

Wednesday, 1 July 2026

STATUTORY LICENSING SUB-COMMITTEE

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

Thursday, 9 July 2026

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 Barbara Lewis

Councillor Spacagna

Councillor Johns

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 - www.torbay.gov.uk

STATUTORY LICENSING SUB-COMMITTEE AGENDA

1. **Election of Chair**
To elect a Chair 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 a Variation to a Premises Licence**
To consider an application for a Variation of the Premises Licence in respect of Hotel Indigo, Torbay Road, Torquay, TQ2 6RH

(Pages 3 - 26)

TORBAY COUNCIL

Briefing Report No:

Public Agenda Item: **Yes**

Title: Licensing Act 2003 – An application for a Variation to a Premises Licence in respect of Hotel Indigo, Torbay Road, Torquay, TQ2 6RH

Wards Affected: **Cockington with Chelston**

To: **Licensing Sub-Committee**

On: **9 July 2026**

Contact Officer: **Julie Smart**

☎ Telephone: **01803 208125**

✉ Email: Licensing@torbay.gov.uk

1. Key points and Summary

- 1.1 To consider and determine an application, in respect of the Premise detailed above, for a Variation to a Premises Licence.
- 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 Public Safety”.
- 1.4 The matter must be considered on its own merits having received details of the issues arising either at a hearing or by written Representations if all parties have agreed that a hearing is not necessary. Having regard to the Representation and issues arising, a decision must be made to take such steps as are appropriate for the promotion of the licensing objectives. These are:-
 - (a) to modify the conditions of the licence, or
 - (b) reject the application in whole or in part, or
 - (c) to grant the application as applied for

For this purpose, the conditions of the licence are modified if any of them is altered or omitted, or any new condition is added.

- 1.5 Reasons for the decision must be given for inclusion in the appropriate Notices required to be served on the Interested Parties and Responsible Authorities at the determination of the matter.

2. Introduction

- 2.1 An application has been made under Section 34 of the Licensing Act 2003 (hereinafter referred to as 'the Act') for a Variation to a Premises Licence. Details of the application are shown in Appendix 1. Only the relevant pages of the application are shown.

A brief description of the proposed Variation is as follows:-

To remove condition 1 of Annexe 3, Conditions attached after a hearing of the Licensing Authority, which states:

“The rooftop bar and rooftop terrace area to be restricted to hotel residents only.”

- 2.2 A copy of the current premises licence showing the licensable activities, timings and conditions is shown at Appendix 2 of this report.
- 2.3 Torbay Council as the Licensing Authority is satisfied that the Applicant has met the administrative requirements of Section 35(1) of the Act but is unable to issue the Variation to the Premises Licence, as relevant Representations have been received from Interested Parties. The Licensing Authority is also satisfied that the Representations were received within the appropriate timescale, have not been subsequently withdrawn and are not vexatious or frivolous.

We have received two Representations from Interested Parties in relation to the Licensing Objectives “The Prevention of Crime and Disorder,” “The Prevention of Public Nuisance” and “Public Safety.” These are shown at Appendix 3 of this report.

A response was received from Mr Jim Blackwell, Torbay Council’s Service Manager, Spatial Planning, confirming, to accord with the application received on the 18 March 2026, that the Local Planning Authority has permitted a variation at these premises for a one calendar year period for non-hotel guests to access the restaurant, roof top bar, spa and gym, to accord also with the plans and particulars submitted.

No Representations have been received from any Responsible Authority.

- 2.4 The Licensing Authority is required to conduct a hearing by the provisions of Section 35(3) unless all parties agree that this is not necessary.
- 2.5 Appropriate Notices have been issued to all parties, as required by the Licensing Act 2003 (Hearing Regulations) 2005, including, where appropriate, details of the Representations and the procedure to be followed at the hearing.
- 2.6 In making its decision, the Committee are required to have regard to:
- the Representations (including supporting information) presented by all the parties; and
 - the official guidance issued under section 182 of the Licensing Act 2003 (revised 12 February 2026), with the following paragraphs being of particular relevance:

- 2.7 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.
- 2.8 If the application is granted, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 4(2) of Schedule 5 to :-
- (a) The applicant for the variation of the licence against any decision to modify the conditions
 - (b) Any person who made a relevant representation in relation to the application who desires to contend
 - (i) that any variation made ought not to have been made, or
 - (ii) that, when varying the licence, the Licensing Authority ought to have modified the conditions of the licence or ought to have modified them in a different way.
- 2.9 Following such Appeal, the Magistrates' Court may:-
- (a) dismiss the appeal,
 - (b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority, or
 - (c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the Court, and may make such order as to costs as it thinks fit.

Rachael Hind
Regulatory Services Manager

Appendices

Appendix 1	Relevant sections of the application form
Appendix 2	Copy of existing Premises Licence
Appendix 3	Representations

Documents available in members' rooms

None

Background Papers:

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

Torbay Council Licensing Policy 2026 - 2031

Official Guidance under section 182 Licensing Act 2003

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Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

253,500

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes

No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes

No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe 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.

This variation application to remove Condition 1 of Annexe 3. This application is being made following a variation to the planning permission on 20 April 2026 under application number P/2026/0115, which confirms (condition 23) that from 1st May 2026 to 30th April 2027, the restaurant, roof-top bar, spa and gym, can be used by hotel guests and the general public.

The variation to the licence will allow use of the rooftop bar by non-residents in line with this approval.

All other conditions will remain attached to the licence and there is no proposed change to the licensable activities, hours or approved plans.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes

No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Continued from previous page...

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Section 14 of 18

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.

Provide 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

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations.

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

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

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

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Annexe 3 - Condition 1 "The rooftop bar and rooftop terrace area to be restricted to hotel residents only"

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Continued from previous page...

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

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.

All existing conditions will remain on the licence and it is determined that no additional steps are deemed necessary.

b) The prevention of crime and disorder

Given the nature of the application, no additional steps are deemed necessary.

c) Public safety

Given the nature of the application, no additional steps are deemed necessary.

d) The prevention of public nuisance

Given the nature of the application, no additional steps are deemed necessary.

e) The protection of children from harm

Given the nature of the application, no additional steps are deemed necessary.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

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Licensing Act 2003
Premises Licence

1348

LOCAL AUTHORITY



Torbay Council
Licensing & Public Protection
Town Hall
Castle Circus
Torquay
TQ1 3DR

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Hotel Indigo Torquay

Torbay Road, Torquay, Devon, TQ2 6RH.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Sunday Hotel bedrooms unrestricted. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00am	2:00am
E. Performance of live music (Indoors)	Monday to Sunday From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00am	2:00am
F. Playing of recorded music (Indoors)	Monday to Sunday From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00am	2:00am
G. Performance of dance (Indoors)	Monday to Sunday From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00am	2:00am

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00am	2:00am
L. Late night refreshment (Indoors)	Monday to Sunday From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00pm	2:00am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday Hotel residents and bona fide guests	Midnight	Midnight
	Monday to Sunday Non-residents New Year's Eve From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00am	11:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	Midnight	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises
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Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Fragrance UK-Torquay 2 Limited	Sigma House, Oak View Close, Edginswell Park, Torquay, Devon, TQ2 7FF.
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REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Fragrance UK-Torquay 2 Limited	10826029
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NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Dennis PISARENCO	[REDACTED]
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PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. LC202405-483160	Issued by Manchester
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R.A Hind

Rachael Hind
Regulatory Service Manager (Commercial)
15 June 2026

ANNEXES

ANNEXE 1

MANDATORY CONDITION: WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL

- 1) No supply of alcohol may be made under the premises licence:-
 - (a) at a time where there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.
- 2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3) (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5) (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 6) The responsible person must ensure that:-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is

ANNEXES continued ...

available to customers in the following measures:-

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2) For the purposes of the condition set out in paragraph 1

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula $P = D + (D \times V)$

Where:-

- (i) P is the permitted price
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence:-

- (i) The holder of the premises licence
- (ii) The designated premises supervisor (if any) in respect of such a licence, or
- (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

MANDATORY CONDITION: EXHIBITION OF FILMS

1) Where the film classification body is specified in the licence, admission of children must be restricted in accordance with any recommendation made by that body.

2) Where -

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this condition applies to the film in question,

ANNEXES continued ...

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In the case of the aforementioned conditions

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (authority to determine suitability of video works for classification).

ANNEXE 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

General

1. The premises are already required to comply with existing and future legislation to include (but not limited to) legislation on safety, health and environmental issues, fire safety, planning, building regulations, disability discrimination, trading standards, weights and measures, crime and disorder and security industry legislation. The licence holder is also required to comply with the provisions of the Licensing Act 2003. The measures covered by various legislation should not be repeated in the premises licence in accordance with the section 182 Guidance to Licensing Authorities.

The prevention of crime and disorder

1. The licence holder shall ensure that all staff are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All staff will be instructed, through training, that a sale shall not be made unless this evidence is produced.
2. The premises shall install and maintain a CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available upon the request of Police or authorised officer throughout the preceding 31 day period.
3. A record (which may be kept electronically) shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the whilst the premises is open.
4. Incident logs (which may be kept electronically) must be kept at the premises for at least 1 month and made available on request to the police or an authorised officer of the licensing authority. The Incident logs will record all incidents that take place within the premises.
5. All Food and Beverage Staff to undergo training on induction as to the requirements under the Licensing Act 2003, including underage sales and the hotel's proof of age policy and to receive refresher training at least annually.

Public safety

1. Risk assessments will be carried out and periodically reviewed for fire, health and safety and emergency evacuation.

The prevention of public nuisance

1. All external doors and windows shall be kept closed during the provision of regulated entertainment.

The protection of children from harm

1. As set out above the licence holder shall operate a proof of age policy and incident/ refusals log.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

The prevention of public nuisance

ANNEXES continued ...

1. The rooftop bar and rooftop terrace area to be restricted to hotel residents only.
2. Closure of the rooftop bar and rooftop terrace area shall be no later than 23:00 hours.
3. Non-residents will be required to vacate the premises by 23:00 hours.
4. The external emptying of bottle bins for disposal to be restricted to between 09:00 hours and 21:00 hours.
5. The premises shall provide a dedicated contact telephone number for local residents to be able to contact the Duty Manager of the Hotel in the case of noise nuisance or anti-social behaviour by persons or activities associated with the premises.

ANNEXE 4

PLANS

Copy attached to Licence.

LOCAL AUTHORITY



Torbay Council
Licensing & Public Protection
Town Hall
Castle Circus
Torquay
TQ1 3DR

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Hotel Indigo Torquay

Torbay Road, Torquay, Devon, TQ2 6RH.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

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E. Performance of live music (Indoors)	Monday to Sunday From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00am	2:00am
F. Playing of recorded music (Indoors)	Monday to Sunday From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00am	2:00am
G. Performance of dance (Indoors)	Monday to Sunday From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00am	2:00am

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00am	2:00am
L. Late night refreshment (Indoors)	Monday to Sunday From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00pm	2:00am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday Hotel residents and bona fide guests	Midnight	Midnight
	Monday to Sunday Non-residents New Year's Eve From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00am	11:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	Midnight	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

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

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Fragrance UK-Torquay 2 Limited Sigma House, Oak View Close, Edginswell Park, Torquay, Devon, TQ2 7FF.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Fragrance UK-Torquay 2 Limited 10826029

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Dennis PISARENCO

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Access is restricted only under the terms of the Licensing Act 2003

R.A Hind

Rachael Hind
Regulatory Service Manager (Commercial)
15 June 2026

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Licensing representation	
Date and Time Submitted	02 June 2026 12:09:07
Name of the premises:	Hotel Indigo
Support/Object to application	Object
Address of the premises:	Torbay Road Torquay TQ2 6RH

Applicant Details

In what capacity are you applying?	body or group
First name:	████
Last name:	████
Contact number:	████████████████████
Email address:	████████████████████
Address:	████ Cromartie Point Livermead Hill Torquay TQ2 6QY {uprn: -1}

Representation

Which of the following Licensing Objectives is this representation relevant to?

This representation is relevant to the following Licensing Objectives	The prevention of crime and disorder The prevention of public nuisance
The reason for your representation:	As a Director and Company Secretary, on behalf of Cromartie Point Residents Ltd and neighbouring residents of Livermead I strongly OBJECT to this application. From the outset, the planning consent was for the hotel to be for residents ONLY, and the developers proceeded on that condition. Assurances were given on numerous occasions that (a) the privacy of residents would be ensured, (b) a traffic plan would be drawn up and implemented within six months of the hotel opening to reduce potential problems with vehicles visiting the hotel being parked in nearby residential streets, there being no public parking available nearby, (c) avoid potential noise from non-residents leaving the hotel starting up engines and shouting farewells, (d) a dedicated contact number for the duty manager would be provided for residents to contact the hotel in the event of noise and

disturbance, which has still not happened, and a register maintained for such issues to be recorded and retained for inspection at the end of any trial period, (e) windows and doors on the roof-top bar would be closed with no access permitted to the terrace, and there is photographic evidence of this being ignored, (f) the restricted number of guests on the roof-top terrace to be carefully monitored, and reference to the aforementioned photographic evidence will show potentially this has been ignored, (g) at the initial Licensing hearing in November 2025 Mr Neil Harrison of IHG stated guests to this area would have to pre-book for access and must sit at tables; this again appears to have been ignored. The hotel has only been open for some four months and yet, despite knowing and building to the Planning consent, the developers Fragrance Group are already claiming it is financially unviable to operate the hotel under those terms, and IHG trading as Hotel Indigo have presumably signed their reputed 25 year lease knowing the restrictions. Surely there should be a minimum of twelve months trading under the initial planning approved conditions, and then a financial statement prepared, which would be presented to the relevant committee? Members of the public should then be given the opportunity to make their observations, before such completely opposite trading conditions are considered and possibly permitted. Residents in Livermead need assurances that the issues raised in items (a) to (g) above will be acknowledged and adhered to. Since opening, there have been repeated breaches of the loading bay restrictions which, whilst not a licensing matter, nevertheless all increase the impact on those living nearby. Indeed, parking of private vehicles for sustained periods in that area have been noted. The gate installed in Livermead Hill which was required to meet fire precautions and be used as an emergency exit only, is frequently used by those entering and leaving the hotel to avoid walking around to the hotel main entrance. It is opened by people who have been dropped off whilst the driver has driven around to park their vehicle in a nearby road rather than paying hotel car parking. Again, not a licensing matter but additional irritation to residents living opposite. It was felt the restrictions imposed at that initial Licensing hearing were a fair compromise but clearly Fragrance Group and IHG are not satisfied. It is vitally important that Condition 1 of Annex 3 remains, ie restricting the roof-top bar and terrace to guests only and to close at 2300 hrs daily. With potentially increased numbers of vehicles parking in the nearby roads there will clearly be an opportunity for an increase in crime involving those vehicles and disorder when owners return to their vehicles and discover offences [REDACTED] [REDACTED] Director and Company Secretary CPRL for residents of Livermead



Licensing (by email)
Torbay Council

05 June 2026

Dear Sir or Madam

Hotel Indigo Torbay Road, Torquay, TQ2 6RH
Variation of premises licence

The Torquay Neighbourhood Plan Forum objects to the proposed variation on the grounds of public nuisance, public safety, and prevention of crime and disorder.

Public nuisance

During the Planning process, concerns were expressed about noise and light emanating from the rooftop bar and terrace, and Conditions were included to restrict both the hours of operation and limiting use to hotel guests only. Since the hotel has opened, nearby residents have been exposed to significant light and noise pollution emanating from the area around the rooftop bar. It has been clear that events have been held in breach of the current licence, and these residents have been severely disturbed late at night. There has also been noise and disturbance from non-residents leaving the premises late at night and possibly inebriated. Granting the variation to extend the hours of operation and to allow non-residents to use the bar would result in an unacceptable level of light pollution and noise for the neighbouring residents, particularly those of Cromartie Point.

Public safety

Non-residents arriving by car park in the neighbouring roads, causing obstruction, sometimes on the pavements, and in fact in the loading bay overnight. They frequently park on the blind right hand bend on the lower part of Livermead Hill. Allowing non-residents to use the bar, and the resultant parking will create a hazard for pedestrians, and nearby residents exiting their driveways and parking areas. It will also exacerbate problems with vehicles having to pass each other in the narrow roads.

Prevention of crime and disorder

When non-residents leave the premises, public disorder can result when fights start. This would be avoided if the use of the bar was restricted to hotel guests, who would remain on the premises, and be less likely to be involved in altercations. In addition, vehicles parked on the neighbouring roads could encourage theft and vandalism. Whilst currently normally a low crime area, there have been periods of vehicle crime and it is concerning that this may increase.

The topic was discussed at length at the Steering Group of the Torquay Neighbourhood Plan Forum on 02 June, and the Steering Group fully supports the Cockington & Chelston Community Partnership and local residents in their opposition to this Application. It was agreed that the Forum should submit an Objection to the proposed variation to the premises licence.

Yours faithfully

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Chair, Torquay Neighbourhood Plan Forum
chair@torquayneighbourhoodplan.org.uk

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