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**DEVON & CORNWALL  
CONSTABULARY**

Mr M Javadi  
Premises Licence Holder/DPS  
Shiraz  
2 Vaughan Parade  
TORQUAY  
TQ2 5EG

Licensing Department East  
Devon and Cornwall Constabulary  
Force Headquarters  
EXETER  
EX2 7HQ

Telephone: 01803 218900

21 July 2014

Dear Sir

**Shiraz, 2 Vaughan Parade, Torquay**

I write to you in your capacity as Premises Licence Holder and Designated Premises Supervisor of the above named premises, which has the benefit of Premises Licence Number PL0415 issued by Torbay Council.

I would draw your attention to a visit to your premises by my Police Licensing Officer, Mrs Julie Smart, together with Sgt Mike Norsworthy (Licensing Sergeant for Devon) and Mr Karl Martin, Torbay Council Licensing Officer, at approximately 1.00 am on the morning of Sunday 13 July 2014.

At the time of this visit, they noted that customers were still using the tables and chairs on the street outside your premises. Photographs of this area were taken by Mrs Smart for future reference.

This matter was brought to your attention and as a result of discussions you instructed your door stewards to immediately clear this area.

I would take this opportunity to remind you of a condition contained within your Premises Licence that state:

*The consumption of intoxicating liquor shall be confined to the premises and the areas adjacent thereto designated under the terms of a Pavement Cafe Permit issued by the Local Authority whilst such permit is in force providing persons are seated at tables within the areas designated by such Permit.*

[licensingeast@devonandcornwall.pnn.police.uk](mailto:licensingeast@devonandcornwall.pnn.police.uk)

[www.devon-cornwall.police.uk](http://www.devon-cornwall.police.uk)



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I must advise you that as your Torbay Council Pavement Cafe Permit ceases at 12 midnight I consider that on this occasion you were carrying out licensable activities in breach of the above condition. I must warn you that failure to comply with the conditions of the Premises Licence constitutes an offence under Section 136(1) of the Licensing Act 2003 as follows:

- 1) *A person commits an offence if –*
  - a. *He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation,*  
*or*
  - b. *He knowingly allows a licensable activity to be so carried on.*

Subsection 4 of Section 136 of the Licensing Act 2003, also states:

*"A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both."*

I must advise you that your premises will be monitored by my officers and should any further concerns come to my attention I may consider applying for a Review of your Premises Licence or a prosecution for any offences committed, but I hope that this will not be necessary.

A copy of this letter has been sent to the Torbay Council Licensing Department and the Torbay Council Highways Department for their information.

Should you wish to discuss the contents of this letter, please do not hesitate to contact my Police Licensing Officer, Mrs Julie Smart, on 01803 218900.

Yours faithfully



Glen Mayhew, Superintendent  
LPA Commander – South Devon



