

Wednesday, 10 May 2023

**LICENSING SUB-COMMITTEE**

A meeting of **Licensing Sub-Committee** will be held on

**Thursday, 18 May 2023**

commencing at **9.30 am**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,  
Torquay, TQ1 3DR

**Members of the Committee**

Councillor Douglas-Dunbar

Councillor Barbara Lewis

Councillor Long

---

**Together Torbay will thrive**

---

Download this agenda via the free modern.gov app on your [iPad](#), [Android Device](#) or [Blackberry Playbook](#). For information relating to this meeting or to request a copy in another format or language please contact:

**Governance Support, Town Hall, Castle Circus, Torquay, TQ1 3DR**

Email: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk) - [www.torbay.gov.uk](http://www.torbay.gov.uk)

# LICENSING SUB-COMMITTEE AGENDA

1. **Election of Chairman/woman**  
To elect a Chairman/woman for the meeting.
2. **Apologies**  
To receive apologies for absence, including notifications of any changes to the membership of the Sub-Committee.
3. **Declarations of interests**
  - (a) To receive declarations of non pecuniary interests in respect of items on this agenda  
**For reference:** Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
  - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda  
**For reference:** Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.  
  
(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
4. **Urgent items**  
To consider any other items that the Chairman decides are urgent.
5. **East in the West, 39 Torwood Street, Torquay** (Pages 4 - 26)  
To consider an application for a Premises Licence in respect of East in the West, 39 Torwood Street, Torquay.
6. **Chubbs, 5 Babbacombe Road, Torquay** (Pages 27 - 57)  
To consider an application for a Premises Licence in respect of Chubbs, 5 Babbacombe Road, Torquay.

**Meeting Attendance**

Please note that whilst the Council is no longer implementing Covid-19 secure arrangements attendees are encouraged to sit with space in between other people. Windows will be kept open to ensure good ventilation and therefore attendees are recommended to wear suitable clothing.

If you have symptoms, including runny nose, sore throat, fever, new continuous cough and loss of taste and smell please do not come to the meeting.

## **TORBAY COUNCIL**

Public Agenda Item: **Yes**

Title: **East in the West, 39 Torwood Street, Torquay TQ1 1DZ**

Wards Affected: **Wellswood**

To: **Licensing Sub Committee** **18 May 2023**

Contact Officer: **Julie Smart**

☎ Telephone: **01803 208025**

✉ Email: **licensing@torbay.gov.uk**

---

### **1. Key points and Summary**

- 1.1 To consider and determine an application for a new Premises Licence, in respect of the Premise detailed above.
- 1.2 The application relates to all the Corporate Priorities within the Community Plan.
- 1.3 The matters raised relate to the Licensing Objectives the “Prevention of Crime and Disorder”.
- 1.4 The matter must be considered on its merits, having received details of the issues arising either at a hearing or by written Representation. A decision must be made, having considered the Representations, either:-
  - (a) to grant the licence subject to
    - (i) such conditions as are consistent with the submitted operating Schedule modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and
    - (ii) any condition which must under Section 19, 20 or 21 be included in the licence;

(Such conditions may differ in respect of different parts of the Premises and/or different activities).
  - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
  - (c) to refuse to specify a person in the licence as the Premises Supervisor;
  - (d) to reject the application.
- 1.5 Reasons for the decision must be given for inclusion in the appropriate Notices required to be served on the Applicant, Responsible Authorities and all Interested Parties, following the determination of the matter.



## 2. Application

- 2.1 An application has been made under Section 17 of the Act for a Premises Licence to permit licensable activities at the Premise detailed above. Details of the relevant pages of the application are shown in Appendix 1.

A brief description of the application, is as follows:-

The provision of recorded music indoors between 0900 and 2300 hours every day of the week.

The sale of alcohol by retail for consumption on the premises between 0900 and 2330 hours every day of the week.

Opening hours of the premises between 0900 and 2330 hours every day of the week.

The Applicant has given the following description of the premises: -

“The premises previously running as an Indian restaurant with a seating capacity of 130. Undergoing refurbishment and planning to open on 24 April 2023.”

The plan accompanying the application is shown in Appendix 2.

- 2.2 The Council as the Licensing Authority is satisfied that the Applicant has met the administrative requirements of Section 17(5) but is unable to issue the Licence, as relevant Representations have been received. The Licensing Authority is also satisfied that the Representations have been received within the appropriate time scale and have not been subsequently withdrawn.

We have received 1 Representation from one Responsible Authority, Devon and Cornwall Police, in relation to the Prevention of Crime and Disorder. This is shown at Appendix 3.

No Representations have been received from any other Responsible Authority or any Interested Party.

- 2.3 The Authority is required to conduct a hearing under the provisions of Section 18(3) unless all parties agree that this is not necessary.
- 2.4 Appropriate Notices have been issued to all parties, as required by the Licensing Act 2003 (Hearing Regulations) 2005, including, where appropriate, details of the Representation and the procedure to be followed at the hearing.
- 2.5 If the application is refused, in whole or in part, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 1 of Schedule 5, to the Applicant.
- 2.6 If the application is granted, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 2(1) of Schedule 5 to :-
- (a) The holder of the licence against any decision

- (i) to impose conditions on the licence, or
- (ii) to take any step to exclude a licensable activity or refuse to specify a person as Premises Supervisor.

(b) Any person who made a relevant Representation who desires to contend

- (i) that the licence ought not to have been granted, or
- (ii) that, on granting the licence, the Licensing Authority ought to have imposed different or additional conditions or taken any step to exclude a licensable activity or refuse to specify person as Premises Supervisor.

2.7 Following such Appeal, the Magistrates' Court may:-

- (a) dismiss the appeal,
  - (b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority, or
  - (c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the Court,
- and may make such order as to costs as it thinks fit.

**Rachael Hind**  
**Regulatory Services Manager (Commercial)**

### **Appendices**

Appendix 1 Relevant sections of the application form

Appendix 2 Plan of the Premises

Appendix 3 Representation from Devon and Cornwall Police

### **Documents available in Members' rooms**

None

### **Background Papers:**

The following documents/files were used to compile this report:

Torbay Council Licensing Policy 2021-26

\* required information

### Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on behalf of the applicant?	<input type="radio"/> Yes <input checked="" type="radio"/> No	Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

* First name	<input type="text" value="Surya"/>	
* Family name	<input type="text" value="Dinesh"/>	
* E-mail	<input type="text" value="[REDACTED]"/>	
Main telephone number	<input type="text" value="[REDACTED]"/>	Include country code.
Other telephone number	<input type="text" value="[REDACTED]"/>	
<input type="checkbox"/>	Indicate here if you would prefer not to be contacted by telephone	
Are you:	<input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader	A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.
	<input type="radio"/> Applying as an individual	

### Applicant Business

Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	<input type="text" value="08480401"/>	
Business name	<input type="text" value="South Legacy Limited"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="GB"/> <input type="text" value="194507879"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>	

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21**

**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

PRIVATE LIMITED COMPANY

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /

\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

The premise previously running as an Indian Restaurant with a seating capacity of 130.Undergoing refurbishment and planning to open on 24th of April 2023.

*Continued from previous page...*

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not  
exclusively) whether or not music will be amplified or unamplified.

unamplified

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

No



Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

No

### Section 12 of 21

#### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes  No

### Section 13 of 21

#### PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

### Section 14 of 21

#### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes  No

### Section 15 of 21

#### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes  No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

No

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

No

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Continued from previous page...

**Name**

First name

Family name

Date of birth

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NO

Continued from previous page...

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NO

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NO

*Continued from previous page...*

**Section 18 of 21**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Installation of CCTV and monitoring.  
Trained Manager and responsible DPS to ensure there is no misuse of area & Alcohol.  
Fire alarm & smoke detectors in place to ensure safety.  
Fire extinguishers in place.  
Enough visibly marked fire exit doors to ensure safety.  
Movements of children are always accompanied by a responsible adult.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

**Continued from previous page...**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Information held by Torbay Council complies with and is held in accordance with the UK Data Protection Act, 1998. The information that you provide on this form will only be used in the processing of the application form, and will only be disclosed where necessary under any applicable legislation and certain circumstances should the application be successful such as publication of business details on a public register, it may also be shared for the purposes of enforcement

You have the right to access your personal information. If you wish to access your personal information or exercise any of your rights under the legislation then please contact Torbay Council's Information Governance team on 01803 207467. Further information can be found on the Information Governance pages on Torbay Council's internet pages at [www.torbay.gov.uk](http://www.torbay.gov.uk)

\* Information may also be shared for the prevention and detection of crime, for example with the police and other agencies as required by law, such as the Audit Commission under the National Fraud Initiative data matching exercise

\* I have gained permission from all licence holders in making this application

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/torbay/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**



LICENCE & SAFETY PLAN



LICENCE & FIRE SAFETY PLAN  
A2@1:100

**LEGEND:**

	SINGLE SWITCHED WALL SOCKET		TV AERIAL POINT
	DOUBLE SWITCHED WALL SOCKET		IMMERSION HEATER AND THERMOSTAT
	SINGLE SWITCHED WALL SOCKET 1200MM ABOVE FLOOR LEVEL		MECHANICAL EXTRACT FAN
	DOUBLE SWITCHED WALL SOCKET 1200MM ABOVE FLOOR LEVEL		DOOR BELL PUSH
	SINGLE SWITCHED FUSE SPUR BELOW WORKTOP LEVEL		DOOR BELL CHIME
	FUSE SPUR FOR TOWEL RAIL		THERMOSTAT
	SINGLE SWITCHED FUSE SPUR AT HIGH LEVEL FOR EXTRACT FAN		SECURITY ALARM
	DOUBLE SWITCHED FLOOR SOCKETS		CONSUMER UNIT
	1 GANG LIGHT SWITCH		TELEPHONE POINT
	2 GANG LIGHT SWITCH		CAT 5 or 6 DATA SOCKET
	3 GANG LIGHT SWITCH		COOKER SWITCH
	1 GANG 2 WAY LIGHT SWITCH		MECHANICAL EXTRACT FAN COOKER HOB HOOD
	2 GANG 2 WAY LIGHT SWITCH		COMBINED HEAT DETECTOR AND FIRE ALARM SOUNDER
	1 GANG 3 WAY LIGHT SWITCH		COMBINED SMOKE/HEAT DETECTOR AND FIRE ALARM SOUNDER
	2 GANG 3 WAY LIGHT SWITCH		AUDIO SPEAKER
	1 GANG PULL CORD LIGHT SWITCH		RADIATOR
	EXTERNAL LIGHT		CAT 5E
	EXTERNAL LIGHT - BULKHEAD TYPE		2 CORE SPEAKER CABLE
	RECESSED DOWNLIGHTER		UNDERFLOOR HEATING MANIFOLD
	WALL LIGHT		
	LIGHT POINT - PENDANT HOLDER (4 INCH)		
	LIGHT POINT - PENDANT HOLDER (6 INCH)		
	LIGHT POINT - BATTEN HOLDER		

- General notes:
1. Technical specifications or specific instructions on drawings take precedence over these notes.
  2. Scaling permitted for planning purposes only.
  3. Unless noted otherwise, all dimensions are in millimetres (mm) and all levels are in metres (m).
  4. Details dimensions and levels to be checked on site by the contractor prior to commencement of works. Any works commenced prior to all necessary local authority approvals are entirely at the risk of the owner and contractor.
  5. Set out dimensions and levels shown on the drawings shall be verified by the contractor and refer to architectural drawings. The engineer shall be notified of any discrepancies prior to construction.
  6. Structural details are subject to exposure of existing construction and verification by Local Authority Surveyor (LAS) and any necessary revised details are to be agreed with the LAS prior to carrying out the affected works.
  7. All materials are to be used in accordance with the manufacturers' guidelines and all relevant British Standards Codes of Practice & Regulation 7 of Building Regs.
  8. All works are to be carried out in accordance with Local Authority requirements.
  9. The intended works fall within the Party Wall Act 1996 and any adjoining owners affected must be notified prior to commencement of any works.



Job:  
**East in the West**

Address:  
39-41 Torwood Street - TORQUAY - TQ1 1DZ

Client:  
Mr Dinesh - Mr Ramesh Nair

Title:  
Licence & Safety plan

Stage:  
Proposal

Org No: 2	Amd - Vrs: 1	Drawn by: CEDRIC MAUCOUR
--------------	-----------------	-----------------------------

Scale:  
1:100 @ A1  
MARCH 2023

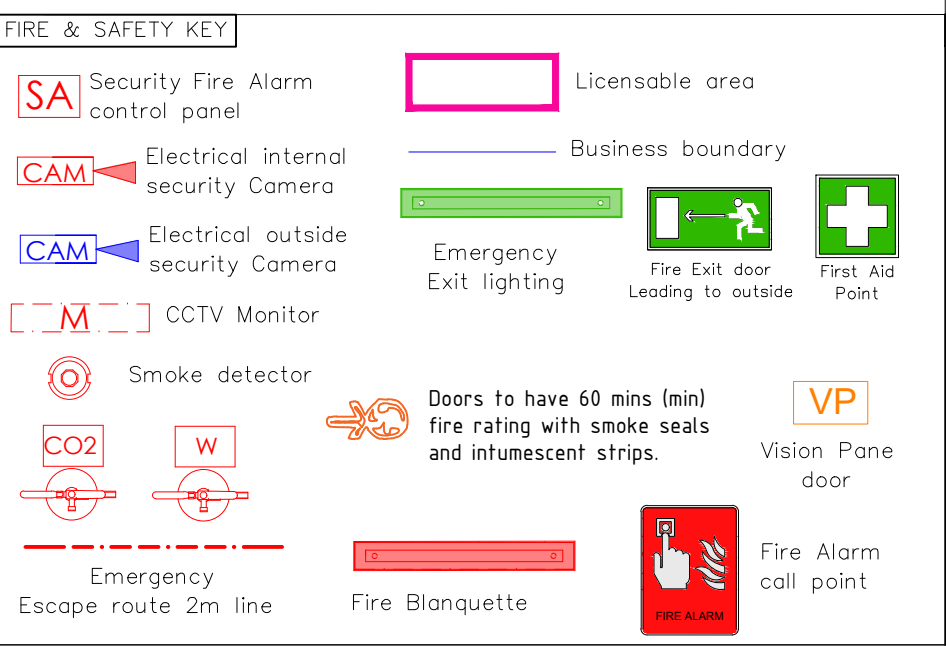
**GENERAL NOTES:**  
Drawings To Be Read In Conjunction With Relevant Drawing And Specs.  
All Dimensions To Be Checked On Site.  
Contractor To Check Site Thoroughly & Report Any Discrepancies.  
Any Discrepancies Are To Be Pointed To The Agent.  
No Responsibility Will Be Taken For Works Which Are Unobserved And For Any Subsequent Alterations Made Which Are Beyond The Control Of The Agent.  
This Drawing Shall Not Be Used For Building Regulations And / Or Construction Purposes.

**General Notes:**

- 1- It is the contractors responsibility to ensure that design principles, calculations, drawings and final construction must conform to the current building regulations, the cdm regulations, the relevant british or european codes of practice as appropriate.
- 2- Contractor must verify all site dimensions, drawings, details and specifications and report any discrepancies to client and/or designer before proceeding with any work.
- 3- All requested drawings showing fixings and construction details are required to be approved by client and/or designer prior to commencement of work.
- 4- All specified items are to be installed in accordance with the manufacturers recommendations.
- 5- Any dimensions are to be taken from the setting out plan only and are not to be scaled from the drawings.
- 6- The contractor is to check and appraise all design shop fitting and construction details and offer alternatives to client and/or designer for approval.
- 7- This drawing is to be read in conjunction with the other relevant, specification clauses, existing and consultants drawings (if applicable).
- 8- Unless noted otherwise, all dimensions are in Millimetres (mm) and all levels are in metres (m).
- 9- Details dimensions and levels to be checked on site by the contractor prior to commencement of works. Any works commenced prior to all necessary local authority approvals are entirely at the risk of the owner and contractor
- 10- Structural details are subject to exposure of existing construction (LAS) and verification by Local Authority Surveyor and any necessary (LAS) revised details are to be agreed with the LAS prior to carrying out the affected works.
- 11- All materials are to be used in accordance with the manufacturers' guidelines and all relevant British Standards Codes of Practice & Regulation 7 of Building Regs.

**EMERGENCY FEATURES:**  
Contractor to make sure existing and new Emergency feature (Alarm control Panel, Emergency lighting, smoke detectors) is for purpose.

**ELECTRICAL WORK:**  
To ensure electrical safety, floor plan has to be checked by electrician on site



**FIRE PRECAUTIONS**

This drawing is indicative only. Refer to specialist Electrical Sub-contractors drawings and specifications for full details of fire alarm system and protect on.

All fire rated doors to be constructed in accordance with BS 476: Part 22 (or the British Standard in force when the door was manufactured).

All fire doors and final exit doors through which a person may have to pass on their way out of the premises in case of fire should be so fastened and maintained that they can be easily and immediately opened from the inside without the use of the key.

Exits other than those in normal use for egress should be marked and readily visible so that the occupants of the building can clearly and readily see where the exits are end where to go in an emergency at any time. Fire safety signs and notices to comply with the relevant requirements of BS 5499 : Part 1 - 1990.

**ONE HOUR FIRE PROTECTION MUST BE PROVIDED TO COMPLY WITH BUILDING CONTROL**

Appendix Item 5

**From:** [BARKER Rebecca 58734](#)  
**To:** [Smart, Julie](#)  
**Subject:** FW: East In The West - New Licence Application  
**Date:** 14 April 2023 14:00:50  
**Attachments:** [image002.png](#)  
[image006.png](#)  
[image001.png](#)  
[image002.png](#)  
[image005.png](#)  
[image006.png](#)

---

Good afternoon Julie,

I refer to an application for the grant of a premises licence in respect of East in the West, 39 Torwood Street, Torquay.

I have discussed the application with the applicant, Ms Surya Dinesh, and agreement has been reached to add further conditions to the licence as follows:

1. Substantial meals shall be available at all times during normal permitted hours.
2. Alcohol shall be consumed on the premises only by persons sat at a table or at the bar.
3. No alcohol shall be removed from the premises by customers.
4. The premises shall install operate and maintain a comprehensive digital colour CCTV system to the satisfaction of the Police and local authority
  - (a) All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.
  - (b) The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.
  - (c) The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.
  - (d) All equipment must have a constant and accurate time and date generation.
  - (e) All recordings will be stored for a minimum period of 28 days with date and time stamping.
  - (f) Viewable copies of recordings will be provided on request to the Police and local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 1998 (or any replacement legislation)
  - (g) The CCTV system will be capable of downloading images to a recognisable viewable format.
  - (h) There will be security measures in place to ensure the integrity of the system to prevent the tampering with, and deletion of, images.
5. All staff engaged in licensable activity at the premises will receive training and information in relation to the following:



- a. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
- b. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence
- c. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- d. Recognising the signs of drunkenness.
- e. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
- f. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

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.

Training records will be retained for at least 12 months.

6. 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:
  - a. the date and time of refusal
  - b. the reason for refusal
  - c. details of the person refusing the sale
  - d. description of the customer
  - e. 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.

7. The premises shall operate a Challenge 25 Policy and any individual who appears to be under the age of 25 will be required to produce an approved form of photographic identification i.e.
  - a. A photo driving licence
  - b. A passport
  - c. An identification card carrying the PASS hologram

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

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

In accordance with Section 9.2 of the Revised Guidance issued under Section 182 of the Licensing Act 2003 (December 2022) an agreed position has been reached and therefore a hearing is not required.

Regards

Becs

**Rebecca Barker**  
Alcohol Licensing Officer  
South Hams and [REDACTED]  
[REDACTED] | [REDACTED]

**Drug and Alcohol Harm Reduction  
Prevention Department**

[REDACTED]

---

**From:** Surya Dinesh [REDACTED]  
**Sent:** 13 April 2023 21:27  
**To:** BARKER Rebecca 58734 <Rebecca.BARKER@devonandcornwall.pnn.police.uk>  
**Subject:** Re: East In The West - New Licence Application

Dear Ms Rebecca Barker

Thank you for your recommendation given below regarding our new premise license application.

I have thoroughly gone through your recommendation, and I am in agreement with your suggested amendments.

Kindly see below the measures (highlighted in red text against each recommendation below) we will have in place to ensure we are complying with 4 licensing objectives and hope they are sufficient to meet the requirements.

Look forward to hearing from you.

Kind Regards,  
Surya Dinesh

On Wed, 12 Apr 2023 at 11:38, BARKER Rebecca 58734  
<[REDACTED]> wrote:

Good morning Surya,

Thanks for taking the time to chat with me yesterday. As discussed, I have provided the below conditions which I feel are suitable for your application in support of the licensing objectives. Please read this email thoroughly and let me know of any questions or concerns which may arise. As you have offered CCTV I have provided a more detailed condition and the additional

conditions I believe are suitable for the location and type of venue. Once we have reached an agreed position I will notify the Licensing Authority who will then be able to confirm the next steps in the process for the hearing.

I did note that your sale of alcohol times are the same as the hours the premises is open to the public, It is always advisable to provide a sufficient amount of time for customers to finish their drinks so I would suggest that alcohol sales cease 30 minutes prior to the premises closing to allow for this.

1, Substantial meals shall be available at all times during normal permitted hours.

**We will ensure meals are available during the normal permitted hours.**

2, Alcohol shall be consumed on the premises only by persons sat at a table or at the bar.

**We will ensure that all staffs will be trained to serve Alcohol only to those who are sat on a table or at the bar & to be consumed within the premises**

3, No alcohol shall be removed from the premises by customers.

**Alcohol will be served only within the premises and customers will be advised that taking out is not allowed.**

4, The premises shall install operate and maintain a comprehensive digital colour CCTV system to the satisfaction of the Police and local authority

All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.

The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.

All equipment must have a constant and accurate time and date generation.

All recordings will be stored for a minimum period of 14 days with date and time stamping.

Viewable copies of recordings will be provided on request to the Police and local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 1998 (or any replacement legislation)

The CCTV system will be capable of downloading images to a recognisable viewable format.

There will be security measures in place to ensure the integrity of the system to prevent the tampering with, and deletion of, images.

**There will be a digital colour CCTV system with high resolution cameras in place which will cover**

the entire licensed premise areas including entry& exit points. All recordings will be stored for a period of 28 days with date and time stamping. Recordings can be provided on request to authorities in a viewable format. The CCTV system will be password protected with access only to authorised person.

5, 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.

The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence

How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).

Recognising the signs of drunkenness.

The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.

Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

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.

Training records will be retained for at least 12 months.

SOP will be documented & Training will be provided to all the staffs periodically on the following: -

- Challenge 25 scheme.
- Premises license conditions
- Maintenance of refusal register (in relation to sale of Alcohol)
- On identifying signs of drunkenness
- Operating procedures on refusing service to customers who are drunk, under age, those who appears to be underage & proxy purchase.
- On handling emergency situations& reporting to emergency services.

Training records will be retained for 12 months and will be provided to authorities if required.

6, 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:

- the date and time of refusal
- the reason for refusal

- details of the person refusing the sale
- description of the customer
- 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.

**Alcohol Refusal register will be maintained with all relevant details (suggested above) and can be provided for inspection to authorities if required. All refusals will be logged within 24 hrs of refusal.**

7, The premises shall operate a Challenge 25 Policy and any individual who appears to be under the age of 25 will be required to produce an approved form of photographic identification i.e.

- 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.

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

**Challenge 25 scheme will be implemented strictly. Relevant posters will be displayed for customer awareness. Approved Photo id will be asked where necessary.**

I look forward to hearing back from you.

Regards

Beccs



**Rebecca Barker**  
Alcohol Licensing Officer  
South Hams and West Devon





**Drug and Alcohol Harm Reduction  
Prevention Department**



## **TORBAY COUNCIL**

Public Agenda Item: **Yes**

Title: **Chubbs, 5 Babbacombe Road, Torquay, TQ1 3SB**

Wards Affected: **St Marychurch**

To: **Licensing Sub Committee** **18 May 2023**

Contact Officer: **Carrie Cottell**

☎ Telephone: **01803 207079**

✉ Email: **licensing@torbay.gov.uk**

---

### **1. Key points and Summary**

- 1.1 To consider and determine an application for a new Premises Licence, in respect of the Premise detailed above.
- 1.2 The application relates to all the Corporate Priorities within the Community Plan.
- 1.3 The matters raised relate to the Licensing Objectives the “Prevention of Crime and Disorder”, “Public Safety” and the “Prevention of Public Nuisance”.
- 1.4 The matter must be considered on its merits, having received details of the issues arising either at a hearing or by written Representation. A decision must be made, having considered the Representations, either:-
  - (a) to grant the licence subject to
    - (i) such conditions as are consistent with the submitted operating Schedule modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and
    - (ii) any condition which must under Section 19, 20 or 21 be included in the licence;

(Such conditions may differ in respect of different parts of the Premises and/or different activities).
  - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
  - (c) to refuse to specify a person in the licence as the Premises Supervisor;
  - (d) to reject the application.
- 1.5 Reasons for the decision must be given for inclusion in the appropriate Notices required to be served on the Applicant, Responsible Authorities and all Interested Parties, following the determination of the matter.

*forward thinking, people orientated, adaptable - always with integrity.*

## 2. Application

- 2.1 An application has been made under Section 17 of the Act for a Premises Licence to permit licensable activities at the Premise detailed above. Details of the relevant pages of the application are shown in Appendix 1.

A brief description of the application, as follows:-

The Supply of Alcohol for consumption both on and off the premises from 09:00 until 23:00 Monday to Sunday and from the end of permitted hours on New Year's Eve to 01:00 on the following day.

Premises opening hours from 07:00 until 23:30 Monday to Sunday and from the end of permitted hours on New Year's Eve to 01:00 on the following day.

The Applicant has given the following description of the premises: -

"The premises has indoor seating for approximately 14 people. There is a service counter with a kitchen and toilet at the rear of the premises. I wish to run a mediterranean style premises where people can come to eat and drink along with the ability to purchase food and wine to take away such as charcuterie and cheese along with the sale of alcohol for consumption on and off the premises. I intend to apply for a Pavement Café Permit to allow seating outside at the front of the premises. I plan promoting quality products at reasonable prices with sustainability in mind."

The plan accompanying the application is shown in Appendix 2.

- 2.2 The Council as the Licensing Authority is satisfied that the Applicant has met the administrative requirements of Section 17(5) but is unable to issue the Licence, as a relevant Representation has been received. The Licensing Authority is also satisfied that the Representation has been received within the appropriate time scale and has not been subsequently withdrawn.

We have received 8 Representations from Interested Parties, in relation to the Licensing Objectives, the "Prevention of Crime & Disorder", the "Prevention of Public Nuisance" and "Public Safety". These are shown in Appendix 3.

There have been no other Representations received from any other Interested Party or any Responsible Authority, other than that mentioned above.

- 2.3 The Authority is required to conduct a hearing under the provisions of Section 18(3) unless all parties agree that this is not necessary.
- 2.4 Appropriate Notices have been issued to all parties, as required by the Licensing Act 2003 (Hearing Regulations) 2005, including, where appropriate, details of the Representation and the procedure to be followed at the hearing.
- 2.5 If the application is refused, in whole or in part, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 1 of Schedule 5, to the Applicant.
- 2.6 If the application is granted, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 2(1) of Schedule 5 to :-



- (a) The holder of the licence against any decision
  - (i) to impose conditions on the licence, or
  - (ii) to take any step to exclude a licensable activity or refuse to specify a person as Premises Supervisor.
  
- (b) Any person who made a relevant Representation who desires to contend
  - (i) that the licence ought not to have been granted, or
  - (ii) that, on granting the licence, the Licensing Authority ought to have imposed different or additional conditions or taken any step to exclude a licensable activity or refuse to specify person as Premises Supervisor.

2.7 Following such Appeal, the Magistrates' Court may:-

- (a) dismiss the appeal,
  - (b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority, or
  - (c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the Court,
- and may make such order as to costs as it thinks fit.

**Rachael Hind**  
**Regulatory Services Manager**

### **Appendices**

- Appendix 1 Relevant sections of the application form
- Appendix 2 Plan of the Premises
- Appendix 3 Representations from 8 Interested Parties

### **Documents available in Members' rooms**

None

### **Background Papers:**

The following documents/files were used to compile this report:

Torbay Council Licensing Policy 2021-26

\* required information

## Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

Scoopy Doo

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

Csaba

\* Family name

Adamy

\* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

Is your business registered in the UK with Companies House?

Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

13979344

Business name

Grape Ventura Limited

If your business is registered, use its registered name.

VAT number

- none

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

### Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

## Section 4 of 21

### NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)



Continued from previous page...

Limited Company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /

\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

The premises has indoor seating for approximately 14 people.  
There is a service counter with a kitchen and toilet at the rear of the premises. I wish to run a mediterraneaen style premises where people can come to eat and drink along with the ability to purchase food and wine to take away such as charcuterie and cheese along with the sale of alcohol for consumption on and off the premises. I intend to apply for a Pavement Café

*Continued from previous page...*

Permit to allow seating outside at the front of the premises. I plan promoting quality products at reasonable prices with sustainability in mind.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

### Section 6 of 21

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

### Section 7 of 21

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

### Section 8 of 21

#### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

### Section 9 of 21

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

### Section 10 of 21

#### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

### Section 11 of 21

#### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

### Section 12 of 21

#### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

*Continued from previous page...*

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

On New Year's Eve from the end of permitted hours to 1am the following day.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /   
dd      mm      yyyy



Continued from previous page...

**Enter the contact's address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text" value="Wandsworth Council"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

Page 37  
End

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start  End

Start  End

WEDNESDAY

Start  End

Start  End

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

On New Year's Eve from the end of permitted hours to 1am the following day.

**Section 18 of 21**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

**Continued from previous page...**

List here steps you will take to promote all four licensing objectives together.

The premises will be a place where costumers can buy or consume food and beverage products in a safe, trusted environment.

**b) The prevention of crime and disorder**

We will seek to build good relationship with the police and local authorities and neighboring shops. Adequate training will be provided to staff members on how to deal with difficult situations. All staff shall be trained in relation to their responsibilities under the licensing act 2003.

There is a 0 tolerance drug policy. Food shall be available at all times when the premises are open for the sale of alcohol.

**c) Public safety**

A fire risk assessment will be carried out and appropriate control measures will be implemented. Fire awareness, Food Safety & Hygiene, First Aid, Manual handling and other Health & Safety trainings will be provided to all staff members

**d) The prevention of public nuisance**

Odor Control: use mechanical ventilation when necessary. Staff will carry out regular cleaning and no food to go into drainage. A waste contract will be in place. Deliveries will not take place before 8am or after 5pm. Bottles will not be emptied after 9pm to avoid disturbing residents.

1. Clear and legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.

2. When issues are identified approaches will be made to patrons, who will be asked not to stand around talking in the street outside the premises and asked to leave the vicinity as quickly and quietly as possible.

3. Noise from the premises shall not be audible within any dwelling with windows open for normal ventilation especially after 2300 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 2300 hours - Noise emanating from the premises shall not be clearly distinguishable above other noise.

ii) After 2300 hours - Noise emanating from the 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.

4. No fumes, smoke, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

5. Ventilation equipment will be regularly cleaned and maintained to control the levels of fumes, smoke, steam or odour



**Continued from previous page...**

generated by the premises.

6. All the rubbish produced by the premises shall be stored securely in a designated area or in a bin with a tight fitting and lockable lid.

7. During the hours of operation of the premises, sufficient measures will be taken to remove and prevent litter and waste arising or accumulating from customers in the area outside the premises. This area shall be swept and/or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

8. The Premises Licence Holder shall be available/contactable at all times and be responsible for cooperating and liaising with any responsible authority.

e) The protection of children from harm

The premises shall operate a challenge 25 policy and any individual who appears to be under the age of 25 will be required to produce an approved form of photographic id as outlined within at the Torbay Council's licensing statement principals. Challenge 25 posters will be on display within the premises.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

**Continued from previous page...**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Information held by Torbay Council complies with and is held in accordance with the UK Data Protection Act, 1998. The information that you provide on this form will only be used in the processing of the application form, and will only be disclosed where necessary under any applicable legislation and certain circumstances should the application be successful such as publication of business details on a public register, it may also be shared for the purposes of enforcement

You have the right to access your personal information. If you wish to access your personal information or exercise any of your rights under the legislation then please contact Torbay Council's Information Governance team on 01803 207467. Further information can be found on the Information Governance pages on Torbay Council's internet pages at [www.torbay.gov.uk](http://www.torbay.gov.uk)

\* Information may also be shared for the prevention and detection of crime, for example with the police and other agencies as required by law, such as the Audit Commission under the National Fraud Initiative data matching exercise

\* I have gained permission from all licence holders in making this application

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/torbay/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

# Chubbs

Fine Food and Wines

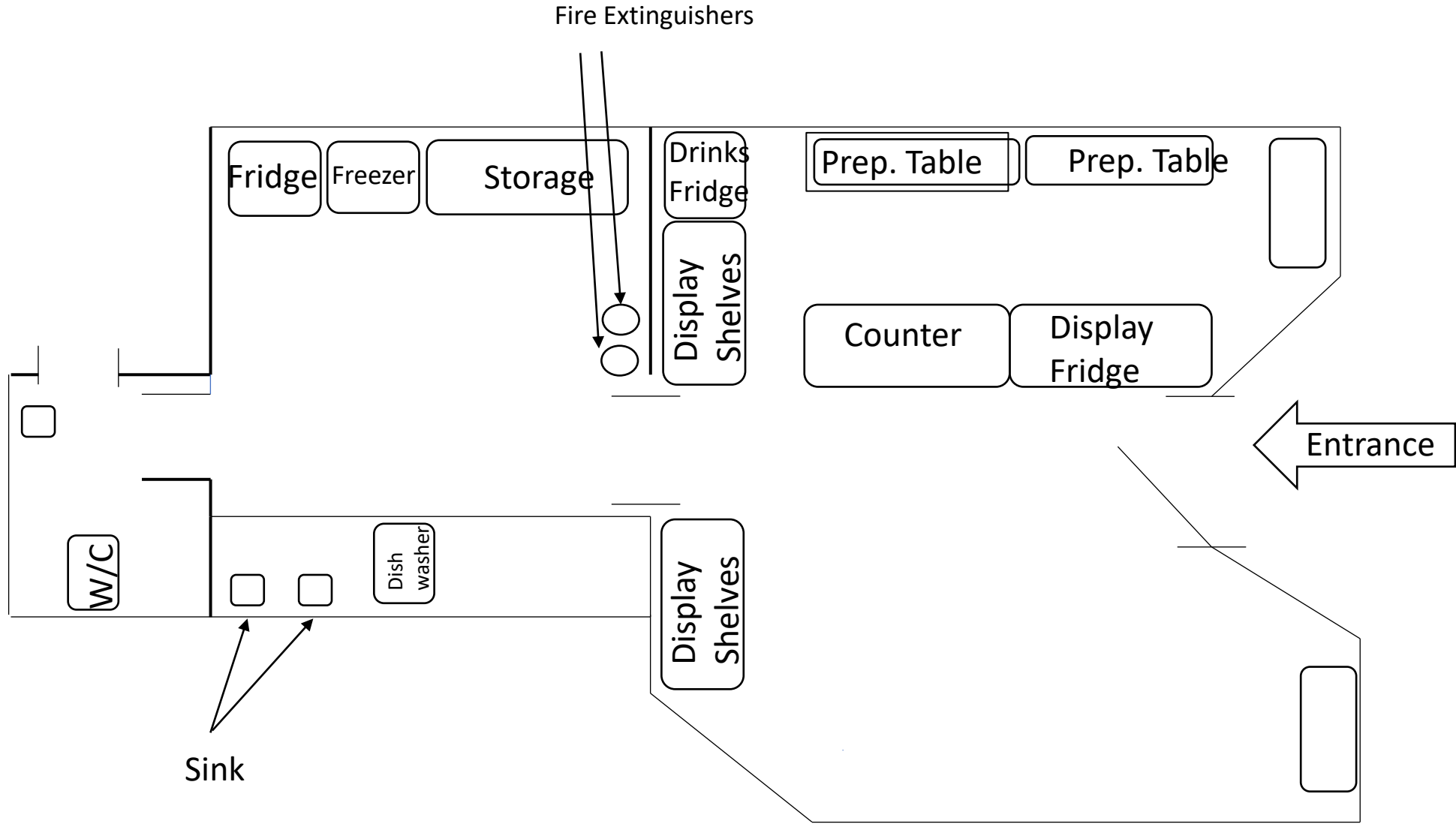
## Layout Plan

(not to scale)

5 Babbacombe Road, St Marychurch, Torquay

TQ1 3SB

SINK  
/Page 43





To. Head of Community Safety, Torbay Council, Torquay Town Hall, Torquay TQ1 3DR

We are writing today to object to a premises license being granted being granted to 5 Babbacombe Road St Marychurch Torquay TQ1 3SB

Our Maisonette is situated directly above and behind the shop. We are now retired and have owned our home for 31 years and have been content with living above a shop with limited noise levels but the granting of a premises license would completely ruin our lives.

We always assumed the shop below only had A1 Planning not A3, A4 or A5. Our premises was originally one property and was only separated from the shop a few years before we purchased our maisonette. There is no insulation at all between us and the shop for sound or fire. Our main bedroom and lounge are directly above the shop with only a plaster ceiling, floorboards and carpet between us, the noise levels would be unbearable.

The downstairs walls between us are mainly partition walls again with no insulation. A friend of ours in her eighties stays with us in the ground floor part of our home which is directly behind the shops toilet again partition walls she can hear every time the toilet is used.

Because it was originally one property we share both the water and electricity supply, we fear that large catering equipment would overload the supply. We also fear the anticipated noise levels from extraction fans and bin use, the bins are only two feet away from the downstairs bedroom.

The shop is next to traffic lights and is a no waiting zone we fear constant taxi service picking up people and our entrance door is next to the shop and we worry about customers smoking.

We fear that if permission is granted we will have to try to sell our home and obviously the value will be greatly reduced

Telephone [REDACTED]





**From:** [REDACTED]  
**To:** [Licensing](#)  
**Subject:** Re:063595 Objections  
**Date:** 18 April 2023 23:02:32

---

[REDACTED]

Licensing Department  
18th April 2023

Community & Customer Services

Torbay Council

Town Hall TQ1 3DR

Dear Sir/Madam,

Please see the attached re: 063595

Dear Sir/Madam,

Further to our previous email, please accept our apologies re the first/earlier attachment, unfortunately sent with a glitch of incomplete information and text. Below, on this email, the correct correct format, objections and signatories are detailed.

We wish to express our objections and relevant concerns to the application request, Number 063595, for a Premises Licence WITH Alcohol (On and Off premises) at 5 Babbacombe Rd, St. Marychurch TQ1 3SB, as well as our objections to the requested extensive opening times. We, the signatories herewith, are Torquinian siblings with lifelong and continuing direct connections with this immediate vicinity of Torquay. We would be grateful if the attached objections could be viewed and treated as 3 individual representations.

Yours faithfully,

[REDACTED]

[REDACTED]

[REDACTED]

Re: Application Number 063595

We wish to express our objections and relevant concerns to the Premises Licence WITH Alcohol, (On and Off premises), application at 5 Babbacombe Rd TQ1 3SB

- We surmise, from the application, that the proposed establishment appears to be more in the nature of a take-away rather than a cafe/bistro.
- Although Number 5 is in a row of 4 small lock-up shops, this area of the St. Marychurch neighbourhood is predominantly comprised of residential properties

viz. residential flats/apartments above, family occupied detached houses opposite and flats/apartments to the side and rear. The latter will be affected by cooking smells and noise from the proposed extractor fan.

- The requested application for the extensive hours of opening and the serving/selling of alcohol and food appears excessive and thereby not commensurate with the 3 neighbouring small lock-up shops, who operate on a standard 9am-5.30pm basis, nor commensurate with the adjacent residential dwellings.
- Already sited on the pavement, associated with the various properties, there is a plethora of unsightly, yet necessary, waste bins and we feel that an establishment selling eat-in and take-away cooked food and alcohol will considerably exacerbate this situation.
- The property is situated within just a few metres of traffic lights at the busy crossroad, on the main A379 Torquay arterial road, with no direct adjacent parking. Hence we feel that there will be a potential for customers and delivery/collection services to flout the law by parking on the “no loading, no unloading at any time” double yellow lines, (or even straddling the double yellow road and curb lines by parking on to the pavement, which has been observed precisely at this point). This will be hazardous - a public safety issue - to both those on the highway as well as pedestrians. This situation would be aggravated if a home delivery services (e.g. Deliveroo, Just Eat) were to be provided with frequent pick-ups by motorcycles and taxis.
- We are also concerned about the possible further placement of street furniture (e.g. free standing advertising stand, table and chairs etc.), creating further hazards for residents and pedestrians, as well as the potential disruption and associated noise during the proposed long opening hours.
- Should this establishment potentially be allowed to offer take-away food and alcohol (the former from 7am to 11.30pm and the latter from 9am until 11.00pm, 7 days a week), there will inevitably be an increase in litter being deposited throughout the beautiful area of St. Marychurch and The Downs.
- Placement of bottles and rubbish into containers at the rear of the property, with regard to noise and vehicular access for subsequent collection, will be disruptive to the residents who have legitimate access to the rear of their properties via the private back lane, as well as being disruptive to those residents residing in the apartments at the rear.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**To:** [Licensing](#)  
**Subject:** Re:063595 Objections  
**Date:** 18 April 2023 23:02:32

---

[REDACTED]

Licensing Department  
18th April 2023

Community & Customer Services

Torbay Council

Town Hall TQ1 3DR

Dear Sir/Madam,

Please see the attached re: 063595

Dear Sir/Madam,

Further to our previous email, please accept our apologies re the first/earlier attachment, unfortunately sent with a glitch of incomplete information and text. Below, on this email, the correct correct format, objections and signatories are detailed.

We wish to express our objections and relevant concerns to the application request, Number 063595, for a Premises Licence WITH Alcohol (On and Off premises) at 5 Babbacombe Rd, St. Marychurch TQ1 3SB, as well as our objections to the requested extensive opening times. We, the signatories herewith, are Torquinian siblings with lifelong and continuing direct connections with this immediate vicinity of Torquay. We would be grateful if the attached objections could be viewed and treated as 3 individual representations.

Yours faithfully,

[REDACTED]

[REDACTED]

[REDACTED]

Re: Application Number 063595

We wish to express our objections and relevant concerns to the Premises Licence WITH Alcohol, (On and Off premises), application at 5 Babbacombe Rd TQ1 3SB

- We surmise, from the application, that the proposed establishment appears to be more in the nature of a take-away rather than a cafe/bistro.
- Although Number 5 is in a row of 4 small lock-up shops, this area of the St. Marychurch neighbourhood is predominantly comprised of residential properties

viz. residential flats/apartments above, family occupied detached houses opposite and flats/apartments to the side and rear. The latter will be affected by cooking smells and noise from the proposed extractor fan.

- The requested application for the extensive hours of opening and the serving/selling of alcohol and food appears excessive and thereby not commensurate with the 3 neighbouring small lock-up shops, who operate on a standard 9am-5.30pm basis, nor commensurate with the adjacent residential dwellings.
- Already sited on the pavement, associated with the various properties, there is a plethora of unsightly, yet necessary, waste bins and we feel that an establishment selling eat-in and take-away cooked food and alcohol will considerably exacerbate this situation.
- The property is situated within just a few metres of traffic lights at the busy crossroad, on the main A379 Torquay arterial road, with no direct adjacent parking. Hence we feel that there will be a potential for customers and delivery/collection services to flout the law by parking on the “no loading, no unloading at any time” double yellow lines, (or even straddling the double yellow road and curb lines by parking on to the pavement, which has been observed precisely at this point). This will be hazardous - a public safety issue - to both those on the highway as well as pedestrians. This situation would be aggravated if a home delivery services (e.g. Deliveroo, Just Eat) were to be provided with frequent pick-ups by motorcycles and taxis.
- We are also concerned about the possible further placement of street furniture (e.g. free standing advertising stand, table and chairs etc.), creating further hazards for residents and pedestrians, as well as the potential disruption and associated noise during the proposed long opening hours.
- Should this establishment potentially be allowed to offer take-away food and alcohol (the former from 7am to 11.30pm and the latter from 9am until 11.00pm, 7 days a week), there will inevitably be an increase in litter being deposited throughout the beautiful area of St. Marychurch and The Downs.
- Placement of bottles and rubbish into containers at the rear of the property, with regard to noise and vehicular access for subsequent collection, will be disruptive to the residents who have legitimate access to the rear of their properties via the private back lane, as well as being disruptive to those residents residing in the apartments at the rear.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**To:** [Licensing](#)  
**Subject:** Re:063595 Objections  
**Date:** 18 April 2023 23:02:32

---

[REDACTED]

Licensing Department  
18th April 2023

Community & Customer Services

Torbay Council

Town Hall TQ1 3DR

Dear Sir/Madam,

Please see the attached re: 063595

Dear Sir/Madam,

Further to our previous email, please accept our apologies re the first/earlier attachment, unfortunately sent with a glitch of incomplete information and text. Below, on this email, the correct correct format, objections and signatories are detailed.

We wish to express our objections and relevant concerns to the application request, Number 063595, for a Premises Licence WITH Alcohol (On and Off premises) at 5 Babbacombe Rd, St. Marychurch TQ1 3SB, as well as our objections to the requested extensive opening times. We, the signatories herewith, are Torquinian siblings with lifelong and continuing direct connections with this immediate vicinity of Torquay. We would be grateful if the attached objections could be viewed and treated as 3 individual representations.

Yours faithfully,

[REDACTED]

[REDACTED]

[REDACTED]

Re: Application Number 063595

We wish to express our objections and relevant concerns to the Premises Licence WITH Alcohol, (On and Off premises), application at 5 Babbacombe Rd TQ1 3SB

- We surmise, from the application, that the proposed establishment appears to be more in the nature of a take-away rather than a cafe/bistro.
- Although Number 5 is in a row of 4 small lock-up shops, this area of the St. Marychurch neighbourhood is predominantly comprised of residential properties

viz. residential flats/apartments above, family occupied detached houses opposite and flats/apartments to the side and rear. The latter will be affected by cooking smells and noise from the proposed extractor fan.

- The requested application for the extensive hours of opening and the serving/selling of alcohol and food appears excessive and thereby not commensurate with the 3 neighbouring small lock-up shops, who operate on a standard 9am-5.30pm basis, nor commensurate with the adjacent residential dwellings.
- Already sited on the pavement, associated with the various properties, there is a plethora of unsightly, yet necessary, waste bins and we feel that an establishment selling eat-in and take-away cooked food and alcohol will considerably exacerbate this situation.
- The property is situated within just a few metres of traffic lights at the busy crossroad, on the main A379 Torquay arterial road, with no direct adjacent parking. Hence we feel that there will be a potential for customers and delivery/collection services to flout the law by parking on the “no loading, no unloading at any time” double yellow lines, (or even straddling the double yellow road and curb lines by parking on to the pavement, which has been observed precisely at this point). This will be hazardous - a public safety issue - to both those on the highway as well as pedestrians. This situation would be aggravated if a home delivery services (e.g. Deliveroo, Just Eat) were to be provided with frequent pick-ups by motorcycles and taxis.
- We are also concerned about the possible further placement of street furniture (e.g. free standing advertising stand, table and chairs etc.), creating further hazards for residents and pedestrians, as well as the potential disruption and associated noise during the proposed long opening hours.
- Should this establishment potentially be allowed to offer take-away food and alcohol (the former from 7am to 11.30pm and the latter from 9am until 11.00pm, 7 days a week), there will inevitably be an increase in litter being deposited throughout the beautiful area of St. Marychurch and The Downs.
- Placement of bottles and rubbish into containers at the rear of the property, with regard to noise and vehicular access for subsequent collection, will be disruptive to the residents who have legitimate access to the rear of their properties via the private back lane, as well as being disruptive to those residents residing in the apartments at the rear.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**Subject:** Fwd: Chubbs 5 Babbacombe Rd Torquay TQ1 3SB Application no. 063595  
**Date:** 18 April 2023 17:59:45

---

----- Forwarded message -----

**From:** [REDACTED]  
**Date:** Fri, 14 Apr 2023 at 16:51  
**Subject:** Chubbs 5 Babbacombe Rd Torquay TQ1 3SB Application no. 063595  
**To:** <[Licensing@torbay.gov.uk](mailto:Licensing@torbay.gov.uk)>

Dear Sirs,

With reference to the Licence Application for the above premises. Whilst I think a deli with off sales would be good for the area if operating within normal shop hours. I do not believe an in house licence would be appropriate for this site. Reasons being its close proximity to many residential properties and also the funeral service which operates 24/7 365 days a year. There would also be the probability of cooking smells. The premises has a rear door which goes out into a shared yard then access lane. Which in turn goes out onto an area owned and shared by myself and the funeral parlour which is in constant use by them. I would find this causing unacceptable anxiety if patrons used this area thus leading to unacceptable noise and anti social behaviour. There is already a problem on occasions with Lindridge Rd being used by people to relieve themselves.

Yours sincerely,

[REDACTED]

RECEIVED

20 APR 2023

I have resided at the above address since October, 2001, and wish to lodge an objection to the granting of a Premises Licence for 5 Babbacombe Road.

Reasons for my objection are as follows: -

1. Noise coming from bottles being cast into the large (ugly) commercial bin right outside my window. Also, noise at closing times.
2. The area at the rear where I live houses several elderly people who would not welcome sleep disturbance.
3. The lack of insulation and the fact that dividing walls are thin will mean constant disturbance from flushing of the toilet.
4. In a "No Stopping" area, close to main traffic lights, taxis will pull up, to load/unload customers.
5. Smoking in adjacent doorways.
6. Important to me personally: if permission is given and my friends, [REDACTED] have to sell the property, downvalued by this, what becomes of me?! I love living here, but am now very nervous of my future.

**From:**

█

**Subject:**

Licence Application for 5 Babbacombe Rd.

**Date:**

19 April 2023 16:22:14

---

Dear █

I am writing in regard to the above application for an Alcohol Licence. The notice in the window of the premises states Chubbs wish to open a Deli with Alcohol between the hours of 9. a.m. - 11. p.m. 7 days a week. It is unclear what the full intention is.

A Deli possibly selling wine with the purchase of cheese etc during regular shop hours would be acceptable

However, these premises are in a close residential area beside a funeral parlor. If the plan is to sell alcohol for consumption on the premises for such extended hours I would suggest there is huge potential for noise and disturbance for these residents.

If this is the case I strongly object.

█

Re: Application Number 063595

We wish to express our objections and relevant concerns to the Premises Licence WITH Alcohol, (On and Off premises), application at 5 Babbacombe Rd TQ1 3SB

- We surmise, from the application, that the proposed establishment appears to be more in the nature of a take-away rather than a cafe/bistro.
- Although Number 5 is in a row of 4 small lock-up shops, this area of the St. Marychurch neighbourhood is predominantly comprised of residential properties viz. residential flats/apartments above, family occupied detached houses opposite and flats/apartments to the side and rear. The latter will be affected by cooking smells and noise from the proposed extractor fan.
- The requested application for the extensive hours of opening and the serving/selling of alcohol and food appears excessive and thereby not commensurate with the 3 neighbouring small lock-up shops, who operate on a standard 9am-5.30pm basis, nor commensurate with the adjacent residential dwellings.
- Already sited on the pavement, associated with the various properties, there is a plethora of unsightly, yet necessary, waste bins and we feel that an establishment selling eat-in and take-away cooked food and alcohol will considerably exacerbate this situation.
- The property is situated within just a few metres of traffic lights at the busy crossroad, on the main A379 Torquay arterial road, with no direct adjacent parking. Hence we feel that there will be a potential for customers and delivery/collection services to flout the law by parking on the "no loading, no unloading at any time" double yellow lines, (or even straddling the double yellow road and curb lines by parking on to the pavement, which has been observed precisely at this point). This will be hazardous - a public safety issue - to both those on the highway as well as pedestrians. This situation would be aggravated if a home delivery services (e.g. Deliveroo, Just Eat) were to be provided with frequent pick-ups by motorcycles and taxis.
- We are also concerned about the possible further placement of street furniture (e.g. free standing advertising stand, table and chairs etc.), creating further hazards for residents and pedestrians, as well as the potential disruption and associated noise during the proposed long opening hours.
- Should this establishment potentially be allowed to offer take-away food and alcohol (the former from 7am to 11.30pm and the latter from 9am until 11.00pm, 7 days a week), there will inevitably be an increase in litter being deposited throughout the beautiful area of St. Marychurch and The Downs.
- Placement of bottles and rubbish into containers at the rear of the property, with regard to noise and vehicular access for subsequent collection, will be disruptive to the residents who have legitimate access to the rear of their properties via the private back lane, as well as being disruptive to those residents residing in the apartments at the rear.

I agree with the above statements



20-4-2023