

Wednesday, 2 July 2025

**STATUTORY LICENSING SUB-COMMITTEE**

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

**Thursday, 10 July 2025**

commencing at **9.30 am**

The meeting will be held in the Banking Hall, Castle Circus entrance on the left corner of the Town Hall, Castle Circus, Torquay, TQ1 3DR

**Members of the Committee**

Councillor Foster

Councillor Pentney

Councillor Spacagna

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**A Healthy, Happy and Prosperous Torbay**

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**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)

# STATUTORY 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. Application for the Grant of a Premises Licence at Torbay Kitchen, 3 The Strand, Torquay**

(Pages 3 - 32)

To consider an application for a new Premises Licence in respect of Torbay Kitchen, 3 The Strand, Torquay.

## **TORBAY COUNCIL**

Briefing Report No:

Public Agenda Item: **Yes**

Title: Licensing Act 2003 – An application for a Premises Licence in respect of Torbay Kitchen, 3 The Strand, Torquay, TQ1 2AA

Wards Affected: **Tormohun**

To: **Licensing Sub Committee**

**10 July 2025**

Contact Officer: **Julie Smart**

✉ Email: **licensing@torbay.gov.uk**

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

1.1 To consider and determine an application for a new Premises Licence made under Section 17 of the Licensing Act 2003 (the Act), 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, the “Prevention of Public Nuisance”, and the “Prevention of Harm to Children”.

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 appropriate 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.

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

- 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. The application is shown in Appendix 1.

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

The provision of late night refreshment indoors and outdoors from 2300 hrs to 0000 hrs Monday to Sunday.

The sale by retail of alcohol for consumption both on and off the premises from 0800 hrs to 0000 hrs Monday to Sunday.

The opening hours of the premises are 0800 hrs to 0000 hrs Monday to Sunday.

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

“Torbay Kitchen. Selling hot food, alcohol”.

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 one Representation from an Interested Party who objects to the application. This is shown in Appendix 3.

We have also received correspondence from the Police, who have reached agreement with the Applicant in respect of the removal of conditions from the application, with additional conditions to be added to the licence, if granted. This is shown in Appendix 4.

No Representations have been received from any other Responsible Authority or any other Interested Party, 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 Application Form

Appendix 2 Plan of the Premises

Appendix 3 Representations from an Interested Party

Appendix 4 Correspondence outlining the agreement reached between the Police and the Applicant

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

None

### **Background Papers:**

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

Torbay Council Licensing Policy 2021-26

This page is intentionally left blank

\* 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

Torbay kitchen

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

#### Name

First name

Family name

#### Contact Details

E-mail

Telephone number

Fax number

Other telephone number

- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

Is the applicant's business registered in the UK with Companies House?

- Yes  No

Is the applicant's business registered outside the UK?

- Yes  No

**Continued from previous page...**

Commercial register

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**User Profile**

**Name**

First name

Family name

Continued from previous page...

### Contact Details

E-mail	<input type="text" value=""/>
Telephone number	<input type="text" value=""/>
Fax number	<input type="text" value=""/>
Other telephone number	<input type="text" value=""/>

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.

### Your Business

Is your business registered in the UK with Companies House?  Yes  No

Is your business registered outside the UK?  Yes  No

Commercial register

The entity with which your business is registered, for example "Amsterdam Chamber of Commerce".

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Your position in the business

Home country

The country where the headquarters of your business is located.

*Continued from previous page...*

**Address**

Building number or name	<input type="text" value="476"/>
Street	<input type="text" value="Babbacombe Road"/>
District	<input type="text" value="Torquay"/>
City or town	<input type="text" value="Devon"/>
County or administrative area	<input type="text" value="devon"/>
Postcode	<input type="text" value="TQ11HN"/>
Country	<input type="text" value="United Kingdom"/>

**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"/>

**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

*Continued from previous page...*

**Address**

Building number or name	<input type="text" value="3"/>
Street	<input type="text" value="Strand"/>
District	<input type="text" value="Torquay"/>
City or town	<input type="text" value="Devon"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="TQ12AA"/>
Country	<input type="text" value="United Kingdom"/>

**Contact Details**

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Fax number	<input type="text"/>
Other telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="20,500"/>

### 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

#### INDIVIDUAL APPLICANT DETAILS

##### Name

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

**Address**

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes  No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes  No

E-mail

Telephone number

Other telephone number

Date of birth  /  /   
dd mm yyyy

Nationality

Right to work share code

Documents that demonstrate entitlement to work in the UK  
Right to work share code if not submitting scanned documents

**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...

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Fax number

Other telephone number

Date of birth  /  /   
dd mm yyyy

Nationality

Documents that demonstrate entitlement to work in the UK

**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.

Torbay Kitchen,  
Selling hot food,alcohol

Continued from previous page...

Non-standard timings. Where the premises will be used for entertainment 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.

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- 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

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

**Continued from previous page...**

Will the provision of late night refreshment 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.

Only selling Hot food and alcohol>

State any seasonal variations

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

N/A

Non-standard timings. Where the premises will be used for the supply of late night refreshments 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.

N/A

**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="08:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="24:00"/>
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  /  /   
dd mm yyyy

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

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.

N/A

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.

N/A

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.

N/A

*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.

24 hours CCTV monitoring ,employing well trained staff ,we conducting proper id check prevent sale of alcohol to underage customers ,our epos system has integrated id check future and maintaining acceptable lighting level outside the store.

b) The prevention of crime and disorder

24 hours CCTV monitoring, our epos system has integrated id check future and maintaining acceptable lighting level outside the store,Traning provided,

c) Public safety

24 hours CCTV monitoring, lighting outside.

d) The prevention of public nuisance

24 hours CCTV monitoring ,employing well trained staff ,we conducting proper id check prevent sale of alcohol to underage customers ,our epos system has integrated id check future and maintaining acceptable lighting level outside the store. consumption of alcohol off the premises.

e) The protection of children from harm

We strictly follow underage sale of alcohol.Refusal Register.

**Section 19 of 21**

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

Continued from previous page...

**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"/>

**DECLARATION**

\* 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.

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

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

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

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)

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

\* 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

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

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

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

[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).

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

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?"

*Continued from previous page...*

Full name

Capacity

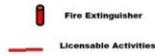
Date  /  /   
dd mm yyyy

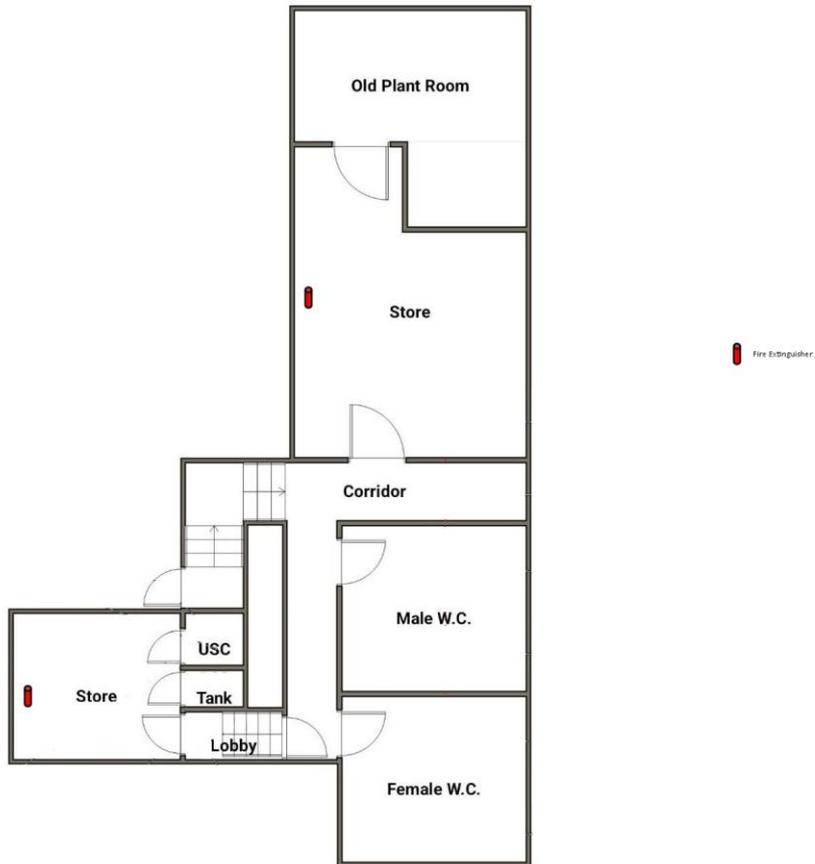
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
  2. Go back to 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**







<b>premises license holder?</b>	i want to remain anonymous.
<b>Would you like to include any documentation in support of your representation</b>	No
<b>Uploaded Files</b>	

## Confirmation

<b>I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises license holder.</b>	1
<b>Full name:</b>	██████████

**From:** SHOTTON Rachael 57742

**To:** Licensing <Licensing@torbay.gov.uk>

**CC:** West, Thomas

**Sent:** 04/06/2025 16:26:04

**Subject:** RE: Torbay Council new premises licence application - Torbay Kitchen, Torquay

**Attachments:**

- (1) image001.png (7 B)
- (2) image002.png (43 B)
- (3) image003.png (33 B)
- (4) image004.jpg (12 B)
- (5) image005.jpg (4 B)
- (6) image006.png (198 B)
- (7) Torbay Kitchen Negotiation on conditions.pdf (662 B)

Good Afternoon Laura

I have managed to negotiate with the applicant, please see attached email thread.

If the agreed conditions are adopted onto the licence as agreed by the applicant I have no representations to put forward.

As a result all other conditions can be removed save those of Prevention of Public Nuisance as this will be agreed by Tom West.

My kind regards

**57742 Rachael SHOTTON**

Alcohol Licensing Officer

Torquay, Paignton and Brixham

Mob:-

**Prevention Department Devon and Cornwall Police**

Torquay Police Station, South Street, Torquay, TQ2 5AH

**Need to contact the police? [Click B4UCall](#)**

**Partner Agency Information Sharing Form - [Click Here](#)**

**In an emergency always call 999**

Subscribe now to Devon and Cornwall Alert, a two-way communication system connecting us, to you. Just go to [alerts.dc.police.uk](https://alerts.dc.police.uk)

**From:** [Sivarasa Suresh](#)  
**To:** [SHOTTON Rachael 57742](#)  
**Subject:** Re: Licence Application Torbay Kitchen  
**Date:** 04 June 2025 16:20:03  
**Attachments:** [image004.png](#)  
[image009.png](#)  
[image003.png](#)  
[image001.png](#)

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Yes, i agree with these conditions, thank you

On Wednesday, June 4, 2025, SHOTTON Rachael 57742 <[REDACTED]> wrote:

Good Afternoon Mr Suresh

Thank you for your time over the telephone today.

As discussed your current application omits some conditions relevant to promoting the four licensing objectives.

We discussed your business model and you intend to trade as a fish and chip restaurant serving beer and wine to customers who purchase food therefore please read through the suggested conditions below and if you are happy to accept these conditions as part of your licence I will liaise with Torbay council to advise that I intend to make no representations for objection if these conditions are accepted.

Suggested conditions as follows:-

**General :-**

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 12 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.

**Prevention of Crime and Disorder:-**

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 30 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) OR a staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open. This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested 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.

An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details :

Any incidents of disorder or of a violent or anti-social nature

All crimes reported to the venue, or by the venue to the police

All ejections of patrons

Any complaints received

Seizures of drugs or offensive weapons

Any faults in the CCTV system

Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

Alcohol will be served ancillary to food

**Public Safety :-**

The collection of glasses and bottles shall be undertaken at regular intervals to ensure there is no build-up of empties in and around the premises.

**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 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.

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.

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

Mr Tom West of Torbay Council can advise you on the objective of Public Nuisance.

If you are happy to accept the above conditions please reply by way of this email.

I look forward to hearing from you

Best wishes



57742 Rachael SHOTTON

Alcohol Licensing Officer

Torquay, Paignton and Brixham

Mob: [REDACTED]



**Prevention Department Devon and Cornwall Police**

Torquay Police Station, South Street, Torquay, TQ2 5AH

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**From:** Sivarasa Suresh [REDACTED]  
**Sent:** 04 June 2025 14:26  
**To:** SHOTTON Rachael 57742 <[REDACTED]>  
**Subject:** Re: Licence Application Torbay Kitchen

Hi .

This is fish and chips takeaway and restaurant.

Can you please contact me for further details to this number [REDACTED].  
On Tuesday, June 3, 2025, SHOTTON Rachael 57742 <[REDACTED]> wrote:

Dear Mr Suresh

I have tried numerous means of contacting you including contact on the number supplied in the application [REDACTED]

If I have had no contact by the end of this week I will have no option other than to submit a representation to the Council objecting to the licence application as it stands.

To avoid this please make contact as soon as possible so as we can discuss this application.

Kind regards



**57742 Rachael SHOTTON**

Alcohol Licensing Officer

Torquay, Paignton and Brixham

Mob:- [REDACTED]



#### Prevention Department Devon and Cornwall Police

Torquay Police Station, South Street, Torquay, TQ2 5AH

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**From:** SHOTTON Rachael 57742

**Sent:** 28 May 2025 09:24

**To:** [REDACTED]

**Subject:** Licence Application Torbay Kitchen

Good morning Mr Suresh

I am currently being consulted on your application for the alcohol licence for Torbay Kitchen

Please can you describe to me the nature of the business as this application is within the CIA for Torbay the process for obtaining a

licence will be more stringent.

If you wish to discuss I can be contacted on the mobile number below. I will be making suggestions of further conditions that I will ask you to accept onto the licence in due course.

Firstly I need to understand your business model.

I look forward to hearing from you

Kind regards



57742 Rachael SHOTTON

Alcohol Licensing Officer

Torquay, Paignton and Brixham

Mob:- [REDACTED]



**Prevention Department Devon and Cornwall Police**

Torquay Police Station, South Street, Torquay, TQ2 5AH

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