



## Devon & Cornwall Police

Licensing Team  
Torbay Council  
Town Hall  
TORQUAY  
Devon

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

Telephone: 01803 218900

16 February 2018

Dear Sir/Madam

**Peaky Blinders, 107 Winner Street, Paignton, Devon, TQ3 3BP**

I am writing to you in relation to the application for a Review of the Premises Licence in respect of the above named premises, submitted by Mr Karl Martin, Public Protection Officer of Torbay Council.

My Police Licensing Officer, Mrs Julie Smart, took over responsibility as the Licensing Officer for Paignton in October 2017 and therefore was not party to discussions or meetings in relation to this premises prior to that date. However, she did discuss this premises with Licensing Officer Mr Peter Cosby, who had responsibility for the Paignton area prior to October 2017. During discussions with Mr Cosby she was informed that during initial meetings with Mr Devon, it was his intention to run the premises as a restaurant/bistro with persons seated at tables but since the premises opened it appeared that the premises were going to operate as a bar with live and recorded entertainment.

The above is supported by comments that Mr Cosby recorded on our computer system in relation to the application for the grant of the Premises Licence, which was received by the Police on 11 August 2017. At that time Mr Cosby was satisfied with the application for the new licence and therefore the Police did not make representation.

On 22 September 2017 Mr Cosby attended the premises on their opening night and had a conversation with Mr Jamie Devon. At that time Mr Devon enquired about the possibility of extending the terminal hour of the premises but he was advised to run the premises in accordance with the licence for a period of time so that the premises could be monitored.

### Contact the police

Emergency 999

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

✉ 101@devonandcornwall.pnn.police.uk 101

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I would now ask you to read the attached letter, dated 22 December 2017, which I sent to Ms Jodie Harris, one of the Premises Holders, as a result of a number of concerns raised by Mrs Smart. Once you have finished reading the attached letter, please continue reading the remainder of this letter.

Sometime around 11 January 2018 Mrs Smart received an email from Ms Nicki Munford, of Torbay Council, concerning problems she was experiencing in relation to the bins at Peaky Blinders. Within this email Ms Munford proposed holding a joint authority meeting with the premises management to address any outstanding concerns.

On 12 January 2018, as Mrs Smart had not received any contact from Ms Harris in relation to the letter sent to her on 22 December 2017, Mrs Smart decided to arrange a meeting at Torquay Police Station on Tuesday 16 January 2018.

Mrs Smart rang the telephone number provided for Ms Harris to advise her of the date and time of this meeting, but the call was answered by Mr Devon. Mrs Smart informed Mr Devon that she wished for Ms Harris to attend a meeting at the police station so that some matters could be discussed. Mr Devon asked what these matters were and Mrs Smart advised him that a minor variation with amended plan had not been received and other actions that required addressing by that date had not been completed.

Mr Devon stated that the application had been submitted that morning. Mrs Smart then advised him that she had spoken to Mrs Cottell of Torbay Council shortly before ringing him. Mrs Cottell had informed her that she had just sent an email with the application form to Mr Devon, and confirmed that a completed form and payment had not been received. Mr Devon again indicated that the form had been submitted. Mrs Smart then informed him that until the Licensing Authority had actually received the application form and payment, it was not classed as submitted.

Mrs Smart then advised Mr Devon that as he had no legal responsibility at the premises she wanted to speak to Ms Harris so that she didn't have to repeat herself and he subsequently handed the phone to Ms Harris. Mrs Smart asked Ms Harris if she had received my letter of 22 December 2017 and she confirmed that she had. Mrs Smart asked why she had not attempted to resolve any of the matters contained within that letter, ie the minor variation with an amended plan, confirmation of Mr McLean's correct name and address and provision of her telephone number and email address. Ms Harris could not provide a reason for failing to complete the actions required in the letter and was requested to attend Torquay Police Station at 2.00 pm on Tuesday 16 January 2018.



On Tuesday 16 January 2018 the following persons were present at Torquay Police Station:

Mrs Smart  
Sgt Mike Norsworthy, Licensing Sergeant for Devon  
Mrs Carrie Cottell, Licensing Officer, Torbay Council  
Ms Nicki Munford, Torbay Council  
Ms Sarah Lock, Food Team, Torbay Council  
Ms Jodie Harris, Premises Licence Holder  
Ms Samantha Lewis, DPS  
Mr Jamie Devon

Unfortunately Mr Karl Martin (Public Protection Officer) was unable to attend this meeting but Mrs Cottell and Ms Munford were able to advise those present that noise complaints had been received in relation to Peaky Blinders, although they could not give specific details.

At the meeting Mrs Smart was able to confirm that Ms Lewis had been appointed as DPS and Ms Lewis confirmed that she would be working at the premises on about 4 days a week. Sgt Norsworthy indicated that he was satisfied that there was now a DPS in day to day management and control of the premises so he issued a Section 19 Cancellation Notice.

Mrs Smart confirmed that a Transfer application had been received. This would transfer the Premises Licence from Mr McLean and Ms Harris to Shelby Family Ltd. Mr Devon indicated that both himself and Ms Harris are directors of this company. Mr Devon also confirmed that Mr McLean would have no further involvement in the premises.

Mrs Smart confirmed that she had received a mobile number for Ms Harris and she requested a contact number for Ms Lewis, which was provided.

Mrs Cottell confirmed that she had received a minor variation application together with an amended plan.

Ms Munford then outlined her concerns in relation to issues with the bins at the premises and Ms Lock then discussed food inspections with them. Mr Devon stated that bins with glass bottles therein would be locked or not placed on the highway until the day of collection.

In respect of noise complaints Ms Cottell advised Mr Devon to contact Mr Martin upon his return to work.



At the end of the meeting Mr Devon said that on a positive note there had not been any incidents of disorder at the premises. Mrs Smart confirmed that whilst we were happy with that aspect of the premises operation, it was important that the Licensing Act is being complied with.

At 1.00 pm on Tuesday 30 January 2018 Mrs Smart attended Peaky Blinders with Mr Martin and Mr Craig Noble (Torbay Council) as Mr Martin had advised her that whilst recently talking to residents concerning noise issues, at least one had mentioned that they have witnessed fights in the street that they believe are attributed to Peaky Blinders. At the meeting Mrs Smart mentioned this to Mr Devon, but he denied this. Whilst in Peaky Blinders on this date Mrs Smart noted that there was no poster on display advising customers to be quiet and respectful of residents, as required by a condition on the Premises Licence. She drew Mr Devon's attention to this and he stated he would put a poster up straight away. As a result of this visit a letter was sent to the Premises Licence Holder and DPS on 30 January 2018 outlining this breach of condition (copy attached).

At the beginning of February 2018 Mrs Smart had occasion to contact Mr Paul Farmer of the Devon and Somerset Fire and Rescue Service. During discussions it became apparent that an inspection of Peaky Blinders had taken place and it was evident that there was no fire risk assessment in place and other matters were identified that required addressing. I have enclosed a copy of a letter that Mr Gary Steer of the Fire Service sent to Mr Devon on 25 January 2018. On 16 February 2018 Mr Steer advised Mrs Smart that the temporary measure of using stewards to man the front and rear exits must remain in place until the means of escape from the premises is addressed. Mr Steer will advise Mrs Smart when he is satisfied that stewards are no longer required.

Despite all the above matters, I can advise you that I am now satisfied that the Licensing Act is being complied with and can confirm that there have been no 'reported' incidents of disorder at the premises. However, it is apparent that several offences have been committed since the premises opened in September 2017 and these matters have only been resolved following the action of police staff. Mr Devon and Ms Harris have both indicated that they have completed the BIIAB Personal Licence Course and I hope that they will now have a better understanding of the requirements of the Licensing Act and the need to operate their premises in a lawful and responsible manner.

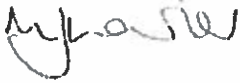
In respect of the Review, as we have no recorded incidents of disorder at this premises I am satisfied that they are now meeting the licensing objective the Prevention of Crime and Disorder.





Should you require any further information, please do not hesitate to contact Julie Smart on 01803 218900.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M Lawler', written in a cursive style.

Superintendent M Lawler  
Head of Alliance Prevention Department





## Devon & Cornwall Police

Ms Jodie Harris  
Premises Licence Holder  
Peaky Blinders  
107 Winner Street  
PAIGNTON  
TQ3 3BP

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

Telephone: 01803 218900

22 December 2017

Dear Madam

**Peaky Blinders, 107 Winner Street, Paignton, TQ3 3BP**

I am writing to you in your capacity of joint Premises Licence Holder of the above named premises, which has the benefit of Premises Licence Number PL1121 issued by Torbay Council.

I have been advised that your premises opened in September of this year following the grant of your application for a Premises Licence on 7 September 2017.

Since that time I have been made of the following concerns in relation to your premises:

Your application for the Grant of a Premises Licence nominated the Premises Licence Holders as yourself and a Mr George James McLean. Mr McLean was also nominated as your Designated Premises Supervisor.

On Friday 1 December 2017 your premises were visited by Mr Karl Martin and Mr Gary O'Shea, Officers of Torbay Council, concerning noise concerns. On attendance Mr Martin spoke to your door steward and a female member of staff and asked if Mr McLean, the DPS, was in attendance. From discussions it was apparent that the door steward had never heard of Mr McLean and the female member of staff stated that he doesn't attend the premises very often.

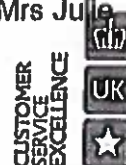
On Monday 4 December 2017 Mr Martin advised my Police Licensing Officer, Mrs Julie  
**Contact the police**

Emergency 999

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

✉ [101@devonandcornwall.pnn.police.uk](mailto:101@devonandcornwall.pnn.police.uk) 101

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Stock code: SF615



Smart, of the discussions he had at your premises and following this both Torbay Council and Mrs Smart attempted to contact Mr McLean, but to no avail. On the morning of 6 December 2017 Mrs Smart established that Mr McLean was no longer living in the Torbay area. Further enquiries revealed that a male using the name Mr Jamie Devon, but who is actually known as Mr Jamie Rabin, had been liaising with the relevant authorities prior to the submission of your application, and since the licence has been granted, despite him having no legal position at the premises.

During the afternoon of Wednesday 6 December 2017 Mrs Smart and Mr Martin attended your premises in order to discuss concerns around the apparent lack of a DPS with you, however you were not available. At that time they discussed the matter with Mr Devon, and he advised them that he actually owns the business. He also told them that the DPS, Mr McLean, visits the premises on a daily basis, usually in the morning, but that at that time he was away on holiday elsewhere in the country. During the discussions it was noted that the Premises Licence Summary was not on display and Mrs Smart gave suitable advice regarding this to Mr Devon, who indicated that he had some frames at the premises and would immediately rectify the situation.

On the morning of Thursday 7 December 2017 Mrs Smart and Sgt Norsworthy carried out further enquiries in relation to the whereabouts of Mr McLean and it was established that he had moved from Torquay to Darlington at about the end of October 2017. For your information the Revised Guidance issued under Section 182 of the Licensing Act 2003 (April 2017) indicates that the DPS should be the person who has been given day to day responsibility for running the premises by the Premises Licence Holder. Sgt Norsworthy was therefore satisfied that there was no DPS in day to day control or management of your premises and therefore Sgt Norsworthy served a Section 19 Closure Notice under the Criminal Justice and Police Act 2001 on a member of your staff at 1305 hrs on that day.

For your information failure to have a DPS in day to day control and management of a licensed premises constitutes a breach of a mandatory condition contained on your Premises Licence, which is an offence under Section 136 of the Licensing Act. A person found guilty of an offence under this section is liable to an unlimited fine, 6 months imprisonment or to both.

Whilst at your premises Mrs Smart viewed the plan of the premises and established that a small bar area and some booth seating were not shown on the approved plan, and furthermore the plan shows that there is a garden to the rear of the premises which is not the case as this area now forms part of the actual building.

In relation to the approved plan for your premises not being accurate, the plan forms part of your Premises and failure to operate a licensed premises in accordance with the Premises Licence is an offence under Section 136 of the Licensing Act 2003, as already outlined above. You therefore need to submit a new plan of the premises. If



you need assistance or advice re this matter I recommend that you contact Mrs Mandy Guy, Senior Licensing Enforcement Officer of Torbay Council, who is contactable at [mandy.guy@torbay.qcsx.gov.uk](mailto:mandy.guy@torbay.qcsx.gov.uk) — Please note that due to the Christmas period, Torbay Council will now be closed until 2 January 2018.

In respect of the lack of a DPS at your premises, I can confirm that a Vary DPS application has now been received by the police in respect of Ms Samantha Lewis and Mrs Smart informs me that she has discussed this matter with you. You have assured Mrs Smart that Ms Lewis is employed at the premises as a manager and will be there on a regular basis. On those grounds, Mrs Smart has advised you that she is satisfied with your application. Unfortunately due to the Christmas period, Sgt Norsworthy is unable to attend your premises until the New Year. However, providing he is satisfied with your DPS when he does attend, he will issue a Section 19 Cancellation Notice.

I would take this opportunity to point out that as Premises Licence Holder you are responsible for ensuring that the names and addresses of all Premise Licence Holders, and the Designated Premises Supervisor, as held by the licensing authority are correct, and you are required to advise the licensing authority of any changes as soon as reasonably practicable. Section 33(1) of the Licensing Act 2003 deals with this matter and a person found guilty of an offence in relation to this section of the Licensing Act is liable to a fine not exceeding level 3 on the standard scale.

Since the Premises Licence was granted it is noted that Mr McLean has submitted two Temporary Event Notices in respect of your premises but on these notices he has indicated that he is called Mr George Bridges-McLean. I would be grateful if you could establish his correct legal name and I request that you advise Torbay Council of this and his correct address by no later than Friday 12 January 2018. It would also be useful if you could provide a telephone number and email address for him as it is important that responsible authorities can appraise him of any concerns in relation to his premises as soon as possible.

Mrs Smart has also identified that the mobile telephone number and email address that you provided within your application for the Grant of a Premises Licence are actually those of Mr Devon, who has no legal position at the premises in respect of the licence. I therefore request that you advise Mrs Smart of your personal telephone number and an appropriate email address in order that she can contact you as and when required. I would be grateful if you could provide this information by no later than 12 January 2018.

Mrs Smart also informs me that you contacted her on Tuesday 19 December 2017 as you had concerns regarding a door steward that you were using. Subsequent enquiries revealed that this door steward's SIA Licence was revoked by the Security Industry Authority on 5 November 2017. I would point out that as Premises Licence Holder you are responsible for ensuring that all door stewards employed at your





premises are properly licensed and I recommend that you familiarise yourself with the requirements of the Private Security Industry Act 2001. For your information, door steward licensing checks can easily be completed by visiting the website: <https://services.sia.homeoffice.gov.uk/rolh>

On 19 December 2017 Mrs Smart was advised by Mr Martin of Torbay Council that the council have concerns regarding your bins which are regularly situated on the pavement outside of your property. On checking these bins Mr Martin noticed that they contained a large number of glass bottles and that the bin was not locked. I would remind you that your premises must promote the licensing objectives at all times, one of which is the prevention of crime and disorder. I would ask that any bins containing glass bottles are kept locked at all times when they are on the public highway in order to prevent the bottles being taken out and used as a weapon. I also am aware that your premises have been served with notices under Sections 34 and 47 of the Environmental Protection Act in connection with waste disposal matters and I would recommend that you deal with this matter immediately.

Finally Mrs Smart has advised me that your premises recently received an award for Pub of the Year. Whilst it is pleasing that such a new premises has received this award as recognition of customer satisfaction, it is very disappointing that your premises are not meeting the standard required in respect of compliance with various legislation, which may be through a lack of experience or knowledge. As you are the Premises Licence Holder I would strongly advise you to undertake some licensing training, and would recommend the BIIAB Course for Personal Licence Holders which is available at the South Devon College.

Mrs Smart has advised Mr Devon that as he has no legal position or responsibility for the premises, she will not be discussing any further matters with him, and will only deal with you or your DPS, Ms Lewis. As Mr Devon has indicated that the business is his, Mrs Smart has recommended that you apply for a Transfer of the Premises Licence to include him as a Premises Licence Holder, and I would be grateful if you could give this matter some consideration.

As Premises Licence Holder I would remind you that it is your responsibility to ensure that your premises is run in accordance with the conditions of your Premises Licence, in a manner that promotes the Licensing Objectives and within the confines of the law at all times. Should evidence of further non-compliance of the Licensing Act 2003 come to my attention, I shall consider applying for a Review of your Premises Licence, but I do hope that this will not be necessary.

A copy of this letter has been forwarded to the Torbay Council Licensing Team for their information.

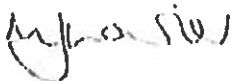


Should you require any further information, please do not hesitate to contact Julie Smart on 01803 218900.

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Yours faithfully



Superintendent M Lawler  
Head of Alliance Prevention Department





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# Closure Notice

## Section 19 Criminal Justice and Police Act 2001

Section 19 of the Criminal Justice and Police Act 2001 empowers a constable or local authority to serve a closure notice on a person having control of, or responsibility for, any premises that are being, or have been used within the last 24 hours, for the sale or consumption of alcohol on or in the vicinity of the premises, without a licence. (Where such a closure notice is served it must also be served on any other occupier of the premises whose access may be impeded if the part involved in the unlicensed sale of alcohol was to be closed.) Where a constable is satisfied that any premises are being, or within the last 24 hours have been, used for the unauthorised sale of alcohol for consumption on, or in the vicinity of, the premises, he may serve a notice in respect of the premises.

Date and time of the Closure Notice: 07/12/17 1305 hrs

Person making the Notice: SGT 3671 NORSWORTHY  
Signature: [Handwritten Signature]

Name (if applicable) and address of the affected premises:  
PEAKY BLINDERS, 107 WINNER STREET, PAIGNTON

Alleged unauthorised use of the premises:  
① NO DPS IN DAY TO DAY CONTROL AND MANAGEMENT OF THE PREMISES.  
② NO PREMISES LICENCE SUMMARY ON DISPLAY

Steps which may be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring:  
APPOINT A DPS WHO WILL BE WORKING AT THE PREMISES ON A REGULAR BASIS.  
PUT UP THE PREMISES LICENCE SUMMARY IN A PROMINENT POSITION

The person (if applicable) on whom the Closure Notice has been served:  
Name: PAUL HAGUE  
Signature: [Handwritten Signature]



## **Explanatory Notes**

A police officer, or an authorised officer from the local authority has decided to issue this Closure Notice under the terms of Section 19 of the Criminal Justice and Police Act 2001 ('The 2001 Act').

### **Section 19 of the 2001 Act – Closure Notices**

Where a police officer or an authorised officer from the local authority is satisfied that any premises are being, or within the last 24 hours have been used for the unlicensed sale of alcohol, including being in breach of its licence conditions, he may serve under Sub Section (3) a notice in respect of the premises.

### **Section 20 of the 2001 Act – Closure Orders**

Your attention is drawn to Section 20 of the 2001 Act. This provides that the police, or as the case may be the local authority, can take action against the said premises by applying to a Justice of the Peace at the local Magistrates' Court for a closure order if the unlicensed sale of alcohol (as alleged in this Closure Notice) is continuing, or there is a reasonable likelihood that the premises will be so used in the future. The application for a Closure Order must be made not less than 7 days, and not more than 6 months after the date on which this closure notice was served.

After an application for the Closure Order is made the Justice of the Peace may issue a summons requiring the applicant and also the persons or persons on whom the Closure Notice was served to attend a hearing at the court on a specified date and time. At the hearing the court will consider the applicant's complaint against the said premises and decide whether a Closure Order should or should not be made.

In accordance with the Magistrates' Court Act 1980 and under the law on human rights, you are entitled to be legally represented at the hearing and to make representations to the court before any decision is taken.

### **Appeals – Section 24 of the 2001 Act**

An appeal against a decisions by the Magistrates' Court to grant a Closure Order, or a decision to refuse an application for a Closure Order can be made by an affected person to the Crown Court within 21 days.

### **Enforcement Powers and Offences - Section 24 of the 2001 Act**

It is an offence for a person, without reasonable excuse, to permit a premises to open in contravention of a Closure Order made by the Magistrates Court. Any person found guilty of such an offence will be liable to a fine not exceeding £20,000 or to imprisonment for a term not exceeding three months, or to both.

It is also an offence for a person who, without reasonable excuse fails to comply with any other terms of a Closure Order made by the court, or does an act, which contravenes those other terms. Any person convicted of this offence is liable to a fine not exceeding £5,000 or to three months imprisonment, or to both.

Police officers and authorised officers from the local authority have the power to enter the said premises at any reasonable time, and to do anything reasonably necessary to secure compliance with the Closure Order (for example, to board up the premises). However when exercising this power the constable or the officer must produce evidence of his authority to enter and also his identity before entering the premises, if asked to do so by the owner (or the occupier or the person in charge of the premises).

It is an offence for a person to intentionally obstruct police officers or authorised local authority officer from exercising these powers. Any persons convicted of obstructing a police officer is liable to a fine not exceeding £5,000, or to three months imprisonment, or to both. Any person convicted of obstructing an authorised local authority officer is liable to a fine not exceeding £5,000.

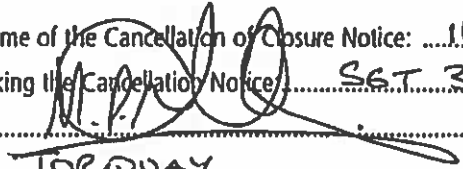






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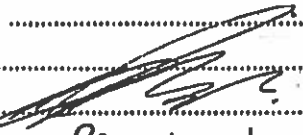
### Cancellation of Closure Notice (Section 19 Criminal Justice and Police Act 2001)

Date and time of the Cancellation of Closure Notice: 16-01-18 1400 hrs  
 Officer making the Cancellation Notice: SGT 3671 NORSWORTHY  
 Signature:   
 Station: TORQUAY

Name of officer serving the Cancellation Notice: SGT 3671 NORSWORTHY  
 Station: TORQUAY  
 Date and time served: 16-01-18 1400 hrs

Name (if applicable) and address of the affected premises: PEAKY BLINDERS,  
107 WINNER STREET, PAIGNTON

Reasons (grounds) for cancelling the Closure Notice: NEW DPS APPOINTED + WILL BE WORKING AT  
PREMISES ON A REGULAR BASIS. DPS, SAMANTHA  
LEWIS, HAS CONFIRMED THAT SHE IS AWARE OF  
HER RESPONSIBILITIES.

The person (if applicable) on whom the Cancellation of Closure Notice has been served: JAMIE DEVON  
 Name: JAMIE DEVON Signature:   
 Address: PEAKY BLINDERS, 107 WINNER STREET, PAIGNTON





**DEVON &  
SOMERSET**  
FIRE & RESCUE SERVICE

Glenn Askew  
Chief Fire Officer

TORBAY COUNCIL

26 JAN 2018

COMMUNITY SAFETY

Mr J Devon  
Peaky Blinders  
107-109 Winner Street  
Paignton  
TQ3 3BP

Western Command  
Devon South Group  
Torquay Headquarters  
Newton Road  
Torquay  
TQ2 7AD

Your Ref:  
Our Ref: 00042016/580132  
Website: www.dsfire.gov.uk

Date: 25 January 2018  
Please ask for: Gary Steer  
Email: gsteer@dsfire.gov.uk

Telephone: 01803 653707  
Fax: 01803 653740

Dear Mr Devon

**The Regulatory Reform (Fire Safety) Order 2005**  
**Re: Peaky Blinders, 107-109 Winner Street, Paignton, TQ3 3BP**

I refer to the recent inspection at the above premises where a fire safety audit was carried out.

As you will aware the Fire Authority had concerns in relation to the change of layout, the means of escape and your assumed capacity.

The inspection revealed that the rear "garden" area of the property had been provided with a roof and enclosed within the fabric of the existing building and as such effectively doubled the size of the building. You confirmed that Building Regulations approval had not been sought in relation to this building work. You are therefore advised to consult with the Local Authority to clarify whether an application is required.

With regard to the means of escape, at the time of the inspection the rear escape route was unsuitable due to beer kegs and other storage. In addition waste bins from the flats above were found outside the exit door and the route was therefore unusable. As the front entrance door to the premises opened inward the capacity for the premises was discussed and a maximum capacity of 60 persons was set.

However, we discussed the issues further and in order to support you and to safely maintain the fire safety measures we agreed the following course of action as interim measures only:

- 1/ the rear escape route shall be cleared of any obstructions at all times.
- 2/ on the occasions that a capacity exceeds 60 persons a SIA (Security Industry Authority) steward shall be positioned on the front door to the premises. The duties of this steward will be to count the occupants in and out of the premises and ensure that the capacity shall not exceed a maximum of 110 persons. This number to include staff and performers. In addition the steward is to ensure that the front door is opened in the event of a fire or other emergency situation occurring.

**Good fire safety management saves lives and protects property**



3/ on the occasions that a capacity exceeds 60 persons a further steward shall be provided for the rear exit area.

As mentioned above you have been made aware of steps that you need to take and these agreed measures are given to assist you on a temporary basis only. You have also been provided with more information which will enable you satisfy the requirements of the Regulatory Reform (Fire Safety) Order 2005. These additional requirements will be detailed in another letter to be sent to you in due course and will include the need for a suitable and sufficient fire risk assessment to be conducted.

You are reminded that you will need to discuss your alterations and intended alterations with the Building Control Officer at Torbay Council.

Should you require any further details or require clarification of the above please contact me on the above telephone number.

Yours sincerely



**Gary Steer**  
**Business Safety Officer**

cc – Licensing Officer, Torbay Council  
cc – Building Control Officer, Torbay Council



Shelby Family Limited  
Peaky Blinders  
107 Winner Street  
PAIGNTON  
Devon  
TQ3 3BP

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

Telephone: 01803 218900

30 January 2018

Dear Sir/Madam

Peaky Blinders, 107 Winner Street, Paignton, Devon, TQ3 3BP

I am writing to you in your capacity of Premises Licence Holder of the above named premises, which has the benefit of Premises Licence Number PL1121 issued by Torbay Council.

I have been advised that at approximately 1300 hrs on Tuesday 30 January 2018 my Police Licensing Officer, Mrs Julie Smart, attended your premises with Mr Karl Martin and Mr Craig Noble of the Torbay Council Licensing Team to discuss your proposed plans in respect of Peaky Blinders and other premises that you have acquired in Winner Street, together with concerns in relation to noise.

When in your premises Mrs Smart, Mr Martin and Mr Noble noted that there was no sign near the front door requesting customers to leave quietly and respect the residents.

I would refer you to condition 2 under the heading The Prevention of Public Nuisance, which states:

*Signage shall be displayed at exits asking patrons to respect the residents and leave the premises quietly.*

I would take this opportunity to remind you that failure to comply with the terms and conditions of a Premises Licence constitutes an offence under Section 136 of the Licensing Act 2003 and a person found guilty of such an offence is liable to an unlimited fine, a maximum of 6 months imprisonment, or to both.

Mrs Smart has informed me that advice was given to you by Mr Martin and Mr Noble on the need to ensure that customers smoking or queuing outside your premises are advised to be as quiet as possible and I trust that you will take positive action in respect of this matter.





As Premises Licence Holder I would remind you that it is your responsibility to ensure that your premises is run in accordance with the conditions of your Premises Licence, in a manner that promotes the Licensing Objectives and within the confines of the law at all times. Should evidence of further non-compliance of the Licensing Act 2003 come to my attention, I shall consider applying for a Review of your Premises Licence, but I do hope that this will not be necessary.

A copy of this letter has been forwarded to the Torbay Council Licensing Team for their information.

Should you require any further information, please do not hesitate to contact Julie Smart on 01803 218900.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'M Lawler', is written over the typed name.

Superintendent M Lawler  
Head of Alliance Prevention Department

