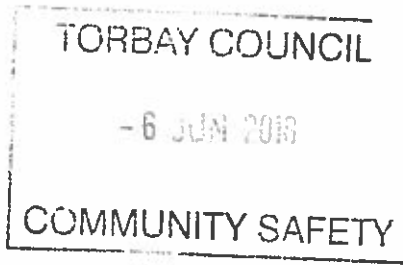


Licensing Department
Torbay Council
Town Hall
Castle Circus
Torquay
TQ1 3DR



4 June 2018

Dear Sir

Objection to Premises Licence: 051439

I would like to formally object to the issuing of an alcohol licence in regard to the above application under The Prevention of Public Nuisance. The premise address is 4 The Quay, Brixham, Devon, TQ5 8AW.

Background

Currently the premises are used as a retail outlet selling kitchen equipment and gifts. The shop trades under the name "Inspirations".

Although the licence request states "The premises shall operate as a retail shop/deli/café" we are aware that the owners also operate the Liberty Tea Parlour and Cocktail Bar located at 11 The Quay, Brixham – as far as we are aware this was granted a similar licence but operates as a late-night bar with music and outside seating.

I have been told that the proposal is to sell expensive Gin and have an occasional tasting evening. I have also heard that it will also be used to host cocktail making parties, and more worryingly, hen parties. I am very concerned that this will end up progressing to something more than an occasional tasting once the licence is granted.

Liberty has a holiday apartment above it which suffered immensely as a result of Liberty being located beneath it, specifically due to the noise and disruption caused to the residents of the holiday apartment.

The details of this licence application are as follows:

Permitted Activities

- the sale by retail of alcohol

Premises Open Hours Requested

| | Time From | Time To |
|------------------|-----------|---------|
| Monday to Sunday | 09:00 | 00:00 |

Activities - Times Requested

| | Time From | Time To |
|--|-----------|---------|
| M. The sale by retail of alcohol for consumption ON and OFF the premises | | |
| Monday to Sunday | 09:00 | 23:30 |

The times above do not sound like the normal operating hours of a café or deli.

Reasons for Objection

1. The proposed location (4 The Quay) has 4 holiday apartments (Fisherman's Loft) located above it, mine being one of them – and my only source of income. I feel that the noise and disruption caused by a late-night establishment would cause significant inconvenience to the guests (many families with young children) in the holiday apartments, effectively making them unsuitable as habitable accommodation. In addition, there is numerous other family accommodation (short and long term lets) in the close proximity.
2. The location is not suitable for a bar (or café) as it is located directly on the corner as you turn onto the Quay. The pavement there is not wide (as it is outside Liberty) and there would be significant issues with people leaving the premises or gathering outside our entrance. Furthermore the disabled access past the premises will be severely restricted and there is no pavement on the other side of the road. There is also no room for a smoking area, or anywhere to place bins outside the property. Please see Annex A.
3. The Quay already has a significant number of bars, restaurants, cafes and cocktail bars. I cannot see the benefit of another establishment selling alcohol. The recent increase in the number of cocktail bars has already led to greater anti-social behaviour in the harbour bowl.
4. The lease for 4 The Quay and Fisherman's Loft states the following:

"Not to make or permit to make any unreasonable noise in the premises and in particular not to use any piano, record player, radio, loudspeaker, television or other mechanical or musical instrument of any kind nor to practice any singing in the premises so as to cause annoyance to any of the other tenants owners or occupiers of any part of the building or so as to be unduly audible outside the premises."

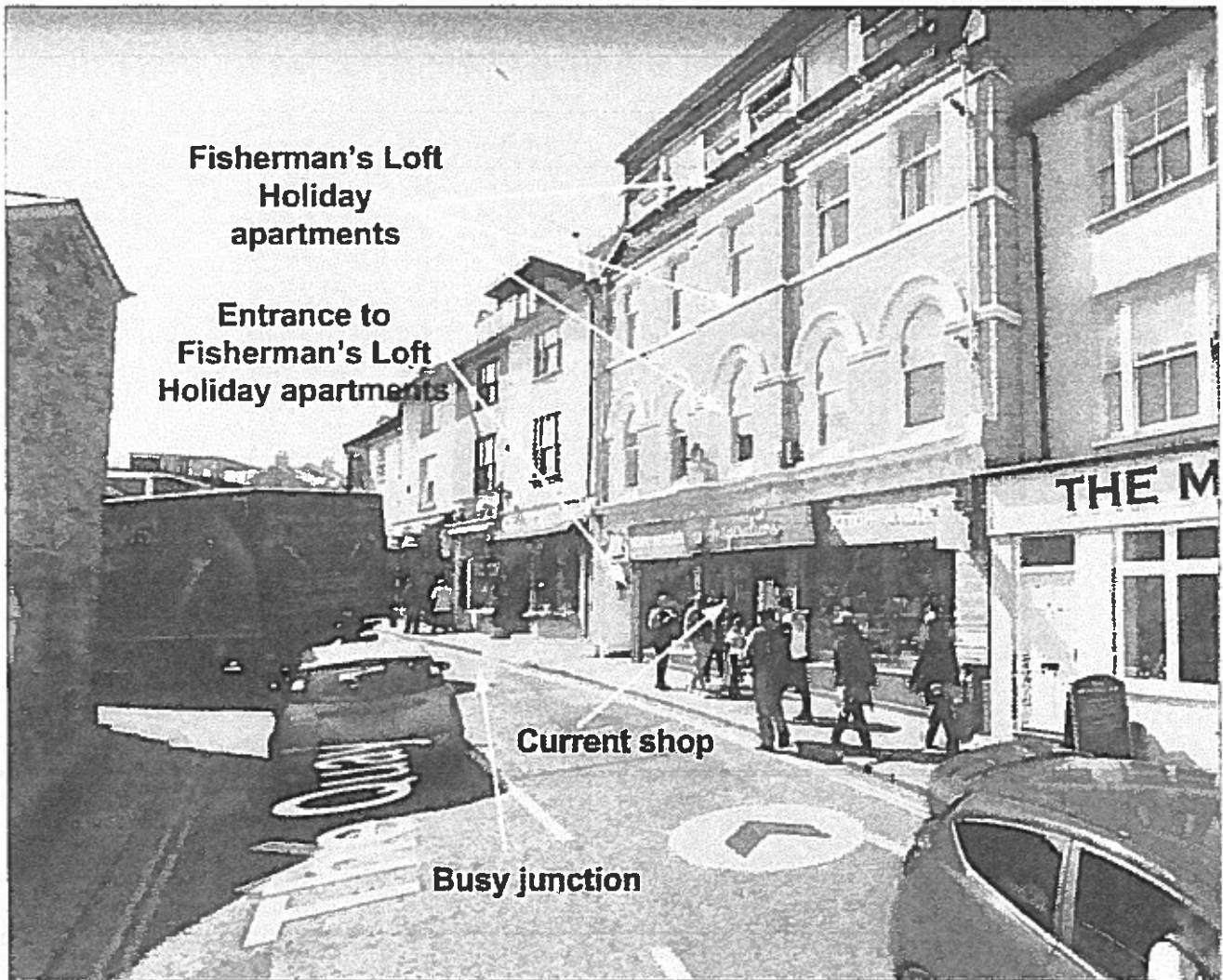
The notice relating to this application is not displayed in a prominent position in the shop. The notice is difficult to see from the pavement and too high up to read, please see Annex B. Thankfully I saw it in the Herald Express, but I am aware that many people are unaware of the application. As the notice contravenes point 3 and 4 on the Application for a Premise Licence I would like to request a two week extension to the notice period to ensure the local community are made aware. I would also request that the notice be moved to a more prominent position where it can be both easily seen and read.

I would be grateful if you could confirm receipt of this objection, my email address is

Annexes

- A. Picture showing location of Inspirations and Fisherman's Loft.
- B. Picture showing the location of the current notice.

Annex A



Torquay Council
Town Hall
Castle Circus
Torquay
TQ1 3DR

5 June 2018

Dear Sir

Objection to Premises Licence: 051439

We would like to formally object to the issuing of an alcohol licence in regard to the above application under The Prevention of Public Nuisance. The premises address is 4 The Quay, Brixham, Devon, TQ5 8AW.

Background

Currently the premises are used as a retail outlet selling kitchen equipment and gifts. The shop trades under the name "Inspirations".

Although the licence request states "The premises shall operate as a retail shop/deli/café" we are aware that the owners also operate the Liberty Tea Parlour and Cocktail Bar located at 11 The Quay, Brixham – as far as we are aware this was granted a similar licence but operates as a late-night bar with music and outside seating.

We have been told that the proposal is to sell expensive Gin and have an occasional tasting evening. We have also heard that it will also be used to host cocktail making parties, and more worryingly, hen parties. We are very concerned that this will end up progressing to something more than an occasional tasting once the licence is granted.

Liberty has a holiday apartment above it which suffered immensely as a result of Liberty being located beneath it, specifically due to the noise and disruption caused to the residents of the holiday apartment.

The details of this licence application are as follows:

Permitted Activities

- the sale by retail of alcohol

Premises Open Hours Requested

| | Time From | Time To |
|------------------|-----------|---------|
| Monday to Sunday | 09:00 | 00:00 |

Activities - Times Requested

| | Time From | Time To |
|--|-----------|---------|
|--|-----------|---------|

M. The sale by retail of alcohol for consumption ON and OFF the premises

Monday to Sunday

09:00

23:30

The times above do not sound like the normal operating hours of a café or deli.

Reasons for Objection

1. Prevention of Public Nuisance concern. The proposed location (4 The Quay) has 4 holiday apartments (Fisherman's Loft) located above it, ours being 2 Fisherman's Loft.

We feel that the noise and disruption caused by a late-night establishment would cause significant inconvenience to the guests (many families with young children) in the holiday apartments, effectively making them unsuitable as habitable accommodation. In addition, there is numerous other family accommodation (short and long term lets) in the close proximity.

2. The location is not suitable for a bar (or café) as it is located directly on the corner as you turn onto the Quay. The pavement there is not wide (as it is outside Liberty) and there would be significant issues with people leaving the premises or gathering outside our entrance. Furthermore the disabled access past the premises will be severely restricted and there is no pavement on the other side of the road. There is also no room for a smoking area, or anywhere to place bins outside the property. Please see Annex A.
3. The Quay already has a significant number of bars, restaurants, cafes and cocktail bars. We cannot see the benefit of another establishment selling alcohol. The recent increase in the number of cocktail bars has already led to greater anti-social behaviour in the harbour bowl.
4. The lease for 4 The Quay and Fisherman's Loft states the following:

"Not to make or permit to make any unreasonable noise in the premises and in particular not to use any piano, record player, radio, loudspeaker, television or other mechanical or musical instrument of any kind nor to practice any singing in the premises so as to cause annoyance to any of the other tenants owners or occupiers of any part of the building or so as to be unduly audible outside the premises."

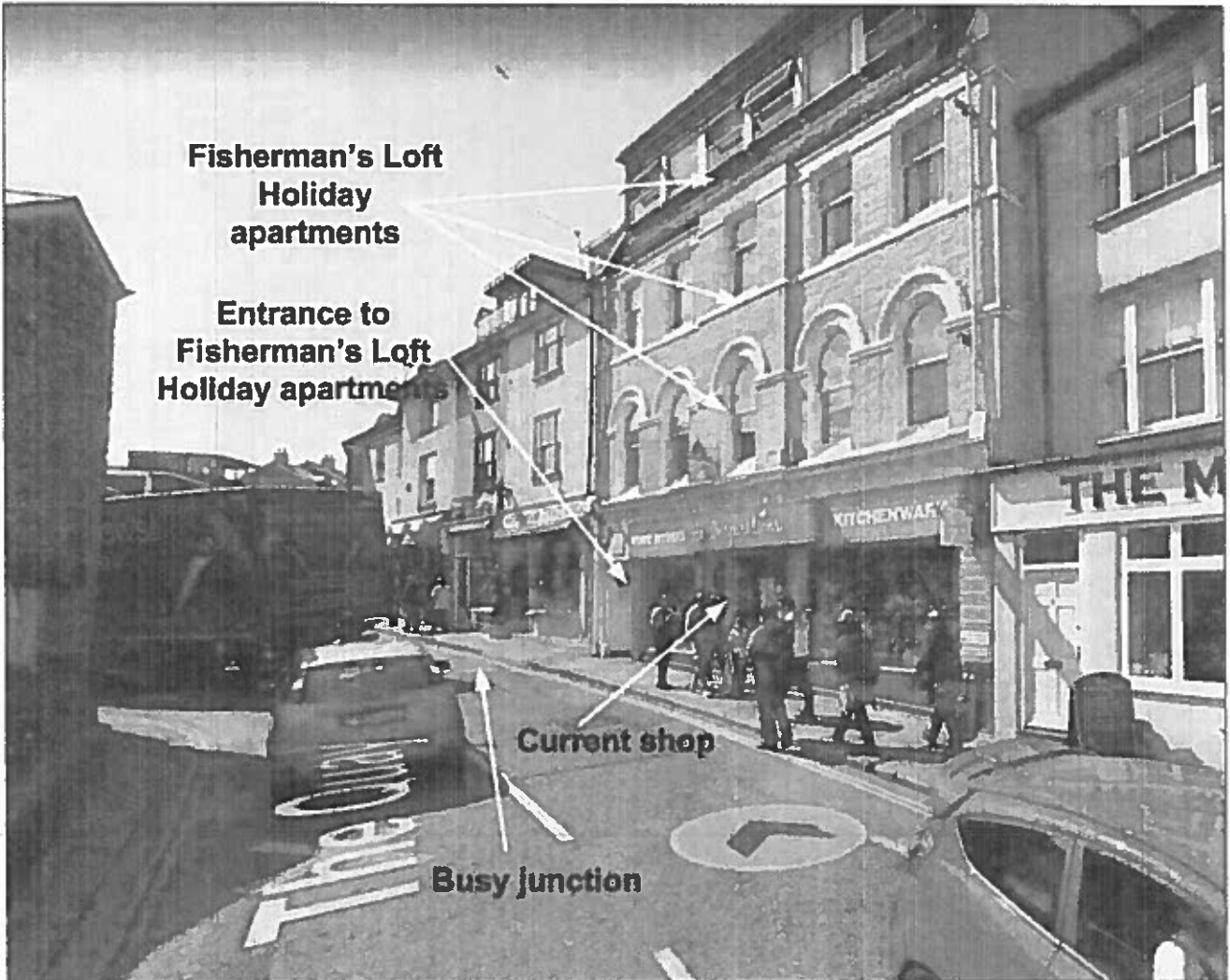
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We would be grateful if you could confirm receipt of this objection, our email address is

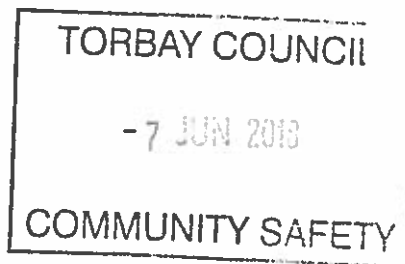
Annexes

- A. Picture showing location of Inspirations and Fisherman's Loft.
- B. Picture showing the location of the current notice.

Annex A



Licensing Department
Torbay Council
Town Hall
Castle Circus
Torquay
TQ1 3DR



5th June 2018

Dear Sir

Objection to Premises Licence: 051439

I would like to formally object to the issuing of an alcohol licence in regard to the above application. The premise address is 4 The Quay, Brixham, Devon, TQ5 8AW. I own 2 apartments in Fishermans Loft directly above Inspirations and would like to place objections on behalf of both properties.

Background

Currently the premises are used as a retail outlet selling kitchen equipment and gifts. The shop trades under the name "Inspirations".

Although the licence request states "The premises shall operate as a retail shop/deli/café" we are aware that the owners also operate the Liberty Tea Parlour and Cocktail Bar located at 11 The Quay, Brixham – as far as we are aware this was granted a similar licence but operates as a late-night bar with music and outside seating.

Liberty has a holiday apartment above it which suffered immensely as a result of Liberty being located beneath it, specifically due to the noise and disruption caused to the residents of the holiday apartment. I also own that apartment and I have already had to spend around £20k to partly solve the insulation issues.

The details of this licence application are as follows:

Permitted Activities

- the sale by retail of alcohol

Premises Open Hours Requested

| | Time From | Time To |
|------------------|-----------|---------|
| Monday to Sunday | 09:00 | 00:00 |

Activities - Times Requested

| | Time From | Time To |
|--|-----------|---------|
| M. The sale by retail of alcohol for consumption ON and OFF the premises | | |
| Monday to Sunday | 09:00 | 23:30 |

The times above do not sound like the normal operating hours of a café or deli. I am very concerned that once the licence is granted this will become just another drinking establishment. Why would anybody want a licence this late unless there are alternative plans which are well developed.

Reasons for Objection

1. The proposed location (4 The Quay) has 4 holiday apartments (Fisherman's Loft) located above it. I feel that the noise and disruption caused by a late-night establishment would cause significant inconvenience to the guests (many families with young children) in the holiday apartments, effectively making them unsuitable as habitable accommodation. In addition, there is numerous other family accommodation (short and long term lets) in the close proximity who will also be affected.
2. The location is not suitable for a bar (or café) as it is located directly on the corner as you turn onto the Quay. The pavement there is not wide (as it is outside Liberty) and there *would be significant issues with people leaving the premises or gathering outside our entrance*. Furthermore the disabled access past the premises will be severely restricted and there is no pavement on the other side of the road. There is also no room for a smoking area, or anywhere to place bins outside the property. Please see Annex A.
3. The Quay already has a significant number of bars, restaurants, cafes and cocktail bars. I cannot see the benefit of another establishment selling alcohol. The recent increase in the number of cocktail bars has already led to greater anti-social behaviour in the harbour bowl.
4. The biggest concern I have is once the licence is granted, there is no going back and the property can easily be converted into a drinking establishment without any come back or any known major additional permissions. Additionally, once licensed, under the Live Music Act 2012, no licence is needed to play LIVE music or unamplified music. Based on my experience with 11 The Quay and Liberty's, there are no building regulations covering sound insulation that a commercial premise has to install between themselves and a domestic property which will cause serious problems throughout the building.
5. If the Application is granted, there will significant financial loss to all apartment owners and as it is one of the largest letting apartments around the Harbour, the knock on affect to local businesses will be seriously felt especially to local restaurants.

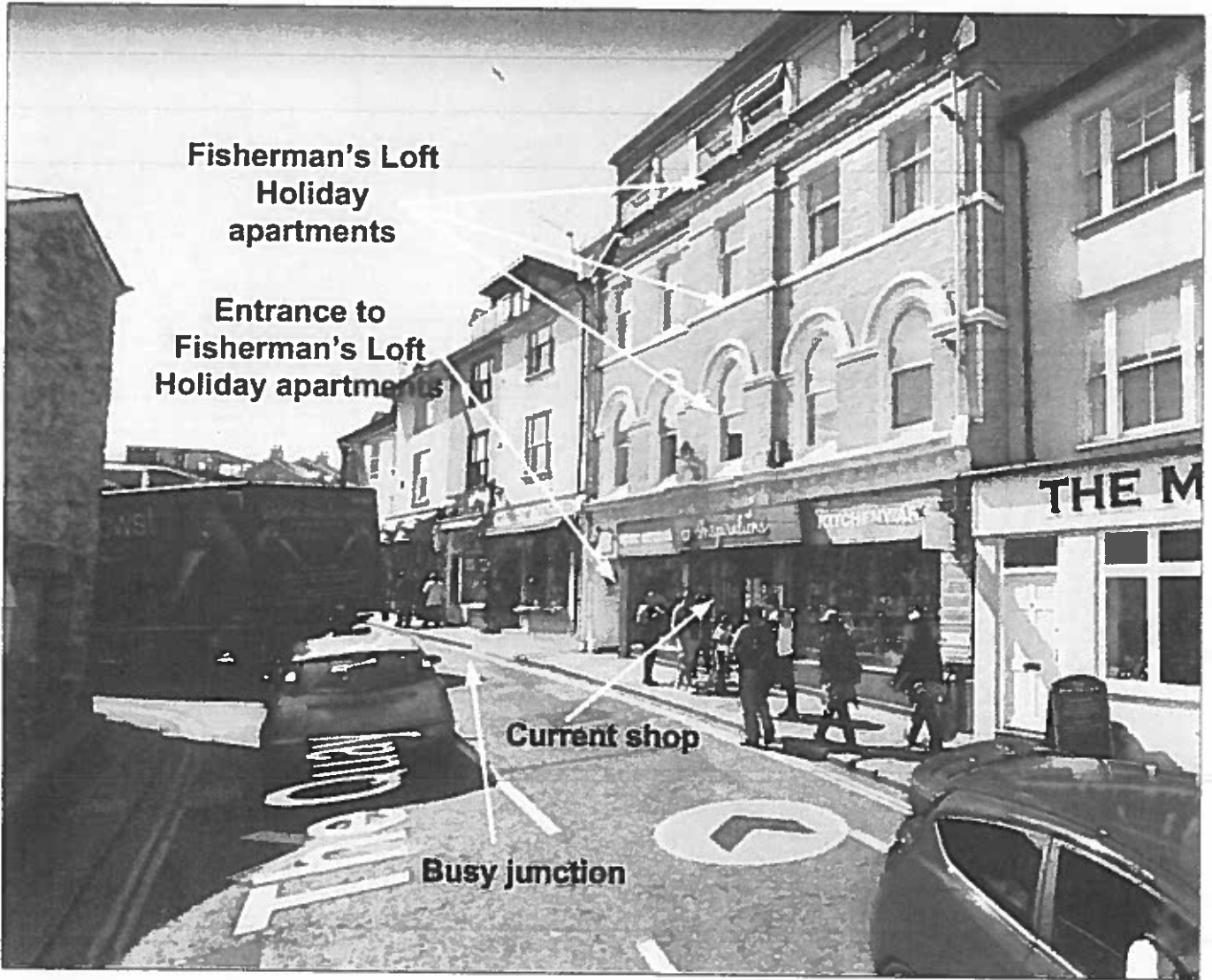
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I would be grateful if you could confirm receipt of this objection. my email address is

Annexes

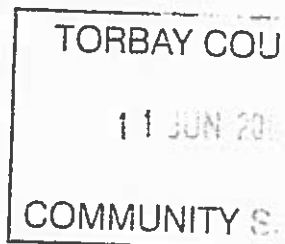
- A. Picture showing location of Inspirations and Fisherman's Loft.
- B. Picture showing the location of the current notice.

Annex A



Annex B





Dear Sir/Madam

Premises licence application; Inspirations, 4 The Quay, Brixham TQ5 8AW

I write with reference to the above application and I wish to object most strongly on the grounds of the prevention of public nuisance.

The applicants already own and operate a business known as "Liberty", some six properties along from Inspirations. That was originally opened as a licensed cafe. It sells the odd cup of tea during the day, but has always operated as bar/cocktail bar. There is no closed frontage to the bar and tables and chairs are outside until past midnight. The music is loud and during the summer it is nothing short of a "pavement party", which consists of loud music, shouting and sometimes violent behaviour. Furthermore, they now have a number of skips permanently situated on the roadside, which are sometimes overflowing and are an abuse of the council's street scene objectives. There is a permanent abuse of the pavement licence and I can find no planning applications for any of the alterations that have taken place.

The applicants appear to have no respect for the licensing objectives or their neighbours and now wish to open another, larger version of Liberty, directly next door to mine. My clients, who rent two flats directly above my restaurant, already complain about the noise thirty metres away. To allow the same operators to open a cafe, which needs to sell alcohol from 09.00 to 23.30, directly next door to my business will create a public nuisance, which in turn, may lead to an issue with crime and disorder and in turn public safety.

To this end, I respectfully request the application be refused.

Yours faithfully

A handwritten signature in blue ink, appearing to read "J. L. Smith".

Mr J. L. Smith

Licensing Department
Torbay Council
Town Hall
Castle Circus
Torquay
TQ1 3DR

12 June 2018

Dear Sir

Objection to Premises Licence: 051439

We would like to formally object to the issuing of an alcohol licence in regard to the above application under The Prevention of Public Nuisance. The premise address is 4 The Quay, Brixham, Devon, TQ5 8AW.

Background

There are plenty of noisy bars around the harbour. It is likely to attract more hen dos and stag dos and Brixham will no longer be the quaint Harbour that we know and love.

Reasons for Objection

It is our understanding that once a licence is granted, they can easily convert the shop in to a full bar and play live music. Brixham harbour has a large percentage of families visiting each year and having another noisy bar is likely to put families off.

There is a Health & Safety issue also as the pavement is very narrow and if tables or crowds of people block the pavement this could cause an accident.

There are many holiday lets overlooking the harbor and the likelihood of more noise will cause problems for these guests. The harbor is know as the 'bowl' as noise bounces around very loudly.

The application is very confusing and it does not add up that they will run sessions until 11 pm. Why would you do this in a shop that normally closes at 5 pm?

It would be much better for locals and holiday guests not to have a further licence issued as this could easily be misused.

Yours faithfully