£5.45**

SOUP OF THE DAY AND A SANDWICH

Choose from:

Mature Cheddar Cheese 

Prawn Marie Rose

BBQ Rotisserie Chicken Melt

Rotisserie Ham



£5.95

*All of these sandwiches are available as wraps too!

JACKET POTATOES

A baked potato served with homemade coleslaw and dressed rocket.

Cheddar Cheese and Baked Beans 

Rotisserie Chicken, Bacon and Mayonnaise

Cheddar Cheese and Bacon

Tuna Mayonnaise

£4.65

FANCY
SOMETHING
SWEET?

DESSERT menu



ICE CREAMS

Chocolate Indulgence Sundae chocolate and vanilla flavoured ice creams topped with whipped cream, chocolate flakes and chopped nuts, and drizzled with chocolate sauce **£4.10**

Blueberry Muffin Sundae pieces of blueberry muffin with blueberry sauce layered between vanilla flavoured ice cream and topped with whipped cream, fresh blueberries, strawberry sauce and a chocolate flake **£4.10**

Toffee Waffle Sundae pieces of sweet Belgian waffle with caramel and vanilla flavoured ice creams, toffee sauce, more waffle pieces and a chocolate flake **£4.10**

Simply Delicious choose any three scoops of our delicious ice creams. Ask your server for today's selection **£3.10**

CLASSICS

All of our desserts are served with a choice of custard, fresh cream or ice cream, unless otherwise stated.



Apple Pie a slice of deep-dish Bramley apple pie, delicious served hot or cold **£3.70**

Pecan Tart a sweet, butter pastry case filled with golden syrup and a hint of lemon, studded with pecans and topped with a light glaze **£3.70**

Jam Roly Poly Pudding raspberry jam baked in a golden sponge, delicious with a jug of hot custard **£3.70**

Caramel Macchiato Slice a rich chocolate brownie base made with a hint of coffee, smothered with dulce de leche caramel and swirled with meringue **£3.85**

Irish Cream and Caramel Cheesecake a rich cheesecake flavoured with Irish cream liqueur, sat on a crisp cinnamon crumb base and topped with caramel sauce **£3.85**

Kentish Bramley Apple Crumble hearty Kentish Bramley apples topped with a golden sweet crumble **£3.70**



Melt in the Middle Chocolate Pudding warm and rich chocolate pudding with a melting heart, especially delicious with chocolate ice cream **£3.70**

Treacle Toffee Waffle a sweet Belgian waffle topped with Loseley™ treacle toffee and caramel ice creams, toffee sauce and chocolate flake sprinkles **£3.70**

Pear and Ginger Sponge a rich golden sponge infused with ginger and oats, baked with a succulent pear half and decorated with a ginger infused apricot glaze **£3.70**

GRAND DESSERTS

Ready for a treat? Our grand desserts come in truly decadent dimensions to add a spectacular finish to any meal.

Lemon Layer Cake layers of soft sponge drizzled with lemon syrup, a citrus mousse and white chocolate filling, garnished with cape gooseberries **£4.75**

Hot Pudding Club Tower all of your favourites rolled into one! Sticky chocolate brownie and fudge sauce, fruity raspberry jam sponge with creamy vanilla custard, and sticky toffee sponge with rich sticky toffee sauce. Delicious! **£4.75**

www.marstonstaverns.co.uk Sign up to your favourite pub and be the first to hear about great offers and events.

www.marstonoffers.co.uk Search, find and take advantage of all the offers in our pubs.

www.marstoninns.co.uk Distinctive Inns with individual character and appeal. Book online for great value accommodation.

Suitable for vegetarians or vegetarian option available. 1oz = 28.3g. All weights are approximate prior to cooking.

We regret we cannot guarantee that any of our products are free from nuts or nut derivatives. Dishes with fish and rotisserie chicken may contain bones.

Our whole tails of breaded scampi are made from more than one scampi. Photography is for illustrative purposes only.

Milestone New builds

<u>PHC House</u>	<u>Food Mix</u>	<u>Covers Per Week</u>	<u>Kids Covers Per Week</u>	<u>Kids as %age of Covers</u>
92130 Blue Jay Derby	64.7%	2,903	217	7.5%
92187 Chestnut Tree Wednesbury	66.1%	3,066	167	5.4%
92142 Copper Beech Norwich	71.0%	3,830	271	7.1%
92168 Copper Penny Port Talbot	67.6%	2,577	190	7.4%
92016 Grazing Cow Lawley	65.8%	2,651	278	10.5%
92135 High Orchard Gloucester	66.0%	1,591	128	8.1%
92406 Holly Blue Pevensey	68.4%	1,483	68	4.6%
92333 Lobster Pot Bridlington	67.3%	2,512	373	14.8%
92276 Mermaid Ipswich	68.7%	3,771	312	8.3%
92172 Merrie Gardens Isle Of Wight	68.8%	2,959	354	12.0%
92230 Old Colliery Shawfair	72.8%	2,150	222	10.3%
92293 Old Spring Well Harrogate	65.5%	3,090	344	11.1%
92192 Pepper Mill Stoke	63.3%	2,657	151	5.7%
92217 Pine Marten East Lothian	73.5%	2,488	384	15.4%
91940 Roebuck Market Harborough	65.3%	1,500	147	9.8%
92050 Silver Birch Cleckheaton	66.0%	3,471	239	6.9%
92193 Starling Cloud Aberystwyth	60.8%	3,359	390	11.6%
92215 Steam Wheeler Braehead	70.3%	3,371	261	7.7%
92291 Talardy Hotel St Asaph	62.9%	2,259	280	12.4%

241 New Builds

	<u>Food Mix</u>	<u>Covers Per Week</u>	<u>Kids Covers</u>	<u>Kids as %age of Covers</u>
92113 Apple Cart Peterborough	65.6%	2,374	126	5.3%
92164 Bayberry Swindon	64.3%	2,145	126	5.9%
92067 Caraway Carmarthen	72.8%	2,404	242	10.0%
92170 Cherry Laurel Bridgend	71.3%	4,025	404	10.0%
92141 Cobblestones March	69.7%	3,269	227	6.9%
92085 Hurley Flyer Morecambe	63.3%	3,170	296	9.3%
92183 Lincolnshire Otter Gainsborough	67.7%	2,111	159	7.5%
92049 Marsh Harrier St Ives	68.9%	2,699	216	8.0%
91968 Red Kite Caerphilly	66.1%	4,034	278	6.9%
92198 Ruddy Duck Wakefield	60.6%	2,806	180	6.4%
92163 Smithfield Bell Welshpool	67.4%	2,244	199	8.9%
92152 Spring Tide Lowesoft	71.6%	2,020	179	8.9%
92211 Standing Stones Holyhead	68.6%	2,526	295	11.7%
91778 Sugar Mill Bourne	64.5%	2,567	221	8.6%
91994 Wagtail Wincanton	66.8%	2,650	201	7.6%

MARSTON'S NEW BUILD, EDGINSWELL, TORQUAY

Proposed amendments to Operating Schedule.

1. LICENSABLE ACTIVITIES.

A. Live Music (Internal Only)

Initial Proposal: To operate until 12 midnight Sunday to Thursday and 01:00 hours Friday and Saturday.

Revised Proposal: Live music to operate until 23:00 throughout the week.

B. Recorded Music

Initial Proposal: To operate externally to same hours as internal provision Sunday to Thursday to 12 midnight, Friday to Saturday to 01:00 hours.

Revised Proposal: External recorded music to cease at 21:00 hours each day.

C. Late Night Refreshment

Initial Proposal: External area to operate to same time as internal operation Sunday to Thursday to 12 midnight, Friday to Saturday to 01:00 hours.

Revised Proposal: External Late Night Refreshment to cease at 23:00 hours each day.

D. Supply of Alcohol

Initial Proposal: External area to operate to same time as internal area.

Revised Proposal: External Supply of Alcohol to cease at 23:00 hours each day.

Initial Proposal: To permit broadcast of live sporting events, 7 days notice to Devon & Cornwall Constabulary

Revised Proposal: Withdrawal of request for permission to undertake broadcast of international events.

2. CONDITIONS

The Prevention of Public Nuisance.

Following consultation with Environmental Health it is proposed that following additional conditions it would be considered in substitution to those previously tendered.

1. Where appropriate prominent and legible notices shall be displayed at all exists requesting the public to respect the needs of the local residents and to leave the premises and area quietly.
2. Live music provided internally will cease at 11 p.m.
3. Use of the external children's play area will cease at 9 p.m.

4. Use of the external terrace areas will cease at 11 p.m. in respect of licensable activities.
5. Noise relating to licensable activities shall not be audible within any dwelling with windows open for normal ventilation especially after 23:00 hours. This shall be assessed from the boundary to the nearest residential properties on all sides of the licensed premises. The criteria that shall be applied are:-
 - (i) Before 11 p.m. Noise emanating from premises shall not be clearly distinguishable above other noise.
 - (ii) After 11 p.m. - Noise emanating from premises shall not be distinguishable above background levels of noise.
 - (iii) The local authority shall reserve the right in cases of tonal noise and where premises are attached to others, to make further assessments from within the residential property.
6. Doors and windows must be kept shut during entertainment to reduce noise breakout. A management scheme will be in place to ensure this situation remains.
7. Suitable and sufficient means of ventilation must be provided and maintained in accordance with the manufactures guidelines.
8. Entrances must be provided with lobbies with automatic door-closers. The lobbies shall be in use throughout the time of entertainment.
9. Provision of mechanical ventilation or similar system shall not allow noise breakout from the premises or cause a nuisance by its operation.
10. Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.
11. The volume of any regulated entertainment will be under the control of the management at all times.

Protection of Children from Harm.

Following consultation with Protection of Children from Harm it is proposed that additional conditions should be added as follows:-

1. The premises shall adopt Challenge 21 scheme to tackle underage sales. All staff to be trained in respect of Challenge 21.
2. No children under the age of 18 shall be allowed on the premises after 21:00 unless they are dining with an adult or attending a pre-booked function.

Memorandum

To:	From	: Community Safety
c.c	Contact	: Mr Karl Martin
c.c.	Ext	: 01803 208025
c.c	My Ref	: 1ZV SRU No: 180209/KJM/ADDINFO
For the attention of: Licensing Mandy Guy	Your Ref	:
	Date	: 23 January 2014

Subject: Premises– Licensing Act 2003
**Premises Name & Address: Marstons PLC, Newton Road,
 Edginswell, Torquay.**

I write further to my representation memorandum reference 1ZSRUNO:180209/KM. Since I made my initial representation I have been engaged in consultation with Michelle Hazelwood, nominated solicitor on behalf of Marstons Plc. I wish to make it know to the licensing committee the outcome of these consultations as supplementary information for members consideration.

In my representation I raised 10 points of concern with the application. I can confirm by way of conditions the applicant has addressed all concerns except point 7 in my representation:-

7. The applicant has not offered any remedial measure for controlling noise from vehicles using car parking facilities. The car park is adjacent to the boundary with residential accommodation.

Furthermore assuming no further amendments where made by the applicant it was my recommendation to the committee to consider refusal of the application or a reduction of the operating terminal hours for alcohol to be restricted till 11:00pm in line with Torbays licensing policy:-

1. *Refuse the application on the grounds the application does not promote the licensing objective 'The prevention of public nuisance' in accordance with Licensing statement of principles.*
2. *Reduce supply of alcohol and all requested licensable activities to 11:00p.m. Monday to Sunday.*

An agreement on terminal hours has not been discussed in detail and therefore no agreement reached. Although as my initial concerns was the children's play area, now to close at 9:00pm each day and live music inside, now to cease at 11:00pm. I feel I can move from my original position of a terminal hour at 11:00p.m. because I hold the view the applicant has demonstrated consideration of the criteria laid out in the Licensing Statement of Principles, Torbay Council, 2011, p37-38. Yet I would not support the 1:00a.m terminal hour as applied for because not all of the points raised in my representation have been considered.

However I do urge the Licensing Committee members to consider this view and I request on balance the premises terminal hour should be not later than midnight Monday-Sunday

with exception of New Years Eve, where an additional hour could be granted. I can justify this view as the applicant has not identified suitable remedial to address point 7 of my representation and the location for the proposed site is a residential area. An area currently enjoying the benefit of an undeveloped site.

For members convenience I have reproduced below agreed conditions. In my professional view addresses the majority of concerns I have made in my representation and those raised by residents:-

1. Where appropriate prominent and legible notices shall be displayed at all exists requesting the public to respect the needs of the local residents and to leave the premises and area quietly.
2. Live music provided internally will cease at 11 p.m.
3. Use of the external children's play area will cease at 9 p.m.
4. Use of the external terrace areas will cease at 11 p.m. in respect of licensable activities.
5. Noise relating to licensable activities shall not be audible within any dwelling with windows open for normal ventilation especially after 23:00 hours. This shall be assessed from the boundary to the nearest residential properties on all sides of the licensed premises. The criteria that shall be applied are:-
 - (i) Before 11 p.m. Noise emanating from premises shall not be clearly distinguishable above other noise.
 - (ii) After 11 p.m. - Noise emanating from premises shall not be distinguishable above background levels of noise.
 - (iii) The local authority shall reserve the right in cases of tonal noise and where premises are attached to others, to make further assessments from within the residential property.
6. Doors and windows must be kept shut during entertainment to reduce noise breakout. A management scheme will be in place to ensure this situation remains.
7. Suitable and sufficient means of ventilation must be provided and maintained in accordance with the manufactures guidelines.
8. Entrances must be provided with lobbies with automatic door-closers. The lobbies shall be in use throughout the time of entertainment.
9. Provision of mechanical ventilation or similar system shall not allow noise breakout from the premises or cause a nuisance by its operation.
10. Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.
The volume of any regulated entertainment will be under the control of the management at all times.

Mr Karl Martin
Public Protection Officer